

ANNOTATED MINUTES

Monday, February 26, 1996 - 7:00 PM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

PUBLIC HEARING

Chair Beverly Stein convened the hearing at 7:00 pm., with Vice-Chair Dan Saltzman, Commissioners Sharron Kelley, Gary Hansen and Tanya Collier present.

PH-1 The Multnomah County Board of Commissioners Will Meet to Hear Citizen Testimony Regarding Proposed Serial Levies for Library and Public Safety Services, and Proposed Bond Measures for Library and Public Safety Capital Projects.

DAVE WARREN OVERVIEW EXPLANATION OF LIBRARY LEVY AND BOND MEASURES AND PUBLIC SAFETY LEVY AND BOND MEASURES. STAN GRUBBS, HELEN SMITH AND ANNA ROCKHILL TESTIMONY IN SUPPORT OF RECEIVING HOMES. MS. ROCKHILL RESPONSE TO BOARD QUESTIONS CONCERNING FEASIBILITY STUDY. ANGELA SHERBO TESTIMONY OUTLINING CONCERNS REGARDING RECEIVING HOMES CONCEPT AND ADVISING SHE FEELS PROPOSAL IS TOO VAGUE TO SUPPORT AT THIS TIME. PHIL SMITH AND TD MILLER TESTIMONY IN SUPPORT OF LIBRARIES AND IN OPPOSITION TO INCARCERATION OF CERTAIN CONTROLLED SUBSTANCE OFFENDERS AND JAIL EXPANSION. SUSAN HATHAWAY-MARXER, CHARLES FLAKE AND BILL NAITO TESTIMONY IN SUPPORT OF LIBRARY LEVY AND GO BOND MEASURES. BILL RESNICK TESTIMONY EXPRESSING CONCERN WITH RECEIVING HOMES PROPOSAL AND ADDITIONAL JAIL FACILITIES. KAY TORAN TESTIMONY IN SUPPORT OF RECEIVING CENTER CONCEPTS AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. MS. TORAN TO PROVIDE INFORMATION REGARDING SIBLING

SEPARATION DATA. DON BAACH AND WESLEY RISHER TESTIMONY IN SUPPORT OF LIBRARY LEVY AND GO BOND MEASURES.

There being no further business, the hearing was adjourned at 8:10 p.m.

Tuesday, February 27, 1996 - 7:00 PM
Gresham City Hall Council Chambers
1333 NW Eastman Parkway, Gresham

PUBLIC HEARING

Chair Beverly Stein convened the hearing at 7:09 pm., with Vice-Chair Dan Saltzman, Commissioners Sharron Kelley, Gary Hansen and Tanya Collier present.

PH-2 The Multnomah County Board of Commissioners Will Meet to Hear Citizen Testimony Regarding Proposed Serial Levies for Library and Public Safety Services, and Proposed Bond Measures for Library and Public Safety Capital Projects.

JAN BAYS AND MARY RIX TESTIMONY IN SUPPORT OF RECEIVING HOMES AND RESPONSE TO BOARD QUESTIONS. PAUL STANFORD TESTIMONY IN OPPOSITION TO INCARCERATION OF CERTAIN CONTROLLED SUBSTANCE OFFENDERS, IN SUPPORT OF LIBRARIES AND IN OPPOSITION TO JAIL EXPANSION. BONNIE MORRIS TESTIMONY IN SUPPORT OF LIBRARY LEVY AND GO BOND MEASURES. PHIL SMITH TESTIMONY IN OPPOSITION TO INCARCERATION OF CERTAIN CONTROLLED SUBSTANCE OFFENDERS AND EXPANSION OF JUSTICE SERVICES. WILLA HOLMES TESTIMONY IN SUPPORT OF LIBRARY LEVY AND GO BOND MEASURES. COMMISSIONER KELLEY THANKED MRS. HOLMES FOR HER VOLUNTEER SERVICES TO THE LIBRARY AND THE BOARD AND AUDIENCE RECOGNIZED TOM HOLMES FOR HIS 2,000 HOURS OF VOLUNTEER SERVICES TO THE LIBRARY. TD MILLER TESTIMONY IN OPPOSITION TO INCARCERATION OF CERTAIN CONTROLLED SUBSTANCE OFFENDERS AND

**EXPANSION OF JUSTICE SERVICES. TOM
HOLMES TESTIMONY IN SUPPORT OF LIBRARY
LEVY AND GO BOND MEASURES.**

There being no further business, the hearing was adjourned at 7:40 p.m.

Thursday, February 29, 1996 - 9:30 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

REGULAR MEETING

Chair Beverly Stein convened the meeting at 9:36 a.m., with Vice-Chair Dan Saltzman, Commissioners Sharron Kelley, Gary Hansen and Tanya Collier present.

CONSENT CALENDAR

**AT THE REQUEST OF CHAIR STEIN AND UPON
MOTION OF COMMISSIONER KELLEY, SECONDED
BY COMMISSIONER HANSEN, CONSENT
CALENDAR ITEMS C-1 THROUGH C-3 WERE
UNANIMOUSLY APPROVED.**

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES

- C-1 Amendment 2 to Intergovernmental Agreement 101476 with Oregon Health Sciences University, Allocating \$15,300 to Purchase Psychiatric Consultation for Adult Mental Health and Alcohol/Drug Intake Services

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-2 ORDER Approving Contract 15804 for the Sale of Certain Tax Foreclosed Real Property to Former Owner Judy Abbott

ORDER 96-27.

- C-3 ORDER Authorizing Execution of Deed D961292 Upon Complete Performance of a Contract to Robert Hales

ORDER 96-28.

C-4 CS 5-95 Hearings Officer Decision APPROVING, With Conditions, Community Service Use to Construct New Facilities at the RIVERDALE SCHOOL, 11733 SW BREYMAN AVENUE, PORTLAND

DECISION READ, APPEAL FILED. AT THE REQUEST OF CHAIR STEIN AND UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER COLLIER, IT WAS UNANIMOUSLY APPROVED THAT A DE NOVO HEARING BE SCHEDULED FOR 9:30 AM, TUESDAY, MARCH 26, 1996, WITH TESTIMONY LIMITED TO 20 MINUTES PER SIDE.

REGULAR AGENDA

PUBLIC COMMENT

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

NO ONE WISHED TO COMMENT.

DEPARTMENT OF ENVIRONMENTAL SERVICES

R-2 Portland General Electric Power Smart Award Presentation for Energy Efficiency at the Multnomah County Justice Center

CHAIR STEIN PRESENTED POWER SMART AWARD TO FACILITIES MANAGEMENT STAFF IN RECOGNITION OF VARIOUS ENERGY CONSERVATION MEASURES UNDERTAKEN AND ADVISED PGE HAS ALSO PROVIDED MULTNOMAH COUNTY WITH A \$168,815 REBATE CHECK. WAYNE GEORGE RECOGNIZED CONTRIBUTIONS OF AMY JOSLIN OF HIS STAFF. BOARD AND AUDIENCE ACKNOWLEDGMENT.

DEPARTMENT OF SUPPORT SERVICES

R-3 RESULTS Team Presentation of Information Services Division Work Request Team Regarding Improved Work Request Process. Presented by Bill Arnold and Elise Nicholson.

SHERY STUMP PRESENTED RESULTS STATUS UPDATE AND INTRODUCED ISD TEAM PRESENTERS. BILL ARNOLD AND ELISE NICHOLSON PRESENTED PROBLEM SITUATION, GOALS, BENEFITS AND RECOMMENDATIONS FOR IMPROVEMENTS IN WORK REQUEST REPORTING.

NON-DEPARTMENTAL

R-4 PROCLAMATION Proclaiming March, 1996 HUNGER AWARENESS MONTH in Multnomah County, Oregon

COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-4. COMMISSIONER COLLIER INTRODUCED LISA WIEBE OF OREGON FOODBANK AND JUDY ALLEY OF SNOW-CAP. MS. WIEBE AND MS. ALLEY EXPLANATION AND COMMENTS IN SUPPORT. PROCLAMATION READ. PROCLAMATION 96-29 UNANIMOUSLY APPROVED.

R-5 PUBLIC HEARING and Consideration of ORDER Removing the Dedication to Cemetery Purposes for a Portion of Skyline Memorial Gardens Not Used for the Interment of Human Remains or Any Other Cemetery Purpose

ANDREW BOWMAN, REPRESENTING PROPERTY OWNER SCI MANAGEMENT CORPORATION, EXPLANATION. COMMISSIONER KELLEY MOVED AND COMMISSIONER SALTZMAN SECONDED, APPROVAL OF R-5. MR. BOWMAN AND COUNTY COUNSEL LARRY KRESSEL EXPLANATION IN RESPONSE TO BOARD QUESTIONS AND DISCUSSION. ARNOLD ROCHLIN TESTIMONY AND REQUEST THAT BOARD DELAY ITS DECISION PENDING CITY OF PORTLAND ACTION ON LAND USE APPLICATION. RICHARD WITTMAN, REPRESENTING PROSPECTIVE PROPERTY PURCHASERS JOSEPH WESTIN AND ALLEN BAUMAN, CLARIFICATION IN RESPONSE TO BOARD QUESTIONS AND MR. ROCHLIN TESTIMONY. MR. WITTMAN AND MR. BOWMAN

RESPONSE TO BOARD DISCUSSION. MR. KRESSEL RESPONSE TO BOARD QUESTION. AT THE SUGGESTION OF CHAIR STEIN, COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, AN AMENDMENT TO "IT IS HEREBY ORDERED" PARAGRAPH ON PAGE 2 ADDING "BOARD ACTION TODAY DOES NOT CONSTITUTE A POSITION FOR OR AGAINST ANY LAND USE PROCEEDING ON THIS MATTER BEFORE THE CITY OF PORTLAND". COMMISSIONER COLLIER COMMENTED IN SUPPORT OF MOTION. AMENDMENT UNANIMOUSLY APPROVED. ORDER 96-30 UNANIMOUSLY APPROVED, AS AMENDED.

DEPARTMENT OF ENVIRONMENTAL SERVICES

R-8 Budget Modification DES 9 Authorizing Reclassification of Land Use Planning Director Position and Transfer of Funds within Land Use Planning for Capital Replacement Upgrade of Vehicle for Code Enforcement

COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-8. KATHY BUSSE EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND COMMENTS IN SUPPORT OF DIVISION REORGANIZATION. BUDGET MODIFICATION UNANIMOUSLY APPROVED.

NON-DEPARTMENTAL

R-9 First Reading of an ORDINANCE Amending Multnomah County Code Chapter 5.50.050 (Transient Lodging Tax) to Allow Certain Tax Receipts to be Used to Finance Construction of a New Hall at the Expo Center

ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. AT THE REQUEST OF CHAIR STEIN AND UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER KELLEY, THE FIRST READING WAS UNANIMOUSLY CONTINUED TO THURSDAY, MARCH 7, 1996.

NON-DEPARTMENTAL

R-7 Review of Proposal to Issue General Obligation Bonds for the Construction and/or Acquisition of Child Abuse Receiving Homes and Consider RESOLUTION Calling a Public Hearing [9:30 AM, THURSDAY, MARCH 21, 1996] on the Proposal to Submit a Measures Election on the Question of General Obligation Bonds

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF RESOLUTION. CHAIR STEIN ADVISED COMMISSIONERS SALTZMAN AND COLLIER WOULD EACH BE PRESENTING SUBSTITUTE RESOLUTIONS FOR CONSIDERATION. CRAIG OPPERMAN TESTIMONY IN SUPPORT OF CHILD ABUSE RECEIVING HOMES AND RESPONSE TO BOARD QUESTION. LEE COLEMAN TESTIMONY IN SUPPORT OF RECEIVING HOMES CONCEPT AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. MAGGY KHILNANI TESTIMONY IN SUPPORT OF RECEIVING HOMES. ANGELA SHERBO TESTIMONY EXPRESSING CONCERN THAT THE RECEIVING HOME PROPOSAL IS TOO AMBITIOUS, ADVISING AN \$1.8 MILLION ANNUAL OPERATIONAL GAP WOULD NOT BE FAIR TO CHILDREN OR THE COMMUNITY. IN RESPONSE TO A QUESTION OF COMMISSIONER COLLIER, MS. SHERBO ADVISED THE NEED FOR ADDITIONAL FOSTER PARENTS IS GREATER THAN THE NEED TO PURCHASE SHELTER HOMES. CHARLOTTE COOK TESTIMONY IN SUPPORT OF CHILD ABUSE RECEIVING HOMES AND RESPONSE TO BOARD QUESTION. FRANCES DEHLIN WRITTEN AND ORAL TESTIMONY IN SUPPORT OF RECEIVING HOMES AND RESPONSE TO BOARD QUESTION. COMMISSIONER SALTZMAN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF SUBSTITUTE RESOLUTION 1. COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF SUBSTITUTE RESOLUTION 2. COMMISSIONER COLLIER EXPLANATION AND COMMENTS IN SUPPORT OF SUBSTITUTE RESOLUTION 2. CHAIR STEIN

EXPLANATION AND COMMENTS IN SUPPORT OF SUBSTITUTE RESOLUTION 2. COMMISSIONER HANSEN COMMENTS IN OPPOSITION TO SUBSTITUTE RESOLUTION 2 AND IN SUPPORT OF SUBSTITUTE RESOLUTION 1. SUBSTITUTE RESOLUTION 2 FAILED, WITH COMMISSIONERS COLLIER AND STEIN VOTING AYE AND COMMISSIONERS KELLEY, HANSEN AND SALTZMAN VOTING NO. COMMISSIONER SALTZMAN EXPLANATION AND COMMENTS IN SUPPORT OF SUBSTITUTE RESOLUTION 1. COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF AMENDMENT TO SEPARATE THE CHILDREN'S FACILITIES GO BOND PROPOSAL FROM THE JUSTICE SERVICES GO BOND MEASURE, ALLOWING CITIZENS TO VOTE ON THE ISSUES SEPARATELY. COUNTY COUNSEL LARRY KRESSEL EXPLAINED IF MOTION TO EXCLUDE IS APPROVED, THE BOARD WOULD NEED TO ADOPT NOTICE AND BALLOT TITLE LANGUAGE. COMMISSIONER COLLIER COMMENTED IN SUPPORT OF MOTION. COMMISSIONERS SALTZMAN AND HANSEN COMMENTED IN OPPOSITION TO MOTION AND IN SUPPORT OF INCLUDING CHILDREN'S FACILITIES IN JUSTICE SERVICES GO BOND MEASURE. COMMISSIONER KELLEY COMMENTS REGARDING SUBSTITUTE RESOLUTION 1, ADVISING SHE SUPPORTS SUBSTITUTE RESOLUTION 1 AND WOULD SUPPORT MOTION TO SEPARATE AS WELL. COMMISSIONER SALTZMAN COMMENTED IN SUPPORT OF INCLUDING CHILDREN'S FACILITIES IN JUSTICE SERVICES GO BOND MEASURES. CHAIR STEIN COMMENTED IN SUPPORT OF MOTION TO SEPARATE. BOARD DISCUSSION. RAY MATHIS RESPONSE TO BOARD QUESTIONS AND DISCUSSION REGARDING POSITION OF PUBLIC SAFETY/CAMPAIGN COMMITTEE. MOTION TO SEPARATE FAILED, WITH COMMISSIONERS COLLIER AND STEIN VOTING AYE, AND COMMISSIONERS KELLEY, HANSEN AND SALTZMAN VOTING NO. UPON MOTION OF COMMISSIONER SALTZMAN,

SECONDED BY COMMISSIONER KELLEY, IT WAS UNANIMOUSLY APPROVED THAT THE SECOND SENTENCE IN THE FIRST BULLET ON PAGE 2 OF SUBSTITUTE RESOLUTION 1 BE AMENDED TO READ "THESE FACILITIES WILL BE OPERATED CONSISTENT WITH THE PROTOCOLS OF SCF." FOLLOWING DISCUSSION AND AT THE SUGGESTION OF CHAIR STEIN AND UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER COLLIER, IT WAS UNANIMOUSLY APPROVED THAT THE THIRD SENTENCE IN THE FIRST BULLET ON PAGE 2 OF SUBSTITUTE RESOLUTION 1 BE AMENDED TO READ "THE COUNTY DOES NOT BELIEVE IT IS ITS ROLE TO PROVIDE OPERATIONAL COSTS TO FUND SERVICES IN THESE FACILITIES." AT THE REQUEST OF CHAIR STEIN AND UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER SALTZMAN, IT WAS UNANIMOUSLY APPROVED THAT THE FOURTH SENTENCE IN THE FIRST BULLET ON PAGE 2 OF SUBSTITUTE RESOLUTION 1 BE AMENDED TO READ "THE PLAN SHOULD BE JOINTLY DEVELOPED BY THE COUNTY AND SCF IN CONSULTATION WITH THE CHILD WELFARE PLANNING GROUP AND THE MULTNOMAH COUNTY CHILD ABUSE TEAM. AT THE REQUEST OF CHAIR STEIN AND UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER SALTZMAN, IT WAS UNANIMOUSLY APPROVED THAT THE THIRD BULLET ON PAGE TWO OF SUBSTITUTE RESOLUTION 1 BE AMENDED TO INCLUDE "AND SUPPORTING THE STRENGTHS AND NEEDS BASE INITIATIVE OF SCF." COMMISSIONERS STEIN AND COLLIER ADVISED THEY WILL SUPPORT SUBSTITUTE RESOLUTION 1 FOR THE PURPOSES OF BOARD UNANIMITY IN PLACING BOND MEASURES BEFORE THE PUBLIC. SUBSTITUTE RESOLUTION 96-31 IMPROVING THE FOSTER CARE SYSTEM IN MULTNOMAH COUNTY IN PARTNERSHIP WITH THE STATE OFFICE OF SERVICES TO CHILDREN AND FAMILIES

CHILDREN, UNANIMOUSLY APPROVED, AS AMENDED.

R-6

PUBLIC HEARING Regarding Proposed Serial Levies for Library and Public Safety Services, and Proposed Bond Measures for Library and Public Safety Capital Projects

PHIL SMITH, TD MILLER AND PAUL STANFORD TESTIMONY IN OPPOSITION TO INCARCERATION OF CERTAIN CONTROLLED SUBSTANCE OFFENDERS AND IN OPPOSITION TO JAIL EXPANSION. PENNY HUMMEL TESTIMONY IN SUPPORT OF LIBRARY LEVY AND GO BOND MEASURES.

AT THE REQUEST OF CHAIR STEIN AND FOLLOWING DISCUSSION, BOARD CONSENSUS TO PROCEED WITH PUBLIC EDUCATION REGARDING THE LIBRARY AND JUSTICE SERVICES LEVIES AND BONDS MEASURES AS ITEMIZED IN CHAIR'S OFFICE 2/29/96 SUMMARY OF PROPOSED BOND MEASURES, WITH THE ADDITION OF "\$4,000,000 TO EXPAND FACILITIES WHICH WILL ASSIST CHILDREN IN CRISES" UNDER THE PUBLIC SAFETY BOND. COMMISSIONER COLLIER NOTED THE ORIGINAL ITEMS UNDER DISCUSSION HAVE BEEN REDUCED \$40,000,000 BY REMOVING COURTHOUSE MEASURES AND CERTIFICATES OF PARTICIPATION.

CHAIR STEIN ADVISED THAT ON THURSDAY, MARCH 7, 1996 THE BOARD WILL CONSIDER RESOLUTIONS PASSING LIBRARY AND JUSTICE SERVICES LEVIES ONTO THE BALLOT; ON TUESDAY, MARCH 12, 1996 THE BOARD WILL CONSIDER RESOLUTIONS PASSING LIBRARY AND JUSTICE SERVICES BONDS ONTO THE BALLOT; AND IF THERE ARE CHALLENGES TO THE BALLOT TITLES, THE BOARD WILL ADDRESS THEM ON THURSDAY, MARCH 21, 1996.

Thursday, February 29, 1996 - 10:30 AM
(OR IMMEDIATELY FOLLOWING REGULAR MEETING)
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

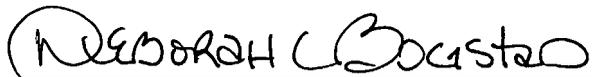
BOARD BRIEFING

B-1 Annual Report Regarding Citizens Grand Jury on Corrections. Presented by Michael Schrunk and Russell Ratto.

CANCELED, TO BE RESCHEDULED.

There being no further business, the meeting was adjourned at 12:03 p.m.

*OFFICE OF THE BOARD CLERK
FOR MULTNOMAH COUNTY, OREGON*



Deborah L. Bogstad



MULTNOMAH COUNTY OREGON

OFFICE OF THE BOARD CLERK
 SUITE 1510, PORTLAND BUILDING
 1120 SW FIFTH AVENUE
 PORTLAND, OREGON 97204
 CLERK'S OFFICE • 248-3277 • 248-5222
 FAX • (503) 248-5262

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

AGENDA

MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

FOR THE WEEK OF

FEBRUARY 26, 1996 - MARCH 1, 1996

Monday, February 26 , 1996 - 7:00 PM - Public Hearing Page 2

Tuesday, February 27, 1996 - 7:00 PM - Public Hearing Page 2

Thursday, February 29, 1996 - 9:30 AM - Regular Meeting..... Page 2

Thursday, February 29, 1996 - 10:30 AM -Board Briefing Page 4

*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.

AN EQUAL OPPORTUNITY EMPLOYER

Monday, February 26, 1996 - 7:00 PM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

PUBLIC HEARING

PH-1 *The Multnomah County Board of Commissioners Will Meet to Hear Citizen Testimony Regarding Proposed Serial Levies for Library and Public Safety Services, and Proposed Bond Measures for Library and Public Safety Capital Projects.*

Tuesday, February 27, 1996 - 7:00 PM
Gresham City Hall Council Chambers
1333 NW Eastman Parkway, Gresham

PUBLIC HEARING

PH-2 *The Multnomah County Board of Commissioners Will Meet to Hear Citizen Testimony Regarding Proposed Serial Levies for Library and Public Safety Services, and Proposed Bond Measures for Library and Public Safety Capital Projects.*

Thursday, February 29, 1996 - 9:30 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

REGULAR MEETING

CONSENT CALENDAR

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES

C-1 *Amendment 2 to Intergovernmental Agreement 101476 with Oregon Health Sciences University, Allocating \$15,300 to Purchase Psychiatric Consultation for Adult Mental Health and Alcohol/Drug Intake Services*

DEPARTMENT OF ENVIRONMENTAL SERVICES

C-2 *ORDER Approving Contract 15804 for the Sale of Certain Tax Foreclosed Real Property to Former Owner Judy Abbott*

- C-3 *ORDER Authorizing Execution of Deed D961292 Upon Complete Performance of a Contract to Robert Hales*
- C-4 *CS 5-95 Hearings Officer Decision APPROVING, With Conditions, Community Service Use to Construct New Facilities at the RIVERDALE SCHOOL, 11733 SW BREYMAN AVENUE, PORTLAND*

REGULAR AGENDA

PUBLIC COMMENT

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

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-2 *Portland General Electric Power Smart Award Presentation for Energy Efficiency at the Multnomah County Justice Center*

DEPARTMENT OF SUPPORT SERVICES

- R-3 *RESULTS Team Presentation of Information Services Division Work Request Team Regarding Improved Work Request Process. Presented by Bill Arnold and Elise Nicholson.*

NON-DEPARTMENTAL

- R-4 *PROCLAMATION Proclaiming March, 1996 HUNGER AWARENESS MONTH in Multnomah County, Oregon*
- R-5 *PUBLIC HEARING and Consideration of ORDER Removing the Dedication to Cemetery Purposes for a Portion of Skyline Memorial Gardens Not Used for the Interment of Human Remains or Any Other Cemetery Purpose*
- R-6 *PUBLIC HEARING Regarding Proposed Serial Levies for Library and Public Safety Services, and Proposed Bond Measures for Library and Public Safety Capital Projects*
- R-7 *Review of Proposal to Issue General Obligation Bonds for the Construction and/or Acquisition of Child Abuse Receiving Homes and Consider RESOLUTION Calling a Public Hearing [9:30 AM, THURSDAY, MARCH 21, 1996] on the Proposal to Submit a Measure Election on the Question of General Obligation Bonds*

DEPARTMENT OF ENVIRONMENTAL SERVICES

R-8 *Budget Modification DES 9 Authorizing Reclassification of Land Use Planning Director Position and Transfer of Funds within Land Use Planning for Capital Replacement Upgrade of Vehicle for Code Enforcement*

NON-DEPARTMENTAL

R-9 *First Reading of an ORDINANCE Amending Multnomah County Code Chapter 5.50.050 (Transient Lodging Tax) to Allow Certain Tax Receipts to be Used to Finance Construction of a New Hall at the Expo Center*

Thursday, February 29, 1996 - 10:30 AM
(OR IMMEDIATELY FOLLOWING REGULAR MEETING)
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

BOARD BRIEFING

B-1 *Annual Report Regarding Citizens Grand Jury on Corrections. Presented by Michael Schrunk and Russell Ratto. 45 MINUTES REQUESTED.*

MEETING DATE: FEB 29 1996

AGENDA NO: C-1

ESTIMATED START TIME: 9:30 am

(Above space for Board Clerk's Use Only)

AGENDA PLACEMENT FORM

SUBJECT: Amendment #2 to Intergovernmental Agreement with Oregon Health Sciences University, to Purchase Psychiatric Consultation for Adult Mental Health and Alcohol/Drug Intake

BOARD BRIEFING

Date Requested: _____

Requested By: _____

Amount of Time Needed: _____

REGULAR MEETING

Date Requested: _____

Amount of Time Needed: Consent

DEPARTMENT: Community and Family Services

DIVISION: _____

CONTACT: Lorenzo Poe/Bill Toomey

TELEPHONE: 248-3691

BLDG/ROOM: B166/7th

PERSON(S) MAKING PRESENTATION: Lorenzo Poe/Bill Toomey

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE

Approval of Intergovernmental Agreement 101476, Amendment #2, between Department of Community and Family Services and Oregon Health Sciences University, Allocating \$15,300 for the Purchase of Psychiatric Consultation for Adult Mental Health and Alcohol/Drug Intake Services

3/5/96 ORIGINALS to CILLA THURRAY

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

OR

DEPARTMENT MANAGER: Lorenzo Poe

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
96 FEB 20 PM 12:05



MULTNOMAH COUNTY OREGON

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

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

TO: Board of County Commissioners

FROM: Lorenzo Poe, Director *Lorenzo Poe mds*
Department of Community and Family Services

DATE: February 9, 1996

SUBJECT: Amendment #2 to Intergovernmental Agreement with Oregon Health Sciences University:
Psychiatric Consultation

I. Recommendation/Action Requested: The Department of Community and Family Services recommends Board of County Commissioner approval of an amendment to the Oregon Health Sciences University agreement, for the period February 26, 1996 through June 30, 1996.

II. Background/Analysis: The Department of Community and Family Services, Behavioral Health Assessment and Referral Unit needs to purchase psychiatric consultation for its adult mental health and alcohol/drug intake services. A previous arrangement has ended, and the Department wishes to purchase these services from Oregon Health Sciences University, from which it is already buying psychiatric consultation for children. This contract amendment would add \$15,300 to buy 180 hours of psychiatric consultation.

III. Financial Impact: The contract amendment is for \$15,300. These funds are in the Department's budget.

IV. Legal Issues: none

V. Controversial Issues: none

VI. Link to Current County Policies: This service addresses the County's benchmark concerning increased access to mental health services.

VII. Citizen Participation: none

VIII. Other Government Participation: This agreement reflects a cooperative arrangement with Oregon Health Sciences University, to use resources in the most effective manner. OHSU has psychiatrists who can perform the work needed by the County, while the County does not have the required skills and expertise.

MULTNOMAH COUNTY CONTRACT APPROVAL FORM

(See Administrative Procedures CON-1)

Contract # **101476**

Prior-Approved Contract Boilerplate: Attached; xxx Not Attached

Amendment # 02

<p style="text-align: center;">CLASS I</p> <p><input type="checkbox"/> Professional Services under \$25,000</p>	<p style="text-align: center;">CLASS II</p> <p><input type="checkbox"/> Professional Services over \$25,000 (RFP, Exemption)</p> <p><input type="checkbox"/> PCR B Contract</p> <p><input type="checkbox"/> Maintenance Agreement</p> <p><input type="checkbox"/> Licensing Agreement</p> <p><input type="checkbox"/> Construction</p> <p><input type="checkbox"/> Grant</p> <p><input type="checkbox"/> Revenue</p>	<p style="text-align: center;">CLASS III</p> <p><input type="checkbox"/> Intergovernmental Agreement</p> <p><input checked="" type="checkbox"/> Intergovernmental Revenue Agreement</p> <p style="text-align: center;">APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</p> <p style="text-align: center;">AGENDA # <u>C-1</u> DATE <u>2/29/96</u></p> <p style="text-align: center;"><u>DEB BOGSTAD</u> BOARD CLERK</p>
--	---	--

Department: Community & Family Services

Division: _____

Date: February 9, 1996

Administrative Contact: Cilla Murray

Phone: 248-3691 ext 6296

Bldg/Room 166/7th

Description of Contract:

Amendment purchases psychiatric consultation for adult mental health and alcohol/drug central intake

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

<p>Contractor Name : Oregon Health Sciences University</p> <p>Mailing Address: 3181 SE Sam Jackson Park Road Portland, OR 97201</p> <p>Phone: (503)494-5075 (contracts)</p> <p>Employer ID# or SS#: 93-1176109</p> <p>Effective Date: February 26, 1996</p> <p>Termination Date: June 30, 1996</p> <p>Original Contract Amount: \$ Requirements</p> <p>Total Amt of Previous Amendments: \$14,564</p> <p>Amount of Amendment: \$15,300</p> <p>Total Amount of Agreement: \$ 29,864 + Requirements</p>	<p>Remittance Address (if different) _____</p> <hr/> <p style="text-align: center;">Payment Schedule Terms</p> <p><input type="checkbox"/> Lump Sum \$ _____ <input type="checkbox"/> Due on Receipt</p> <p><input checked="" type="checkbox"/> Monthly \$ Per Invoice <input type="checkbox"/> Net 30</p> <p><input type="checkbox"/> Other \$ _____ <input type="checkbox"/> Other</p> <p><input type="checkbox"/> Requirements contract - Requisition Required</p> <p style="padding-left: 20px;">Purchase Order No. _____</p> <p><input checked="" type="checkbox"/> Requirements Not to Exceed \$ <u>See Attached</u></p> <p>Encumber: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
---	--

REQUIRED SIGNATURES:

Department Manager: *Loimzo Pae me* Date: 2/13/96

Purchasing Director: _____ Date: _____

(Class II Contracts Only)

County Counsel: *Katie Gogf* Date: 2/16/96

County Chair/Sheriff: *Melville Dean* Date: 2/29/96

Contract Administration: _____ Date: _____

(Class I, Class II Contracts Only)

VENDOR CODE 683134				VENDOR NAME				TOTAL AMOUNT: \$			
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT/REV SRC	S UB OBJ	REPT CATEG	LGFS DESCRIP	AMOUNT	Inc/Dec Ind.
								See	Attached		

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

COMMUNITY AND FAMILY SERVICES DIVISION
 CONTRACT APPROVAL FORM SUPPLEMENT
 Contractor : OREGON HEALTH SCIENCES UNIVERSITY
 Vendor Code : 683134

Fiscal Year : 95/96

Amendment Number : 2

Contract Number : 101476

LINE	FUND	AGEN	ORG CODE	ACTIVITY CODE	OBJECT CODE	REPORTING CATEGORY	LGFS DESCRIPTION	ORIGINAL AMOUNT	AMENDMENT AMOUNT	FINAL AMOUNT	REQT'S ESTIMATE
08	156	010	1120	A20C	6110	9101X	A&D SMHD A&D Psychiatric Consultation	\$0.00	\$4,590.00	\$4,590.00	
07	156	010	1010	M20C	6110	9001X	AMH SMHD AMH Psychiatric Consultation	\$0.00	\$10,710.00	\$10,710.00	
TOTAL								\$0.00	\$15,300.00	\$15,300.00	\$0.00

MULTNOMAH COUNTY DEPARTMENT OF COMMUNITY AND FAMILY SERVICES
CONTRACT 101476, AMENDMENT #2

DURATION OF AMENDMENT:	February 26, 1996	TO: June 30, 1996
CONTRACTOR NAME:	Oregon Health Sciences University	TELEPHONE: 494-4854
CONTRACTOR ADDRESS:	3181 SW Sam Jackson Park Road Portland, OR 97201	IRS NUMBER: 93-1176109

This amendment is to that certain contract dated July 1, 1995, between the Multnomah County Department of Community and Family Services, referred to as the "COUNTY" and Oregon Health Sciences University, referred to as the "CONTRACTOR". It is understood by the parties that all conditions and agreements in the original contract not superseded by the language of this amendment are still in force and apply to this amendment.

PART I: CHANGES

This amendment purchases up to ten hours per week of psychiatric consultation from OHSU psychiatrists, Department of Psychiatry, School of Medicine, Oregon Health Sciences University, for the County's adult mental health program and the alcohol and drug central intake services, at a rate of \$85 per hour, per Attachment A. Consultation services include:

- Assistance in developing care management policy and procedures (e.g., which physical procedures are appropriate to a psychiatric hold);
- Assistance in developing protocols for the different treatment modalities in the Mental Health Crisis/Acute Care system;
- Advice to the Care Management Coordinators on the retrospective review of clinical necessity of admissions and continued stays according to the level of service;
- Advice to the Care Management Coordinators on quality assurance review analysis;
- Participation in utilization reviews;
- Consultation with the Management Information System (MIS) staff for database development and maintenance;
- Assistance in the development and implementation of the grievance and appeal procedures for both consumers and providers;
- Provision of training for providers and staff;
- Maintenance of a liaison function with community providers.
- Consultation regarding program development and implementation.

PART II: AGREEMENTS

A. Clinical Consultation for Commitment Services and Mental Health Jail Diversion Programs

The Department of Psychiatry will provide approximately seven hours per week of clinical consultation services for the Commitment Services and Mental Health Jail Diversion Programs, at a rate of \$85 per hour, up to \$10,710. Services will include:

1. Attendance at two one-hour meetings monthly with the entire Commitment team to discuss cases, review situations, give input and recommendations, and provide training, as needed;
2. Review of clinical records documentation, in conjunction with the Commitment Services Supervisor or other staff, for approximately one hour per week.
3. Working with Hospital Discharge Planners and Trial Visist staff, for approximately 4 hours per week.
4. Coordination of MD functions and work with staff on program development, for approximately one hour per week.

B. Alcohol and Drug (Central Intake) Consultation

The Department of Psychiatry will provide alcohol and drug intake consultation services for approximately three hours per week, at a rate of \$85 per hour, up to \$4,590. Services will consist of:

1. Evaluation of client psychiatric status;
2. Training of staff and participation in case consultations.

In witness whereof, the parties hereto have caused this contract to be executed by their authorized officers.

MULTNOMAH COUNTY

OREGON HEALTH SCIENCES UNIVERSITY

BY Lorenzo Paez 2/13/96
Director, Dept of Community & Family Services Date

BY _____
Roland Atkinson, M.D. Date
Acting Chair, Dept of Psychiatry

BY Beverly Stein 2/29/96
Multnomah County Chair Date

BY _____
David Cutler, M.D. Date
Director of Public Psychiatry

REVIEWED:

LAURENCE KRESSEL, County Counsel for
Multnomah County, Oregon

By Katie Gaetjens 2/16/96
Katie Gaetjens Date

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-1 DATE 2/29/96
DEB BOGSTAD
BOARD CLERK

CONTRACT FOR SERVICES
MULTNOMAH COUNTY COMMUNITY AND FAMILY SERVICES DIVISION

**Attachment A:
Service Elements and Contract Amounts**

Contractor Name : OREGON HEALTH SCIENCES UNIVERSITY	Vendor Code: 683134
Contractor Address :	
3181 SW SAM JACKSON PARK ROAD PORTLAND OR 97201	
Telephone : 494-4854	Fiscal Year : 95/96
Federal ID # : 93-1176109	

Program Office Name : Adult Mental Health Commitment

Service Element Name : AMH Psychiatric Consultation (M20C)

Mod. #	Begin Date	End Date	Payment Method	Payment Basis	# of Units	Unit Description	Unit Rate	Amount
2	2/12/96	6/30/96	Per Invoice	Fee for Service	126.00	Hours	85.00	\$10,710.00
Total					126.00			\$10,710.00

Program Office Name : Adult Mental Health Community Based Services

Service Element Name : AMH Non-residential Adult Mental Health Services (M20X)

Mod. #	Begin Date	End Date	Payment Method	Payment Basis	# of Units	Unit Description	Unit Rate	Amount
0	7/1/95	6/30/96	State Pymt	Fee for Service				\$543,324.00
1	7/1/95	6/30/96	State Pymt	Fee for Service				(\$8,522.00)
Total								\$534,802.00

Program Office Name : Adult Mental Health Crisis and Acute Care Services

Service Element Name : ACommunity Treatment Services/Adult Acute (CTS/AA) (M24C)

Mod. #	Begin Date	End Date	Payment Method	Payment Basis	# of Units	Unit Description	Unit Rate	Amount
1	7/1/95	6/30/96	Monthly Allotment	Serv. Capacity		Per Prog Inst		\$14,564.00
Total								\$14,564.00

Program Office Name : Alcohol & Drug Assessment

Service Element Name : A&D Psychiatric Consultation (A20C)

Mod. #	Begin Date	End Date	Payment Method	Payment Basis	# of Units	Unit Description	Unit Rate	Amount
2	2/12/96	6/30/96	Per Invoice	Fee for Service	54.00	Hours	85.00	\$4,590.00
Total					Req't's			Req't's

Program Office Name : Children & Youth Managed Mental Health Care

Service Element Name : CMH Partners Day Treatment (C11D)

Mod. #	Begin Date	End Date	Payment Method	Payment Basis	# of Units	Unit Description	Unit Rate	Amount
0	7/1/95	6/30/96	Per Invoice	Fee for Service	Req't's	Per Day	120.00	Req't's

**Attachment A:
Service Elements and Contract Amounts**

Contractor Name : OREGON HEALTH SCIENCES UNIVERSITY		Vendor Code: 683134
Contractor Address :		
3181 SW SAM JACKSON PARK ROAD PORTLAND OR 97201		
Telephone : 494-4854	Fiscal Year : 95/96	Federal ID # : 93-1176109

Program Office Name : Children & Youth Managed Mental Health Care

Total	Req't's	Req't's
-------	---------	---------

Service Element Name : CMHPsychiatric Consultation (C22P)

<u>Mod. #</u>	<u>Begin Date</u>	<u>End Date</u>	<u>Payment Method</u>	<u>Payment Basis</u>	<u># of Units</u>	<u>Unit Description</u>	<u>Unit Rate</u>	<u>Amount</u>
0	7/1/95	6/30/96	Per Invoice	Fee for Service	Req't's	Per Prog Inst		Req't's
Total					Req't's			Req't's

Program Office Name : Children & Youth Community Mental Health Services

Service Element Name : CMHPsychiatric Consultation (C22P)

<u>Mod. #</u>	<u>Begin Date</u>	<u>End Date</u>	<u>Payment Method</u>	<u>Payment Basis</u>	<u># of Units</u>	<u>Unit Description</u>	<u>Unit Rate</u>	<u>Amount</u>
0	7/1/95	6/30/96	Per Invoice	Fee for Service	Req't's	Per Prog Inst		Req't's
Total					Req't's			Req't's

Service Element Name : CMH Child/Adolescent Mental Health (C22X)

<u>Mod. #</u>	<u>Begin Date</u>	<u>End Date</u>	<u>Payment Method</u>	<u>Payment Basis</u>	<u># of Units</u>	<u>Unit Description</u>	<u>Unit Rate</u>	<u>Amount</u>
0	7/1/95	6/30/96	State Pymt	Fee for Service	Req't's	State Fee Sch		Req't's
Total								\$0.00

MEETING DATE: FEB 29 1996

AGENDA NO: C-2

ESTIMATED START TIME: 9:30am

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Request Approval of Repurchase Contract to Former Owner

BOARD BRIEFING: Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING: Date Requested: _____

Amount of Time Needed: 5 minutes

DEPARTMENT: Environmental Services DIVISION: Assessment & Taxation

CONTACT: Kathy Tuneberg TELEPHONE #: 248-3590

BLDG/ROOM #: 166/300/Tax Title

PERSON(S) MAKING PRESENTATION: Kathy Tuneberg

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE

Request approval of Repurchase Contract #15804 to former owner, JUDY ABBOTT.

Contract #15804 and Board Order attached.

3/5/96 ORIGINAL contract & COPIES OF ALL TO TAX TITLE

SIGNATURES REQUIRED:

ELECTED

OFFICIAL: _____

(OR)

DEPARTMENT

MANAGER: *James M. Dr. Lawrence L. Nicholas*

BOARD OF
COUNTY COMMISSIONERS
96 FEB 21 AM 8 26
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 Approval of)
Contract 15804 for the Sale) ORDER
of Certain Tax Foreclosed Real) 96- 27
Property to Former Owner)
)
)
JUDY ABBOTT)

WHEREAS, Multnomah County has acquired the real property hereinafter described through the foreclosure of liens for delinquent taxes; and

WHEREAS, the former owner thereof has applied to the County to enter into a contract to repurchase said property for the amount of \$10,634.71, which amount is not less than that required by ORS 275.180; and

WHEREAS, it is in the best interest of Multnomah County to accept the application and sell the property to the former owner for that amount; now therefore

IT IS HEREBY ORDERED that the Multnomah County Board of Commissioners hereby enters into a contract with JUDY ABBOTT for the sale of real property described as W 1/2 OF LOTS 15-18, BLOCK 1 GOOD MORNING ADD, in the County of Multnomah, State of Oregon; and

IT IS FURTHER ORDERED that the County Chair be and she hereby is, authorized to execute the attached real estate purchase contract; and

IT IS FURTHER ORDERED that the County Chair be and she hereby is, authorized to execute a deed conveying title of the property to the buyer upon successful completion of all provisions of the contract.

DATED this 29th day of February , 1996.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

Beverly Stein

Beverly Stein, Chair

REVIEWED:

LAURENCE KRESSEL, COUNTY COUNSEL
MULTNOMAH COUNTY, OREGON

By *Matthew O. Ryan*

Matthew O. Ryan, Assistant Counsel

CONTRACT 15804

THIS AGREEMENT, made this 29th day of February, 1996 by and between MULTNOMAH COUNTY, a political subdivision of the State of Oregon, hereinafter called County, and JUDY ABBOTT hereinafter called Purchaser; the County agrees to sell to Purchaser the property situated in the County of Multnomah, State of Oregon hereinafter described for the price and on the terms and conditions set forth below:

W 1/2 OF LOTS 15-18, BLOCK 1 GOOD MORNING ADD, a recorded subdivision in Multnomah County, State of Oregon.

A. Purchase Price.

Purchaser agrees to pay the sum of \$10,634.71, to be paid \$1,063.47 in cash upon the execution of this agreement, receipt whereof is hereby acknowledged, and the balance of said purchase price in equal monthly installments of not less than \$308.86 over a term of 36 months. Payment to include interest at the rate of 10 percent per annum on the entire unpaid balance of the purchase price remaining at the time of payment of each installment. Each payment shall first be applied to interest to date of payment; the balance to principal. First of said installments to be paid on March 15, 1996 and a like payment on the 15th of each and every month thereafter until the entire purchase price, both principal and interest, shall have been paid. Purchaser shall have the privilege of prepayment without penalty.

B. Tax Payments

1. In addition to payment of installments set out in paragraph A above, Purchaser agrees to pay, before delinquency, all taxes lawfully assessed and levied against said property during the term of this agreement.

2. Escrow for tax payments: Purchaser shall in addition to the principal and interest installments, deposit with the County a pro rata part of the ad valorem taxes and/or assessments on the Property. The amount to be deposited each month for the next 12 months, shall be set by November 15th of each year for the duration of this agreement. County shall issue a written notice no later than December 30th of each year to purchaser of the amount per month to be deposited in escrow for the following 12 months or until final payoff, whichever is shorter. Tax escrow payment is to be paid on the 15th of each and every month along with the installment payment.

3. If paragraph B2 is not applicable, a tax payment is past due under section D1, if not paid within 10 days after the trimester due dates (November 15, February 15, May 15).

C. Terms and Conditions.

1. Purchaser agrees to pay and discharge, before delinquency, all municipal liens and assessments of any kind and nature lawfully assessed against said property.

2. Purchaser will keep all improvements on the property in at least as good condition and repair as they were on the date of possession by Purchaser and shall not permit any waste or removal of all or part of the improvement.

3. Purchaser will not use or permit others to use any of the property for any "prohibited conduct" as that term is defined in 1989 Or Law Ch 791, § 1-14 and 22, or any "nuisance" as defined in ORS 105.555, as those statutes may now or hereafter be amended, supplemented or superseded, or otherwise do or allow any act or omission on or about the property that could subject the property or the County's or Purchaser's interest therein to forfeiture or the risk of forfeiture.

4. Purchaser will promptly comply with and cause all other persons to comply with all laws, ordinances, regulations, directions, rules and other requirements of all governmental authorities applicable to the use or occupancy of the property. In this connection, Purchaser shall promptly make all required repairs, alterations and additions. These include, without limitation, any required alteration of the property because of the purchaser's specific use alterations or repairs necessary to comply with, and all applicable federal, state, local laws, regulations, or ordinances pertaining to air and water quality, hazardous materials as defined herein and other environmental zoning, and other land use statutes, ordinances and regulations.

5. Purchaser will not cause or permit any Hazardous Material to be brought upon, kept, or used in or about the property by Purchaser or Purchaser's agents, employees, contractors, or invitees without the prior written consent of the County, which shall not be unreasonably withheld as long as Purchaser demonstrates to County's reasonable satisfaction that such Hazardous Material is necessary to Purchaser's business and will be used, kept, and stored in a manner that complies with all laws regulating any such Hazardous Materials brought upon or used or kept in or about the property;

6. As used in this Agreement, the term Hazardous Material means any hazardous or toxic substance, material, or waste, including, but not limited to, those substances, materials, and wastes listed in the United States Department of Transportation Hazardous Materials Table (49 CFR § 172.101), or by the United States Environmental Protection Agency as hazardous substances (40 CFR pt 302) and amendments thereto, petroleum products, or other such substances, materials, and wastes that are or become regulated under any applicable local, state, or federal law.

7a. Purchaser will indemnify, defend, and hold harmless the County, its elected officials, officers, and employees from and against any claims, loss or liability of any kind arising out of or related to any activity on the property occurring while Purchaser is entitled to occupy the property under this or any predecessor agreement, whether or not the property is leased to others.

7b. This indemnification of the County by Purchaser includes, without limitation, costs incurred in connection with any investigation of site conditions or any cleanup, remedial, removal, or restoration work required by any federal, state or local governmental agency or political subdivision because of Hazardous Material present in the soil or groundwater or under the property. Without limiting the foregoing, if the presence of any Hazardous Material on property caused or permitted by Purchaser or purchaser's agents or contractors results in any contamination of the property, Purchaser shall promptly take all actions at Purchaser's sole expense as are necessary to return the property to the condition existing

prior to the release of any such Hazardous Material onto the property, provided that the County's approval of such action shall first be obtained, and approval shall not be unreasonably withheld, as long as such actions would not potentially have any material adverse long-term or short-term effect on the property. This indemnification by Purchaser includes, without limitation, reimbursement for any diminution in the value of the property and reimbursement for sums paid in settlement of claims, attorney fees, consultant fees, and expert fees. The obligations of paragraph C7a. and C7b. shall survive any termination or cancellation of this agreement for any reason.

8. Purchaser will keep all improvements now existing or which shall hereafter be placed on the property insured against fire and other casualties covered by a standard policy of fire insurance with extended coverage endorsements. The policy shall be written to the full replacement value and loss payable to County and Purchaser as their respective interests may appear, and certificates evidencing the policy shall be delivered to County and shall contain a stipulation providing that coverage will not be canceled or diminished without a minimum of ten days' written notice to the County. In the event of a loss, Purchaser shall give immediate notice to County. County may make proof of loss if Purchaser fails to do so within fifteen days of casualty.

D. Default

Time is the essence of the Agreement; a default shall occur if:

1. Purchaser fails to make any payment within ten days after it is due;

2. Purchaser fails to perform or comply with any condition and does not commence corrective action within ten days after written notice from the County specifying the nature of the default, or, if the default cannot be cured within that time, fails to commence and pursue curative action with reasonable diligence.

3. Purchaser becomes insolvent; a receiver, trustee or custodian is appointed to take possession of all or a substantial part of Purchaser's property or properties; Purchaser makes an assignment for the benefit of creditors or files a voluntary petition in bankruptcy; or Purchaser is subject to an involuntary bankruptcy which is not dismissed within ninety days.

4. Purchaser makes or allows to be made a fraudulent transfer under applicable federal or state law, conceals any of his/her property from creditors; makes or allows to be made a preference within the meaning of the federal bankruptcy laws; or allows a lien or distraint upon any of his/her property.

E. Tax Notice

Until a change of address is requested, all tax statements shall be sent to the following address:

JUDY ABBOTT, 1415 N PORTLAND BLVD, PORTLAND OR 97217

F. Assignment

No assignment of this agreement or any interest therein or any interest in any of the property herein described shall be valid unless it is approved by County. Terms of this agreement may be amended by County upon assignment. Subject to the foregoing restriction, the terms of this agreement shall be binding upon the heirs, successors-in-interest and assigned of Purchaser.

G. Conveyance of Title

Upon complete performance by Purchasers of all the terms and conditions of this contract, County agrees to convey to Purchasers the title to the aforesaid property by Bargain & Sale Deed.

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

IN WITNESS WHEREOF, Purchasers have set their hands the year and day first above written, and County has caused these presents to be executed by the Chair of the Multnomah Board of County Commissioners heretofore entered of record.

