

PLEASE PRINT LEGIBLY!

MEETING DATE 5-12-95

NAME  
ADDRESS

Thomas Buchholz "Buckles"  
806 5<sup>th</sup> St. Oregon City, Or

STREET

Oregon City, Or 97045  
CITY ZIP

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

SUPPORT \_\_\_\_\_ OPPOSE \_\_\_\_\_

SUBMIT TO BOARD CLERK Animal Control

## ANNOTATED MINUTES

Tuesday, May 9, 1995 - 9:30 AM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

### BUDGET SESSION

Chair Beverly Stein convened the meeting at 9:31 a.m., with Commissioners Gary Hansen, Tanya Collier and Dan Saltzman present, Vice-Chair Sharron Kelley arriving at 9:32 a.m.


- WS-1      Aging Services Division Budget Overview, Highlights and Action Plans. ASD Citizen Budget Advisory Committee Presentation. Opportunity for Public Testimony on the Proposed 1995-96 Multnomah County Budget. Issues and Opportunities. Board Questions and Answers.

**JIM McCONNELL BUDGET AND ACTION PLANS HIGHLIGHTS AND RESPONSE TO BOARD QUESTIONS. KATHY GILLETTE RESPONSE TO BOARD QUESTIONS. ROBERT SMITH PRESENTATION IN SUPPORT OF PMCoA/CBAC RECOMMENDATIONS. THELMA SKELTON PRESENTATION IN SUPPORT OF FUNDING FOR ADULT CARE HOME PROGRAM. MR. SMITH PRESENTATION IN SUPPORT OF FUNDING FOR PUBLIC GUARDIAN PROGRAM. JOE ANDERSON PRESENTATION IN SUPPORT OF FUNDING FOR EAST COUNTY ELDER SAFETY PROGRAM AND RESPONSE TO BOARD QUESTIONS. NARCISA PIMENTEL PRESENTATION IN SUPPORT OF FUNDING FOR MULTI-ETHNIC ELDER PROGRAMS. NENE AGUINALDO TESTIMONY IN SUPPORT OF FUNDING FOR MULTI-ETHNIC ELDERLY SERVICES. AVELINA SAMPSON TESTIMONY IN SUPPORT OF SENIOR HOUSING PROGRAM SERVICES. JOAN SCHNELL AND JOE MAHONEY OF OREGON FAIR SHARE TESTIMONY IN SUPPORT OF ADDITIONAL FUNDING FOR ADULT FOSTER CARE PROGRAM. JIM PAYNTER TESTIMONY REGARDING BUDGET PROCESS AND NEED FOR LOCAL FUNDING PLAN TO SUPPORT DISTRICT CENTERS. DAN GRIGORAS TESTIMONY IN OPPOSITION TO FUNDING FOR ADULT CARE HOME PROGRAM. LORENA CAMPBELL AND SUSAN EMMONS TESTIMONY IN SUPPORT OF AN EAST COUNTY FOCAL POINT SATELLITE OFFICE. JEAN DeMASTER**

**PRESENTATION REGARDING ADULT CARE HOME PROGRAM AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. MR. McCONNELL AND MS. DeMASTER RESPONSE TO BOARD QUESTIONS AND DISCUSSION. HOLLY BERMAN PRESENTATION REGARDING PUBLIC GUARDIAN PROGRAM. MR. McCONNELL AND BETTY GLANTZ PRESENTATION REGARDING ADULT PROTECTIVE SERVICES PROGRAM AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. BOARD IDENTIFIED FOLLOW UP ISSUES FOR FURTHER STAFF ELABORATION DURING BUDGET DELIBERATIONS. COMMISSIONER KELLEY PROPOSED BUDGET AMENDMENT ADDING EAST COUNTY OFFICE. COMMISSIONER SALTZMAN PROPOSED BUDGET AMENDMENT INCREASING SAME DAY EMERGENCY TRANSPORTATION. COMMISSIONER HANSEN PROPOSED BUDGET AMENDMENT FOR ADDITIONAL MULTI-ETHNIC OUTREACH FUNDS. COMMISSIONER COLLIER PROPOSED BUDGET AMENDMENTS FOR ADDITIONAL PUBLIC GUARDIAN AND ADDITIONAL ADULT PROTECTIVE SERVICES STAFF.**

There being no further business, the meeting was adjourned at 11:30 a.m.

OFFICE OF THE BOARD CLERK  
MULTNOMAH COUNTY, OREGON

  
Deborah L. Bogstad

---

Wednesday, May 10, 1995 - 9:30 AM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

**BUDGET SESSION**

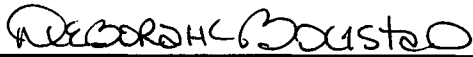
Chair Beverly Stein convened the meeting at 9:31 a.m., with Vice-Chair Sharron Kelley, Commissioners Tanya Collier and Dan Saltzman present, and Commissioner Gary Hansen arriving at 9:32 a.m.

WS-2 Department of Environmental Services Budget Overview, Highlights and Action Plans. DES Citizen Budget Advisory Committee Presentation. Opportunity for Public Testimony on the Proposed 1995-96 Multnomah County Budget. Issues and Opportunities. Board Questions and Answers.

BETSY WILLIAMS DEPARTMENT OVERVIEW SLIDE PRESENTATION. MIKE ZOLLITSCH PRESENTATION IN SUPPORT OF CBAC RECOMMENDATIONS. KERI HARDWICK AND JIM MUNZ PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. MS. WILLIAMS AND MR. MUNZ RESPONSE TO BOARD QUESTIONS REGARDING STATUS OF DPMC AND SPIT COMMITTEES. MS. WILLIAMS PRESENTATION AND RESPONSE TO BOARD QUESTIONS REGARDING CIP PLAN. WAYNE GEORGE AND MS. WILLIAMS RESPONSE TO BOARD QUESTIONS AND DISCUSSION REGARDING SEISMIC ISSUES, STRATEGIC PLAN, CUSTODIAL ISSUES AND STATUS OF FACILITIES ADVISORY STAFF TEAM. MS. WILLIAMS PRESENTATION REGARDING PARKS AND EXPO TRANSFER TO METRO AND RESPONSE TO BOARD QUESTIONS. LARRY NICHOLAS RESPONSE TO BOARD QUESTION REGARDING BRIDGE FUNDING. MS. WILLIAMS RESPONSE TO BOARD QUESTIONS AND DISCUSSION REGARDING GIS SYSTEM AND BOARD OF EQUALIZATION. TOM GUINEY PRESENTATION AND RESPONSE TO BOARD QUESTIONS REGARDING ARCHIVIST. BOARD IDENTIFIED FOLLOW UP ISSUES FOR FURTHER STAFF ELABORATION DURING BUDGET DELIBERATIONS. COMMISSIONER HANSEN PROPOSED BUDGET AMENDMENT FOR ADDITIONAL CUSTODIAL SERVICES. COMMISSIONER COLLIER PROPOSED BUDGET AMENDMENT FOR TEMPORARY STAFF TO COORDINATE BRIDGE LIGHTING PROJECT. COMMISSIONER SALTZMAN PROPOSED BUDGET AMENDMENT TO FUND RECORDS ARCHIVIST.

There being no further business, the meeting was adjourned at 11:25 a.m.

OFFICE OF THE BOARD CLERK  
MULTNOMAH COUNTY, OREGON

  
\_\_\_\_\_  
Deborah L. Bogstad

---

Thursday, May 11, 1995 - 9:30 AM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

## **REGULAR MEETING**

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

**COMMISSIONER COLLIER INTRODUCED AND WELCOMED VISITING MADISON HIGH SCHOOL STUDENTS THEIR TEACHER.**

## **CONSENT CALENDAR**

**UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-2) WAS UNANIMOUSLY APPROVED.**

## **NON-DEPARTMENTAL**

- C-1 In the Matter of the Appointment of Clayborn Collins to the MULTNOMAH COUNTY COMMUNITY ACTION COMMISSION

## **DEPARTMENT OF HEALTH**

- C-2 Ratification of Intergovernmental Agreement Contract 202025 Between the City of Portland and Multnomah County, Providing Monitoring and Control of Rats within the City's Wastewater Collection System, for the Period July 1, 1995 through June 30, 1996

## **REGULAR AGENDA**

## **PUBLIC COMMENT**

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

**THOMAS BUCHHOLZ COMMENTED IN OPPOSITION TO ANIMAL CONTROL DISPOSITION OF AN ANIMAL ABUSE ISSUE. RICHARD KOENIG COMMENTED IN OPPOSITION TO FAMILY SERVICES MEDIATION PROCESS AND EXECUTIVE ORDER 122. AT THE REQUEST OF CHAIR STEIN, COUNTY COUNSEL LARRY KRESSEL ADVISED MR. KOENIG HAS FILED AN APPEAL OF HIS APRIL CRIMINAL TRESPASS CONVICTION WITH THE COURT SYSTEM, AND DISCUSSED THE CRITERIA USED BY SHERIFF'S OFFICE WHEN IMPLEMENTING EXECUTIVE ORDER 122.**

**RICHARD GRADY COMMENTED IN OPPOSITION TO EXECUTIVE ORDER 122 AND HIS EXCLUSION FROM THE COURTHOUSE. AT THE REQUEST OF CHAIR STEIN, MR. KRESSEL DESCRIBED THE CRITERIA USED IN MR. GRADY'S NOTICE OF EXCLUSION AND EXPLAINED HIS LEGAL RECOURSE.**

### **SERVICE DISTRICTS**

(Recess as the Board of County Commissioners and convene as the Budget Committee for Dunthorpe Riverdale Sanitary Service District No. 1)

- R-2      Selection of Budget Committee Chair and Secretary and PUBLIC HEARING to Consider and Approve the 1995-96 Dunthorpe Riverdale Sanitary Service District No. 1 Proposed Budget for Submittal to the Tax Supervising and Conservation Commission

**UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, THE APPOINTMENT OF KENNETH UNDERDAHL CHAIR AND JERRY SCOTT SECRETARY TO THE DUNTHORPE RIVERDALE SANITARY SERVICE DISTRICT WAS UNANIMOUSLY APPROVED. CHAIR UNDERDAHL EXPLANATION AND COMMENTS IN SUPPORT OF BUDGET. UPON MOTION OF CHAIR UNDERDAHL, SECONDED BY SECRETARY SCOTT, THE SERVICE DISTRICT BUDGET WAS UNANIMOUSLY APPROVED.**

(Recess as the Budget Committee for Dunthorpe Riverdale Sanitary Service District No. 1 and reconvene as the Board of County Commissioners)

### **NON-DEPARTMENTAL**

- R-8      PROCLAMATION in the Matter of Honoring Veterans of the Second World War on the Occasion of the 50th Anniversary of V-E Day

**COMMISSIONER SALTZMAN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-8. PROCLAMATION READ. COMMISSIONER SALTZMAN PRESENTATION ACKNOWLEDGING CONTRIBUTION OF VETERANS. COMMISSIONER SALTZMAN WELCOMED AND INTRODUCED WORLD WAR II VETERANS KEN TANNER, ED ZMERZLIKAR AND CHARLES ALTIG. BOARD AND AUDIENCE ACKNOWLEDGEMENT IN SUPPORT. PROCLAMATION 95-101 UNANIMOUSLY APPROVED.**

**VICE-CHAIR KELLEY INTRODUCED AND WELCOMED VISITING REYNOLDS SCHOOL DISTRICT THIRD GRADE STUDENTS AND THEIR TEACHERS.**

**SERVICE DISTRICTS**

(Recess as the Board of County Commissioners and convene as the Budget Committee for Mid County Street Lighting Service District No. 14)

- R-3      Selection of Budget Committee Chair and Secretary and PUBLIC HEARING to Consider and Approve the 1995-96 Mid County Street Lighting Service District No. 14 Proposed Budget for Submittal to the Tax Supervising and Conservation Commission

**UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER SALTZMAN, THE APPOINTMENT OF BEVERLY STEIN AS CHAIR, AND SHARRON KELLEY AS SECRETARY OF THE MID COUNTY STREET LIGHTING SERVICE DISTRICT WAS UNANIMOUSLY APPROVED. JOHN DORST EXPLANATION. NO ONE WISHED TO TESTIFY. UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER HANSEN, THE SERVICE DISTRICT BUDGET WAS UNANIMOUSLY APPROVED.**

(Recess as the Budget Committee for Mid County Street Lighting Service District No. 14 and reconvene as the Board of County Commissioners)

**SHERIFF'S OFFICE**

- R-4      Request for Approval of a Notice of Intent to Apply for a \$90,000 Edward Byrne Memorial Formula Grant to Pay for up to 75% of the Cost of Implementing the Work-in-Lieu-of-Jail Program

**AT THE REQUEST OF CHAIR STEIN AND UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER COLLIER, R-4 WAS UNANIMOUSLY POSTPONED INDEFINITELY.**

**DEPARTMENT OF HEALTH**

- R-5      Budget Modification MCHD 12 Requesting Authorization to Increase HIV Programs within the HIV and STD Services Division Budget to Reflect Receipt of Ryan White Title 1 Supplemental Funds to Enhance Services for HIV Positive Clients

**COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-5. BILLI ODEGAARD AND LIZ FOSTERMAN EXPLANATION. BUDGET MODIFICATION UNANIMOUSLY APPROVED.**

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

- R-6 PUBLIC HEARING and Consideration of an ORDER in the Matter of Approving Request for Transfer of Tax Foreclosed Properties to Portland Public Schools for Public Uses

**COMMISSIONER KELLEY MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-6. RICHARD PAYNE EXPLANATION. NO ONE WISHED TO TESTIFY. ORDER 95-102 UNANIMOUSLY APPROVED.**

- R-7 Ratification of Intergovernmental Agreement Contract 301885 Between the State of Oregon Department of Transportation and Multnomah County, Providing \$1,000,000 in Federal Congestion Mitigation and Air Quality Project Grant Funds to Construct Sidewalk, Bikeway, Pedestrian and Disabled Accessibility Improvements to Various Willamette River Bridges and Ramps

**COMMISSIONER SALTZMAN MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-7. ED PICKERING EXPLANATION. AGREEMENT UNANIMOUSLY APPROVED.**

**NON-DEPARTMENTAL**

- R-9 RESOLUTION in the Matter of Approving a Negotiating Team for the First Application Received Under the Multnomah County Strategic Investment Program Policy and Authorizing the Lead Negotiator to Add Up to Two People to the Negotiating Team

**COMMISSIONER SALTZMAN MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-9. CHAIR STEIN EXPLANATION, ADVISING THE RESOLUTION APPOINTS TANYA COLLIER AS MULTNOMAH COUNTY REPRESENTATIVE, AN AS YET UNNAMED REPRESENTATIVE FROM THE CITY OF GRESHAM, AND AN AS YET UNNAMED EXPERT CONSULTANT. COMMISSIONER COLLIER ACKNOWLEDGED APPOINTMENT AND ADVISED SHE LOOKS FORWARD TO MEETING WITH EACH**



**BOARD MEMBER PRIOR TO BEGINNING NEGOTIATIONS. IN RESPONSE TO A QUESTION OF COMMISSIONER HANSEN, COMMISSIONER COLLIER EXPLAINED THE TIME LINE AND PROCEDURES TO OCCUR PRIOR TO A RECOMMENDATION BEING SUBMITTED TO THE BOARD. RESOLUTION 95-103 UNANIMOUSLY APPROVED.**

There being no further business, the regular meeting was adjourned at 10:15 a.m., and the briefing convened at 10:20 a.m.

---

Thursday, May 11, 1995  
**(IMMEDIATELY FOLLOWING REGULAR MEETING)**  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

**BOARD BRIEFING**

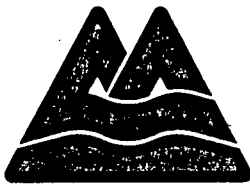
- B-1 Exempt Evaluation Advisory Committee Recommendations and Request for Policy Direction Regarding the Exempt Employee Evaluation and Pay Administration System. Presented by Curtis Smith and Committee Members.

**CURTIS SMITH INTRODUCED COMMITTEE MEMBERS BILLI ODEGAARD, JACKIE BABICKY, TAMARA HOLDEN, JANICE DRUIAN, MERLIN JUILFS, KENNETH UPTON, JERRY WALKER, JIM ANDERSON AND ROBERT PHILLIPS. MR. SMITH PRESENTATION OF RECOMMENDATIONS AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. BOARD CONSENSUS TO PROPOSE BUDGET AMENDMENT ADDING \$9,000 INCENTIVE AWARDS FOR EXEMPT EMPLOYEES.**

There being no further business, the meeting was adjourned at 10:59 a.m.

OFFICE OF THE BOARD CLERK  
MULTNOMAH COUNTY, OREGON

  
Deborah L. Bogstad



# MULTNOMAH COUNTY OREGON

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

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

## AGENDA

### MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

#### FOR THE WEEK OF

MAY 8, 1995 - MAY 12, 1995

Tuesday, May 9, 1995 - 9:30 AM - Budget Session . . . . .	Page 2
Wednesday, May 10, 1995 - 9:30 AM - Budget Session . . . . .	Page 2
Thursday, May 11, 1995 - 9:30 AM - Regular Meeting . . . . .	Page 2
Thursday, May 11, 1995 - Board Briefing . . . . .	Page 4
<u>(IMMEDIATELY FOLLOWING REGULAR MEETING)</u>	

Thursday Meetings of the Multnomah County Board of Commissioners are  
\*cablecast\* live and taped and can be seen by Cable subscribers in Multnomah County  
at the following times:

Thursday, 9:30 AM, (LIVE) Channel 30  
Friday, 10:00 PM, Channel 30  
Sunday, 1:00 PM, Channel 30

*\*Produced through Multnomah Community Television\**

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

*Tuesday, May 9, 1995 - 9:30 AM*

*Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

**BUDGET SESSION**

- WS-1**     *Aging Services Division Budget Overview, Highlights and Action Plans. ASD Citizen Budget Advisory Committee Presentation. Opportunity for Public Testimony on the Proposed 1995-96 Multnomah County Budget. Issues and Opportunities. Board Questions and Answers. 2.5 HOURS REQUESTED.*
- 

*Wednesday, May 10, 1995 - 9:30 AM*

*Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

**BUDGET SESSION**

- WS-2**     *Department of Environmental Services Budget Overview, Highlights and Action Plans. DES Citizen Budget Advisory Committee Presentation. Opportunity for Public Testimony on the Proposed 1995-96 Multnomah County Budget. Issues and Opportunities. Board Questions and Answers. 2.5 HOURS REQUESTED.*
- 

*Thursday, May 11, 1995 - 9:30 AM*

*Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

**REGULAR MEETING**

**CONSENT CALENDAR**

**NON-DEPARTMENTAL**

- C-1**     *In the Matter of the Appointment of Clayborn Collins to the MULTNOMAH COUNTY COMMUNITY ACTION COMMISSION*

**DEPARTMENT OF HEALTH**

- C-2**     *Ratification of Intergovernmental Agreement Contract 202025 Between the City of Portland and Multnomah County, Providing Monitoring and Control of Rats within the City's Wastewater Collection System, for the Period July 1, 1995 through June 30, 1996*

## **REGULAR AGENDA**

### **PUBLIC COMMENT**

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

### **SERVICE DISTRICTS**

*(Recess as the Board of County Commissioners and convene as the Budget Committee for Dunthorpe Riverdale Sanitary Service District No. 1)*

- R-2      *Selection of Budget Committee Chair and Secretary and PUBLIC HEARING to Consider and Approve the 1995-96 Dunthorpe Riverdale Sanitary Service District No. 1 Proposed Budget for Submittal to the Tax Supervising and Conservation Commission*

*(Recess as the Budget Committee for Dunthorpe Riverdale Sanitary Service District No. 1 and convene as the Budget Committee for Mid County Street Lighting Service District No. 14)*

- R-3      *Selection of Budget Committee Chair and Secretary and PUBLIC HEARING to Consider and Approve the 1995-96 Mid County Street Lighting Service District No. 14 Proposed Budget for Submittal to the Tax Supervising and Conservation Commission*

*(Recess as the Budget Committee for Mid County Street Lighting Service District No. 14 and reconvene as the Board of County Commissioners)*

### **SHERIFF'S OFFICE**

- R-4      *Request for Approval of a Notice of Intent to Apply for a \$90,000 Edward Byrne Memorial Formula Grant to Pay for up to 75% of the Cost of Implementing the Work-in-Lieu-of-Jail Program*

### **DEPARTMENT OF HEALTH**

- R-5      *Budget Modification MCHD 12 Requesting Authorization to Increase HIV Programs within the HIV and STD Services Division Budget to Reflect Receipt of Ryan White Title 1 Supplemental Funds to Enhance Services for HIV Positive Clients*

### **DEPARTMENT OF ENVIRONMENTAL SERVICES**

- R-6      *PUBLIC HEARING and Consideration of an ORDER in the Matter of Approving Request for Transfer of Tax Foreclosed Properties to Portland Public Schools for Public Uses*

- R-7      *Ratification of Intergovernmental Agreement Contract 301885 Between the State of Oregon Department of Transportation and Multnomah County, Providing \$1,000,000 in Federal Congestion Mitigation and Air Quality Project Grant Funds to Construct Sidewalk, Bikeway, Pedestrian and Disabled Accessibility Improvements to Various Willamette River Bridges and Ramps*

**NON-DEPARTMENTAL**

- R-8      *PROCLAMATION in the Matter of Honoring Veterans of the Second World War on the Occasion of the 50th Anniversary of V-E Day*
- R-9      *RESOLUTION in the Matter of Approving a Negotiating Team for the First Application Received Under the Multnomah County Strategic Investment Program Policy and Authorizing the Lead Negotiator to Add Up to Two People to the Negotiating Team*
- 

*Thursday, May 11, 1995*  
**(IMMEDIATELY FOLLOWING REGULAR MEETING)**

*Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

**BOARD BRIEFING**

- B-1      *Exempt Evaluation Advisory Committee Recommendations and Request for Policy Direction Regarding the Exempt Employee Evaluation and Pay Administration System. Presented by Curtis Smith and Committee Members. 15 MINUTES REQUESTED.*

Meeting Date: MAY 11 1995

Agenda No.: C-1

(Above Space for Board Clerk's Use *ONLY*)

AGENDA PLACEMENT FORM

SUBJECT: Boards & Commissions Appointment

BOARD BRIEFING:      Date Requested:  
                                 Amount of Time Needed:

REGULAR MEETING:      Date Requested: Thursday May 11, 1995  
                                 Amount of Time Needed: Consent Agenda

DEPARTMENT: Nondepartmental

DIVISION: Chair's Office

CONTACT: Delma Farrell

TELEPHONE: X-3953

BLDG/ROOM: 106/1515

PERSON(S) MAKING PRESENTATION:

**ACTION REQUESTED:**

☐ INFORMATIONAL ONLY   ☐ POLICY DIRECTION   ☒ APPROVAL   ☐ OTHER

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

Appointment of Clayborn Collins to Seat #4/Private Sector on the Multnomah County Community Action Commission for a term ending 6/30/96.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Beverly Stein

OR

MANAGER: \_\_\_\_\_

*Any Questions? Call the Office of the Board Clerk at 248-3277 or 248-5222.*

forms\apf.doc

MULTNOMAH COUNTY  
OREGON  
1995 MAY - 2 11 4 10  
CLERK OF COMMISSIONERS



## BOARDS AND COMMISSIONS

### INTEREST FORM FOR BOARDS AND COMMISSIONS

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

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

MULTNOMAH COUNTY COMMUNITY ACTION COMMISSION

B. Name Clayborn Collins

Address 4519 N. Kerby

City Portland State OR Zip Code 97217

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

Home Phone (503) 284-5438

- C. Current Employer Self Employed

Address 3939 NE MLK #105

City Portland State Oregon Zip Code 97212

Your Job Title President + CEO

Work Phone (503) 282-0774 (Ext) \_\_\_\_\_

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

- D. Previous Employers \_\_\_\_\_ Dates \_\_\_\_\_ Job Title \_\_\_\_\_

Albina Ministerial Alliance July 91 To Dec 94 CASE Mgr

Albina Ministerial Alliance

CONTACT: **DANA BROWN, STAFF**  
**MCCAC**  
426 SW STARK, 6TH FLOOR  
PORTLAND OR 97204  
248-5464 x4780 / 248-3332 (FAX)

OFFICE OF THE MULTNOMAH COUNTY CHAIR  
1120 SW FIFTH, ROOM 1410  
PORTLAND, OREGON 97204  
(503) 248-3308

are affiliated.

