

## ANNOTATED MINUTES

Tuesday, April 11, 1995 - 1:30 PM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

### BOARD BRIEFINGS

- B-1 Discussion on Proposed Recommendation Regarding Regional Partnership for Expansion of Juvenile Detention Capacity Due to Ballot Measure 11 Implementation. Presented by Bill Farver and Elyse Clawson.

**BILL FARVER, ELYSE CLAWSON, BILL MORRIS, LINDA NICKERSON, DAVE MAERTENS, RICK JENSEN AND BOB NIELSEN PRESENTATION, COMMENTS AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. BOARD CONSENSUS THAT STAFF OBTAIN SPECIFIC INFORMATION, INCLUDING FINANCING COSTS AND OPTIONS FOR CONSTRUCTION OF TWO 32 BED PODS AT COUNTY DETENTION FACILITY AND FEASIBILITY OF STATE ASSISTANCE WITH CONSTRUCTION, OPERATING AND/OR PROGRAMMING COSTS OF PODS IN EXCHANGE FOR LEASE PRIVILEGES, TO BE PRESENTED FOR CONTINUED BOARD DISCUSSION NEXT WEEK.**

- B-2 Presentation of Audit Entitled Involuntary Commitment: Improving County Investigations. Presented by Gary Blackmer.

**GARY BLACKMER PRESENTATION. MR. BLACKMER, REX SURFACE AND BILL TOOMEY RESPONSE TO BOARD QUESTIONS AND DISCUSSION.**

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Tuesday, April 11, 1995 - 6:30 PM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

### PUBLIC HEARING

Chair Beverly Stein convened the meeting at 6:35 p.m., with Vice-Chair Sharron Kelley, Commissioners Gary Hansen, Tanya Collier and Dan Saltzman present.

- PH-1 Public Hearing on Proposed Multnomah County Strategic Investment (Tax Abatement) Program Policy.

CHAIR STEIN ANNOUNCED THE FORMAT FOR TONIGHT'S HEARING AND ADVISED THE BOARD WOULD HOLD AN ADDITIONAL HEARING AND VOTE ON THE PROPOSED POLICY THURSDAY, APRIL 13, 1995.

COMMISSIONERS KELLEY, SALTZMAN AND STEIN COMMENTED IN SUPPORT OF PROPOSED POLICY AMENDMENTS THEY WILL BE PRESENTING THURSDAY.

ETHAN SELTZER REPORTED ON RECOMMENDATIONS OF THE EXPERT REVIEW PANEL, ADVISING WRITTEN COMMENTS WILL BE DELIVERED TO THE BOARD BEFORE THURSDAY.

GRESHAM MAYOR GUSSIE MCROBERT AND COUNCIL MEMBERS JACK GALLAGHER, DEBBIE NOAH AND ROYAL HARSHMAN TESTIFIED IN SUPPORT OF THE PROPOSED POLICY AND KELLEY AMENDMENTS AND EXPRESSED CONCERN WITH SOME PROPOSED STEIN AMENDMENTS.

JIM FRANCESCONI TESTIMONY IN OPPOSITION TO PROPOSED POLICY. JERRY GILLHAM TESTIMONY IN SUPPORT OF PROPOSED POLICY. CARY NOVOTNY TESTIMONY IN OPPOSITION TO PROPOSED POLICY. MICKY RYAN AND DIANE LUTHER TESTIMONY IN SUPPORT OF PROPOSED STEIN AMENDMENT REGARDING A SET ASIDE FOR A HOUSING TRUST FUND. PAMELA STERN TESTIMONY IN OPPOSITION TO PROPOSED POLICY. CHIP LAZIURE TESTIMONY IN SUPPORT OF PROPOSED POLICY. BOB ROBISON READ AND SUBMITTED WRITTEN TESTIMONY FROM PORTLAND COMMISSIONER GRETCHEN KAFOURY IN SUPPORT OF PROPOSED STEIN AMENDMENTS. AMY BRACKEN TESTIMONY IN OPPOSITION TO PROPOSED POLICY. JAMES STILWELL TESTIMONY IN SUPPORT OF PROPOSED POLICY. SANDY WILLOW TESTIMONY IN OPPOSITION TO PROPOSED POLICY. ALAN JONES TESTIMONY IN SUPPORT OF PROPOSED POLICY. LESLIE KOCHAM TESTIMONY IN OPPOSITION TO PROPOSED POLICY. MAXINE FITZPATRICK TESTIMONY IN SUPPORT OF PROPOSED POLICY AND STEIN AMENDMENTS. CAROLYN MORRISON