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By Beverly Stein
Beverly Stein, Chair

By Judy Abbott
JUDY ABBOTT



REVIEWED:
Laurence Kressel, County Counsel
for Multnomah County, Oregon

By Matthew O. Ryan
Matthew O. Ryan

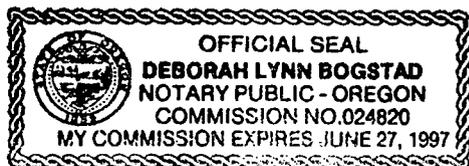
CONTRACT APPROVED:
Janice M. Druian, Director
Assessment & Taxation

By K. A. Tuneberg
K. A. Tuneberg

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

On this 29th day of February, 1996, 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: FEB 29 1996

AGENDA NO: C-3

ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Request Approval of Deed to Contract Purchaser for Completion of Contract.

BOARD BRIEFING: Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING: Date Requested: _____

Amount of Time Needed: Consent

DEPARTMENT: Environmental Services DIVISION: Assessment & Taxation

CONTACT: Kathy Tuneberg TELEPHONE #: 248-3590

BLDG/ROOM #: 166/300/Tax Title

PERSON(S) MAKING PRESENTATION: Kathy Tuneberg

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE:

Request approval of deed to contract purchaser for completion of Contract #15606 (Property repurchased by former owner).

Deed D961292 and Board Order attached.

3/5/96 ORIGINAL Deed & copies of ALL TO TAX TITLE

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

(OR)

DEPARTMENT MANAGER: *James M. Dr. Louis L. Nicholas*

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
96 FEB 21 AM 8:26

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the matter of the Execution of)
Deed D961292 Upon Complete Performance of) ORDER
a Contract to) 96-28
)
)
ROBERT HALES)

It appearing that heretofore, on June 26, 1991, Multnomah County entered into a contract with ROBERT HALES for the sale of the real property hereinafter described; and

That the above contract purchaser have fully performed the terms and conditions of said contract and are now entitled to a deed conveying said property to said purchaser;

NOW THEREFORE, it is hereby ORDERED that the Chair of the Multnomah County Board of County Commissioners execute a deed conveying to the contract purchaser the following described real property, situated in the County of Multnomah, State of Oregon:

LOTS 31-35, BLOCK 21 PENINSULAR ADD #2, a recorded subdivision in Multnomah County, State of Oregon.

Dated at Portland, Oregon this 29th day of February, 1996.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

Beverly Stein
Beverly Stein, Chair

REVIEWED:
Laurence Kressel, County Counsel
for Multnomah County, Oregon

By *Matthew O. Ryan*
Matthew O. Ryan, Assistant Counsel

DEED D961292

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to ROBERT HALES, Grantee, the following described real property, situated in the County of Multnomah, State of Oregon:

LOTS 31-35, BLOCK 21 PENINSULAR ADD #2, a record subdivision in Multnomah County, State of Oregon.

The true and actual consideration paid for this transfer, stated in terms of dollars is \$15,847.92.

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

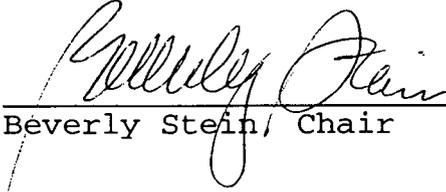
Until a change is requested, all tax statements shall be sent to the following address:

ROBERT HALES, 8945 N BAYARD AVE, PORTLAND OR 97217

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of County Commissioners this 29th day of February, 1996, by authority of an Order of the Board of County Commissioners heretofore entered of record.



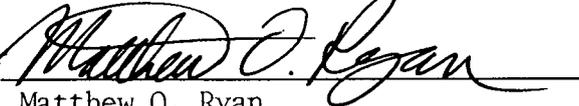
BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON



Beverly Stein, Chair

REVIEWED:

Laurence Kressel, County Counsel
for Multnomah County, Oregon

BY 

Matthew O. Ryan

DEED APPROVED:

Janice Druian, Director
Assessment & Taxation

BY 

K. A. Tuneberg

After recording, return to Multnomah County Tax Title/166/300

Meeting Date: FEB 29 1996
Agenda No: C-4
Est. Starting Time: 9:30

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Reporting of a Hearings Officer's Decision in the matter of CS 5-95.

BOARD BRIEFING Date Requested:
 Amount of Time Needed:
 Requested By:

REGULAR MEETING Date Requested: February 29, 1996
 Amount of Time Needed: 5 minutes

DEPARTMENT: DES
CONTACT: Barry Manning

DIVISION: Planning
TELEPHONE: 248-3043
BLDG /ROOM: 412/Planning

PERSON(S) MAKING PRESENTATION: Barry Manning

ACTION REQUESTED

Informational Only Policy Direction Approval Other

SUGGESTED AGENDA TITLE

Reporting to the Board the Hearings Officer's Decision in the Matter of CS 5-95 requesting a Community Service Use approval to construct new facilities at the Riverdale School.

SIGNATURES REQUIRED:

Elected Official: _____

OR

Department Manager: KB Lane E. Nicholas



BOARD OF
COUNTY COMMISSIONERS
96 FEB 15 PM 2:25
MULTNOMAH COUNTY
OREGON



MULTNOMAH COUNTY

BOARD HEARING of February 29, 1996

CASE NAME: *Community Service Use Request: CS 5-95*

1. Applicant Name/Address:
*Henry Fitzgibbon
Soderstrom Architects, P.C.
1200 NW Front #410
Portland, OR 97236*

2. Action Requested by Applicant:

Applicant requests Community Service Use (CS) approval to construct new facilities at the Riverdale School. The request includes proposals for construction of new classrooms and library and replacement of the existing gymnasium.

3. Planning Staff Recommendation:

Approve, subject to conditions.

4. Hearings Officer Decision:

Approve, subject to conditions.

5. If recommendation and decision are different, why?

They are the same.

6. Issues:

1. *The Hearings Officer determined that Community Service (CS) Use approval is required for this request because: A) the use on this site had never obtained a CS permit from the County, and B) the current use could be considered non-conforming use, and the changes proposed would create a change of greater impact to the neighborhood, and thus could not be allowed. The Hearings Officer granted CS approval for the entire 8.6 acre site.*
2. *The Riverdale School is limited to serve the existing grade range, Kindergarten through eighth (8th) grade students. Any expansion, permanent or temporary, would require another CS approval. The school is also limited to 350 student enrollment.*
3. *Several neighbors noted that existing traffic and circulation conditions at and around the school are unsafe and that parking is inadequate. The Hearings Officer required the full number of parking spaces required by the code (68), reversing an exception to the code requirement granted by planning staff in a 1990 Design Review case. The Hearings Officer left details of on and off-site circula-*

ACTION REQUESTED OF BOARD	
<input checked="" type="checkbox"/>	Affirm Hearings Officer/Planning Comm.
<input type="checkbox"/>	Hearing/Rehearing
<input type="checkbox"/>	Scope of Review
<input type="checkbox"/>	On the record
<input type="checkbox"/>	De Novo
<input type="checkbox"/>	New Information allowed

tion hazards to be addressed by the Transportation Division at the Design Review phase of the project.

4. Neighbors noted that deferring decisions to Design Review leaves them out of the process, as Design Review is an administrative decision with no public hearing process (it is, however, an appealable decision).

7. Implications related to this case:

The Decision may impact the way that planning reviews existing, mapped CS uses that have never obtained a permit.

HEARINGS OFFICER DECISION

This Decision consists of Conditions, Findings of Fact and Conclusions.

February 9, 1996

CS 5-95

Community Service Use Approval Request

Applicant requests Community Service Use approval to construct new facilities at the Riverdale School. The request includes proposals for construction of new classrooms and library and replacement of the existing gymnasium.

Location: 11733 S.W. Breyman Avenue

Legal Description: Lots 22-24, Abernethy Heights

Site Size: 8.6 acres

Plan Designation: Single Family Residential, Community Service

Zoning Designation: R-30, Single Family Rural Residential
CS, Community Service

Applicant: Henry Fitzgibbon
Soderstrom Architects, P.C.
1200 N.W. Front #410
Portland, OR 97209

Owner: Riverdale School District #51
11733 S.W. Breyman Avenue
Portland, OR 97219

Hearings Officer Decision:

Approve, subject to conditions, Community Service Use to construct new facilities at the Riverdale School, based on the Findings and Conclusions contained herein.

Conditions of Approval:

1. Approval of this Community Service Use shall expire two (2) years from the date of this Hearings Officer Decision unless substantial development has taken place in accordance with MCC 11.15.7010.
2. The Riverdale School facility shall be limited to serve Kindergarten through eighth (8th) grade students as described in the application. Any change in use, such as expansion of the grade ranges served on the site, either permanent or temporary, will be considered a modification of the use that will require Community Service Use review and approval.
3. Compliance with and approval of the Multnomah County Design Review process shall be required prior to the issuance of any building permits related to this proposal on this site.
4. Prior to the Final Design Review, the Riverdale School shall develop and submit an On-Site Parking and Circulation Plan that complies with County Code and reduces hazardous conditions caused by vehicular/pedestrian conflicts, as part of the design review process. Such a plan will comply with the full level of parking requirements as determined by the size of the auditorium. Under the preliminary plans as submitted for this decision, 68 spaces would be required.
5. Prior to the Final Design Review, the Riverdale School shall develop and submit a plan for fire department access, along with a fire district approved site plan, as part of the Design Review process.
6. The Riverdale School shall comply with other transportation requirements determined appropriate and necessary by the Multnomah County Transportation Division, as part of the Design Review process.
7. Notice of the Design Review Decision should be mailed to all parties who signed the "sign in sheet" for the January 17, 1996 public hearing on Case CS 5-95.
8. Any expansion in enrollment beyond 350 students will be considered a modification of the use that will require Community Service Use review and approval.

PARTY STATUS

Parties' Agents and Witnesses to the Proceeding

1. Parties:

The persons, agencies and organizations who submitted written or oral testimony in this proceeding.

- A. Applicant: Appearing as applicant was Henry Fitzgibbon, of Soderstrom Architects, P.C., the authorized representative of the property owner. Mr. Fitzgibbon's address is 1200 N.W. Front #410, Portland, OR 97209.
- B. Other persons supporting the application:
- (1) Neale Creamer, 11657 S.W. Breyman, Portland, OR 97219; and
 - (2) Boyd Applegarth, Superintendent of Riverdale School District, 16715 S.W. Cambridge Dr., Portland, OR 97224.
- C. Persons opposed to the application:
- (1) Jose' Cruz, Jr., 11338 S.W. Aventine Circus, Portland, OR 97219;
 - (2) Frank Wagner, 01520 S.W. Corbett Hill Circle, Portland, OR 97219;
 - (3) John H. Garren, 01008 S.W. Comus, Portland, OR 97219;
 - (4) Ellen Everson, 11505 S.W. Breyman Ave., Portland, OR 97219;
 - (5) Karen Wagner, 01520 S.W. Corbett Hill, Portland, OR 97219;
 - (6) Kathi Noles, 11744 S.W. Breyman Ave., Portland, OR 97219;
 - (7) Marjorie Maletzky, 11108 S.W. Collina Ave., Portland, OR 97219
 - (8) Art Piculell, 02008 S.W. Military Rd., Portland, OR 97219; and
 - (9) Tom Scarpone, 01510 S.W. Weddington, Portland, OR 97219;

D. Determination of party status:

- (1) The Riverdale School District #51 is the property owner and has appeared through its authorized representatives Henry Fitzgibbon and Boyd Applegarth. The school district has party status.
- (2) Neale Creamer made appearance of record pursuant to 11.15.8225 (B)(1) and has party status pursuant to MCC 11.15.8225(A)(1) as a person entitled to notice under MCC .8220(C)(3). The persons listed above who appeared in opposition to this request are entitled to party status pursuant to MCC 11.15.8225(A)(2) and made an appearance of record either personally or in writing in accordance with MCC 11.15.8225(B).

PROCEDURAL ISSUES

1. Impartiality of the Hearings Officer

- A. No ex parte contacts. I did not have any ex parte contacts prior to the initial hearing of this matter or during the seven day period of time while the record was being held open. I did not make a site visit.
- B. No conflicting personal or financial or family interest. I have no financial interest in the outcome of this proceeding. I have no family or financial relationship with any of the parties.

2. Procedural Issues

At the commencement of the hearing I asked the participants to indicate if they had any objections to jurisdiction. The participants did not allege any jurisdictional or procedural violations regarding the conduct of the hearing.

During the course of the hearing, Art Piculell contended that he did not receive notice of the hearing and that he should have received notice. He asked that the hearing be continued to a later time. Mr. Piculell owned property outside of the notice area. He also had an easement over adjoining property within the notice area. He contended that he should have been given notice because of his interest in the easement. However, Section 11.15.8220 of the Multnomah County Code provides that notice shall be provided to "all record owners of property" within the specified number of feet. An easement interest does not constitute record ownership of property. In addition, the failure of a property owner to receive notice shall not invalidate the action if a good faith attempt

was made to notify all persons entitled to mailed notice. 11.15.8220(D). I find that for purposes of the zoning ordinance, Mr. Piculell was not a record owner of property and therefore the County was not required to provide notice to him. In addition, I find the County did make a good faith attempt to notify all persons entitled to mailed notice.

BURDEN OF PROOF

In this proceeding, the burden of proof is upon the applicant.

FACTS

1. Applicant's Proposal

Applicant requests Community Service Use approval to construct new facilities at the existing Riverdale School. The request includes proposals for construction of new classrooms and library and replacement and expansion in size of the existing gymnasium.

2. Site and Vicinity Information

- A. The subject parcel is located south of the intersection of S.W. Breyman and S.W. Military Road. It is bordered by S.W. Breyman on the east and by S.W. Military Road on the west. The Riverdale School is located on an 8.6 acre site. Most of the development for the school is located on the northern area of the site. The southern area is relatively undeveloped and used as an athletic field. The western tip of the north portion of the site is densely forested and steeply sloped, while the central and eastern portions where the development is located, slopes gently west to east. A site plan is attached hereto as Exhibit "A" and is incorporated by this reference herein.
- B. The area surrounding the subject site is predominately residential with several large homes in close proximity to the site. Topography in the area varies considerably. The area directly across the street from the school on Breyman Avenue slopes gently downhill toward the east. The area to the north across Military Road, and west at the rear of the site, is much steeper, with hills rising sharply away from the subject property.
- C. Zoning in the vicinity of the site is R-30 Single Family Residential. The zoning map designates this as CS. However, it does not appear that the

subject site has ever received a CS permit. The site has been used for a school for at least 75 to 100 years. Such use pre-dates the earliest Multnomah County Zoning Ordinance. A vicinity map is attached hereto as Exhibit "B" and is incorporated by this reference herein.

3. Testimony and Evidence Presented

A. During the course of the hearing on January 17, 1996, and during the fourteen (14) day period of time thereafter, the seven in which the record remained open, and during the subsequent seven days after the record was closed in which the applicant could submit final written argument, the following exhibits were received by the Hearings Officer:

- (1) Application Narrative and Plans
- (2) Riverdale School Traffic Study, Kittelson and Associates
- (3) DR 90-030-02 Memo from Transportation Division re: improvements
- (4) Staff Report
- (5) Slides (21)
- (6) Documents from DR 90-30-02
- (7) Written testimony of John H. Garren (01008 SW Comus, Portland, Oregon 97219)
- (8) Photographs (3); Road Conditions
- (9) Elementary School Enrollment Bar Graph
- (10) Letter in opposition: Kathi Noles
- (11) Letter in opposition: Marjorie Maletzky
- (12) Map: school and nearby easement
- (13) Photographs (6): site and drainage
- (14) Property Profile/Title Insurance Report

(15) Argument in Support of the Application

- B. Barry Manning testified for the County, summarized the history of the application in his Staff Report, and identified the slides of the site and surrounding property which are listed as Exhibit 5 herein. Except as stated otherwise in this Opinion, the facts stated in the Staff Report are hereby incorporated by this reference herein.
- C. Henry Fitzgibbon, applicant, appeared as the authorized representative of the property owner, the Riverdale School District. Mr. Fitzgibbon of Soderstrom Architects, testified that the Riverdale School facility would not be used for high school grades nine (9) through twelve (12). The school district has developed a master plan for enhancement of the facilities at the Riverdale School. The current facility lacks a cafeteria. The new facility will include three classrooms and a Media Center/Library. The existing library will be remodeled into two classrooms. The classroom wing adjacent to the Gymnasium will be remodeled into a cafeteria facility. The Gymnasium building will be replaced with a larger building which will provide a regulation size gymnasium. The net result is that the number of classrooms will remain the same and school will have a larger Media Center, and a Cafeteria. The actual student capacity of the facility will not increase.
- D. Neale Creamer testified in support of the application, and indicated that the school was the ultimate community service. The school has been a long time part of the community and was the heart and soul of the Riverdale community.
- E. Jose' Cruz, Jr. testified that the school had existed at that present site for approximately 100 years and did provide a service to the community. He didn't indicate an objection to the continuance of the school facility at the site. He did express concerns about children being bussed in from outside of the district and he had concerns about portions of the application review being determined during Design Review.
- F. Frank Wagner indicated that he supports the concept of a new gym and cafeteria, but is concerned about the existing traffic situation and parking conditions. He was also concerned that there is no opportunity for public input in the Design Review process.
- G. John Garren commented on the application and expressed concerns that the school's practice of accepting non-resident tuition students has increased traffic impacts in the area. He asked that the permit stipulate

that any enrollment exceeding 350 students require a new permit application. He also expressed concerns about the current school's deviation from the traffic standards. He asked that the Hearings Officer resolve all issues relative to parking and traffic at this time rather than later during the subsequent Design Review process.

- H. Ellen Everson testified that the need for the new gym was well documented. She questioned the need for the other buildings and expressed concerns about traffic and illegal parking.
- I. Karen Wagner expressed concerns regarding the extent of the decisions that were to be made as part of the Design Review process. She also was concerned about the potential impact development would have on water run-off patterns in the area.
- J. John Dorst, Multnomah County Department of Transportation, indicated that the water run-off from the proposal would be limited. On-site detention would be required. No net off-site water flow increase would result from the development.
- K. Kathi Noles testified in person and submitted written testimony. She stated that Riverdale School was built in 1920. She was concerned about possible violation of deed restrictions on the property deeds for the school. She was also concerned that the practice of admitting non-resident tuition students was creating a significant increase in parking demand and traffic congestion. She asked that the school population be limited to local resident students. She expressed concerns about past exceptions granted the school on parking requirements.
- L. Marjorie Maletzky submitted testimony expressing concerns about the Riverdale School facility being used to house a temporary high school.
- M. Art Piculell expressed concerns about not receiving notice (he has an easement across property within the notice area). He was concerned about safety and traffic issues. He also wanted to see a copy of the deed to the school district and asked that the County review the restrictions on the property. He requested that the record remain open.
- N. Tom Scarpone testified about school district decisions and policies. He felt that the facility could be better operated as a K through six (6) facility.

- O. Boyd Applegarth, the Superintendent of Riverdale School, indicated that the capacity of the students would not increase beyond 350. He also indicated that the school had about 36 employees. He also stated that the school would be used only for grades K through eight (8). No temporary high school would be located at the facility.

STANDARDS AND CRITERIA, ANALYSIS AND FINDINGS OF FACT

1. Applicability of Community Service Use Standards

The Riverdale School has existed on the subject site for between 75 and 100 years. The use as a school pre-dates the land use planning process in Multnomah County. The school site is zoned R-30. Section 11.15.2842 of the Multnomah County Zoning Ordinance provides:

"No building, structure, or land shall be used and no building or structure shall be hereafter erected, altered or enlarged in this district except for the following uses:

- (A) Single family dwellings;**
- * * ***
- (D) Special uses, such as parks, playgrounds or community centers, churches, schools, golf courses and uses of similar nature as provided in MCC .7005 through .7041, when approved by the Hearings Officer.**

Only certain limited types of uses are allowed in this zone. A single family dwelling would be allowed without any kind of hearing. A school, however, would come under the provisions of subsection (D) and no building or structure could be erected, altered or enlarged unless the special use is approved by the Hearings Officer.

The manner in which this section of the Code is written makes it unclear as to whether the County intended to require a review by the Hearings Officer each time a building or structure is erected, altered or enlarged for an approved CS use or whether it was just the initial approval of the CS use that required review by the Hearings Officer.

If subparagraph (D) read "special uses, * * * , when approved as provided in MCC .7005 through .7041.", it would be clear that structures constructed pursuant to a previously approved CS use could be altered or enlarged without further review. However, this section talks about erecting, altering or enlarging structures for special uses as provided in "MCC .7005 through .7041, when approved by the Hearings

Officer". This makes it sound like any time a building or structure is erected, altered or enlarged for a special use, review by a Hearings Officer would be required.

For purposes of the instant case, it is not necessary to decide whether in all instances an alteration or enlargement of structures used in a CS use would require Hearings Officer approval. In the instant case, I find that review under the provisions of Section MCC .7006 through .7041 and review by a Hearings Officer is necessary, since the school in question has never been reviewed by a Hearings Officer or received an actual CS permit.

In Exhibit 15, a letter submitted as closing argument after the record was closed, the school district seems to question why it is being required to obtain Community Service approval and raises questions regarding conforming vs. nonconforming uses.

At the present time, the subject site carries a designation of CS on the zoning map, but apparently has never received a Community Service Use approval and has never been subject to Community Service review. The Community Service Use is a special use and not a special district. There are no provisions that I am aware of in the Zoning Ordinance that require Multnomah County to place a CS designation on the Zoning Map once CS approval has been given. Apparently, at some point in time, the County previously recognized that the existing use of the subject site was similar to those uses designated Community Service and placed that designation on the map. That does not mean that it ever obtained a CS permit.

It is questionable whether the subject site complies with all of the present standards for Community Service uses. It appears that the site does not comply with the current parking requirements in the Zoning Ordinance. Even if the subject site does not comply with all current CS standards, it would be allowed to continue unchanged under the nonconforming use sections of the Zoning Ordinance. Pursuant to the definition section, 11.15.010, a nonconforming use is **"a use to which a building or land is put at the time this chapter became effective and which does not conform with the use regulations of the district in which it is located."**

There was substantial evidence which indicated that the use of the subject site as a school has been continual for at least seventy-five (75) years. There is also evidence indicating that the site does not comply with the required parking provisions. Accordingly, it may be that the subject property is in fact a non-conforming use. As such, it could continue unchanged and would not be required to update its parking standards to continue in existence. However, where, as here, the school district contemplates substantive structural changes to the property, including changes which would necessitate provision of additional parking spaces under current ordinance standards, such changes would be considered an alteration of a non-conforming use which would create a change of greater impact to the neighborhood and thus could

not be allowed under the nonconforming use sections of the ordinance. Such improvements could only be constructed in conformance with current ordinance standards. Accordingly, under both the provisions of the R-30 Zone, Section 11.15.2842 and under the provisions of the Nonconforming Use Section of the Zoning Ordinance, if the school district wishes to go forward with the proposed additions and changes in structures at the subject site, it must obtain CS approval to do so.

2. Community Service Use Standards

A. MCC 11.15.7015: Community Service Use Approval Criteria

In approving a Community Service use, the approval authority shall find that the proposal meets the following approval criteria * * *:

(A) Is consistent with the character of the area;

ANALYSIS:

The Riverdale School is an existing use, one which pre-dates zoning in Multnomah County. The use has been recognized as a Community Service Use for many years. Early versions of the County's Comprehensive Plan and the Zoning Map identify this site as a Community Service Use. The use of the site as a school pre-dates much of the development in the area. The use of the site as a grade school/middle school is consistent with the character of the area. The application does not propose to expand or alter the grade ranges the school uses. Therefore the proposed additions would maintain a use that is already recognized as consistent with the character of the area. Conditions would be imposed on approval to ensure that the grade range is not expanded. Accordingly, I do find that the proposal is consistent with the character of the area.

(B) Will not adversely affect natural resources;

ANALYSIS:

The proposed structures will replace existing facilities. A limited number of existing scrub maples will need to be removed to accommodate new structures. This will have little impact on the existing dense Douglas Fir and Oak canopy to the west of the buildings. Excavation will be kept to a minimum. On-site water quality systems will be developed for handling new impervious surface run off. No net increases in surface water run off will occur. The on-site water detention issues will be further addressed in Design Review. Accordingly, I do find that the proposal will not adversely affect natural resources in the area.

(C) Will not conflict with farm or forest uses in the area;

ANALYSIS:

There are no farm or forest uses in the area. This criteria is met.

(D) Will not require public services other than those existing or programmed for the area;

ANALYSIS:

The site is already served by water and sewer services, as well as gas, electric, and telecommunications utilities. The road network serving the site is also currently in place. No new public services will be required. Accordingly, I find that this proposal will not require public services other than those existing or programmed for the area.

(E) Will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife or that agency has certified that the impacts will be acceptable;

ANALYSIS:

The subject site is not located in a Big Game Winter Habitat Area. Accordingly, this section is not applicable.

(F) Will not create hazardous conditions, and

ANALYSIS:

The proposed building additions do not create hazardous conditions. However, some existing conditions related to on-street parking during school start and end times may be hazardous. The existing traffic conditions at the Riverdale school may also be considered somewhat hazardous.

The existing off-site hazards are due to traffic generated by the school at the start and end of the school day. Parents and others waiting to pick-up children in the afternoon park in several places that create hazards. Children have a tendency to weave through parked cars adjacent to the school and can walk into areas where vehicles travel at speed. In addition to parking problems, some vehicles circle or pass-by the site several times while waiting for children, unable to park. Children walking or running into the street to get into cars create conflicts with vehicles, resulting in potentially hazardous situations. Addition of on-site parking spaces will help alleviate some of these hazardous conditions. Further review by the Transportation Division as part of the Design Review process will facilitate the elimination of such hazards.

Circulation and parking plans will not be finalized until the subsequent Design Review process. Accordingly, these issues can most appropriately be resolved during the Design Review phase. It appears feasible to resolve internal parking and circulation hazards by relocating the proposed parking on site or by remodeling to physically separate vehicles and student pedestrians. As a Condition of Approval, the applicant will be required to submit a detailed Parking and Circulation Plan that eliminates hazardous conditions and meets the requirements of the County Transportation Division and County Code as part of the Final Design Review process. Accordingly, I find that this proposal will not create hazardous conditions and that conditions should be imposed that will alleviate the somewhat hazardous existing conditions.

(G) Will satisfy the applicable policies of the Comprehensive Plan.

ANALYSIS:

Applicable policies of the Comprehensive Plan are addressed in following sections of this Decision.

(H) Will satisfy other applicable approval criteria as are stated in this section.

ANALYSIS:

The additional approval criteria are the off-street parking provisions and the landscaping and screening requirements which are discussed as follows.

B. MCC 11.15.6102: Off-Street Parking - General Provisions

In the event of the erection of a new building or an addition to an existing building, or any change in the use of an existing building, structure or land which results in an intensified use by customers, occupants, employees or other persons, off-street parking and loading shall be provided according to the requirements of this section.

C. MCC 11.15.6116

(A) Any alteration of the use of any land or structure under which an increase in the number of parking or loading spaces is required by this section shall be unlawful unless the additional spaces are provided.

D. MCC 11.15.6142: Minimum Required Off-Street Parking Spaces

(B) Public and semi-public Buildings and Uses

- (9) **Primary, Elementary or Junior High and equivalent private or parochial schools - One space for 84 square feet of floor area in the auditorium or one space for each twelve seats or 24 feet of bench length, which ever is greater;**

MCC 11.15.0010 Definitions:

"School (Primary, Elementary or High)": Including private or parochial, but not including nursery school, Kindergarten or day nursery, except those operated in conjunction with a school.

ANALYSIS:

For the amount of parking spaces required, staff based its recommendation on the size of the addition to the auditorium and took into consideration the fact that the subject site had previously received an exception from the parking requirements. However, MCC 11.15.6102 provides that in the event of the erection of a new building, or the addition to an existing building, off-street parking and loading shall be provided according to the requirements of this section. This application involves complete replacement of an existing gymnasium/auditorium and the construction of a new larger gymnasium/auditorium. The applicant has not applied for an exception from the standards of the parking ordinance. In view of the extensive public testimony regarding the problems with parking and traffic congestion, it is highly unlikely that the applicant could have met the burden of producing substantial evidence to indicate that the required number of parking spaces is inappropriate or unneeded. However, that question is not before the Hearings Officer since no exception was applied for.

Under the parking provisions, one space for 84 square feet of floor space in the auditorium (gymnasium) is required. In the instant case, the proposed gymnasium will be 5,722 square feet. Accordingly, a total of 68 parking spaces will be required.

In the staff report, Planner Barry Manning also discussed the parking requirements for a Kindergarten. However, I find that the provisions of Section 11.15.6142 (B)(10) are intended to apply to a separate Kindergarten/nursery where such a facility is not operated in conjunction with a primary/elementary school. Accordingly, I do not find the parking provisions which are relative to a Kindergarten applicable in the instant case.

Requirements of the Zoning Ordinance relating to off-street parking do not need to be addressed in final form at this stage of the project. The project will also be subject to Design Review. The actual parking layout and design will be subject to further scrutiny in the Design Review process.

There is a significant amount of open space at the school facility and it appears feasible to provide the needed parking spaces.

If the size of the auditorium (gymnasium) changes, then the number of parking spaces could be adjusted accordingly. However, under the current proposal, 68 parking spaces must be provided. Accordingly, I do find that it is possible to provide off-street parking and loading in accordance with the Zoning Ordinance requirements.

E. MCC 11.15.6140: Landscape and Screening Requirements

- (B) Parking or loading spaces located within 50 feet of a property line of a lot in a residential or other district listed in MCC .2002 through .2966 shall be separated from such property line by a sight-obscuring fence with height and materials suitable to meet the requirements of subsection MCC .7850(A)(7).**

ANALYSIS:

The specific landscaping and screening requirements will be addressed in the Design Review phase of the project. Accordingly, I do find that this criteria can be met and that the appropriate level of review is to be provided in Design Review.

3. Comprehensive Plan Policies:

POLICY NO. 2, OFF-SITE EFFECTS.

THE COUNTY'S POLICY IS TO APPLY CONDITIONS TO ITS APPROVAL OF LAND USE ACTIONS WHERE IT IS NECESSARY TO:

- A. PROTECT THE PUBLIC FROM THE POTENTIALLY DELETERIOUS EFFECTS OF THE PROPOSED USE; OR**
B. FULFILL THE NEED FOR PUBLIC SERVICE DEMANDS CREATED BY THE PROPOSED USE.

ANALYSIS:

The addition of the proposed facilities do not generate any deleterious effects. The proposal makes it possible to improve Community Service provided by the grade school. The facilities as proposed do not add any capacity to the existing Riverdale School. Parking and internal circulation issues must be further addressed in the Design Review process in order to eliminate existing traffic and parking conditions that are potentially hazardous. Conditions of approval will be applied as appropriate to insure that the public is protected. Accordingly, I do find that this proposal fulfills a need for public service demand for schools

and it is possible to protect the public from potentially deleterious effects of the proposed use.

POLICY NO. 13, AIR, WATER AND NOISE QUALITY.

MULTNOMAH COUNTY, ... SUPPORTS EFFORTS TO IMPROVE AIR AND WATER QUALITY AND TO REDUCE NOISE LEVELS. ... FURTHERMORE, IT IS THE COUNTY'S POLICY TO REQUIRE, PRIOR TO APPROVAL OF A LEGISLATIVE OR QUASI-JUDICIAL ACTION, A STATEMENT FROM THE APPROPRIATE AGENCY THAT ALL STANDARDS CAN BE MET WITH RESPECT TO AIR QUALITY, WATER QUALITY, AND NOISE LEVELS.

ANALYSIS:

The addition of these facilities should have no effect on air pollution, water quality or neighborhood noise. The proposal does not increase student capacity at the school. The impacts to air and noise quality in this instance are negligible. The site is served by sewer and storm water discharge will be reviewed by Multnomah County in the Design Review process. Therefore, this proposal is receiving appropriate scrutiny from the applicable agencies in regards to water quality issues. Accordingly, I find that the provisions of Policy 13 have been met.

POLICY NO. 14, DEVELOPMENT LIMITATIONS

THE COUNTY'S POLICY IS TO DIRECT DEVELOPMENT AND LAND FORM ALTERATIONS AWAY FROM AREAS WITH DEVELOPMENT LIMITATIONS EXCEPT UPON A SHOWING THAT DESIGN AND CONSTRUCTION TECHNIQUES CAN MITIGATE ANY PUBLIC HARM OR ASSOCIATED PUBLIC COST, AND MITIGATE ANY ADVERSE EFFECTS TO SURROUNDING PERSONS OR PROPERTIES. DEVELOPMENT LIMITATION AREAS ARE THOSE WHICH HAVE ANY OF THE FOLLOWING CHARACTERISTICS:

- A. SLOPES EXCEEDING 20%;**
- B. SEVERE SOIL EROSION POTENTIAL;**
- C. LAND WITHIN THE 100 YEAR FLOOD PLAIN;**
- D. A HIGH SEASONAL WATER TABLE WITHIN 0-24 INCHES OF THE SURFACE FOR 3 OR MORE WEEKS OF THE YEAR;**
- E. A FRAGIPAN LESS THAN 30 INCHES FROM THE SURFACE;**
- F. LAND SUBJECT TO SLUMPING, EARTH SLIDES OR MOVEMENT.**

ANALYSIS:

Both the applicant and staff indicated that none of the development limitations listed above apply to this site. Any issues dealing with storm water run-off will be addressed in the Design Review process and final drainage plans must be approved by the City of Portland Bureau of Buildings, the agency Multnomah County contracts with to address these issues. Since it appears that there are

no specific development limitations applicable to this property, there are no specific measures and mitigation that will be required. General considerations regarding drainage and surface water run-off applicable to all proposals subject to Design Review will be considered at the Design Review process. Accordingly, I find that this proposal is consistent with this Comprehensive Plan policy.

POLICY NO. 19, COMMUNITY DESIGN:

THE COUNTY'S POLICY IS TO MAINTAIN A COMMUNITY DESIGN PROCESS WHICH:

- A. EVALUATES AND LOCATES DEVELOPMENT PROPOSALS IN TERMS OF SCALE AND RELATED COMMUNITY IMPACTS WITH THE OVERALL PURPOSE BEING A COMPLEMENTARY LAND USE PATTERN.**
- B. EVALUATES INDIVIDUAL PUBLIC AND PRIVATE DEVELOPMENTS FROM A FUNCTIONAL DESIGN PERSPECTIVE, CONSIDERING SUCH FACTORS AS PRIVACY, NOISE, LIGHTS, SIGNING, ACCESS, CIRCULATION, PARKING, PROVISIONS FOR THE HANDICAPPED AND CRIME PREVENTION TECHNIQUES.**
- C. MAINTAINS A DESIGN REVIEW PROCESS AS AN ADMINISTRATIVE PROCEDURE WITH AN APPEAL PROCESS, AND BASED ON PUBLISHED CRITERIA AND GUIDELINES. CRITERIA AND GUIDELINES SHALL BE DEVELOPED SPECIFICALLY FOR COMMERCIAL, INDUSTRIAL AND RESIDENTIAL DEVELOPMENTS.**
- D. ESTABLISHES CRITERIA AND STANDARDS FOR PRE-EXISTING USES, COMMENSURATE WITH THE SCALE OF THE NEW DEVELOPMENT PROPOSED.**
- E. EVALUATES INDIVIDUAL PUBLIC AND PRIVATE DEVELOPMENT ACCORDING TO DESIGN GUIDELINES IN THE APPLICABLE ADOPTED COMMUNITY PLAN.**

ANALYSIS:

Policy 19 is a general County policy which has been implemented through the adoption of a Design Review process. Accordingly, this application will be subject to Design Review and compliance with the requirements of Design Review approval will constitute compliance with this Comprehensive Plan provision.

POLICY NO. 31, COMMUNITY FACILITIES AND USES.

THE COUNTY'S POLICY IS TO:

- A. SUPPORT THE SITING AND DEVELOPMENT OF A FULL RANGE OF COMMUNITY FACILITIES AND SERVICES BY SUPPORTING THE LOCATION AND SCALING OF COMMUNITY FACILITIES AND USES MEETING THE NEEDS OF THE COMMUNITY AND REINFORCING COMMUNITY IDENTITY.**

- B. ENCOURAGE COMMUNITY FACILITIES SITING AND EXPANSION AT LOCATIONS REINFORCING ORDERLY AND TIMELY DEVELOPMENT AND EFFICIENT PROVISION OF ALL PUBLIC SERVICES AND FACILITIES.
- C. ENCOURAGE LAND USE DEVELOPMENT WHICH SUPPORT THE EFFICIENT USE OF EXISTING AND PLANNED COMMUNITY FACILITIES.
- D. SUPPORT THE DEVELOPMENT OF A UNIFIED APPROACH TO LONG RANGE COMMUNITY FACILITIES PLANNING AND CAPITAL INVESTMENT PROGRAMMING IN MULTNOMAH COUNTY.
- E. CLASSIFY COMMUNITY FACILITIES ACCORDING TO THEIR FUNCTION AND SCALE OF OPERATIONS.
- F. LOCATE COMMUNITY FACILITIES ON SITES WITH AVERAGE SITE GRADES CONSISTENT WITH A PROJECT'S SCALE AND IMPACTS. SITE SLOPE REQUIREMENTS BY SCALE ARE:

<u>SCALE</u>	<u>AVERAGE SITE SLOPE STANDARD</u>
MINOR COMMUNITY	10%

FOR SITES WITH AVERAGE SLOPES STEEPER THAN THE STANDARD THE DEVELOPER MUST BE ABLE TO DEMONSTRATE THAT THROUGH ENGINEERING TECHNIQUES ALL LIMITATIONS TO DEVELOPMENT AND THE PROVISION OF SERVICES CAN BE MITIGATED.

- G. SUPPORT THE LOCATION OF COMMUNITY FACILITIES ON EXISTING TRANSPORTATION SYSTEMS WITH VALUE CAPACITIES AND MODAL MIX SPLITS AVAILABLE AND APPROPRIATE TO SERVE PRESENT AND FUTURE SCALES OF OPERATION. VEHICULAR ACCESS REQUIREMENTS BY SCALE OF FACILITY ARE:

<u>SCALE</u>	<u>VEHICULAR ACCESS STANDARDS</u>
MINOR COMMUNITY	DIRECT ACCESS TO A COLLECTOR STREET AND NO ROUTING THROUGH LOCAL NEIGHBORHOOD STREETS. PUBLIC TRANSIT AVAILABLE WITHIN 1/4 MILE

- H. RESTRICT THE SITING OF COMMUNITY FACILITIES IN LOCATIONS WHERE SITE ACCESS WOULD CAUSE DANGEROUS INTERSECTIONS OR TRAFFIC CONGESTION CONSIDERING THE FOLLOWING:
 - 1. ROADWAY CAPACITIES.
 - 2. EXISTING AND PROJECTED TRAFFIC COUNTS.
 - 3. SPEED LIMITS.
 - 4. NUMBER OF TURNING POINTS.
- I. SUPPORT COMMUNITY FACILITIES SITING AND DEVELOPMENT AT SITES OF A SIZE WHICH CAN ACCOMMODATE THE PRESENT AND FUTURE USES AND IS OF A SHAPE WHICH ALLOWS FOR A SITE LAYOUT IN A MANNER WHICH MAXIMIZES USER CONVENIENCE,

ENERGY CONSERVATION, AND PEDESTRIAN AND BICYCLE ACCESS TO AND WITHIN THE SITE.

- J. PROMOTE COMPATIBLE DEVELOPMENT AND MINIMIZE ADVERSE IMPACTS OF SITE DEVELOPMENT ON ADJACENT PROPERTIES AND THE COMMUNITY THROUGH THE APPLICATION OF DESIGN REVIEW STANDARDS CODIFIED IN MCC 11.05.7805-11.05.7865.**
- K. PROVIDE FOR THE SITING AND EXPANSION OF COMMUNITY FACILITIES IN A MANNER WHICH ACCORDS WITH THE OTHER APPLICABLE POLICIES OF THIS PLAN.**

ANALYSIS:

- A. The application proposes improvement of an existing grade school facility. The location and size of the facility is scaled to meet the needs of the community. The improvements to the facility will allow the school to better meet the educational needs of the community.
- B. The facility has been in place at its current location for 75 to 100 years. The location is central to the Riverdale community. All public services are currently available at the site.
- C. The proposed development will all occur on the subject site which is currently being used as a school. This approval will legitimize the entire subject site as a Community Service Use. This will enable the school to most efficiently use existing community facilities.
- D. The enhancement of educational opportunities at this existing facility is consistent with the development of the unified approach to long range community facilities planning and capital investment programming in Multnomah County.
- E. This facility is classified as a minor community facility in scale. And as a grade/middle school in type.
- F. It appears that this existing school is located on a site with average grades consistent with the project scale. Site slope requirements by scale do not appear to exceed 10%.
- G. This is an existing facility in a fully developed neighborhood. Transportation to and from the facility is available. The school is not currently located on a collector street. It is located along neighborhood streets. Breyman, however, is located only one block from Macadam Avenue, and Macadam is a State highway. The proposed additions should have little impact on the community at large and are proposed as additions to an existing facility. The Comprehensive Plan further provides that:

"It is intended that (these) locational criteria be construed in a flexible manner, in the interest of accommodating proposal which, though not strictly in conformance with the

applicable criteria, are found to be in the public interest and capable of harmonious integration into the community. The burden of proving conformance of a proposal to the plan should vary with the degree of change and impact on the community: The more drastic the change and the greater the impact, the more strictly the criteria should be construed."

The proposed additions result in no net gain in classroom capacity, and negligible increase in adverse traffic impacts. Accordingly, the siting criteria requiring location of the facility on a "collector street" will be construed in a flexible manner. As the facility is an existing school, the siting considerations with respect to roadway capacities, existing and projected traffic counts, speed limits, and turning points are not directly applicable. However, these issues should be further addressed in the Design Review process to ensure that the proposal does not result in hazardous conditions and that any existing conditions which are potentially hazardous be alleviated to the extent that is reasonably possible.

- H. The capacity of Breyman is adequate for the purpose of the school and neighborhood. Traffic at the school is intermittent and off-peak. The traffic entrances to the site are located away from the intersection of Breyman and Military Road. Since the proposed additions did not increase the capacity of the school, relatively little traffic impact is anticipated.
- I. The school is fully developed and additional expansion is not anticipated. The school is centrally located for the community and therefore provides efficient user convenience. The site currently provides covered bicycle parking facilities.
- J. Design Review standards will be applied. Other applicable provisions of the Comprehensive Plan are addressed elsewhere in this Opinion. Accordingly, I do find that this proposal meets the standards of Comprehensive Plan Policy 13.

POLICY NO. 33A, TRANSPORTATION SYSTEM:

THE COUNTY'S POLICY IS TO IMPLEMENT A BALANCED, SAFE AND EFFICIENT TRANSPORTATION SYSTEM. IN EVALUATING PARTS OF THE SYSTEM, THE COUNTY WILL SUPPORT PROPOSALS WHICH:

- A. IMPLEMENT THE COMPREHENSIVE PLAN;**
- B. BEST ACHIEVE THE OBJECTIVES OF THE SPECIFIC PROJECT;**
- C. PROTECT OR ENHANCE WATER AND AIR QUALITY AND REDUCE NOISE LEVELS;**

- D. PROTECT SOCIAL VALUES AND THE QUALITY OF NEIGHBORHOODS AND COMMUNITIES;
- E. SUPPORT ECONOMIC GROWTH;
- F. PROVIDE A SAFE, FUNCTIONAL AND CONVENIENT SYSTEM; AND
- G. PROVIDE OPTIMUM EFFICIENCY AND EFFECTIVENESS OF INVESTMENT.
- H. UPDATE AND REFINE THE BICYCLE CORRIDOR CONCEPT PLAN.

THE COUNTY WILL ALSO CONSIDER:

- I. EQUALITY OF ACCESS TO URBAN OPPORTUNITIES;
- J. THE DEGREE OF MOBILITY AVAILABLE TO ALL PEOPLE IN TERMS OF ALTERNATIVE TYPES OF TRANSPORTATION;
- K. ENERGY CONSERVATION AND EFFICIENCY;
- L. SYSTEM FLEXIBILITY;
- M. PEDESTRIAN CROSSING AND SAFETY; AND
- N. THE NEED FOR LANDSCAPING AND OTHER DESIGN TECHNIQUES NECESSARY FOR VISUAL ENHANCEMENT.

ANALYSIS:

The proposed improvements to the school facility would not result in any increase in student capacity. Accordingly, it is anticipated that the traffic impacts of the proposed development will be minimal. Some additional traffic impacts may be generated by the events to be held at the larger auditorium (gymnasium) facility. Concerns about the existing potential hazards relative to traffic safety and parking are issues that require further attention during the Design Review process.

The objectives of the project are to improve the quality of education at Riverdale School. The proposal will have negligible impact on water, air or noise quality. Riverdale School adds significantly to the social quality of the neighborhood. Good educational opportunities promote economic growth. The proposed improvements are designed to facilitate the educational environment of Riverdale School. This policy is a general policy that has been given appropriate consideration. The actual implementation of the policy in regards to a specific proposal can be accomplished through Design Review. Accordingly, I find that the proposal is generally consistent with this policy and that a condition should be imposed that would require applicant to comply with transportation improvements as required by the Multnomah County Transportation Division during the Design Review process.

POLICY 35, PUBLIC TRANSPORTATION.

THE COUNTY'S POLICY IS TO SUPPORT A SAFE, EFFICIENT AND CONVENIENT PUBLIC TRANSPORTATION SYSTEM BY:

*** * ***

- B. LOCATING POPULATION CONCENTRATIONS, COMMERCIAL CENTERS, EMPLOYMENT CENTERS, AND PUBLIC FACILITIES IN AREAS WHICH CAN BE SERVED BY PUBLIC TRANSPORTATION,**

ANALYSIS:

The Riverdale School is not currently located directly on a public transportation (Tri-Met) route. The nearest public transportation stop is located approximately one-quarter mile away on Macadam Avenue. The routes on Macadam include lines 35 and 36. These lines both have fifteen minute a.m. peak hour frequencies and 20 minute and 30 minute p.m. peak hour frequencies respectively. This site is served directly by school buses. This is an existing facility. I find that appropriate consideration has been given to this Comprehensive Plan policy.

POLICY NO. 36, TRANSPORTATION DEVELOPMENT REQUIREMENTS.

THE COUNTY'S POLICY IS TO INCREASE THE EFFICIENCY AND AESTHETIC QUALITY OF THE TRAFFICWAYS AND PUBLIC TRANSPORTATION BY REQUIRING:

- A. THE DEDICATION OF ADDITIONAL RIGHT-OF-WAY APPROPRIATE TO THE FUNCTIONAL CLASSIFICATION OF THE STREET GIVEN IN POLICY 34 AND CHAPTER 11.60.**
- B. THE NUMBER OF INGRESS AND EGRESS POINTS BE CONSOLIDATED THROUGH JOINT USE AGREEMENTS,**
- C. VEHICULAR AND TRUCK OFF-STREET PARKING AND LOADING AREAS**
...
- D. OFF-STREET BUS LOADING AREAS AND SHELTERS FOR RIDERS,**
- E. STREET TREES TO BE PLANTED,**
- F. A PEDESTRIAN CIRCULATION SYSTEM AS GIVEN IN THE SIDEWALK PROVISIONS, CHAPTER 11.60,**
- G. IMPLEMENTATION OF THE BICYCLE CORRIDOR CAPITAL IMPROVEMENTS PROGRAM,**
- H. BICYCLE PARKING FACILITIES AT BICYCLE AND PUBLIC TRANSPORTATION SECTIONS IN NEW COMMERCIAL, INDUSTRIAL AND BUSINESS DEVELOPMENT, AND**
- I. NEW STREETS IMPROVED TO COUNTY STANDARDS IN UNINCORPORATED COUNTY MAY BE DESIGNATED PUBLIC ACCESS ROADS AND MAINTAINED BY THE COUNTY UNTIL ANNEXED INTO A CITY, AS STATED IN ORDINANCE 313.**

ANALYSIS:

- A. It appears that the adjoining streets have the appropriate functional classification given the residential zoning of the area.
- B. The site has only two points of ingress/egress. These are located away from intersections and between existing buildings. The number of ingress and egress points currently are at a minimum.
- C. The applicant will be required to comply with the off-street requirements of the Zoning Ordinance as indicated earlier in this Opinion.
- D. There is currently no public transportation (Tri-Met) bus service directly to the site. Accordingly, it will not be possible to require the applicant to provide bus loading areas and shelter for riders of the Tri-Met system.
- E. The site is fully landscaped.
- F. The pedestrian circulation system is fully developed and currently in place. The sidewalks border Breyman Avenue.
- G. The site is not located on a bicycle corridor.
- H. This section is not applicable because this is not a commercial, industrial or business development.
- I. This section is not applicable because there are no new streets planned.

The provisions of Policy 36 have been given the appropriate level of consideration for this proceeding. As a condition of approval, the applicant shall be required to comply with any additional transportation improvements required by the Multnomah County Transportation Division in the Design Review process.

POLICY NO. 37, UTILITIES.

THE COUNTY'S POLICY IS TO REQUIRE A FINDING PRIOR TO APPROVAL OF A LEGISLATIVE OR QUASI-JUDICIAL ACTION THAT:

WATER AND DISPOSAL SYSTEM

- A. THE PROPOSED USE CAN BE CONNECTED TO A PUBLIC SEWER AND WATER SYSTEM, BOTH OF WHICH HAVE ADEQUATE CAPACITY; OR
- * * *

DRAINAGE

- E. THERE IS ADEQUATE CAPACITY IN THE STORM WATER SYSTEM TO HANDLE THE RUN-OFF; OR
- F. THE WATER RUN-OFF CAN BE HANDLED ON THE SITE OR ADEQUATE PROVISIONS CAN BE MADE; AND
- G. THE RUN-OFF FROM THE SITE WILL NOT ADVERSELY AFFECT THE WATER QUALITY IN ADJACENT STREAMS, PONDS, LAKES OR ALTER THE DRAINAGE ON ADJOINING LANDS.