Name of Organization	Dates	Responsibilities
Albina Ministerial Alliance	Jan 95. to present	Advisory Cmte.
Oregon Shelter Network	Sept 92 To present	
Oregon Commission on Black Affairs.		

F. Please list all post-secondary school education and any training experiences.

Name of School	Dates	Responsibilities
Mt. Hood Comm College	Sept 86 to May 87	
Concordia College	Sept 90 April 92	
University of Portland	June 92 Dec 93	Bachelors Degree Bus
City University	MBA Program.	Not Completed

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

Johnny Gage	288-0695
Eileen Byrnes	285-0493

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I. Affirmative Action Information

M/B  
sex/racial ethnic background

Birth date: Month 5 Day 2 Year 67

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

Signature Clay Collins Date 3/23/95



MEETING DATE: MAY 1 1 1995

AGENDA NO.: C-2

(Above space for Board Clerk's Use ONLY)

**AGENDA PLACEMENT FORM**

SUBJECT: Intergovernmental agreement with the City of Portland (Contract #202025)

BOARD BRIEFING Date Requested: \_\_\_\_\_

Amount of Time Needed: \_\_\_\_\_

REGULAR MEETING Date Requested: \_\_\_\_\_

Amount of Time Needed: 5 minutes or less

DEPARTMENT: Health

DIVISION: \_\_\_\_\_

CONTACT: Tom Fronk

TELEPHONE #: x4274

BLDG/ROOM #: 160/7

PERSON(S) MAKING PRESENTATION: Tom Fronk

**ACTION REQUESTED:**

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

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

County will provide monitoring and control of rats within the City's wastewater collection system.

5/15/95 ORIGINALS TO KAREN GARBER

**SIGNATURES REQUIRED:**

ELECTED OFFICIAL: \_\_\_\_\_

Or

DEPARTMENT MANAGER: Bill Odgers

(ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES)

Any Questions: Call the Office of the Board Clerk 248-3277/248-5222  
5654

BOARD OF  
COUNTY COMMISSIONERS  
1995 MAY - 3 PM 2:31  
MULTNOMAH COUNTY  
OREGON



# 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

## MEMORANDUM

TO: Board of County Commissioners

FROM:  Odgaard, Director, Health Department

DATE: April 25, 1995

SUBJECT: Revenue agreement with the City of Portland for rodent control in the sewers

- I. Recommendation/Action Requested: The Health Department recommends Board ratification of Contract #202025 with the City of Portland for the period July 1, 1995, to and including June 30, 1996.
- II. Background/Analysis: This agreement has been renewed annually since its origination in July 1991. The City of Portland requires monitoring and control of rats within the City's wastewater collection system. The County will respond to complaints regarding rat infestations, and provide advice to property owners regarding maintenance of their plumbing systems in an effort to eliminate points of rodent ingress and egress to and from the City's wastewater collection system.
- III. Financial Impact: The City will pay the County \$65,827 in quarterly installments of \$16,456.75.
- IV. Legal Issues: None
- V. Controversial Issues: None
- VI. Link to Current County Policies: Continuing to cooperate with other governmental entities in the provision of environmental health services.
- VII. Citizen Participation: None
- VIII. Other Government Participation: None

**CONTRACT APPROVAL FORM**

(See Administrative Procedure #2106)

MULTNOMAH COUNTY OREGON

Contract # 202025

Amendment # \_\_\_\_\_

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  <b>APPROVED MULTNOMAH COUNTY</b> <b>BOARD OF COMMISSIONERS</b> AGENDA # <u>C-2</u> DATE <u>5/11/95</u> <u>DEB BOGSTAD</u> REVENUE BOARD CLERK

Department Health Division \_\_\_\_\_ Date April 25, 1995Contract Originator Karen Garber Phone x6207 Bldg/Room 160/8Administrative Contact Tom Fronk Phone x4274 Bldg/Room 160/7Description of Contract County will provide monitoring and control of rats in City's wastewater collection system.

RFP/BID # \_\_\_\_\_ Date of RFP/BID \_\_\_\_\_ Exemption Exp. Date \_\_\_\_\_

ORS/AR # \_\_\_\_\_ Contractor is ☐ MBE ☐ WBE ☐ QRF

Contractor Name City of Portland  
 Mailing Address Bureau of Environmental Services  
1120 SW 5th Ave, Room 400  
Portland, OR 97204-1972  
 Phone Gayle Luthy 823-7381  
 Employer ID# or SS# \_\_\_\_\_  
 Effective Date July 1, 1995  
 Termination Date June 30, 1996  
 Original Contract Amount \$ 65,827  
 Total Amount of Previous Amendments \$ \_\_\_\_\_  
 Amount of Amendment \$ \_\_\_\_\_  
 Total Amount of Agreement \$ \_\_\_\_\_

\*Send billings to Room 903

Remittance Address \_\_\_\_\_  
(If Different) \_\_\_\_\_

Payment Schedule \_\_\_\_\_ Terms \_\_\_\_\_

☐ Lump Sum \$ \_\_\_\_\_ ☐ Due on receipt

☐ Monthly \$ \_\_\_\_\_ ☐ Net 30

☒ Other \$ 16,456.75 per quarter ☐ Other \_\_\_\_\_

☐ Requirements contract - Requisition required.

Purchase Order No. \_\_\_\_\_

☐ Requirements Not to Exceed \$ \_\_\_\_\_

## REQUIRED SIGNATURES:

Department Manager Beth OdgaardPurchasing Director \_\_\_\_\_  
(Class II Contracts Only)County Counsel Katie GageCounty Chair / Sheriff Rebecca KleinContract Administration \_\_\_\_\_  
(Class I, Class II Contracts Only)Encumber: Yes ☐ No ☐Date 5/11/95

Date \_\_\_\_\_

Date 5/3/95Date May 11, 1995

Date \_\_\_\_\_

VENDOR CODE				VENDOR NAME					TOTAL AMOUNT		\$	
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT/ REV SRC	SUB OBJ	REPT CATEG	LGFS DESCRIPTION	AMOUNT	INC/ DEC IND	
01.	100	015	0233			4004		0399	Rat Control	\$65,827		
02.												
03.												
* If additional space is needed, attach separate page. Write contract # on top of page.												

INSTRUCTIONS ON REVERSE SIDE

WHITE - CONTRACT ADMINISTRATION

CANARY - INITIATION

PINK - FINANCE

CITY OF PORTLAND  
AND  
MULTNOMAH COUNTY  
RODENT CONTROL AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 1995, by and between the CITY OF PORTLAND, a political subdivision of the State of Oregon (hereinafter referred to as "CITY") and MULTNOMAH COUNTY, a political subdivision of the State of Oregon (hereinafter referred to as "COUNTY"),

WITNESSETH:

WHEREAS, CITY's Bureau of Environmental Services requires services which COUNTY is capable of providing, under terms and conditions hereinafter described, and

WHEREAS, COUNTY is able and prepared to provide such services as CITY does hereinafter require, under those terms and conditions set forth; now, therefore,

IN CONSIDERATION of those mutual promises and the terms and conditions set forth hereafter, the parties agree as follows:

1. Term

The term of this Agreement shall be from July 1, 1995, to and including June 30, 1996, unless sooner terminated under the provisions hereof.

2. Services

COUNTY's services under this agreement shall consist of the following:

- A. Monitoring and control of rats within and originating from the CITY's wastewater collection system.
- B. Response to complaints regarding rat infestations originating from CITY's wastewater collection system.
- C. Provision of advice to property owners regarding maintenance of plumbing on their property to eliminate points of rodent ingress and egress to and from CITY's wastewater collection system.
- D. During the term of this Agreement COUNTY estimates that approximately 1,500 phone calls regarding rats associated with the CITY's wastewater collection system will be answered, 1,150 visits will be made to residences in response to rodent problems involving the CITY's wastewater collection system, 170 letters will be sent to property owners advising them about repairing broken sewer lines on their property, and 3,000 manholes will be baited for control of rats in the CITY's wastewater collection system.

3. Compensation

- A. CITY agrees to pay COUNTY \$65,827 based upon the following terms:  
\$16,456.75 per quarter upon submission of invoice by COUNTY.

- B. CITY certifies that either federal, state or local funds are available and authorized to finance the costs of this Agreement. In the event that funds cease to be available to CITY in the amounts anticipated, CITY may terminate or reduce Agreement funding accordingly. CITY will notify COUNTY as soon as it receives such notification from funding source. Reduction or termination will not affect payment for accountable expenses prior to the effective date of such action.
  - C. All final billings affecting Agreement payments must be received 30 days prior to the end of the Agreement period. Agreement payments not triggered or billed within this specific time period will be the sole responsibility of the COUNTY.
- 4. Independent Contractor Status  
COUNTY is an independent contractor and is solely responsible for the conduct of its programs. COUNTY, its employees and agents shall not be deemed employees or agents of CITY.
- 5. Indemnification
  - A. COUNTY shall defend, indemnify, and hold and save harmless CITY, its officers, agency, and employees from damages arising out of the tortious acts of COUNTY, or its officers, agents and employees acting within the scope of their employment and duties in performance of this Agreement subject to the limitations and conditions of the Oregon Tort Claims Act, ORS 30.260 through 30.300, and any applicable provisions of the Oregon Constitution.
  - B. CITY shall defend, indemnify, and hold and save harmless COUNTY, its officers, agents, and employees from damages arising out of the tortious acts of CITY, or its officers, agents and employees acting within the scope of their employment and duties in performance of this Agreement subject to the limitations and conditions of the Oregon Tort Claims Act, ORS 30.260 through 30.300, and any applicable provisions of the Oregon Constitution.
- 6. Workers' Compensation Insurance  
COUNTY shall maintain workers' 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.
- 7. Taxpayer Identification Number  
COUNTY shall furnish to CITY its federal employer identification number, as designated by the Internal Revenue Service.
- 8. Subcontracts and Assignment  
COUNTY shall neither subcontract with others for any of the work prescribed herein, nor assign any of COUNTY's rights acquired hereunder without obtaining prior written approval from CITY. CITY by this Agreement incurs no liability to third persons for payment of any compensation provided herein to COUNTY.

9. Access to Records

COUNTY agrees to permit authorized representatives of CITY to make such review of the records of the COUNTY as CITY may deem necessary to satisfy audit and/or program evaluation purposes. COUNTY shall permit authorized representatives of CITY Bureau of Environmental Services to site visit all programs covered by this Agreement. Agreement costs disallowed as the result of such audits, review or site visits will be the sole responsibility of the COUNTY. If an Agreement cost is disallowed after reimbursement has occurred, COUNTY will make prompt repayment of such costs.

10. Waiver of Default

Waiver of a default shall not be deemed to be a waiver of any subsequent default. Waiver of any breach of any provision of this Agreement shall not be deemed to be a waiver of any other or subsequent breach and shall not be construed to be a modification of the provisions of this Agreement.

11. Adherence to Law

- A. COUNTY shall adhere to all applicable laws governing its relationship with its employees, including but not limited to laws, rules, regulations and policies concerning workers' compensation, and minimum and prevailing wage requirements.
- B. COUNTY 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 participation in, be denied the benefits of, or be subject to discrimination under any program or activity because of such individual's race, color, religion, sex, national origin, age or handicap. In that regard, COUNTY must comply with all applicable provisions of Executive Order Number 11246 as amended by Executive Order No. 11375 of the President of the United States dated September 24, 1965, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000(d)) and Section 504 of the Rehabilitation Act of 1973 as implemented by 45 C.F.R. 84.4. COUNTY will also comply with all applicable rules, regulations and orders of the Secretary of Labor concerning equal opportunity in employment and the provisions of ORS Chapter 659.

12. Modification

Any amendments to the provisions of this Agreement, whether initiated by CITY or COUNTY, shall be reduced to writing and signed by both parties.

13. Integration

This Agreement contains the entire Agreement between the parties and supersedes all prior written or oral discussions or agreements.

14. Early Termination

- A. Violation of any of the rules, procedures, attachments, or conditions of the Agreement may, at the option of either party, be cause for termination of the Agreement and, unless and until corrected, of funding support by CITY and services by COUNTY, or be cause for placing conditions on said funding and/or services, which may include withholding of funds. Waiver by either party of any violation of this Agreement shall not prevent

said party from invoking the remedies of this paragraph for any succeeding violation of this Agreement.

- B. This Agreement may be terminated by either party by sixty (60) days written notice to the other party.
- C. Immediate termination or amendment by CITY may occur under any of the following conditions:
  - 1) Upon notice of denial, revocation, suspension or non-renewal of any license or certificate required by law or regulation to be held by COUNTY to provide a service under this agreement.
  - 2) Upon notice of COUNTY fails to start-up services on the date specified in this Agreement, or if COUNTY fails to continue to provide service for the entire Agreement period.
  - 3) Upon notice to CITY of evidence the COUNTY has endangered or is endangering the health and safety of clients/residents, staff, or the public.
  - 4) Upon evidence of COUNTY's financial instability which CITY deems sufficient to jeopardize customary level and/or quality of service.
- D. Payment to COUNTY will include all services provided through the day of termination and shall be in full satisfaction of all claims by COUNTY against CITY under this Agreement.
- E. Termination under any provision of this section shall not affect any right, obligation or liability of COUNTY or CITY which accrued prior to such termination.

15. Litigation

COUNTY shall give CITY immediate notice in writing of any action or suit filed or any claim made against COUNTY or any subcontractor of which COUNTY may be aware of which may result in litigation related in any way to this Agreement.

16. Oregon Law and Forum

This Agreement shall be construed and governed according to the laws of the State of Oregon.

IN WITNESS WHEREOF, the parties have caused this Contract to be executed by their duly authorized officers the day and year first above written.

CITY OF PORTLAND, OREGON

By \_\_\_\_\_  
Mike Lindberg, Commissioner  
Bureau of Environmental Services  
Date \_\_\_\_\_

By \_\_\_\_\_  
Dean Marriott, Director  
Bureau of Environmental Services  
Date \_\_\_\_\_

APPROVED AS TO FORM:

By \_\_\_\_\_  
City Attorney  
Date \_\_\_\_\_

MULTNOMAH COUNTY, OREGON

By Beverly Stein  
Beverly Stein, Multnomah County Chair  
Date May 11, 1995

HEALTH DEPARTMENT

By Billi Odegard  
Billi Odegard, Director  
Date 5/11/95

By Gary Oxman  
Gary Oxman, Program Manager  
Date 4.28.95

REVIEWED:

Laurence B. Kressel, County Counsel for  
Multnomah County, Oregon

By Katie Gaetjens  
Katie Gaetjens, Deputy  
Date 5/3/95

APPROVED MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # C-2 DATE 5/11/95  
DEB BOGSTAD  
BOARD CLERK



**PLEASE PRINT LEGIBLY!**

#2

**MEETING DATE** May 11

**NAME**

**ADDRESS**

Richard L Koonig "KAANIG"

**STREET**

Inner SE 97214

**CITY**

**ZIP**

**I WISH TO SPEAK ON AGENDA ITEM NO.**

**SUPPORT**

**OPPOSE**

**SUBMIT TO BOARD CLERK**

R-1

#3

PLEASE PRINT LEGIBLY!

MEETING DATE 5/11/95

NAME RICHARD L. GRADY

ADDRESS PO BOX 1681

STREET

PORTLAND, OR

CITY

97207

ZIP CODE

I WISH TO SPEAK ON AGENDA ITEM # R-1

SUPPORT \_\_\_\_\_ OPPOSE \_\_\_\_\_

SUBMIT TO BOARD CLERK



## Beverly Stein, Multnomah County Chair

Room 1515, Portland Building  
1120 S.W. Fifth Avenue  
Portland, Oregon 97204

Phone: (503) 248-3308  
FAX: (503) 248-3093  
E-Mail: MultChair@aol.com

### MEMORANDUM

**Date:** May 11, 1995  
**From:** Rhys Scholes  
**To:** Board of County Commissioners  
**Subject:** Courthouse Security Issues

---

There have been a series of incidents in the courthouse in recent months involving individuals who disagree with the policies, practices or point of view of programs aimed at reducing domestic violence and mediating family conflicts. Richard Koenig and Richard Grady are two of the individuals who have been involved in these incidents.

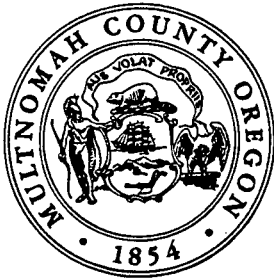
Mr. Grady came to our office a couple of weeks ago to share his concerns regarding the process used to exclude people (including him) from the courthouse. After listening to his story, I asked County Counsel to take a look at the issue.

Counsel's memo is attached.

I have talked with Lt. Hanson of the Sheriff's Office and with representatives of the programs that have been disturbed. I have listened to Mr. Grady's concerns and have previously had discussions with Mr. Koenig. I believe that the exclusion process is necessary, measured and appropriate. Counsel's memo demonstrates that it is well supported legally.

Let me know if you need any additional information.





## Beverly Stein, Multnomah County Chair

Room 1515, Portland Building  
1120 S.W. Fifth Avenue  
Portland, Oregon 97204

Phone: (503) 248-3308  
FAX: (503) 248-3093  
E-Mail: MultChair@aol.com

### MEMORANDUM

**Date:** May 10, 1995  
**From:** Rhys Scholes  
**To:** Board of County Commissioners  
**Subject:** Courthouse Security Issues

---

Richard Grady came to our office a couple of weeks ago to share his concerns regarding the process used to exclude people (including him) from the courthouse. After listening to his story, I asked County Counsel to take a look at the issue.

Counsel's memo is attached.

I have talked with Lt. Hanson of the Sheriff's Office and with representatives of the programs that have been disturbed. I have listened to Mr. Grady's concerns and have previously had discussions with Mr. Koenig. I believe that the exclusion process is necessary, measured and appropriate. Counsel's memo demonstrates that it is well supported legally.

Let me know if you need any additional information.





# MULTNOMAH COUNTY OREGON

OFFICE OF COUNTY COUNSEL  
1120 S.W. FIFTH AVENUE, SUITE 1530  
P.O. BOX 849  
PORTLAND, OREGON 97207-0849  
(503) 248-3138  
FAX 248-3377

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

## MEMORANDUM

TO: Rhys Scholes  
Chair's Office (106/1515)

FROM: Laurence Kressel (106/1530) **LK**  
County Counsel

DATE: May 9, 1995

SUBJECT: Courthouse Security: Objections by  
Richard Grady and Richard Koenig

COUNTY COUNSEL  
LAURENCE KRESSSEL  
CHIEF ASSISTANT  
JOHN L. DU BAY  
ASSISTANTS  
J. MICHAEL DOYLE  
SANDRA N. DUFFY  
KATIE GAETJENS  
GERALD H. ITKIN  
STEVEN J. NEMIROW  
HELLE RODE  
MATTHEW O. RYAN  
JACQUELINE A. WEBER

At your request, we have looked into the concerns expressed by Mr. Grady about his exclusion from Room 210B of the courthouse. As the attached research memo shows, his procedural due process concerns do not have legal support.

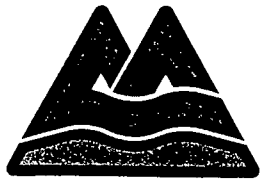
Richard Koenig's May 4 petition for a board investigation into the circumstances<sup>1</sup> of his arrest/conviction for second degree criminal trespass is also unsupported in law. If he is complaining that Executive Order 122 is illegal or unenforceable, he is wrong, as explained in the attached research memo. If he wants the Board to investigate the conduct of a particular officer, he is also off base, because that is the purview of the Sheriff's Office. If he is seeking to overturn his conviction, his recourse is through the court system, or some sort of plea to the District Attorney. (In fact, he knows this; he filed an appeal on April 28, 1995.)

cc John Bunnell, Acting Sheriff  
Wayne George

F:\DATA\COUNSEL\WPDATA\NINE\588LK.MEM\mw

1

The conditions of probation suggest the nature of the arrest incident. Under the probation order, Koenig cannot be present on any floor of the courthouse (1) on which family services mediation or mediation orientation is taking place, (2) on the days on which such activities occur. He cannot attempt to contact, speak to, or hand literature to any person approaching the mediation or mediation orientation. He cannot contact any family services personnel concerning his dispute with them.