TESTIMONY IN SUPPORT OF ADDITION TO POLICY  
REQUIRING SIP APPLICANTS TO PROVIDE A CHILD  
CARE SUPPORT SERVICES STUDY. WINNIE  
FRANCIS TESTIMONY IN OPPOSITION TO  
PROPOSED POLICY. JULIE METCALF TESTIMONY  
IN SUPPORT OF PROPOSED POLICY AND STEIN  
AMENDMENTS. DAVE MAZZA TESTIMONY IN  
OPPOSITION TO PROPOSED POLICY. ROB  
FUSSELL TESTIMONY IN SUPPORT OF PROPOSED  
POLICY AND IN OPPOSITION TO PROPOSED STEIN  
AMENDMENTS. FRANK GEARHART TESTIMONY IN  
OPPOSITION TO PROPOSED POLICY. JEFF  
MERKLEY TESTIMONY IN SUPPORT OF PROPOSED  
STEIN AMENDMENT REGARDING A SET ASIDE FOR  
A HOUSING TRUST FUND. BILL RESNICK  
TESTIMONY IN OPPOSITION TO PROPOSED  
POLICY. TASHA HARMON AND ERIK STEN  
TESTIMONY IN OPPOSITION TO PROPOSED  
POLICY AND IN SUPPORT OF PROPOSED STEIN  
AMENDMENTS SHOULD POLICY BE ADOPTED.  
REGINA MERRITT TESTIMONY IN OPPOSITION TO  
PROPOSED POLICY. TERI DUFFY TESTIMONY IN  
SUPPORT OF PROPOSED STEIN AMENDMENTS.

There being no further business, the hearing was adjourned at 8:37 p.m.

OFFICE OF THE BOARD CLERK  
for MULTNOMAH COUNTY, OREGON



Deborah L. Bogstad

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Thursday, April 13, 1995 - 9:00 AM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

**EXECUTIVE SESSION**

E-1 The Multnomah County Board of Commissioners and Legal Counsel Will  
Meet in Executive Session Pursuant to ORS 192.660(1)(h) for the Purpose of  
Consultation Concerning Legal Rights and Duties Regarding Current Litigation

**EXECUTIVE SESSION HELD.**

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Thursday, April 13, 1995 - 9:30 AM

Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

**REGULAR MEETING**

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

**AT THE REQUEST OF COMMISSIONERS COLLIER AND HANSEN, CHAIR BEVERLY STEIN WAS WISHED A HAPPY BIRTHDAY.**

**CONSENT CALENDAR**

**UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-4) WAS UNANIMOUSLY APPROVED.**

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

- C-1 ORDER in the Matter of the Execution of Deed D951181 for Repurchase of Tax Acquired Property to Former Owner Leaha Wells

**ORDER 95-72.**

**NON-DEPARTMENTAL**

- C-2 In the Matter of the Appointments of Jim Francesconi, Gregory Taylor and James Williams to the COMMUNITY AND FAMILY SERVICES CITIZEN BUDGET ADVISORY COMMITTEE

**AGING SERVICES DIVISION**

- C-3 Ratification of Intergovernmental Agreement Contract 103705 Between the City of Portland and Multnomah County, Providing Funds for Administering the Area Agency on Aging, District Senior Centers, SE Multi-Cultural Center and Gatekeeper Programs, for the Period July 1, 1994 through June 30, 1995
- C-4 Ratification of Intergovernmental Agreement Contract 103985 Between the City of Portland and Multnomah County, Providing Funds for Portland/Multnomah Commission on Aging for General Advocacy Review, Comment and Specialized Review, Comment and Advocacy for Ethnic, Medicaid, and Adult Care Home Programs, for the Period July 1, 1994 through June 30, 1995

**REGULAR AGENDA**



## **PUBLIC COMMENT**

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

**EUGENE GUILLAUME COMMENTED IN OPPOSITION TO THE PORTLAND FIRE BUREAU PROVIDING AMBULANCE SERVICES.**

## **NON-DEPARTMENTAL**

- R-2 RESOLUTION in the Matter of Expressing Opposition to Oregon House Bill 2933, and Similar Legislation Denying Undocumented Immigrants Access to Health Care, Education, and Social Services

**COMMISSIONER KELLEY MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-2. COMMISSIONER KELLEY EXPLANATION. METROPOLITAN HUMAN RIGHTS COMMISSION MEMBERS ALICE PERRY AND LOWEN BERMAN TESTIFIED IN SUPPORT OF PROPOSED RESOLUTION. RESOLUTION 95-73 UNANIMOUSLY APPROVED.**

- R-3 RESOLUTION in the Matter of Participation in Funding Activities of the Dispute Resolution Commission

**COMMISSIONER SALTZMAN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-3. COMMISSIONER KELLEY EXPLANATION. RESOLUTION 95-74 UNANIMOUSLY APPROVED.**