ENERGY AND COMMUNICATIONS

- H. THERE IS AN ADEQUATE ENERGY SUPPLY TO HANDLE THE NEEDS OF THE PROPOSAL AND THE DEVELOPMENT LEVEL PROJECTED BY THE PLAN; AND
- I. COMMUNICATIONS FACILITIES ARE AVAILABLE.

FURTHERMORE, THE COUNTY'S POLICY IS TO CONTINUE COOPERATION WITH THE DEPARTMENT OF ENVIRONMENTAL QUALITY, FOR THE DEVELOPMENT AND IMPLEMENTATION OF A GROUNDWATER QUALITY PLAN TO MEET THE NEEDS OF THE COUNTY.

ANALYSIS:

The site is currently served by both public water and sewer. The new buildings will be connected to existing systems. Proof of availability of water and sewer service have been submitted with this application. Accordingly, I find that the proposed use can be connected to a public sewer and water system, both of which are of adequate capacity.

The applicant has indicated that it anticipates dealing with storm water mitigation on site. No impact on adjoining sites due to storm water is anticipated. John Dorst of the Multnomah County Transportation Department indicated that the County would be providing further review of the proposal to make sure that there would be no net increase in the amount of surface water run-off. Accordingly, I find that the water run-off can be handled on site or adequate provisions can be made to handle the run-off and that run-off from the site will not adversely affect or alter the drainage on adjoining lands.

Electrical and telephone utilities are currently available on site. The new buildings will be connected to existing or upgraded systems. Statements of service availability have been submitted with the application. Accordingly, I find that there is an adequate energy supply to handle the needs of the proposal and the development level projected by the plan and communications facilities are available.

POLICY NO. 38, FACILITIES.

THE COUNTY'S POLICY IS TO REQUIRE A FINDING PRIOR TO APPROVAL OF A LEGISLATIVE OR QUASI-JUDICIAL ACTION THAT:

SCHOOL

- A. THE APPROPRIATE SCHOOL DISTRICT HAS HAD AN OPPORTUNITY TO REVIEW AND COMMENT ON THE PROPOSAL.

FIRE PROTECTION

- B. THERE IS ADEQUATE WATER PRESSURE AND FLOW FOR FIRE FIGHTING PURPOSES; AND**
- C. THE APPROPRIATE FIRE DISTRICT HAS HAD AN OPPORTUNITY TO REVIEW AND COMMENT ON THE PROPOSAL.**

POLICE PROTECTION

- D. THE PROPOSAL CAN RECEIVE ADEQUATE LOCAL POLICE PROTECTION IN ACCORDANCE WITH THE STANDARDS OF THE JURISDICTION PROVIDING POLICE PROTECTION.**

ANALYSIS:

Service provider forms have been submitted to the County indicating that police and fire protection facilities are adequate to serve the proposed development. The Lake Oswego Fire Marshall has required that all new additions be sprinklered. The school district is the property owner and has strongly endorsed this proposal. As parking is proposed in some areas that are currently striped and marked "fire lane, no parking", a condition of approval will be imposed requiring applicant to provide a detailed plan for fire fighting access. The fire district will have an opportunity to approve said plan prior to final site plan approval during the Design Review process.

Accordingly, I find that the appropriate school district has had an opportunity to review and comment on the proposal. There is adequate water pressure and flow for fire fighting purposes. The appropriate fire district has had an opportunity to review and comment on the proposal. The proposal can receive adequate local police protection in accordance with the standards of the jurisdiction providing police protection.

POLICY NO. 40, DEVELOPMENT REQUIREMENTS.

THE COUNTY'S POLICY IS TO ENCOURAGE A CONNECTED PARK AND RECREATION SYSTEM AND TO PROVIDE FOR SMALL PRIVATE RECREATION AREAS BY REQUIRING A FINDING PRIOR TO APPROVAL OF LEGISLATIVE OR QUASI-JUDICIAL ACTION THAT:

- A. PEDESTRIAN AND BICYCLE PATH CONNECTIONS TO PARKS, RECREATION AREAS AND COMMUNITY FACILITIES WILL BE DEDICATED WHERE APPROPRIATE AND WHERE DESIGNATED IN THE BICYCLE CORRIDOR CAPITAL IMPROVEMENTS PROGRAM AND MAP.**

*** * ***

- C. AREAS FOR BICYCLE PARKING FACILITIES WILL BE REQUIRED IN DEVELOPMENT PROPOSALS, WHERE APPROPRIATE.**

ANALYSIS:

This facility currently provides a community use and bicycle parking is currently available on the site. A thorough analysis of transportation system impacts, including the need for additional pedestrian and/or bicycle facilities will be undertaken in the Design Review process. The applicant, as a condition of approval, will be required to comply with transportation improvements as required by the Multnomah County Transportation Division during Design Review. Accordingly, I find that Section A and C of Policy 40 relating to the park and recreation system has been given the appropriate level of consideration for this stage of the application process. Further consideration will be given to these issues during Design Review.

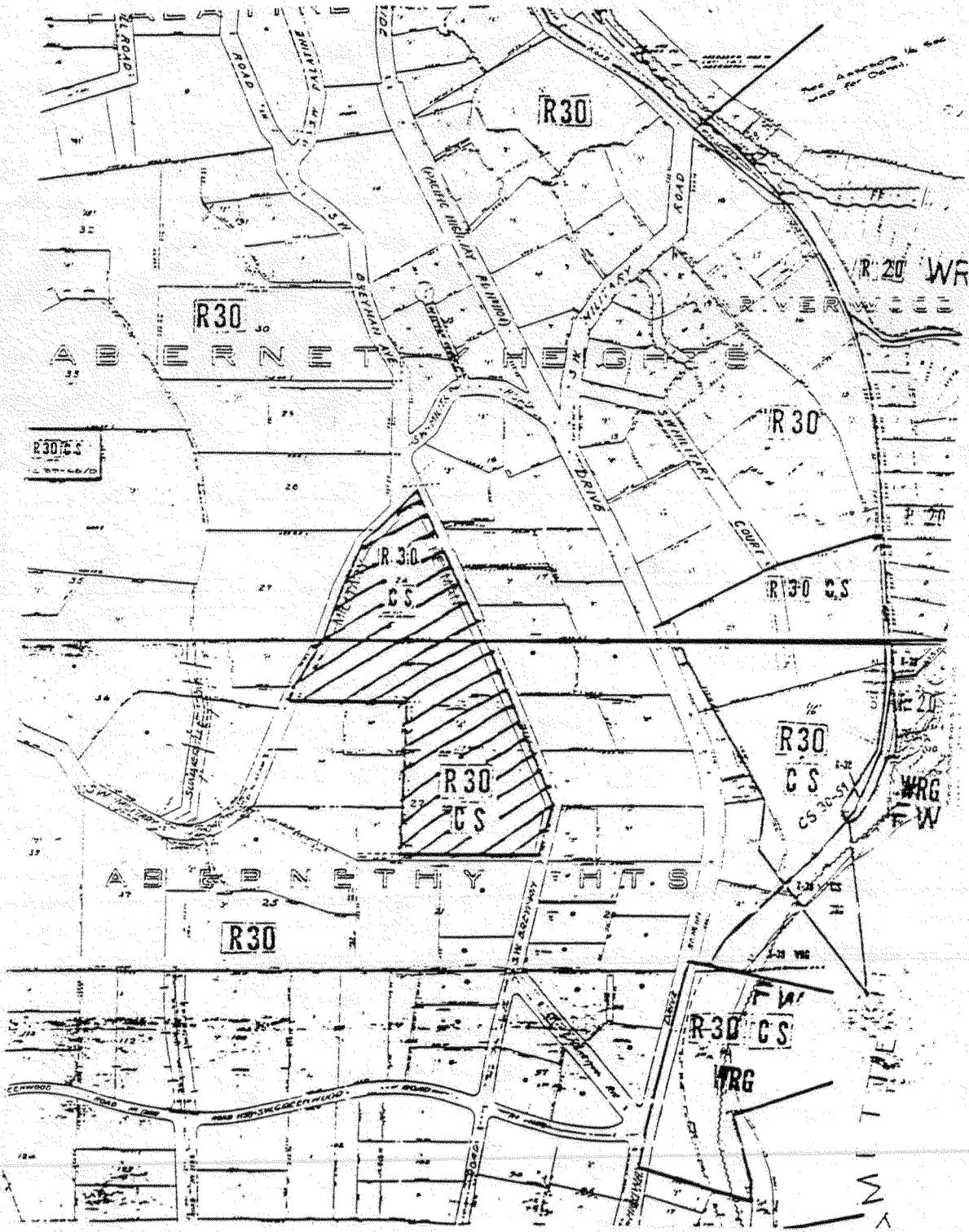
CONCLUSION

Based on the findings and the substantial evidence cited or referenced herein, I conclude that the application for the Community Service Use approval satisfies all applicable approval criteria provided that the conditions of approval are complied with. Accordingly, Community Service Use approval is hereby granted to the entire 8.6 acre subject site, subject to the conditions of approval contained herein.

IT IS SO ORDERED, this 9th day of February, 1996.



JOAN M. CHAMBERS, Hearings Officer



VICINITY MAP CS 5-95

MEETING DATE: FEB 29 1996

AGENDA #: R-2

ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Energy Efficiency Award Presentation

BOARD BRIEFING: DATE REQUESTED: _____

REQUESTED BY: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: February 29, 1996

AMOUNT OF TIME NEEDED: 5 Minutes

DEPARTMENT: DES

DIVISION: Facilities Management

CONTACT: F. Wayne George

TELEPHONE #: 248-3322

BLDG/ROOM #: 421/3

PERSON(S) MAKING PRESENTATION: Beverly Stein

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE:

Portland General Electric Power Smart Award Presentation for Energy Efficiency at the Multnomah County Justice Center.

BOARD OF
COUNTY COMMISSIONERS
96 FEB 20 AM 9:48
MULTNOMAH COUNTY
OREGON

SIGNATURES REQUIRED:

ELECTED OFFICIAL: 
(OR)
DEPARTMENT
MANAGER: _____

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Meeting Date: FEB 29 1996
Agenda No: R-3
Estimated Start time: 9:30

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Information Services Division: Improved Work Request Process

BOARD BRIEFING Date Requested: February 29, 1996

Requested by: _____

Amount of Time Needed: 10 minutes

REGULAR MEETING: Date Requested: _____

Amount of Time Needed: _____

DEPARTMENT: Dept. of Supp. Services DIVISION: Employee Services

CONTACT: Shery Stump, Training Manager TELEPHONE #: 248-5015, Ext. 2203

BLDG/ROOM #: 106/1430

PERSON(S) MAKING PRESENTATION: Bill Arnold, Elise Nicholson (ISD)

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE:

The Information Services Division Work Request team increased accountability and responsiveness in reporting work request status to customers. The team was facilitated by Bill Arnold and included both ISD employees and their customers.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

OR

DEPARTMENT MANAGER:  _____

BOARD OF
COUNTY COMMISSIONERS
96 FEB 16 PM 1:16
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

Information Services Division

PROBLEM STATEMENT

The work request process in ISS does not provide adequate reporting to customers about the status of work requests.

PROBLEM SITUATION

- Redundancy
- Wait Too Long for Information
- Inconsistent Reporting Methods

IMPROVEMENT GOALS

- Consistent Work Request Feedback
- Timely Work Request Feedback
- Customer Priority Setting
- Flexible, Easy to Use Reporting Process

BENEFITS

- Increased Accountability
- Increased Responsiveness
- Feedback in Short Timeframe
- Opportunity Cost Savings

RECOMMENDATIONS

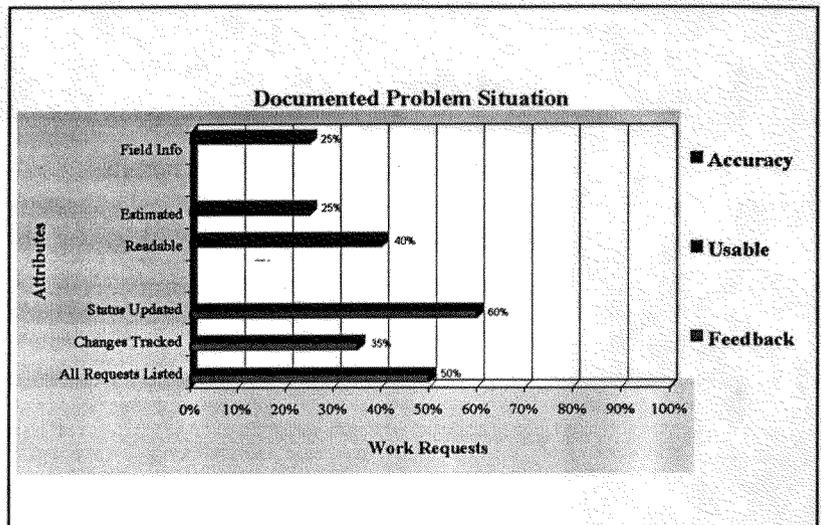
- Add Status Reporting as an ISD Key Result
- Replace the Pilot System with More Effective Software
 - Continue Pilot through 1/31/96
 - Requirements and cost new system by 3/31/96
 - Purchase System by 7/1/96
 - Install New System by 12/31/96

TEAM MEMBERS

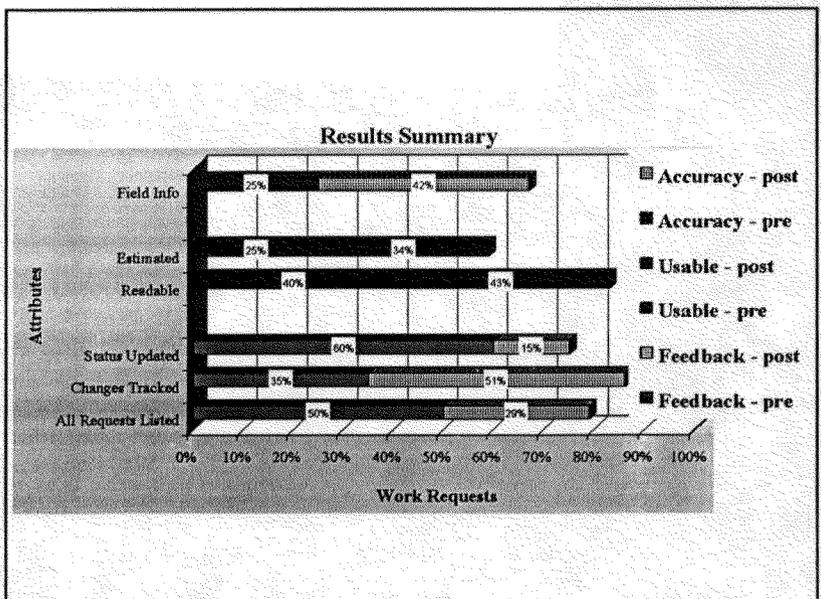
Jim Munz
 Elise Nicholson
 Bill Arnold
 Gail McKeel
 Robin Kirkman
 Janet Thompson
 Mary Ann Inglesby
 Gary Bartholomew

Sponsor
 Team Leader
 Quality Facilitator
 Programmer/Analyst
 Programmer/Analyst
 Customer - Finance
 Customer - MCSO
 Customer - A&T

DOCUMENTED PROBLEM



RESULTS SUMMARY



PLEASE PRINT LEGIBLY!

MEETING DATE 2/29/96

NAME JUDY ALLEY
ADDRESS 1740 SE 139th
STREET
PORTLAND 97233
CITY **ZIP**

I WISH TO SPEAK ON AGENDA ITEM NO. R-4
SUPPORT **OPPOSE**
SUBMIT TO BOARD CLERK

MEETING DATE: FEB 29 1996

AGENDA #: R-4

ESTIMATED START TIME: 9:40 am

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Hunger Awareness Month

BOARD BRIEFING: DATE REQUESTED: _____

REQUESTED BY: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: February 29, 1996

AMOUNT OF TIME NEEDED: 10 minutes

DEPARTMENT: BCC DIVISION: District 3

CONTACT: Michele Fuchs TELEPHONE #: 248-5217

BLDG/ROOM #: 106/1500

PERSON(S) MAKING PRESENTATION: Oregon Food Bank Representatives

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

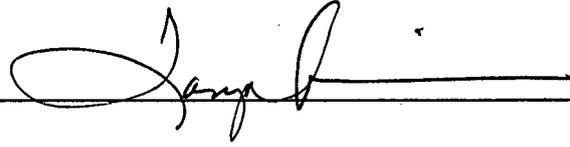
SUGGESTED AGENDA TITLE:

Proclaiming March 1996 Hunger Awareness Month

*2/29/96 ORIGINAL to USA Website of
OREGON FOOD BANK
3/5/96 COPY to Commissioner Collier*

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
96 FEB 22 AM 11:19

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 or 248-5222

Oregonians Fight Hunger



Hunger Hurts
the Whole Community.

Call 1-800-777-SHARE
to fight hunger today.

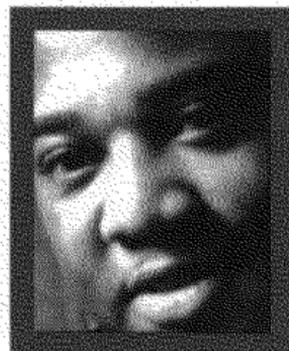
Photo © 1998 Annual Report

OREGONIANS

**Oregonians...
are hurt by hunger.**

Hunger hurts people.

People like Ray and his seven children. Although he works full-time, most of Ray's \$10-an-hour wages goes into renting a cramped two-bedroom house for his family. Or like Don, who's taking care of his wife with cancer on a monthly income of \$1,000. And then there's Beth, who's faced with losing medical benefits for her three children, one of whom is disabled. These are real people who've turned to the Oregon Food Bank network of hunger-relief agencies for help.



**Hunger hurts the
whole community.**

When neighbors, co-workers and their children are hungry, it hurts the whole community. Hunger hurts the proper development of children, it compromises the strength of our workforce and it undermines Oregon's livability.



PHOTOGRAPHY: © John Rizzo

**Hunger affects one out of seven people in
Oregon—and over half of them are children.**

The statewide
Oregonians Fight Hunger
Campaign is
presented by:



Cosponsored by:



FIGHT HUNGER

Here's How:

\$25 provides food for 6 families for 3-4 days.

\$50 distributes 450 pounds of food to agencies serving hungry people.

\$100 provides 3-5 days of emergency food to more than 68 individuals.

Make Your Donation Today:

- Call 1-800-777-SHARE.
- Mail your donation in this envelope.
- Drop your check off at any U.S. Bank or First Interstate Bank branch.

Call 1-800-777 SHARE to find out how you can get involved:

- Volunteer with the hunger-relief agency in your area.
- Schedule a speaker for your church, club, class or other groups.
- Start a workplace-giving campaign.

Help Create a
Community Solution to
a Community Problem—
Get Involved Today.





Oregonians
Fight Hunger.

OREGON FOOD BANK
2540 N.E. RIVERSIDE WAY
PORTLAND, OR 97211

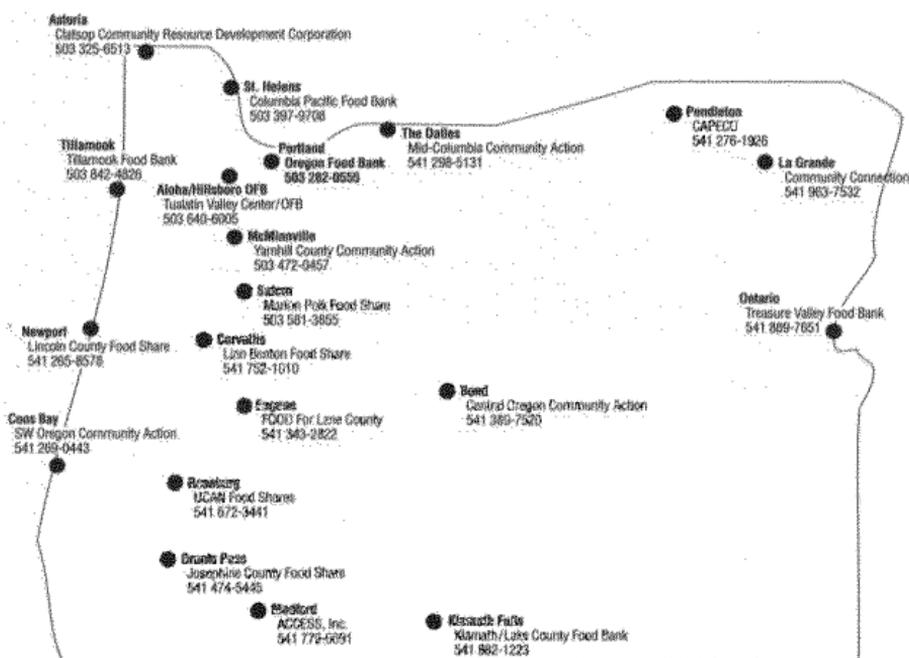
PLACE
STAMP
HERE

Call 1-800-777-SHARE to get involved today.



PHOTOGRAPHY: © John Kuzzo

Help create a community solution to a community problem.



The Oregon Food Bank network
distributes 20 million pounds of food
annually through 20 regional
coordinating agencies.

FIGHT HUNGER

And now federal hunger assistance has been cut by more than 80%.

Food provided by the Federal Emergency Food Assistance Program has been cut from 14 million pounds to 2.4 million pounds.

In response to federal cutbacks, the Oregon Food Bank network is finding new sources of food.

Many of these new foods are perishable, like fresh fish caught out of season or illegally, and prepared food from restaurants and cafeterias.

Free food isn't free.

Processing, storing and transporting perishable food that would otherwise go to waste costs money. Now, more than ever, the Oregon Food Bank network must turn to the community to help raise the money to pay these new costs.

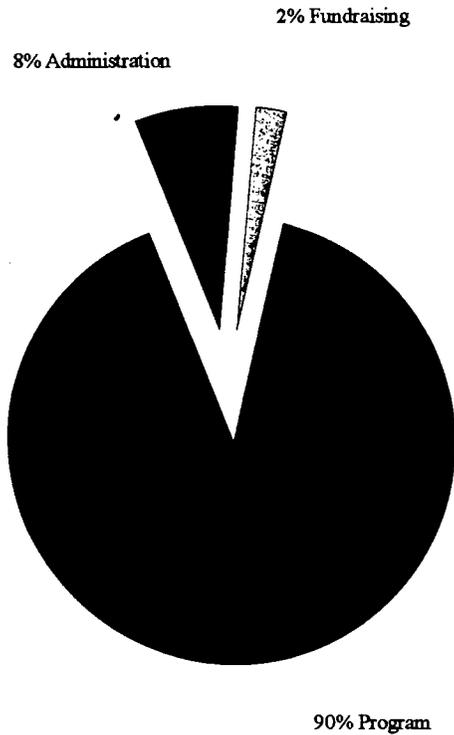
Public support in the past has been tremendous, but more is needed.

Community food drives raise over 3 million pounds of food each year—but that's only 15% of the food needed.

For every dollar donated, Oregon Food Bank can distribute 9 pounds of food.

Financial donations are urgently needed.

Without the funding to keep the distribution system going, donated food will go to waste or sit stacked in warehouses, unable to help feed hungry people in our communities.



Snow-Cap is a good steward of the gifts we receive. We keep administrative and fund-raising expenses low because we have so many volunteers. Generous donations of food and clothing help to keep our cash expenses low. We are a good investment for your charitable dollar!

Snow-Cap

SNOW-CAP

A PRIVATE COALITION
OF CHURCHES AND
COMMUNITY GROUPS
THAT CARES FOR NEEDY
FAMILIES IN EAST
COUNTY.



S N O W - C A P

HOW WE HELP

AS NEIGHBORS HELPING NEIGHBORS, OUR ASSISTANCE IS LIMITED TO PEOPLE LIVING IN EAST COUNTY. PROOF OF ADDRESS AND IDENTITY IS REQUIRED.

EMERGENCY FOOD BOXES: A WELL-BALANCED 3 DAY FOOD SUPPLY FOR THE WHOLE FAMILY.

CLOTHING IS FREE. WE ALSO GIVE LAYETTES TO NEWBORNS.

HOUSEHOLD SUPPLIES ARE AVAILABLE IN LIMITED QUANTITIES.

INFORMATION & REFERRAL IS A VITAL SERVICE. OUR VOLUNTEERS ARE EXPERIENCED NON-PROFESSIONALS. THEY ARE GOOD LISTENERS AND EXCELLENT PROBLEM-SOLVERS.

PRESCRIPTIONS ARE FILLED.

TRANSPORTATION ASSISTANCE IS AVAILABLE FOR JOBS AND MEDICAL APPOINTMENTS.

UTILITIES ARE PAID IF THERE ARE YOUNG CHILDREN IN THE HOME AND SHUT-OFF IS IMMINENT.

SNOW-CAP IS A VOLUNTEER, CHURCH-COMMUNITY, ACTION PROGRAM ORGANIZED TO PROVIDE FOOD, CLOTHING, AND ADVOCACY FOR THE POOR IN THE SPIRIT OF CHRISTIAN LOVE IN EAST MULTNOMAH COUNTY.

OUR SERVICES ARE AVAILABLE WITHOUT REGARD TO RACE, SEX, AGE, DISABILITY, RELIGION, OR NATIONAL ORIGIN.

BUSINESS OFFICE 252-0270
PO BOX 16656
PORTLAND, OR 97216

For Assistance Go To:

GRESHAM OFFICE 667-4300
507 W. POWELL
10-2 Mon thru Fri

MID-COUNTY OFFICE 252-0278
139TH & MILL
10-2 Mon thru Fri
6-8 PM Tuesday

HOW YOU CAN HELP

PRAY FOR OUR WORK.

VOLUNTEER YOUR TIME

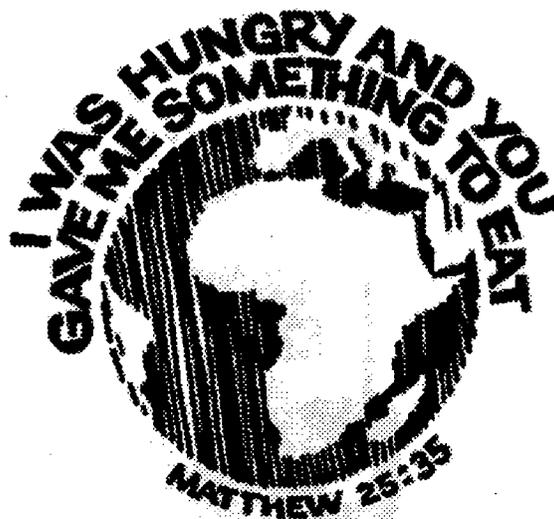
ORGANIZE A FOOD DRIVE

GIVE A BABY SHOWER FOR AN ANONYMOUS CHILD

DONATE FOOD

MAKE A FINANCIAL GIFT

CALL FOR MORE INFORMATION
252-0270





OREGON FOOD BANK LOCAL MEMBER AGENCIES
Multnomah County
February 20, 1996

AGENCY	CITY	TYPE
Adult Learning Systems, Inc. - Aspen House	Gresham	Group Home
African American Clergies	Portland	Youth
Albertina Kerr Center	Portland	Youth
All Saints Episcopal	Portland	Soup Kitchen
Alpha House	Portland	Group Home
Amanda Lee Transition House	Portland	Shelter-Other
American Red Cross Disaster Service	Portland	Red Cross
Arleta Baptist Children's Center	Portland	Day Care
Belmont School	Portland	Day Care
Bethphage Mission West, Inc.	Portland	Other
Boys & Girls Aid Society	Portland	Youth
Bradley-Angle House	Portland	Shelter-Other
Bridgeview Community	Portland	Group Home
Carpenters Food Bank	Portland	EFB/Pantry
De Paul Center	Portland	Rehab
EMO Addiction Recovery Association	Portland	Rehab
EMO HIV Day Center	Portland	Soup Kitchen
EMO Hopewell House	Portland	Group Home
EMO NE Emergency Food Program	Portland	EFB/Pantry
EMO Patton Home	Portland	Group Home
Esther's Pantry	Portland	EFB/Pantry
First Baptist Church	Portland	EFB/Pantry
First Baptist Church	Portland	Soup Kitchen
First Presbyterian Church	Portland	EFB/Pantry
FISH Emergency Services, Inc.	Portland	EFB/Pantry
Francis Center	Portland	EFB/Pantry
Friendly House, Inc.	Portland	EFB/Pantry
Good Samaritan Center	Portland	EFB/Pantry
Good Shepherd Lutheran Homes	Portland	Group Home
Gresham SDA Community Service Center	Gresham	EFB/Pantry
Happy Day Child Care Center	Portland	Day Care
Harmony House, Inc.	Portland	Rehab
Home Gardening Project	Portland	Other

AGENCY	CITY	TYPE
Hooper Memorial Detox Center	Portland	Rehab
Housing Our Families	Portland	Other
Insights Teen Parent Program	Portland	Youth
Janus Youth Programs	Portland	Youth
JYP Buckman House	Portland	Shelter-Other
JYP Clackamas House	Portland	Shelter-Other
JYP Garfield House	Portland	Shelter-Other
JYP Harry's Mother	Portland	Shelter-Other
JYP Horizon House	Portland	Shelter-Other
JYP Janus House	Portland	Youth
JYP Street Light Shelter	Portland	Shelter-Other
JYP Taylor House	Portland	Shelter-Other
JYP Willow Lane	Troutdale	Shelter-Other
Lambert House	Portland	Group Home
LIFE Center	Portland	EFB/Pantry
Loaves & Fishes	Portland	Seniors
Loaves & Fishes - Belmont	Portland	Seniors
Loaves & Fishes - Eastco	Portland	Seniors
Loaves & Fishes - Gresham	Gresham	Seniors
Loaves & Fishes - Hollywood	Portland	Seniors
Loaves & Fishes - University Park	Portland	Seniors
Mainstream Youth Program, Inc.	Portland	Youth
Metro Crisis Intervention Services	Portland	EFB/Pantry
MHSW Glisan Street House	Portland	Rehab
Mittleman Jewish Community Center	Portland	Group Home
Mt. Carmel Lutheran Church	Portland	Soup Kitchen
Multnomah Co. Animal Control	Troutdale	Animal
N.A.R.A. Northwest	Portland	Rehab
Neighborhood House	Portland	EFB/Pantry
Neighborhood House Children's Cntr	Portland	Day Care
New Hope Missionary Baptist	Portland	EFB/Pantry
Oregon Humane Society	Portland	Animal
Outside In	Portland	Day Care
Peer Support Network	Portland	Youth
Peninsula Childrens' Center	Portland	Day Care
Pet Pride Cats of Oregon	Portland	Animal
Portland Adventist Community Service	Portland	EFB/Pantry
Portland Campfire-Family Care Team	Portland	Youth
Portland Foursquare Church	Portland	Soup Kitchen
Portland House of Umoja, Inc.	Portland	Youth
Portland Metro Assembly of God	Portland	EFB/Pantry
Portland Metro Residential Services	Portland	Group Home

AGENCY	CITY	TYPE
Portland Peniel Mission	Portland	Soup Kitchen
Portland Progress House	Portland	Group Home
Portland Rescue Mission	Portland	Shelter-Homeless
Prince of Peace Lutheran Church	Portland	Soup Kitchen
Raphael House	Portland	Shelter-Other
Reach Center for Children, Inc.	Portland	Day Care
Rosemont Treatment Center & School, Inc.	Portland	Day Care
Salvation Army Rose Center for Seniors	Portland	Seniors
Salvation Army White Shield	Portland	Shelter-Other
Salvation Army-Adult Rehabilitation Cntr	Portland	Group Home
Salvation Army-Child Development Center	Portland	Day Care
Salvation Army-Family Services	Portland	EFB/Pantry
Salvation Army-Gresham	Gresham	EFB/Pantry
Salvation Army-Harbor Light	Portland	Soup Kitchen
Salvation Army-Moore St.	Portland	EFB/Pantry
Salvation Army-W. Womens & Childrens	Portland	Shelter-Other
Shepherd's Door	Portland	Shelter-Homeless
Sisters of the Road Cafe	Portland	Soup Kitchen
SNOW-CAP	Portland	EFB/Pantry
SNOW-CAP, Gresham	Gresham	EFB/Pantry
St. Francis Dining Hall	Portland	Soup Kitchen
Stay Clean, Inc.	Portland	Rehab
Street Ministry	Portland	EFB/Pantry
Street Ministry	Portland	Soup Kitchen
Sunnyside United Methodist	Portland	Soup Kitchen
SVDP All Saints	Portland	EFB/Pantry
SVDP Ascension	Portland	EFB/Pantry
SVDP Assumption	Portland	EFB/Pantry
SVDP Blessed Sacrament	Portland	EFB/Pantry
SVDP Holy Cross	Portland	EFB/Pantry
SVDP Holy Family	Portland	EFB/Pantry
SVDP Holy Redeemer	Portland	EFB/Pantry
SVDP Immaculate Heart	Portland	EFB/Pantry
SVDP Our Lady of Sorrows	Portland	EFB/Pantry
SVDP Portland Council	Portland	EFB/Pantry
SVDP Queen of Peace	Portland	EFB/Pantry
SVDP Sacred Heart	Portland	EFB/Pantry
SVDP St. Agatha	Portland	EFB/Pantry
SVDP St. Andrew	Portland	EFB/Pantry
SVDP St. Anne	Portland	EFB/Pantry
SVDP St. Anthony	Portland	EFB/Pantry
SVDP St. Charles	Portland	EFB/Pantry

AGENCY	CITY	TYPE
SVDP St. Francis of Assissi	Portland	EFB/Pantry
SVDP St. Henry	Gresham	EFB/Pantry
SVDP St. Ignatius	Portland	EFB/Pantry
SVDP St. Joseph	Portland	EFB/Pantry
SVDP St. Michael	Portland	EFB/Pantry
SVDP St. Peter	Portland	EFB/Pantry
SVDP St. Rita	Portland	EFB/Pantry
SVDP St. Rose	Portland	EFB/Pantry
SVDP St. Stephen	Portland	EFB/Pantry
SVDP St. Therese	Portland	EFB/Pantry
Teen Challenge Portland Metro Center	Portland	Youth
Union Gospel Ministries	Portland	Soup Kitchen
Up & Out - Hollywood House	Portland	Shelter-Other
Volunteers of Am.-Child Care Center	Portland	Day Care
Volunteers of Am.-Kletzer Hall	Portland	Shelter-Other
Volunteers of Am.-Womens Resid. Cntr	Portland	Shelter-Other
Volunteers of America - Central Kitchen	Portland	Other
Volunteers of America - Family Center	Portland	Other
Volunteers of America - Men's Residential	Portland	Shelter-Other
Volunteers of America - Parent Training	Portland	Other
We Care Outreach	Portland	EFB/Pantry
Wildwood Personal Initiatives	Portland	Group Home
William Temple House	Portland	EFB/Pantry
Yaun Youth Care	Portland	Youth
YMCA 'Schools Out' Northeast	Portland	Youth
YMCA 'Schools Out' Southeast	Portland	Youth
YMCA Y's Choice Program	Portland	Day Care
Youth Guidance Association	Portland	Youth
Youth Progress	Portland	Youth
YWCA-Downtown	Portland	Shelter-Other
Zaraphath Kitchen	Gresham	Soup Kitchen

Information on Multnomah County

Oregon Food Bank Network Service Statistics - July 1, 1994-June 30, 1995

Number of people (duplicated) receiving an emergency food box		230,452
Number of emergency food boxes distributed		81,637
Number of people (unduplicated) receiving an emergency food box (14% of population 1 in 7 people)		87,079
Children under 13 receiving an emergency food box		32,219
Children under 18 receiving an emergency food box		41,450
Number of emergency meals served		780,768
Number of volunteer hours		184,639
Agencies:		
Emergency food box agencies	47	
Emergency meal sites	16	
Shelters	4	
Supplemental meal site	59	
Humane Shelter	5	

Population/need statistics

1995 Population	626,500	
1990 persons below poverty line	74,885	(13.1% of 1990 population)
Oct. 1995 persons unemployed	13,700	(3.8% unemployment)
1994 ADC Persons Per 1,000	40.1	
1994 Food Stamp Recipients Per 1,000	107.8	
1992 Social Security Recipients Per 1,000	19.2	
1990 Economically Disadvantaged Per 1,000	170.8	

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

Proclaiming the Month of March, 1996 as)
Hunger Awareness Month in Multnomah) **PROCLAMATION**
County, Oregon.) 96-29

WHEREAS, last year more than 429,000 Oregon residents sought and received emergency food supplies from the Oregon Food Bank network; and

WHEREAS, hunger hurts the whole community; it harms the proper development of children, compromises the strength of our workforce and undermines Oregon's livability; and

WHEREAS, one in seven people in Oregon suffer from hunger; and

WHEREAS, although the Oregon Food Bank distributes over 20 million pounds of food through 20 regional coordinating agencies and 650 local member agencies, the problem remains unacceptably severe; and

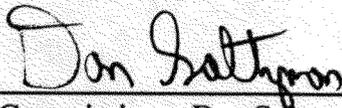
WHEREAS, the attention and assistance of all Oregonians is needed to bring help and hope to hungry people by eliminating hunger as a problem in our state; now therefore

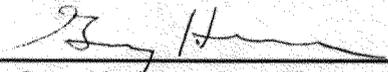
The Multnomah County Board of County Commissioners HEREBY PROCLAIMS March, 1996 as **HUNGER AWARENESS MONTH** in Multnomah County, Oregon and urges all citizens to fight hunger by joining Multnomah County and the Oregon Food Bank network in finding a community solution to a community problem.

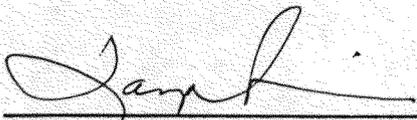
PROCLAIMED this 29th day of February, 1996.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair


Commissioner Dan Sartzman


Commissioner Gary Hansen


Commissioner Tanya Collier




Commissioner Sharron Kelley

MEETING DATE: 2/29/96

AGENDA #: R-5
ESTIMATED START TIME: 9:50 am

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Removal of Dedication to Cemetery Purposes - Skyline Memorial Gardens

BOARD BRIEFING: DATE REQUESTED: _____

REQUESTED BY: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: February 29, 1996

AMOUNT OF TIME NEEDED: 10 Minutes

DEPARTMENT: Non-Departmental DIVISION: Chair Beverly Stein

CONTACT: Matthew O. Ryan TELEPHONE #: 248-3138

BLDG/ROOM #: 106/1530

PERSON(S) MAKING PRESENTATION: Andrew J. Bowman, Perkins Coie

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE:

PUBLIC HEARING and Consideration of an ORDER Removing the Dedication to Cemetery Purposes for a Portion of Skyline Memorial Gardens Not Used for the Interment of Human Remains or Any Other Cemetery Purpose

3 copies certified true copies to Andrew Bowman, Deed Records, Robert Holden, Robert Ellis & Arnold Rocklin. Copies to Matthew Ryan & LAND USE PLANNING

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
(OR) DEPARTMENT MANAGER: _____

Beverly Stein

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
96 FEB 23 AM 8:49

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
1211 SOUTHWEST FIFTH AVENUE, SUITE 1500 · PORTLAND, OREGON 97204-1002
TELEPHONE: (503) 727-2000 · FACSIMILE: (503) 727-2222

ANDREW J. BOWMAN
(503) 727-2024

February 22, 1996

HAND DELIVERED

Ms. Deb Bogstad
Clerk of the Multnomah County
Board of Commissioners
Office of the Board Clerk
1120 S.W. Fifth Avenue, Suite 1510
Portland, OR 97204

**Re: Documents for February 29, 1996 Public Hearing Regarding
Removal of a Dedication to Cemetery Purposes for a Portion of
Skyline Memorial Gardens**

Dear Deb:

Please find enclosed documents for the Board in its consideration at the February 29, 1996 Board meeting of the request to remove the dedication to cemetery purposes for a portion of Skyline Memorial Gardens. The documents include:

- 1) A proposed order for the Board to adopt (with an exhibit of the legal description for the property from which the dedication will be removed). Please note that this order does not have Matt Ryan's signature, although he has verbally approved the language in the order. Please let me know if I need to make arrangements to obtain his signature.
- 2) A Memorandum describing the requested Board action and the process for removing a dedication to cemetery purposes that includes the following as exhibits:
 - a) the proposed order for the Board to adopt

[14531-0011/PA960530.027]

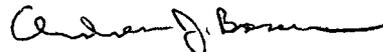
February 22, 1996
Page 2

- b) the legal description for the property from which the dedication will be removed
- c) a map of the property from which the dedication will be removed
- 3) The original of an affidavit of the General Manager of Skyline Memorial Gardens.
- 4) The original of an affidavit of the President of SCI Oregon Funeral Services, Inc.
- 5) The original of an affidavit of Andrew J. Bowman, as attorney for SCI Oregon Funeral Services, Inc.

As you will notice, my affidavit includes an exhibit consisting of color photos. Accordingly, I have enclosed ten color copies of that exhibit for your use in preparing the documents for the Board.

Thank you for your assistance in this matter. Please call me if you have any questions.

Very truly yours,



Andrew J. Bowman

AJB

EXHIBIT I

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

In the Matter of the Removal of the) **ORDER**
Dedication to Cemetery Purposes for a) **96-**
Portion of Skyline Memorial Gardens)

WHEREAS, ORS 97.440 allows for removal of a dedication of property to cemetery purposes by an order of the county commissioners of the county in which the property is situated; and

WHEREAS, the owner of Skyline Memorial Gardens Cemetery has formally requested the removal of the dedication to cemetery purposes for a portion of the cemetery; and

WHEREAS, ORS 97.440 requires that a public hearing be held prior to any such a removal of a dedication to cemetery purposes; and

WHEREAS, such a public hearing was held before the Multnomah County Board of Commissioners on February 29, 1996; and

WHEREAS, ORS 97.440 requires that notice of such hearing be given by publication once a week for at least four consecutive weeks in a newspaper of general circulation in the county where the cemetery is located and by posting copies of the notice in three conspicuous places on that portion of the property from which the dedication is to be removed; and

WHEREAS, ORS 97.440 requires that the notice of the public hearing (i) describe the portion of the cemetery property sought to be removed from dedication, (ii) state that all remains have been removed or that no interments have been made in the portion of the cemetery property sought to be removed from dedication, and (iii) specify the time and place of the hearing; and

WHEREAS, ORS 97.440 authorizes the board of county commissioners of the county in which the property is situated to issue an order removing the dedication to cemetery purposes for the portion of the cemetery property sought to be removed from dedication upon proof (i) that the portion of the property from which dedication is

sought to be removed is not being used for interment of human remains and (ii) that the requirements set forth at ORS 97.440 for notice of the public hearing have been satisfied; and

WHEREAS, the owner of Skyline Memorial Gardens Cemetery has met the requirements of ORS 97.440 in a manner satisfactory to the Board, now therefore

IT IS HEREBY ORDERED, pursuant to ORS 97.440, that the dedication to cemetery purposes be removed for that portion of Skyline Memorial Gardens Cemetery as described in Exhibit A attached hereto; and

IT IS FURTHER ORDERED that this Order removing the mentioned dedication to cemetery purposes be recorded in the Deed Records of Multnomah County, Oregon; and

BE IT FURTHER ORDERED that the County Surveyor and County Assessor are directed to file copies of the same as required by law.

ADOPTED this 29th day of February, 1996.

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

Beverly Stein, Chair

REVIEWED:

LAURENCE KRESSEL, County Counsel
for Multnomah County, Oregon

By: _____
Matthew O. Ryan
Assistant County Counsel

EXHIBIT A

THOSE PORTIONS OF THE PROPERTY DESCRIBED IN THE PLATS RECORDED IN THE RECORDS OF MULTNOMAH COUNTY, IN THE STATE OF OREGON, IN BOOK 1183, PAGE 42 ON FEBRUARY 18, 1952, NAMED "SKYLINE MEMORIAL GARDENS", AND BOOK 1185, PAGE 1 ON SEPTEMBER 16, 1953, NAMED "SKYLINE MEMORIAL GARDENS NO. 3", THAT ARE LOCATED WITHIN THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF THE WEST HALF OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 23; THENCE NORTH $02^{\circ} 18' 44''$ WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, A DISTANCE OF 1317.80 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH $89^{\circ} 50' 55''$ EAST ALONG SAID NORTH LINE A DISTANCE OF 584.86 FEET TO THE WESTERLY MARGIN LINE OF SKYLINE BOULEVARD, SAID POINT BEING ON A CURVE; THENCE EASTERLY AND SOUTHERLY ALONG SAID WESTERLY MARGIN LINE BEING A CURVE TO THE RIGHT HAVING A BACK TANGENT BEARING OF NORTH $18^{\circ} 55' 26''$ WEST, A RADIUS OF 256.50 FEET, A CENTRAL ANGLE OF $10^{\circ} 19' 17''$, AN ARC DISTANCE OF 47.70 FEET; THENCE CONTINUING SOUTH $8^{\circ} 16' 09''$ EAST ALONG SAID MARGIN LINE A DISTANCE OF 150.74 FEET TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHERLY AND EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO THE LEFT HAVING A RADIUS OF 234.60 FEET, A CENTRAL ANGLE OF $34^{\circ} 36' 00''$, AN ARC DISTANCE OF 141.67 FEET; THENCE CONTINUING SOUTH $42^{\circ} 52' 09''$ EAST ALONG SAID MARGIN LINE A DISTANCE OF 239.27 FEET TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHERLY AND EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO THE LEFT HAVING A RADIUS OF 746.30 FEET, A CENTRAL ANGLE OF $11^{\circ} 37' 41''$, AN ARC DISTANCE OF 151.46 FEET; THENCE LEAVING SAID WESTERLY MARGIN LINE SOUTH $46^{\circ} 29' 56''$ WEST A

DISTANCE OF 64.45 FEET;
THENCE SOUTH 45° 50' 47" WEST A DISTANCE OF 307.07 FEET;
THENCE SOUTH 37° 34' 22" WEST A DISTANCE OF 96.98 FEET;
THENCE SOUTH 50° 54' 50" WEST A DISTANCE OF 125.07 FEET;
THENCE SOUTH 22° 11' 37" WEST A DISTANCE OF 456.55 FEET;
THENCE SOUTH 00° 00' 00" EAST A DISTANCE OF 1173.61 FEET;
THENCE SOUTH 52° 17' 54" EAST A DISTANCE OF 105.35 FEET;
THENCE SOUTH 33° 10' 28" WEST A DISTANCE OF 105.72 FEET;
THENCE SOUTH 01° 02' 19" EAST A DISTANCE OF 68.12 FEET;
THENCE SOUTH 47° 35' 36" EAST A DISTANCE OF 76.06 FEET;
THENCE SOUTH 77° 24' 51" EAST A DISTANCE OF 95.13 FEET;
THENCE NORTH 76° 52' 18" EAST A DISTANCE OF 151.75 FEET;
THENCE SOUTH 73° 38' 43" EAST A DISTANCE OF 94.74 FEET;
THENCE SOUTH 83° 22' 52" EAST A DISTANCE OF 145.88 FEET;
THENCE NORTH 83° 53' 34" EAST A DISTANCE OF 177.58 FEET;
THENCE NORTH 70° 42' 46" EAST A DISTANCE OF 113.49 FEET;
THENCE SOUTH 79° 03' 52" EAST A DISTANCE OF 328.51 FEET;
THENCE NORTH 89° 14' 53" EAST A DISTANCE OF 87.97 FEET;
THENCE NORTH 51° 09' 18" EAST A DISTANCE OF 75.23 FEET;
THENCE NORTH 40° 20' 51" EAST A DISTANCE OF 71.81 FEET;
THENCE NORTH 32° 31' 16" EAST A DISTANCE OF 229.38 FEET;
THENCE NORTH 51° 14' 24" EAST A DISTANCE OF 95.43 FEET;
THENCE NORTH 86° 27' 48" EAST A DISTANCE OF 332.87 FEET;
THENCE NORTH 72° 38' 45" EAST A DISTANCE OF 121.62 FEET;
THENCE NORTH 68° 28' 45" EAST A DISTANCE OF 163.00 FEET;
THENCE NORTH 76° 20' 25" EAST A DISTANCE OF 91.10 FEET
TO THE WESTERLY MARGIN LINE OF SKYLINE BOULEVARD
AS IT EXISTS PER VACATION ORDINANCE NUMBER 3403,
DATED 5/27/63;

THENCE SOUTH 56° 08' 09" EAST ALONG SAID WESTERLY
MARGIN LINE A DISTANCE OF 64.27 FEET TO A POINT OF
CURVATURE; THENCE CONTINUING SOUTHERLY AND
EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO
THE LEFT, HAVING A RADIUS OF 326.50 FEET, A CENTRAL
ANGLE OF 25° 53' 03", AN ARC DISTANCE OF 147.50 FEET TO
THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID
SECTION 23; THENCE SOUTH 02° 52' 32" EAST ALONG SAID
EAST LINE, A DISTANCE OF 345.31 FEET TO THE SOUTHEAST
CORNER OF SKYLINE MEMORIAL GARDENS, AS RECORDED IN
BOOK 1183, PAGE 42; THENCE SOUTH 87° 40' 56" WEST ALONG

THE SOUTH LINE OF SAID SKYLINE MEMORIAL GARDENS, A DISTANCE OF 792.11 FEET TO THE NORTHEAST CORNER OF LINCOLN MEMORIAL PARK, AS RECORDED IN BOOK 1935, PAGE 161; THENCE SOUTH $02^{\circ} 21' 17''$ EAST ALONG THE EAST LINE OF SAID LINCOLN MEMORIAL PARK A DISTANCE OF 470.00 FEET TO THE SOUTHEAST CORNER OF SAID LINCOLN MEMORIAL PARK; THENCE SOUTH $87^{\circ} 40' 56''$ WEST ALONG THE SOUTH LINE OF SAID LINCOLN MEMORIAL PARK A DISTANCE OF 1633.00 FEET; THENCE NORTH $02^{\circ} 21' 17''$ WEST PARALLEL WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23 A DISTANCE OF 202.82 FEET TO A POINT WHICH BEARS SOUTH $47^{\circ} 19' 04''$ EAST FROM THE SOUTHWEST CORNER OF SKYLINE MEMORIAL GARDENS NO. 3, AS RECORDED IN BOOK 1185, PAGE 1; THENCE NORTH $47^{\circ} 19' 04''$ WEST A DISTANCE OF 377.84 FEET TO SAID SOUTHWEST CORNER, SAID CORNER BEING ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE NORTH $02^{\circ} 21' 17''$ WEST ALONG SAID WEST LINE A DISTANCE OF 1645.44 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO COVENANTS, RESTRICTIONS AND EASEMENTS OF RECORD.