# MULTNOMAH COUNTY OREGON

OFFICE OF COUNTY COUNSEL  
1120 S.W. FIFTH AVENUE, SUITE 1530  
P.O. BOX 849  
PORTLAND, OREGON 97207-0849  
(503) 248-3138  
FAX 248-3377

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

COUNTY COUNSEL  
LAURENCE KRESSSEL

CHIEF ASSISTANT  
JOHN L. DU BAY

ASSISTANTS  
J. MICHAEL DOYLE  
SANDRA N. DUFFY  
KATIE GAETJENS  
GERALD H. ITKIN  
STEVEN J. NEMIROW  
HELLE RODE  
MATTHEW O. RYAN  
JACQUELINE A. WEBER

## M E M O R A N D U M

TO: Laurence Kressel  
County Counsel

FROM: Elizabeth M. Katz  
Law Clerk

DATE: May 9, 1995

SUBJECT: Trespass, Notice, Due Process

According to the notice of exclusion, Mr Grady has repeatedly disturbed staff and members of the public in county courthouse room 210B, where volunteers help victims of domestic violence apply for restraining orders.<sup>1</sup> On April 25, he again engaged in threatening behavior, interfered with court business, and made unreasonable noise. Specifically on that date, I am told, he was waving his arms, uttering loud obscenities, and scattering the forms about.

A facility security officer informs me that there is no telephone in room 210B. A person must leave the room and go to the first floor to seek help from the security officers. On the first two or three occasions, Mr Grady had disappeared both from room 210B and from the courthouse by the time the officers arrived. On April 25, the officers found Mr Grady and told him that he was henceforth excluded (whether from the courthouse or from room 210B only is not known).

Mr Grady returned the next day to speak to the security officers and particularly to request a written exclusion. He was given a form Notice of Exclusion prepared by the Multnomah County Sheriff's Office.

<sup>1</sup> Presumably the regular presence of volunteers in room 210B to assist in the application for restraining orders has come about because the courts have approved of this activity and have set aside space in the courthouse for its performance.

Briefly, it states that the Office has decided to exclude Mr Grady from room 210B of the courthouse for a period of one year. It recites the reasons for the exclusion and warns that failure to comply with the notice will result in arrest, a request for prosecution under ORS 164.245, the criminal trespass statute, and a possible maximum penalty of thirty days in jail and/or a fine of \$500.00. It advises that Mr Grady will be allowed on the premises to conduct necessary business while the notice is in effect, though he must sign in.

Mr Grady signed an acknowledgement that he had been formally excluded and that failure to comply would result in arrest and prosecution. A copy of the notice is attached.

When he asked for the basis of his exclusion, he was given a copy of Executive Order 122. Mr Grady has since conferred with the office of the chair about his rights. Based on the information Mr Grady gave that office (which is not the same as the information I have obtained), the office of the chair has asked for our assistance.

#### **Questions Presented**

- (1) The executive order was issued by the county executive to the appointed sheriff at a time when the courts were within the purview of the county. Now the county executive has been replaced by a county chair, the sheriff is elected rather than appointed, and the courts are within the purview of the state. Is the executive order still valid?
- (2) Is the order sufficient authority for excluding people?
- (3) How can security officers distinguish between protected speech and unprotected disruption of business?
- (4) Was Mr Grady accorded due process?

#### **Conclusions**

- (1) The executive order is still valid.
- (2) It is sufficient authority both to expel and to exclude someone.
- (3) The courthouse is not a public forum; the only speech within the courthouse which is protected is that of people peaceably going about the necessary business conducted therein. The distinction is quite clear.
- (4) Mr Grady has been given due process.

### Analysis

(1) The executive order is still valid, despite the changes in government organization.<sup>2</sup> Multnomah County Charter Section 12.10 provides: "All legislation, rules and regulations of the county or its governmental instrumentalities that are consistent with this charter and in force when it takes effect shall remain in effect until amended or repealed."

(2) A person commits the crime of trespass by failing to leave premises that are open to the public after being lawfully directed to do so by the person in charge [ORS 164.205(3)(b)] or by entering or remaining in or upon premises when the entrant is not privileged to do so [ORS 164.205(3)(a)].

In State v Marbet, 32 Or App 67 (1978), Marbet refused to leave a public utility commission hearing after (1) attempting to cross-examine a utility witness without seeking or being given permission to do so and (2) subsequently being ordered to leave by the hearings officer. He was arrested for trespass and forcibly removed by a police officer. All agreed that the hearing room constituted premises open to the public and that the hearings officer was the person in charge. The question was the meaning of the statutory requirement that one be "lawfully directed" to leave.

The court construed that requirement to mean that the hearings officer had to be, not only the person in charge, but also the person with authority to give such an order. All PUC hearings officers had specific authority from the public utility commissioner to respond to disrespectful and disorderly language or conduct by exclusion from the hearing and summary suspension for the duration of the hearing. Thus, Marbet had been lawfully directed to leave.

Although Executive Order 122 does not expressly refer to the Marbet case, Marbet clearly led to Executive Order 122 in 1981. That is, just as it was critical that the public utility commissioner had formally given all public utility hearings officers authority to exclude a disrespectful or disorderly person and summarily to suspend them for the duration of the hearing, it was necessary to designate the person in charge and to give that person authority to expel and/or exclude another.<sup>3</sup>

---

<sup>2</sup> The courthouse is still a county facility, however. See ORS 1.165(1)(a).

<sup>3</sup> Executive Order 122 provides, in relevant part:

(continued...)



Laurence Kressel  
May 9, 1995  
Page 4

(3) The government, no less than a private owner of property, has the power to reserve the property under its control for the use to which it is lawfully dedicated. Adderley v Florida, 385 US 39, 47 (1966) (demonstrators on jail property were asked to leave and were arrested for trespassing when they failed to go); People v Bembry, 490 NYS2d 431, 432 (City Ct 1985) (inebriated and belligerent person, escorted from social services department in county office building and told not to return until he was sober, was arrested for trespass after he returned within five minutes); City of Joliet v Franklin, 613 NE2d 766, 769 (Ill App 1993) (unauthorized performer at event on municipal property was asked to leave and was arrested for trespassing when he failed to go).

In November 1993, this office rendered an opinion on the subject of requests to distribute literature in the courthouse. We concluded that the courthouse is a nonpublic forum, and that the county may restrict its use to those who participate in its official business. We stated:

---

<sup>3</sup>(...continued)

It appearing that State criminal trespass laws (citation omitted), as interpreted by court decision, require that persons may be lawfully excluded from property open to the public only by an authorized person in charge of the property for such persons to be prosecuted upon refusal to comply with an exclusion order[,]

Pursuant to the authority and powers granted by Home Rule Charter § 6.10, and for the purpose of establishing public record of the authority hereinafter delegated, I do hereby

ORDER AND DIRECT the Sheriff of Multnomah County, and such personnel as he may designate, to act and serve as the authorized person in charge of all county owned facilities and premises for the purpose of excluding any person therefrom, for any cause determined by the Sheriff or his designate to warrant such exclusion, and the Sheriff or his designate is further ordered and authorized, on behalf of Multnomah County, upon refusal of any person to comply with such exclusion order, to cause such person to be charged with violation of the criminal trespass laws of this State, and to perform all acts necessary to aid the District Attorney in the prosecution thereof. . . .

The Sheriff in turn designated the manager of the courthouse security detail and all public safety aides assigned to the detail. See Certification of Authority dated February 6, 1981.

The jury assembly room, the courtrooms and the halls around them are not (and, we believe, should not be) public fora. Expressive activities, whether by one or by many, are inconsistent with the purposes for which these areas have been set aside and threaten the dispassionate deliberation and objectivity which must attend all court proceedings.

The possible consequences of making the corridors outside the jury assembly room and the courtrooms public fora are as broad as one's imagination. Virtually every civil and criminal proceeding calls upon the court and the jurors to make decisions which some member or members of the community may support or oppose on the basis of strongly held principle, but the soap box has no place in the courthouse.

(4) Fundamental fairness is flexible and procedural protections are shaped by the demands of any given situation. State ex rel Juvenile Department of Multnomah County v Geist, 310 Or 176 (1990).

In State v Ocean, 24 Or App 289 (1976), Ocean was barred from Fred Meyer stores after he was found shoplifting. A security guard apprehended Ocean, read him a document barring him from the stores, explained its meaning to him, and had him sign it in the presence of two witnesses. Seven months later, he was shoplifting in another Fred Meyer store. At that point, he was no longer a member of the public to whom the premises were open, even during business hours. He was not only a thief, but also a trespasser.

Ocean contended that his permanent bar from the premises was unconstitutional. In view of the facts, the court found no constitutional violation.

Likewise, in view of the facts before us, there is no constitutional violation. The courthouse is not a public forum. Even if it were, Mr Grady's behavior went beyond permissible free speech. The behavior was repeated, justifying the decision to bar him from room 210B. The penalty is narrowly drawn and does not bar Mr Grady from entering the courthouse for legitimate reasons. He has received written notice.<sup>4</sup>

---

4

The exclusion Notice identifies the behaviors deemed by the Sheriff to warrant intervention. The Notice's list of objectionable behaviors refutes the allegation that the Sheriff exercises unrestrained discretion under Executive Order 122. Although not legally necessary, there might be some value in making the Notice part of the Executive Order by amendment.



# Multnomah County Sheriff's Office

JOHN BUNNELL  
SHERIFF

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

(503) 255-3600

## NOTICE OF EXCLUSION

DATE: 04/25/95

TIME: 2:30 pm

NAME: GRADY, RICHARD LAWRENCE

DOB: 04/06/42

ADDRESS: 2036 N WATTS  
PO BOX 1681 PORTLAND, OR 97207

TELEPHONE: 2020540

DESCRIPTION: W/M 5'10 240 BR/BLU DO 424 5298

This shall serve as NOTICE OF EXCLUSION. It is the decision of the Multnomah County Sheriff's Office to exclude you from entering upon the premises of COUNTY COURTHOUSE for a period of 3 months, 6 months, X 1 year, or 1.

On 04/25/95 at 2:30 am/pm you were witnessed committing one or more of the following acts:

- X Fighting or threatening behavior/unreasonable noise.
- Damaging property/littering.
- Attempting to gain access to confidential information without authority to do so.
- X Interfering with court business through intimidation, extortion, coercion or other conduct.
- Attempting to gain access to private office or space by fraud or threat.
- Attempting to deny any member of the public the use of the building.
- Introducing firearms, devices, or hazardous substances capable of inflicting death or serious physical injury.

X Other: DISTURBING STAFF AND PUBLIC TRYING TO FILL OUT  
RESTRAINING ORDERS IN ROOM 210 B (BEEN ON GOING PROBLEM)  
EXCLUDED FROM ROOM 210 B ONLY AT THIS TIME

This action(s) has been recorded and will be maintained on file during the term of your exclusion. Your failure to comply with this Notice of Exclusion will result in your arrest and a request for prosecution under ORS 164.245, the Criminal Trespass statute. Violation of this statute subjects you to a maximum penalty of 30 days in jail and/or a fine of \$500.00.

[Signature]  
LIEUTENANT CURT HANSON  
Court Services Manager

Facility Security Officer Dave Sime FGO, (signature) Dave Sime 17498  
I acknowledge that I have been formally excluded from COUNTY COURTHOUSE for a period of 1 yr and that my failure to comply will result in my arrest and prosecution.

SIGNATURE: [Signature]

DATE: 04/26/95

You will be allowed on the premises to conduct necessary business while this notice is in effect.

- \* To conduct business at the courthouse, sign in at the information desk.
- \* To conduct business at the Justice Center, sign in at the lobby desk located on the second floor.

MP/dls/4165X.wp/62A

DATE: 5/4/95

BEFORE THE MULTNOMAH COUNTY COMMISSIONERS

A statement of problem and request for action to abate

FROM: Richard L. Koenig, two parent family advocate

Commissioners, Chairwoman Stein:

I am a trained mediator, possessing certificates for at least 70 hours of professional training, including certificates of training on the issues of Drugs and Alcohol and Domestic Violence as they relate to mediation. My certificates are through the Mediation Center in Eugene, Director, Jim Melamud (recent past Chair of the Oregon Dispute Resolution Commission), & The Academy of Family of Family Mediators.

I have been receiving complaints about unprofessional behavior and monitoring the Multnomah County Family Services Department since 1989 (Back before I took all those hours of mediation training so I could understand what was going on.).

Many of the complaints have alleged sexual discrimination. While most casual observers might conclude that there is some basis for these claims, I am not a "casual observer", but a trained mediator.

Complaints I bring to the Commissioners' attention at this time are;

1. Failure to disclose possible conflict of interest to clients.
2. Failure to fully disclose implications of mediated agreements.

The attachments to this page will explain these ethical breeches of mediator conduct in more detail.

The direct and proximate results of unethical conduct on the part of the staff of the Multnomah County Family Services Department are high relitigation rates, or in the case of indigent parties, who are not able to undertake proceedings, encouragement of high conflict, putting parties at risk of domestic violence.

In sworn testimony before the Honorable Judge Michael H. Marcus on April 5th, Hugh McIsaac, Director of the Family Services Dept. grossly misrepresented his program's effectiveness in facilitating agreements. This misrepresentation cast a shadow of doubt over the balance of his testimony, except for the part wherein he testified that every time I arrived on his scene and passed out information similar to the attached, his business fell off.

I am asking the Board to investigate and hold hearings on this matter.

Richard L. Koenig  
P.O. Box 15045  
Portland, OR 97215



MULTNOMAH COUNTY COMMISSIONERS  
1995 MAY - 4  
OREGON  
BOARD OF COUNTY COMMISSIONERS  
MAY 11 1995

Dear Mediation Client:

You have arrived here as a result of Oregon's mandatory mediation law, which prescribes an opportunity for reaching agreement, with the help of a mediator, regarding the terms of your divorce before committing court resources.

Mediation is the process of negotiating with a neutral third party. A mediator must be skilled at "power balancing" to assure that intimidation or threats do not result in lopsided settlements.

**Does your mediator have a conflict of interest? ? ?**

The Multnomah County Family Services Department is a member of The Family Violence Intervention Steering Committee of Multnomah County. A membership requirement of this Committee is that one must agree with the theory that **domestic violence, or spouse abuse, is something that men do to women.**

While you wait to begin the process of mediation, imagine yourself being seated in a small room with your soon to be "ex" and a person who believes that the "unequal power...between men and women" results in a situation where **"men are the abusers and women are the victims"** (see attached Steering Committee "Mission Statement") and that what the three of you are there to do is "negotiate" the details of your life after divorce.

You should be aware that if you do end up in court, **another member of the Family Violence Intervention Steering Committee, Judge Stephen B. Herrell, may decide your case.**

If you'd rather not be regarded as a victim or an abuser, remember, the opportunity for mediation is required, not mediation itself, and certainly not mediation by "court related mediators", who may not be capable of neutrality.

**Options include:**

1. Ask your "mediator" if (s)he agrees with the theory above before beginning.
2. Ask your "mediator" for references from satisfied clients. Every professional providing quality services will be more than happy to have someone praise their work (divorce cases are a matter of public record by law).
3. Ask about the "Local Court Rule" for waiving mediation.
4. Contact the Oregon Commission on Dispute Resolution for a referral to a private mediator near you at (503) 378-2877.
5. Call Parents Association for Custodial Equality at 251-8384.

**A mediator must play the role of educator to clients in conflict.** Clients need to be informed about all legal and financial possibilities which may have a bearing on their negotiation before there can be "fully informed consent" to any agreement.

These are some of the items that the court related "mediators" have a policy not to tell their clients about:

1. The law requires the Court to encourage joint custody where practicable.
2. Most young children whose parents go through this program will not be allowed enough time with one parent to form a parent/child bond. The Multnomah County **"standard visitation schedule"** allows only a few hours per week, and no tucking into bed (a particularly important bonding activity).
3. The most important predictor of whether a child receives child support is regular and frequent contact with both parents (US Census Bureau Study of 1990).
4. The law requires both parents to pay support equally in proportion to their ability. It is presumed, unless there is evidence of a recent work record to the contrary, that a parent's child support will be based on minimum wage times forty hours per week.
5. The **"Child Support Guidelines"** are presumed to be correct, even though they are not based on the needs of the child. "Presumed" means that if the parents present evidence that the children can get along on something other than the guideline amount, the guidelines may be overcome.
6. When children spend between 25% and 35% of the overnights in a year with their non-residential parent, the parent may receive a prorated offset against the amount of support the guidelines indicate the parent would otherwise have to pay.
7. It is so important to children and families that parents be primary caregivers that a parent should provide care for the child(ren) while the other parent is working whenever possible. A credit against child support should result.
8. When there is a possibility of domestic violence between ex-spouses, one way to minimize contact is to share custody every other month (only 12 parent to parent contacts per year).

If you are not fully informed by your Family Services "mediator", call Richard L. Koenig at 235-5953.

Or address inquiry to Richard L. Koenig, P.O. Box 15045  
Portland, OR.

Membership in the Steering Committee is available to:

1. Representatives from public and private agencies or individuals who intervene in domestic violence or have significant direct contact with victims and/or perpetrators; or
2. Representatives from public and private agencies or individuals who play a significant role in funding or affecting public policy related to domestic violence intervention.

To apply for membership in the Steering Committee, please complete the following:

\_\_\_\_\_  
name of organization

supports the Mission, Philosophy, and Objectives of the Steering Committee and agrees to work with the Steering Committee to develop an integrated response to domestic violence as outlined in From Harassment to Homicide: A Report on the Response to Domestic Violence in Multnomah County.

\_\_\_\_\_  
signature of representative

\_\_\_\_\_  
print name of representative

\_\_\_\_\_  
date

Please explain below how your organization or agency qualifies for membership.  
(Use additional paper if needed.)

## **FAMILY VIOLENCE INTERVENTION STEERING COMMITTEE**

### **MULTNOMAH COUNTY COURTS**

*The Honorable Stephen B. Herrell, Circuit Court Judge*

*Joe Olexa, Civil Division Director*

*Doug Bray, Court Administrator*

*Rosemary Lyons, Department of Family Services*

*Hugh McIsaac, Department of Family Services*



### **MULTNOMAH COUNTY DISTRICT ATTORNEY**

*Helen Smith, Deputy District Attorney*

*Rod Underhill, Deputy District Attorney*

*Gail Lambert, Victim's Assistance*

# **FAMILY VIOLENCE INTERVENTION STEERING COMMITTEE FOR MULTNOMAH COUNTY**

## **MISSION**

The mission of the Family Violence Intervention Steering Committee is to provide an inter-agency forum for developing, implementing, and assessing a coordinated response to domestic violence in Portland and Multnomah County.

## **PHILOSOPHY**

The Family Violence Intervention Steering Committee believes that family violence is a very serious and widespread problem, with a long-term and negative impact on this society and its individuals. Domestic violence is an expression of the unequal power that exists in relationships between men and women. This inequality has been supported historically by the social norms, roles, and institutions of this culture.

## **DEFINITION OF DOMESTIC VIOLENCE**

Domestic violence is emotional, physical, psychological or sexual abuse or the threat thereof, perpetrated against a person by that person's spouse, partner, former partner, or adult relative, or by the other parent of a minor child. Abuse may include threats, harm, injury, harassment, control, terrorism, or damage to living beings or property. Domestic violence can be a single incident, ranging in intensity from harassment to homicide. More often, though, the Committee has found it to be a systematic pattern of abuse that usually escalates over time in frequency and severity. Domestic violence occurs between partners of the same and different sex. Sometimes domestic violence is perpetrated by women against men. Most frequently, however, men are the abusers and women are the victims.

## **OBJECTIVES**

The objectives of the Steering Committee are:

1. To share information about local response to domestic violence in order to decrease its incidence in this community.
2. To plan, develop, implement and monitor an integrated services model of effective intervention in domestic violence.
3. To focus public attention on the problem of domestic violence, and to develop community resources to deter it.
4. To propose and support legislation, ordinances, and other public policy protocols to further the objectives of the Steering Committee.



DATE: 5/4/95

BEFORE THE MULTNOMAH COUNTY COMMISSIONERS

A statement of 2nd problem and request for action to abate

FROM: Richard L. Koenig, two parent family advocate

Commissioners, Chairwoman Stein:

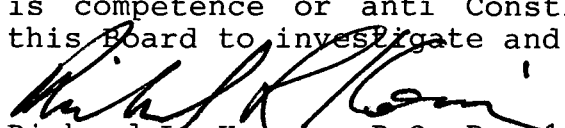
Hugh McIsaac, Director of the Multnomah County Family Services Department, asked Sgt. Guy Moore of the Multnomah County Courthouse Security Detail to exclude me from the Courthouse on the grounds that I was cutting into his business. Sgt. Moore demanded that I leave the Courthouse. He was asked for the source of his authority. Although Sgt. Moore was initially unable to articulate it, I was later to learn that his "authority" arose from "Executive Order 122", issued by this Board of Commissioners.

At the time, I courteously told Sgt. Moore that he had no authority to abridge my right of free speech. Sgt. Moore became increasingly agitated, and rather than offer him resistance, I offered him my wrists so that he could take me into custody and I could document this problem.

Is there a problem with Executive Order 122? Quite likely no problem would ever arise from this order, which gives officers in charge authority "to determine" who shall be excluded from the Courthouse. More precisely, I should say that as long as competent officers, who have sworn to uphold the Constitution of the United States are making such determinations, there should be no problem. But Executive Order 122 does not contain specific language stating any criteria by which an officer's determination is to be made, so if the officer is incompetent or anti Constitutional values there might be a problem.

Sgt. Moore's testimony before the Honorable Judge Michael H. Marcus was something to this effect: "No, I never had any report or personal experience of an elevated voice. No, I never had any report or personal experience of obstructing access. No, I never had any report or personal experience of assaultive behavior. No, I never excluded or arrested anyone under circumstances similar to those under which I arrested Mr. Koenig. But Mr. Koenig was being disruptive of court process. He would come into the Courthouse on Wednesday morning and pass out his literature before orientation to mediation. I arrested him before this orientation started on the date in question. I know that he was disruptive because Hugh McIsaac told me so."

Under the circumstances, I'm not sure whether Sgt. Moore's problem is competence or anti Constitutional sentiment, so I am asking the this Board to investigate and have a hearing on this matter.