- R-4 Budget Modification NOND 10 Requesting Authorization to Transfer \$3,870 from Capital Outlay to Materials and Services Within Commission District 3 Budget; and to Appropriate \$2,579 into General Fund to Reflect Receipt of Revenue from State of Washington Higher Education Intern Program to be Used for Temporary Personnel Services

**UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER KELLEY, R-4 WAS UNANIMOUSLY APPROVED.**

## **COMMUNITY AND FAMILY SERVICES DIVISION**

- R-5 Request for Approval of a Notice of Intent to Apply for a \$12,000,000 Three Year U.S. Department of Housing and Urban Development Supportive Housing Program Grant to Fund Gaps in the Continuum of Care for Homeless

Families, Singles, Displaced Youth, Pregnant and Parenting Teens, and Homeless Adults in the Acute Care System of Adult Mental Health

**COMMISSIONER SALTZMAN MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-5. BARBARA HERSHEY EXPLANATION AND RESPONSE TO BOARD QUESTION. NOTICE OF INTENT UNANIMOUSLY APPROVED.**

- R-6 Request for Approval of a Notice of Intent to Apply for a \$200,000 Twelve Month U.S. Department of Health and Human Services Family Support Center Program Grant to Fund Homeless Family Prevention Services

**COMMISSIONER SALTZMAN MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-6. MS. HERSHEY EXPLANATION AND RESPONSE TO BOARD QUESTION. NOTICE OF INTENT UNANIMOUSLY APPROVED.**

**DEPARTMENT OF HEALTH**

- R-7 Budget Modification MCHD 11 Requesting Authorization to Increase Appropriations in the Information and Referral Program Budget to Reflect Receipt of an Increase in the State Information and Referral Contract

**COMMISSIONER SALTZMAN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-7. COMMISSIONER HANSEN EXPLANATION. BUDGET MODIFICATION UNANIMOUSLY APPROVED.**

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

- R-8 Ratification of Intergovernmental Agreement Contract 301895 Between Multnomah County and the City of Troutdale, Providing City Maintenance of a Planted Median Strip Located in the Center of NE 257th Drive, Troutdale

**COMMISSIONER KELLEY MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-8. BOB THOMAS EXPLANATION. AGREEMENT UNANIMOUSLY APPROVED.**

- R-9 ORDER Setting April 27, 1995 as a Hearing Date in the Matter of Approving a Request for Transfer of Tax Foreclosed Property to the City of Portland for Low Income Housing Use

**COMMISSIONER COLLIER MOVED AND**

**COMMISSIONER KELLEY SECONDED, APPROVAL OF R-9. RICHARD PAYNE EXPLANATION AND RESPONSE TO BOARD QUESTION. ORDER 95-75 UNANIMOUSLY APPROVED.**

- R-10 RESOLUTION for the Purpose of Authorizing Execution of a Memorandum of Understanding (MOU) Regarding Conformity of Portions of the Air Quality Maintenance Area Outside of Metro's Boundaries**

**COMMISSIONER COLLIER MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-10. ED ABRAHAMSON EXPLANATION. RESOLUTION 95-76 UNANIMOUSLY APPROVED.**

**NON-DEPARTMENTAL**

- R-11 RESOLUTION in the Matter of Adopting a County Policy for the Strategic Investment Program**

**COMMISSIONER SALTZMAN MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-11. CHAIR STEIN ANNOUNCED THE FORMAT FOR CONSIDERATION OF THIS ITEM.**

**BOB ROBISON TESTIMONY IN SUPPORT OF PROPOSED STEIN AMENDMENTS. NICK SAUVIE AND TASHA HARMON TESTIMONY IN OPPOSITION TO PROPOSED POLICY. JAN SAVIDGE AND JOHN RODGERS TESTIMONY IN SUPPORT OF PROPOSED STEIN AMENDMENTS.**

**COMMISSIONER KELLEY READ AND COMMENTED IN SUPPORT OF HER PROPOSED POLICY AMENDMENT ADDING LANGUAGE TO THE BACKGROUND SECTION. FOLLOWING BOARD DISCUSSION AND SUGGESTION OF CHAIR STEIN, AND UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, IT WAS UNANIMOUSLY APPROVED THAT PAGE 1, SECTION I. BACKGROUND, BE AMENDED BY SUBSTITUTING COMMISSIONER KELLEY'S BACKGROUND STATEMENT.**

**UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, IT WAS UNANIMOUSLY APPROVED THAT PAGE 2, PARAGRAPH TWO OF SECTION III. LIMITS, BE**

AMENDED TO INCLUDE "OR BECAUSE THE EXTENT TO WHICH IT MEETS THE GOALS DOES NOT JUSTIFY THE VALUE OF THE ABATEMENT".