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
1211 SOUTHWEST FIFTH AVENUE, SUITE 1500 · PORTLAND, OREGON 97204-1002
TELEPHONE: (503) 727-2000 · FACSIMILE: (503) 727-2222

MEMORANDUM

February 22, 1996

TO: Multnomah County Board of Commissioners

FROM: Andrew J. Bowman
Representing SCI Oregon Funeral Services, Inc.

RE: Request to Approve the Removal of the Dedication to Cemetery
Purposes for a Portion of Skyline Memorial Gardens

REQUESTED BOARD ACTION

The cemetery known as Skyline Memorial Gardens is owned by SCI Oregon Funeral Services, Inc. ("SCI"). SCI requests that the Board approve the removal of the dedication to cemetery purposes for a portion of Skyline Memorial Gardens.

SCI has provided a proposed order for the Board to approve the removal of the cemetery dedication. The order is attached to this Memorandum as Exhibit I. SCI requests that the Board adopt an order, in substantially the same form as the order attached, at its regular meeting to be held Thursday, February 29, 1996.

BACKGROUND

Skyline Memorial Gardens is located off Skyline Boulevard in the City of Portland and Multnomah County. A portion of the land in Skyline Memorial Gardens has been dedicated to cemetery purposes. Under Oregon law, land dedicated to cemetery purposes must be held and used exclusively for cemetery purposes unless and until the dedication is removed from all or any part of it.

SCI seeks to remove the dedication to cemetery purposes for approximately 18 acres of surplus land in Skyline Memorial Gardens. This portion has never been used for the interment of human remains, or for any other cemetery purpose, and is not platted for future burial sites. The map attached to this Memorandum as Exhibit II

illustrates the portion of the cemetery from which the dedication is sought to be removed.

PROCEDURE FOR REMOVING A DEDICATION TO CEMETERY PURPOSES

The procedure for removing a dedication to cemetery purposes is set forth at ORS 97.440. A dedication to cemetery purposes is removed by an order of the Board. The process for SCI to obtain such an order, as set forth at ORS 97.440, is as follows:

1. SCI initiates a proceeding before the Board to seek an order that the dedication be removed. This step was accomplished when the Board adopted Order 96-12 setting February 29, 1996, as the hearing date to consider the removal of the dedication.

2. Prior to the hearing, SCI must give notice of the hearing by publication once a week for at least four consecutive weeks in a newspaper of general circulation in Multnomah County and by posting copies of the notice in three conspicuous places on the portion of the property for which the dedication is to be removed. The notice must contain the following elements:

- a. A description of the portion of the cemetery property sought to be removed from dedication;
- b. A statement that all human remains have been removed or that no interments have been made in the portion of the cemetery property sought to be removed from dedication; and
- c. The specified time and place for the hearing as set by the Board.

At the hearing on February 29, SCI must establish that (a) these notice requirements have been met, and (b) the portion of the property from which dedication is sought to be removed is not being used for interment of human remains.

In satisfaction of these requirements, affidavits (attached to this Memorandum) have been provided by the President of SCI, the General Manager of Skyline Memorial Gardens, and Andrew J. Bowman, as attorney for SCI, that collectively state that a notice complying with the above requirements was published by SCI in *The Oregonian* on January 29, February 5, February 12, and February 19, as well as posted in three conspicuous places on the portion of the property from which the dedication is to be removed, beginning January 26. Furthermore, the General Manager's affidavit states that the portion of the property from which the dedication is sought to be removed is not being used for interment of human remains.

3. Once SCI has established that (a) the notice requirements have been met, and (b) the portion of the property from which the dedication is sought to be removed is not being used for interment of human remains, ORS 97.440 requires the Board to issue an order that the dedication be removed for the portion of Skyline Memorial Gardens.

CONCLUSION

SCI requests that the Board approve the removal of the cemetery dedication, by adopting an order, in substantially the same form as that attached as Exhibit I, at its regular meeting to be held Thursday, February 29, 1996.

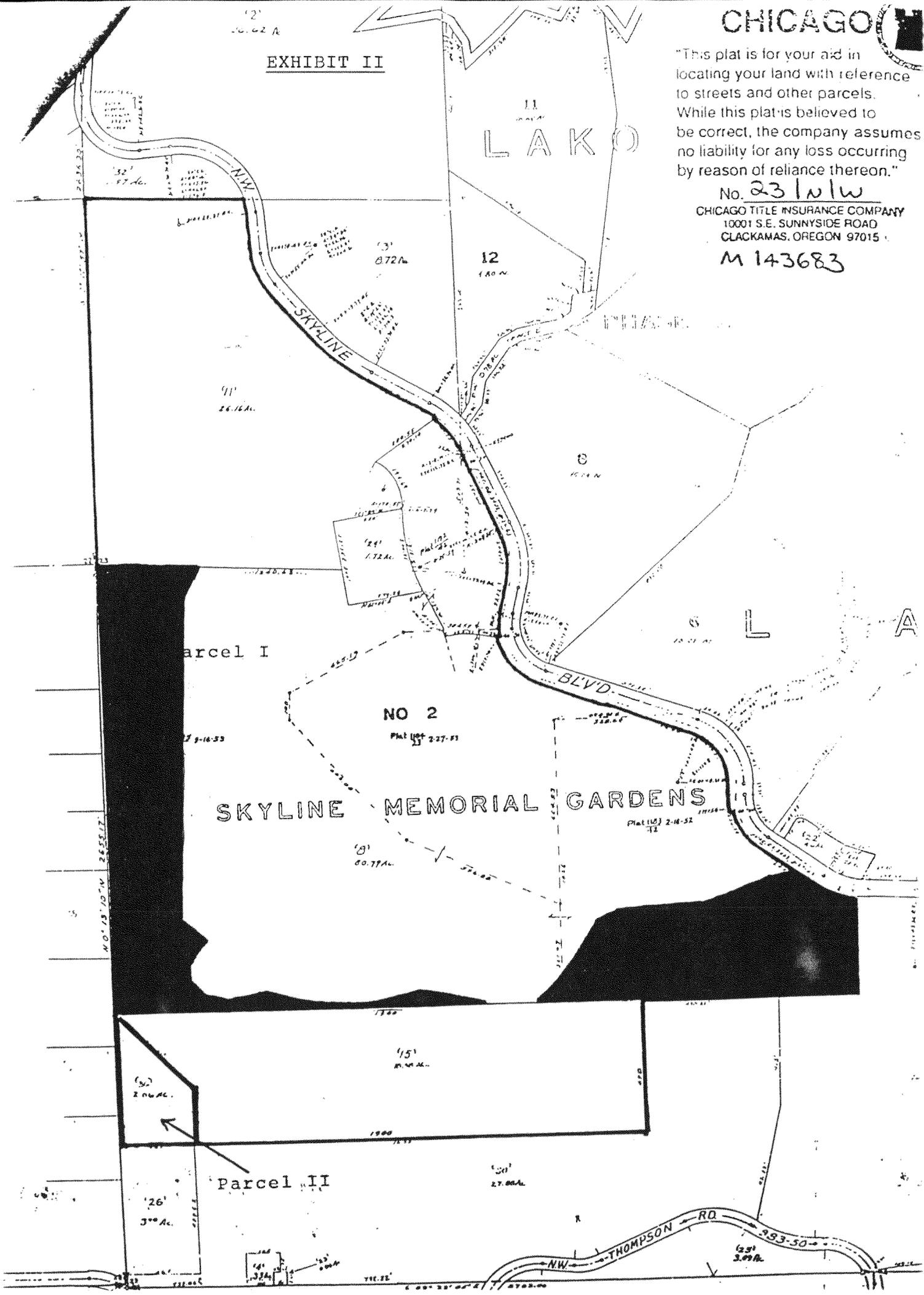


"This plat is for your aid in locating your land with reference to streets and other parcels. While this plat is believed to be correct, the company assumes no liability for any loss occurring by reason of reliance thereon."

No. 231w1w
CHICAGO TITLE INSURANCE COMPANY
10001 S.E. SUNNYSIDE ROAD
CLACKAMAS, OREGON 97015

M 143683

EXHIBIT II



BEFORE THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

In the Matter of the Removal of the Dedication to Cemetery Purposes for a Portion of Skyline Memorial Gardens

AFFIDAVIT OF THOMAS E. WEAVER JR. *[Signature]*

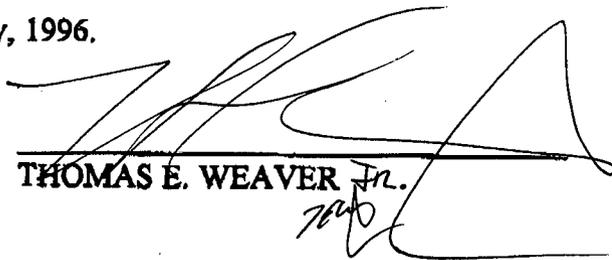
STATE OF Colorado)
) ss.
County of Jefferson)

I, Thomas E. Weaver, being first duly sworn, hereby state:

1. I am President of SCI Oregon Funeral Services, Inc., a corporation incorporated under the laws of the State of Oregon.
2. SCI Oregon Funeral Services, Inc., is the owner of Skyline Memorial Gardens Cemetery located in Multnomah County.
3. In accordance with ORS 97.440 and Order 96-12 of the Multnomah County Board of Commissioners, dated January 25, 1996, SCI Oregon Funeral Services, Inc., caused the notice attached hereto as Exhibit 1 to be published on January 29, February 5, February 12, and February 19 in *The Oregonian*, a newspaper of general circulation in Multnomah County, Oregon.
4. In accordance with ORS 97.440, SCI Oregon Funeral Services, Inc., caused the notice attached hereto as Exhibit 2 to be posted on January 26, 1996, in

three conspicuous places on that portion of the property from which the dedication is to be removed, as shown on Exhibit 3 attached hereto.

DATED this 21st day of February, 1996.


THOMAS E. WEAVER Jr.

SUBSCRIBED AND SWORN to before me this 21st day of February, 1996.

H. Marguerite Clark
H. Marguerite Clark
Notary Public for _____
My commission expires: 02-22-97

EXHIBIT 1**MULTNOMAH COUNTY, OREGON****NOTICE OF PUBLIC HEARING**

Public notice is hereby given that the Multnomah County Board of Commissioners will conduct a public hearing regarding the removal of a dedication to cemetery purposes for a portion of Skyline Memorial Gardens at 9:30 a.m., Thursday, February 29, 1996 in room 602 of the Multnomah County Courthouse, 1021 SW Fourth Avenue, Portland. No interments have been made in the portion of the cemetery property sought to be removed from dedication and described as follows:

THOSE PORTIONS OF THE PROPERTY DESCRIBED IN THE PLATS RECORDED IN THE RECORDS OF MULTNOMAH COUNTY, IN THE STATE OF OREGON, IN BOOK 1183, PAGE 42 ON FEBRUARY 18, 1952, AND BOOK 1185, PAGE 1 ON SEPTEMBER 16, 1953, THAT ARE LOCATED WITHIN THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF THE WEST HALF OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 23; THENCE NORTH 02° 18' 44" WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, A DISTANCE OF 1317.80 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH 89° 50' 55" EAST ALONG SAID NORTH LINE A DISTANCE OF 584.86 FEET TO THE WESTERLY MARGIN LINE OF SKYLINE BOULEVARD, SAID POINT BEING ON A CURVE; THENCE EASTERLY AND SOUTHERLY ALONG SAID WESTERLY MARGIN LINE BEING A CURVE TO THE RIGHT HAVING A BACK TANGENT BEARING OF NORTH 18° 55' 26" WEST, A RADIUS OF 256.50 FEET, A CENTRAL ANGLE OF 10° 19' 17", AN ARC DISTANCE OF 47.70 FEET; THENCE CONTINUING SOUTH 8° 16' 09" EAST ALONG SAID MARGIN LINE A DISTANCE OF 150.74 FEET TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHERLY AND EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO THE LEFT HAVING A RADIUS OF 234.60 FEET, A CENTRAL ANGLE OF 34° 36' 00", AN ARC DISTANCE OF

141.67 FEET; THENCE CONTINUING SOUTH 42° 52' 09" EAST ALONG SAID MARGIN LINE A DISTANCE OF 239.27 FEET TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHERLY AND EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO THE LEFT HAVING A RADIUS OF 746.30 FEET, A CENTRAL ANGLE OF 11° 37' 41", AN ARC DISTANCE OF 151.46 FEET; THENCE LEAVING SAID WESTERLY MARGIN LINE SOUTH 46° 29' 56" WEST A DISTANCE OF 64.45 FEET;
THENCE SOUTH 45° 50' 47" WEST A DISTANCE OF 307.07 FEET;
THENCE SOUTH 37° 34' 22" WEST A DISTANCE OF 96.98 FEET;
THENCE SOUTH 50° 54' 50" WEST A DISTANCE OF 125.07 FEET;
THENCE SOUTH 22° 11' 37" WEST A DISTANCE OF 456.55 FEET;
THENCE SOUTH 00° 00' 00" EAST A DISTANCE OF 1173.61 FEET;
THENCE SOUTH 52° 17' 54" EAST A DISTANCE OF 105.35 FEET;
THENCE SOUTH 33° 10' 28" WEST A DISTANCE OF 105.72 FEET;
THENCE SOUTH 01° 02' 19" EAST A DISTANCE OF 68.12 FEET;
THENCE SOUTH 47° 35' 36" EAST A DISTANCE OF 76.06 FEET;
THENCE SOUTH 77° 24' 51" EAST A DISTANCE OF 95.13 FEET;
THENCE NORTH 76° 52' 18" EAST A DISTANCE OF 151.75 FEET;
THENCE SOUTH 73° 38' 43" EAST A DISTANCE OF 94.74 FEET;
THENCE SOUTH 83° 22' 52" EAST A DISTANCE OF 145.88 FEET;
THENCE NORTH 83° 53' 34" EAST A DISTANCE OF 177.58 FEET;
THENCE NORTH 70° 42' 46" EAST A DISTANCE OF 113.49 FEET;
THENCE SOUTH 79° 03' 52" EAST A DISTANCE OF 328.51 FEET;
THENCE NORTH 89° 14' 53" EAST A DISTANCE OF 87.97 FEET;
THENCE NORTH 51° 09' 18" EAST A DISTANCE OF 75.23 FEET;
THENCE NORTH 40° 20' 51" EAST A DISTANCE OF 71.81 FEET;
THENCE NORTH 32° 31' 16" EAST A DISTANCE OF 229.38 FEET;
THENCE NORTH 51° 14' 24" EAST A DISTANCE OF 95.43 FEET;
THENCE NORTH 86° 27' 48" EAST A DISTANCE OF 332.87 FEET;
THENCE NORTH 72° 38' 45" EAST A DISTANCE OF 121.62 FEET;
THENCE NORTH 68° 28' 45" EAST A DISTANCE OF 163.00 FEET;
THENCE NORTH 76° 20' 25" EAST A DISTANCE OF 91.10 FEET TO THE WESTERLY MARGIN LINE OF SKYLINE BOULEVARD AS IT EXISTS PER VACATION ORDINANCE NUMBER 3403, DATED 5/27/63;

THENCE SOUTH 56° 08' 09" EAST ALONG SAID WESTERLY MARGIN LINE A DISTANCE OF 64.27 FEET TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHERLY AND EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO THE LEFT, HAVING A RADIUS OF 326.50 FEET, A CENTRAL ANGLE OF

25° 53' 03", AN ARC DISTANCE OF 147.50 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE SOUTH 02° 52' 32" EAST ALONG SAID EAST LINE, A DISTANCE OF 345.31 FEET TO THE SOUTHEAST CORNER OF SKYLINE MEMORIAL GARDENS, AS RECORDED IN BOOK 1183, PAGE 42; THENCE SOUTH 87° 40' 56" WEST ALONG THE SOUTH LINE OF SAID SKYLINE MEMORIAL GARDENS, A DISTANCE OF 792.11 FEET TO THE NORTHEAST CORNER OF LINCOLN MEMORIAL PARK, AS RECORDED IN BOOK 1935, PAGE 161; THENCE SOUTH 02° 21' 17" EAST ALONG THE EAST LINE OF SAID LINCOLN MEMORIAL PARK A DISTANCE OF 470.00 FEET TO THE SOUTHEAST CORNER OF SAID LINCOLN MEMORIAL PARK; THENCE SOUTH 87° 40' 56" WEST ALONG THE SOUTH LINE OF SAID LINCOLN MEMORIAL PARK A DISTANCE OF 1633.00 FEET; THENCE NORTH 02° 21' 17" WEST PARALLEL WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23 A DISTANCE OF 202.82 FEET TO A POINT WHICH BEARS SOUTH 47° 19' 04" EAST FROM THE SOUTHWEST CORNER OF SKYLINE MEMORIAL GARDENS NO. 3, AS RECORDED IN BOOK 1185, PAGE 1; THENCE NORTH 47° 19' 04" WEST A DISTANCE OF 377.84 FEET TO SAID SOUTHWEST CORNER, SAID CORNER BEING ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE NORTH 02° 21' 17" WEST ALONG SAID WEST LINE A DISTANCE OF 1645.44 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO COVENANTS, RESTRICTIONS AND EASEMENTS OF RECORD.

EXHIBIT 2

MULTNOMAH COUNTY, OREGON

NOTICE OF PUBLIC HEARING

Public notice is hereby given that the Multnomah County Board of Commissioners will conduct a public hearing regarding the removal of a dedication to cemetery purposes for a portion of Skyline Memorial Gardens at 9:30 a.m., Thursday, February 29, 1996 in room 602 of the Multnomah County Courthouse, 1021 SW Fourth Avenue, Portland. No interments have been made in the portion of the cemetery property sought to be removed from dedication and described as follows:

THOSE PORTIONS OF THE PROPERTY DESCRIBED IN THE PLATS RECORDED IN THE RECORDS OF MULTNOMAH COUNTY, IN THE STATE OF OREGON, IN BOOK 1183, PAGE 42 ON FEBRUARY 18, 1932, AND BOOK 1185, PAGE 1 ON SEPTEMBER 16, 1933, THAT ARE LOCATED WITHIN THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF THE WEST HALF OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 23; THENCE NORTH 02° 18' 44" WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, A DISTANCE OF 1317.80 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH 89° 50' 55" EAST ALONG SAID NORTH LINE A DISTANCE OF 384.86 FEET TO THE WESTERLY MARGIN LINE OF SKYLINE BOULEVARD, SAID POINT BEING ON A CURVE; THENCE EASTERLY AND SOUTHERLY ALONG SAID WESTERLY MARGIN LINE BEING A CURVE TO THE RIGHT HAVING A BACK TANGENT BEARING OF NORTH 18° 55' 26" WEST, A RADIUS OF 256.50 FEET, A CENTRAL ANGLE OF 10° 19' 17", AN ARC DISTANCE OF 47.70 FEET; THENCE CONTINUING SOUTH 8° 16' 09" EAST ALONG SAID MARGIN LINE A DISTANCE OF 150.74 FEET TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHERLY AND EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO THE LEFT HAVING A RADIUS OF 234.60 FEET, A CENTRAL ANGLE OF 34° 36' 00", AN ARC DISTANCE OF 141.67 FEET; THENCE CONTINUING SOUTH 42° 52' 09" EAST ALONG SAID MARGIN LINE A DISTANCE OF 239.27 FEET TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHERLY AND EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO THE LEFT HAVING A RADIUS OF 746.30 FEET, A CENTRAL ANGLE OF 11° 37' 41", AN ARC DISTANCE OF 151.46 FEET; THENCE LEAVING SAID WESTERLY MARGIN LINE SOUTH 46° 29' 56" WEST A DISTANCE OF 64.45 FEET; THENCE SOUTH 45° 50' 47" WEST A DISTANCE OF 307.07 FEET; THENCE SOUTH 37° 34' 22" WEST A DISTANCE OF 96.98 FEET; THENCE SOUTH 50° 54' 50" WEST A DISTANCE OF 125.07 FEET; THENCE SOUTH 22° 11' 37" WEST A DISTANCE OF 456.55 FEET; THENCE SOUTH 00° 00' 00" EAST A DISTANCE OF 1173.61 FEET; THENCE SOUTH 52° 17' 54" EAST A DISTANCE OF 105.35 FEET; THENCE SOUTH 33° 10' 28" WEST A DISTANCE OF 105.72 FEET; THENCE SOUTH 01° 02' 19" EAST A DISTANCE OF 68.12 FEET; THENCE SOUTH 47° 35' 36" EAST A DISTANCE OF 76.06 FEET; THENCE SOUTH 77° 24' 51" EAST A DISTANCE OF 95.13 FEET; THENCE NORTH 76° 52' 18" EAST A DISTANCE OF 151.75 FEET; THENCE SOUTH 73° 38' 43" EAST A DISTANCE OF 94.74 FEET; THENCE SOUTH 83° 22' 52" EAST A DISTANCE OF 145.88 FEET; THENCE NORTH 83° 53' 34" EAST A DISTANCE OF 177.58 FEET; THENCE NORTH 70° 42' 46" EAST A DISTANCE OF 113.49 FEET; THENCE SOUTH 79° 03' 52" EAST A DISTANCE OF 328.51 FEET; THENCE NORTH 89° 14' 53" EAST A DISTANCE OF 87.97 FEET; THENCE NORTH 51° 09' 18" EAST A DISTANCE OF 75.23 FEET; THENCE NORTH 40° 20' 51" EAST A DISTANCE OF 71.81 FEET; THENCE NORTH 32° 31' 16" EAST A DISTANCE OF 229.38 FEET; THENCE NORTH 51° 14' 24" EAST A DISTANCE OF 95.43 FEET; THENCE NORTH 86° 27' 48" EAST A DISTANCE OF 332.87 FEET; THENCE NORTH 72° 38' 45" EAST A DISTANCE OF 121.62 FEET; THENCE NORTH 68° 28' 43" EAST A DISTANCE OF 163.00 FEET; THENCE NORTH 76° 20' 25" EAST A DISTANCE OF 91.10 FEET TO THE WESTERLY MARGIN LINE OF SKYLINE BOULEVARD AS IT EXISTS PER VACATION ORDINANCE NUMBER 3403, DATED 5/27/63;

THENCE SOUTH 56° 08' 09" EAST ALONG SAID WESTERLY MARGIN LINE A DISTANCE OF 64.27 FEET TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHERLY AND EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO THE LEFT, HAVING A RADIUS OF 326.50 FEET, A CENTRAL ANGLE OF 25° 53' 03", AN ARC DISTANCE OF 147.50 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE SOUTH 02° 52' 32" EAST ALONG SAID EAST LINE, A DISTANCE OF 345.31 FEET TO THE SOUTHEAST CORNER OF SKYLINE MEMORIAL GARDENS, AS RECORDED IN BOOK 1183, PAGE 42; THENCE SOUTH 87° 40' 56" WEST ALONG THE SOUTH LINE OF SAID SKYLINE MEMORIAL GARDENS, A DISTANCE OF 792.11 FEET TO THE NORTHEAST CORNER OF LINCOLN MEMORIAL PARK, AS RECORDED IN BOOK 1935, PAGE 161; THENCE SOUTH 02° 21' 17" EAST ALONG THE EAST LINE OF SAID LINCOLN MEMORIAL PARK A DISTANCE OF 470.00 FEET TO THE SOUTHEAST CORNER OF SAID LINCOLN MEMORIAL PARK; THENCE SOUTH 87° 40' 56" WEST ALONG THE SOUTH LINE OF SAID LINCOLN MEMORIAL PARK A DISTANCE OF 1633.00 FEET; THENCE NORTH 02° 21' 17" WEST PARALLEL WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23 A DISTANCE OF 202.82 FEET TO A POINT WHICH BEARS SOUTH 47° 19' 04" EAST FROM THE SOUTHWEST CORNER OF SKYLINE MEMORIAL GARDENS NO. 3, AS RECORDED IN BOOK 1185, PAGE 1; THENCE NORTH 47° 19' 04" WEST A DISTANCE OF 377.84 FEET TO SAID SOUTHWEST CORNER, SAID CORNER BEING ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE NORTH 02° 21' 17" WEST ALONG SAID WEST LINE A DISTANCE OF 1645.44 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO COVENANTS, RESTRICTIONS AND EASEMENTS OF RECORD.

MAP OF SKYLINE MEMORIAL GARDENS

THE SHADED AREAS DENOTE THE PROPERTY FOR WHICH THE REMOVAL OF A DEDICATION TO CEMETERY PURPOSES PURPOSES IS PROPOSED

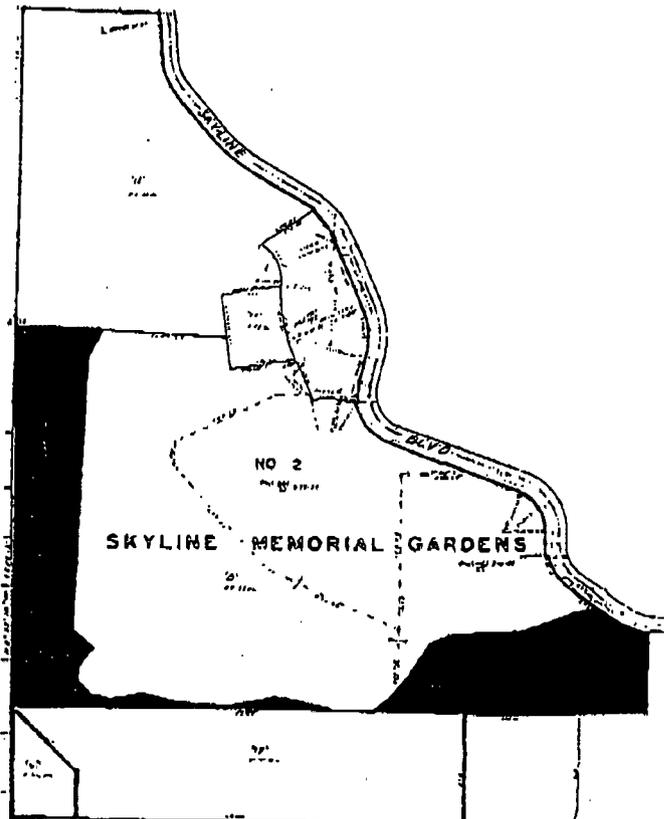


EXHIBIT 3

Skylines

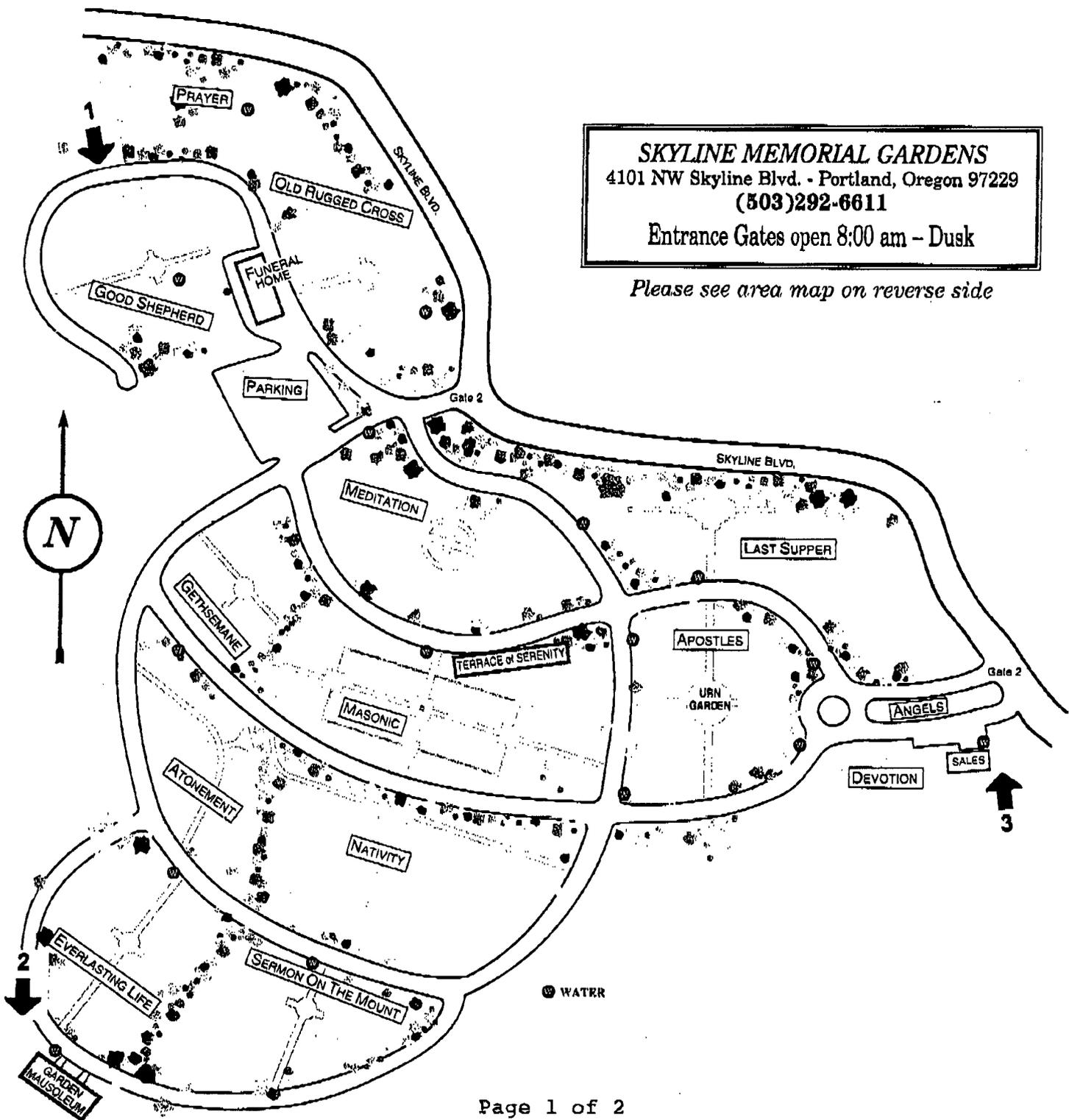
MEMORIAL GARDENS & FUNERAL HOME

PRE-ARRANGEMENTS

FUNERAL HOME

CEMETERY

CREMATION

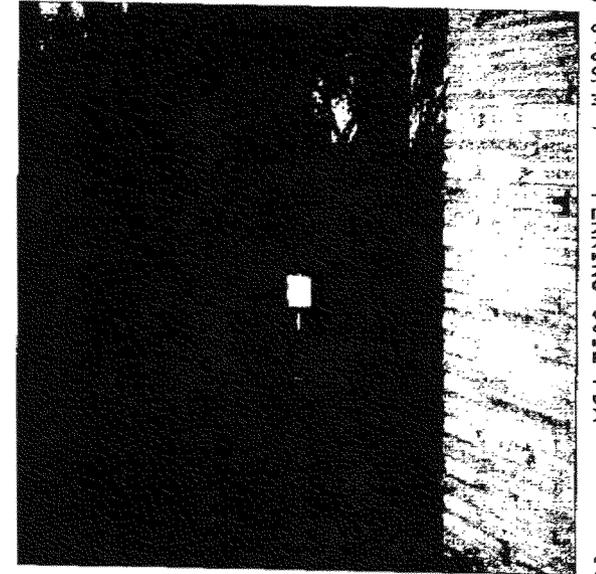
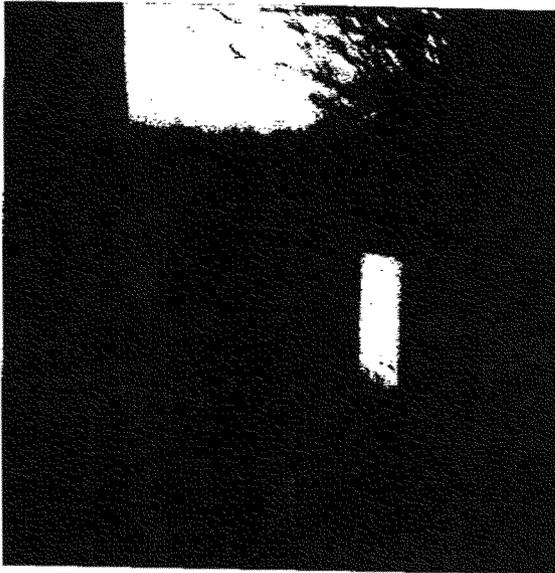
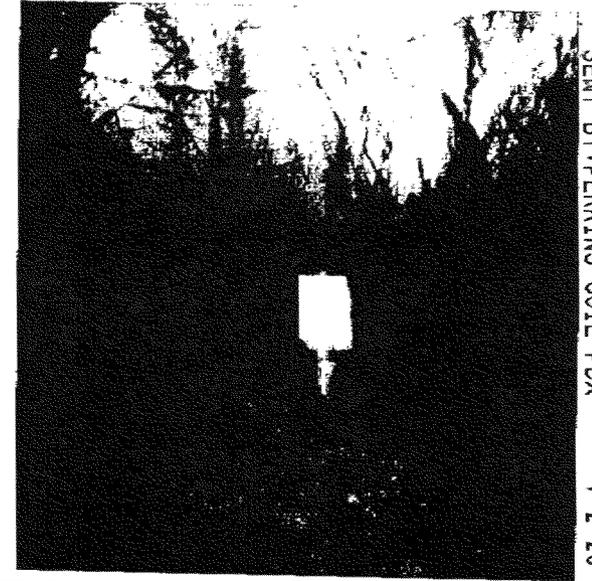
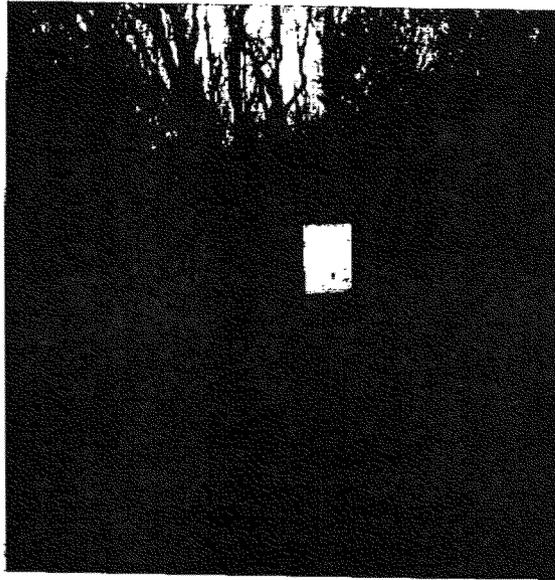
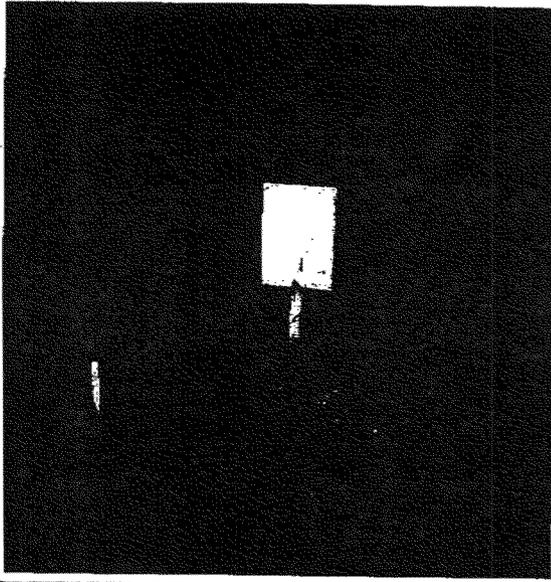


SKYLINE MEMORIAL GARDENS
 4101 NW Skyline Blvd. - Portland, Oregon 97229
 (503)292-6611
 Entrance Gates open 8:00 am - Dusk

Please see area map on reverse side

NOTE

Please note that a color version of the following page is included as page 2 of Exhibit 3 to the Affidavit of Andrew J. Bowman.



1. Near Funeral Home

2. Adjacent to Garden Mausoleum

3. Adjacent to Sales Office

BEFORE THE MULTNOMAH COUNTY BOARD OF
COMMISSIONERS

In the Matter of the Removal of the
Dedication to Cemetery Purposes for a
Portion of Skyline Memorial Gardens

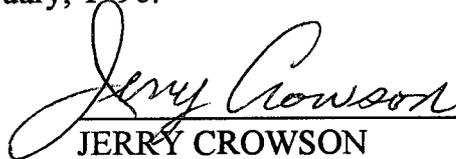
AFFIDAVIT OF JERRY CROWSON

STATE OF OREGON)
) ss.
County of Multnomah)

I, Jerry Crowson, being first duly sworn, hereby state:

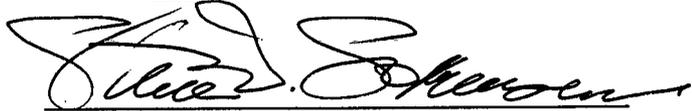
1. I am the General Manager of Skyline Memorial Gardens Cemetery.
2. The property from which the dedication is sought to be removed is not being used for interment of human remains.

DATED this 21 day of February, 1996.

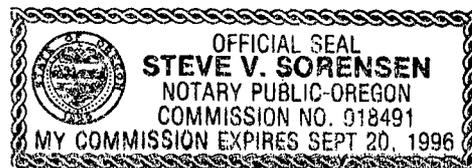


JERRY CROWSON

SUBSCRIBED AND SWORN to before me this 21st day of February, 1996.



Notary Public for Oregon
My commission expires: Sept. 20, 1996



BEFORE THE MULTNOMAH COUNTY BOARD OF
COMMISSIONERS

In the Matter of the Removal of the
Dedication to Cemetery Purposes for a
Portion of Skyline Memorial Gardens

AFFIDAVIT OF ANDREW J.
BOWMAN

STATE OF OREGON)
) ss.
County of Multnomah)

I, Andrew J. Bowman, being first duly sworn, hereby state:

1. I am admitted to practice law in the State of Oregon and am an attorney in good standing in that jurisdiction.

2. As an attorney with the law firm Perkins Coie, I represent SCI Oregon Funeral Services, Inc.

3. In accordance with ORS 97.440 and Order 96-12 of the Multnomah County Board of Commissioners, dated January 25, 1996, and on behalf of SCI Oregon Funeral Services, Inc., I caused the notice attached hereto as Exhibit 1 to be published on January 29, February 5, February 12, and February 19 in *The Oregonian*, a newspaper of general circulation in Multnomah County, Oregon.

4. In accordance with ORS 97.440, and on behalf of SCI Oregon Funeral Services, Inc., I caused the notice attached hereto as Exhibit 2 to be posted on January 26, 1996, in three conspicuous places on that portion of the property from which the dedication is to be removed, as shown on Exhibit 3 attached hereto.

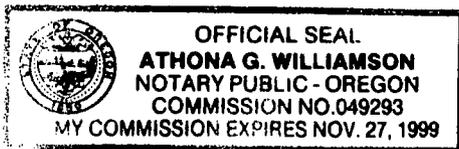
5. On January 26, 1996, I supervised the posting of notices in three conspicuous places on that portion of the property from which the dedication is to be

removed and took those photographs of such notices as shown at page 2 of Exhibit 3 attached hereto.

DATED this 21st day of February, 1996.

Andrew J. Bowman
ANDREW J. BOWMAN

SUBSCRIBED AND SWORN to before me this 21st day of February, 1996.



Athona G. Williamson
Notary Public for Oregon
My commission expires: 11-27-99

EXHIBIT 1

MULTNOMAH COUNTY, OREGON

NOTICE OF PUBLIC HEARING

Public notice is hereby given that the Multnomah County Board of Commissioners will conduct a public hearing regarding the removal of a dedication to cemetery purposes for a portion of Skyline Memorial Gardens at **9:30 a.m., Thursday, February 29, 1996 in room 602 of the Multnomah County Courthouse, 1021 SW Fourth Avenue, Portland.** No interments have been made in the portion of the cemetery property sought to be removed from dedication and described as follows:

THOSE PORTIONS OF THE PROPERTY DESCRIBED IN THE PLATS RECORDED IN THE RECORDS OF MULTNOMAH COUNTY, IN THE STATE OF OREGON, IN BOOK 1183, PAGE 42 ON FEBRUARY 18, 1952, AND BOOK 1185, PAGE 1 ON SEPTEMBER 16, 1953, THAT ARE LOCATED WITHIN THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF THE WEST HALF OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 23; THENCE NORTH $02^{\circ} 18' 44''$ WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, A DISTANCE OF 1317.80 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH $89^{\circ} 50' 55''$ EAST ALONG SAID NORTH LINE A DISTANCE OF 584.86 FEET TO THE WESTERLY MARGIN LINE OF SKYLINE BOULEVARD, SAID POINT BEING ON A CURVE; THENCE EASTERLY AND SOUTHERLY ALONG SAID WESTERLY MARGIN LINE BEING A CURVE TO THE RIGHT HAVING A BACK TANGENT BEARING OF NORTH $18^{\circ} 55' 26''$ WEST, A RADIUS OF 256.50 FEET, A CENTRAL ANGLE OF $10^{\circ} 19' 17''$, AN ARC DISTANCE OF 47.70 FEET; THENCE CONTINUING SOUTH $8^{\circ} 16' 09''$ EAST ALONG SAID MARGIN LINE A DISTANCE OF 150.74 FEET TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHERLY AND EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO THE LEFT HAVING A RADIUS OF 234.60 FEET, A CENTRAL ANGLE OF $34^{\circ} 36' 00''$, AN ARC DISTANCE OF

141.67 FEET; THENCE CONTINUING SOUTH 42° 52' 09" EAST ALONG SAID MARGIN LINE A DISTANCE OF 239.27 FEET TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHERLY AND EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO THE LEFT HAVING A RADIUS OF 746.30 FEET, A CENTRAL ANGLE OF 11° 37' 41", AN ARC DISTANCE OF 151.46 FEET; THENCE LEAVING SAID WESTERLY MARGIN LINE SOUTH 46° 29' 56" WEST A DISTANCE OF 64.45 FEET;

THENCE SOUTH 45° 50' 47" WEST A DISTANCE OF 307.07 FEET;
THENCE SOUTH 37° 34' 22" WEST A DISTANCE OF 96.98 FEET;
THENCE SOUTH 50° 54' 50" WEST A DISTANCE OF 125.07 FEET;
THENCE SOUTH 22° 11' 37" WEST A DISTANCE OF 456.55 FEET;
THENCE SOUTH 00° 00' 00" EAST A DISTANCE OF 1173.61 FEET;
THENCE SOUTH 52° 17' 54" EAST A DISTANCE OF 105.35 FEET;
THENCE SOUTH 33° 10' 28" WEST A DISTANCE OF 105.72 FEET;
THENCE SOUTH 01° 02' 19" EAST A DISTANCE OF 68.12 FEET;
THENCE SOUTH 47° 35' 36" EAST A DISTANCE OF 76.06 FEET;
THENCE SOUTH 77° 24' 51" EAST A DISTANCE OF 95.13 FEET;
THENCE NORTH 76° 52' 18" EAST A DISTANCE OF 151.75 FEET;
THENCE SOUTH 73° 38' 43" EAST A DISTANCE OF 94.74 FEET;
THENCE SOUTH 83° 22' 52" EAST A DISTANCE OF 145.88 FEET;
THENCE NORTH 83° 53' 34" EAST A DISTANCE OF 177.58 FEET;
THENCE NORTH 70° 42' 46" EAST A DISTANCE OF 113.49 FEET;
THENCE SOUTH 79° 03' 52" EAST A DISTANCE OF 328.51 FEET;
THENCE NORTH 89° 14' 53" EAST A DISTANCE OF 87.97 FEET;
THENCE NORTH 51° 09' 18" EAST A DISTANCE OF 75.23 FEET;
THENCE NORTH 40° 20' 51" EAST A DISTANCE OF 71.81 FEET;
THENCE NORTH 32° 31' 16" EAST A DISTANCE OF 229.38 FEET;
THENCE NORTH 51° 14' 24" EAST A DISTANCE OF 95.43 FEET;
THENCE NORTH 86° 27' 48" EAST A DISTANCE OF 332.87 FEET;
THENCE NORTH 72° 38' 45" EAST A DISTANCE OF 121.62 FEET;
THENCE NORTH 68° 28' 45" EAST A DISTANCE OF 163.00 FEET;
THENCE NORTH 76° 20' 25" EAST A DISTANCE OF 91.10 FEET TO THE WESTERLY MARGIN LINE OF SKYLINE BOULEVARD AS IT EXISTS PER VACATION ORDINANCE NUMBER 3403, DATED 5/27/63;

THENCE SOUTH 56° 08' 09" EAST ALONG SAID WESTERLY MARGIN LINE A DISTANCE OF 64.27 FEET TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHERLY AND EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO THE LEFT, HAVING A RADIUS OF 326.50 FEET, A CENTRAL ANGLE OF

25° 53' 03", AN ARC DISTANCE OF 147.50 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE SOUTH 02° 52' 32" EAST ALONG SAID EAST LINE, A DISTANCE OF 345.31 FEET TO THE SOUTHEAST CORNER OF SKYLINE MEMORIAL GARDENS, AS RECORDED IN BOOK 1183, PAGE 42; THENCE SOUTH 87° 40' 56" WEST ALONG THE SOUTH LINE OF SAID SKYLINE MEMORIAL GARDENS, A DISTANCE OF 792.11 FEET TO THE NORTHEAST CORNER OF LINCOLN MEMORIAL PARK, AS RECORDED IN BOOK 1935, PAGE 161; THENCE SOUTH 02° 21' 17" EAST ALONG THE EAST LINE OF SAID LINCOLN MEMORIAL PARK A DISTANCE OF 470.00 FEET TO THE SOUTHEAST CORNER OF SAID LINCOLN MEMORIAL PARK; THENCE SOUTH 87° 40' 56' WEST ALONG THE SOUTH LINE OF SAID LINCOLN MEMORIAL PARK A DISTANCE OF 1633.00 FEET; THENCE NORTH 02° 21' 17" WEST PARALLEL WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23 A DISTANCE OF 202.82 FEET TO A POINT WHICH BEARS SOUTH 47° 19' 04" EAST FROM THE SOUTHWEST CORNER OF SKYLINE MEMORIAL GARDENS NO. 3, AS RECORDED IN BOOK 1185, PAGE 1; THENCE NORTH 47° 19' 04" WEST A DISTANCE OF 377.84 FEET TO SAID SOUTHWEST CORNER, SAID CORNER BEING ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE NORTH 02° 21' 17" WEST ALONG SAID WEST LINE A DISTANCE OF 1645.44 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO COVENANTS, RESTRICTIONS AND EASEMENTS OF RECORD.