  
Richard L. Koenig, P.O. Box 45045, Portland, OR 97215, phone 2355953

BOARD OF  
COUNTY COMMISSIONERS  
1995 MAY - 4 AM 11:05  
MULTNOMAH COUNTY  
OREGON

MULTNOMAH COUNTY, OREGON

EXECUTIVE ORDER NO. 122

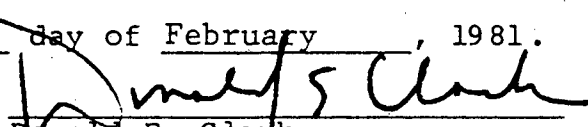
In the Matter of Designating )  
Person in Charge of County )  
Facilities and Premises for )  
Purposes of Excluding Members )  
of the Public and to Enforce )  
State Trespass Laws )

It appearing that State criminal trespass laws (ORS 164.205(5)), as interpreted by court decision, require that persons may be lawfully excluded from property open to the public only by an authorized person in charge of the property for such excluded persons to be prosecuted upon refusal to comply with an exclusion order.

Pursuant to the authority and powers granted by Home Rule Charter § 6.10, and for the purpose of establishing public record of the authority hereinafter delegated, I do hereby

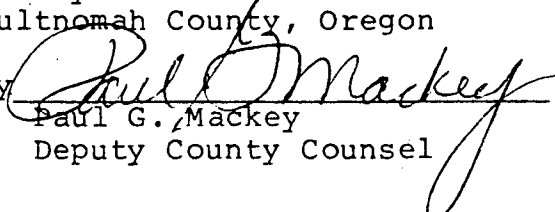
ORDER AND DIRECT the Sheriff of Multnomah County, and such personnel as he may designate, to act and serve as the authorized person in charge of all county owned facilities and premises for the purpose of excluding any person therefrom, for any cause determined by the Sheriff or his designate to warrant such exclusion, and the Sheriff or his designate is further ordered and authorized, on behalf of Multnomah County, upon refusal of any person to comply with such exclusion order, to cause such person to be charged with violation of the criminal trespass laws of this state, and to perform all acts necessary to aid the District Attorney in the prosecution thereof.

Dated this 4th day of February, 1981.

  
Donald E. Clark  
County Executive

APPROVED AS TO FORM:

JOHN B. LEAHY  
County Counsel for  
Multnomah County, Oregon

By   
Paul G. Mackey  
Deputy County Counsel

COPY CERTIFIED TRUE COPY OF THE  
ORIGINAL ON FILE HEREIN

By   
CLERK OF THE BOARD  
MULTNOMAH COUNTY, OREGON

CERTIFICATION OF AUTHORITY TO  
ACT AS A PERSON IN CHARGE OF  
MULTNOMAH COUNTY PREMISES

Pursuant to Executive Order No. 122, directing that I, or those whom I designate, act and serve as the authorized person in charge of all county owned facilities and premises for the purpose of excluding therefrom any person whom I, or my designate, determine warrants exclusion, I hereby certify that the person whose name is reflected below, has been designated by me to act and serve in my stead and to perform all acts necessary to comply with said Executive Order.

DESIGNATED PERSONS: SERGEANT SCOTT GRATTON, Manager of the Courthouse Security Detail, and all PUBLIC SAFETY AIDES assigned to the Courthouse Security Detail.

EFFECTIVE DATE OF  
CERTIFICATION:

6 FEB 81

SHERIFF  
DIRECTOR, DIVISION OF PUBLIC SAFETY  
MULTNOMAH COUNTY, OREGON

Edgar E. Mait

SG/jlw/4079E

**PLEASE PRINT LEGIBLY!**

**MEETING DATE** 5-11-95

**NAME** KEN UNDERDAHL

**ADDRESS** 01100 SW PALATINE HILL

**STREET**

PORTLAND

97219

**CITY**

**ZIP**

**I WISH TO SPEAK ON AGENDA ITEM NO.** R-2

**SUPPORT** ✓ **OPPOSE**

**SUBMIT TO BOARD CLERK**

**PLEASE PRINT LEGIBLY!**

**MEETING DATE** 5-11-95

**NAME**

GERALD SCOTT

**ADDRESS**

10950 SW AVENTINE  
**STREET**

PORT 97219  
**CITY** **ZIP**

**I WISH TO SPEAK ON AGENDA ITEM NO.** 12-2

**SUPPORT**

X

**OPPOSE**

**SUBMIT TO BOARD CLERK**

MEETING DATE MAY 11 1995  
AGENDA NUMBER R-2

**AGENDA PLACEMENT FORM**

SUBJECT: 1995-96 Dunthorpe Riverdale Budget

BOARD BRIEFING: Date Requested: \_\_\_\_\_

Amount of Time Needed: \_\_\_\_\_

REGULAR MEETING: Date Requested: May 11, 1995

Amount of Time Needed: \_\_\_\_\_

DEPARTMENT: Environmental Services DIVISION Transportation

CONTACT: John Dorst TELEPHONE : 248-3599

BLDG/ROOM: \_\_\_\_\_

PERSON(S) MAKING PRESENTATION: John Dorst

**ACTION REQUESTED**

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

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

**THE BOARD MUST RECESS AND THE CHAIR MUST CONVENE THE BUDGET COMMITTEE FOR DUNTHORPE RIVERDALE SANITARY SERVICE DISTRICT NO. 1**

The item before the Budget Committee will be approval of the 1995-96 Dunthorpe Riverdale Proposed Budget

5/12/95 ORIGINAL & COPY TO RAVE WARREN

**SIGNATURES REQUIRED:**

ELECTED OFFICIAL: Beverly Steen

OR

DEPARTMENT MANAGER: \_\_\_\_\_

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

BOARD OF  
COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
1995 MAY - 2 PM 1:00



# MULTNOMAH COUNTY, OREGON

---

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

PLANNING & BUDGET  
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 *DCW*

TODAY'S DATE: May 1, 1995

REQUESTED PLACEMENT DATE: May 11, 1995

SUBJECT: Approving the Budget for Dunthorpe Riverdale Sanitary Service District No. 1

---

I. Recommendation / Action Requested:

Approve the 1995-96 Budget for Dunthorpe Riverdale Service District.

II. Background / Analysis:

The Dunthorpe Riverdale Service District contracts with the City of Portland for all operations of the sewage system.

The Dunthorpe Riverdale 1995-96 Budget has two significant changes from the 1994-95 budget.

1. Portland is reconstructing two of the district's pumping stations. This cost (\$265,000) is covered by the reserves for capital construction accumulated by the district over prior years, based on including a depreciation component in the rates paid by the customers of the district.
2. Service charges for district customers will increase from the current \$18.50 per month to \$25.00 per month to cover a corresponding increase in the rates charged the district by Portland. This shows up as an increased Sewer Users Service Charge Revenue of \$55,000 and an increase of \$60,000 in payments to the City of Portland.

## Dunthorpe Riverdale Budget

### III. Financial Impact:

The Service Reimbursements from the Dunthorpe Riverdale Service District to the County will increase, corresponding to the increase in the total expenditures of the district.

	<u>1994-95</u>	<u>1995-96</u>
General Fund	4,600	6,000
Road Fund	3,000	7,000

### IV. Legal Issues:

The district is a separate legal entity. Because of its size, it has a genuine budget committee, consisting of equal numbers of citizens and Commissioners. John Dorst is the Budget Officer for the district.

The hearing to approve the budget will be an action of the budget committee. The budget committee's first action will be to select a Chair and a Secretary.

The budget committee will then discuss and approve the budget. It could amend the budget, although John Dorst does not anticipate any move to do so on the part of the citizen members. After approval, the Chair and Secretary will sign the letter to Tax Supervising that notifies them of the action.

Because the district covers a population less than 100,000, it is not legally necessary to request a Tax Supervising hearing for the budget. I recommend not having such a hearing. The budget will be submitted to Tax Supervising, and Tax Supervising may make recommendations about the budget, but the Board can adopt the budget in June without having another public session with TSCC.

### V. Controversial Issues:

None

### VI. Link to Current County Policies:

N/A

### VII. Citizen Participation:

Citizen members of the Budget Committee have been notified of the May 11 meeting and have indicated they will attend.

### VIII. Other Government Participation:

N/A





# MULTNOMAH COUNTY, OREGON

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

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

Tax Supervising and Conservation Commission  
421 S.W. Fifth Ave., Suite 724  
Portland, OR 97204

## Commission Members:

On May 11, 1995 at 9:30 a.m. in Room 602 of the Multnomah County Courthouse, the Budget Committee was regularly convened to hear the budget of the Dunthorpe Riverdale Sanitary Service District No. 1.

The budget committee approved the attached budget.

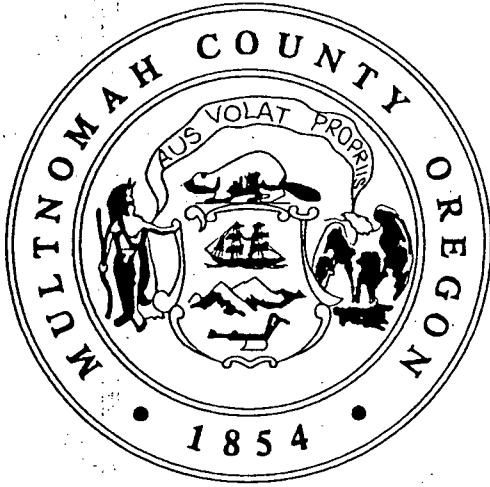
**Approved:**

**Dunthorpe Riverdale Sanitary Service District No. 1**

Chair

Secretary

# Multnomah County



## Service District Budgets Fiscal Year 95-96

## TABLE OF CONTENTS

	<u>PAGE</u>
BUDGET STATEMENT	2
SUMMARY OF REQUIREMENTS - All Districts	3
DUNTHORPE RIVERDALE SANITARY SERVICE DISTRICT NO. 1	
Budget Message	4
General Fund	5-6
MID COUNTY STREET LIGHTING SERVICE DISTRICT NO. 14	
Budget Message	7
General Fund	8-9

## INTRODUCTION

Multnomah County Service Districts have been created under the provisions of the Oregon Revised Statutes, Chapter 451, to provide construction and operation of sanitary sewer systems and to provide street lighting in particular areas of the County. The Multnomah County Board of Commissioners serves as the Governing Body of each Service District. The Budget Committee for each Service District consists of the members of the Governing Body and residents of the Service District appointed by the Governing Body for terms of three years.

The annual budget for each Service District is prepared under the direction of a Budget Officer designated by the Governing Body. The Budget Committee reviews the annual budget and approves it, either as submitted by the Budget Officer or with revisions requested by the Budget Committee.

This fulfills the requirements of Local Budget Law (ORS 294), which provides specific methods for obtaining public views and enable the public to be informed about financial policies and administration of the districts.

## EXPLANATION OF THE BUDGET DOCUMENT

This document consists of a detailed display of the Resources and Requirements of each of the two Service Districts in Multnomah County.

Preceding the financial information for each Service District is a brief Budget Message which discusses special items pertaining to the individual Service District, including any major changes in either Resources or Requirements.

## SERVICE DISTRICT FINANCIAL POLICIES

Management of all Service Districts is conducted by the Multnomah County Department of Environmental Services. Each Service District is, however, a separate and independent financial entity. To this end, all expenses incurred by a Service District, including contractual engineering support and management by Multnomah County Department of Environmental Services and Finance Division, are met with revenue from sewer user charges and connection fees and/or assessments to real property within the street lighting or sewer Service District.

Under the Accrual Basis of accounting, all revenues are recorded at the time they are earned and expenditures are recorded at the time liabilities are incurred. Budgets and comparative historical cost summaries are prepared utilizing these bases. This practice conforms to Oregon Budget Law.

For financial statement purposes, each Service District is treated as an Enterprise Fund and accounted for on the accrual basis of accounting. This practice conforms to generally accepted accounting principles (GAAP).

SUMMARY OF REQUIREMENTS

<u>DESCRIPTION</u>	<u>ACTUAL 92-93</u>	<u>BUDGET 93-94</u>	<u>BUDGET 94-95</u>	<u>PROPOSED 95-96</u>
Sewer Service District No. 1 DUNTHORPE RIVERDALE	595,000	610,000	620,000	675,000
Street Lighting Svc. Dist. No. 14 MID COUNTY	<u>986,766</u>	<u>946,390</u>	<u>715,000</u>	<u>757,000</u>
TOTAL	<u>1,591,000</u>	<u>1,556,390</u>	<u>1,335,000</u>	<u>1,432,000</u>

REIMBURSEMENTS TO COUNTY  
1994-95 CHARGES BY MULTNOMAH COUNTY TO SERVICE DISTRICTS

<u>SERVICE DISTRICT</u>	<u>ROAD FUND</u>	<u>GENERAL FUND</u>	<u>TOTAL</u>
Dunthorpe Riverdale	7,000	6,000	13,000
Mid County	<u>10,000</u>	<u>15,000</u>	<u>25,000</u>
TOTAL	<u>17,000</u>	<u>21,000</u>	<u>38,000</u>

0078j

## BUDGET MESSAGE

### DUNTHORPE RIVERDALE SERVICE DISTRICT NO. 1

This district was formed in the middle 1960's and by 1970 had removed a significant source of pollution from the Willamette River. Its 554 clients are mainly located in unincorporated Multnomah County with a few clients in northern Clackamas County and the City of Portland.

The district's lines are maintained by the City of Portland and its sewage flow is treated at Portland's Tryon Creek Treatment Plant, which is located in Lake Oswego. This year the City is reconstructing two of the district's pump stations with a project cost of \$260,000.00 to be paid by the district out of the Sinking Fund.

The present service charge is \$18.50 per month. The proposed service charge is \$25.00, to reflect the cost of the new contract with the City of Portland.

In accordance with the stated position of the district's governing body, the unappropriated balance is intended to fund the depreciation of the district's facilities.

0078j

# RESOURCES

FORM LB-20

General  
Name of Organizational Unit - Fund

Dunthorpe Riversdale Service Dist.  
Name of Municipal Corporation

	HISTORICAL DATA			RESOURCE DESCRIPTION	Budget for Next Year: 1995 - '96			
	Actual		Adopted Budget This Year '94 - '95		Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body	
	Second Preceding Year: '92 - '93	First Preceding Year: '93 - '94						
				PERSONAL SERVICES				
1.				1. * Available Cash on Hand (Cash Basis), or				1.
2.	400,557	448,753	475,000	2. * Net Working Capital (Accrual Basis)	480,000			2.
3.				3. Previously Levied Taxes Estimated to be Received				3.
4.	17,538	16,862	15,000	4. Interest	10,000			4.
5.				5. OTHER RESOURCES				5.
6.	15,000	2,500	10,000	6. Connection Fees	10,000			6.
7.	115,312	117,832	120,000	7. Sewer Users Service Charge	175,000			7.
8.				8.				8.
9.				9.				9.
10.				10.				10.
11.				11.				11.
12.				12.				12.
13.				13.				13.
14.				14.				14.
15.				15.				15.
16.				16.				16.
17.				17.				17.
18.				18.				18.
19.				19.				19.
20.				20.				20.
21.				21.				21.
22.				22.				22.
23.				23.				23.
24.				24.				24.
25.				25.				25.
26.				26.				26.
27.				27.				27.
28.				28.				28.
29.	548,407	585,947	620,000	29. Total Resources, Except Taxes to be Levied	675,000	0		29.
30.				30. Taxes Necessary to Balance Budget				30.
31.	0	0		31. Taxes Collected in Year Levied				31.
32.	\$548,407	\$585,947	\$620,000	32. TOTAL RESOURCES	\$675,000	\$0		32.

**EXPENDITURE SUMMARY**  
**BY FUND, ORGANIZATIONAL UNIT OR PROGRAM**  
 General

Dunthorpe Riversdale Service Dist.  
 Name of Municipal Corporation

HISTORICAL DATA				EXPENDITURE DESCRIPTION	Budget for Next Year: 1995 - '96			
Actual		Adopted Budget This Year "94 - '95	Proposed By Budget Officer		Approved By Budget Committee	Adopted By Governing Body		
Second Preceding Year: '92 - '93	First Preceding Year: '93 - '94							
				PERSONAL SERVICES				
1.				1.				1.
2.				2.				2.
3.				3.				3.
4.				4.				4.
5.				5.				5.
6.				6.				6.
7.				7. TOTAL PERSONAL SERVICES				7.
				MATERIALS AND SERVICES				
8.				8. Multnomah County Charges:				8.
9.	2,649	3,861	4,600	9. Generals Fund Service Reimbursement	6,000			9.
10.	1,347	139	3,000	10. Road Fund Service Reimbursement	7,000			10.
11.	91,504	116,273	130,000	11. City of Portland Charges	190,000			11.
12.	271	207	500	12. Utilities	500			12.
13.	3,883	1,402	3,500	13. Miscellaneous	3,500			13.
14.	\$99,654	\$121,882	\$141,600	14. TOTAL MATERIAL AND SERVICES	\$207,000	\$0		14.
				CAPITAL OUTLAY				
15.				15. City of Portland Pump Station Reconstruction	265,000			15.
16.				16.				16.
17.				17.				17.
18.				18.				18.
19.				19.				19.
20.				20.				20.
21.				21. TOTAL CAPITAL OUTLAY	265,000			21.
				TRANSFERRED TO OTHER FUNDS				
22.				22.				22.
23.				23.				23.
24.				24.				24.
25.			20,000	25. General Operating Contingency	20,000			25.
26.	0	0	20,000	26. TOTAL TRANSFERS & CONTINGENCIES	20,000			26.
27.	99,654	121,882	161,600	27. TOTAL EXPENDITURES	492,000	0		27.
28.	448,753	464,065	458,400	28. UNAPPROPRIATED ENDING FUND BALANCE	183,000			28.
29.	\$548,407	\$585,947	\$620,000	29. TOTAL	\$675,000	\$0		29.



## BUDGET MESSAGE

### MID COUNTY SERVICE DISTRICT NO. 14

This county service district (originally known as Tulip Acres Lighting District when formed in 1967), now includes virtually all the unincorporated urban area of Multnomah County, as well as the cities of Fairview, Maywood Park and Troutdale.

At this time, district growth is being outstripped by annexations to Portland and Gresham, which constitute automatic withdrawals from the district. Excellent working relationships between the effected agencies assure an orderly transition process.

Although the district continues to add lights as requested by its residents, its overall budget is diminishing because of the annexation to cities.

The district has been able to operate at the reduced rate of \$35 per home per year and projects next year to continue this rate.

0078j

# RESOURCES

FORM LB-20

General

Mid-County Service Dist.

Name of Organizational Unit - Fund

Name of Municipal Corporation

	HISTORICAL DATA			RESOURCE DESCRIPTION	Budget for Next Year: 1995 - '96			
	Actual		Adopted Budget This Year "94 - '95		Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body	
	Second Preceding Year: '92 - '93	First Preceding Year: '93 - '94						
				PERSONAL SERVICES				
1.				1. * Available Cash on Hand (Cash Basis), or				1.
2.	549,375	595,195	350,000	2. * Net Working Capital (Accrual Basis)	550,000			2.
3.	30,793	26,212	22,000	3. Previously Levied Taxes Estimated to be Received	14,000			3.
4.	24,773	22,518	17,000	4. Interest	17,000			4.
5.				5. OTHER RESOURCES				5.
6.	380,985	300,562	325,000	6. Assessments	175,000			6.
7.	840	1,903	1,000	7. Sundry	1,000			7.
8.				8.				8.
9.				9.				9.
10.				10.				10.
11.				11.				11.
12.				12.				12.
13.				13.				13.
14.				14.				14.
15.				15.				15.
16.				16.				16.
17.				17.				17.
18.				18.				18.
19.				19.				19.
20.				20.				20.
21.				21.				21.
22.				22.				22.
23.				23.				23.
24.				24.				24.
25.				25.				25.
26.				26.				26.
27.				27.				27.
28.				28.				28.
29.	986,766	946,390	715,000	29. Total Resources, Except Taxes to be Levied	757,000	0		29.
30.				30. Taxes Necessary to Balance Budget				30.
31.	0	0		31. Taxes Collected in Year Levied				31.
32.	\$986,766	\$946,390	\$715,000	32. TOTAL RESOURCES	\$757,000	\$0		32.

**EXPENDITURE SUMMARY**  
**BY FUND, ORGANIZATIONAL UNIT OR PROGRAM**  
 General  
 Name of Organizational Unit - Fund

Mid-County Service Dist.  
 Name of Municipal Corporation

	HISTORICAL DATA			EXPENDITURE DESCRIPTION	Budget for Next Year: 1995 - '96			
	Actual		Adopted Budget This Year "94 - '95		Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body	
	Second Preceding Year: '92 - '93	First Preceding Year: '93 - '94						
				PERSONAL SERVICES				
1.				1.				1.
2.				2.				2.
3.				3.				3.
4.				4.				4.
5.				5.				5.
6.				6.				6.
7.				7. TOTAL PERSONAL SERVICES				7.
				MATERIALS AND SERVICES				
8.	9,760	11,800	13,000	8. MULTCO General Fund Services	15,000			8.
9.	1,881	200	7,000	9. MULTCO Road Fund Services	10,000			9.
10.	360,242	296,991	350,000	10. Utilities	240,000			10.
11.	3,515	1,021	10,000	11. Miscellaneous	10,000			11.
12.				12.				12.
13.				13.				13.
14.	\$375,398	\$310,012	\$380,000	14. TOTAL MATERIAL AND SERVICES	\$275,000			14.
				CAPITAL OUTLAY				
15.	16,173	1,259	100,000	15. Equipment	100,000			15.
16.				16.				16.
17.				17.				17.
18.				18.				18.
19.				19.				19.
20.				20.				20.
21.	\$16,173	\$1,259	\$100,000	14. TOTAL MATERIAL AND SERVICES	\$100,000			21.
				TRANSFERRED TO OTHER FUNDS				
22.				22.				22.
23.				23.				23.
24.				24.				24.
25.			25,000	25. General Operating Contingency	25,000			25.
26.			25,000	26. TOTAL TRANSFERS & CONTINGENCIES	25,000			26.
27.	391,571	311,271	505,000	27. TOTAL EXPENDITURES	400,000			27.
28.	595,195	635,119	210,000	28. UNAPPROPRIATED ENDING FUND BALANCE	357,000			28.
29.	\$986,766	\$946,390	\$715,000	29. TOTAL	\$757,000			29.