COMMISSIONER SALTZMAN READ AND COMMENTED IN SUPPORT OF HIS PROPOSED POLICY AMENDMENT ADDING LANGUAGE TO PAGE 5, SECTION IV.(C) SEQUENCE AND TIMELINE FOR REVIEW. FOLLOWING BOARD DISCUSSION, COMMENTS, SUGGESTIONS AND CONSENSUS AND UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER COLLIER, IT WAS UNANIMOUSLY APPROVED THAT PAGE 5, SECTION IV.(C) BE AMENDED TO INCLUDE THE FOLLOWING PARAGRAPH: "DURING THE PERIOD OF NEGOTIATION BETWEEN THE NEGOTIATING TEAM AND THE APPLICANT, THE BOARD OF COUNTY COMMISSIONERS WILL RECEIVE A PROGRESS REPORT NO LESS THAN ONCE A WEEK DURING THE COURSE OF NEGOTIATIONS."

UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER HANSEN, IT WAS UNANIMOUSLY APPROVED THAT THE COMPLETE APPLICATION DEFINITION ON PAGE 15, SECTION X. GLOSSARY OF TERMS BE AMENDED TO STATE: "THE BUDGET AND QUALITY OFFICE DIRECTOR WILL DETERMINE WHETHER THE APPLICATION IS COMPLETE."

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER COLLIER SECONDED, TO ELIMINATE THE LAST SENTENCE IN THE NEGOTIATING TEAM DEFINITION ON PAGE 16, SECTION X. GLOSSARY OF TERMS. FOLLOWING DISCUSSION, THE SENTENCE REFERRING TO THE NUMBER OF MEMBERS WAS UNANIMOUSLY DELETED.

FOLLOWING DISCUSSION AND SUGGESTION BY CHAIR STEIN, COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, A PROPOSED AMENDMENT TO ADD THE FOLLOWING LANGUAGE TO THE POLICY: "PERFORMANCE MEASURES CORRESPONDING TO THE POLICY BENCHMARKS WILL BE ESTABLISHED AND USED TO INSTRUCT THE

**NEGOTIATING TEAM. BOARD DISCUSSION.  
MOTION UNANIMOUSLY APPROVED.**

**COMMISSIONER COLLIER MOVED AND COMMISSIONER SALTZMAN SECONDED, AN AMENDMENT TO THE SECOND PARAGRAPH ON PAGE 7, SECTION VII. PROCESS FOR ESTABLISHING USE OF COMMUNITY SERVICE FEE, TO READ AS FOLLOWS: "THE COUNTY BOARD WILL AGREE TO ESTABLISH A CRITERIA AND PROCESS FOR ALLOCATING THE COMMUNITY SERVICE FEE AFTER CONSULTATION WITH ELECTED OFFICIALS FROM ALL CITIES WITHIN THE COUNTY. CRITERIA WILL INCLUDE HOUSING AS A PRIORITY ALLOCATION." AND AN AMENDMENT TO SUBSECTION C. HOUSING AND TRANSPORTATION ON PAGE 11, SECTION VIII. SIP GOALS AND STANDARDS, ADDING THE FOLLOWING PARAGRAPH: "THE COUNTY WILL PLACE A PERCENTAGE OF THE COMMUNITY SERVICE FEE ASIDE TO ADDRESS THE NEED FOR ASSISTANCE WITH HOME OWNERSHIP AND THE CREATION OF LOW AND MODERATE RENTAL UNITS." COMMISSIONER COLLIER COMMENTED IN SUPPORT OF HER MOTION AND RESPONDED TO CONCERNS OF COMMISSIONER KELLEY.**

**COMMISSIONER KELLEY MOVED AND COMMISSIONER COLLIER SECONDED AN AMENDMENT TO COMMISSIONER COLLIER'S AMENDMENT TO THE SECOND PARAGRAPH ON PAGE 7, SECTION VII. PROCESS FOR ESTABLISHING USE OF COMMUNITY SERVICE FEE, TO READ AS FOLLOWS: "THE COUNTY BOARD WILL AGREE TO ESTABLISH A CRITERIA AND PROCESS FOR ALLOCATING THE COMMUNITY SERVICE FEE AFTER CONSULTATION WITH ELECTED OFFICIALS FROM ALL CITIES WITHIN THE COUNTY. CRITERIA WILL INCLUDE HOUSING, TRAINING AND CHILD CARE AS A PRIORITY ALLOCATION."**

**CHAIR STEIN COMMENTED IN SUPPORT OF HER PROPOSED AMENDMENT TO REQUIRE THAT APPLICANT CONTRIBUTE FIVE PERCENT OF 75 PERCENT OF THE TOTAL PROPERTY TAXES ABATED BE DEDICATED TO A HOUSING TRUST**

FUND FOR THE COMMUNITY WHERE THE BUSINESS IS LOCATED. AT CHAIR STEIN'S REQUEST, COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, CHAIR STEIN'S PROPOSED AMENDMENT. BOARD DISCUSSION. SANDRA DUFFY AND SHARON TIMKO RESPONSE TO BOARD QUESTIONS. BOARD COMMENTS. STEIN AMENDMENT FAILED, WITH COMMISSIONERS HANSEN AND STEIN VOTING AYE, AND COMMISSIONERS KELLEY, COLLIER AND SALTZMAN VOTING NO.