MULTNOMAH COUNTY, OREGON

NOTICE OF PUBLIC HEARING

Public notice is hereby given that the Multnomah County Board of Commissioners will conduct a public hearing regarding the removal of a dedication to cemetery purposes for a portion of Skyline Memorial Gardens at 9:30 a.m., Thursday, February 29, 1996 in room 602 of the Multnomah County Courthouse, 1021 SW Fourth Avenue, Portland. No interments have been made in the portion of the cemetery property sought to be removed from dedication and described as follows:

THOSE PORTIONS OF THE PROPERTY DESCRIBED IN THE PLATS RECORDED IN THE RECORDS OF MULTNOMAH COUNTY, IN THE STATE OF OREGON, IN BOOK 1183, PAGE 42 ON FEBRUARY 18, 1952, AND BOOK 1185, PAGE 1 ON SEPTEMBER 16, 1953, THAT ARE LOCATED WITHIN THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF THE WEST HALF OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON, DESCRIBED AS FOLLOWS:

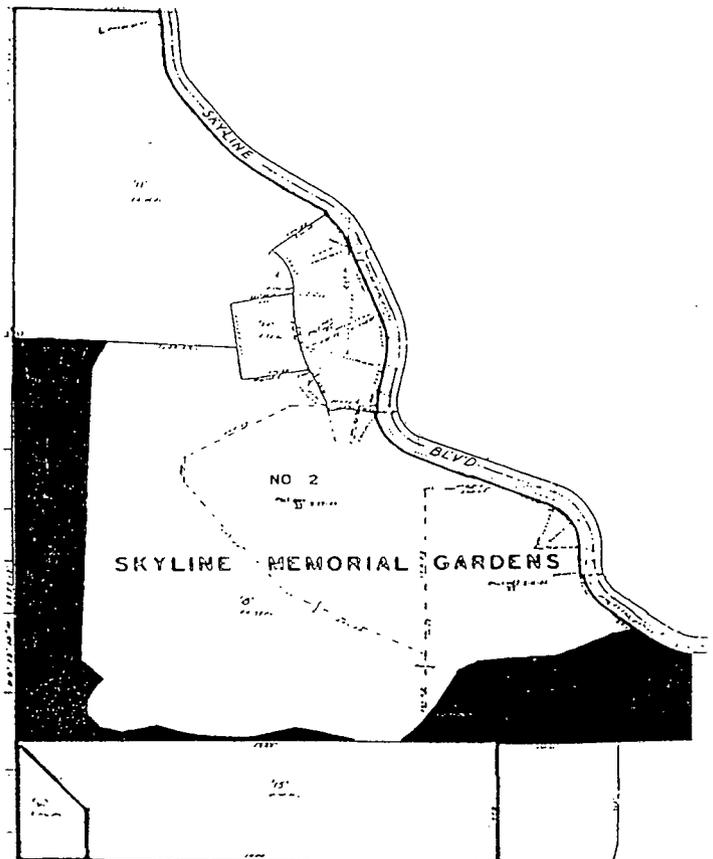
BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 23; THENCE NORTH 02° 18' 44" WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, A DISTANCE OF 1317.80 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH 89° 50' 55" EAST ALONG SAID NORTH LINE A DISTANCE OF 584.86 FEET TO THE WESTERLY MARGIN LINE OF SKYLINE BOULEVARD, SAID POINT BEING ON A CURVE; THENCE EASTERLY AND SOUTHERLY ALONG SAID WESTERLY MARGIN LINE BEING A CURVE TO THE RIGHT HAVING A BACK TANGENT BEARING OF NORTH 18° 55' 26" WEST, A RADIUS OF 256.50 FEET, A CENTRAL ANGLE OF 10° 19' 17", AN ARC DISTANCE OF 47.70 FEET; THENCE CONTINUING SOUTH 8° 16' 09" EAST ALONG SAID MARGIN LINE A DISTANCE OF 150.74 FEET TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHERLY AND EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO THE LEFT HAVING A RADIUS OF 234.60 FEET, A CENTRAL ANGLE OF 34° 36' 00", AN ARC DISTANCE OF 141.67 FEET; THENCE CONTINUING SOUTH 42° 52' 09" EAST ALONG SAID MARGIN LINE A DISTANCE OF 239.27 FEET TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHERLY AND EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO THE LEFT HAVING A RADIUS OF 746.30 FEET, A CENTRAL ANGLE OF 11° 37' 41", AN ARC DISTANCE OF 151.46 FEET; THENCE LEAVING SAID WESTERLY MARGIN LINE SOUTH 46° 29' 56" WEST A DISTANCE OF 64.45 FEET; THENCE SOUTH 45° 50' 47" WEST A DISTANCE OF 307.07 FEET; THENCE SOUTH 37° 34' 22" WEST A DISTANCE OF 96.98 FEET; THENCE SOUTH 50° 54' 50" WEST A DISTANCE OF 125.07 FEET; THENCE SOUTH 22° 11' 37" WEST A DISTANCE OF 456.55 FEET; THENCE SOUTH 00° 00' 00" EAST A DISTANCE OF 1173.61 FEET; THENCE SOUTH 52° 17' 54" EAST A DISTANCE OF 105.35 FEET; THENCE SOUTH 33° 10' 28" WEST A DISTANCE OF 105.72 FEET; THENCE SOUTH 01° 02' 19" EAST A DISTANCE OF 68.12 FEET; THENCE SOUTH 47° 35' 36" EAST A DISTANCE OF 76.06 FEET; THENCE SOUTH 77° 24' 51" EAST A DISTANCE OF 95.13 FEET; THENCE NORTH 76° 52' 18" EAST A DISTANCE OF 151.75 FEET; THENCE SOUTH 73° 38' 43" EAST A DISTANCE OF 94.74 FEET; THENCE SOUTH 83° 22' 52" EAST A DISTANCE OF 145.88 FEET; THENCE NORTH 83° 53' 34" EAST A DISTANCE OF 177.58 FEET; THENCE NORTH 70° 42' 46" EAST A DISTANCE OF 113.49 FEET; THENCE SOUTH 79° 03' 52" EAST A DISTANCE OF 328.51 FEET; THENCE NORTH 89° 14' 53" EAST A DISTANCE OF 87.97 FEET; THENCE NORTH 51° 09' 18" EAST A DISTANCE OF 75.23 FEET; THENCE NORTH 40° 20' 51" EAST A DISTANCE OF 71.81 FEET; THENCE NORTH 32° 31' 16" EAST A DISTANCE OF 229.38 FEET; THENCE NORTH 51° 14' 24" EAST A DISTANCE OF 95.43 FEET; THENCE NORTH 86° 27' 48" EAST A DISTANCE OF 332.87 FEET; THENCE NORTH 72° 38' 45" EAST A DISTANCE OF 121.62 FEET; THENCE NORTH 68° 28' 45" EAST A DISTANCE OF 163.00 FEET; THENCE NORTH 76° 20' 25" EAST A DISTANCE OF 91.10 FEET TO THE WESTERLY MARGIN LINE OF SKYLINE BOULEVARD AS IT EXISTS PER VACATION ORDINANCE NUMBER 3403, DATED 5/27/63;

THENCE SOUTH 56° 08' 09" EAST ALONG SAID WESTERLY MARGIN LINE A DISTANCE OF 64.27 FEET TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHERLY AND EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO THE LEFT, HAVING A RADIUS OF 326.50 FEET, A CENTRAL ANGLE OF 25° 53' 03", AN ARC DISTANCE OF 147.50 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE SOUTH 02° 52' 32" EAST ALONG SAID EAST LINE, A DISTANCE OF 345.31 FEET TO THE SOUTHEAST CORNER OF SKYLINE MEMORIAL GARDENS, AS RECORDED IN BOOK 1183, PAGE 42; THENCE SOUTH 87° 40' 56" WEST ALONG THE SOUTH LINE OF SAID SKYLINE MEMORIAL GARDENS, A DISTANCE OF 792.11 FEET TO THE NORTHEAST CORNER OF LINCOLN MEMORIAL PARK, AS RECORDED IN BOOK 1935, PAGE 161; THENCE SOUTH 02° 21' 17" EAST ALONG THE EAST LINE OF SAID LINCOLN MEMORIAL PARK A DISTANCE OF 470.00 FEET TO THE SOUTHEAST CORNER OF SAID LINCOLN MEMORIAL PARK; THENCE SOUTH 87° 40' 56" WEST ALONG THE SOUTH LINE OF SAID LINCOLN MEMORIAL PARK A DISTANCE OF 1633.00 FEET; THENCE NORTH 02° 21' 17" WEST PARALLEL WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23 A DISTANCE OF 202.82 FEET TO A POINT WHICH BEARS SOUTH 47° 19' 04" EAST FROM THE SOUTHWEST CORNER OF SKYLINE MEMORIAL GARDENS NO. 3, AS RECORDED IN BOOK 1185, PAGE 1; THENCE NORTH 47° 19' 04" WEST A DISTANCE OF 377.84 FEET TO SAID SOUTHWEST CORNER, SAID CORNER BEING ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE NORTH 02° 21' 17" WEST ALONG SAID WEST LINE A DISTANCE OF 1645.44 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO COVENANTS, RESTRICTIONS AND EASEMENTS OF RECORD.

MAP OF SKYLINE MEMORIAL GARDENS

THE SHADED AREAS DENOTE THE PROPERTY FOR WHICH THE REMOVAL OF A DEDICATION TO CEMETERY PURPOSES PURPOSES IS PROPOSED



Skyl^{ine}

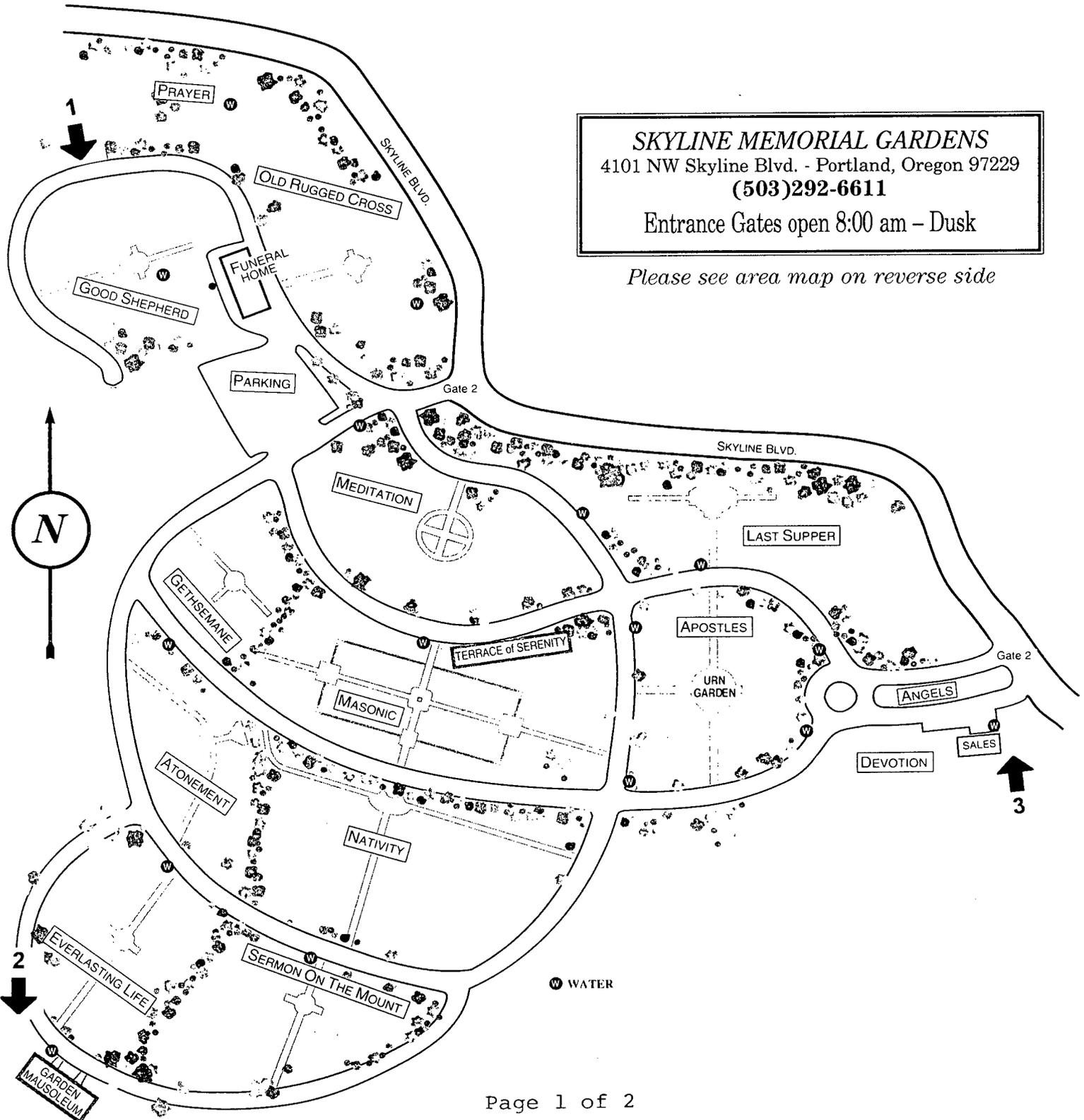
MEMORIAL GARDENS & FUNERAL HOME

PRE-ARRANGEMENTS

FUNERAL HOME

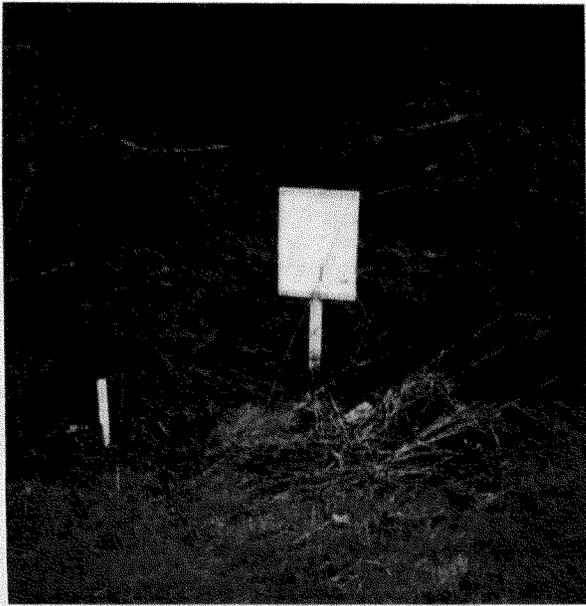
CEMETERY

CREMATION



SKYLINE MEMORIAL GARDENS
 4101 NW Skyline Blvd. - Portland, Oregon 97229
(503)292-6611
 Entrance Gates open 8:00 am - Dusk

Please see area map on reverse side



1. Near Funeral Home

2. Adjacent to Garden Mausoleum

3. Adjacent to Sales Office

the requirements set forth at ORS 97.440 for notice of the public hearing have been satisfied, and

WHEREAS, the owner of Skyline Memorial Gardens Cemetery has met the requirements of ORS 97.440 in a manner satisfactory to the Board, now therefore

IT IS HEREBY ORDERED, pursuant to ORS 97.440, that the dedication to cemetery purposes be removed for that portion of Skyline Memorial Gardens Cemetery as described in Exhibit A attached hereto; and

IT IS FURTHER ORDERED that this Order removing the mentioned dedication to cemetery purposes be recorded in the Deed Records of Multnomah County, Oregon; and

BE IT FURTHER ORDERED that the County Surveyor and County Assessor are directed to file copies of the same as required by law.

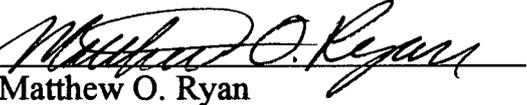
ADOPTED this 29th day of February, 1996.

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

Beverly Stein, Chair

REVIEWED:

LAURENCE KRESSEL, County Counsel
for Multnomah County, Oregon

By: 

Matthew O. Ryan
Assistant County Counsel

EXHIBIT A

THOSE PORTIONS OF THE PROPERTY DESCRIBED IN THE PLATS RECORDED IN THE RECORDS OF MULTNOMAH COUNTY, IN THE STATE OF OREGON, IN BOOK 1183, PAGE 42 ON FEBRUARY 18, 1952, NAMED "SKYLINE MEMORIAL GARDENS", AND BOOK 1185, PAGE 1 ON SEPTEMBER 16, 1953, NAMED "SKYLINE MEMORIAL GARDENS NO. 3", THAT ARE LOCATED WITHIN THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF THE WEST HALF OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 23; THENCE NORTH $02^{\circ} 18' 44''$ WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, A DISTANCE OF 1317.80 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH $89^{\circ} 50' 55''$ EAST ALONG SAID NORTH LINE A DISTANCE OF 584.86 FEET TO THE WESTERLY MARGIN LINE OF SKYLINE BOULEVARD, SAID POINT BEING ON A CURVE; THENCE EASTERLY AND SOUTHERLY ALONG SAID WESTERLY MARGIN LINE BEING A CURVE TO THE RIGHT HAVING A BACK TANGENT BEARING OF NORTH $18^{\circ} 55' 26''$ WEST, A RADIUS OF 256.50 FEET, A CENTRAL ANGLE OF $10^{\circ} 19' 17''$, AN ARC DISTANCE OF 47.70 FEET; THENCE CONTINUING SOUTH $8^{\circ} 16' 09''$ EAST ALONG SAID MARGIN LINE A DISTANCE OF 150.74 FEET TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHERLY AND EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO THE LEFT HAVING A RADIUS OF 234.60 FEET, A CENTRAL ANGLE OF $34^{\circ} 36' 00''$, AN ARC DISTANCE OF 141.67 FEET; THENCE CONTINUING SOUTH $42^{\circ} 52' 09''$ EAST ALONG SAID MARGIN LINE A DISTANCE OF 239.27 FEET TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHERLY AND EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO THE LEFT HAVING A RADIUS OF 746.30 FEET, A CENTRAL ANGLE OF $11^{\circ} 37' 41''$, AN ARC DISTANCE OF 151.46 FEET; THENCE LEAVING SAID WESTERLY MARGIN LINE SOUTH $46^{\circ} 29' 56''$ WEST A

DISTANCE OF 64.45 FEET;
THENCE SOUTH 45° 50' 47" WEST A DISTANCE OF 307.07 FEET;
THENCE SOUTH 37° 34' 22" WEST A DISTANCE OF 96.98 FEET;
THENCE SOUTH 50° 54' 50" WEST A DISTANCE OF 125.07 FEET;
THENCE SOUTH 22° 11' 37" WEST A DISTANCE OF 456.55 FEET;
THENCE SOUTH 00° 00' 00" EAST A DISTANCE OF 1173.61 FEET;
THENCE SOUTH 52° 17' 54" EAST A DISTANCE OF 105.35 FEET;
THENCE SOUTH 33° 10' 28" WEST A DISTANCE OF 105.72 FEET;
THENCE SOUTH 01° 02' 19" EAST A DISTANCE OF 68.12 FEET;
THENCE SOUTH 47° 35' 36" EAST A DISTANCE OF 76.06 FEET;
THENCE SOUTH 77° 24' 51" EAST A DISTANCE OF 95.13 FEET;
THENCE NORTH 76° 52' 18" EAST A DISTANCE OF 151.75 FEET;
THENCE SOUTH 73° 38' 43" EAST A DISTANCE OF 94.74 FEET;
THENCE SOUTH 83° 22' 52" EAST A DISTANCE OF 145.88 FEET;
THENCE NORTH 83° 53' 34" EAST A DISTANCE OF 177.58 FEET;
THENCE NORTH 70° 42' 46" EAST A DISTANCE OF 113.49 FEET;
THENCE SOUTH 79° 03' 52" EAST A DISTANCE OF 328.51 FEET;
THENCE NORTH 89° 14' 53" EAST A DISTANCE OF 87.97 FEET;
THENCE NORTH 51° 09' 18" EAST A DISTANCE OF 75.23 FEET;
THENCE NORTH 40° 20' 51" EAST A DISTANCE OF 71.81 FEET;
THENCE NORTH 32° 31' 16" EAST A DISTANCE OF 229.38 FEET;
THENCE NORTH 51° 14' 24" EAST A DISTANCE OF 95.43 FEET;
THENCE NORTH 86° 27' 48" EAST A DISTANCE OF 332.87 FEET;
THENCE NORTH 72° 38' 45" EAST A DISTANCE OF 121.62 FEET;
THENCE NORTH 68° 28' 45" EAST A DISTANCE OF 163.00 FEET;
THENCE NORTH 76° 20' 25" EAST A DISTANCE OF 91.10 FEET
TO THE WESTERLY MARGIN LINE OF SKYLINE BOULEVARD
AS IT EXISTS PER VACATION ORDINANCE NUMBER 3403,
DATED 5/27/63;

THENCE SOUTH 56° 08' 09" EAST ALONG SAID WESTERLY
MARGIN LINE A DISTANCE OF 64.27 FEET TO A POINT OF
CURVATURE; THENCE CONTINUING SOUTHERLY AND
EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO
THE LEFT, HAVING A RADIUS OF 326.50 FEET, A CENTRAL
ANGLE OF 25° 53' 03", AN ARC DISTANCE OF 147.50 FEET TO
THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID
SECTION 23; THENCE SOUTH 02° 52' 32" EAST ALONG SAID
EAST LINE, A DISTANCE OF 345.31 FEET TO THE SOUTHEAST
CORNER OF SKYLINE MEMORIAL GARDENS, AS RECORDED IN
BOOK 1183, PAGE 42; THENCE SOUTH 87° 40' 56" WEST ALONG

THE SOUTH LINE OF SAID SKYLINE MEMORIAL GARDENS, A DISTANCE OF 792.11 FEET TO THE NORTHEAST CORNER OF LINCOLN MEMORIAL PARK, AS RECORDED IN BOOK 1935, PAGE 161; THENCE SOUTH $02^{\circ} 21' 17''$ EAST ALONG THE EAST LINE OF SAID LINCOLN MEMORIAL PARK A DISTANCE OF 470.00 FEET TO THE SOUTHEAST CORNER OF SAID LINCOLN MEMORIAL PARK; THENCE SOUTH $87^{\circ} 40' 56''$ WEST ALONG THE SOUTH LINE OF SAID LINCOLN MEMORIAL PARK A DISTANCE OF 1633.00 FEET; THENCE NORTH $02^{\circ} 21' 17''$ WEST PARALLEL WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23 A DISTANCE OF 202.82 FEET TO A POINT WHICH BEARS SOUTH $47^{\circ} 19' 04''$ EAST FROM THE SOUTHWEST CORNER OF SKYLINE MEMORIAL GARDENS NO. 3, AS RECORDED IN BOOK 1185, PAGE 1; THENCE NORTH $47^{\circ} 19' 04''$ WEST A DISTANCE OF 377.84 FEET TO SAID SOUTHWEST CORNER, SAID CORNER BEING ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE NORTH $02^{\circ} 21' 17''$ WEST ALONG SAID WEST LINE A DISTANCE OF 1645.44 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO COVENANTS,
RESTRICTIONS AND EASEMENTS OF RECORD.

February 25, 1996

Forest Park Neighborhood Association
Development Committee

Arnold Rochlin, Chair
P.O. Box 83645
Portland, OR 97283-0645
(503) 289-2657

Chair Beverly Stein
1120 SW Fifth Ave., #1510
Portland, Or 97204

*+ addressed to Commissioners:
Hansen
Collier
Kelley
+ Saltzman*

Re: AGENDA ITEM R-5 FEBRUARY 29, 1996

Removing Dedication to Cemetery Purposes of a Portion of Skyline Memorial Gardens

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
96 FEB 26 PM 1:13

Dear Chair Stein,

I'm sorry to be so late in writing this, I had early information about this item, but I just forgot about it until I saw the agenda yesterday. I would appreciate it if you can find time to consider this letter. Similar letters have been sent to all BCC members and County Counsel.

NEIGHBORHOOD ASSOCIATION RECOMMENDATION

For reasons explained in detail below, the proposal is not ripe for action. Applications concerning the site are pending before the City of Portland for a Comprehensive Plan amendment, with re-zoning from open space to residential, and approval of a 60 unit subdivision.¹ We ask the Board to take no action to approve or deny this request until City Council action on the proposals is final. Approval by the county now, would put inappropriate pressure on the city by restricting options and subjecting the city to a prospective claim of taking without compensation. Alternatively, if the county delays or denies the request now, legitimate options of the owner would not be foreclosed because the request can be brought back after city proceedings are concluded. If there is final approval of the city applications, the neighborhood association would no longer have reasonable grounds for opposing this request, and approval should then be routine. Meanwhile, delay would not deprive the owner of any right. There has been no city decision, and the merits of the case before the city are not before you. It would be wrong for you to act until the city has reviewed and decided the substantive issues.

LEGAL ARGUMENT

The neighborhood association does not contest requestor's claim that there have been no interments in the subject area, and we have no reason to doubt that required notices have been posted and published. However, requester's counsel misstates the relevant statute when he says: "Once SCI has satisfied these requirements, ORS 97.440 requires the Board to issue an order and decree that the dedication be removed for the portion of Skyline Memorial Gardens." ORS 97.440 does not require the Board to approve the removal from dedication. Rather, the language of the statute says only that the Board cannot approve unless those circumstances exist. There is not a word in the statute that deprives you of

¹ City file # LUR 96-00073 CP, ZC, SU, PU, AD, tentative scheduled for hearing in the week of 4/1/96. Planner assigned is Sue Donaldson, 823-7817.

judgment and discretion in this matter.² Nothing in the statute says the Board “shall” or “must”, or is otherwise compelled to approve the request under these or any circumstances. If counsel’s representation were true, this process would be pointless. Why would the statute require a public hearing if no discretion were intended and the outcome was expressly directed by the same statute? Requester’s counsel has not cited any Oregon appellate decision that has interpreted the statute as mandating approval. I believe he cannot, because there is none. If he can find such authority, let him inform the Board. If he does, and we cannot convincingly answer, then so be it. But, until then, it is apparent that counsel ascribes language to the statute that is not there. You can and should refuse to approve as a matter of choice. And a good reason to refuse, for now at least, is to allow the city to reach its decision without pressure from the county which does not have all the issues and facts before it.

BACKGROUND

The subject property is in the City of Portland, is zoned OS (open space) and is part of the cemetery. It abuts NW Skyline Blvd. north of Thompson Road. A copy of the proposed subdivision plan is attached. The proposed 60 lots would be in a strip between the cemetery and Forest Heights. The whole site is very steep, so steep the applicant has informed us it would be impossible to build a road connecting this development to the Forest Heights road system, which would be the shortest route to the urban parts of Washington County and the direct route to a planned elementary school and commercial center in Forest Heights. As proposed, though the subdivision abuts Forest Heights, residents would have to drive a mile out of the way to reach those facilities. The road system of this development would be closed (dead ends and cul-de-sacs) with connection only to Skyline Blvd. Though the applicant before the city, HGW (Homer Williams) was largely responsible for design and development of Forest Heights (until a year ago) and likely then intended to develop this property, he did not then inform the city or make provision for connection. City regulations requiring connection apply only when the land to connect with is developable. Being a dedicated cemetery and zoned OS, the connectivity requirements were reasonably not invoked. Had HGW revealed its plans, connection would have been required.

In the aftermath of the heavy rains, the site is accessible only by a roundabout route. A hundred feet of Skyline Blvd. between the site and Thompson Road is washed out. To get to central Portland, one must drive about 7 miles north to Newberry road, 2 miles east to

² ORS 97.440: “Removal of dedication. Property dedicated to cemetery purposes shall be held and used exclusively for cemetery purposes unless and until the dedication is removed from all or any part of it by an order and decree of the county court or board of county commissioners of the county in which the property is situated in a proceeding brought by the cemetery authority for that purpose and upon notice of hearing and proof satisfactory to the court that the following conditions exist:

(1) That the portion of the property from which dedication is sought to be removed is not being used for interment of human remains.

(2) That notice of hearing provided in this section shall be given by publication once a week for at least four consecutive weeks in a newspaper of general circulation in the county where the cemetery is located and by posting copies of the notice in three conspicuous places on that portion of the property from which the dedication is to be removed. The notice shall:

- (a) Describe the portion of the cemetery property sought to be removed from dedication.
- (b) State that all remains have been removed or that no interments have been made in the portion of the cemetery property sought to be removed from dedication.
- (c) Specify the time and place of the hearing.”

Highway 30, and from there, about 12 miles into town. Alternatively, one could drive about 3 miles north, and go west on Springville road, and then use Washington County roads to reach Highway 26 and then into town. There are still ongoing slides in the area. Newberry Road was closed last Thursday and Friday to clear a slide. Thompson and Germantown Roads remain closed in both directions from Skyline. Serious slides have occurred on just such property as is proposed for clearing and development.

Approval would remove the existing buffer between the Forest Heights residential development and the actual burial and mausoleum sites. It would bring the back of 24 residential lots to the area of gravesites. Residential and cemetery uses conflict. With occasional exceptions (spraying and machinery) a cemetery is generally a good neighbor to a residential area, but the reverse is untrue. As proposed, power garden equipment, yard parties, barking dogs, exuberant children and other makers of good and bad noise inconsistent with the solemnity of burials, conflict with cemetery use. There is ample reason to require preservation of the site as an effective buffer. The city will certainly weigh this case carefully. These facts indicate there is significant reason for the city to at least consider denial of re-zoning, and for the Board to await the outcome of the city process.

If the Board should approve this request before city action, the owners would find themselves with property in an OS zone but, arguably, without reasonable opportunity for economic use. PCC Chapters 33.100 (Open Space Zone), 33.815 (Conditional Uses) and 33.920 (Use Categories) offer little prospect of meaningful economic use of the site, other than in conjunction with the existing cemetery use on the remainder of the property. If you have removed the cemetery dedication and the city were to deny the re-zoning, grounds would be laid for an action against the city based on a claim of effective taking of land without just compensation. The owners would argue that zoned OS, and without the cemetery use, there is no economic private use available, considering the location and character of the site. Your action may force city action, without your having considered the propriety of the re-zoning and subdivision. You can assure that the city will have a free hand to consider and approve or deny the proposal, only if you wait, or deny the request.

LAND USE DECISION

Because a final decision of the Board of Commissioners approving the request would lead to a significant change of land use in the zone, a Board action approving this request would be a land use decision under the "significant impact" principle. (A denial or postponement would not necessarily have such impact as it merely maintains the status quo.) *Billington v. Polk County*, 299 Or 471, 703 P2d 232 (1985), *City of Pendleton v. Kerns*, 294 Or 126, 653 P2d 992 (1982), *Petersen v. Klamath Falls*, 279 Or 249, 566 P2d 1193 (1977) If the option of using this large acreage site as a cemetery is removed, then inevitably there must be a significant and substantial change from the character of use that has until now been planned and permitted in the area. No other use resembles a cemetery, and the change must be of significant land use impact. Therefore, the process of approval of this request must be as prescribed in ORS 197.763 and ORS Chapter 215, section 416 and others. Criteria for approval must include conformity with the city and county comprehensive plans and land use regulations. If the Board is inclined to approve the request, the Board is asked to abide by the statutory procedural and substantive requirements and direct the planning director to schedule a quasi-judicial land use hearing before a hearings officer.



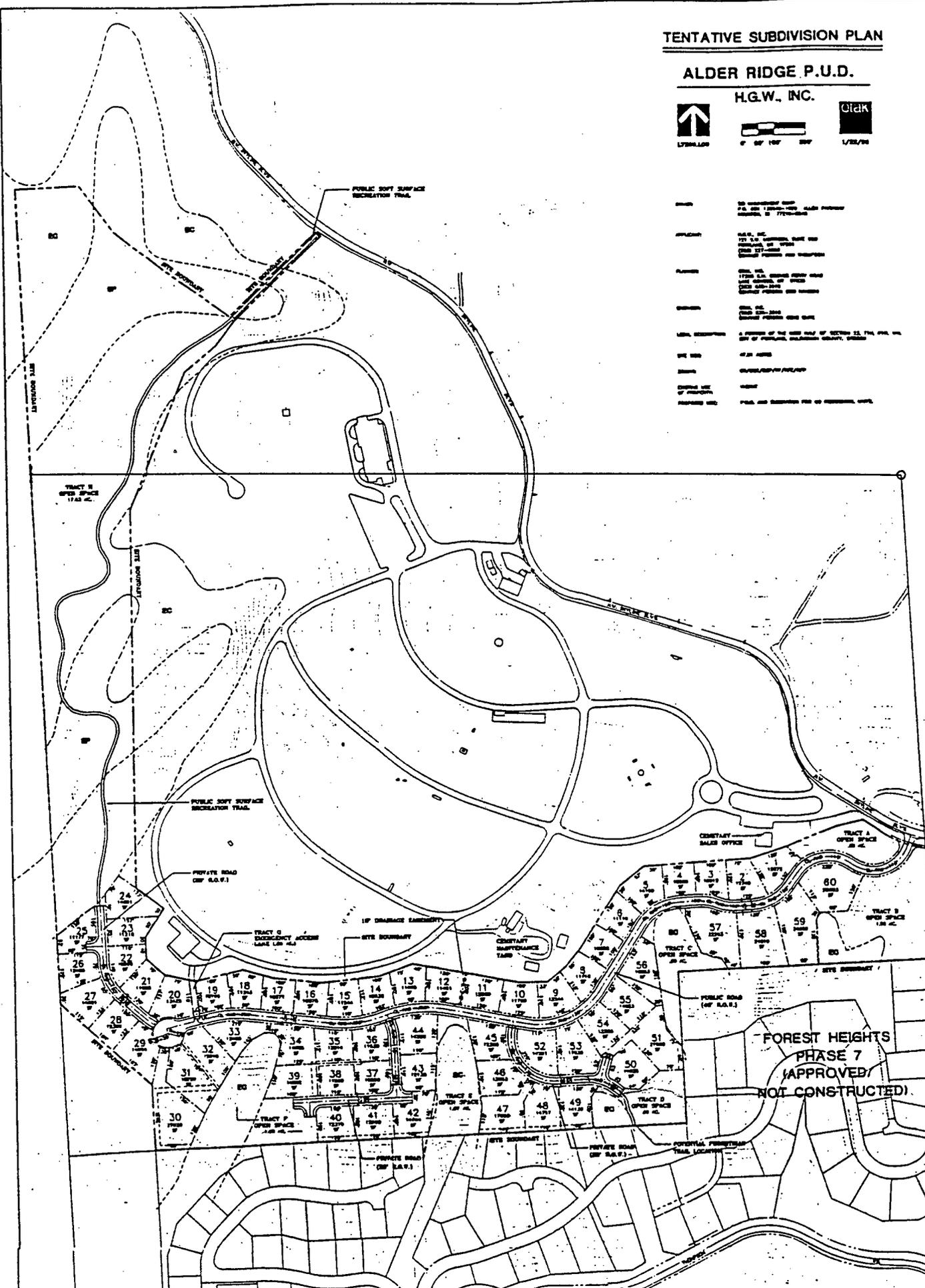
TENTATIVE SUBDIVISION PLAN

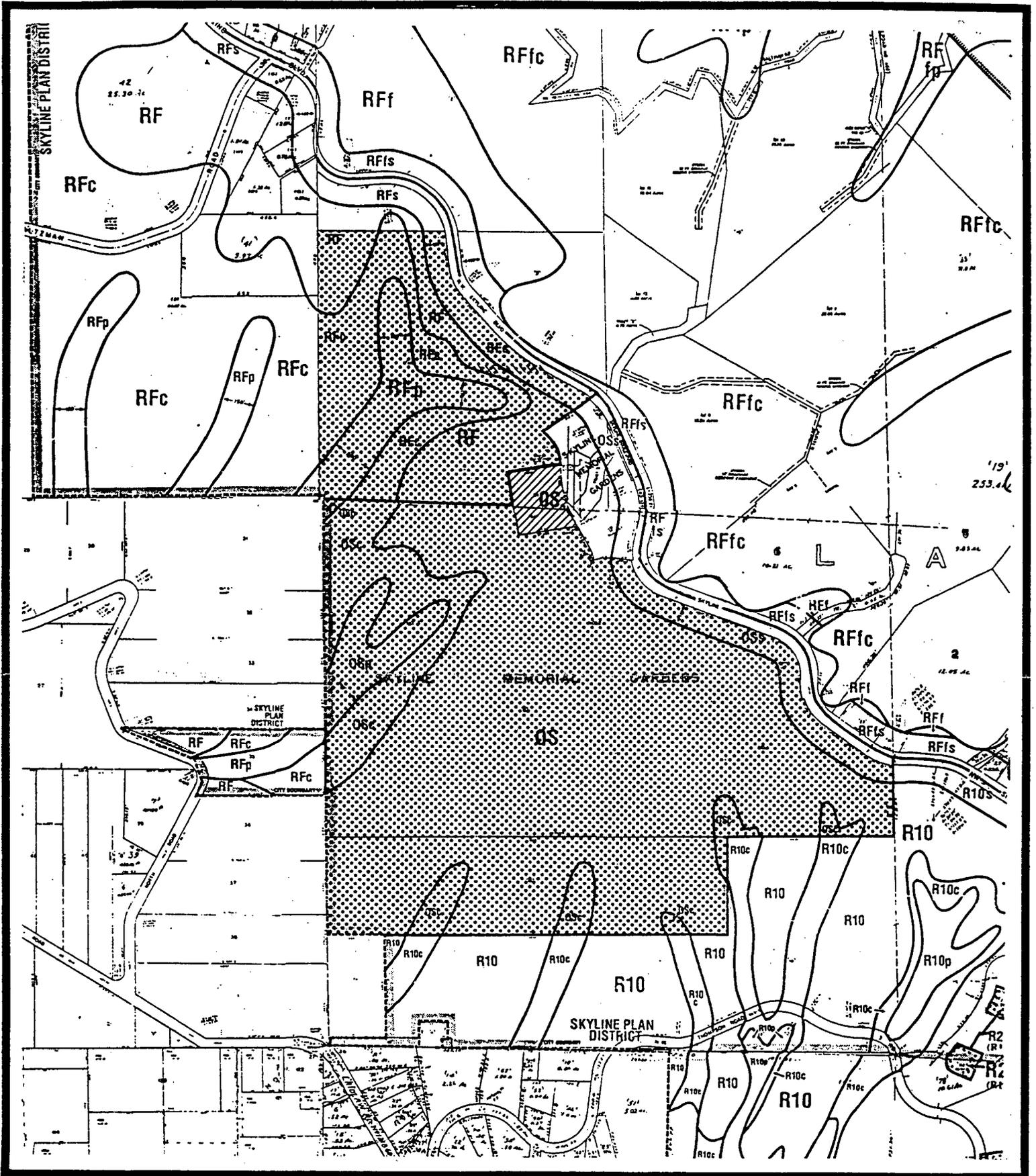
ALDER RIDGE P.U.D.

H.G.W., INC.



DATE: 02/01/2011
PROJECT: ALDER RIDGE P.U.D. PHASE 7
OWNER: H.G.W., INC.
DESIGNER: CATAK
SCALE: 1" = 40'
DATE OF PREPARED: 02/01/2011
DATE OF APPROVAL: 02/01/2011
PROJECT NO.: 11-001





Zoning This site lies within the SKYLINE PLAN DISTRICT

existing



Site



Property also owned

File No. LUR96-00073CP,ZC,PU,SU,AD
 1/4 Section 2519, 2619
 Scale 1" = 600'
 Request _____
 Exhibit _____

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
1211 SOUTHWEST FIFTH AVENUE, SUITE 1500 · PORTLAND, OREGON 97204-1002
TELEPHONE: (503) 727-2000 · FACSIMILE: (503) 727-2222

ANDREW J. BOWMAN
(503) 727-2024

February 29, 1996

HAND DELIVERED

Ms. Deb Bogstad
Clerk of the Multnomah County
Board of Commissioners
Office of the Board Clerk
1120 S.W. Fifth Avenue, Suite 1510
Portland, OR 97204

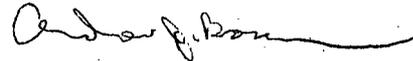
**Re: Revised Order for Removal of a Dedication to Cemetery
Purposes for a Portion of Skyline Memorial Gardens**

Dear Deb:

Please find enclosed a revised order that includes the language that the Board requested at this morning's public hearing. I assume that you will coordinate with Matt Ryan to obtain his signature.

Thank you for all of your help during the last few months. Please call me if you have any questions.

Very truly yours,



Andrew J. Bowman

AJB

[14531-0011/PA960600.107]



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

MEMORANDUM

TO: 166/308/Recording

FROM: 106/1510/OBC
Deb Bogstad *(Deb Bogstad)*

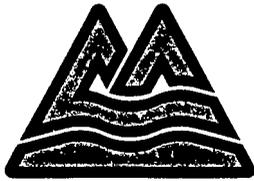
DATE: March 6, 1996

RE: Multnomah County Order 96-30

Enclosed is a certified true copy of Multnomah County Order 96-30 for recording in Deed Records. After recording, please send proof of same to Andrew J. Bowman, Perkins Coie, 1211 SW Fifth Avenue, Suite 1500, Portland, Oregon 97204-1002.

If you have any questions, do not hesitate to call. Thank you for your courtesies and assistance in this matter.

enclosure
cc: Andrew J. Bowman



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

MEMORANDUM

TO: 425/Transportation Division
Robert Hovden, Surveyor

FROM: 106/1510/OBC
Deb Bogstad *Deb Bogstad*

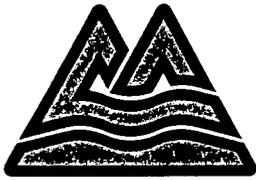
DATE: March 6, 1996

RE: Multnomah County Order 96-30

Enclosed is a certified true copy of Multnomah County Order 96-30 for County Surveyor filing pursuant to law. A certified true copy of this document has also been sent for recording in Deed Records. The contact person for the present property owner is Andrew J. Bowman at Perkins Coie, 1211 SW Fifth Avenue, Suite 1500, Portland, Oregon 97204-1002. His telephone number is 727-2024.

If you have any questions of me, do not hesitate to call. Thank you for your courtesies and assistance in this matter.

enclosure
cc: Andrew J. Bowman



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

MEMORANDUM

TO: 166/206/Assessment & Taxation Division
Robert Ellis, Assessor

FROM: 106/1510/OBC
Deb Bogstad *Deb Bogstad*

DATE: March 6, 1996

RE: Multnomah County Order 96-30

Enclosed is a certified true copy of Multnomah County Order 96-30 for Assessment & Taxation Division filing pursuant to law. A certified true copy of this document has also been sent for recording in Deed Records. The contact person for the present property owner is Andrew J. Bowman at Perkins Coie, 1211 SW Fifth Avenue, Suite 1500, Portland, Oregon 97204-1002. His telephone number is 727-2024.

If you have any questions of me, do not hesitate to call. Thank you for your courtesies and assistance in this matter.

enclosure
cc: Andrew J. Bowman

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

In the Matter of the Removal of the)
Dedication to Cemetery Purposes for a)
Portion of Skyline Memorial Gardens)

ORDER
96-30

WHEREAS, ORS 97.440 allows for removal of a dedication of property to cemetery purposes by an order of the county commissioners of the county in which the property is situated; and

WHEREAS, the owner of Skyline Memorial Gardens Cemetery has formally requested the removal of the dedication to cemetery purposes for a portion of the cemetery; and

WHEREAS, ORS 97.440 requires that a public hearing be held prior to any such a removal of a dedication to cemetery purposes; and

WHEREAS, such a public hearing was held before the Multnomah County Board of Commissioners on February 29, 1996; and

WHEREAS, ORS 97.440 requires that notice of such hearing be given by publication once a week for at least four consecutive weeks in a newspaper of general circulation in the county where the cemetery is located and by posting copies of the notice in three conspicuous places on that portion of the property from which the dedication is to be removed; and

WHEREAS, ORS 97.440 requires that the notice of the public hearing (i) describe the portion of the cemetery property sought to be removed from dedication, (ii) state that all remains have been removed or that no interments have been made in the portion of the cemetery property sought to be removed from dedication, and (iii) specify the time and place of the hearing; and

WHEREAS, ORS 97.440 authorizes the board of county commissioners of the county in which the property is situated to issue an order removing the dedication to cemetery purposes for the portion of the cemetery property sought to be removed from dedication upon proof (i) that the portion of the property from which dedication is sought to be removed is not being used for interment of human remains and (ii) that

the requirements set forth at ORS 97.440 for notice of the public hearing have been satisfied; and

WHEREAS, the owner of Skyline Memorial Gardens Cemetery has met the requirements of ORS 97.440 in a manner satisfactory to the Board, now therefore

IT IS HEREBY ORDERED, pursuant to ORS 97.440, that the dedication to cemetery purposes be removed for that portion of Skyline Memorial Gardens Cemetery as described in Exhibit A attached hereto. Board action today does not constitute a position for or against any land use proceeding on this matter before the City of Portland; and

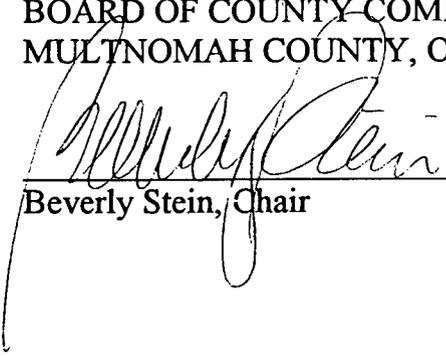
IT IS FURTHER ORDERED that this Order removing the mentioned dedication to cemetery purposes be recorded in the Deed Records of Multnomah County, Oregon; and

BE IT FURTHER ORDERED that the County Surveyor and County Assessor are directed to file copies of the same as required by law.

ADOPTED this 29th day of February, 1996.

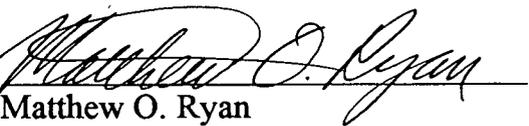


BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

REVIEWED:

LAURENCE KRESSEL, County Counsel
for Multnomah County, Oregon

By: 

Matthew O. Ryan
Assistant County Counsel

EXHIBIT A

THOSE PORTIONS OF THE PROPERTY DESCRIBED IN THE PLATS RECORDED IN THE RECORDS OF MULTNOMAH COUNTY, IN THE STATE OF OREGON, IN BOOK 1183, PAGE 42 ON FEBRUARY 18, 1952, NAMED "SKYLINE MEMORIAL GARDENS", AND BOOK 1185, PAGE 1 ON SEPTEMBER 16, 1953, NAMED "SKYLINE MEMORIAL GARDENS NO. 3", THAT ARE LOCATED WITHIN THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF THE WEST HALF OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 23; THENCE NORTH $02^{\circ} 18' 44''$ WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, A DISTANCE OF 1317.80 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH $89^{\circ} 50' 55''$ EAST ALONG SAID NORTH LINE A DISTANCE OF 584.86 FEET TO THE WESTERLY MARGIN LINE OF SKYLINE BOULEVARD, SAID POINT BEING ON A CURVE; THENCE EASTERLY AND SOUTHERLY ALONG SAID WESTERLY MARGIN LINE BEING A CURVE TO THE RIGHT HAVING A BACK TANGENT BEARING OF NORTH $18^{\circ} 55' 26''$ WEST, A RADIUS OF 256.50 FEET, A CENTRAL ANGLE OF $10^{\circ} 19' 17''$, AN ARC DISTANCE OF 47.70 FEET; THENCE CONTINUING SOUTH $8^{\circ} 16' 09''$ EAST ALONG SAID MARGIN LINE A DISTANCE OF 150.74 FEET TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHERLY AND EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO THE LEFT HAVING A RADIUS OF 234.60 FEET, A CENTRAL ANGLE OF $34^{\circ} 36' 00''$, AN ARC DISTANCE OF 141.67 FEET; THENCE CONTINUING SOUTH $42^{\circ} 52' 09''$ EAST ALONG SAID MARGIN LINE A DISTANCE OF 239.27 FEET TO A POINT OF CURVATURE; THENCE CONTINUING SOUTHERLY AND EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO THE LEFT HAVING A RADIUS OF 746.30 FEET, A CENTRAL ANGLE OF $11^{\circ} 37' 41''$, AN ARC DISTANCE OF 151.46 FEET; THENCE LEAVING SAID

WESTERLY MARGIN LINE SOUTH 46° 29' 56" WEST A
DISTANCE OF 64.45 FEET;
THENCE SOUTH 45° 50' 47" WEST A DISTANCE OF 307.07 FEET;
THENCE SOUTH 37° 34' 22" WEST A DISTANCE OF 96.98 FEET;
THENCE SOUTH 50° 54' 50" WEST A DISTANCE OF 125.07 FEET;
THENCE SOUTH 22° 11' 37" WEST A DISTANCE OF 456.55 FEET;
THENCE SOUTH 00° 00' 00" EAST A DISTANCE OF 1173.61 FEET;
THENCE SOUTH 52° 17' 54" EAST A DISTANCE OF 105.35 FEET;
THENCE SOUTH 33° 10' 28" WEST A DISTANCE OF 105.72 FEET;
THENCE SOUTH 01° 02' 19" EAST A DISTANCE OF 68.12 FEET;
THENCE SOUTH 47° 35' 36" EAST A DISTANCE OF 76.06 FEET;
THENCE SOUTH 77° 24' 51" EAST A DISTANCE OF 95.13 FEET;
THENCE NORTH 76° 52' 18" EAST A DISTANCE OF 151.75 FEET;
THENCE SOUTH 73° 38' 43" EAST A DISTANCE OF 94.74 FEET;
THENCE SOUTH 83° 22' 52" EAST A DISTANCE OF 145.88 FEET;
THENCE NORTH 83° 53' 34" EAST A DISTANCE OF 177.58 FEET;
THENCE NORTH 70° 42' 46" EAST A DISTANCE OF 113.49 FEET;
THENCE SOUTH 79° 03' 52" EAST A DISTANCE OF 328.51 FEET;
THENCE NORTH 89° 14' 53" EAST A DISTANCE OF 87.97 FEET;
THENCE NORTH 51° 09' 18" EAST A DISTANCE OF 75.23 FEET;
THENCE NORTH 40° 20' 51" EAST A DISTANCE OF 71.81 FEET;
THENCE NORTH 32° 31' 16" EAST A DISTANCE OF 229.38 FEET;
THENCE NORTH 51° 14' 24" EAST A DISTANCE OF 95.43 FEET;
THENCE NORTH 86° 27' 48" EAST A DISTANCE OF 332.87 FEET;
THENCE NORTH 72° 38' 45" EAST A DISTANCE OF 121.62 FEET;
THENCE NORTH 68° 28' 45" EAST A DISTANCE OF 163.00 FEET;
THENCE NORTH 76° 20' 25" EAST A DISTANCE OF 91.10 FEET
TO THE WESTERLY MARGIN LINE OF SKYLINE BOULEVARD
AS IT EXISTS PER VACATION ORDINANCE NUMBER 3403,
DATED 5/27/63;

THENCE SOUTH 56° 08' 09" EAST ALONG SAID WESTERLY
MARGIN LINE A DISTANCE OF 64.27 FEET TO A POINT OF
CURVATURE; THENCE CONTINUING SOUTHERLY AND
EASTERLY ALONG SAID MARGIN LINE BEING A CURVE TO
THE LEFT, HAVING A RADIUS OF 326.50 FEET, A CENTRAL
ANGLE OF 25° 53' 03", AN ARC DISTANCE OF 147.50 FEET TO
THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID
SECTION 23; THENCE SOUTH 02° 52' 32" EAST ALONG SAID
EAST LINE, A DISTANCE OF 345.31 FEET TO THE SOUTHEAST
CORNER OF SKYLINE MEMORIAL GARDENS, AS RECORDED IN

BOOK 1183, PAGE 42; THENCE SOUTH 87° 40' 56" WEST ALONG THE SOUTH LINE OF SAID SKYLINE MEMORIAL GARDENS, A DISTANCE OF 792.11 FEET TO THE NORTHEAST CORNER OF LINCOLN MEMORIAL PARK, AS RECORDED IN BOOK 1935, PAGE 161; THENCE SOUTH 02° 21' 17" EAST ALONG THE EAST LINE OF SAID LINCOLN MEMORIAL PARK A DISTANCE OF 470.00 FEET TO THE SOUTHEAST CORNER OF SAID LINCOLN MEMORIAL PARK; THENCE SOUTH 87° 40' 56" WEST ALONG THE SOUTH LINE OF SAID LINCOLN MEMORIAL PARK A DISTANCE OF 1633.00 FEET; THENCE NORTH 02° 21' 17" WEST PARALLEL WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23 A DISTANCE OF 202.82 FEET TO A POINT WHICH BEARS SOUTH 47° 19' 04" EAST FROM THE SOUTHWEST CORNER OF SKYLINE MEMORIAL GARDENS NO. 3, AS RECORDED IN BOOK 1185, PAGE 1; THENCE NORTH 47° 19' 04" WEST A DISTANCE OF 377.84 FEET TO SAID SOUTHWEST CORNER, SAID CORNER BEING ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE NORTH 02° 21' 17" WEST ALONG SAID WEST LINE A DISTANCE OF 1645.44 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO COVENANTS,
RESTRICTIONS AND EASEMENTS OF RECORD.