Mid County Budget

MEETING DATE MAY 11 1995

AGENDA NUMBER R-3

**AGENDA PLACEMENT FORM**

SUBJECT: 1995-96 Mid County Budget

BOARD BRIEFING: Date Requested: \_\_\_\_\_

Amount of Time Needed: \_\_\_\_\_

REGULAR MEETING: Date Requested: May 11, 1995

Amount of Time Needed: \_\_\_\_\_

DEPARTMENT: Environmental Services DIVISION Transportation

CONTACT: John Dorst TELEPHONE : 248-3599

BLDG/ROOM: \_\_\_\_\_

PERSON(S) MAKING PRESENTATION: John Dorst

**ACTION REQUESTED**

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

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

**THE BOARD MUST RECESS AND THE CHAIR MUST CONVENE THE BUDGET COMMITTEE FOR MID COUNTY STREET LIGHTING SERVICE DISTRICT NO. 14**

The item before the Budget Committee will be approval of the 1995-96 Mid County Proposed Budget

5/12/95 ORIGINAL & COPY to Dave Warren

**SIGNATURES REQUIRED:**

ELECTED OFFICIAL: Beverly Stein

OR

DEPARTMENT MANAGER: \_\_\_\_\_

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES ..

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

BOARD OF  
COUNTY COMMISSIONERS  
MULTIOMAH COUNTY  
OREGON  
1995 APR 32 PM 12:58



# MULTNOMAH COUNTY, OREGON

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

PLANNING & BUDGET  
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 *DCW*

TODAY'S DATE: May 1, 1995

REQUESTED PLACEMENT DATE: May 11, 1995

SUBJECT: Approving the Budget for Mid County Street Lighting Service District No. 14

---

## I. Recommendation / Action Requested:

Approve the 1995-96 Budget for Mid County Service District.

## II. Background / Analysis:

The Mid County Service District arranges for street lights and pays the utilities charges for those lights in the unincorporated urban portions of Multnomah County and in the cities of Fairview, Maywood Park, and Troutdale.

The Mid County 1995-96 Budget has no significant changes from the 1994-95 budget except that the number of accounts continues to fall as properties annex to Portland and Gresham. The rates remain \$35 per home per year.

## III. Financial Impact:

The Service Reimbursements from the Mid County Service District to the County will increase next year.

	<u>1994-95</u>	<u>1995-96</u>
General Fund	13,000	15,000
Road Fund	7,000	10,000

IV. Legal Issues:

The district is a separate legal entity. Because of its size, it has a genuine budget committee, consisting of equal numbers of citizens and Commissioners. John Dorst is the Budget Officer for the district.

The hearing to approve the budget will be an action of the budget committee. The budget committee's first action will be to select a Chair and a Secretary.

The budget committee will then discuss and approve the budget. It could amend the budget, although John Dorst does not anticipate any move to do so on the part of the citizen members. After approval, the Chair and Secretary will sign the letter to Tax Supervising that notifies them of the action.

Because the district covers a population less than 100,000, it is not legally necessary to request a Tax Supervising hearing for the budget. I recommend not having such a hearing. The budget will be submitted to Tax Supervising, and Tax Supervising may make recommendations about the budget, but the Board can adopt the budget in June without having another public session with TSCC.

V. Controversial Issues:

None

VI. Link to Current County Policies:

N/A

VII. Citizen Participation:

Citizen members of the Budget Committee have been notified of the May 11 meeting and have indicated they will attend.

VIII. Other Government Participation:

N/A



# MULTNOMAH COUNTY, OREGON

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

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

Tax Supervising and Conservation Commission  
421 S.W. Fifth Ave., Suite 724  
Portland, OR 97204

Commission Members:

On May 11, 1995 at 9:30 a.m. in Room 602 of the Multnomah County Courthouse, the Budget Committee was regularly convened to hear the budget of the Mid County Street Lighting Service District No. 14.

The budget committee approved the attached budget.

**Approved:**

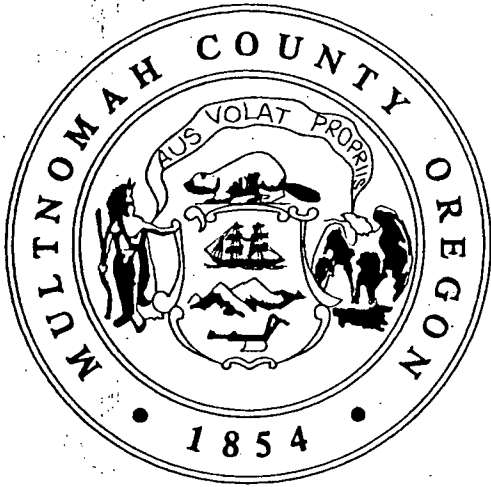
**Mid County Street Lighting Service District No. 14**

Chair

Secretary

*Beverly Stein*  
*Sharron Kelley*

# Multnomah County



## Service District Budgets Fiscal Year 95-96



## TABLE OF CONTENTS

	<u>PAGE</u>
BUDGET STATEMENT	2
SUMMARY OF REQUIREMENTS - All Districts	3
DUNTHORPE RIVERDALE SANITARY SERVICE DISTRICT NO. 1	
Budget Message	4
General Fund	5-6
MID COUNTY STREET LIGHTING SERVICE DISTRICT NO. 14	
Budget Message	7
General Fund	8-9

## INTRODUCTION

Multnomah County Service Districts have been created under the provisions of the Oregon Revised Statutes, Chapter 451, to provide construction and operation of sanitary sewer systems and to provide street lighting in particular areas of the County. The Multnomah County Board of Commissioners serves as the Governing Body of each Service District. The Budget Committee for each Service District consists of the members of the Governing Body and residents of the Service District appointed by the Governing Body for terms of three years.

The annual budget for each Service District is prepared under the direction of a Budget Officer designated by the Governing Body. The Budget Committee reviews the annual budget and approves it, either as submitted by the Budget Officer or with revisions requested by the Budget Committee.

This fulfills the requirements of Local Budget Law (ORS 294), which provides specific methods for obtaining public views and enable the public to be informed about financial policies and administration of the districts.

## EXPLANATION OF THE BUDGET DOCUMENT

This document consists of a detailed display of the Resources and Requirements of each of the two Service Districts in Multnomah County.

Preceding the financial information for each Service District is a brief Budget Message which discusses special items pertaining to the individual Service District, including any major changes in either Resources or Requirements.

## SERVICE DISTRICT FINANCIAL POLICIES

Management of all Service Districts is conducted by the Multnomah County Department of Environmental Services. Each Service District is, however, a separate and independent financial entity. To this end, all expenses incurred by a Service District, including contractual engineering support and management by Multnomah County Department of Environmental Services and Finance Division, are met with revenue from sewer user charges and connection fees and/or assessments to real property within the street lighting or sewer Service District.

Under the Accrual Basis of accounting, all revenues are recorded at the time they are earned and expenditures are recorded at the time liabilities are incurred. Budgets and comparative historical cost summaries are prepared utilizing these bases. This practice conforms to Oregon Budget Law.

For financial statement purposes, each Service District is treated as an Enterprise Fund and accounted for on the accrual basis of accounting. This practice conforms to generally accepted accounting principles (GAAP).

SUMMARY OF REQUIREMENTS

<u>DESCRIPTION</u>	<u>ACTUAL 92-93</u>	<u>BUDGET 93-94</u>	<u>BUDGET 94-95</u>	<u>PROPOSED 95-96</u>
Sewer Service District No. 1 DUNTHORPE RIVERDALE	595,000	610,000	620,000	675,000
Street Lighting Svc. Dist. No. 14 MID COUNTY	<u>986,766</u>	<u>946,390</u>	<u>715,000</u>	<u>757,000</u>
TOTAL	<u>1,591,000</u>	<u>1,556,390</u>	<u>1,335,000</u>	<u>1,432,000</u>

REIMBURSEMENTS TO COUNTY  
1994-95 CHARGES BY MULTNOMAH COUNTY TO SERVICE DISTRICTS

<u>SERVICE DISTRICT</u>	<u>ROAD FUND</u>	<u>GENERAL FUND</u>	<u>TOTAL</u>
Dunthorpe Riverdale	7,000	6,000	13,000
Mid County	<u>10,000</u>	<u>15,000</u>	<u>25,000</u>
TOTAL	<u>17,000</u>	<u>21,000</u>	<u>38,000</u>

0078j

## BUDGET MESSAGE

### DUNTHORPE RIVERDALE SERVICE DISTRICT NO. 1

This district was formed in the middle 1960's and by 1970 had removed a significant source of pollution from the Willamette River. Its 554 clients are mainly located in unincorporated Multnomah County with a few clients in northern Clackamas County and the City of Portland.

The district's lines are maintained by the City of Portland and its sewage flow is treated at Portland's Tryon Creek Treatment Plant, which is located in Lake Oswego. This year the City is reconstructing two of the district's pump stations with a project cost of \$260,000.00 to be paid by the district out of the Sinking Fund.

The present service charge is \$18.50 per month. The proposed service charge is \$25.00, to reflect the cost of the new contract with the City of Portland.

In accordance with the stated position of the district's governing body, the unappropriated balance is intended to fund the depreciation of the district's facilities.

0078j

# RESOURCES

FORM LB-20

General

Dunthorpe Riversdale Service Dist.

Name of Organizational Unit - Fund

Name of Municipal Corporation

	HISTORICAL DATA			RESOURCE DESCRIPTION	Budget for Next Year: 1995 - '96			
	Actual		Adopted Budget This Year "94 - '95		Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body	
	Second Preceding Year: '92 - '93	First Preceding Year: '93 - '94						
				PERSONAL SERVICES				
1.				1. * Available Cash on Hand (Cash Basis), or				1.
2.	400,557	448,753	475,000	2. * Net Working Capital (Accrual Basis)	480,000			2.
3.				3. Previously Levied Taxes Estimated to be Received				3.
4.	17,538	16,862	15,000	4. Interest	10,000			4.
5.				5. OTHER RESOURCES				5.
6.	15,000	2,500	10,000	6. Connection Fees	10,000			6.
7.	115,312	117,832	120,000	7. Sewer Users Service Charge	175,000			7.
8.				8.				8.
9.				9.				9.
10.				10.				10.
11.				11.				11.
12.				12.				12.
13.				13.				13.
14.				14.				14.
15.				15.				15.
16.				16.				16.
17.				17.				17.
18.				18.				18.
19.				19.				19.
20.				20.				20.
21.				21.				21.
22.				22.				22.
23.				23.				23.
24.				24.				24.
25.				25.				25.
26.				26.				26.
27.				27.				27.
28.				28.				28.
29.	548,407	585,947	620,000	29. Total Resources, Except Taxes to be Levied	675,000	0		29.
30.				30. Taxes Necessary to Balance Budget				30.
31.	0	0		31. Taxes Collected in Year Levied				31.
32.	\$548,407	\$585,947	\$620,000	32. TOTAL RESOURCES	\$675,000	\$0		32.

**EXPENDITURE SUMMARY**  
**BY FUND, ORGANIZATIONAL UNIT OR PROGRAM**  
 General  
 Name of Organizational Unit - Fund

Dunthorpe Riversdale Service Dist.  
 Name of Municipal Corporation

	HISTORICAL DATA			EXPENDITURE DESCRIPTION	Budget for Next Year: 1995 - '96			
	Actual		Adopted Budget This Year "94 - '95		Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body	
	Second Preceding Year: '92 - '93	First Preceding Year: '93 - '94						
				PERSONAL SERVICES				
1.				1.				1.
2.				2.				2.
3.				3.				3.
4.				4.				4.
5.				5.				5.
6.				6.				6.
7.				7. TOTAL PERSONAL SERVICES				7.
				MATERIALS AND SERVICES				
8.				8. Multnomah County Charges:				8.
9.	2,649	3,861	4,600	9. Generals Fund Service Reimbursement	6,000			9.
10.	1,347	139	3,000	10. Road Fund Service Reimbursement	7,000			10.
11.	91,504	116,273	130,000	11. City of Portland Charges	190,000			11.
12.	271	207	500	12. Utilities	500			12.
13.	3,883	1,402	3,500	13. Miscellaneous	3,500			13.
14.	\$99,654	\$121,882	\$141,600	14. TOTAL MATERIAL AND SERVICES	\$207,000	\$0		14.
				CAPITAL OUTLAY				
15.				15. City of Portland Pump Station Reconstruction	265,000			15.
16.				16.				16.
17.				17.				17.
18.				18.				18.
19.				19.				19.
20.				20.				20.
21.				21. TOTAL CAPITAL OUTLAY	265,000			21.
				TRANSFERRED TO OTHER FUNDS				
22.				22.				22.
23.				23.				23.
24.				24.				24.
25.			20,000	25. General Operating Contingency	20,000			25.
26.	0	0	20,000	26. TOTAL TRANSFERS & CONTINGENCIES	20,000			26.
27.	99,654	121,882	161,600	27. TOTAL EXPENDITURES	492,000	0		27.
28.	448,753	464,065	458,400	28. UNAPPROPRIATED ENDING FUND BALANCE	183,000			28.
29.	\$548,407	\$585,947	\$620,000	29. TOTAL	\$675,000	\$0		29.

## BUDGET MESSAGE

### MID COUNTY SERVICE DISTRICT NO. 14

This county service district (originally known as Tulip Acres Lighting District when formed in 1967), now includes virtually all the unincorporated urban area of Multnomah County, as well as the cities of Fairview, Maywood Park and Troutdale.

At this time, district growth is being outstripped by annexations to Portland and Gresham, which constitute automatic withdrawals from the district. Excellent working relationships between the effected agencies assure an orderly transition process.

Although the district continues to add lights as requested by its residents, its overall budget is diminishing because of the annexation to cities.

The district has been able to operate at the reduced rate of \$35 per home per year and projects next year to continue this rate.

0078j

# RESOURCES

FORM LB-20

General

Mid-County Service Dist.

Name of Organizational Unit - Fund

Name of Municipal Corporation

	HISTORICAL DATA			RESOURCE DESCRIPTION	Budget for Next Year: 1995 - '96			
	Actual		Adopted Budget This Year "94 - '95		Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body	
	Second Preceding Year: '92 - '93	First Preceding Year: '93 - '94						
				PERSONAL SERVICES				
1.				1. * Available Cash on Hand (Cash Basis), or				1.
2.	549,375	595,195	350,000	2. * Net Working Capital (Accrual Basis)	550,000			2.
3.	30,793	26,212	22,000	3. Previously Levied Taxes Estimated to be Received	14,000			3.
4.	24,773	22,518	17,000	4. Interest	17,000			4.
5.				5. OTHER RESOURCES				5.
6.	380,985	300,562	325,000	6. Assessments	175,000			6.
7.	840	1,903	1,000	7. Sundry	1,000			7.
8.				8.				8.
9.				9.				9.
10.				10.				10.
11.				11.				11.
12.				12.				12.
13.				13.				13.
14.				14.				14.
15.				15.				15.
16.				16.				16.
17.				17.				17.
18.				18.				18.
19.				19.				19.
20.				20.				20.
21.				21.				21.
22.				22.				22.
23.				23.				23.
24.				24.				24.
25.				25.				25.
26.				26.				26.
27.				27.				27.
28.				28.				28.
29.	986,766	946,390	715,000	29. Total Resources, Except Taxes to be Levied	757,000	0		29.
30.				30. Taxes Necessary to Balance Budget				30.
31.	0	0		31. Taxes Collected in Year Levied				31.
32.	\$986,766	\$946,390	\$715,000	32. TOTAL RESOURCES	\$757,000	\$0		32.



**EXPENDITURE SUMMARY**  
**BY FUND, ORGANIZATIONAL UNIT OR PROGRAM**  
 General  
 Name of Organizational Unit - Fund

Mid-County Service Dist.  
 Name of Municipal Corporation

	HISTORICAL DATA			EXPENDITURE DESCRIPTION	Budget for Next Year: 1995 - '96			
	Actual		Adopted Budget This Year '94 - '95		Proposed By Budget Officer	Approved By Budget Committee	Adopted By Governing Body	
	Second Preceding Year: '92 - '93	First Preceding Year: '93 - '94						
				PERSONAL SERVICES				
1.				1.				1.
2.				2.				2.
3.				3.				3.
4.				4.				4.
5.				5.				5.
6.				6.				6.
7.				7. TOTAL PERSONAL SERVICES				7.
				MATERIALS AND SERVICES				
8.	9,760	11,800	13,000	8. MULTCO General Fund Services	15,000			8.
9.	1,881	200	7,000	9. MULTCO Road Fund Services	10,000			9.
10.	360,242	296,991	350,000	10. Utilities	240,000			10.
11.	3,515	1,021	10,000	11. Miscellaneous	10,000			11.
12.				12.				12.
13.				13.				13.
14.	\$375,398	\$310,012	\$380,000	14. TOTAL MATERIAL AND SERVICES	\$275,000			14.
				CAPITAL OUTLAY				
15.	16,173	1,259	100,000	15. Equipment	100,000			15.
16.				16.				16.
17.				17.				17.
18.				18.				18.
19.				19.				19.
20.				20.				20.
21.	\$16,173	\$1,259	\$100,000	14. TOTAL MATERIAL AND SERVICES	\$100,000			21.
				TRANSFERRED TO OTHER FUNDS				
22.				22.				22.
23.				23.				23.
24.				24.				24.
25.			25,000	25. General Operating Contingency	25,000			25.
26.			25,000	26. TOTAL TRANSFERS & CONTINGENCIES	25,000			26.
27.	391,571	311,271	505,000	27. TOTAL EXPENDITURES	400,000			27.
28.	595,195	635,119	210,000	28. UNAPPROPRIATED ENDING FUND BALANCE	357,000			28.
29.	\$986,766	\$946,390	\$715,000	29. TOTAL	\$757,000			29.

**AGENDA NO:**

R-4

### AGENDA PLACEMENT FORM

**SUBJECT:** Notice of Intent to Apply for Byrne Grant

BOARD BRIEFING:      Date Requested:

Amount of Time Needed:

REGULAR MEETING: Date Requested: MAY 11, 1995

*Amount of Time Needed:* 5 minutes

DEPARTMENT: Sheriff's Office

*DIVISION:* Enforcement

**CONTACT:** Larry Aab

TELEPHONE #: 251-2489

BLDG/ROOM #: 313/231

PERSON(S) MAKING PRESENTATION: Larry Aab

**ACTION REQUESTED:**

☐ INFORMATIONAL ONLY    ☐ POLICY DIRECTION    ☒ APPROVAL    ☐ OTHER

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

The Sheriffs Office is submitting a Notice of Intent to apply for a grant through the Edward Byrne Memorial Formula Grant Program.

The grant would pay for up to 75% of the cost of implementing the Work-in-Lieu-of-Jail program. This program permits offenders who are sentenced to serve one or more weekends in jail, the option of performing public works in lieu of sitting in the jail.

**SIGNATURES REQUIRED:**

**ELECTED OFFICIAL:**

*OR*

**DEPARTMENT MANAGER:**

**ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES**

Any Questions: Call the Office of the Board Clerk 248-3277/5222  
0516C/63 6/93

6/93

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM BRIEFING  
STAFF REPORT SUPPLEMENT**

TO: BOARD OF COUNTY COMMISSIONERS

FROM: LARRY AAB, FISCAL MANAGER

TODAY'S DATE: April 13, 1995

REQUESTED PLACEMENT DATE: April 27, 1995

RE: Notice of Intent / Grant Application

I. Recommendation/Action Requested:

None.

II. Background/Analysis:

See attached memorandum dated March 15, 1995 and stamped received by the Board Clerk on March 21, 1995.

III. Financial Impact:

Total grant is for \$90,000, with 25% local match. Match will be provided by fees paid by participating inmates. Inmate welfare committee has agreed to underwrite up to \$25,000 to cover any match shortfall.

IV. Legal Issues:

None noted.

V. Controversial Issues:

None noted.

VI. Link to Current County Policies:

See memorandum.

VII. Citizen Participation:

None.

VIII. Other Government Participation:

U.S. Department of Justice



# Multnomah County Sheriff's Office

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

JOHN BUNNELL  
SHERIFF

(503) 255-3600

## MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS

FROM: JOHN BUNNELL, SHERIFF

DATE: March 15, 1995

SUBJECT: NOTICE OF INTENT TO APPLY FOR BYRNE GRANT

BOARD OF  
COUNTY COMMISSIONERS  
1995 MAR 21 AM 9:37  
MULTNOMAH COUNTY  
OREGON

Please be advised that MCSO intends to apply for a grant through the Edward Byrne Memorial Formula Grant Program. The grant, if approved, would pay for up to 75% of the cost of implementing the Work-In-Lieu-Of-Jail (WILOJ) program. The WILOJ program permits offenders, who are sentenced to serve one or more week-ends in jail, the option of performing public works in lieu of sitting in jail.

The grant proposal seeks to fund 2 crews on the week-ends, with one crew dedicated for female offenders. Instead of seeking full-time, FTE positions, we decided that funding the positions on an overtime basis is the most cost-effective method of delivering the service. The total cost for 2 week-end crews for an entire year is approximately \$90,000. The Byrne grant would pay for up to 75% of this amount, with the remainder paid for by local match.

A innovative element of the WILOJ program is that the offenders are required to pay a fee to participate. We estimate that offender fees will actually cover the local match requirement. My office has contacted the Inmate Welfare Fund to see if the Fund will guarantee the local match, if estimated user fees fall short of the total local match.

The Byrne Grant is administered by and through the state's Criminal Justice Services Division. I apologize for the apparent short notice of this grant application. CJSD held an informational meeting on March 7, where we learned more about the program's details. The application is due in Salem no later than 5:00 p.m., Monday, April 3.

If you have any questions regarding this grant, please contact my office.

## 1. REQUEST FOR PLACEMENT ON THE AGENDA FOR

May 11, 1995

DEPARTMENT

Health

DIVISION

HIV & STD Services

CONTACT

Jeanne Gould

TELEPHONE

248-3674

NAME OF PERSON MAKING PRESENTATION TO BOARD

Jeanne Gould or Tom Fronk

## SUGGESTED AGENDA TITLE

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

Budget Modification MCHD 12 increases HIV programs to reflect the receipt of a grant which will enhance services for HIV clients.