FOLLOWING DISCUSSION, COMMISSIONER COLLIER WITHDREW HER SECOND TO COMMISSIONER KELLEY'S MOTION AMENDING COMMISSIONER COLLIER'S MOTION FOR APPROVAL OF AN AMENDMENT TO THE SECOND PARAGRAPH ON PAGE 7, SECTION VII. PROCESS FOR ESTABLISHING USE OF COMMUNITY SERVICE FEE. COMMISSIONER KELLEY COMMENTED IN SUPPORT OF HER MOTION. KELLEY MOTION WITHDRAWN.

COMMISSIONER SALTZMAN COMMENTED IN SUPPORT OF COLLIER MOTION. COLLIER MOTION AMENDING SECOND PARAGRAPH ON PAGE 7, SECTION VII. PROCESS FOR ESTABLISHING USE OF COMMUNITY SERVICE FEE, TO READ: "THE COUNTY BOARD WILL AGREE TO ESTABLISH A CRITERIA AND PROCESS FOR ALLOCATING THE COMMUNITY SERVICE FEE AFTER CONSULTATION WITH ELECTED OFFICIALS FROM ALL CITIES WITHIN THE COUNTY. CRITERIA WILL INCLUDE HOUSING AS A PRIORITY ALLOCATION." AND AMENDING SUBSECTION C. HOUSING AND TRANSPORTATION ON PAGE 11, SECTION VIII. SIP GOALS AND STANDARDS, ADDING THE FOLLOWING PARAGRAPH: "THE COUNTY WILL PLACE A PERCENTAGE OF THE COMMUNITY SERVICE FEE ASIDE TO ADDRESS THE NEED FOR ASSISTANCE WITH HOME OWNERSHIP AND THE CREATION OF LOW AND MODERATE RENTAL UNITS." UNANIMOUSLY APPROVED.

COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, AN

AMENDMENT TO THE SECOND PARAGRAPH ON PAGE 7, SECTION VII. PROCESS FOR ESTABLISHING USE OF COMMUNITY SERVICE FEE, ADDING THE FOLLOWING LANGUAGE: "CRITERIA WILL INCLUDE HOUSING, CHILD CARE AND TRAINING AS PRIORITIES." FOLLOWING BOARD COMMENTS AND DISCUSSION, CONSENSUS TO WITHDRAW PREVIOUS MOTION. UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, IT WAS UNANIMOUSLY APPROVED THAT "CRITERIA WILL INCLUDE HOUSING AS A PRIORITY ALLOCATION." BE ELIMINATED FROM THE SECOND PARAGRAPH ON PAGE 7, SECTION VII.

AT THE REQUEST OF CHAIR STEIN, COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF AN AMENDMENT TO BULLET TWO ON PAGE 8, SECTION VIII. SIP GOALS AND STANDARDS, SUBSECTION B., HIRING, WAGES, BENEFITS, TRAINING, AND RETENTION, ADDING THE FOLLOWING LANGUAGE: "THE COMPANY WILL DO A CHILD CARE IMPACT STUDY AND RESPOND BY PROVIDING SUPPORT FOR ALL PARENTS NEEDING CHILD CARE, ESPECIALLY ENTRY LEVEL PARENTS." CHAIR STEIN COMMENTS IN SUPPORT OF HER AMENDMENT AND RESPONSE TO CONCERNS OF COMMISSIONER SALTZMAN. MOTION APPROVED, WITH COMMISSIONERS HANSEN, COLLIER AND STEIN VOTING AYE, AND COMMISSIONERS KELLEY AND SALTZMAN VOTING NO.