#1

PLEASE PRINT LEGIBLY!

MEETING DATE 2/29/96

NAME

Phil Smith

ADDRESS

P.O. Box 9192

STREET

Portland OR 97207

CITY

ZIP

I WISH TO SPEAK ON AGENDA ITEM NO.

R6

SUPPORT

OPPOSE

SUBMIT TO BOARD CLERK

#2

PLEASE PRINT LEGIBLY!

MEETING DATE 2/29/98

NAME

TD Miller

ADDRESS

4218 SE Glenwood

STREET

PDX

CITY

ZIP

I WISH TO SPEAK ON AGENDA ITEM NO. R-6

SUPPORT _____

OPPOSE _____

SUBMIT TO BOARD CLERK

#3

PLEASE PRINT LEGIBLY!

MEETING DATE

2-29

NAME

Paul Stanford

ADDRESS

STREET

CITY

ZIP

I WISH TO SPEAK ON AGENDA ITEM NO.

R-6

SUPPORT

OPPOSE

Pub. Safety

SUBMIT TO BOARD CLERK

Board

#4

PLEASE PRINT LEGIBLY!

MEETING DATE 2/29/95

NAME Penny Hummel

ADDRESS 3547th NE 46th Ave.

STREET

Portland OR 97213

CITY **ZIP**

FRIENDS TRUSTED LIBRARY

I WISH TO SPEAK ON AGENDA ITEM NO. R-6

SUPPORT X **OPPOSE** _____

SUBMIT TO BOARD CLERK

LIBRARY LEVY & BOND

MEETING DATE: FEB 29 1996

AGENDA #: R-6

ESTIMATED START TIME: 10:00 am

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Hearing on Serial Levies and Bond Proposals

BOARD BRIEFING: DATE REQUESTED: February 29, 1996

REQUESTED BY: Dave Warren

AMOUNT OF TIME NEEDED: 1 hour

REGULAR MEETING: DATE REQUESTED: _____

AMOUNT OF TIME NEEDED: _____

DEPARTMENT: Support Services DIVISION: Budget & Quality

CONTACT: Dave Warren TELEPHONE #: 248-3822

BLDG/ROOM #: 106 / 1400

PERSON(S) MAKING PRESENTATION: Citizen Testimony

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE:

Public Hearing in the matter of proposed serial levies for library and public safety services and in the matter of proposed bond measures for library and public safety capital projects.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Beverly Steind
(OR) DEPARTMENT MANAGER: _____

BOARD OF COUNTY COMMISSIONERS
96 FEB 22 PM 12:15
MULTNOMAH COUNTY OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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



MULTNOMAH COUNTY, OREGON

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

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

TO: Board of County Commissioners

FROM: Dave Warren

TODAY'S DATE: February 22, 1996

REQUESTED PLACEMENT DATE: February 29, 1996

SUBJECT: Hearing on Proposed Serial Levies and Bond Measures

I. Recommendation / Action Requested:

Hold public hearings and receive testimony relative to the proposed Public Safety and Library serial levies and bond measures.

II. Background / Analysis:

As part of the effort to establish the rates for the serial levies and the projects to include in the bonds, it is important to give citizens an opportunity to make their feelings known before the Board formally approves the measures and places them on the ballot.

Three hearings have been scheduled to allow for citizen testimony:
February 26, 1996 at 7:00 PM in the Courthouse, Room 602
February 27, 1996 at 7:00 PM in the Gresham City Hall
February 29, 1996 during the regular Board meeting beginning at 9:30 AM in the Courthouse.

III. Financial Impact:

The attached summaries show the financial impact of the proposed serial levies for the three years.

The Library levy is proposed to be extended at the current authorized rate, \$0.4034 per thousand dollars of assessed valuation.

The Public Safety levy is proposed to be renewed at a rate of \$0.7796 per thousand dollars of assessed valuation. This rate is higher than the current authorized rate of \$0.5288 per thousand. The scope of the

levy is expanded to add approximately 330 jail spaces in Inverness Jail and another, new, jail, and 75 secure alcohol and drug spaces. The full authorized rate will not be charged until the third year of the levy, when the new jail spaces, which will be constructed during the first eighteen months of the levy, will be operated for a full year.

The items to include in the bond measures are not certain. The proposed Library bond is \$28.5 million for technology, building renovation, and reconstruction of branches. Items proposed for the Public Safety bond measure include paying for construction of additional jail spaces at Inverness Jail, a new jail facility, secure alcohol and drug facilities, renovation of existing facilities, computerized criminal tracking, juvenile detention beds under construction, land acquisition for a courthouse, refinancing of certificates of participation for the juvenile detention facility, and child abuse receiving facility. The amount depends on the projects finally included, but the range is between \$74 million and \$125 million.

IV. Legal Issues:

The Board must make final decisions about any measure for the Primary Election ballot no later than March 21, 1996. I recommend decisions on the levies on March 7 and on the bonds on March 12 to allow time before the deadline to respond to any legal or procedural challenges that might occur.

V. Controversial Issues:

All of the proposed services could be subject to discussion.

VI. Link to Current County Policies:

The Board has a policy in place to consider replacing the short term funding of programs through serial levies with an increased tax base.

VII. Citizen Participation:

The hearings will provide an initial opportunity for citizens to testify.

VIII. Other Government Participation:

The City of Portland has expressed discomfort with the size of the levies as they would increase the County's percentage of total property taxes. I believe the City now understands that the County will not levy the full authorized amounts unless property value growth is sufficient to permit that levy without infringing on the share of property taxes available to other jurisdictions.

SUMMARY OF PROPOSED LEVIES

LIBRARY LEVY

	1995-96	1996-97	1997-98	1998-99
<i>Support for Base Budget at Current Service Level</i>	<i>12,163,707</i>	<i>12,692,107</i>	<i>13,100,658</i>	<i>13,592,834</i>
Expand Hours Branches Are Open		874,379	1,203,145	1,242,849
Expand Hours Central Library Is Open		229,400	473,517	489,144
Increase Books and Materials to Average Level of Comparable Libraries		466,440	531,077	596,278
Open a Branch in Northwest Portland		0	0	441,671
Joint Operation of Parkrose School Project		<u>225,688</u>	<u>224,271</u>	<u>225,417</u>
Total Levy Needed		14,488,014	15,532,669	16,588,192
Levy (including discounts and delinquencies)		15,250,541	16,350,178	17,461,255
AUTHORIZED TAX RATE	0.4034	0.4034	0.4034	0.4034

SUMMARY OF PROPOSED LEVIES

PUBLIC SAFETY LEVY

	1995-96	1996-97	1997-98	1998-99
<i>Support for Base Budget at Current Service Level</i>	16,500,830	20,019,338	19,840,530	19,824,732
Expand Restitution Center by 40 Jail Spaces		616,639	636,263	655,189
Operate 120 Additional Jail Spaces at Inverness Jail		0	4,827,748	6,039,866
Operate New Jail of 210 Jail Spaces		0	1,554,441	4,097,468
Operate 75 Space Alcohol and Drug Secure Facility		0	957,890	1,301,974
Staffing Remodeled Space in Existing Jails		0	788,998	656,439
Data Processing for New Jails		214,379	113,288	116,883
In-Jail A&D		<u>0</u>	<u>615,964</u>	<u>714,115</u>
Total Levy Needed		20,850,356	29,335,122	33,406,666
Levy (including discounts and delinquencies)		21,495,213	29,933,798	33,744,107
AUTHORIZED TAX RATE	0.5288	0.5686	0.7386	0.7796

1996 Library Levy Services and Budget

Included in this library budget are all present library services, the new Midland Library, construction completed June, 1996, and operating in the renovated Central Library beginning early in 1997.

Also included are additional services outlined below:

- **Additional Hours at Branches.** This is the highest priority and begins as soon as possible after the election is passed. Libraries will be open on Mondays for the first time in twenty years.
- **Additional Hours at Central.** With the return to the renovated Central Library, the Library would open at 9 Monday through Saturday, and remain open until 9 Monday through Thursday. Sunday afternoon hours continue.
- **Additional Book/Library Materials.** This increase will improve the library's collection of books and other library materials.
- **NW Branch.** A new, much-needed Northwest Portland Branch Library will be funded before the end of the levy cycle. Equipment, furniture, and books for beginning operation are included.
- **Parkrose School Branch.** A public library operated in conjunction with the Parkrose School District opens early in FY 97-98, with start-up costs included in the first year.

NOTE: The rate for the library levy will be at the same rate as the present library levy -- \$.4034 per thousand dollars of assessed valuation. We anticipate collecting the full rate of the levy. Because of the property tax compression, the full amount is not collected now. Local government in Multnomah County is projected to be out of compression beginning July 1, 1996.

Prepared by Ginnie Cooper, Director of Libraries
February 26, 1996

1996 Library General Obligation Bond

CONNECTING THE COMMUNITY

A Library General Obligation Bond is proposed to be before the voters in May, 1996. Also before the voters at this same election are the continuation of the library levy at the same rate authorized in 1993, and the public safety levy and general obligation bond measures. Passing the library bond measure will provide money to upgrade **library technology and complete needed repairs to branch libraries.**

1. **TECHNOLOGY IMPROVEMENTS.** At newly-renovated Central Library and all branch libraries, replace dumb terminals with personal computers. Upgrade connections for branches and those who dial-in from home, school or work to the internet and library data bases. Improve connections to schools in Multnomah County to make public library resources easily available to school children and teachers.

\$15.5 million

2. **MAJOR BRANCH IMPROVEMENTS.** Repair deteriorated branches, especially roofs, heating systems, out-dated electrical systems. Special attention will be given to four very busy branch libraries: Hillsdale, Hollywood, Belmont, St. Johns. These libraries lack parking and are too small to accommodate heavy use.

\$13 million

3. **PROVIDING FOR BOND ISSUE** and underwriting costs.

\$500,000

Total \$29 million

NOTE: This general obligation bond would require a tax rate of about 7 cents per \$1000 of assessed valuation. The annual tax on a home assessed at \$150,000 would be about \$11.

Prepared by Ginnie Cooper
Director of Libraries
February 24, 1996

To the Editor,

Your Feb. 25 Living section cover story, "Broken Hearts, Mended Lives," to the extent that it concerns the tragic consequences that sometimes result from methamphetamine use, is likely only to make our problems worse in many ways, if not in every way.

While "Broken Hearts" does an excellent job of tugging at our heartstrings, the seriousness of the problem it would address should inspire the most rigorously objective and dispassionate reporting. Instead, I think it's fair to say the story generates more fear and emotion than understanding. I think it's fair to say too that its overall effect is to endorse our failed policy of prohibition as the only way to cope with an unprecedented scourge.

Perhaps the most serious distortion in "Broken Hearts" is its failure to describe accurately the prevalence or effects of methamphetamine abuse, especially in comparison with other drugs legal and illegal. On the whole, are there really any significant differences between the depraved behavior of meth-abusing parents in the 20th century and the gin-abusing parents depicted by the artist William Hogarth in his famous 18th century pictures?

Although the report states that "More than 42 percent of Oregon families accused of child abuse or neglect use alcohol or drugs," 42 percent is about half the percentage of the general population that uses "alcohol or drugs," even if one makes the erroneous assumption that "drugs" does not include legal substances such as tobacco, caffeine, or prescriptions. Considering just this statistic, one might infer that "alcohol or drugs" are not causative factors in Oregon's sad prevalence of child abuse, or deduce that one effective approach might be to raise at-risk parents' rates of alcohol or drug consumption until they approached those of the general population!

"Broken Hearts" states that "Parents addicted to meth are especially likely to lose custody of their children because the drug often annihilates their lives and leaves them caring only about their next high." This would seem to misrepresent the facts on several levels. Is it supposed to mean that, of those parents who lose custody, a majority owe their condition to methamphetamine abuse? How could that be if only 42 percent of such parents use alcohol or "drugs"?

Or is it supposed to mean that, of all substance-abusing parents who lose custody, the majority are crank addicts? Maybe I'm wrong, but my understanding was that alcohol is associated with the vast majority of such parental abuse, as its relative popularity would suggest.

If "Broken Hearts" were an objective examination of our problems, instead of an attempt to demonize the latest drug scourge, it would have quantified such lost-custody cases attributable to methamphetamine with the nature and prevalence of cases attributable to other drugs with abusive potential. A credible report would have compared such unpopular and illegal drugs as methamphetamine with the most popular and legal ones, alcohol and tobacco, which by all credible accounts are implicated in much more harm to children than methamphetamine or even crack cocaine. [According to "'Collateral' Casualties Climb in Drug War," by Andrew A. Skolnick, *Journal of the American Medical Association* (June 1, 1994, Volume 271, No. 21, Pages 1636-1639): "Media-generated hysteria over 'crack babies' has led to the imprisonment of women who use cocaine during pregnancy. Many health care workers believe that the fear of prosecution and imprisonment discourages many of the women who most need prenatal care from seeking it (JAMA. 1990;264:309-310). Ironically, properly controlled scientific studies suggest maternal cocaine use may pose less danger to a fetus than maternal cigarette smoking (JAMA, 1994;271:576-577)"]

If "Broken Hearts" were an objective examination of our problem, it would not have demonized methamphetamine by implying throughout that crank is more habit-forming than alcohol or even tobacco. All the credible evidence at hand suggests that, of those few people foolish enough to mess around with crank, a smaller proportion come to harm compared to those who mess around with alcohol. Another important difference is that even among this small subgroup of hard-drug users, the vast majority will stop using speed after a short time, and almost invariably by their late 30s (assuming they live that long). When will *The Oregonian* learn that it is not the substance, it is the personality type that causes the dysfunction associated with addiction?

I know this is too long for a "letter to the editor." It is more important that editors at the *Oregonian* begin to realize and represent the complexity of our problems with some respect for reality instead of perpetuating fallacious journalistic traditions.

Demonizing the addictive or dangerous qualities of particular drugs is inherently misguided, as is explained by Michael S. Gazzaniga, Ph.D., a professor of psychiatry at Dartmouth Medical School in his book, "Mind Matters" (Houghton-Mifflin, Boston,

1988). Gazzaniga excellently summarizes current scientific thinking about the subject of "Broken Hearts" in this excerpt from his chapter on "Addiction." (p. 140ff):

"...Most of what we hear is hyperbole, and it is encouraged by those who profit from a continuance of the drug hysteria. It is hyped by medical researchers who get paid to study drugs. It is hyped by the social service industry that gets paid to help rehabilitate the addict. It is hyped by politicians who get elected by showing they have a social conscience.

"This urgency to solve the problem loses some of its force once we realize that addiction, in the sense of physiological need, is very limited and relatively easy to fix. Most so-called addicts are not suffering from physiological needs; their cravings are psychological, and one has to wonder whether all the helping agencies that concentrate on the physiological dependencies are not in fact serving the function of reinforcing various forms of dependent or fatalistic psychologically driven behavior. Consider a study by Professor Stanley Schacter of Columbia University.

"Schacter spent years studying why it was so difficult to wean smokers from their cigarettes. He examined all the data from rehab services and observed that no matter what the treatment had been, 60 to 70 percent of the participants returned to smoking. As he puzzled this fact and unearthed relations between nicotine levels and cigarette use, he also wondered why he no longer knew anyone who smoked. Years before, a seminar room would be so filled with smoke that the blackboard was barely visible. Now, not only was the air clear, but a maverick smoker incurred the wrath of all those around him when he lit up. What was going on?

"Schacter formally surveyed his highly educated colleagues at Columbia. He also polled residents of Amagansett, a middle- to upper-middle-class community on Long Island where he summered. He first determined who were smokers and who had been smokers. He took into account how long they had smoked, what they had smoked, and all the other variables he could think of for such a study. It wasn't long before the truth began to emerge. Inform a normally intelligent group of people about the tangible hazards of using a particular substance, and vast majority of them simply stop. That's all, they stop. They don't need treatment programs, support groups, therapeutic drugs - nothing. People who had been smoking for years on a daily basis abruptly quit. This suggested that the rehab centers were attracting only those people who were unable to stop. As a consequence, the rehab patients are not a random sampling of the population with an addiction. They are a subculture that cannot easily give up their addictions. Yet it is the patients from these centers who make up most of the studies about addiction and how hard it is to kick the drug habit. Clearly, the Schacter study strongly suggests that the world is getting a distorted report about the addictive process.

"About 10 percent of the population fall into addictive patterns with drugs.... Similar conclusions can be made from a large drug study on returning Vietnam vets ordered by Richard Nixon.

"Nixon, who rarely relied on the powers of social science research, thought the country should know how many vets returned as addicts. This was in response to an outcry from Americans who seemed to regard all returning veterans as junkies. The director of the study, Dr. Lee Robbins of Washington University, had a large sample to draw on. She chose those soldiers returning to the United States in 1971. Of those 13,760 Army enlisted men who had returned, 1,400 were found to have urine that tested positive for drugs (narcotics, amphetamines, or barbiturates). In short, these 1,400 men were unquestionably drug users. Of that sample, she retested 495 men eight to twelve months after their return home. The results were crystal clear. Only 8 percent of the men who had been drug positive in their first urine test remained so. Therefore, 92 percent of those using drugs upon their return home simply quit, walked away from a dependence on the substance they enjoyed in Vietnam. It was the remaining 8 percent that were making their way to the rehab facilities - the hard-core addicts.

"This finding is staggering in its implications. Virtually every study and every statement made about human addiction is based on the image that heavy drug users are victims of their substances. Yet Schacter's work suggests that the vast majority of humans are able to walk away from a drug should they choose to do so. Those who cannot are not so much victims of a ravaging physiological need as they are of a certain psychological character. That psychological profile, no matter how it might be characterized, is what is at issue - not the substance abuse."

Professor Gazzaniga's summary is confirmed in the current medical and scientific literature. For example, the Sept. 15, 1994 *New England Journal of Medicine* (Vol 331, No. 11) reports that "Treatment, of course, is only part of the picture. The sociologist Charles Winick presents evidence that 'some people can regularly use [illicit] drugs without harming themselves or inflicting losses on others.' Most who try them soon stop, and among those who continue, recent studies suggest, 'controlled use' may be the norm, even for cocaine and heroin." (p. 749)

Stories such as "Broken Dreams," if they purport to examine the harm caused by illegal drugs, should also examine the damaging role of drug prohibition in exacerbating our problems. Why, for example, is there so little meth use or abuse in the Netherlands, where personal possession or use leads to jail only in those (rare) cases where jail actually reduces the harm to others.

Put another way, what evidence does the state of Oregon have that separating parents from their children while the parents are undergoing drug rehabilitation is beneficial either to their outcomes or those of their children? Finally, to what degree does the actual harm caused by a particular illegal drug have to do with the degree of state intervention? Are we making our problems worse by separating some healthy and happy children from parents who use illegal drugs responsibly and cause no significant harm? Just last week *The Oregonian* printed yet another report on a foster child killed by a relative of his new family. How hot is the frying pan, really, and how hot is the fire, and what is the role of prohibition in all the ruined lives we see here but not in the Netherlands?

Please consider your assumptions about the problem of methamphetamines in light of what is perhaps the best short summary on the speed problem, the chapter titled "The Swedish Experience" (pp. 294ff) from the *Consumers Union Report on Licit & Illicit Drugs*, by Edward M. Brecher and the editors of Consumer Reports (Little, Brown and Company, Boston, 1972), ISBN 0-316-10717-4, available for \$14.95 plus \$1.75 postage from New Morning Books in Mt. Morris, IL (800) 851-7039. (Stock # HB/44)

[Verbatim, except chapter footnotes excluded here. Any typos are mine.]

"During the past few years, the American public has been warned of what happened to amphetamines in Sweden. Sweden, we have been told, was so blind to the hazards of the amphetamines that in 1965 these drugs were made available free of charge on the Swedish health plan. The results were 10,000 or 20,000 amphetamine "abusers" springing up practically overnight in a small country of 7,000,000. Now (the story goes) Sweden has banned amphetamines altogether, even on prescription. The Nixon administration's 1969-1970 drug bill proposed that the United States also prohibit amphetamine prescriptions except for a few special conditions - thus profiting from the Swedish experience.

The actual Swedish amphetamine experience, investigated there for this Consumers Union Report, suggests a very different perspective.

Amphetamine was first placed on sale in Sweden in 1938, three years after its introduction into the practice of medicine in the United States. (1) The Swedes, however, were much more prompt in recognizing the potential hazards of the drug; in 1939, though sales were still very small, they placed amphetamines on the list of drugs available only on prescription - a step that the United States did not take until 1954.

Swedish physicians apparently found the drug useful, for by 1942 they were prescribing it to about 3 percent of the population. (2)

Some 6,000,000 doses were prescribed during the year. A survey (3) indicated that most Swedish users were using amphetamine sensibly and in moderation:

* 140,000 were occasional users, taking four amphetamine tablets or fewer per year. No doubt, like Americans at the same time, they used amphetamine on rare days when they had to work longer than usual, or faced some extraordinary challenge, or woke up depressed and out of sorts and needed something to "pull themselves together."

*60,000 others were also occasional users, but with somewhat greater frequency; their usage ranged from five times a year to twice a month.

*4,000 users took amphetamine only once a week or so, but often took two or three tablets at a time - perhaps for a Saturday-night "high."

*3,000 users might be described as "borderline." Their frequency of use varied from several times a week to daily - and they sometimes took from five to ten tablets in a single day.

*200 users - less than a tenth of one percent - could properly be labeled "abusers." They took from ten to a hundred or more amphetamine tablets a day, more or less regularly.

This spectrum of use suggests that amphetamines prescribed by physicians are drugs with only a modest potential for misuse. The figures may be contrasted with the estimated 10 to 12 percent of alcohol users who become problem drinkers, and the estimated one percent who become skid-row alcoholics.

The Swedish authorities, however, were not comforted by such statistical comparisons. Warnings against the amphetamines were circulated to all practicing physicians - and in 1944 the prescribing of amphetamines was placed under much more rigid legal restrictions.

The new restrictive measures, of course, engendered nationwide publicity and once more alerted Swedes of all ages to the remarkable effects of the amphetamines. Thus at a time when these drugs were still known to only a minority in the United States, in Sweden they had achieved the status of near-universal familiarity, as a result of repressive measures.

The first effects of the tighter restrictions appeared to be favorable. "Sales dropped for a few years by one-half," (4) Professor Gunnar Inghe of the world-renowned Karolinska Institute in Stockholm reports. But, as in the United States and other countries where the authorities rely on drug repression, undesirable side effects of the repressive measures made their appearance: increased use, a black market in amphetamines, the rise of an amphetamine-centered subculture, and the appearance of the "speed freak."

In the middle of the 1940s, [Professor Inghe continues,] it became obvious that misuse of central stimulants was now taking shape in gangs on [a] collective basis, at first especially among Bohemians, writers, actors, musicians and other artists and their sycophants and admirers. At first there was only oral administration. Among the misusers there were however a few morphinists, and probably in the early fifties subcutaneous and later intravenous injection of central stimulants started spreading among asocial and criminal groups, among whom it can be said to have become endemic. In the middle of the fifties instances of breaking into chemists' shops, forging of prescriptions, etc. became common, the number of narcotic gangs increased and the seizing of smuggled tablets started. (5)

Each of these incidents, of course, was accompanied by widespread publicity; indeed the antiamphetamine publicity in effect took the place of paid advertising in maintaining a booming sale of black-market amphetamines year after year.

The drive against smuggled amphetamine tablets no doubt helped raise prices and attract more smugglers, as in the United States. High prices also encouraged the switch from oral use to mainlining. In addition, however - as in the United States - repression and high prices led to the popularization of amphetamine substitutes: cocaine in the United States, phenmetrazine (sold under the trade name Preludin) in Sweden.

Preludin was introduced into Sweden in 1955. [*It is used in the United States as a "diet drug,"] "It was observed at once," Professor Inghe reports, "that this drug produced euphoria. It became rapidly popular in addict circles in preference to other central stimulants which it replaced." (6) The parallel between Swedish and American policies and results is thus complete. The only difference is that the Swedes were far ahead of the Americans. The Swedes instituted antiamphetamine measures somewhat earlier - and thus popularized both the amphetamines and the amphetamine substitutes somewhat earlier.

In 1959 the Swedes took the next obvious step. They subjected Preludin to the same strict legal controls as amphetamine, morphine, and heroin. A special prosecuting attorney was also appointed to concentrate on drug-law enforcement. "Since then, however," Professor Inghe reports sadly, "illegal import of Preludin has increased steadily." Originally "it came from the Boehringer factories in Germany." When the Swedes put economic and diplomatic pressure on the German government - much as the United States has been pressuring the Turks and the French to cut off opium and heroin trafficking - the smugglers switched their source of supply from Germany to Spain. Pressure on Spain was also effective. "Next came the smuggling of Preludin tablets from Belgium and various other countries, notably Italy," (7) Professor Inghe states. Other amphetamine substitutes also became popular. "Phenmetrazine [Preludin] is still the most in demand," Professor Inghe reported in November 1968, "but amphetamine, methamphetamine, dexamphetamine, methylphenidate, and other drugs are used as well. Recent reports tell of an increasing abuse of weight-reducing preparations, which include diethylpropion [Tenuate, Tepanil] The misusers themselves have an incredible capacity for rapidly progressing to new euphoria-producing preparations, which apparently without exception can prove both habit-forming and dependence-forming." (8)

By November 1968, as smuggling controls over amphetamines and amphetamine substitutes became somewhat more effective, the Swedish black market, like the American black market a few years earlier, took the next obvious counterstep. As noted above, the raw materials out of which the amphetamines are made are common industrial chemicals, used in great quantity in ordinary manufacturing processes. Sweden imports these raw materials. A slight increase in such imports is very hard to detect - yet sufficient to produce vast amounts of amphetamines. This, Professor Inghe told an international amphetamine conference in November 1968, was beginning to occur in Sweden. [*According to another Swedish source, however, clandestine speed labs had operated in Sweden for some time; they simply escaped official attention until 1968. (9)] "This means that some part of the market now, as far as one can judge, is covered by illegal factories, at least partly situated in Sweden." (10) The Swedes had belatedly discovered the "speed labs" which had begun flourishing in the United States six years earlier.

The Swedish response to this 1968 development was to ban altogether - except for a few uncommon conditions - the prescribing of amphetamines and related drugs. Special permission was required from the National Board of Health and Welfare for each patient receiving amphetamines; during the second half of 1968, only 343 such permissions were granted for the entire country.

The sensible and occasional use of amphetamines under medical supervision was thus effectively curbed - but a visit paid Stockholm in November 1970, in the course of research for this Consumers Union Report, indicated that the black market still flourished. Amphetamines and other stimulants were freely on sale in the city's large black market behind the Central Station - a region of impressive new skyscrapers roughly comparable to New York City's Park Avenue in the fifties. The Swedes are convinced that they have today the worst amphetamine problem of any country on earth - and they are almost certainly right.

The outcome of Swedish efforts to suppress amphetamine misuse between 1942 and 1970 can now be objectively evaluated. Prior to the repression, 240,000 Swedes received amphetamines legally on prescription from their physicians and used them occasionally and sensibly to help meet minor crises of life - chiefly overtime work and feeling out of sorts or depressed. This occasional legal use of amphetamines has now ended. Yet the "abusers" - 200 in 1944 - had by 1970 become an army estimated at more than 10,000 - and many had become mainlining speed freaks. The question inevitably arises whether Sweden might not have been wiser in 1944 to try, quietly and without publicity or publicized warnings, to reduce the number of its "serious" misusers from 200 to 150 or perhaps even 100, rather than trying to "stamp out amphetamine abuse."

One more parallel between the Swedish and American experience - and between heroin and the amphetamines - deserves mention. Because the United States has by far the largest heroin problem on earth, Americans also have the greatest number of heroin experts; at meetings of the United Nations, the World Health Organization, and other international agencies, the United States urges other countries to follow its lead in repressing the traffic in heroin. Other countries, looking at the results in the United States, are naturally loath to comply. The same is true of Sweden and the amphetamines. Through the years Swedish delegates to international conferences have urged that other countries also launch nationwide drives against the amphetamines, place them under the same controls as heroin and morphine, and curb international smuggling. Since the Swedish experts have had the longest and most extensive experience with amphetamine abuse, they consider themselves the best-informed experts. Other countries, however, have proved understandably reluctant to set off down the path that, beginning as early as 1944, led Sweden to its current amphetamine situation.

But if the facts are as here presented, what of the story, circulated in the United States for several years, that the Swedes have been tolerant of the amphetamines, have given them away free to addicts, and are suffering an amphetamine disaster as a direct result of this toleration?

The facts are quite simple and uncontroversial. In 1965, after Sweden had exhausted all repressive approaches to the amphetamines and amphetamine substitutes, a group of physicians applied for permission to supply modest numbers of amphetamine users with amphetamines as a research project. Permission was granted, subject to the condition that no physician supply more than 10 users. Two physicians exceeded the limit, so that as many as 250 or 300 users may have been supplied with amphetamines in the course of the project - 250 or 300 out of an estimated 10,000 amphetamine abusers at the time the project was launched. The project gave added reason to conclude that an amphetamine maintenance program has little or nothing to recommend it, and it was abandoned after two years.

Thus, Sweden's amphetamine problem has been blamed in the United States on the experimental prescription of amphetamines to a few hundred users in a dispensing project that *followed* rather than preceded Sweden's amphetamine explosion.

Japan, like Sweden, experienced an epidemic of excessive amphetamine use after World War II. According to reports by Japanese and American observers, (11) Japan successfully curbed this epidemic by law-enforcement methods - sweeping arrests, stiff prison sentences and curtailing supplies. If true, this marks one of the few victories of law enforcement over drugs in the history of drug use. No on-site review of the Japanese experience was made, however, in the course of research for this Consumers Union Report; and no objective evaluation of the Japanese experience was found in the medical literature available in English. Nor have we found any cogent explanation of why law-enforcement methods that proved counterproductive in the United States, in Sweden, and in other countries - against other drugs as well as the amphetamines - proved so successful in Japan. Whether, on closer scrutiny, the Japanese amphetamine stories circulating in the United States might prove as misleading as the stories emanating from Sweden, is an issue of considerable importance which warrants further inquiry.

[End of chapter 39]

The Japanese "victory" is now widely perceived as illusory, especially since the recent introduction of "ice," which originated in Japan according to most reports.

Twenty-four years after the *Consumers Union Report*, what is the current state of affairs in Sweden? Here is a verbatim excerpt from a recent witness account posted on the internet (full copy/email address available):

"According to the National Health Institute in a report 11.5.95, 20% of Swedish young people in the major cities use drugs, mostly cannabis. The chairman of one of Sweden's leading organisations for helping drug abusers, Alec Carlberg of RFHL (National Organisation for Helping Substance Abusers) issued a dire warning in the national daily newspaper Dagens Nyheter 26.4.95: 'Sweden is entering a situation where there is great doubt we will be able to manage. Youth unemployment is record high and the amount of heroin in Stockholms suburbs is escalating. Society is powerless to stop it, we are sitting on a powder keg.'"

"The much vaunted compulsory treatment for drug abusers has failed miserably. Social Physician Gunnar Agren has been researching into the results of the Swedish compulsory treatment programme since 1987 and his results show that of those unfortunate enough to be forced into compulsory treatment, up to 10% die of drug abuse after they have been released. That compares to a death rate of 3% in non-treated street users.

"One area where Swedish drug laws are having a great effect is crime. The newspaper 'Dagens Nyheter' reported 2.6.95 that drug use and violence are escalating out of control and Sweden is heading for a situation similar to that in the USA. A report by the Kriminalvardsstyrelsen (Criminal Care Ministry) 1.7.95 says serious crime has risen 25% in Sweden since 1990 and the minister of justice, Laila Freivalds, says there is a clear connection between the rise in violent crime and the availability of illegal drugs and weapons.

"According to the Criminological Institute of Stockholm University in a report 14.9.95, adult crime has risen by 80% in Sweden since 1975. In 1975 the drug laws in Sweden were much more liberal than they are today. The rise in crime has been parallel with the toughening of drug laws.

"The situation in the cities is becoming untenable. Crimes of violence, mostly robbery and aggravated robbery, in the Greater Stockholm area rose by 54% between the years 1987-1993 according to Johannes Knutsson, a researcher at the Police High School in report in the newspaper 'Svenska Dagbladet' 10.7.95.

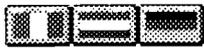
"None of this prevents the fanatical narconazis of Sweden holding their country up as example for the rest of Europe to follow.

"As Europe is the best hope the world has of instituting sane drug laws, the actions of Sweden represent a threat that is out of all proportion to their relatively small size. There is a very real danger that they can succeed in imposing the same totalitarian narcofascism on the rest of Europe that they have imposed on their own unfortunate country."

[End of excerpt]

These are not the sort of histories or concepts that will fit in a 100-word "letter to the editor." Nevertheless, they will fit on the internet, where once again *The Oregonian* will lose more credibility. Will *The Oregonian* ever stop being part of the problem and become part of the solution?

Phil Smith
Northeast Portland
(for confirmation: 236-5288)



Cannabis Users in Amsterdam

Dr. P.D.A. Cohen

Department of Human Geography

University of Amsterdam

Nieuwe Prinsengracht 130

1018 VZ Amsterdam

tel: (+31 20) 525 42 78

fax: (+31 20) 525 40 51

email: pcohen@popmail.ic.uva.nl

www: <http://www.frw.uva.nl/acd/isg/drugs/>

Presentation held at the national conference on the Urban Softdrugs Tolerance Policy, Jaarbeurs Conference Center, Utrecht, Wednesday, June 7, 1995

In this presentation I will say something about users of cannabis - that is to say hash and marijuana- principally in Amsterdam. The emphasis is on Amsterdam, not because I find users here more important than elsewhere, but because the data on these users is relatively ample.

In 1987, 1990, and 1994 we asked large samples of the population of persons 12 years and older (roughly 4,400 people) about lifestyle and use of legal and illegal drugs. Therefore we can say with some confidence something about the development of cannabis use and about users' characteristics. This confidence exists because each year we choose not only the same technique of sample selection, but also because we continued to work with the same interview instrument.

Here I will primarily address the question of the consequences the past years' drug policy of 'tolerance' has had regarding the spread and intensity of cannabis use. Can we say that there are continually more people who have had experience with cannabis? Or does the availability in Amsterdam lead instead to a slow decrease in its importance? Or can we speak of a certain stability?

Today a few other questions are equally as important: Who are the cannabis users in the city, how old are they when they begin, from what populations (communities) do users come. If people use cannabis do they then go on to also use other drugs, what, in their experience, happens to their cannabis use over time, how many people are frequent users, etc.

In table 1 we can see the data on:

- life time drug use during (ever use),
- drug use in the year preceding our research, (use last year),
- and use in the month preceding our research, (use last month).

From table 1 it appears that *ever use of cannabis* increased slowly in Amsterdam. In the age-adjusted figures we can see that experience with cannabis increased from just under 23% of the population in 1987 to just under 29% in 1994. This increase is also logical, because the oldest people -people who mostly had no experience with cannabis-

passed away. The elderly were replaced by youth who have a much greater chance having used cannabis. Therefore, the ever use figures in Amsterdam can only slowly increase, even if use among the youth dropped.

Table 1. Development of drug use in Amsterdam, 1987 - 1994. Numbers for 1990 and 1994 adjusted for the age, gender and ethnicity distribution in 1987.

drugs	Ever use			Use last 12 months			Use last 30 days		
	1987	1990	1994	1987	1990	1994	1987	1990	1994
Tobacco	71.6 □□□	67.4	65.3 ^{ooo}	49.6 □□	46.3	44.9 ^{ooo}	45.9 □□	42.5	40.0 ^{ooo}
Alcohol	87.6 □	85.7	84.5 ^{ooo}	78.8	77.4	76.0 ^o	71.1 □□	68.4	68.3 ^o
Sleeping pills	20.0	18.7	19.0	11.2 □□	9.4	9.8	8.2 □□	6.5	6.4 ^o
Tranquillizers	22.2 □	20.2	20.8	10.7 □	9.2	9.7	7.3 □	5.9	6.0
Cannabis	22.8	24.0 □□□	28.5 ^{ooo}	9.3	9.8	10.5	5.5	6.0	6.4
Cocaine	5.6	5.3	6.0	1.6	1.2	1.6	0.6	0.3 □	0.8
Amphetamine	4.4	4.0	4.3	0.6	0.5	0.4	0.3	0.2	0.3
Ecstasy		1.2 □□□	3.4		0.7 □□□	1.7		0.1 □□□	0.9
Hallucinogens	3.8	3.9	4.3	0.4	0.3	0.4	0.1	0.1	-
Inhalants	1.1	0.9	1.3	0.3	0.1	0.1	0.2	0.0	0.1
Opiates (all)	9.2 □□□	7.2	8.5	2.4	1.9	2.3	1.1 □	0.6	0.7
Heroin		1.1	1.2	0.3	0.1	0.2	0.2 □	0.0	-

Sign. test: Chi square (Yates' corr.):

1987 - 1990, 1990 - 1994: □ p < .05 □□ p < .01 □□□ p < .001;

1987 - 1994: ° p < .05 °° p < .01 °°° p < .001

Source: Sandwijk et al. (1995).

If we look at the data on use in the last year, we see that use did not increase, but remained very stable over the years - fluctuating around 9.5% of the population. This is much less than the ever use figures. Last month use also is lower and very stable - around 6% of the population. From these figures we can conclude that there are many more people who smoke a joint every once in a while than there are who do so with any regularity. And we see this pattern of predominately moderate use returning again and again in the population research that we have done.

Let us then look to see if the stability of use patterns holds for all the age groups, or if there are some groups who are exceptions in this regard. In the group of 12 - 15 year olds, life time experience with cannabis is stable in the period from 1987 - 1994: roughly 3%. It is also stable in the age group 16 - 19: at roughly 25%. However, in the age group 20 - 24 year, life time use or ever use increased slowly over the years from just under 40% in 1987 to 50% in 1994. This means that by the time young people in Amsterdam reach their 24th year, half of them have smoked a joint or pipe, on at least one occasion.

With the generation-effect, the ever use figures increase for the group 35 and up, exactly that group in which the last month figures clearly decrease as compared with younger age groups.

If we look at the last month use figures the picture over the years is again very stable. In the 20 - 24 year age group - the group with the most active night life in the city - we see the most frequent cannabis use in the last month. Roughly 1 out of every 6 Amsterdammers in the 20 - 24 year group, has smoked a joint or more per month.

Among people older than 24 years, last month use falls off. In Amsterdam, people over the 25 - 35 year age group show less enthusiasm for the herb, and those in their fifties lose interest almost altogether. We can say with confidence that cannabis use, in contrast to alcohol use, is strongly bound to a phase of life. When it occurs, irrespective of popularity, it is chiefly something for the 16 - 35 year age group. The average age of the current cannabis user in Amsterdam is around thirty.

Table 2. Cannabis use by age group (percentages, numbers not age-adjusted).

age	Ever use			Use last 12 months			Use last 30 days			N		
	1987	1990	1994	1987	1990	1994	1987	1990	1994	1987	1990	1994
12-15	4.7	2.9	5.8	2.9	2.9	5.8	0.6	1.7	2.3	172	175	86
16-19	25.5	21.7	28.7	17.8	16.7	19.4	11.6	10.3	10.9	259	263	129
20-24	38.2	36.3	50.0 °	23.4	20.6	26.8	13.1	11.4	14.0	458	465	228
25-29	41.9	42.8	44.1	17.8	19.2	16.9	11.1	12.0	11.4	585	594	290
30-34	46.5	44.4	42.3	13.1	14.9	15.9	8.8	9.3	12.3	443	450	220
35-39	36.2	42.8	45.3 °	12.4	13.4	13.5	6.2	9.6	7.8	387	395	192
40-49	19.1	26.7 □	36.1 °	5.7	7.2	8.8	3.3	3.9	5.6	576	584	285
50+	3.0	3.7 □	6.9 °	0.4	0.9	0.3	0.2	0.6	-	1489	1515	737
total	22.8	24.0 □	28.5 °	9.3	9.8	10.5	5.5	6.0	6.4	4369	4440	2166

Sign. test: Chi square

□ p < .05 1987-1990, 1990-1994

° p < .05 1987-1994

Source: Sandwijk et al. (1995)

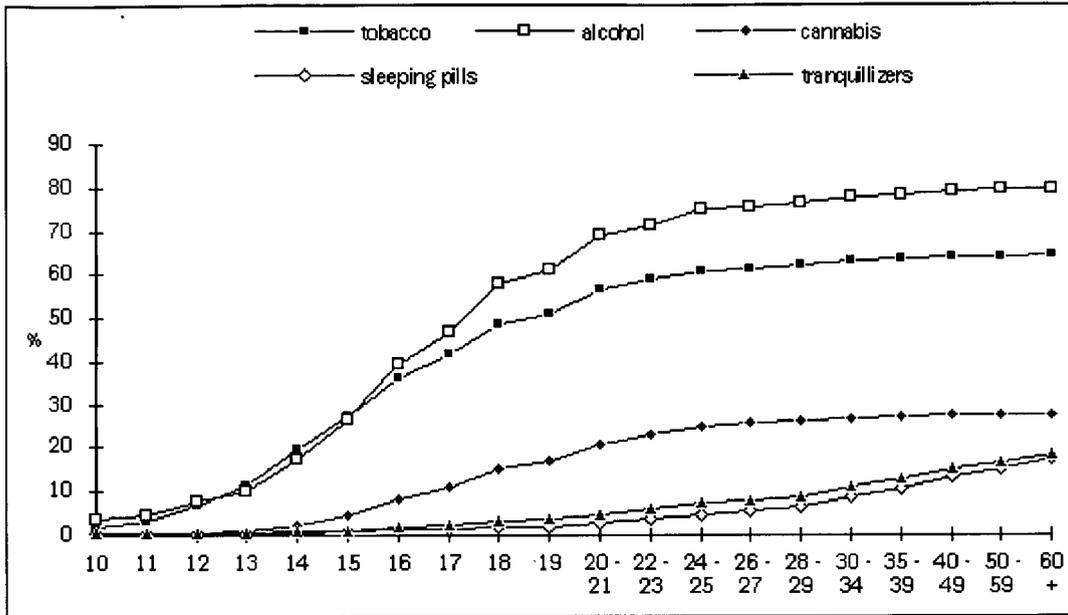
Let us now take a special look at that group of people in Amsterdam who had used cannabis in the month preceding the study. That is between 20 and 25% of all the people who have ever had experience with the herb. We call them the 'continuers'.

Throughout the years of the study, we can find this same 20 - 25% proportion of continuers (see table 1). Of the continuers, 65% used maximally twice per week. Smoking more than 20 times a month was infrequent: *roughly 4% of all those who have had experience with cannabis*. In comparison, 13% of people who have ever drunk alcohol have done so more than 20 times in the past month.

What many people find hard to believe is that in a city like Amsterdam, the average age of first cannabis use is not around 15, but 20! The median age is 18.

In figure 1 we see that people begin cannabis use from the age of 13 on, and that people get initiated until around age 26. In other words, the age of initiation ranges from 13 to 26 years. That means that relatively many people (half) are older than 18 when they first smoke a joint (or pipe). Initiation after the 26th year occurs rarely. Figure 2 was made to see if the starting age for cannabis use has changed over the years.

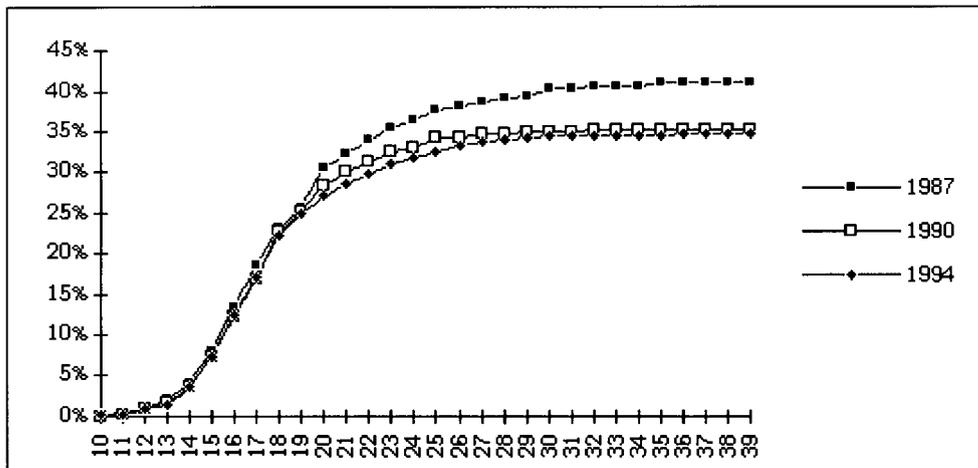
Figure 1 Age of first cannabis use in 1994 compared with first use of tobacco, alcohol, sleeping pills, and tranquilizers.



Source: Sandwijk et al. (1995).

In 1987, the age of first cannabis use showed more variation than in 1990 and 1994, but the difference is small. The average age of first cannabis use is fairly constant. In order to show how it looks when range in age of first use is not constant, we present figure 3 displaying what happened with first use of Exstasy in 1990 and 1994 (We do not have data for 1987).

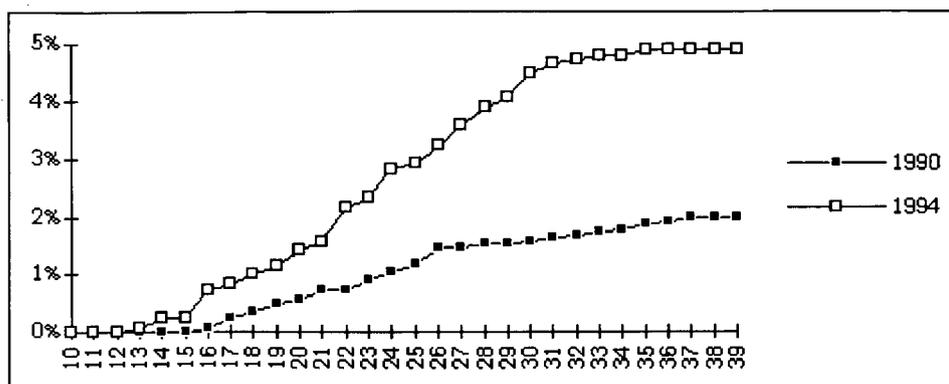
Figure 2 Age of first cannabis use (12 - 39 year olds) in 1987, 1990, and 1994



Source: Sandwijk et al. (1995).

In 1990, age of first use of XTC occurred somewhere between the 16th and 26th year. Between 1990 and 1994 it has spread out to between 14 and around 33 years. What does this mean? The figures 2 and 3 show that the age of first cannabis use is relatively stable (figure 2), but for the new drug ecstasy, the age of first use has not yet found its own pattern (figure 3).

Figure 3 Age of first ecstasy use (12 - 39 year olds) in 1990 and 1994



Source: Sandwijk et al. (1995).

Stability of cannabis use in Amsterdam

It is obvious that a typical period to start using cannabis exists in Amsterdam's culture, with an average age of first use at around 20. If we had the necessary data we would know if this is also true in other parts of the Netherlands. For a country with a drug policy as unique as ours, the lack of national data figures is a serious policy-evaluation handicap.

We know through our Amsterdam research that the incidence - that is to say, the number of new cannabis users per year - is very stable; roughly 1% of the population of 12 years and older per year. We know too, from the data from 1990 and 1994, that something like 10% of all cannabis users quit per year. The average age of those people who stop cannabis use is 26.

To summarize, in Amsterdam we see that roughly 1 out of 4 residents has ever had experience with cannabis, with very constant ages of first use, a very constant incidence of use, and a very constant attrition rate among users. Moreover, we see a very constant prevalence of use in the past year and the past month.

Last month's use is reported by around 24% of all life time users, with a very light tendency towards decreasing. (With cocaine that is around 10%. That is to say only 1 in 10 cocaine experimenters will continue to use at least once a month). Furthermore we see that over the years the percentage of cannabis users who have had ample experience (namely, having used more than 25 times) remained constant in 1990 and 1994, and consists of roughly 45% of all life time users.

From all these data we can cautiously conclude that even if Amsterdam would have undergone an increase in cannabis availability, for example via an increase in the number of retail outlets (coffeeshops), this has not lead to any intensification of use-patterns. A saturation point has been reached, in any case in the period from 1987 through 1994. The only group where we see a statistically significant increase in ever use of cannabis is the group of people in Amsterdam who go out most frequently: the group of 20 to 24 year olds. *But, when we look at the last year's and last month's use from just this group we again see a very constant pattern of use where no increase can be seen.* Thus, it is the experimental behavior of this group which slightly increases, but not its continued use. It is also important to note that life time cannabis use in Amsterdam, in a social climate of total decriminalization, is no higher than in the United States where the degree of criminalizing and taboo equals that of alcohol in Iran.

From here it follows that economic and material access to an illegal drug only has a limited influence on the level of its use. In this regard illegal drugs are similar to legal ones, like tobacco and alcohol. Factors other than availability - for example life styles and attributions given to consequences of use - are possibly of greater importance. Cocaine, which is quite readily accessible in Amsterdam, has developed only a limited popularity (see table 1). Heroin, openly available and possibly the least expensive drug in Amsterdam considering 'bang for the buck', has demonstrated only

minimal use over the years.

What is the situation in Amsterdam for people who use cannabis so heavily that they request the Consultation Bureau of Alcohol and Drugs' (CAD) advice and assistance? In 1988, the number of new intakes at the Amsterdam CAD was 53, in 1994 this had increased to 347. In the area of cannabis the number of those who leave the CAD system per year lies roughly even with the number of intakes. The total number of people actually in treatment for cannabis-related problems rose from 27 in 1988 to 54 in 1994 (Source: National Alcohol and Drug Information System, Utrecht)¹. Considering the approximately 60,000 users of cannabis in Amsterdam last year this is not exactly unsettling.