(Estimated time needed on the Agenda: 5 minutes)

## 2. DESCRIPTION OF MODIFICATION

☒ PERSONNEL CHANGES ON ATTACHED PAGE

The Health Department has been awarded a grant from Ryan White Title 1 - Supplemental.

This budget modification allows for the addition of contracts and parttime staff to provide treatment services to HIV-positive individuals in the community.

BOARD OF  
 COUNTY COMMISSIONERS  
 1995 MAY - 2 PM 4:18  
 MULTNOMAH COUNTY  
 OREGON

## 3. REVENUE IMPACT

Increase Ryan White Title 1 Supplemental by \$283,245

Increase General Fund by \$4,750

## 4. CONTINGENCY STATUS

The General Fund Contingency is increased by \$2,504 (Indirect)

Originated By <u>Joan Sears</u>	Date <u>4/27/95</u>	Department Director <u>Belli Odegard TRF</u>	Date <u>4-28-95</u>
Finance/Budget <u>Kathleen Fris</u>	Date <u>5/1/95</u>	Employee Relations <u>Susan Daniel</u>	Date <u>5/1/95</u>
Board Approval <u>Deborah C. Boyston</u>	Date <u>5/12/95</u>		

# PERSONNEL DETAIL FOR BUDGET MODIFICATION MCHD 12

5. ANNUALIZED PERSONNEL CHANGES			Compute on a full year basis even though this action affects part of the fiscal year.			
			ANNUALIZED			
FTE	CLASSIFICATION	UNIT	BASE PAY	FRINGE	INSURANCE	TOTAL
0.50	Office Assistance 2	Ryan White Title 1 Supp	19,732	5,105	5,191	30,028
0.50	TOTAL CHANGE (ANNUALIZED)		19,732	5,105	5,191	30,028

6. CURRENT YEAR PERSONNEL CHANGES			Calculate costs or savings that will take place within this fiscal year; these should explain the actual dollar amounts changed on the budget modification			
			CURRENT YEAR			
FTE	CLASSIFICATION	UNIT	BASE PAY	FRINGE	INSURANCE	TOTAL
0.08	Office Assistance 2	Ryan White Title 1 Supp	3,289	851	865	5,005
0.08	TOTAL CURRENT YEAR CHANGE		3,289	851	865	5,005

## EXPENDITURE DETAIL - MCHD 12

EXPENDITURE TRANSACTION EB [ ] GM [ ] TRANSACTION DATE _____ ACCOUNTING PERIOD _____ BUDGET FISCAL YEAR _____										
DOCUMENT NUMBER	ACTION	FUND	AGENCY	ORG	OBJECT CODE	CURRENT AMOUNT	REVISED AMOUNT	INCREASE (DECREASE)	SUBTOTAL	DESCRIPTION
		156	015	0325	5100			3,289		Permanent
		156	015	0325	5200			4,420		Temporary/On-Call
		156	015	0325	5500			851		Fringe
		156	015	0325	5550			865		Insurance
									9,425	SUBTOTAL, R. W. TITLE 1 SUPP, PS
		156	015	0325	6060			250,000		Pass Thru
		156	015	0325	6110			16,928		Professional Svcs
		156	015	0325	6120			120		Printing
		156	015	0325	6230			1,906		Supplies
		156	015	0325	6310			752		Educ & Training
		156	015	0325	6330			120		Local Travel
		156	015	0325	7100			5,504		Indirect
		156	015	0325	7150			90		Telephone
		156	015	0325	7400			150		Building Mgmt
									276,570	SUBTOTAL, R. W. TITLE 1 SUPP, MS
									284,995	TOTAL, RYAN WHITE TITLE 1 SUPP
		156	015	0925	8400			3,000		Equipment
									3,000	TOTAL, HLTH HUMAN RESOURCES
		402	030	7990	6140			90		90 TELEPHONE FUND INCREASE
		100	045	9120	7700			150		150 BLDG MGMT FUND INCREASE
		400	050	7531	6520			865		865 INSURANCE FUND INCREASE
		100	015	0900	7608			3,000		3,000 CASH TRANSFER TO F/S - 0900
		100	045	9120	7700			2,504		2,504 CONTINGENCY
TOTAL EXPENDITURE CHANGE								294,604		

## REVENUE DETAIL - MCHD 12

REVENUE TRANSACTION RB [ ] GM [ ] TRANSACTION DATE _____ ACCOUNTING PERIOD _____ BUDGET FISCAL YEAR _____										
DOCUMENT NUMBER	ACTION	FUND	AGENCY	ORG	REVENUE CODE	CURRENT AMOUNT	REVISED AMOUNT	INCREASE (DECREASE)	SUBTOTAL	DESCRIPTION
		156	015	0325	2059			283,245		Ryan White Title 1 Supplement
		156	015	0325	7601			1,750		GF Support
		156	015	0925	7601			3,000		GF Support
		402	030	7990	6602			90		Telephone Svc Reim
		400	050	7040	6602			865		Insurance Svc Reim
		100	045	7410	6602			150		Bldg Mgmt Svc Reim
		100	045	7410	6602			5,504		Service Reim from F/S
TOTAL REVENUE CHANGE								294,604		



# 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

## MEMORANDUM

TO: Board of County Commissioners  
FROM: Billi Odegaard *Billi Odegaard*  
REQUESTED PLACEMENT DATE: April 27, 1995  
DATE: May 11, 1995  
SUBJECT: Budget Modification MCHD 12

I. Recommendation/Action Requested:

The Board of County Commissioners is requested to approve budget modification MCHD 12 which receives funds for services to HIV positive clients.

II. Background/Analysis:

Multnomah County currently receives Ryan White Title 1 funds for HIV Planning Council activities and services for persons with HIV disease. The Ryan White Act (Title 1) also creates a competitive grant process to award additional or supplemental funds. The supplemental funds are intended to provide additional services to clients in the community according to the priorities established by the HIV Planning council. The Board approved MCHD 4, in March, which received Ryan White (Title 1) Formula funds.

III. Financial Impact:

Increases the Federal/State fund by \$287,995 and the General Fund Contingency by \$2,504.

IV. Legal Issues:

None

V. Controversial Issues:

None

VI. Link to Current County Policies:

These funds further enhance existing services and community linkages for HIV clients.



VII. Citizen Participation:

The Ryan White Title 1 HIV Health Services Planning Council is a community governing group whose charge is to set priorities for HIV services and determine funding allocations for Ryan White Title 1 activities.

VIII. Other Government Participation:

Ryan White Title 1 requires representation from county and state government, community agencies and HIV-positive individuals on the HIV Planning Council. The counties in our eligible metro area include Clackamas, Columbia, Multnomah, Washington, Yamhill, and Clark County, Washington. All local health departments in our eligible metro area receive regular communications regarding Ryan White Title 1 activities and serve, or have been invited to serve on the Planning Council.

MEETING DATE: MAY 11 1995  
AGENDA NO: R-6

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORMSUBJECT: PUBLIC HEARING IN THE MATTER OF APPROVING REQUEST  
FOR TRANSFER OF TAX FORECLOSED PROPERTIES TO THE  
PORTLAND PUBLIC SCHOOLS FOR PUBLIC USESBOARD BRIEFING      Date Requested:  
Amount of Time Requested:REGULAR MEETING      Date Requested:      May 11, 1995  
Amount of Time Requested:      5 Minutes

DEPARTMENT:      Environmental Services      DIVISION:      Assessment &amp; Taxation

CONTACT:      Richard Payne      TELEPHONE: Extention 3632

BLDG/RM:      412/206

PERSON(S) MAKING PRESENTATION:      Richard Payne

ACTION REQUESTED☐ INFORMATIONAL ONLY    ☐ POLICY DIRECTION    ☒ APPROVAL    ☐ OTHER

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

COUNTY ORDINANCE REQUIRES THAT A HEARING BE HELD TO  
RECEIVE PUBLIC TESTIMONY PRIOR TO THE BOARD OF COUNTY  
COMMISSIONERS CONSIDERING DONATION OF TAX FORECLOSED  
PROPERTY TO GOVERNMENT AGENCIES OR NON-PROFIT  
CORPORATIONS.5/15/95 COPIES & ORIGINAL DEED TO  
RICHARD PAYNEAN ORDER AND DEED TO ACCOMPLISH THESE TRANSFERS,  
APPROVED, ARE ATTACHED FOR SIGNATURE.SIGNATURE REQUIRED:

ELECTED OFFICIAL:

or

DEPARTMENT MANAGER:

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  
CLERK  
1995 APR 31 PM 4:07  
MULTNOMAH COUNTY  
OREGON



# MULTNOMAH COUNTY OREGON

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

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

## AGENDA ITEM BRIEFING - STAFF REPORT SUPPLEMENT

TO: BOARD OF COUNTY COMMISSIONERS

FROM: RICHARD C. PAYNE Department of Environmental Services

DATE: APRIL 21, 1995

REQUESTED PLACEMENT DATE: MAY 11, 1995

SUBJECT: PUBLIC HEARING IN THE MATTER OF APPROVING REQUEST  
FOR TRANSFER OF TAX FORECLOSED PROPERTIES TO  
PORTLAND PUBLIC SCHOOLS FOR PUBLIC USES.

### I. RECOMMENDATION / ACTION REQUESTED:

That the Board of County Commissioners receive public testimony concerning the subject request for transfers of tax foreclosed properties, for no monetary consideration, from Multnomah County's Tax Title Section and decide on whether the requested transfers to Portland Public Schools shall be approved.

### II. BACKGROUND / ANALYSIS:

During the year 1976, various activities were conducted and concluded between The Portland Public Schools, the City of Portland and private property owners to pave the way for construction of a new school administration site in the area directly north of the Memorial Coliseum. Permits were issued, streets vacated, easements granted, utilities relocated, and properties acquired, assigned, exchanged and deeded.

Unfortunately, two taxable parcels were either not properly covered by the above activities or were not properly recorded with the County Recorder and, thus, were foreclosed by Multnomah County for non-payment of property taxes in 1981 and became part of the Tax Title inventory.

The Portland Public Schools would like to have proper title to these properties upon which their administration building now sits.

## **AGENDA ITEM BRIEFING - STAFF REPORT SUPPLEMENT**

### **Page 2**

#### **III. FINANCIAL IMPACT:**

This request is for transfers of Tax Title properties without any monetary consideration. Therefore, the Taxing Jurisdictions within Multnomah County will not receive any of the back property taxes, interest and penalties currently owed on the properties.

The Tax Title Fund will incur expenses associated with preparation of application materials, processing transfer requests, preparation of Board documents, newspaper publications and legal transfer documents, which will not be recovered.

#### **IV. LEGAL ISSUES:**

No legal issue is expected to develop as result of this action.

#### **V. CONTROVERSIAL ISSUES:**

This request for transfers differ from the current donation process in effect within Multnomah County. County Ordinance No. 795 calls for property transferred to a governmental agency for public, non-housing use shall simultaneously be made available to all governmental entities within Multnomah County prior to the Board of County Commissioners consideration of donation without monetary consideration.

This request has not gone through the normal donation process because there is only one government agency, Portland Public Schools, that has legitimate interests in acquiring title to these properties. Multnomah County's Affordable Housing Development Program agrees with this conclusion.

#### **VI. LINK TO CURRENT COUNTY POLICIES:**

There are no conflicts with County policies.

#### **VII. CITIZEN PARTICIPATION:**

Notices of this public hearing were published in the Oregonian newspaper for two successive weeks prior to the hearing.

#### **VIII. OTHER GOVERNMENT PARTICIPATION:**

None

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

In the Matter of Approving Request for )  
Transfer of Tax Foreclosed Properties to ) ORDER 95-102  
Portland Public Schools for Public Uses )

WHEREAS, State of Oregon statute and Multnomah County ordinance allow for transfer of Tax Foreclosed Properties to governmental agencies and non-profit corporations for low income housing and public uses, and

WHEREAS, Portland Public Schools has formally requested transfer of certain properties, described on Exhibit A, for public uses, and

WHEREAS, after holding a public hearing on the requested transfers, as required by State of Oregon statute and Multnomah County ordinance, the Multnomah County Board of County Commissioners finds the requested transfers of tax foreclosed properties to serve the public interest.

NOW, THEREFORE, it is ORDERED that the Multnomah County Board of County Commissioners hereby transfers properties described on Exhibit A, without monetary consideration, to Portland Public Schools, and

It is further ORDERED that the Chair of the Multnomah County Board of County Commissioners execute a deed conveying titles to Portland Public Schools for properties described on Exhibit A.

PROVIDED that said properties shall be used and continue to be used by Portland Public Schools for public uses in the State of Oregon. Should the properties uses cease to meet this requirement, the interests of Portland Public Schools shall automatically terminate and title to these properties shall automatically revert to Multnomah County.

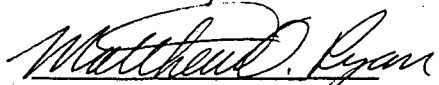
Approved this 11th day of May, 1995.



BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

  
\_\_\_\_\_  
BEVERLY STEIN, Chair

Reviewed By:

  
LAURENCE KRESSEL, County Counsel  
Multnomah County, Oregon

## TAX PROPERTIES REQUESTED BY PORTLAND PUBLIC SCHOOLS

Multnomah County Tax Title Section

\*March 29, 1995\*

Exhibit A

NBRHD	PROP	ADDITION	LEGAL1	NUMBER	GREENSPC	CANBYFC	EXPENSE	MARKET
ELIOT	WI/ 401 N DIXON ST	ALBINA	BLOCK 97	00961-8600	-----	\$136.95	\$0.00	\$9,800.00
ELIOT		DELMER SHAVERS 2ND ADD	INC PT VAC ST, LOT 2, BLOCK 2	20400-0120	-----	\$2,741.69	\$0.00	\$51,400.00
=====	=====	=====	=====	=====	=====	=====	=====	=====
Total:						\$2,878.64	\$0.00	\$61,200.00
Count:					2			

## Column Header Definitions:

NUMBER = Tax Account Number    PROP = Property Address    LEGAL1 = Legal Property Description    EXPENSE = County Maintenance Expenses  
 NBRHD = Neighborhood    ADDITION = Legal Property Addition    CANBYFC = Property Taxes & Interest    MARKET = Assessed Value when Foreclosed

DEED

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, the Grantor, conveys to SCHOOL DISTRICT NO. 1J, Multnomah County Oregon, the Grantee, the following described properties located within the City of Portland, Multnomah County, Oregon:

- 1) Block 97, Albina Addition.
- 2) Lot 2, Block 2 including part in vacated street, Delmer Shavers 2nd Addition.

Provided that said properties shall be used and continue to be used by the Grantee for public purposes and should the properties cease to be used for public purposes by the Grantee, the interests of the Grantee shall automatically terminate and titles shall automatically revert to the Grantor.

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

These transfers are without monetary consideration. Until a change is requested, all tax statements shall be sent to the following address: PORTLAND PUBLIC SCHOOLS, PHYSICAL PLANT DEPARTMENT, 501 N DIXON STREET, PORTLAND OR 97227.

Dated this 11th day of May, 1995.



BOARD OF COUNTY COMMISSIONERS FOR  
MULTNOMAH COUNTY

By: \_\_\_\_\_

Beverly Stein  
Multnomah County Chair

Reviewed By: \_\_\_\_\_

Matthew O. Ryan  
Assistant County Counsel

STATE OF OREGON

)

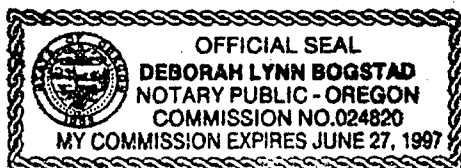
) ss

COUNTY OF MULTNOMAH

)

On this 11th day of May, 1995, before me, a Notary Public in and for the County of Multnomah and State of Oregon, personally appeared Beverly Stein, Chair, Multnomah County Board of Commissioners, to me personally known, who being duly sworn did say that the attached instrument was signed and sealed on behalf of the County by authority of the Multnomah County Board of Commissioners, and that said instrument is the free act and deed of Multnomah County.

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



Deborah Lynn Bogstad  
Notary Public for Oregon  
My Commission expires: 6/27/97



MEETING DATE: MAY 11 1995  
AGENDA NO: R-7

(Above Space for Board Clerk's Use ONLY)

**AGENDA PLACEMENT FORM**

SUBJECT: IGA with ODOT for CMAQ Funds

BOARD BRIEFING Date Requested: \_\_\_\_\_

Amount of Time Needed: \_\_\_\_\_

REGULAR MEETING: Date Requested: 5/11/95

Amount of Time Needed: 5 Minutes

DEPARTMENT: Environmental Services DIVISION: Transportation

CONTACT: Ed Pickering TELEPHONE #: 248-3636  
BLDG/ROOM #: 425

PERSON(S) MAKING PRESENTATION: Ed Pickering

**ACTION REQUESTED:**

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

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

Approval of IGA is sought transferring \$1 million to Multnomah County to construct sidewalk, bikeway modifications to various Willamette River Bridges and ramps.

\* 5/15/95 ORIGINALS to CATHEY KRAMER

**SIGNATURES REQUIRED:**

ELECTED OFFICIAL: \_\_\_\_\_

OR

DEPARTMENT MANAGER: Bob Boley Willis

BOARD OF  
COUNTY COMMISSIONERS  
1995 MAY - 2 PM 6:17  
MULTNOMAH COUNTY  
OREGON

**ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES**

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

EAVH1544.AGD

6/93

\* After BCC execution, return originals to Cathey Kramer/  
#425



# MULTNOMAH COUNTY OREGON

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

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

TO: BOARD OF COUNTY COMMISSIONERS

FROM: Larry F. Nicholas, P.E.  
Director of Transportation

TODAY'S DATE: April 27, 1995

REQUESTED PLACEMENT DATE: May 11, 1995

RE: Approval of Intergovernmental Agreement With Oregon Department of  
Transportation for Congestion Management and Air Quality Funds

I. Recommendation/Action Requested

Approval by the Board of Commissioners is sought of the Intergovernmental Agreement (IGA) with Oregon Department of Transportation (ODOT) for federal Congestion Management and Air Quality (CMAQ) funds to construct sidewalk, bikeway modifications to various Multnomah County Willamette River Bridges and ramps as identified in the Round 1 CMAQ study.

II. Background/Analysis

In 1994 Multnomah County completed the Willamette River Bridges Accessibility Project (WRBAP) which addressed access problems on seven non-interstate bridges spanning the Willamette River in downtown Portland to provide vital transportation connections in the region. Five of the bridges are the property of Multnomah County, two are owned and operated by ODOT.

Crossing these bridges and ramps is critical for many bicycle and pedestrian trips into the central part of the city. The bridges and ramps present significant barriers for bicyclists, pedestrians, and disabled travelers. Currently, none of the seven bridges provide adequate accessibility for wheelchair users, and few offer complete accessibility to bicyclists and pedestrians. The community has expressed concerns about poor access to the bridges for people using alternative modes of travel. In response to these concerns, Multnomah County developed the WRBAP.

As part of the WRBAP study, alternative mode access to each bridge was carefully analyzed and possible improvements were identified. The resulting Accessibility Plans show 38 projects to improve access to and across the seven Willamette River Bridges owned by Multnomah County and the State of Oregon.

Recommended projects include installation of more than 3 miles of bicycle lanes; 3,500 linear feet of sidewalks; more than 20 crosswalks; and, 30 curb ramps. The total cost of the 38 projects is \$7.63 million. When the projects are completed, four county bridges and their respective ramps will be fully accessible to disabled persons, bicyclists and pedestrians, and major multi-modal improvements will have been installed on the three remaining (publicly owned) bridges.

The \$1 million in CMAQ funds to be transferred by this IGA represents Phase I improvements. The \$1 million grant plus additional local funding will be directed toward construction of 25 of the 38 projects (Phase I). The Phase I projects consist of improvements costing \$5,000 to \$200,000. Thirteen Phase II projects are anticipated to be included in the Regional Transportation Plan, transportation improvement plans, and local jurisdiction capital improvement plans. If Phase I project costs are lower than estimated, some Phase II projects may be shifted to Phase I. Total cost of implementing Phase I projects is estimated at \$1.14 million. The Board approved the WRBAP report in September 1994, including the phasing of projects and the implementation strategy.

### III. Financial Impact

Projects will be constructed with the revenue budgeted over a three-year period. Local matching funds equalling 20% of the grant amount will be budgeted in the Bridge Section budget, also over the three-year period.

### IV. Legal Issues

O.R.S. 366.770 and 366.775 grants authority to ODOT to enter into cooperative agreements with counties and cities for the performance on certain types of improvement projects with the allocation of costs on terms and conditions mutually agreeable to the contracting parties. Subsequent IGAs will be necessary to transfer CMAQ funds to ODOT and Portland for projects in their respective jurisdictions.

### V. Controversial Issues

The WRBAP study and subsequent construction projects were initially developed in response to local citizen action calling for better pedestrian and bicycle access to County bridges that span the Willamette River. Although WRBAP received extensive citizen involvement and support in its undertaking and adoption, there may be some citizens who feel that the improvements do not go far enough.

## VI. Link to Current County Policies

The CMAQ projects to be implemented relate to several of the Physical Support Systems Policies as outlined on the *Comprehensive Framework Plan*, as follows:

- Policy 33a: Transportation System

The county's policy is to implement a balanced, safe and efficient transportation system.

- Policy 33c: Bicycle Pedestrian System

It is the county's policy to implement a bicycle/pedestrian system as an alternative transportation mode, furthering the opportunity for a balanced system

- Policy 34: Trafficways

The county's policy is to develop a safe and efficient trafficway system using the existing road network.

## VII. Citizen Participation

WRBAP involved the public in a detailed identification and discussion of access problems and potential improvements. Multnomah County staff worked with a citizen advisory committee (CAC) and technical advisory committee (TAC) to develop a comprehensive analysis of multimodal access issues and opportunities regarding Willamette River to and across the bridges and ramps. The projects were ranked, and priorities were set establishing the importance of different access projects.

In addition to the CAC, WRBAP provided several opportunities for citizen involvement. Four public workshops, comment forms, and tours with several groups generated more than 200 comments and suggested solutions.