AT THE REQUEST OF CHAIR STEIN, COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF AN AMENDMENT TO PAGE 10, SECTION VIII. SIP GOALS AND STANDARDS, SUBSECTION B, STANDARDS, TO READ AS FOLLOWS: "THE APPLICANT WILL DESCRIBE BY CATEGORY (e.g., ENTRY-LEVEL PRODUCTION, SKILLED PRODUCTION, TECHNICAL AND PROFESSIONAL, MANAGEMENT, ADMINISTRATIVE AND SUPPORT, SALES, CLERICAL, MAINTENANCE, SECURITY, SHIPPING AND RECEIVING, FOOD SERVICE, ETC.) THE NUMBER OF JOBS AND WAGE SCALES OF

THOSE JOBS THAT THE PROJECT WILL CREATE AT THE FACILITY. THE APPLICANT ALSO WILL SPECIFY WHICH OF THESE ARE REGULAR FULL TIME, PART TIME, TEMPORARY, OR CONTRACT POSITIONS." CHAIR STEIN RESPONSE TO QUESTIONS OF COMMISSIONERS SALTZMAN AND KELLEY. COMMISSIONERS COLLIER AND HANSEN COMMENTS IN SUPPORT. COMMISSIONER SALTZMAN COMMENTS. MOTION UNANIMOUSLY APPROVED.

AT THE REQUEST OF CHAIR STEIN, COMMISSIONER HANSEN MOVED AND COMMISSIONER SALTZMAN SECONDED, AN AMENDMENT TO PAGE 7, SECTION VI, COMPLIANCE AUDITING, ENFORCEMENT, REPAYMENT, AND CHANGES TO THE CONTRACT, TO READ AS FOLLOWS: "SPECIFIC TERMS FOR REPAYMENT WILL BE NEGOTIATED FOR EACH STANDARD AND CONDITION AND INCLUDED IN THE ABATEMENT CONTRACT. IN ANY CASE, TOTAL REPAYMENT FOR NON-COMPLIANCE WILL NOT EXCEED 75 PERCENT OF THE TOTAL ABATEMENT FOR THE YEAR THE PENALTY IS CITED." MS. TIMKO EXPLANATION. AMENDMENT UNANIMOUSLY APPROVED.

AT THE REQUEST OF CHAIR STEIN, COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, AN AMENDMENT TO THE REVIEW LANGUAGE ON PAGE 4, SECTION IV. PROCEDURES FOR REVIEW AND NEGOTIATION, SUBSECTION C, SEQUENCE AND TIMELINE FOR REVIEW, TO SUBSTITUTE FOURTEEN DAYS RATHER THAT SEVEN DAYS FROM THE DATE THE APPLICATION IS DEEMED COMPLETE. CHAIR STEIN COMMENTS IN SUPPORT. BOARD COMMENTS AND DISCUSSION. MOTION FAILED WITH COMMISSIONERS COLLIER AND STEIN VOTING AYE, AND COMMISSIONERS KELLEY, HANSEN AND SALTZMAN VOTING NO.

AT THE REQUEST OF CHAIR STEIN, COMMISSIONER HANSEN MOVED AN AMENDMENT TO THE REVIEW LANGUAGE ON PAGE 5, SECTION IV. PROCEDURES FOR REVIEW AND NEGOTIATION, SUBSECTION C, SEQUENCE AND



TIMELINE FOR REVIEW, TO READ THAT "NO LESS THAN SEVEN DAYS AFTER PUBLIC NOTICE, A PUBLIC HEARING WILL BE HELD. AFTER THE HEARING, THE BOARD WILL GIVE DIRECTIONS TO THE NEGOTIATING TEAM." MOTION FAILED FOR LACK OF A SECOND.

COMMISSIONERS SALTZMAN, HANSEN, COLLIER AND KELLEY PRESENTED STATEMENTS AND COMMENTS IN SUPPORT OF POLICY. CHAIR STEIN COMMENTED IN OPPOSITION TO POLICY.

RESOLUTION 95-77 APPROVED, AS AMENDED, WITH COMMISSIONERS KELLEY, HANSEN, COLLIER AND SALTZMAN VOTING AYE, AND CHAIR STEIN VOTING NO.

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Thursday, April 13, 1995  
**IMMEDIATELY FOLLOWING REGULAR MEETING**  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

**BOARD BRIEFING**

B-3 Presentation of the Results of the Multnomah County Animal Control Budget Study. Presented by David Flagler, Heidi Soderberg and Keri Hardwick.

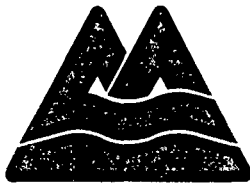
**BRIEFING RESCHEDULED TO THURSDAY, APRIL 27, 1995.**

There being no further business, the meeting was adjourned at 11:55 a.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 S.W. FIFTH AVENUE  
PORTLAND, OREGON 97204