Profile of the cannabis user

We see, over the years, that cannabis users are primarily white, native Dutch, then those from Surinam, and after this the Turkish and Moroccan residents. There is a strong connection between education level and the chance of someone using cannabis. The higher the education level, the higher the chance. In all the years that we have done this research we have seen roughly 10 to 15% of the people with no more than basic education have ever tried using cannabis, but among those persons with college or university education this figure lies between 45 and 50%. If we look at employment status, we only see differences between the unemployed and full-time workers in use over the past month, not in life time experience or last year's use. Among the unemployed roughly 15% have used at least once over the past month. Among full-time workers roughly 8%. The difference is not that large. What we also see unchanged over the years in Amsterdam is that income level barely plays any role in the chances of someone using or not using cannabis.

An important variable is nightlife - going out. The more frequent peoples' visits to cafés or discos, the greater the chance that they will have used cannabis. A number of variables taken together have a highly predictive value. An unemployed person with higher education, younger than 40 years, who lives alone and is a frequent café-goer has a higher chance of ever having used cannabis than someone with a full-time job, relatively little education, who is over 40 years old and lives in a family with children.

Cannabis as stepping stone to other drugs

Another important question is if cannabis users become curious about more drugs, other drugs. In other words, do people who use cannabis more or less automatically go on to try other drugs? This question we know as the stepping stone theory: does smoking reefer lead to using cocaine and heroin? Recently this theory has been raised again in other terms: cannabis as a "gateway drug".

Tables 3 and 4 show the extent to which people who have had experience with cannabis have also had experience with cocaine and heroin. We split the population by age group so as to be able to track any possible age-bound differences. In Amsterdam, after cannabis, cocaine is the most frequently used illegal drug. As table 1 shows, about 6% of the population of people older than 12 have ever used cocaine. Among people who have ever used cannabis this percentage is noticeably higher. Among them, ever-experience with cocaine is roughly 22% over the years (see table 3). But, if we look at the *last month's* cocaine use figures among those who have ever used cannabis, we find around 2%. We cannot therefore say that in Amsterdam, beginning with cannabis leads to regular cocaine use. For heroin, the figures lie considerably lower still (see table 4). But in contrast, if we look for heroin or cocaine users among those people who have never tried cannabis, they scarcely exist. For cocaine there were only 0.4% in 1987 and 1990 and 0.5% in 1994.

Table 3. Ever use, use last 12 months, and use last 30 days of cocaine, for persons who ever used cannabis (%).

leeftijd	1987			1990			1994			N		
	ever	year	month	ever	year	month	ever	year	month	1987	1990	1994
12-15	-	-	-	-	-	-	-	-	-	8	4	9
16-19	7.6	3.0	-	1.8	1.8	-	1.8	1.8	-	66	56	55
20-24	16.0	5.7	1.1	12.3	4.9	0.6	14.5	9.2	5.2	175	163	173
25-29	33.1	10.2	4.1	23.1	7.0	1.7	18.5	5.8	1.5	245	242	260
30-34	29.6	6.8	1.5	27.7	6.1	2.3	30.3	7.5	3.1	206	213	228
35-39	22.1	2.9	2.1	27.9	4.2	2.1	31.5	7.0	2.3	140	190	213
40-49	21.8	5.5	3.6	21.6	4.0	1.1	23.9	2.7	1.6	110	176	255
50-59	8.1	2.7	2.7	11.4	-	-	15.6	1.6	1.6	37	35	64
60-69	-	-	-	9.1	9.1	9.1	18.2	9.1	9.1	7	11	11
70+	-	-	-	-	-	-	-	-	-	1	6	4
total	23.4	6.2	2.3	21.2	5.0	1.6	22.2	5.7	2.4	995	1,096	1,272

What do these figures mean? Well, indeed in Amsterdam a portion of cannabis users have had experience with other drugs. But also, three-quarters to two-thirds (dependent on age group) of those who have ever used cannabis have never used any other illegal drug. In other words, in Amsterdam's population there is a group of people who want to experience illegal drugs, but for the majority of these people experience with cannabis suffices. Furthermore, these figures mean that cannabis users who take additional drugs are small in number and do so only very infrequently. In the Amsterdam population, there is little evidence to support the 'stepping stone or gateway theory'.

Table 4. Ever use, use last 12 months, and use last 30 days of heroin, for persons who ever used cannabis (%).

age	1987		1990		1994		N				
	ever*	year month	ever	year month	ever	year month	1987	1990	1994		
12-15	-	-	-	-	-	-	-	8	4	9	
16-19	-	-	1.8	-	-	-	-	66	56	55	
20-24	1.1	0.6	2.5	0.6	-	1.7	1.2	-	175	163	173
25-29	1.2	0.4	5.8	1.2	0.4	3.5	1.5	0.4	245	242	260
30-34	2.4	1.5	5.2	0.5	-	6.1	-	-	206	213	228
35-39	2.1	0.7	3.7	-	-	7.5	1.4	0.5	140	190	213
40-49	-	-	3.4	-	-	4.3	1.2	0.4	110	176	255
50-59	2.7	-	-	-	-	1.6	-	-	37	35	64
60-69	-	-	9.1	-	-	9.1	-	-	7	11	11
70+	-	-	-	-	-	-	-	-	1	6	4
total	1.4	0.6	4.0	0.5	0.1	4.3	0.9	0.2	995	1,096	1,272

* No data available

The permeation of cannabis use to the provinces

In the USA we have seen a slow increase in the use of cannabis from the 1960's to 1979. Afterwards cannabis use slowly decreased until 1991, and thereafter began to increase slowly again.

In 1976 in America, among the 18 - 25 year group - the group in which the chance of drug use is relatively high - there was a big difference in cannabis use of city dwellers, versus that of suburban/rural residents. 59% of the city dwellers between 18 and 25 years old had experience with cannabis in 1976. Outside the city this was 38% - considerably less. In 1982 cannabis experience in this age group had increased notably, but far more in the suburban/rural areas. In the major cities, experience with cannabis had increased by 15%. Outside the cities it increased 50%. In 1992 we see that cannabis experience has become practically equal between metropolitan and non-metropolitan areas: 50% and 47% (source: National Household Surveys on Drug Abuse. NIDA, Rockville MD USA)

We do not have these data for the Netherlands. We only have figures from research with high school students; insufficient for this goal. In addition the figures from this research are not comparable due to different interview schedules and sampling methods. Still, in the Netherlands among 17-18 year olds we see the following:

Table 5. Use of cannabis ever, ages 17-18 years, in 1984, 1988, and 1992.

1984*	1988	1992
urban non-urban	urban non-urban	urban non-urban
	31	17
	28	32

* No data available

Source: NIAD.

Regarding having had experience with cannabis for city and provincial areas, these figures show that in the Netherlands convergence may take place. That has less to do with drugs than with the development of "big city" behavior and its trickling out to the provinces. I expect therefore that an increase in provincial youths' cannabis use shall occur or is already occurring to match that of the cities. This development should be no cause for alarm, particularly not if use-patterns outside the city more or less resemble those in Amsterdam.

In Conclusion

This presentation has dealt with the Amsterdam population's cannabis use. However, there may well be subgroups in the city who demonstrate entirely different use patterns from that of the average resident. Subgroups like the Hell's Angels, concert musicians, homeless youth, or the police, could display entirely different patterns. The interpretation of these differences is difficult and always insufficient where global use-patterns of the population as a whole are unknown.

Notes

1. Thanks to the following people of the CAD Amsterdam: Mr. Scholten, Mr. Vermeulen, and Mr. Kerssemaker.
2. Average starting age of cocaine use is 25 years, average age of those people who then stop using cocaine is around 28 years. The average age of current cocaine users in Amsterdam (those who used during the research period) is around 32 years.
3. The NIAD will recalculate the figures from 1984 (Student research, van der Wal et al). With thanks to Roelf-Jan van Til (BRON UvA BV), Dr. I Spruit and Drs. H Kuipers (NIAD).

References

Sandwijk, J.P., P.D.A. Cohen, S. Musterd & M.P.S. Langemeijer (1995), *Licit and illicit drug use in Amsterdam. Report of a household survey in 1994 on the prevalence of drug use among the population of 12 years and over.* Amsterdam: Department of Human Geography, University of Amsterdam.



Summary

Ten years of cocaine

A follow-up study of 64 cocaine users in Amsterdam

Peter Cohen & Arjan Sas

Introduction

*oops - sorry
for coffee stains!*

In 1987 we interviewed a group of 160 experienced "non-deviant" cocaine users in Amsterdam. This sample was created by the snowball method, described in Cohen, 1989(1). Compared to cocaine users in a general household study done the same year (Sandwijk et al., 1988), our sample appeared to be representative of those who had been using cocaine the year prior to the household interview in Amsterdam.

One of the main conclusions of our 1987 cocaine study was that a very large majority of the investigated users gave no evidence of ever losing control. However, many negative side effects of cocaine use were mentioned. The higher the level of use had been during a respondent's highest use period, the more negative effects experienced. This may have been why only 2% of the respondents consumed cocaine at a high use level (2.5 g a week or more) when interviewed, although about 20% had previously used at a high level during their highest use period (which was not necessarily the same time period). The most frequent pattern of use over time was called "up-top-down". Average cocaine consumption career was 6 years.

In 1990 the Ministry of Welfare, Public Health and Cultural Affairs funded a follow-up study, to be completed in 1991. The main goal of this study was to look at the development of use patterns in the original respondents since they were first seen in 1987. The study was to be genuinely longitudinal. Very explicitly, we wanted to know if a proportion of the 1987 respondents developed problem-related patterns of use. If so what kind of problems were experienced and in what proportion of the sample? It might be possible that the level of control the experienced cocaine users in Amsterdam had demonstrated in the 1987 study had changed under the influence of much longer exposure to cocaine.

We were also interested in asking some "test-retest" questions relating to respondents' cocaine and other drug use. Such questions might teach us something about the reliability of self-report data, an issue of recurrent interest (Harrison, 1992). We used the same interview schedule in 1991 as used in 1987, with a few small changes. However, during the pilot phase of our follow-up study we found the original interview far too long and detailed for those who had stopped using cocaine or had used it less than ten times. For such persons a short interview schedule was designed that would answer basic questions.

Our follow-up study could be used to verify the conclusions of the only two systematic longitudinal studies of community sampled cocaine users known to the principal investigator: Murphy et al's follow-up study done in California in 1986 (Murphy et al, 1989), and Erickson's follow-up study in Toronto, Canada that was ongoing when the Amsterdam follow-up study started.

Based on re-interviewing 11 years later 21 persons out of an original sample of 27, Murphy et al. concluded:

"At least within our sample of long term cocaine users, the tendency for use to escalate to abuse was neither inexorable nor inevitable. Most never came to use cocaine daily or regularly in heavy amounts (...). The majority of our subjects had used cocaine for more than a decade, usually in a controlled fashion."

The Erickson study in Toronto was a follow-up study, one year after the first interview, of 54 respondents out of the original 100. Although she sampled respondents with a relatively short cocaine use career (3.5 years average in the

original study of 100 respondents), Erickson concluded after completion of her one year follow-up study:

"One of the key findings to emerge has been the progression over time from less to more frequent use, of larger amounts, followed by cessation or reduced use for the majority of users" (Erickson, 1992)

In our follow-up study, the period between first interview and follow-up was four years.

Average time between initiation into cocaine and follow-up interview was 14 years in the Murphy et al. study, 5 years in the Erickson study, and 12 years in the study reported here.(2)

Conclusion

After analyzing longitudinal data on our 64 follow-up respondents we conclude that the main tendency of experienced cocaine users over time is towards decreasing levels of use, stability of low level use, and abstinence. Over longer periods, frequency of cocaine consumption decreases markedly and stabilizes for about half and becomes zero for the other half. However, for non-abstinent users we computed increased median normal doses during their top use period after 1987, compared with the same data before 1987. We saw the same upward tendency for median normal doses used the last three months before interview. These differences are small and do not reach statistical significance.

We did find evidence, however, that a proportion of the non-abstinent follow-up respondents (n=30) had run into difficulties with cocaine. Four persons (12%) had considered asking for assistance to help them control or quit cocaine use. When looked at as a proportion of the total follow-up group (n=64) the proportion is 6%. All but one continued cocaine use at moderate levels or quit cocaine without seeking help.

This suggests that the absence of police intervention in individual cocaine use and small scale distribution in Amsterdam does not necessarily create a large group of cocaine consumers unable to control their levels and consequences of use.

The conclusion Murphy et al. (1989) formulated about the "controlled fashion" of cocaine use in their California follow-up sample, and Erickson's (1992) summary of her findings in Toronto about "the capacity of most users to control and modify their drug use" were fully confirmed by our follow-up data.

In the next section the main findings of the Amsterdam follow-up study will be summarized.

Summary

1 The follow-up sample compared with the non-follow-up sample (1987)

In the months January to June 1991, 64 persons who had participated in our 1987 cocaine study were interviewed again for our follow-up study. We had set as our goal to re-interview half of the original group of 160.

Sixteen people had left Amsterdam; five moved abroad; we had insufficient information about original address or names of 61 persons; three refused our invitation; and eight did not respond. Three people had died.(3) We could re-interview only 64 of our original sample.

Could it be that the 64 respondents that participated in our second round of interviews are a biased selection of the original 160? If so, we are not able to generalize our findings to our complete group of experienced cocaine users, nor to cocaine users in general in Amsterdam who started around 1980.

In order to ascertain that the 64 follow-up respondents represented the original group we compared them (Chapter 1 of this report) on a number of variables - as measured in 1987 - to the 96 respondents who did not participate in the follow-up study.

On the variables of education, age(4), gender, income, marital status, drug use experience other than cocaine, and cocaine use during period of initiation and at time of the 1987 interview, our follow-up respondents did not differ significantly from the non-follow-up ones. However, regarding employment status and ever having used at high level during top period of use, the follow-up respondents differed from the non-response group. Of our follow-up group, 80% had some form of employment in 1987, versus 58% of the non-follow-up. This difference is significant. Of the follow-up group, 11% reported high level use during top period, versus 27% of the non-response group, but this difference is not significant.

Since the two groups are similar on so many variables, it is uncertain as to how important the two differences are. In

the 1987 study we found that use level at top period did not determine use level at time of interview. This leads us to believe that in a large group of experienced users, the mere prevalence of high level use during a reported top period of use does not determine long term cocaine consumption careers. In fact, ever having had a high level of use during top period only related significantly to the prevalence of reported negative side effects. We do not know if the higher employment rate of our follow-up respondents biases our results. This aspect deserves some caution, because a higher employment rate may reflect a difference in life styles and a corresponding difference in control priorities and/or capacities (see Waldorf et al, 1991).

Still, the sample of respondents we found for our follow-up endeavor was representative for all users interviewed in 1987 on a wide range of variables.(5)

Thus, we feel quite confident that the results of our follow-up study can be taken as reasonably representative for experienced cocaine users in Amsterdam with respect to the development of consumption careers. However, there remains a chance that our follow-up data can not be generalized to all cocaine users who were sampled in 1987.

2 Developments in cocaine use

When asked about their cocaine consumption during the last four weeks prior to our follow-up interview in 1991, 19 respondents out of 64 reported cocaine use. Over a slightly longer period before interview (three months), 23 reported consumption of cocaine at least once. Over the period since 1987 to time of interview in 1991, just 34 respondents reported some use.(6) This means that almost half of our 1991 follow-up respondents had ceased to be cocaine consumers since we interviewed them in 1987.

Of the 17 respondents who reported no cocaine use during the three months prior to interview in 1987, four had used again at follow-up. Three of them reported some use during the three months before interview in 1991. Of these 17 respondents who used cocaine again since 1987, none reported using more than half a gram a week during the four-year follow-up period. This corresponds to a low level according to our definitions.(7)

Seven of our follow-up respondents had ever used at a high level when we interviewed them in 1987. Of these 7 respondents, 6 reported abstinence from cocaine during the three months prior to follow-up in 1991. Just one respondent had been using at a medium level.

When looking at median dosages during a normal occasion of use, we found some slight differences between 1987 and 1991. The follow-up respondents who had not become abstinent reported as median dosages: during top period after 1987 238 mg (versus 250 mg in 1987) and during last three months 175 mg (versus 125 in 1987). These differences amount to just over two lines of snorted cocaine during three months before interview per normal occasion of use.

Of the reasons given for quitting cocaine completely, abstinent follow-up respondents most often mentioned negative physical or mental effects. Only one respondent mentioned cost of cocaine. In general, reported advantages and reported disadvantages of cocaine remained the same since 1987. Of the 34 respondents who remained users since 1987, over 90% reported periods of non-use of one month or longer. The longest period of abstinence averaged six months. Of the non-abstinent follow-up respondents, the main route of ingestion was and remained snorting. One respondent had injected once since 1987, and three had experimented with free basing cocaine. These non-nasal routes of ingestion were perceived to be more pleasurable by most of the 34 non-abstinent follow-up respondents, but negatively evaluated at the same time - "addicting", "like junkies do".

When asked if substantial reduction of cocaine's price would increase their consumption, a majority of non-abstinent follow-up respondents deny that this would be a motivating factor when referring to themselves, but agree speaking about others. Roughly equal proportions perceive increased cocaine use in Amsterdam (33%) and decreased cocaine use (30%). Stability was reported by 23%.(8)

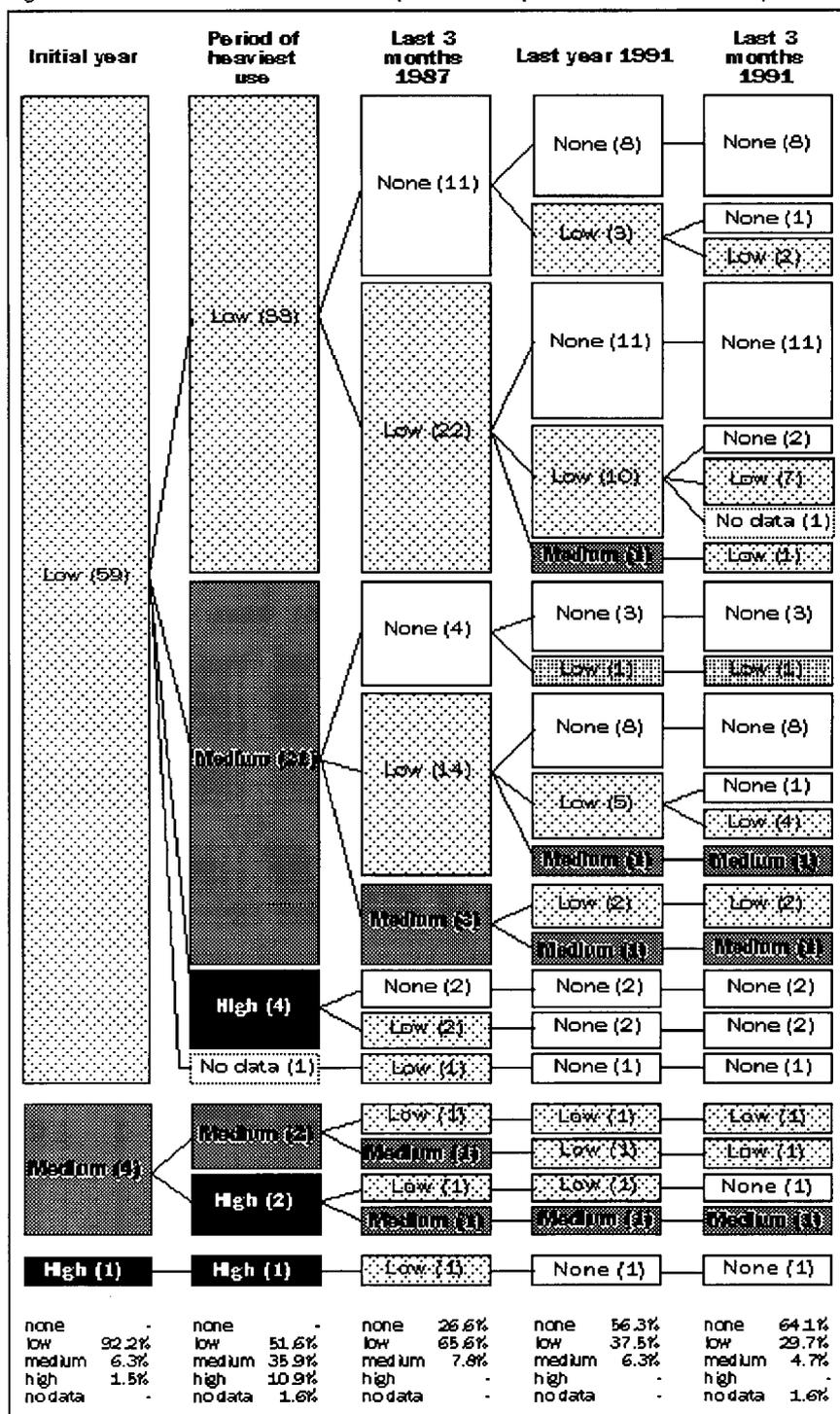
When asked about their most preferred policy towards cocaine, no changes have taken place since 1987: a small majority in 1991 still wanted local cocaine policy to become more liberal or remain at its present state of non-interference with individual use. A large minority felt that cocaine policy should become stricter. Although present non-users opted more often for a stricter cocaine policy the difference was not significant.

We asked all 64 follow-up respondents if they had considered third party assistance to control or quit cocaine use in the period between 1987 and 1991. Four respondents (6%) affirmed, of which one did seek assistance.(9) This suggests that under present conditions in Amsterdam, 6% of experienced cocaine consumers felt their cocaine use as being out of their own control at some moment during their career. Rarely is this followed by helpseeking, a conclusion that seems consistent with the rare occurrence of primary cocaine "dependencies" in Amsterdam. For our follow-up respondents, Ecstasy (MDMA) was quite a popular drug. Of all respondents, 39% had experience with

this substance, versus 2% in the 26-46 year age cohort in the Amsterdam population. As in 1987, our follow-up group of current and ex-users of cocaine were far more experienced than their age cohort for all illicit substances. A special appendix is added to this report about the four respondents who considered treatment at some point during their career between 1987 and 1991. Demographic and cocaine career data are given with some of their own words relating to motives for considering treatment.

Finally, when we looked at some indicators of life development of the 64 follow-up respondents, we found that whereas in 1987 73% of them lived by themselves, without children or partners, in 1991 this decreased to 48%. The percentage of persons living alone in the age cohort 26-46 years in the 1990 household survey on licit and illicit drug use was 31. In 1987 8% of the follow-up respondents were married, in 1991 11%. Four fifths had some form of employment in 1987, which increased to 88% in 1991. Average net income per month of this group of current and ex-cocaine users increased 31% (not corrected for inflation) from Hfl 2,082 in 1987 to Hfl 2,726 in 1991.(10)

Figure 2.1a Level of cocaine use over time (number of respondents between brackets)



Source: Peter Cohen & Arjan Sas (1993), Ten years of Cocaine. A follow-up study of 64 cocaine users in Amsterdam, p. 29.

3 Test-retest of the follow-up respondents

Some test-retest analyses were run to increase our knowledge about the reliability of the data we collected. This is important when seeking to generalize research findings. We did our test-retest analysis on data regarding initiation into cocaine, other drug use and cocaine effects experienced.

Data on initiation are reasonably reliable, except for data on initiation location. Data on dose at initiation could be improved by better wording of the questions and by changing interviewer instruction. Lifetime prevalence of drugs shows a number of inconsistent answers. Our data support that forgetting, drug definition and certainly question wording might be important factors. There was no evidence of intentional denial.

When asking the same questions on cocaine effects, equal scores on the Mokken effect scales were found from a maximum of 53% of respondents in scale 1, to a minimum of only 12% of respondents in scale 3. More effects, which is logically possible, were reported by a maximum of 53% on scale 3 to a minimum of 21% on scale 4.

Logically impossible is the reporting of fewer effects, but this happened with a maximum of 44% on scale 5, to a minimum of 18% on scale 1 (see Chapter 3 for details).

Of course respondents can forget they experienced certain effects, but the changes in scores on all of these scales (ranging from 44% to 18%) complicate our efforts to build up systematic knowledge about the effects of cocaine. Earlier we had already indicated that cross cultural analysis between cocaine effects hinder our understanding of these effects. Sampling and environment make data difficult to compare. Now, we have to add the complication of change of perceived effects over time with the same individuals. This means we are very far from understanding the prevalence of cocaine effects, how to measure them, and how to understand to what degree dose, frequency of use, level of use over time, and set and setting are determinants of effects.

Notes

1. Respondents were found by asking cocaine users to list the initials of a number of other cocaine users known to them. From this list the next respondent was selected randomly (snowballing). The only condition for inclusion as the first cocaine user in a snowball was that such a user could not be selected from circles of junkies, full-time criminals, or full-time prostitutes. This is what was meant by "non-deviant cocaine users". Such a criterion has consequences for the search at so-called "zero stages" of snowballs. However, if a first respondent mentioned such persons in his list of initials, snowballing into such circles was necessarily accepted as part of the sampling procedure. According to our own pre-set criteria, this sampling procedure resulted in 18 respondents out of 160 that were "deviant" in some way. For a number of reasons we kept these respondents in our sample (Cohen, 1989). To our knowledge, we never ran into junkies, full-time criminals or full-time prostitutes. The inclusion criterion for all was that a respondent had a minimum experience with cocaine of at least 25 occasions of use during their lifetime. This is what we mean by "experienced" users.
2. The length of time between the first year of regular use and follow-up in 1991 is about ten years for our 64 follow-up respondents.
3. One died of AIDS (not related to drug use); another respondent (already ill) died shortly after our 1987 interview; and for one respondent the cause of death is unknown.
4. Follow-up respondents were on average 31 years old when we interviewed them in 1987, and 35 years old when interviewed in 1991.
5. As mentioned before, the 1987 sample of 160 experienced cocaine users was representative on a large number of variables of "last year" cocaine users in the 1987 household survey.
6. "Some use" is defined as more than ten occasions of cocaine use between interview in 1987 and interview in 1991. This amount was the minimum inclusion criterion for the long interview schedule.
7. Low level: less than 0.5 gram; medium level: between 0.5 and 2.5 gram a week; high level: over 2.5 gram a week.
8. In a group of 108 much younger cocaine users, on average initiated into cocaine after 1986 (versus 1979 of the follow-up respondents) we found that perceptions of increased, decreased or stabilized cocaine consumption are very different. Among the newly initiated, 58% see cocaine use among them rising, 7% as decreasing and 19% as stable. The rest did not know. Apparently the type of user group one moves in determines to a large extent what perceptions one has on the epidemiology of cocaine use (Cohen and Sas, *Cocaine use in Amsterdam II; Initiation and patterns of use after 1986*). Amsterdam's Jellinek clinic is the

center for treatment that, if any place at all, will be chosen by the type of cocaine user investigated here. This clinic registered 164 persons with whom they had at least one cocaine treatment contact during the year 1991 (In 1988: 150; in 1989: 113; in 1990: 171). Source: Reg office Jellinekhouse, Drs. U. Nabitz, private communication March 1993. The Jellinek Centrum serves a clientele in Amsterdam and its suburban municipalities. Total number of all recent cocaine users in this area is probably between 6,000 and 10,000 persons (Sandwijk et al. 1991).

9. Hfl 1.- = approximately \$.60

© Copyright 1993 Peter Cohen & Arjan Sas

Peter Cohen & Arjan Sas, *Ten years of cocaine. A follow-up study of 64 cocaine users in Amsterdam*. 126 p. ISBN 90-6993-081-1. Ƴ32,50.

Publications can be ordered from the Department of Human Geography, University of Amsterdam, Nieuwe Prinsengracht 130, 1018 VZ Amsterdam, Netherlands. Prices include packing and postage by surface mail. Orders should be prepaid, with cheques made payable to "Department of Human Geography". Excluded are banking charges (Ƴ15,- per banking operation).

[Home](#)

[Library](#)

Dutch say permissive drug policy deters crime

AMSTERDAM, Netherlands (AP) — While debate opens up in the United States over legalizing drugs, the trend in Europe is toward increased tolerance for the user — and tougher penalties for the trafficker.

U.S. Surgeon General Joycelyn Elders set off a storm by suggesting America's streets might be safer if drug use were legalized.

In Amsterdam, you don't have to go far to find evidence that appears to support her argument.

In the red light district, for instance, elderly tourists mingle freely with junkies and let their pocketbooks dangle freely. In a city known as one of Europe's major drug bazaars, purse-snatchings are rare and drug-related crimes of vio-

lence are almost unheard-of.

"I think the tolerance of both hard and soft drugs has reduced crime in our cities," Amsterdam police spokesman Klaas Wilting said Thursday.

But permissiveness toward drug use may be less significant than other policies — such as strict gun control — in explaining low levels of crime and violence.

And Wilting and other European officials oppose outright legalization.

"If we do that, the government will lose its grip on the (illegal drugs) market, and we can't manage it anymore," said Justice Ministry spokeswoman Jannie Pols.

Police have focused their war on drugs on traffickers associated with

organized crime, even as tolerance toward possession and use makes drugs cheap and easy to get.

The Dutch government eliminated penalties for drug possession in 1976, setting a policy that possession of up to a gram of heroin (.035 ounces) or 30 grams (1.05 ounces) of marijuana or hashish was not a punishable offense.

Even though heroin is readily available, the Dutch addiction rate is one of Europe's lowest, with about 15,000 hard drug addicts and 600,000 marijuana and hashish users in this nation of 15 million.



The HIGH TIMES Interview

Eddy Engelsman

text & photos by Teun Voeten

Over the last 20 years, Holland's liberal drug policies have been a source of heated controversy both in Europe and elsewhere around the world. In fact, for many years West Germany and England have accused Holland of fostering drug abuse. The facts, however, have never really supported this conclusion--in reality, drug abuse is lower in Holland than anywhere else in Europe. Consequently, the Dutch model is getting increased recognition as an effective way of dealing with the drug problem.

While Switzerland considers decriminalization of cannabis, and Germany debates clean-needle and free methadone programs, America's prestigious Drug Policy Foundation (DPF) gave its annual award to the Dutch medical sociologist Eddy Engelsman.

Engelsman runs the Netherlands' Department of Alcohol, Drugs and Tobacco, a branch of the Ministry of Welfare, Health and Cultural Affairs. He is one of the most influential strategists behind Dutch drug policies. After picking up his award last November, Engelsman lectured at Stanford University's Hoover Institution, where the guests included former Secretary of State George Shultz and economist Milton Friedman.

HIGH TIMES: What is the ideology behind the Dutch drug policy?

Eddy Engelsman: First, let me make one thing clear--drugs, even soft drugs, are not legal in the Netherlands. The same holds for alcohol and tobacco, which are regulated by certain laws, for instance, alcohol licenses for bars and a minimal drinking age. But within the boundaries of prohibition, we try to act as humanely as possible. From a medical point of view, we don't like people to use drugs. But we know that whatever we do, people will take drugs, so we favor a pragmatic and realistic approach.

The basic theme we strive for is harm reduction. Drugs are harmful in two ways: First, the primary physical health risks [resulting from using the drugs themselves]. But sometimes, the

secondary risks overshadow those considerations: Drug-related crime, AIDS, social ostracism and stigmatization.

Most of these last problems are direct results of the illegal and expensive nature of drugs. So there are conflicting interests--because, while fighting the primary problems by limiting access to drugs, most of the secondary problems are created. Once you start cutting off the supply and prices double, you don't have the right to complain that those secondary problems are increasing, too.

HT: How is the drug problem approached in the Netherlands?

EE: First, we see it basically as a health problem. That is why drug policy, together with alcohol and tobacco, primarily comes under the Ministry of Health, and not the Justice Department. Criminal law is only used to reduce the

supply of drugs, not to punish and criminalize users. In other countries, drugs are considered an outrageous evil, resulting in a discussion that becomes very mixed up with emotional and irrational arguments.

It is strange that other issues--like foreign policy and economics--are constantly subjected to reflection and adjustment, but the drug issue has reached such a sacred status that it is raised beyond all reasonable discussion. In the US, drugs are a strongly political issue. Most of the officials--judges, deputies and governors--are elected, and screaming zero tolerance is an easy way to score political credit. Taking the tolerant stand is not a popular position.

In the Netherlands, where most officials--like mayors and district attorneys--are appointed, the drug issue has been moved to the background of

the political arena. On the other hand, that is a disadvantage because it prevents politicians from further actively thinking about the problem.
HT: What is the anti-drug campaign like in Holland?

EE: We never use the terms "anti-drug campaign" or "War on Drugs." But of course, we'd like to reduce the consumption of drugs. The accent is on prevention, part of which is education and information. We don't use scare tactics, simply because they don't work. That way you give drugs the status as the ultimate evil. In Paris, there was a case in which they showed the movie *Christiana F.* [about the heroin scene in Berlin] to the kids at a school to show them how dangerous drugs were. The result was that the kids who saw the movie were more bound to experiment with hard drugs than the ones who hadn't seen it.

Never let the police enter the school to tell about drugs. That way drugs are immediately associated with crime and vice. The kids just love all those exciting stories about narco-gangs and drug busts.

One of the reasons people do drugs is to rebel and to make a statement against society. So we intend to take the glamour and romance out of drugs. We try to teach the kids that they have to cope with the risks of life--drugs, just like traffic, being one of them.

We tell the kids how to handle peer pressure, to develop their own [sense of] responsibility. We focus on attitude and behavior. It makes no sense letting anyone come in and show mysterious white powders and funny brown substances, without mentioning any social and psychological context. That will only make them curious.

HT: What are the results?

EE: The results are that in spite--or because--of easy access to drugs, the numbers of people that smoke pot and do hard drugs in Holland are actually among the lowest in Europe.

The same holds, by the way, for teenage pregnancy. The Dutch are always accused of having a permissive society with low ethics and moral standards regarding sex. For instance, prostitution and porn are totally tolerated, but the result is that we have the lowest teenage pregnancy [rate] in the world, whereas the US has the

highest. Our abortion rate is the lowest worldwide, too.

HT: What is the role of the media?

EE: The media are guilty of sensationalizing the whole drug issue. Junkies are portrayed as scary monsters, living a dreadful life in gloomy back alleys. A few years ago, the papers had the habit of counting the people who died on heroin. Headlines like "OD #29 this summer." I called up the papers,

"We don't use scare tactics, simply because they don't work.... Never let the police enter the school to tell about drugs. That way drugs are immediately associated with crime and vice. The kids love all those exciting stories about narco-gangs and drug busts."

and said: "Hey, why don't you start giving numbers on alcohol related deaths as well?" Since that time they've quit numbering dead junkies. But it makes me quite desperate every time they write about drugs, to see that same old photograph of someone shooting up in some dark alley. The stereotype of a junkie is a deviant criminal and an antisocial outlaw--but it is a fact that only 25 percent of Amsterdam junkies resort occasionally to crime to pay for their addiction. It is not a much known fact that 60 to 70 percent of all crime is alcohol-related. It's a sociological mechanism that people eventually will conform their behavior according to the

myths and stereotypes that society has created around them.

HT: How is the needle project working out?

EE: When we started supplying free methadone and handing out clean needles to prevent the spread of AIDS, we were criticized by the whole world community. They accused us of having a fatalistic mentality and actually encouraging the use of hard drugs. The result, however, has been that over the past ten years the number of addicts who've kicked the habit has actually doubled.

Our policy regarding addicts is that we have to reach out and stay in touch with them. We see them as patients, not as criminals. At this moment, we have established excellent contacts with the junkie population, who have themselves developed a remarkably high consciousness and responsibility. For instance, in most Dutch cities, shooting heroin is an absolute taboo in the junk scene.

We are not saying, "You can only get methadone or clean needles if you follow treatment. That would scare them away. We focus on *care* instead of *cure*. But if they want to kick the habit, we have dozens of out-patient treatment facilities as well as 20 drug-free clinics available right away.

HT: Why is it that there is not a crack problem in Holland?

EE: First, I think that we don't have such outrageous social circumstances, like poverty and black ghettos, which form an excellent breeding ground for all sorts of drug abuse. Another thing is that each society gets the

drug it deserves. In a highly competitive, individualistic society such as the USA's, people reach out to substances with combative and dynamic effects. In Holland, we have a society that is more centered around solidarity. Also, most drug users are fairly well-informed about the health risks involved with crack. In 1983 and 1984, we had a wave of freebasing, but that simply went by.

Some experts say that the strict enforcement on cannabis in the USA has opened the way to crack, which is now cheaper and more available than marijuana. Others say that the cocaine

continued on page 17

ENGELSMAN

continued from page 14

available in Europe is of a fairly good quality, which makes purifying it into crack unnecessary.

HT: How is the rest of Europe reacting to the Dutch approach?

EE: A few years ago, we were totally misunderstood and alone in our policy. When we presented our statistics on actual drug consumption, it was said we were cheating with our figures. But now that there is a standardized methodology developed by social scientists in the Council of Europe to measure and scientifically compare actual drug use, other countries are reluctant to publish their statistics. They see that we indeed have one of the lowest numbers in Europe.

Right now, we are starting to get more and more appreciation. Even in Germany, in the city of Hamburg and the state of Nordrhein Westfalen, experiments have been started with free methadone treatment. Discussions about decriminalization of cannabis are a hot topic. It is funny, though, that all new initiatives still come from below, at the municipal and state levels. No new federal legislation has yet passed in Germany.

HT: Are you in favor of total legalization for cannabis?

EE: I think right now the situation in Holland is satisfactory. We have, although not a *de jure* legislation, a *de facto* legislation. To be honest, there are a lot of advantages to cannabis not being totally legal. We still have some kind of control over the consumption. It would be unwise to let commercialization step in. For instance, the tobacco industries likely have their blueprints ready for giant advertising campaigns once the stuff gets legal. If I had the power, I would outlaw tobacco and alcohol advertising as well.

HT: What about the decriminalization of hard drugs?

EE: Decriminalization is not the answer. We have to look at the results of different approaches and then decide what is the best. We don't have any moral pretensions, and neither do we want to make any sweeping statements. We just realize that people are, and will be, using drugs. All we can do is reduce the damage they inflict on themselves and society. For that, the only way is to follow a pragmatic and realistic path--the middle path between militarization and legalization, whatever the latter may mean. ●

National Review

<http://nationalreview.com>

New York, Jan. 30, 1996

“Misfire On Drug Policy”

By William F. Buckley, Jr.

The bipartisan Council on Crime in America, whose most conspicuous spokesman is William Bennett, does fine work, but when it touches on the matter of drugs its analytical powers simply decompose, as though the writer were high on crack cocaine or the legal stuff.

Last week the Council exploded in opposition to the call for an approach to the legalization of drugs made by seven writers (myself included) in this journal. To the title of the symposium - “The War on Drugs Is Lost” - the Council replies that that is most certainly not so. To the end of proving this, it cites the reduction of drug use by non-addicts. It declined by 50 per cent between 1979 and 1992. The planted axiom of course is that that decline is owing to the war on drugs. But what is it that accounts for the decline in the number of users of tobacco during the same period, from 33.5 million to 26.5 million? The use of tobacco is not illegal. But since 1979, and beginning even before that, the deleterious effect of cigarettes was so persuasively argued that even William Bennett gave up smoking.

A look at the formal side of the war on drugs is required. If something is illegal, then the law that makes it so is effective to the extent that it imprisons those who violate it, thereby hypothetically reducing the number of lawbreakers.

That would seem obvious, but isn't to the distinguished members of the Council on Crime in America. In 1985, 811,000 arrests were made for drug offenses. In 1994, 1.35 million arrests were made for drug offenses. Does that mean that the war on drugs is effective? Well, no. An effective law diminishes, rather than increases, the number of violators who have to be arrested.

And then of course one asks, If 1.35 million drug users were arrested in 1994, how many drug users were not arrested? The Council informs us that there are more than 4 million casual users of cocaine (defined as people who use it less than once a week). How so? Why haven't they been arrested? And goes on to say that there are over 2.2 million heavy (at least weekly) users. That makes a total of 6.2 million who violate the law from once a week, to every two weeks or so. How effective is the war when such figures can be cited? Now take the big one. There are over 70 million Americans who have smoked marijuana, and about 10 million who continue to do so. Why aren't they in jail? Does the Council on Crime in America really wish that they were in jail?

It must have embarrassed the Council that the same week it sputtered forth on the great success of the war on drugs, *The Economist* cited another Council report on crime in America which gainsays its entire position on the drug war. We learn that only one criminal is jailed for every hundred violent crimes committed; that over one-half of America's convicted felons are not sentenced to prison (because, in part, the prisons are full); that the most violent criminals serve less than one-half their sentences, and the average murderer released in 1992 from a state prison had served only 5.9 years.

The Economist cites the experience of a patrolman in Haughville, a scruffy area of Indianapolis. “He drives up and down in the evenings, past anoraked figures who stand outside liquor stores and turn their faces from him. He can guess what they are; few people apart from drug dealers stand around on nights like this, when the puddles in the potholes freeze

hard. Besides, Patrolman Reichle knows most of them: he reckons he has arrested one in five of these young men." City prosecutors "do not even bring charges against drug dealers until they have been arrested several times. Those who do get charged and found guilty will not go to prison, unless they have other convictions. President Bill Clinton's call for a crackdown on drug dealers sounds pretty hollow in Haughville."

Such is overcrowding in state prisons in Indiana - notwithstanding that the national increase in prison space is threefold since we decided to wage hard war on drugs - that even a relatively new American prison might have merited describing by Charles Dickens. "Prisoners pass their days in narrow, ill-lit cages; there are no chairs or tables, so the men pace up and down like zoo animals or slouch upon the floor."

So what has the war done? It has made a mockery of an anti-drug law that is simply ignored by millions; it has induced violent felonies in pursuit of drug profits; and it is self-evidently powerless to do anything about the recent increase in marijuana use by reckless adolescents. It is a pity that men and women of the moral and intellectual character of William Bennett treat drug legalization as the equivalent of moral acquiescence in drug abuse, when other reasons for repealing our stupid laws are so clearly articulated, primary among them to relieve non-drug users from the heavy load they bear in the phony and ineffective war. One forgets - who won the Hundred Years War back then? Was it really necessary to take it on for one hundred years?

(Universal Press Syndicate)

Summary of Proposed Bond Measures

Library Bond

Technology Improvements	15,500,000
Major Branch Improvements	13,000,000
Bond Issue and Underwriting	500,000
Total Library Bond	29,000,000

Public Safety Bond

New 210 bed jail facility	33,730,000
Expand Inverness Jail by 120 beds	11,500,000
Construct or acquire two 75 bed alcohol & drug facilities	13,150,000
Modify Courthouse Jail, MCDC and IJ Release Center	1,485,000
Provide computer equipment for improved tracking	7,500,000
Finance 64 bed expansion of Juvenile Justice Complex	7,000,000
Bond Issue and Underwriting	1,160,000
Total Public Safety Bond	75,525,000

1996 Library General Obligation Bond

CONNECTING THE COMMUNITY

A Library General Obligation Bond is proposed to be before the voters in May, 1996. Also before the voters at this same election are the continuation of the library levy at the same rate authorized in 1993, and the public safety levy and general obligation bond measures. Passing the library bond measure will provide money to upgrade **library technology** and **complete needed repairs to branch libraries**.

1. **TECHNOLOGY IMPROVEMENTS.** At newly-renovated Central Library and all branch libraries, replace dumb terminals with personal computers. Upgrade connections for branches and those who dial-in from home, school or work to the internet and library data bases. Improve connections to schools in Multnomah County to make public library resources easily available to school children and teachers.

\$15.5 million

2. **MAJOR BRANCH IMPROVEMENTS.** Repair deteriorated branches, especially roofs, heating systems, out-dated electrical systems. Special attention will be given to four very busy branch libraries: Hillsdale, Hollywood, Belmont, St. Johns. These libraries lack parking and are too small to accommodate heavy use.

\$13 million

3. **PROVIDING FOR BOND ISSUE** and underwriting costs.

\$500,000

Total \$29 million

NOTE: This general obligation bond would require a tax rate of about 7 cents per \$1000 of assessed valuation. The annual tax on a home assessed at \$150,000 would be about \$11.

Prepared by Ginnie Cooper
Director of Libraries
February 24, 1996

SUMMARY OF PROPOSED LEVIES

Fiscal Year	1995-96	1996-97	1997-98	1998-99
Property Value	34,683,496	37,805,011	40,526,972	43,282,806
Estimated Growth Rate		9%	7.2%	6.8%

LIBRARY LEVY

	1995-96	1996-97	1997-98	1998-99
<i>Support for Base Budget at Current Service Level</i>	12,163,707	12,692,107	13,336,658	13,837,834
Expand Hours Branches Are Open		874,379	1,203,145	1,242,849
Expand Hours Central Library Is Open		229,400	236,741	244,553
Increase Books and Materials to Average Level of Comparable Libraries		466,440	531,077	596,278
Open a Branch in Northwest Portland		0	0	441,671
Joint Operation of Parkrose School Project		<u>225,688</u>	<u>224,271</u>	<u>225,417</u>
Total Levy Needed		14,488,014	15,531,892	16,588,602
Levy (including discounts and delinquencies)		15,250,541	16,349,360	17,461,686
AUTHORIZED TAX RATE	0.4034	0.4034	0.4034	0.4034

SUMMARY OF PROPOSED LEVIES

PUBLIC SAFETY LEVY

	1995-96	1996-97	1997-98	1998-99
<i>Support for Base Budget at Current Service Level</i>	<i>16,500,830</i>	<i>20,019,338</i>	<i>19,840,530</i>	<i>19,824,732</i>
Expand Restitution Center by 40 Jail Spaces		616,639	636,263	655,189
Operate 120 Additional Jail Spaces at Inverness Jail		0	4,827,748	6,039,866
Operate New Jail of 210 Jail Spaces		0	1,554,441	4,097,468
Operate 75 Space Alcohol and Drug Secure Facility		0	957,890	1,301,974
Staffing Remodeled Space in Existing Jails		0	788,998	656,439
Data Processing for New Jails		214,379	113,288	116,883
In-Jail A&D		<u>0</u>	<u>615,964</u>	<u>714,115</u>
Total Levy Needed		20,850,356	29,335,122	33,406,666
Levy (including discounts and delinquencies)		21,495,213	29,933,798	33,744,107
AUTHORIZED TAX RATE	0.5288	0.5686	0.7386	0.7796

#1

PLEASE PRINT LEGIBLY!

MEETING DATE 2/29/96

NAME

Craig Opperman

ADDRESS

1855

STREET

Lake Oswego, OR 97035

CITY

ZIP

I WISH TO SPEAK ON AGENDA ITEM NO. R7

SUPPORT

X

OPPOSE

SUBMIT TO BOARD CLERK

#3

PLEASE PRINT LEGIBLY!

MEETING DATE 2/29/96

NAME

MAGGY KHILNANI

ADDRESS

320 NW OLD ORCHARD
STREET

WORK

ADDRESS

NE AGING SVCS
5325 NE MLK

248 5470

Vanc Wa 98665
CITY **ZIP**

I WISH TO SPEAK ON AGENDA ITEM NO. R 7

SUPPORT Yes!! **OPPOSE** _____

SUBMIT TO BOARD CLERK

#4

PLEASE PRINT LEGIBLY!

7

MEETING DATE 2/29/96

NAME ANGELA SHERBO

ADDRESS 5124 NE CLEVELAND
STREET

7

CITY _____ **ZIP** _____

I WISH TO SPEAK ON AGENDA ITEM NO. 17
MAYBE

SUPPORT _____ **OPPOSE** _____

SUBMIT TO BOARD CLERK _____

#5

PLEASE PRINT LEGIBLY!

MEETING DATE 2/29/96

NAME

Charlotte Cook

ADDRESS

9424 N York

STREET

Westland

97203

CITY

ZIP

R-7

I WISH TO SPEAK ON AGENDA ITEM NO. RECEIVING

homes

SUPPORT

OPPOSE

SUBMIT TO BOARD CLERK

#6

PLEASE PRINT LEGIBLY!

MEETING DATE 2-29-96

NAME

Frances Dehlin

ADDRESS

~~3618 E~~ SCF

STREET

Portland, OR.

CITY

ZIP

I WISH TO SPEAK ON AGENDA ITEM NO.

R-7

SUPPORT

OPPOSE

SUBMIT TO BOARD CLERK

MEETING DATE: FEB 29 1996

AGENDA #: R-7

ESTIMATED START TIME: 10:15

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Review Child Abuse Receiving Home Bond Proposal and Call a Public Hearing on Child Abuse Receiving Home Bond Proposal

BOARD BRIEFING: Date Requested: _____

REQUESTED BY: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: Date Requested: February 29, 1996

AMOUNT OF TIME NEEDED: 10 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

SUGGESTED AGENDA TITLE

Review of proposal to issue general obligation bonds for the construction and/or acquisition of Child Abuse Receiving Homes. Call for a Public Hearing on the proposal to submit a measure election on the question of general obligation bonds.

36096 Copies to BCC, Mark Weider, Bill Farver,

SIGNATURES REQUIRED: Rhy's Scholes

Awora Jewell, Dave Colyer,

& Dept Managers & Dave Warren

ELECTED OFFICIAL: _____

Don Saltzman

OR

DEPARTMENT MANAGER: _____

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
96 FEB 22 PM 1:05

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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



DAN SALTZMAN, Multnomah County Commissioner, District One

1120 S.W. Fifth Avenue, Suite 1500 • Portland, Oregon 97204 • (503) 248-5220 • FAX (503) 248-5440

M E M O R A N D U M

TO: Board of County Commissioners

FROM: Dan Saltzman *D.S.*

DATE: February 22, 1996

SUBJECT: Review of Child Abuse Receiving Home Proposal and Call for Public Hearing on the Proposal

I. Recommendation / Action:

Review a proposal to establish Child Abuse Receiving Homes for possible development of a Child Abuse Receiving Homes general obligation bond measure. Decide whether or not to call for a Public Hearing on the proposal to submit a measure election on the question of Child Abuse Receiving Homes general obligation bonds.