## VIII. Other Government Participation

The TAC provided advice and direction for project evaluation and selection. The TAC included representatives from the following jurisdictions:

- City of Portland Bureau of Traffic Management
- City of Portland Pedestrian Program
- Metro
- Tri-Met
- Oregon Department of Environmental Quality
- Oregon Department of Transportation
- Metropolitan Human Rights Commission

Several projects under consideration for implementation under this grant include facilities that are located on State of Oregon bridges (St. Johns Bridge and Ross Island Bridge), and city of Portland streets adjacent to the bridges.

**CONTRACT APPROVAL FORM**

(See Administrative Procedure #2106)

MULTNOMAH COUNTY OREGON

Contract # 301885

Amendment # \_\_\_\_\_

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  <b>APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</b> AGENDA # <u>R-7</u> DATE <u>5/11/95</u> <u>DEB BOGSTAD</u> <b>BOARD CLERK</b>

Department Environmental Services Division Transportation Date 3/23/95Contract Originator Ed Pickering Phone 3636 Bldg/Room 425Administrative Contact Same as above Phone \_\_\_\_\_ Bldg/Room \_\_\_\_\_

Description of Contract A federal congestion Management/Air Quality grant of \$1,000,000 administered by ODOT for bike, pedestrian and disabled accessibility improvements to County Willamette River Bridges

RFP/BID # \_\_\_\_\_ Date of RFP/BID \_\_\_\_\_ Exemption Exp. Date \_\_\_\_\_

ORS/AR # \_\_\_\_\_ Contractor is ☐ MBE ☐ WBE ☐ ORFContractor Name ODOT
 Mailing Address 123 NW Flanders  
Portland OR 97209
Phone 731-8200

Employer ID# or SS# \_\_\_\_\_

Effective Date Upon SignatureTermination Date Upon Project CompletionOriginal Contract Amount \$ 1,000,000

Total Amount of Previous Amendments \$ \_\_\_\_\_

Amount of Amendment \$ \_\_\_\_\_

Total Amount of Agreement \$ 1,000,000**REQUIRED SIGNATURES:**Department Manager [Signature]Purchasing Director (Class II Contracts Only) [Signature]County Counsel [Signature]County Chair / Sheriff [Signature]

Contract Administration (Class I, Class II Contracts Only) \_\_\_\_\_

Remittance Address \_\_\_\_\_  
(If Different) \_\_\_\_\_Payment Schedule N/A Terms \_\_\_\_\_☐ Lump Sum \$ \_\_\_\_\_ ☐ Due on receipt☐ Monthly \$ \_\_\_\_\_ ☐ Net 30☐ Other \$ \_\_\_\_\_ ☐ Other \_\_\_\_\_☐ Requirements contract - Requisition required.

Purchase Order No. \_\_\_\_\_

☐ Requirements Not to Exceed \$ \_\_\_\_\_Encumber: Yes ☐ No ☐Date 5/11/95

Date \_\_\_\_\_

Date 5/2/95Date May 11, 1995

Date \_\_\_\_\_

VENDOR CODE				VENDOR NAME						TOTAL AMOUNT \$		
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	ODOT REV SRC	SUB OBJ	REPT CATEG	LGFS DESCRIPTION	AMOUNT	INC/ DEC IND	
01.	161	030	6702			2086						
02.												
03.												

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

INSTRUCTIONS ON REVERSE SIDE

WHITE - CONTRACT ADMINISTRATION

CANARY - INITIATION

PINK - FINANCE

LOCAL AGENCY AGREEMENT  
CONGESTION MITIGATION AND AIR QUALITY PROJECT

THIS AGREEMENT is made and entered into by and between THE STATE OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "ODOT"; and MULTNOMAH COUNTY, a home rule political subdivision of the State of Oregon, acting by and through its Elected Officials, hereinafter referred to as "Agency".

1. By the authority granted in ORS 366.770 and 366.775, ODOT may enter into cooperative agreements with counties and cities for the performance of work on certain types of improvement projects with the allocation of costs on terms and conditions mutually agreeable to the contracting parties.

2. Under such authority, Agency plans and proposes to construct sidewalks, bikeways and modifications to various Willamette River bridges for bike and pedestrian services identified in the Round 1 CMAQ study, hereinafter referred to as "project". The location of the project is approximately as shown on the sketch map attached hereto, marked Exhibit A, and by this reference made a part hereof.

3. This project shall be conducted as a part of the Congestion Mitigation and Air Quality (CMAQ) Program under Title 23, United States Code, and the Oregon Action Plan. The CMAQ funds are limited to \$1,000,000. Agency shall be responsible for the match for the federal funds and any portion of the project which is not covered by federal funding.

4. The Special and Standard Provisions attached hereto, marked Attachments 1 and 2, respectively, are by this reference made a part hereof. The Standard Provisions apply to all federal-aid projects and may be modified only by the Special Provisions. The parties hereto mutually agree to the terms and conditions set forth in Attachments 1 and 2. In the event of a conflict, this agreement shall control over the attachments, and Attachment 1 shall control over Attachment 2.

5. Agency shall enter into and execute this agreement during a duly authorized session of its Board of County Commissioners.

M C & A No. 13,237  
MULTNOMAH COUNTY

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

This project was approved by the Oregon Transportation Commission on July 20, 1994, as a part of the 1995-1998 Statewide Transportation Improvement Program, page 32. The Transportation Commission by Delegation Order No. 35c, paragraph 65, authorized the State Highway Engineer to sign the agreement. Said authority was further subdelegated to the Program Services Section Manager pursuant to Subdelegation Order No. HWY-6, paragraph 11.

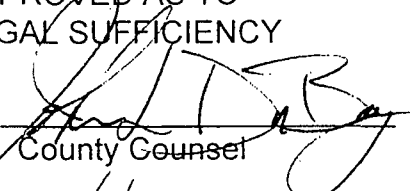
APPROVAL RECOMMEND  
By   
Region Manager

APPROVED AS TO  
LEGAL SUFFICIENCY

By \_\_\_\_\_  
ODOT Asst. Attorney Gen.

Date \_\_\_\_\_

APPROVED AS TO  
LEGAL SUFFICIENCY

By   
County Counsel

Date 5/2/95

MULTNOMAH COUNTY  
Billing Address:

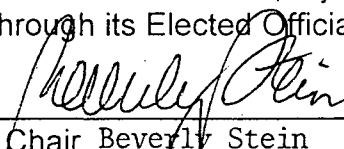
1620 SE 190th Avenue  
Portland, Or 97204

STATE OF OREGON, by and through  
its Department of Transportation

By \_\_\_\_\_  
Program Services Section Mgr.

Date \_\_\_\_\_

MULTNOMAH COUNTY, by  
and through its Elected Officials

By   
Chair Beverly Stein

Date May 11, 1995

APPROVED MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-7 DATE 5/11/95  
DEB BOGSTAD  
BOARD CLERK



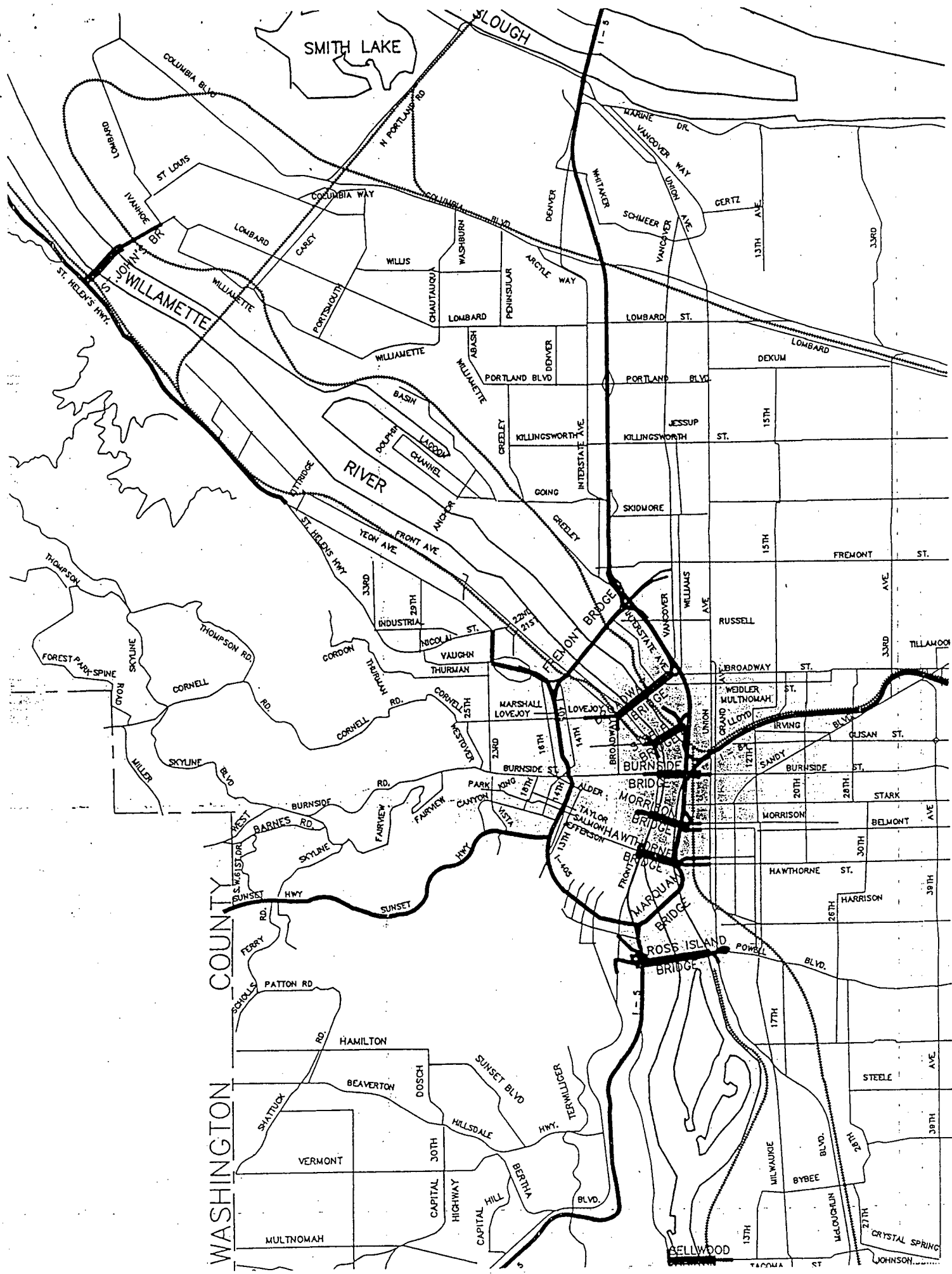


Exhibit 'A'

## ATTACHMENT NO. 1

### SPECIAL PROVISIONS

1. Agency or its consultant shall, as a federal-aid participating preliminary engineering function, conduct the necessary field surveys, environmental studies, traffic investigations, identify and obtain all required permits, and perform all preliminary engineering and design work required to produce final plans, preliminary/final specifications and cost estimates.
2. Agency shall, upon ODOT's award of construction contract, furnish all construction engineering, field testing of materials, technical inspection and project manager services for administration of the contract. The State shall obtain "Record Samples" at specified intervals for testing in the State Materials Laboratory in Salem.
3. Agency insures that all project right-of-way monumentation will be conducted in conformance with ORS 209.150.
4. Agency shall conform with requirements of the Oregon Action Plan, and if necessary shall appoint and direct the activities of a Citizen's Advisory Committee and Technical Advisory Committee, conduct any required public hearings and recommend the preferred alternative.
5. Agency agrees that the minimum design standards shall be in accordance with the 1992 Oregon Bike Plan where practicable.
6. Agency shall, upon completion of the project, maintain the bikeways within Agency jurisdiction, at their own expense.
7. Agency shall, upon completion of the project, submit an annual (Federal FY) progress report to ODOT on or before November 15th. The progress report as shown in Attachment 3, attached hereto and by this reference made a part hereof, should be sent to the Region 1 Manager (123 Northwest Flanders Street, Portland, OR 97209) with copies to Region Planning (same address), Public Transit (Transportation Building, Room 131, Salem, OR 97310) and Environmental Services (1158 Chemeketa St. NE, Salem, OR 97310) in order to fulfill ODOT's requirement to report the progress and benefits of the CMAQ program to FHWA and to the Oregon Transportation Commission.

## ATTACHMENT NO. 2

### STANDARD PROVISIONS

#### JOINT OBLIGATIONS

#### PROJECT ADMINISTRATION

1. State is acting to fulfill its responsibility to the Federal Highway Administration (FHWA) by the administration of this project, and Agency hereby agrees that State shall have full authority to carry out this administration. If requested by Agency, State will further act for the Agency in other matters pertaining to the project. State and Agency shall actively cooperate in fulfilling the requirements of the Oregon Action Plan. State and Agency shall each assign a liaison person to coordinate activities and assure that the interests of both parties are considered during all phases for all projects.

Any project that uses federal funds, in project development, is subject to PS&E review and approval by FHWA prior to advertisement for bid proposals, regardless of the source of funding for construction.

#### P.E. & CONSTRUCTION ENGINEERING

2. Preliminary and construction engineering may be performed by State, Agency, or others. If Agency, or others, perform the engineering, State will monitor the work for conformance with FHWA rules and regulations. In the event that Agency elects to engage the services of a consultant to perform any of the work covered by this agreement, Agency and Consultant shall enter into an agreement describing the work to be performed and the method of payment. State shall concur in the agreement prior to the beginning of any work. No reimbursement shall be made using federal-aid funds for any costs incurred by such Consultant prior to receiving authorization from State to proceed.

On all construction projects where State is the signatory party to the contract, and where Agency is doing the construction engineering and project management, Agency agrees to accept all responsibility for and defend lawsuits involving tort claims, contract claims, or any other lawsuit arising out of the contractor's work or Agency's supervision of the project.

REQUIRED STATEMENT FOR USDOT FINANCIAL  
ASSISTANCE AGREEMENT:

3. If as a condition of assistance the Agency has submitted and the U.S. Department of Transportation has approved a Minority Business Enterprise Affirmative Action Program which the Agency agrees to carry out, this affirmative action program is incorporated into this financial assistance agreement by reference. That program shall be treated as a legal obligation and failure to carry out its terms shall be treated as a violation of this financial assistance agreement. Upon notification to the Agency of its failure to carry out the approved program, the U.S. Department of Transportation shall impose such sanctions as noted in Title 49, Code of Federal Regulations, Part 23, Subpart E, which sanctions may include termination of the agreement or other measures that may affect the ability of the Agency to obtain future U.S. Department of Transportation financial assistance.

The Agency further agrees to comply with all applicable Civil Rights Laws, Rules and Regulations, including Section 504 of the Rehabilitation Act of 1973 and the Vietnam Era Veterans' Readjustment Act.

4. The parties hereto agree and understand that they will comply with all applicable statutes and regulations, including but not limited to Title 49 CFR, Parts 23 and 90, Audits of State and Local Governments; Title 41, USC, Anti-Kickback Act; Title 23, USC, Federal-Aid Highway Act; 42 USC, Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1987; provisions of Federal-Aid Policy Guide (FAPG), Title 23 Code of Federal Regulations (23 CFR) 1.11, 710, and 140; and the Oregon Action Plan.

STATE OBLIGATIONS

PROGRAM REQUEST

5. State shall submit a program to the FHWA with a request for approval of federal-aid participation in all engineering, right-of-way acquisition, eligible utility relocations and construction work for the project. NO WORK SHALL PROCEED ON ANY ACTIVITY IN WHICH FEDERAL-AID PARTICIPATION IS DESIRED UNTIL SUCH APPROVAL HAS BEEN OBTAINED. The program shall include services to be provided by State, Agency or others. State shall notify Agency in writing when authorization to proceed has been received from the FHWA. Major responsibility for the various phases of the project will be as outlined in the Special Provisions. All work and records of such work shall be in conformance with FHWA rules and regulations, and the Oregon Action Plan.

### AUTHORITY FOR SURVEY

6. State shall prepare an Authority for Survey which will itemize the estimate of cost for preliminary engineering services to be provided by State, Agency or others, and shall furnish Agency with a copy of such cost estimate.

### FINANCE

7. State shall, in the first instance, pay all reimbursable costs of the project, submit all claims for federal-aid participation to the FHWA in the normal manner and compile accurate cost accounting records. Agency may request a statement of costs to date, at anytime, by submitting a written request. When the actual total cost of the project has been computed, State shall furnish Agency with an itemized statement of such final costs.

### PROJECT ACTIVITIES

8. State shall, if the work is performed by Agency or others, review and process or approve all environmental statements, preliminary and final plans, specifications and cost estimates. State shall, if they prepare these documents, offer Agency the opportunity to review and approve the documents prior to advertising for bids. State shall prepare contract and bidding documents, advertise for bid proposals, award all contracts and, upon award of a construction contract, perform all necessary laboratory testing of materials, process and pay all contractor progress estimates, check final quantities and costs, and oversee and provide intermittent inspection services during the construction phase of the project. The actual cost of laboratory testing services provided by State will be charged to the project construction engineering expenditure account and will be included in the total cost of the project.

### FREE BRIDGE DESIGN

9. State shall, as provided in ORS 366.155(h), prepare plans and specifications for the structure portion only of bridges and culverts at no expense to the counties.

### RIGHT-OF-WAY

10. State is responsible for acquisition of the necessary right-of-way and easements for construction and maintenance of the project. Agency may request to perform the acquisition functions, subject to execution of a written agreement. State

shall review all right-of-way activities engaged in by Agency to assure compliance with applicable laws and regulations.

If any real property purchased with federal-aid participation is no longer needed for the originally authorized purpose, the disposition of such property shall be subject to applicable rules and regulations which are in effect at the time of disposition. Reimbursement to State of the required proportionate share of the fair market value may be required.

## AGENCY OBLIGATIONS

### FINANCE

11. Agency shall, prior to the commencement of the preliminary engineering and right-of-way acquisition phases, deposit with State its estimated share of each phase.

Agency's share of construction will be deposited in two parts. The initial deposit will represent 65 percent of the Agency's share, based on the engineer's estimate, and will be requested three weeks prior to opening bids on the project. Upon award of the contract, the balance of the applicant's share will be requested.

Collection of advance deposits amounting to less than \$2,500 for the P.E. and R/W phase of the project will be postponed until collectively the amount exceeds \$2,500 or until the collection of the advance deposit for construction is required.

Pursuant to ORS 366.425, the advance deposit may be in the form of 1) money deposited in the State Treasury (an option of which may be a deposit in the Local Government Investment Pool accompanied by an Irrevocable Limited Power of Attorney), or 2) an Irrevocable Letter of Credit issued by a local bank in the name of State.

12. Agency shall present properly certified bills for 100 percent of actual costs incurred by Agency on behalf of the project directly to State's Liaison Person for review and approval. Such bills shall be in a form acceptable to State and documented in such a manner as to be easily verified. Billings shall be presented for periods of not less than one month duration, based on actual expenses to date. All billings received from Agency must be approved by State's Liaison Person prior to presentation to Highway Division Accounting for payment. Agency's actual costs eligible for federal-aid participation shall be those allowable under the provisions of FAPG, 23 CFR 1.11, 710, and 140. Final billings shall be submitted to State for

processing within six months from date that costs were incurred. Partial billing (progress payment) shall be submitted to State within three months from date that costs incurred.

13. The costs records and accounts pertaining to the work covered by this agreement are to be kept available for inspection by representatives of State and the FHWA for a period of, three (3) years following the date of final payment. Copies of such records and accounts shall be made available upon request. For real property and equipment, the retention period starts from the date of disposition (49 CFR 18.42).

This agreement is subject to the provisions of the Single Audit Act of 1984 (49 CFR, Part 90) as stated in Circular A-128 of the United States Office of Management and Budget.

#### PROJECT CANCELLATION

14. Agency agrees that should they cause the project to be canceled or terminated for any reason prior to its completion, Agency shall reimburse State for any costs that have been incurred by State on behalf of the project.

#### DELAYED STARTING DATE

\* 15. In the event that right-of-way acquisition for, or actual construction of the facility for which this preliminary engineering is undertaken is not started by the close of the TENTH FISCAL YEAR following the fiscal year in which this agreement is executed, State may request reimbursement of the sum or sums of Federal-Aid funds disbursed to Agency under the terms of this agreement.

#### UTILITIES

\* 16. Agency shall relocate or cause to be relocated, all utility conduits, lines, poles, mains, pipes, and such other facilities where such relocation is necessary in order to conform said utilities and facilities with the plans and ultimate requirements of the project. Only those utility relocations which are eligible for federal-aid participation under the FAPG, 23 CFR 645A, shall be included in the total project costs and participation; all other utility relocations shall be at the sole expense of Agency, or others. State will arrange for utility adjustments in areas lying within jurisdiction of State and, if State is performing the preliminary engineering. Agency may request State to arrange for utility adjustments lying within Agency jurisdiction, acting on behalf of Agency.

Agency shall, five weeks prior to the opening of construction bid proposals, furnish State with an estimate of cost for eligible reimbursable utility relocations, based on the plans for the project. Agency shall notify State's Liaison Person prior to proceeding with any utility relocation work in order that the work may be properly coordinated into the project and receive the proper authorization.

### CONSTRUCTION

17. Design Standards for all projects shall meet the requirements of the Intermodal Surface Transportation Efficiency Act of 1991. In addition, all projects on the Oregon State Highway System shall be in compliance to Standards specified in the current ODOT Highway Design Manual and related references. Construction plans shall be in conformance with standard practices of State for plans prepared by its own staff. All specifications for the project shall be in substantial compliance with the most current Oregon Standard Specifications for Highway Construction.

### GRADE CHANGE LIABILITY

18. Agency, if a County, acknowledges the effect and scope of ORS 105.755 and agrees that all acts necessary to complete construction of the project which may alter or change the grade of existing county roads are being accomplished at the direct request of the County.

Agency, if a City, hereby accepts responsibility for all claims for damages from grade changes. Approval of plans by State shall not subject State to liability under ORS 105.760 for change of grade.

### CONTRACTOR CLAIMS

19. Agency shall provide legal defense against all claims brought by the contractor, or others, resulting from Agency's failure to comply with the terms of this agreement.

### MAINTENANCE RESPONSIBILITIES

\* 20. Agency shall, upon completion of construction, thereafter maintain and operate the project at its own cost and expense, and in a manner satisfactory to State and the FHWA.