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

## AGENDA

### MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

#### FOR THE WEEK OF

APRIL 10, 1995 - APRIL 14, 1995

*Tuesday, April 11, 1995 - 1:30 PM - Board Briefings . . . . . Page 2*

*Tuesday, April 11, 1995 - 6:30 PM - SIP Public Hearing . . . . . Page 2*

*Thursday, April 13, 1995 - 9:00 AM - Executive Session . . . . . Page 2*

*Thursday, April 13, 1995 - 9:30 AM - Regular Meeting . . . . . Page 2*

*Thursday, April 13, 1995 - Board Briefing . . . . . Page 4*

#### IMMEDIATELY FOLLOWING REGULAR MEETING

**\*\*PROPOSED 1995-96 BUDGET DELIBERATION SCHEDULE ATTACHED\*\***

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

*Thursday, 6:00 PM, Channel 30*  
*Friday, 10:00 PM, Channel 30*  
*Saturday, 12:30 PM, Channel 30*  
*Sunday, 1:00 PM, Channel 30*

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

*Tuesday, April 11, 1995 - 1:30 PM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

**BOARD BRIEFINGS**

- B-1 Discussion on Proposed Recommendation Regarding Regional Partnership for Expansion of Juvenile Detention Capacity Due to Ballot Measure 11 Implementation. Presented by Bill Farver and Elyse Clawson. 1 HOUR REQUESTED.*
- B-2 Presentation of Audit Entitled Involuntary Commitment: Improving County Investigations. Presented by Gary Blackmer. 30 MINUTES REQUESTED.*
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*Tuesday, April 11, 1995 - 6:30 PM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

**PUBLIC HEARING**

- PH-1 Public Hearing on Proposed Multnomah County Strategic Investment (Tax Abatement) Program Policy.*
- 

*Thursday, April 13, 1995 - 9:00 AM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

**EXECUTIVE SESSION**

- E-1 The Multnomah County Board of Commissioners and Legal Counsel Will Meet in Executive Session Pursuant to ORS 192.660(1)(h) for the Purpose of Consultation Concerning Legal Rights and Duties Regarding Current Litigation*
- 

*Thursday, April 13, 1995 - 9:30 AM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

**REGULAR MEETING**

**CONSENT CALENDAR**

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

- C-1 ORDER in the Matter of the Execution of Deed D951181 for Repurchase of Tax Acquired Property to Former Owner Leah Wells*

## NON-DEPARTMENTAL

- C-2      *In the Matter of the Appointments of Jim Francesconi, Gregory Taylor and James Williams to the COMMUNITY AND FAMILY SERVICES CITIZEN BUDGET ADVISORY COMMITTEE*

## AGING SERVICES DIVISION

- C-3      *Ratification of Intergovernmental Agreement Contract 103705 Between the City of Portland and Multnomah County, Providing Funds for Administering the Area Agency on Aging, District Senior Centers, SE Multi-Cultural Center and Gatekeeper Programs, for the Period July 1, 1994 through June 30, 1995*
- C-4      *Ratification of Intergovernmental Agreement Contract 103985 Between the City of Portland and Multnomah County, Providing Funds for Portland/Multnomah Commission on Aging for General Advocacy Review, Comment and Specialized Review, Comment and Advocacy for Ethnic, Medicaid, and Adult Care Home Programs, for the Period July 1, 1994 through June 30, 1995*

## REGULAR AGENDA

### PUBLIC COMMENT

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

## NON-DEPARTMENTAL

- R-2      *RESOLUTION in the Matter of Expressing Opposition to Oregon House Bill 2933, and Similar Legislation Denying Undocumented Immigrants Access to Health Care, Education, and Social Services*
- R-3      *RESOLUTION in the Matter of Participation in Funding Activities of the Dispute Resolution Commission*
- R-4      *Budget Modification NOND 10 Requesting Authorization to Transfer \$3,870 from Capital Outlay to Materials and Services Within Commission District 3 Budget; and to Appropriate \$2,579 into General Fund to Reflect Receipt of Revenue from State of Washington Higher Education Intern Program to be Used for Temporary Personnel Services*

## COMMUNITY AND FAMILY SERVICES DIVISION

- R-5      *Request for Approval of a Notice of Intent to Apply for a \$12,000,000 Three Year U.S. Department of Housing and Urban Development Supportive Housing Program Grant to Fund Gaps in the Continuum of Care for Homeless Families, Singles, Displaced Youth, Pregnant and Parenting Teens, and Homeless Adults in the Acute Care System of Adult Mental Health*

- R-6      *Request for Approval of a Notice of Intent to Apply for a \$200,000 Twelve Month U.S. Department of Health and Human Services Family Support Center Program Grant to Fund Homeless Family Prevention Services*

**DEPARTMENT OF HEALTH**

- R-7      *Budget Modification MCHD 11 Requesting Authorization to Increase Appropriations in the Information and Referral Program Budget to Reflect Receipt of an Increase in the State Information and Referral Contract*