II. Background / Analysis:

Currently, almost 1000 children per year are removed from the home for their own safety, generally by law enforcement officers. Right now, the system for taking care of these children is very dysfunctional. There is a severe shortage of foster care beds for them: after sometimes spending hours in the back of a police car or at a caseworker's desk, they are often sent to foster homes that are already overcrowded, and perhaps unsuitable. Children also suffer from multiple placements, sometimes as many as four or five in a three week period. This adds severe additional trauma to already victimized children. It also represents a significant burden to law enforcement officers who at times must try to find placements themselves, instead of returning to their patrol duties. Last year, the Multnomah County District Attorney's commissioned a study to examine the feasibility of creating a system of child abuse receiving homes in Multnomah County. That study by the Child Welfare Partnership was delivered in November 1995. The study concluded that the establishment of a system of Child Abuse Receiving Homes would be an important improvement to the treatment and care of children removed from the home for reasons of abuse or neglect.

This proposal is that Multnomah County builds the Multnomah County Child Abuse Receiving Homes through a general obligation bond to be voted on in the May 1996 election.

III. Financial Impact:

The estimated cost of this proposal is about \$6 million. Another \$150,000 is estimated to be needed for bond issue and underwriter costs. The estimated annual debt amortization on \$6,150,000 would be about \$535,000 and would require a tax rate of about 1.5 cents per thousand of assessed value. The annual tax on a home assessed at \$150,000 would be about \$2.30.

IV. Legal Issues:

All general obligation bond capital proposals that the Board wishes to discuss at the March 21, 1996, public hearing must be included in the public notice. The Board can decide not to include any capital item that was included in the notice at the March 21, 1996 public hearing.

The requirement for placing a bond before the voters include formally calling a hearing on the proposed bond measure, two weeks of advertisement of that public hearing on the proposal to submit a measure election on the question of general obligation bonds. The last date to legally place the bond on the May Primary ballot will be March 21, 1996. We are recommending that the hearing be held on March 21, 1996 with notices published the weeks of March 2 and March 10, 1996.

V. Controversial Issues:

There will be discussion about whether to place a separate bond measure for construction and/or acquisition of Child Abuse Receiving Homes at the same time as other measures which will appear on the May 1996 ballot.

VI. Link to Current County Policy:

The "short-term and long-term Debt Financing" policy directs the County to evaluate the feasibility of issuing long-term general obligation bonded indebtedness if the capital requirement cannot be met on a pay as you go basis and the project has been determined to benefit future citizens of the County.

VII. Citizen Participation:

There will be public hearings before the Board of County Commissioners

VIII. Other Government Participation:

The City of Portland has been involved in the discussion regarding the potential increase in total property taxes that might result from the proposed levies and bond measures under consideration by the County.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of Calling a Public Hearing)
Concerning the Proposed Submission of a)
Measure Election for General Obligation)
Bonds to Finance Construction and/or)
Acquisition of Child Abuse Receiving Homes) RESOLUTION NO. 96-

WHEREAS, almost 1000 children per year are removed from the home for their own safety in Multnomah County; and

WHEREAS, the system for taking care of these children is very dysfunctional, with a severe shortage of shelter care beds and assessment services; and

WHEREAS, this often leads to multiple placements of children within a short period of time, further traumatizing already victimized children; and,

WHEREAS, the lack of these resources often pose a burden on law enforcement officers who are primarily responsible for removing these children form the home; and

WHEREAS, a feasibility study commissioned by the Multnomah County District Attorney found that the establishment of a system of Child Abuse Receiving Homes would substantially improve the care and treatment of children in this situation; and,

WHEREAS, the State Office of Services to Family and Children have indicated their desire to join with Multnomah County in a partnership to establish and operate such a system;; and,

WHEREAS, based on the above considerations, the Board of County Commissioners is considering submitting the question of issuing general obligation bonds to a vote of the electors of the County on May 21, 1996, in an amount not to exceed \$6,150,000. The proceeds of the general obligation bonds will be used for the construction and/or acquisition of Child Abuse Receiving Homes and the acquisition of land; and,

WHEREAS, State Law requires the calling and holding of a public hearing concerning the proposal to submit the general obligation bond measure election to the voters; and

WHEREAS, State Law requires that the public hearing shall be held after notice to the public is published once each week for two successive weeks in a paper published in the County and of general circulation throughout the County.

WHEREAS, all capital items that the Board wishes to discuss at the Public Hearing must be included in the Public Notice. However, after discussing the merits of each item the Board can decide not to include any item in a bond proposal.

NOW THEREFORE IT IS RESOLVED that:

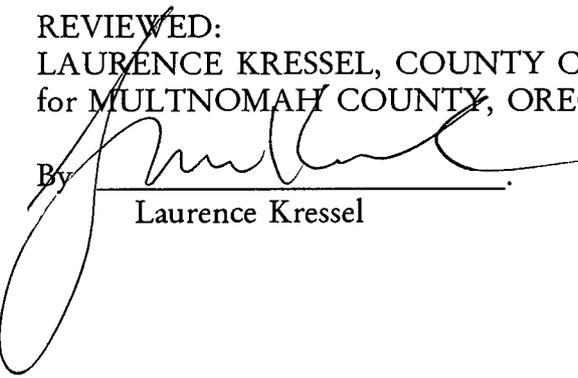
- I. The hearing on the proposal to submit a measure election on the question of general obligation bonds shall be held on March 21, 1996, at 9:30 a.m. in room 602 of the Multnomah County Courthouse;
- II. The attached Notice of Public Hearing shall be published in the Oregonian as required by law.
- III. Providing for bond issuance costs and underwriter fees related to the issuance of general obligation bonds.

APPROVED this _____ day of _____, 1996.

MULTNOMAH COUNTY, OREGON

By _____
Beverly Stein, Chair

REVIEWED:
LAURENCE KRESSEL, COUNTY COUNSEL
for MULTNOMAH COUNTY, OREGON

By 

Laurence Kressel

NOTICE OF HEARING ON ISSUANCE OF
GENERAL OBLIGATION BONDS
OF MULTNOMAH COUNTY, OREGON

On March 21, 1996, at 9:30 a.m. in Room 602 of the Multnomah County Courthouse, 1021 SW Fourth Avenue, Portland, Oregon, the Board of County Commissioners of Multnomah County will hold a public hearing on the submission to the voters of a Measure Election authorizing Multnomah County to issue general obligation bonds in an amount not to exceed \$29,000,000 dollars. The bonds would mature over a period not to exceed 20 years.

The general obligation bond proceeds would be used to finance the construction and/or acquisition of Child Abuse Receiving Homes and the acquisition of land.

Following the public hearing, the Multnomah County Board of Commissioners will determine whether to submit the question of issuing and selling general obligation bonds for the above-stated purposes to the voters at the May 21, 1996, election. All interested persons may attend the hearing and shall be given a reasonable opportunity to be heard.

Beverly Stein, Chair
Board of County Commissioners
for Multnomah County



A child's voice in court.®

Multnomah County CASA, Inc.

A not-for-profit organization
serving abused and neglected children.

VIA FACSIMILE ONLY

February 29, 1996

Commissioner Dan Saltzman
Multnomah County Board of Commissioners
1120 SW Fifth Avenue
Portland, OR 97204

Dear Commissioner Saltzman:

Multnomah County CASA (Court Appointed Special Advocates) appreciates your efforts to find a solution to the lack of available care for children removed from their homes due to abuse and/or neglect. All of us who work with these children are sorely aware of the glaring need for additional shelter and foster care.

Any additional resources that can be brought to bear on this problem would be welcome, and CASA would be very interested in working with you to ensure that services to these children are strengthened.

Sincerely,

Kathryn Broderick
Executive Director

President

Mike Gango
Gango Productions

President

Wynne E. Wynne
Wynne America

President

Y Sjordal Auguston
Sjordal Advertising

Secretary

Don
J Meyer, Inc.

Insurance

Decca Graham
Decca Post Marwick

Directors

David S. Allen
Interstate Bank of Oregon

John Hovner Blackwell
Blackwell Corporation

C. Carter
Carter Corp

Dutton

Forsmann
Interstate Bank of Oregon

David R. Harris
Harris Public Accountant

Holley Holloway
Holley Group, Inc.

John Leonard
Leonard for Children

Mitchell

Mark E. Peressini
Peressini Corp

Schreiber

A. Stoller
Stoller Personnel Services

Directors

Stephen B. Herrick
Court of Oregon

Holley Holloway
Holley Group, Inc.

Executive Director

Broderick

Waverly

Childrens Home

February 28, 1996



BOARD OF TRUSTEES

Curt Gleaves, President
Peter Papp & Skjolden
Rene Glasgow, Vice President
Gordon Barker, Secretary
Thrifty Dryclean, Inc.
Debbie Noah, Treasurer
Chase Manhattan Bank
Dick Anderson
Fannings
Jack Baker
First Interstate Bank of Oregon
Louis J. Baszon
Baszon Training & Marketing
Ray Boucher
Boucher-Mandibler-Larsen
Gary Cole
B&K Jewels & Novels
Robert Collier
Oregon Arena Corporation
Marle Greenstein
International Development Assoc., Inc.
Rustanic Haeft
Jill H. Hall
J.H. Hall, Inc.
Rick Hawkins
Arthur Andersen
Rosemary Lockhart
Ronald J. McEvoy
Fred Meyer, Inc.
Mary Ann Myers
Georg Ness
Standard Insurance Co.
Carole Olson
Jan Basmaussen
Jim Rodd
Ferguson, Withman, Rudd, et al
Gigi Selberg
Carver Assoc., Inc.
J. Randy Sell
West One Bank, Oregon
Lynda Skutt
Lynda Skutt Interiors
Joseph E. Weston
Weston Insurance Co.
Robert Wiggins
Steel River
Andy Wihlto
Murphy, Synovels & Sewell

HONORARY

Ron Wyden
U.S. Representative, 3rd District

EMERITUS BOARD

Peter Brix
Penny Carter
Andy Hanzel
Sheldon Jones
Bob Ludeman
Dick Robinson
Phil Skutt
Les Stevens
Ron Timpe
Emilie von Clemm
Harold Weston

Cynthia A. Thompson
Executive Director

Timothy Kao
Associate Director

Multnomah County Commissioners
c/o Dan Saltzman
1120 S.W. Fifth Avenue, Suite 1500
Portland, Oregon 97204

Dear Commissioners:

I understand that you are reviewing the proposed children's receiving center for Multnomah County.

On behalf of Waverly Childrens Home, I would like to express our support for the receiving center concept. I believe that it would serve at least three major benefits to our community:

1. Provide a comprehensive evaluation of service needs to children and families with the goal of reunification.
2. Deter further penetration into the social service, criminal justice system for families where child abuse/neglect is identified at its inception.
3. Support the existing child and family service network.

In my research, this model is an effective means of providing early support and intervention. I do not receive that it can solve all of our problems in child abuse, but it certainly could give selected children and desperate families a strong possibility of receiving needed services to prevent a long series of foster care placements which make it only more difficult for reunification.

I believe many private providers would work with the County in developing this model of service delivery, and urge your support in authorizing the proposal.

Thank you for the opportunity to share my thoughts.

Sincerely,

Cynthia Thompson
Executive Director



3550 S. E. Woodward Street • Portland, OR 97202-1595
503/234-7532 • FAX 503/233-0187



February 27, 1996

DEPARTMENT OF
HUMAN
RESOURCES

Multnomah County Board of Commissioners
Beverly Stein, Chair
1120 SW Fifth Avenue, Suite 1500
Portland, Oregon 97204

State Office for
SERVICES TO
CHILDREN
AND FAMILIES

Child Abuse Hotline

Dear Chair Stein:

This letter is being written on the behalf of the supervisors of Metro Region, State Office of Services to Children and Families in support of the Receiving Home Project.

As Supervisors we are faced daily with the crisis of having to place children in emergency shelter care. We are very aware of the trauma children experience when they are removed from their parents and placed outside their family. Placing the children in loving, nurturing, family settings with their siblings and within their communities is the outcome we strive for. The reality though, is the foster care system in Multnomah County is over burdened and is unable to meet the increasing demands placed upon it. The scenarios we are faced with are children brought to our offices and having to wait hours or all day for a shelter placement. Siblings are separated, children are placed out of the county and multiple placements are often needed for a child.

Visitation with parents can be delayed due to the frequent placement changes, the critical assessment of the needs of the children and the implementation of services for them are also delayed until the placement is stabilized.

The Receiving Home Project is seen by Supervisors and the caseworkers as a positive approach to addressing the needs of children and families and the limitations of our current system. These homes will be located in different neighborhoods of Multnomah County. This will allow sibling groups to remain together in placement and keep children in their communities and schools.

These homes will be professionally staffed 24 hours a day. The needs of the children including: emotional, physical developmental and psychological will be assessed immediately. This will be accomplished with: well child exams, C.A.R.E.S. evaluations, psychological evaluations, family meetings and daily interaction with the children.

Parents will know where their children are placed allowing frequent on site visitation. Parents and



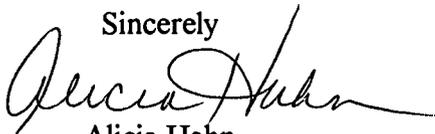
staff will be able exchange current information, facilitating the best possible care of the children and easing the anxieties of parents over the removal of their children. This system of care will also enable childrens attachment to their parents and siblings to be preserved.

The ability to initially stabilize children in placement, assess needs, strengths, delivery of services and work cooperatively with parents, will hopefully result in a decrease in the number of children needing ongoing placements. If the children do need continued placement, relative placement can be explored and developed during this time. If relative placement is not an option the information gathered during the assessments will enable SOSCF to develop a the best possible match between ability, skills and knowledge of the foster parent and the needs of the child. Visitation with the relative or foster parent can begin prior to placement thus eliminating a child being placed with a total stranger.

We realize this project is not the only answer to the systems issues we face daily and the increased severity of problems we see in the young children needing placement. We do see this as a beginning, an opportunity to have planned, meaningful strengths / needs assessments and service delivery. It will also preserve attachments, family ties and allow for the development of appropriate placements. The Receiving Home Project will also support foster parents by allowing for placement of children with them who will benefit from their ability to provide for the specific needs of the children.

The Supervisors of Metro Region SOSCF unanimously support this project, it's funding and implementation.

Sincerely



Alicia Hahn

Supervisor Child Abuse Hotline
Metro Region

State Office of Services to Children and Families



Frances Dehlin

Supervisor Family Support Teams
Metro Region

State Office of Services to Children and Families

cc:

Multnomah County Commissioners:

Sharron Kelly

Gary Hanson

Tanya Collier

Dan Saltzman

Metro Region Administrator:

Lee Coleman

Hotline Branch Manager:

John Barr

File

Dan moves to substitute
Bev's Draft I for R-7

Tanya moves to substitute
Bev's Draft 2 for ~~R-7~~

VOTE

YES
(that's it)

NO

amendments to Draft I

VOTE

Tanya offers ~~to~~ amendment
to separate bond from
public safety GO bond

VOTE

Dan:
motion to
call for
public
hearing on
Mar 27

yes

no

amendments to
refine language

NOTES

Dan: A_{3M} → 4M

Dan: alternative
funding
language

~~offer~~
Tanya - amendment
regarding
planning

VOTE

~~Bev's~~ vote on resolution as
amended

Saltzman
Substitute
1

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY , OREGON

Improving the Foster Care System in)
Multnomah County in Partnership with) RESOLUTION
the State Office of Services to)
Children and Families)

WHEREAS, the foster care system in the State of Oregon, and in Multnomah County, is under-funded and not adequate to meet the needs of children who must use it; and,

WHEREAS, police are sometimes forced to have children in their cars for longer than required for mere transport for lack of a safe, supervised place to leave them; and

WHEREAS, the State Office of Services to Children and Families, providers and advocate for the child welfare system and Commissioner Dan Saltzman have developed a proposal for a centralized reception center, receiving homes and a secure facility for children with severe behavioral problems that would provide short-term care for children brought into care; and,

WHEREAS, the proponents of this proposal have asked the Board of County Commissioners to consider providing capital funds for the establishment of this system; and,

WHEREAS, child abuse prevention is one of the County's twelve urgent benchmarks; and,

WHEREAS, approximately \$440,000 of Family Support and Preservation resources will be available to the County on April 1, 1996; and,

WHEREAS, The Multnomah Commission on Children and Families and the Metro Regional Office of the State Office of Services to Children and Families (SCF) convened a joint planning process to design an integrated, humane community response to families facing the issues of abuse and neglect, with the Board of County Commissioners approving the following funding strategies (figures represent 20 months of funding):

- Family relief nursery - \$80,000
- Child abuse system coordinator - \$68,000
- Family advocates - \$95,000
- Respite care - \$33,000
- Flexible funding for needs-based services in and out of SCF - \$163,000; and

WHEREAS, Morrison Center has requested \$20,000 from the Multnomah Commission on Children and Families as part of its match requirement in its application to the Robert Wood Johnson Foundation for a grant to expand comprehensive, multi-disciplinary assessment services for children, (birth through 13) entering foster care in Multnomah County; and,

WHEREAS, the County has been attempting to cooperate and collaborate with all interested jurisdictions and community providers to assist children and families.

THEREFORE, IT IS RESOLVED that the Board of County Commissioners would like to define its partnership with the state SCF in our joint effort to improve the lives of children in crisis. To that end, the County will take the following actions:

- Inclusion of \$4,000,000 on the public safety General Obligation Bond to be issued if and when the Board approves a viable, cost effective plan to improve or expand facilities which will assist children in crisis. These facilities will be operated under the supervision of SCF. The County does not believe it is its role to provide operational costs to fund services in these facilities that fall outside the categories of services the County currently provide. The plan should be jointly developed by the Child Welfare Planning Group that planned the Family Preservation and Support Program and the Multnomah County Child Abuse Team.
- Appropriation of \$20,000 from General Fund Contingency to provide the match for the Morrison Center assessment center grant.
- Recommend that the Chair include \$50,000 of county general fund in her Executive Budget to work with Metro SCF to build capacity in the shelter care system by recruiting and enhancing community-based care, allowing children to remain in their neighborhoods, and stabilizing children during their first 30 days of placement.
- Recommend that the Chair work with the Department of Community and family Services and Metro SCF to identify a location for a receiving center as a temporary shelter or holding area for children in crisis to assist the police. Ideally, the center's location would be conducive to maximum integration of services and economies of scale.

APPROVED this _____ day of _____, 1996.

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By _____
Beverly Stein, Chair

REVIEWED:
LAURENCE KRESSEL, COUNTY COUNSEL for
MULTNOMAH COUNTY OREGON

Substitute
DRAFT 2
Peverly Klein

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Improving the Foster Care System in)
Multnomah County in Partnership with) RESOLUTION
the State Office of Families & Children)

WHEREAS, the foster care system in the State of Oregon, and in Multnomah County, is under-funded and not adequate to meet the needs of the children who must use it; and

WHEREAS, police are sometimes forced to have children in their cars for longer than required for mere transport for lack of a safe, supervised place to leave them especially after 10 p.m. and on weekends; and

WHEREAS, Commissioner Dan Saltzman has been working with providers and advocates for the child welfare system and has asked the Board of County Commissioners to consider a proposal for a centralized reception center, receiving homes, and a secure facility for children with serious behavior problems, and

WHEREAS, child abuse prevention is one of the twelve County urgent benchmarks, and

WHEREAS, the operational costs for Commissioner Saltzman's proposal is expected to exceed available resources by at least \$1.5 million; and

WHEREAS, approximately \$440,000 of Family Support and Preservation resources will be available to the County on April 1, 1996. The Multnomah Commission on Children and Families and the Metro Regional Office of the State Office for Services to Children and Families (SCF) convened a joint planning process to design an integrated, humane community response to families facing the issues of abuse and neglect. As a result of this process the Board of County Commissioners approved the following funding strategies in December, 1995:

- family relief nursery (\$80,000) -(all budget numbers are for 20 months)
- child abuse system coordinator (\$68,000)
- family advocates (\$95,000)
- respite care (\$33,000)
- flexible funding for needs based services in and out of SCF (\$163,000)

WHEREAS, Morrison Center has requested \$20,000 from the Multnomah Commission on Children and Families as part of its match requirement in its application to the Robert

Wood Johnson Foundation for a grant to expand comprehensive, multidisciplinary assessment services for children (birth through 13) entering foster care in Multnomah County; and

WHEREAS, the County has been attempting to cooperate and collaborate with all interested jurisdictions and community providers to assist children and families.

THEREFORE, IT IS RESOLVED, that the Board of County Commissioners would like to define its partnership with the state SCF in our joint effort to improve the lives of children in crisis. To that end, the County will take the following actions:

- appropriation of \$20,000 from General Fund Contingency to provide the match for the Morrison Center assessment center grant,
- recommend that the Chair include \$50,000 of county general fund in her Executive Budget to work with Metro SCF to build capacity in the shelter care system by recruiting and enhancing community based care, allowing children to remain in their neighborhoods, and stabilizing children during their first 30 days of placement,

THEREFORE BE IT FURTHER RESOLVED, that the Board will consider whether to issue a Children's Facilities General Obligation Bond in the future. A cost effective plan to address the needs of children in crisis should be considered as part of that Bond.

THEREFORE BE IT FURTHER RESOLVED, that the County will work with Metro SCF to help identify potential solutions to state facility needs in the County. These facilities could be co-located with other county funded programs to achieve economies of scale and advance our shared integration of services goal.

THEREFORE BE IT FURTHER RESOLVED, that the Board does not believe it is a County role to provide operational costs to fund shortfalls resulting from the operation of a centralized reception center, receiving homes, or a secure facility.

APPROVED this _____ day of _____, 1996.

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By _____
Beverly Stein, Chair

REVIEWED:
LAURENCE KRESSEL, COUNTY COUNSEL
for MULTNOMAH COUNTY, OREGON

By _____
(Reviewing Counsel)

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

Improving the Foster Care System in)
Multnomah County in Partnership) RESOLUTION
with the State Office of Services to) 96-31
Children and Families)

WHEREAS, the foster care system in the State of Oregon, and in Multnomah County, is under-funded and not adequate to meet the needs of the children who must use it; and

WHEREAS, police are sometimes forced to have children in their cars for longer than required for mere transport for lack of a safe, supervised place to leave them; and

WHEREAS, the State Office of Services to Children and Families, providers and advocates for the child welfare system and Commissioner Dan Saltzman have developed a proposal for a centralized reception center, receiving homes, and a secure facility for children with severe behavioral problems that would provide short-term care for children brought into care; and

WHEREAS, the proponents of this proposal have asked the Board of County Commissioners to consider providing capital funds for the establishment of this system; and

WHEREAS, child abuse prevention is one of the County's twelve urgent Benchmarks; and

WHEREAS, approximately \$440,000 of Family Support and Preservation resources will be available to the County on April 1, 1996; and

WHEREAS, the Multnomah Commission on Children and Families and the Metro Regional Office of the State Office of Services to Children and Families (SCF) convened a joint planning process to design an integrated, humane community response to families facing the issues of abuse and neglect, with the Board of County Commissioners approving the following funding strategies (figures represent 20 months of funding):

- Family relief nursery - \$80,000
- Child abuse system coordinator - \$68,000

- Family advocates - \$95,000
- Respite care - \$33,000
- Flexible funding for needs based services in and out of SCF - \$163,000; and

WHEREAS, Morrison Center has requested \$20,000 from the Multnomah Commission on Children and Families as part of its match requirement in its application to the Robert Wood Johnson Foundation for a grant to expand comprehensive, multidisciplinary assessment services for children (birth through 13) entering foster care in Multnomah County; and

WHEREAS, the County has been attempting to cooperate and collaborate with all interested jurisdictions and community providers to assist children and families;

THEREFORE, IT IS RESOLVED, that the Board of County Commissioners would like to define its partnership with the State SCF in our joint effort to improve the lives of children in crisis. To that end, the County will take the following actions:

- Inclusion of \$4,000,000 on the public safety General Obligation Bond to be issued if and when the Board approves a viable, cost effective plan to improve or expand facilities which will assist children in crises. These facilities will be operated consistent with the protocols of SCF. The County does not believe it is its role to provide operational costs to fund services in these facilities. The plan should be jointly developed by the County and SCF in consultation with the Child Welfare Planning Group and the Multnomah County Child Abuse Team.
- Appropriation of \$20,000 from General Fund Contingency to provide the match for the Morrison Center assessment center grant.
- Recommend that the Chair include \$50,000 of County General Fund in her Executive Budget to work with Metro SCF to build capacity in the shelter care system by recruiting and enhancing community based care, allowing children to remain in their neighborhoods, stabilizing children during their first 30 days of placement, and supporting the strengths and needs base initiative of SCF.
- Recommend that the Chair work with the Department of Community and Family Services and Metro SCF to identify a location for a receiving center as a temporary shelter or holding area for children

in crisis to assist the police. Ideally, the center's location would be conducive to maximum integration of services and economies of scale.

APPROVED this 29th day of February, 1996.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Beverly Stein, Chair

REVIEWED:
LAURENCE KRESSEL, COUNTY COUNSEL
for MULTNOMAH COUNTY, OREGON

By

Laurence Kressel

March 6, 1996

Chair Beverly Stein
Multnomah County Board of Commissioners
Suite 1510, Portland Bldg.
1120 SW 5th Ave.
Portland, OR 97204

DEPARTMENT OF
HUMAN
RESOURCES

State Office for
SERVICES TO
CHILDREN
AND FAMILIES

Metro Region Office

Dear Chair Stein:

I am providing the following information per our discussion at the GO bond hearing on Thursday, February 29.

The regular foster care budget deficit recently projected for the State Office for Services to Children and Families has now been netted out, assuming the growth rate of 10% remains even. Our deficits now lie not in foster care, but in our special rate and adoptions assistance budgets. Special Rate is currently projected at 2.1 million over budget, and Adoptions Assistance at 1.7 million over budget.

Also, at your public hearing on Monday, February 26, Commissioner Hansen asked SCF Administrator Kay Toran for accurate figures on siblings remaining together or split when they enter foster care. I've enclosed page 16 of the Multnomah County Receiving Homes Feasibility Study. Their sample revealed that SCF keeps 71% of siblings together in their first placement.

Please contact me if I can provide any further information to assist the Board.

Sincerely,



Lee Coleman
Metro Region Administrator

cc: Dan Saltzman
Gary Hansen
Sharron Kelley
Tanya Collier
Kay Toran

Attachment

BOARD OF
COUNTY COMMISSIONERS
96 MAR 11 PM 3:07
MULTNOMAH COUNTY
OREGON



John A. Kitzhaber
Governor

529 SE Grand Ave.
3rd Floor
Portland, OR 97214-2276
(503) 731-3075
FAX (503) 731-3410
TDD (503) 731-3102

In addition, these statistics likely understate, for two reasons the extent to which children are moved. Cases were followed for at most 15 months; therefore any moves occurring after that time period were not captured. Secondly, these statistics are for contiguous stays. Many children enter more than once and are not necessarily placed in the same homes during subsequent episodes.

Sibling groups

Just under 50 percent of the children entering care are members of a sibling group. In the vast majority of cases there are two children. The following table further describes this population:

Number of Siblings	Number of Sibling Groups	Percent
2	75	67%
3	24	21
4	11	10
5	1	1
6	0	0
7	1	1
Total	112	100%

In our sample, SOSCF kept 71 percent of sibling groups together in their initial placement. In an additional 5 percent of the cases, at least two of the siblings in the group were placed together. However, half of the sibling groups were separated at some point during the next 15 months.

Discussion

The length of time children spend in care, the number of times they are moved while they are in care, and whether or not they are placed with their siblings are important if imperfect indicators of the quality of front-end services offered to children entering care. A considerable number of the children who enter care leave within 14 days. Although it was determined that the children could safely be returned home (or to a relative) many of these families would likely benefit from parent training, family assessments, and wrap-around services available from community service providers. Fully half of the children need some form of longer-term foster care (more than 30 days). However, two-thirds of the children in care for more than 14 days were moved at least once, and 40 percent of those in care for more than 30 days were moved at least twice. Some of this may be due to children entering and exiting treatment facilities; however, for many children a series of placements is the norm. Half the children entering care are members of a sibling group, and only half of the sibling groups are not separated at some point during their time in care.

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR February 29, 1996
(Date)

DEPARTMENT DES DIVISION Transportation/Land Use Planning
 CONTACT Kathy Busse TELEPHONE 248-3043
 *NAME(S) OF PERSON MAKING PRESENTATION TO BOARD Kathy Busse

SUGGESTED

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

Budget Modification request to reclassify position and upgrade vehicle in the Land Use Planning Division.

(Estimated Time Needed on the Agenda)

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

PERSONNEL CHANGES ARE SHOWN IN DETAIL ON THE ATTACHED SHEET

Reclassifies Land Use Planning Director to Principle Planner.
 Requests transfer of funds within Land Use Planning for capital replacement upgrade of vehicle for code enforcement.

CLERK OF
 COUNTY COMMISSIONERS
 96 FEB 15 PM 2:25
 MULTNOMAH COUNTY
 OREGON

3. REVENUE IMPACT (Explain revenues being changed and the reason for the change)

N.A.

4. CONTINGENCY STATUS (to be completed by Finance/Budget)

Contingency before this modification (as of _____) \$ _____
 (Specify Fund) (Date)
 After this modification \$ _____

Originated By <u>K Busse</u>	Date <u>2/14/96</u>	Department Manager <u>Laura C Nicholas</u>	Date <u>2/15/96</u>
Budget Analyst <u>Beri Hardwick</u>	Date <u>2/21/96</u>	Personnel Analyst <u>Donald W. Dinkley</u>	Date <u>2/22/96</u>
Board Approval <u>DEBORAH C. Bogstean</u>		Date <u>FEBRUARY 29, 1996</u>	

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

FTE Increase (Decrease)	POSITION TITLE	Annualized			TOTAL Increase (Decrease)
		BASE PAY Increase (Decrease)	Increase (Decrease) Fringe	Ins.	
(1)	Land Use Plannig Director	(67,956)	(11,572)	(7,645)	(87,173)
1	Principle Planner	58,782	10,523	6,821	76,126
TOTAL CHANGE (ANNUALIZED)		(9,174)	(1,049)	(824)	(11,047)

6. CURRENT YEAR PERSONNEL DOLLAR CHANGES (calculate costs or savings that will take place within this fiscal year; these should explain the actual dollar amounts being changed by this Bud Mod.)

Permanent Positions, Temporary, Overtime, or Premium	Explanation of Change	Current FY			TOTAL Increase (Decrease)
		BASE PAY Increase (Decrease)	Increase (Decrease) Fringe	Ins.	
Permanent	Reclass Land Use Planning Director to Principle Planner effective 3-1-96	(3,058)	(349)	(274)	(3681)

JW

REQUEST TO CREATE/RECLASSIFY A POSITION

1. List the proposed duties of the position (please do not copy from the class specification):
 - a. Manage, direct and organize the Long Range Planning work unit of the Land Use and Transportation Planning section and in the absence of the Planning Manager, manage, direct and organize land use planning services for unincorporated Multnomah County.
 - b. Participate in the development of regional and state policy that impact the County's land use planning program.
 - c. Represent the County's interest before various other agencies and governments on land use matters.
 - d. Advise Planning Manager, Planning Commission on Board on complex land matters to include analyzing mandates, policy proposals and strategic initiatives that will impact and/or enhance the County's land use planning program.
 - e. Prepare program budgets for the Long Range Planning work unit and assist with the preparation of the Land Use and Transportation Planning section budget including revenue forecast and analyzing program requirements.
 - f. Recommend appointment and supervise personnel; ensure appropriate personnel practices and procedures including recommendations for hiring, training, and staff development, and disciplinary action, if warranted.

Use the reverse side or attached additional sheets, if needed.

2. State the proposed classification title: Principle Planner

3. Is this a new position? Yes No

4. If this is an existing position, state the name of the incumbent: NA

5. Proposed effective date of change: March 1, 1996

Hiring Manager: Kathy Busse

Date: February 14, 1996 Department/Division: Transportation and Land Use Planning

EMPLOYEE SERVICES DIVISION USE ONLY:

- Action:
- Approved as submitted.
 - Approved for classification title.
 - Denied (for Reclassification Requests only).

Analyst Name: Donald Hunkeler Date: 2/21/96



MULTNOMAH COUNTY OREGON

DEPARTMENT OF ENVIRONMENTAL SERVICES
DIVISION OF PLANNING
AND DEVELOPMENT
2115 S.E. MORRISON STREET
PORTLAND, OREGON 97214
(503) 248-3043

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

Staff Report Supplement

To: Board of County Commissioners
From: Larry Nicholas, DES Director 
Date: February 13, 1996
Subject: Budget Modification for Land Use Planning

I. Recommendation/Action Requested

Request budget modification and transfer of funds within Land Use Planning Budget to complete phase of integrating land use and transportation planning.

II. Background/Analysis

The mission, work plan and functions of the integrated Land Use Planning and Transportation Planning have been analyzed to determine the most appropriate material and human resources needed to accomplish the objectives.

As part of that analysis, we reviewed current position classifications to determine the human resources needed to accomplish the objectives. We found that we needed a position that combined professional knowledge of land use laws and intergovernmental skills that could be applied in the area of system planning. Comparable jurisdictions of Washington and Clackamas Counties each had positions classified as principle planner that clearly matched the division's requirements. Employee Services analyzed the position relative to other county position classifications and assigned an appropriate salary range.

With respect to the immediate need for material resources, the division is requesting an upgrade of the Dodge Omni currently used for code enforcement to a four-wheel drive light pick up to provide more reliable transportation for site inspection in Multnomah County's rural areas. A request to transfer funds from temporary personal services to motor pool in materials and services for the difference in capital replacement will allow greater access to rural areas, particularly during wet weather conditions.

III Financial Impact

Neutral in FY 96-97. Reclassifications have financial impact in future years if staffing levels and patterns remain constant.

IV. Legal Issues

NA

V. Controversial Issues

NA

VI. Link to Current County Policy

This is a request for administrative modifications and does not affect current county policy.

VII Citizen Participation

NA

VIII Other Government Participation.

NA

MEETING DATE: _____

AGENDA #: R-9

ESTIMATED START TIME: 10:30

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Ordinance amending Multnomah County code 5.50.050 (Transient Lodging Tax) to allow certain tax receipts to be used to finance construction of a new hall at the Expo Center

BOARD BRIEFING: _____ DATE REQUESTED: _____

REQUESTED BY: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: _____ DATE REQUESTED: February 29, 1996 _____

AMOUNT OF TIME NEEDED: 10 Minutes

DEPARTMENT: Chair's Office _____ DIVISION: _____

CONTACT: Maria Rojo _____ TELEPHONE: 28-3955 _____
BLDG/ROOM: 106/1515

PERSON(S) MAKING PRESENTATION: Mike Burton, Metro Executive _____

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE:

Same As Above

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Beverly Steen
(OR)
DEPARTMENT
MANAGER: _____

BOARD OF
COUNTY COMMISSIONERS
96 FEB 23 AM 9:29
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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



METRO

MB
RECEIVED

FEB 16 1996

BEVERLY STEIN
MULTNOMAH COUNTY CHAIR

February 16, 1996

Multnomah County Board of Commissioners
1120 SW Fifth Ave.
Portland, OR 97204

Dear Commissioners:

I am transmitting to you a resolution adopted yesterday by the Metro Council, officially requesting you to amend the Multnomah County transient lodgings tax to allow up to \$9 million of Oregon Convention Center reserves to be used for construction of a new building at the Expo Center. The resolution (No. 96-2280) includes an exhibit with suggested language for amending the County Code to achieve this purpose, which we offer as a guideline for possible amendment.

I know each of you has been briefed on this issue individually, as well as collectively at last Tuesday's informal meeting of the Board, so I won't reiterate here the reasons we are making this request. I will only offer my encouragement for your support, and my thanks for your ongoing efforts to promote regional partnerships and cooperation.

Sincerely,

Mike Burton
Executive Officer

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REQUESTING)	RESOLUTION NO. 96-2280
MULTNOMAH COUNTY TO AMEND ITS)	
TRANSIENT LODGINGS TAX ORDINANCE)	Introduced by Mike Burton,
TO ALLOW TAX RECEIPTS TO BE USED)	Executive Officer
TO FINANCE CONSTRUCTION OF A)	
NEW HALL AT THE EXPO CENTER)	

WHEREAS, Metro, through the Metropolitan Exposition-Recreation Commission (MERC), operates the Portland Expo Center under an intergovernmental agreement with Multnomah County, which owns the facility; and

WHEREAS, Metro and Multnomah County are developing an intergovernmental agreement to transfer ownership of Expo and certain County-owned parks and natural areas from the County to Metro; and

WHEREAS, Metro and MERC are considering the development of a new building on the Expo site, to improve Expo's marketability and exhibit space, and to accommodate the "America's Smithsonian" exhibit which is scheduled to occupy the proposed new Expo building for a forty-day exhibition in the spring of 1997; and

WHEREAS, Construction of a new hall at Expo is consistent with the Expo master plan developed by Multnomah County prior to the transfer of the facility's management to Metro; and

WHEREAS, Construction of the new facility at Expo is estimated to cost \$13 million; and

WHEREAS, Preliminary financing plans for construction of the new Expo facility call for \$9 million in Oregon Convention Center reserves to be contributed to the project; and

WHEREAS, Multnomah County levies a 3% transient lodging tax whose proceeds are largely dedicated to the operations, marketing, and improvements of the Oregon Convention Center; and

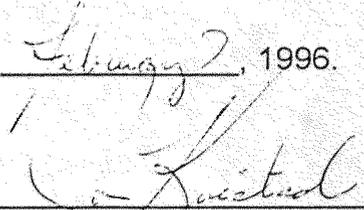
WHEREAS, Oregon Convention Center funds may not be used for the Expo project without amendment of the County Code which restricts the use of transient lodging tax funds to Convention Center purposes; and

WHEREAS, The proposed Expo expansion will provide needed flexibility for serving the public demand for use of Expo's facilities, provide the venue for the 150th anniversary Smithsonian exhibit, and serve to house traditional Expo events in the future when necessary repairs and modifications are made to the existing Expo facility; Now, Therefore,

BE IT RESOLVED,

That the Metro Council requests the Multnomah County Board of Commissioners to amend Section 5.50.050 of the Multnomah County Code to allow Oregon Convention Center funds to be expended on the construction of a new building at the Expo Center, and authorizes the Executive Officer to propose amendment language to the County substantially similar to that contained in Exhibit A.

ADOPTED by the Metro Council this 5th day of February, 1996.



Jon Kvistad, Presiding Officer

**PROPOSED AMENDMENT TO MULTNOMAH COUNTY
TRANSIENT LODGINGS TAX**

5.50.050. Tax Imposed.

* * *

- (5) After voters have approved issuance of general obligation bonds to finance or partially finance construction of the convention and trade show center or financing for construction has been obtained by some other means, funds deposited in the convention and trade show center special fund shall be used to assist the lead agency for the following purposes:
- (a) First, to pay any expenses incurred on activities identified under MCC 5.50.050(B)(4);
 - (b) Second, if all expenses identified in subsection (a) above have been satisfied, to pay any unfunded annual operating expenses that may have been incurred by the convention and trade show center;
 - (c) Third, if all expenses identified in subsection (a) above have been satisfied and if no otherwise unfunded annual operating expenses exist or if funds remain after the otherwise unfunded annual operating expenses have been paid, to provide for the promotion, solicitation, procurement, and service of convention business at the convention and trade show center to the extent necessary to fully implement the annual marketing program adopted by the lead agency;
 - (d) Fourth, if the needs identified in the foregoing subsections (a) through (c) have been fully satisfied, to pay ancillary costs associated with the development, construction and operation of the convention and trade show center, including but not limited to site acquisition costs and construction costs including financing of those costs;
 - (e) Notwithstanding the limitation on spending in subparagraphs (a) through (d), an amount not to exceed \$70,000.00 one time only may be used by the lead agency for the promotion, solicitation, procurement, and service of the 1988 International Association of Chiefs of Police convention in Multnomah County.

- (f) Notwithstanding the limitations on spending in subparagraphs (a) through (e), Multnomah County may transfer an amount not to exceed \$100,000 per year, for three years beginning with fiscal year 1994-1995, as a special appropriation to the Regional Arts and Culture Council.
- (g) The transfer of funds for operation of the Portland Center for the Performing Arts and for the Regional Arts and Culture Council pursuant to subparagraphs (f) and (g) shall not be made if, prior to June 1 of any year, the Metro Council declares that an emergency requires the funds to be used for the Oregon Convention Center. Any such declaration shall be in writing and shall be transmitted from Metro to the Chair of Multnomah County. The circumstances pertaining to the Oregon Convention Center warranting a declaration of an emergency shall include, but not be limited to:
 - (i) Current resources except beginning fund balance do not meet current expenditures less renewal and replacement fund transfer and unappropriated balance;
 - (ii) Revenues from the tax drop by more than 25% in any year when measured against the prior year;
 - (iii) A major structural failure at the center (not otherwise insured) such that total reserves are insufficient to repair the damage without the use of all or part of the 3-year \$2,100,000 commitment.
 - (iv) Or any other situation that threatens the normal operation of the convention center.

(h) Notwithstanding the limitations on spending in subparagraphs (a) through (g), Metro may use an amount not to exceed \$9,000,000 total for the construction of a new building at the Portland Exposition Center.

ORDINANCE FACT SHEET

Ordinance Title: ORDINANCE Amending Multnomah County Code Chapter 5.50.050 (Transient Lodging Tax) to Allow Certain Tax Receipts to be Used to Finance Construction of a New Hall at the Expo Center

Give a brief statement of the purpose of the ordinance including rationale for adoption, description of persons benefited, alternatives explored:

Metro is requesting an amendment to Multnomah County's Ordinance on transient lodgings tax to allow up to \$9,000,000 of Oregon Co0nvention Center reserves to be used for construction of a new building at Expo.

What other local jurisdictions have enacted similar legislation?

Metro Regional Government

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

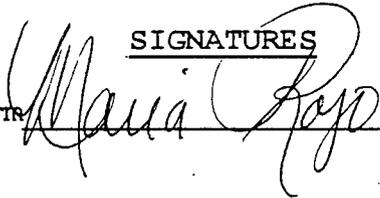
n/a

What is the fiscal impact, if any?

None to Multnomah County. Impact will be on the Convention Center.

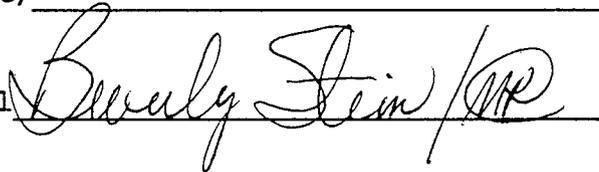
SIGNATURES

Person Filling Out Form



Planning & Budget (if fiscal impact)

Department Manager/Elected Official



BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

An ordinance amending MCC 5.50.050 (Transient Lodging Tax) to allow tax receipts to be used by Metro to finance construction of a new hall at the Expo Center.

Multnomah County ordains as follows:

Section 1. Purpose

A. Metro, through the Metropolitan Exposition-Recreation Commission (MERC), operates the Portland Expo Center under an intergovernmental agreement with Multnomah County, which owns the facility;

B. Metro and Multnomah County are developing an intergovernmental agreement to transfer ownership of Expo and certain County-owned parks and natural areas from the County to Metro;

C. Metro and MERC are considering the development of a new building on the Expo site, to improve Expo's marketability and exhibit space, and to accommodate the "America's Smithsonian" exhibit which is scheduled to occupy the proposed new Expo building for a forty-day exhibition in the spring of 1997. Planning activities are underway for the construction of the new exhibit hall at the Expo Center, which will contain 120,000 square feet of exhibit space. This project is projected to be completed by March of 1997 at a cost not to exceed \$13 million. The financing for the

02/23/96:1

MULTNOMAH COUNTY COUNSEL
1120 S.W. Fifth Avenue, Suite 1530
P.O. Box 849
Portland, Oregon 97207-0849
(503) 248-3138

1 project is proposed to consist of \$9 million in Oregon Convention
2 Center reserves, \$1 million in Expo reserves, \$2.5 million from a
3 privately placed revenue bond, and \$500,000 (if needed) from other
4 sources that are currently being consulted. The most critical
5 component of the financing package is the \$9 million of Convention
6 Center funds, which constitutes approximately 70% of the proposed
7 funding. This money is needed to pay for the project to minimize
8 the debt load and finance this addition without additional tax
9 resources;

10 D. Construction of a new hall at Expo is consistent with the
11 Expo master plan developed by Multnomah County prior to the
12 transfer of the facility's management to Metro;

13 E. Multnomah County levies a 3% transient lodging tax whose
14 proceeds are largely dedicated to the operations, marketing, and
15 improvements of the Oregon Convention Center; and

16 F. Oregon Convention Center funds may not be used for the
17 Expo project without amendment of the County Code which restricts
18 the use of transient lodging tax funds to Convention Center
19 purposes;

20 G. The proposed Expo expansion will provide needed
21 flexibility for serving the public demand for use of Expo's
22 facilities, provide the venue for the 150th anniversary Smithsonian
23 exhibit, and serve to house traditional Expo events in the future
24 when necessary repairs and modifications are made to the existing
25 Expo facility.

26 H. The Metro Council has requested the Multnomah County

02/23/96:1

1 Board of Commissioners to amend Section 5.50.050 of the Multnomah
2 County Code to allow Oregon Convention Center funds to be expended
3 on the construction of the new building at the Expo Center.

4 Section 2. Amendment

5 MCC 5.50.050(5) is amended to read as follows:

6 **5.50.050. Tax Imposed.**

7 * * * * *

8 (5) After voters have approved issuance of general
9 obligation bonds to finance or partially finance
10 construction of the convention and trade show
11 center or financing for construction has been
12 obtained by some other means, funds deposited in
13 the convention and trade show center special fund
14 shall be used to assist the lead agency for the
15 following purposes:

16 (a) First, to pay any expenses incurred on
17 activities identified under MCC
18 5.50.050(B)(4);

19 (b) Second, if all expenses identified in
20 subsection (a) above have been satisfied, to
21 pay any unfunded annual operating expenses
22 that may have been incurred by the convention
23 and trade show center;

24 (c) Third, if all expenses identified in
25 subsection (a) above have been satisfied and
26 if no otherwise unfunded annual operating
27 expenses exist or if funds remain after the
28 otherwise unfunded annual operating expenses
29 have been paid, to provide for the promotion,
30 solicitation, procurement, and service of
31 convention business at the convention and
32 trade show center to the extent necessary to
33 fully implement the annual marketing program
34 adopted by the lead agency;

35 (d) Fourth, if the needs identified in the
36 foregoing subsections (a) through (c) have
37 been fully satisfied, to pay ancillary costs
38 associated with the development, construction
39 and operation of the convention and trade show
40 center, including but not limited to site

1 acquisition costs and construction costs
2 including financing of those costs;

3 (e) Notwithstanding the limitation on spending in
4 subparagraphs (a) through (d), an amount not
5 to exceed \$70,000 one time only may be used by
6 the lead agency for the promotion,
7 solicitation, procurement, and service of the
8 1988 International Association of Chiefs of
9 Police convention in Multnomah County.

6 (f) Notwithstanding the limitations on spending in
7 subparagraphs (a) through (e), Multnomah
8 County may transfer an amount not to exceed
9 \$100,000 per year, for three years beginning
with fiscal year 1994-1995, as a special
appropriation to the Regional Arts and Culture
Council;

10 (g) The transfer of funds for operation of the
11 Portland Center for the Performing Arts and
12 for the Regional Arts and Culture Council
13 pursuant to subparagraphs (f) and (g) shall
14 not be made if, prior to June 1 of any year,
15 the Metro Council declares that an emergency
16 requires the funds to be used for the Oregon
17 Convention Center. Any such declaration shall
18 be in writing and shall be transmitted from
19 Metro to the Chair of Multnomah County. The
20 circumstances pertaining to the Oregon
21 Convention Center warranting a declaration of
22 an emergency shall include, but not be limited
23 to:

17 (i) Current resources except beginning fund
18 balance do not meet current expenditures
19 less renewal and replacement fund
transfer and unappropriated balance;

20 (ii) Revenues from the tax drop by more than
21 25% in any year when measured against the
prior year;

22 (iii) A major structural failure at the center
23 (not otherwise insured) such that total
24 reserves are insufficient to repair the
25 damage without the use of all or part of
26 the three-year \$2,100,000 commitment.

(iv) Or any other situation that threatens the
normal operation of the convention
center.

02/23/96:1

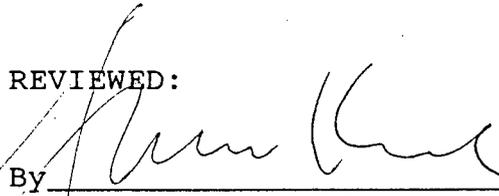
(h) Notwithstanding the limitations on spending in subparagraphs (a) through (g), Metro may use an amount not to exceed \$9,000,000 total for the construction of a new exhibit hall at the Portland Exposition Center.

ADOPTED this _____ day of _____, 1996, being the date of its _____ reading before the Board of County Commissioners of Multnomah County, Oregon.

(SEAL)

Beverly Stein, Chair
Multnomah County, Oregon

REVIEWED:

By 

Laurence Kressel, County Counsel
For Multnomah County, Oregon

F:\DATA\COUNSEL\WPDATA\WINE\004LK.ORD\mw

02/23/96:1

MULTNOMAH COUNTY COUNSEL
1120 S.W. Fifth Avenue, Suite 1530
P.O. Box 849
Portland, Oregon 97207-0849
(503) 248-3138

MEETING DATE: FEB 29 1996

AGENDA #: B-1

ESTIMATED START TIME: 10:30

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Briefing on the Report of the Citizens Grand Jury on Corrections

BOARD BRIEFING: DATE REQUESTED: February 29, 1996
REQUESTED BY: Commissioner Dan Saltzman
AMOUNT OF TIME NEEDED: 45 minutes

REGULAR MEETING: DATE REQUESTED: _____
AMOUNT OF TIME NEEDED: _____

DEPARTMENT: District Attorney's Office DIVISION: District Attorney

CONTACT: _____ TELEPHONE #: 248-3091
BLDG/ROOM #: 101/600

PERSON(S) MAKING PRESENTATION: District Attorney Michael Schrunk

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE

Briefing on the Report of the Citizens Grand Jury on Corrections

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Don Saltzman

OR

DEPARTMENT MANAGER: _____

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
96 FEB 22 PM 3:27

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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