## WORKERS' COMPENSATION COVERAGE

21. The contractor, its subcontractors, if any, and all employers working under this (Agreement/Contract) are subject employers under the Oregon Workers' Compensation Law and shall comply with ORS 656.017, which requires them to provide Workers' Compensation coverage for all their subject workers.

## LOBBYING RESTRICTIONS

22. Agency certifies by signing this agreement that:

- A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- C. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, and contracts and subcontracts under grants, subgrants, loans, and cooperative agreements) which exceed \$100,000, and that all such subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, U.S. Code.

Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

- \* Paragraphs 15, 16, and 20 are not applicable to any local agency on state highway projects.

### ATTACHMENT 3

Please fill out and submit the following Progress Report as directed in Attachment 2, (Special Provisions). Submit a separate report for each park & ride site/CMAQ funded project.

PLEASE NOTE: If your project is a park & ride, please complete the entire report. Otherwise, complete items 1, 2, and any other applicable items.

Project name \_\_\_\_\_  
(as submitted on original prospectus)

Agreement No. \_\_\_\_\_ Project year \_\_\_\_\_

#### PROGRESS REPORT

1. Annual VMT (Vehicle Miles Traveled) reduction \_\_\_\_\_ (VMT)
2. Actual daily emission reduction of VOC \_\_\_\_\_ (Kg/day)  
NOx \_\_\_\_\_ (Kg/day) CO \_\_\_\_\_ (Kg/day)
3. Average daily SOV (Single Occupancy Vehicles) eliminated from peak traffic. Show split between Park & Ride vs. Park & Pooler.  
Park & Ride \_\_\_\_\_ Park & Poolers \_\_\_\_\_
4. Average daily occupancy rate of Park & Ride vs. number of spaces in lot.  
Spaces occupied \_\_\_\_\_ Spaces in lot \_\_\_\_\_
5. Percentage of filled spaces - Park & Ride vs. Park & Poolers.  
Park & Ride \_\_\_\_\_ % Park & Poolers \_\_\_\_\_ %

Submitting Organization \_\_\_\_\_

Prepared by \_\_\_\_\_

Title \_\_\_\_\_ Phone \_\_\_\_\_

Date \_\_\_\_\_

MEETING DATE: MAY 11 1995

AGENDA NO: R-8

(Above Space for Board Clerk's Use ONLY)

-----  
AGENDA PLACEMENT FORM

SUBJECT: Proclamation to Honor Veterans of World War II.

BOARD BRIEFING: Date Requested:

Amount of Time Needed:

REGULAR MEETING: Date Requested: May 11, 1995

Amount of Time Needed: 3 minutes

DEPARTMENT: Non-Departmental

DIVISION: BCC/Cmsnr Dan Saltzman

CONTACT:

TELEPHONE #: 248-5220

BLDG/ROOM #: 106/1500-1

PERSON(S) MAKING PRESENTATION: Commissioner Dan Saltzman

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

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

In the matter pertaining to honoring those who served our country in the Second World War on the occasion of the 50th Anniversary of V-E Day.

5/15/95 copies to Commissioner Saltzman

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Dan Saltzman

OR

DEPARTMENT MANAGER: \_\_\_\_\_

1995 MAY 5 AM 10:49  
CLERK OF COUNTY BOARD  
MULTNOMAH COUNTY  
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

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

In the Matter of Honoring Those Who	)	
Served Our Country in the Second	)	PROCLAMATION
World War on the Occasion of the	)	95-101
50th Anniversary of V-E Day	)	

**WHEREAS**, this week marks the 50th Anniversary of the victory of the Allied Forces in Europe, also known as V-E Day; and

**WHEREAS**, that victory also ended the Nazi Holocaust, one of history's worst campaigns of genocide; and,

**WHEREAS**, the United States' participation in this struggle represented a remarkable national unity of purpose and effort; and,

**WHEREAS**, V-E Day also commemorates the tremendous commitment and sacrifice of an entire generation; and

**WHEREAS**, the men and women of Multnomah County made a particular contribution to the war effort through their work of our shipyards.

**THEREFORE THE MULTNOMAH BOARD OF COUNTY COMMISSIONERS  
DOES HEREBY PROCLAIM** the week of May 7 to May 13, 1995 to be

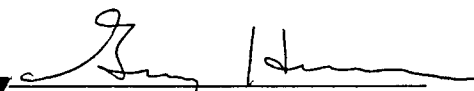
***V-E Day Commemoration Week***

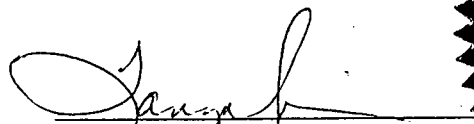
in honor of all the citizens of Multnomah County, serving at home and abroad, who are veterans of the great struggle culminating in the Allied Forces victory in Europe, on May 8, 1945.

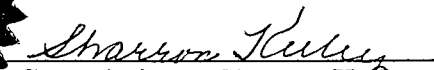
ADOPTED this 11th day of May, 1995.

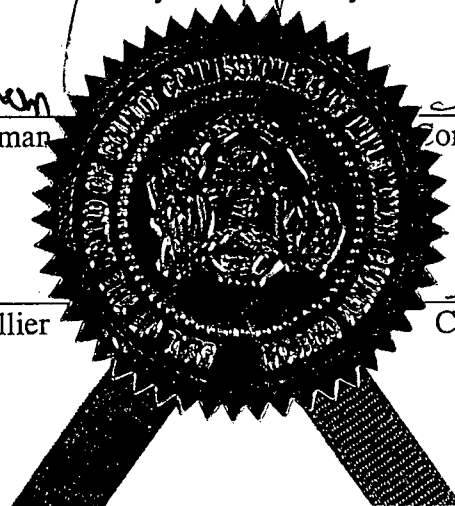
  
County Chair Beverly Stein

  
Commissioner Dan Saltzman

  
Commissioner Gary Hansen

  
Commissioner Tanya Collier

  
Commissioner Sharron Kelley

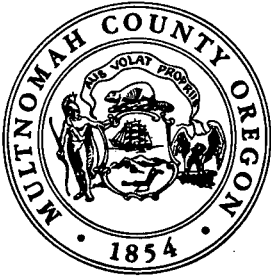


Agenda No.: R-9

## AGENDA PLACEMENT FORM

BOARD OF  
COUNTY COMMISSIONERS  
1995 MAY - 3 PM 4:16  
MULTNOMAH COUNTY  
OREGON

5/3/95



## Beverly Stein, Multnomah County Chair

Room 1515, Portland Building  
1120 S.W. Fifth Avenue  
Portland, Oregon 97204

Phone: (503) 248-3308  
FAX: (503) 248-3093  
E-Mail: MultChair@aol.com

### M E M O R A N D U M

TO : BOARD OF COUNTY COMMISSIONERS  
FROM : Sharon Timko  
DATE : May 3, 1995  
REQUESTED  
PLACEMENT DATE : May 11, 1995  
RE : Resolution in the Matter of Approving a  
Negotiating Team for the First Application  
Received Under the Multnomah County Strategic  
Investment Program Policy and Authorizing the  
Lead Negotiator to Add Up to Two People to the  
Negotiating Team

I. Recommendation/Action Requested:

Recommend Approval

II. Background/Analysis:

The Board of County Commissioners adopted the Multnomah County Strategic Investment Program Policy on April 13, 1995. The policy requires the Chair to recommend a negotiating team for approval by the Board of County Commissioners.

III. Financial Impact:

N/A

IV. Legal Issues:

N/A

V. Controversial Issues:

N/A

VI. Link to Current County Policies:

The resolution is consistent with the Multnomah County Strategic Investment Program Policy.



VII. Citizen Participation:

Citizens will have an opportunity to comment at the board meeting.

VIII. Other Government Participation:

City of Gresham will have a representative on the negotiating team.



BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

In the Matter of Approving a Negotiating )  
Team for the First Application Received ) R E S O L U T I O N  
Under the Multnomah County Strategic ) 95-103  
Investment Program Policy and Authorizing )  
the Lead Negotiator to Add Up To Two )  
People to the Negotiating Team )

WHEREAS, the Board of County Commissioners adopted the Multnomah County Strategic Investment Program Policy on April 13, 1995; and

WHEREAS, the Multnomah County Strategic Investment Program Policy requires the Chair to recommend a negotiating team for approval by the Board of County Commissioners; and

WHEREAS, the County Chair recommends a negotiating team consisting of Commissioner Tanya Collier, the Gresham representative and the consultant hired by the County; and

WHEREAS, Commissioner Tanya Collier would serve as the lead negotiator for the team; and

WHEREAS, in order to provide additional expertise as needed, the lead negotiator should have the authority to add up to two people to the negotiating team.

NOW, THEREFORE IT IS RESOLVED that the recommended negotiating team for the first application under the Multnomah County Strategic Investment Policy Program is approved; and

IT IS FURTHER RESOLVED the lead negotiator has the authority to add up to two people to the negotiating team as needed to provide additional expertise.

APPROVED THIS 11th day of May, 1995.



MULTNOMAH COUNTY, OREGON

By Beverly Stein  
Beverly Stein, Chair

REVIEWED:

LAURENCE KRESSEL, COUNTY COUNSEL  
for MULTNOMAH COUNTY, OREGON

By Sandra N. Duffy  
Sandra N. Duffy, Deputy

B-1

## AGENDA PLACEMENT FORM

F:\DATA\WPCENTER\PERS\LDCS0210



# MULTNOMAH COUNTY OREGON

BEVERLY STEIN  
COUNTY CHAIR

EMPLOYEE SERVICES  
FINANCE  
LABOR RELATIONS  
PLANNING & BUDGET  
RISK MANAGEMENT

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

(503) 248-5170 TDD

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

PURCHASING, CONTRACTS  
& CENTRAL STORES

(503) 248-5111

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

## MEMORANDUM

TO: Board of County Commissioners

FROM: Exempt Evaluation Advisory Committee  
Curtis Smith, Committee Chair *Curtis Smith*

DATE: May 11, 1995

SUBJECT: Recommendation on Exempt Employee Evaluation and Pay

The Committee has met frequently and worked hard to address several very difficult implementation issues involving the Exempt Employee Evaluation and Pay Policy and Procedures (document cited as EMP-10 draft). As you know, exempt employees are scheduled to be phased into participation in the new evaluation and pay policy over a three year period. During 1994-95 (Year 1), all Department and Division managers (and the equivalent) are now participating. During 1995-96 (Year 2), all remaining managers and supervisors are scheduled for implementation, and all exempt non-managers will start participation in 1996-97 (Year 3).

The implementation issues we have been discussing include 1) Design of a linkage between Year 1 evaluations and pay; 2) Budgeting for Year 1 pay; and 3) Implementing Year 2 participants. Our recommendation on each issue is listed below, followed with a summary of our reasoning.

- 1. We recommend that the Chair approve linkage between Year 1 evaluations and pay through use of the 3 x 3 matrix, attached.**

We held extensive discussions of matrices and continua options. We believe this matrix provides our best opportunity to distinguish among performances without engaging in excessive detail over what will be, due to budget constraints, relatively small variations in pay. "X" on the matrix is an average raise determined by the Chair annually, depending upon the adopted salary budget and the amount of high performance recognition that will be funded from the same account.

We believe that this matrix is designed to allow the greatest flexibility to the managers. It allows them the option of choosing to give a low performer no increase, which we believe is one of the areas of concern that the ordinance attempts to

address. At the same time, the manager could choose to give all members of a highly productive, cohesive team the same increase (X) thereby not causing bad feelings and divisiveness in the team.

**2. We recommend that the Chair approve allocation of \$ 9,000 in 1995-96 for a high performance recognition incentive fund for Year 1 participants.**

We are concerned about the County's lack of ability to fund more significant raises and raise differentials for exempt employees, but that's a budgeting issue beyond our scope of responsibility. Nevertheless, if union members receive an average 5.8% increase, but exempts receive less than 5.8% because some of the "pot" was used for incentives, but not sufficiently offset by enough poor performers, it will appear to exempt employees that they are worse off than before. The solution, we believe, is to fund a small high performance recognition incentive fund outside the 5.8% amount. This will give, hopefully, enough flexibility to resolve some or all of the morale difficulty anticipated.

We calculated the high performance recognition fund on the basis of 15% of the participants (60 in the first year) receiving \$1,000 recognition payments, although the amounts of the payments could vary, and probably will. We did, however, want to share with you the formula we worked from. We would hope this fund would grow in future years as others are added to this program.

Also, we do not believe that, given the small amounts available, incentives will be truly incentive. However, if we characterized them as "recognitions" of good work done, these small one-time financial pats on the back can go a long way toward expressing our appreciation. We think there is sometimes a fine line between a small appreciation and a cheap payoff -- we prefer the former, and think our recognition payments should be so characterized. An added advantage of the financial recognition payments is that they are given on a one-time basis without adding to the fixed overhead of the County.

**3. We recommend that the Chair recommend an Ordinance change to the Board of County Commissioners, providing for a delay in the implementation of the linkage between evaluation and pay for classified exempt employees.**

About 260 of our 360 exempt managers and supervisors are classified in our civil service system, with appeal rights to the Merit Council on any personnel action, including a judgement on size of merit pay. This has not been a problem in the recent past because all exempts received the same percentage COLA and anniversary raise; thus there were no pay differences to appeal. We are concerned that it is a potential problem of significant size under the new policy, and urge a delay in implementation for the classified positions. This will give us time to study the civil service and pay systems in more detail, and devise reasonable coping strategies.

May 11, 1995  
Page 3

In the meantime, all Year 1 participants (about 60) are fully participating in the program. If the recommended ordinance change is approved, some 40 additional unclassified managers and supervisors would be included in Year 2. This recommendation would also allow the 40 to gain experience with the evaluation and pay system before being required to administer this system with subordinates.

**Summary.** We believe that the review process outlined in the ordinance is excellent in that the managers must take on the role of communicating with, planning with, and coaching their direct reports. Such activity is fully congruent with RESULTS objectives. We are pleased with that process and urge that it be continued. Our concern is with connecting pay to the evaluation process, in that we are convinced that few persons achieve outstanding performance without the full cooperation and support of a committed team. We've attempted to address this concern by providing management the widest latitude possible in the matrix. We retain grave concerns, however, that to single out one person and not another is divisive, and will cause anger and suspicion, not mutual support and respect. This is particularly true because the dollars available for raises are so small in a public agency budget that differences between people will be seen as petty, not as any kind of real recognition for results of performance. We believe that allowing managers to withhold increases from poor performers, and to equalize raises for most performers while requiring that one-on-one manager-staff dialogue be held, will be much more beneficial to building morale and supporting high work standards.

Attachment: 3 x 3 Matrix

c: EEAC Members  
EEAC File  
Bill Farver

N:\DATA\EMP\SERI\WPDATA\CRS151.MEM

# RESULTS-ORIENTED MANAGEMENT EVALUATION SYSTEM

## LEVEL OF ACCOMPLISHMENT OF OBJECTIVES DURING YEAR

### LEVEL OF CHALLENGE PRESENTED DURING YEAR

DID NOT MEET  
MOST EXPECTED  
OBJECTIVES

MET MOST  
OR ALL  
EXPECTED  
OBJECTIVES

MET OR  
EXCEEDED  
ALL OBJECTIVES;  
PROVIDED  
EXCEPTIONAL  
CONTRIBUTIONS

EXTRAORDINARY  
CHALLENGES  
(e.g. special  
projects in a highly  
volatile political  
climate)

0 up to X  <b>A</b>	X up to X + 1%  <b>B</b>	X up to X + 2%  <b>C</b>
X - 1/2% thru X - 2%  <b>D</b>	X ± 1/2%  <b>E</b>	X up to X + 1%  <b>F</b>
0%  <b>G</b>	0% up to X  <b>H</b>	X up to X + 1/2%  <b>I</b>

AVERAGE OR  
ABOVE AVERAGE  
CHALLENGES FOR  
THIS YEAR  
(e.g. special  
projects)

BELOW AVERAGE  
CHALLENGES FOR  
THIS YEAR

- NOTES: 1. Each cell shows the permissible annual increase.  
 2. X may change annually, depending on adopted budget and high performance recognition given.  
 3. In addition to, or in lieu of a salary increase, a one-time high performance recognition may be given.

# EXEMPT EVALUATION ADVISORY COMMITTEE

Multnomah County, Oregon

4/18/95

Kelly Bacon  
Executive Assistant, District Attorney  
101/600  
(503) 248-3105

Janice Druian  
Assessment and Taxation Manager  
166/515  
(503) 248-3345

Margaret Epting  
Director of Technical and Support Services  
317/Library  
(503) 248-5499

Tamara Holden  
Director, Community Corrections Department  
161/600  
(503) 248-3701

Billi Odegaard  
Director, Health Department  
160/8th  
(503) 248-3674

Robert Phillips  
Affirmative Action Officer  
131/104  
(503) 823-3113

Jim Anderson  
Juvenile Justice Representative  
311/109  
(503) 248-3594

Merlin Juilfs  
MCSO Representative  
313/107  
(503) 251-2515

Lorenzo Poe  
Children & Family Services Director  
161/2nd  
(503) 248-3691, Ext. 5212

Carol Rex  
Aging Services Division  
161/3rd  
(503) 248-3620

Curtis Smith  
Employee Services Manager  
106/1430  
(503) 248-5015

Ken Upton  
Labor Relations Manager  
106/1400  
(503) 248-5015, Ext. 2168

Jerry Walker  
Contracts Administrator  
421  
(503) 248-5429

## Staff to the Committee:

Sue Ayers  
Senior Personnel Analyst  
106/1430  
(503) 248-5015

Jackie Babicky, CPA  
President  
Babicky Consulting Group Inc.  
1839 NW 24th Avenue  
Portland, OR 97210  
(503) 224-5910

## CC:

Bev Stein, Chair  
106/1410

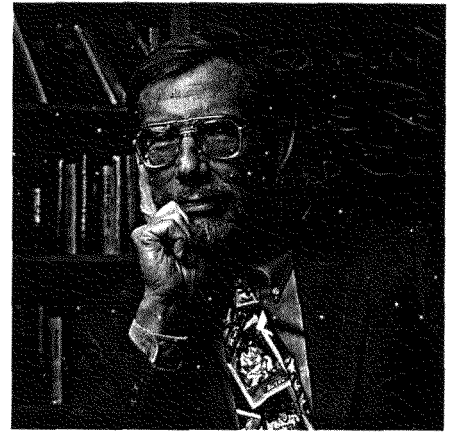
Melinda Petersen  
106/1410

Barry Crook  
106/1400

Meganne Steele  
106/1410

ROBERT D. BEHN

# A Personnel System That Motivates



**I**s your personnel evaluation system broken? Do you need to fix it? Here are eight fundamental principles to help ensure that you will not only obliterate your old evaluation system but also replace it with something better: a personnel *motivation* system.

**1. Concentrate on motivation, not evaluation.** Most systems for evaluating personnel do just that: They evaluate. Evaluation, however, is not an end in itself. It is supposed to help improve the organization's performance. It is supposed to help people do a better job. Unfortunately, the usual forms of evaluation—for example, ranking people against their peers—do not motivate them to do better. They actually demotivate.

**2. Focus on performance, results and mission.** More specifically, a personnel system should motivate the people within an agency to improve performance, produce results and achieve the agency's mission. That is the test of effectiveness—not whether the inter-rater reliability of the scoring system on the evaluation form is above 0.7. When designing any management system, the test should always be: Does this system help our public agencies do a better job?

**3. Don't create losers.** The easiest way to demotivate people is to make them look like losers—in their own eyes and in the eyes of their colleagues. Yet that is precisely what the traditional ranking of people does. Indeed, it creates more losers than winners. As a result, whenever the rankings are released, it takes the organization weeks—or even months—to recover from the post-evaluation depression.

The objective of a personnel system is not to identify the top 10 percent and focus praise on them. Its purpose is not to

*Robert D. Behn, director of the Governors Center at Duke University, is the author of Leadership Counts: Lessons for Public Managers (Harvard University Press).*

motivate only the upper quarter. A useful system will motivate everyone. That means everyone has to have a chance to be a winner. Every agency should have specific targets—usually “stretch” targets. And when the agency does achieve those goals, it ought to be declared a winner.

**4. Reward teams, not individuals.** Most organizations don't produce their results through solo efforts. Real performance requires collective effort. Consequently, rewards should go for collective, not individual, performance.

In fact, individual rewards can undermine teamwork. If only a select few on the team will ever be declared winners, the team will quickly disintegrate. People will hoard critical information, cover up mistakes and foist blame on others. The synergy that creates a real team will never materialize. If you want teamwork, you have to reward teamwork.

**5. Don't rely on financial incentives.** When we think of rewards, we think of money. But, particularly in government, a bonus or pay increase is usually small; its value comes not from extra financial security but from its symbolism. The “reward” in a \$200 bonus is that the recipient has been publicly declared a “winner.”

If so, why do this indirectly? Why not ignore the money and focus directly on the publicity? When a team hits its stretch

target, reward it not with a bonus but with a public ceremony. Invite peers and press. Make sure that everyone—including family and friends—knows that all the members of this team are big winners.

**6. Make it easier for a manager to fire a very poor performer.** Nothing gives government a worse rap than the no-show employee. Every government-basher has a litany of stories about the public employee who fails to show up for work—either in body or mind. And not only do these no-shows cut directly into an agency's performance—they also demotivate everyone else.

To motivate, a personnel system should not only reward all those who do perform. It should also make it possible to demote or dismiss those 1 or 2 percent who are not even trying.

**7. Ask line managers how they use the new system.** Does the personnel system help improve performance and achieve each agency's mission? Does it actually motivate? Getting useful answers to these questions is not difficult. Just ask the line managers. They'll explain what parts they really use and what they only pretend to use.

**8. Don't write the new system in stone.** Don't be surprised when you don't get it right the first time. You won't. Unanticipated consequences will abound. People may react differently than you think. They'll interpret your purposes and your instructions differently. Some parts of the system may not function as smoothly as you hoped. Your “personnel motivation” system may motivate some, demotivate some, and simply confuse others.

So be prepared to make changes. You'll need to make them after the first month, after the first quarter and after the first year. But if you keep these eight principles in mind, you will be able to continuously improve your systems not for evaluating performance but for motivating it. **G**

**A government  
personnel system  
should focus not on  
evaluation but on  
helping public agencies  
achieve their missions.**