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

- R-8      *Ratification of Intergovernmental Agreement Contract 301895 Between Multnomah County and the City of Troutdale, Providing City Maintenance of a Planted Median Strip Located in the Center of NE 257th Drive, Troutdale*
- R-9      *ORDER Setting April 27, 1995 as a Hearing Date in the Matter of Approving a Request for Transfer of Tax Foreclosed Property to the City of Portland for Low Income Housing Use*
- R-10     *RESOLUTION for the Purpose of Authorizing Execution of a Memorandum of Understanding (MOU) Regarding Conformity of Portions of the Air Quality Maintenance Area Outside of Metro's Boundaries*

**NON-DEPARTMENTAL**

- R-11     *RESOLUTION in the Matter of Adopting a County Policy for the Strategic Investment Program*

---

*Thursday, April 13, 1995*  
**IMMEDIATELY FOLLOWING REGULAR MEETING**  
*Multnomah County Courthouse, Room 602*  
*1021 SW Fourth, Portland*

**BOARD BRIEFING**

- B-3      *Presentation of the Results of the Multnomah County Animal Control Budget Study. Presented by David Flagler, Heidi Soderberg and Keri Hardwick. 30 MINUTES REQUESTED.*

**\*\*PROPOSED AS OF 4/6/95\*\***  
**MULTNOMAH COUNTY 1995-96 BUDGET DELIBERATIONS**  
**PUBLIC HEARING/BOARD WORK SESSION SCHEDULE**

9:30 am	Tuesday, 4/25/95	Chair Stein Presentation of 1995-96 Budget Message
9:30 am	Thursday, 4/27/95	Consideration of Resolution Approving Budget for Submittal to Tax Supervising and Conservation Commission
1:30 pm	Tuesday, 5/2/95	Public Testimony/Budget Revenue Overview/Budget Work Session
9:30 am	Wednesday, 5/3/95	Public Testimony/Department of Environmental Services CBAC Report/Budget Work Session
9:30 am	Tuesday, 5/9/95	Public Testimony/Aging Services Division CBAC Report/Budget Work Session
9:30 am	Wednesday, 5/10/95	Public Testimony/Department of Library Services CBAC Report/Budget Work Session
1:30 pm	Tuesday, 5/16/95	Public Testimony/Juvenile Justice Division CBAC Report/Budget Work Session
9:30 am	Wednesday, 5/17/95	Public Testimony/District Attorney CBAC Report/Budget Work Session
9:30 am	Tuesday, 5/23/95	Public Testimony/Sheriff's Office CBAC Report/Budget Work Session
9:30 am	Wednesday, 5/24/95	Public Testimony/Department of Community Corrections CBAC Report/Budget Work Session
10:00 am	Tuesday, 5/30/95	Public Testimony/Community and Family Services Division CBAC Report/Budget Work Session
1:30 pm	Wednesday, 5/31/95	Public Testimony/Non-Departmental (Commissioners, Auditor, Management Support Services and Non-County Organizations) CBAC Report/Budget Work Session

9:30 am	Tuesday, 6/6/95	Public Testimony/Health Department CBAC Report/Budget Work Session
7:00 pm	Tuesday, 6/6/95	Budget Hearing - Multnomah County Sheriff's Office Auditorium, 12240 NE Glisan
2:00 pm	Wednesday, 6/7/95	Public Testimony/Budget Work Session
9:30 am	Tuesday, 6/13/95	Public Testimony/Budget Work Session/If Needed
7:00 pm	Tuesday, 6/13/95	Budget Hearing - Courthouse Room 602, 1021 SW Fourth
9:30 am	Wednesday, 6/14/95	Public Testimony/Budget Work Session/If Needed
1:30 pm	Wednesday, 6/14/95	Public Testimony/Budget Work Session/If Needed
9:30 am	Thursday, 6/15/95	Possible Consideration of Resolution Adopting Budget
10:30 am	Tuesday, 6/20/95	Public Testimony/Budget Work Session/If Needed
9:30 am	Wednesday, 6/21/95	Public Testimony/Budget Work Session/If Needed
1:30 pm	Wednesday, 6/21/95	Public Testimony/Budget Work Session/If Needed
9:30 am	Thursday, 6/22/95	Possible Consideration of Resolution Adopting Budget

RECEIVED

MEETING DATE: APR 13 1995

AGENDA NO: C-1

(Above Space for Board Clerk's Use ONLY)

COUNTY CLERK  
MULTNOMAH COUNTY 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 #: 166/200/Tax Title

PERSON(S) MAKING PRESENTATION: Kathy Tuneberg

ACTION REQUESTED:

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

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

Request approval of deed to contract purchaser for completion of Contract #15619 (Property originally repurchased by former contract purchaser.)

Deed D951181 and Board Order attached.

4/17/95 ORIGINAL Deed & Copies of ALL to tax title

SIGNATURES REQUIRED:

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

OR

DEPARTMENT MANAGER: Betsy Willie

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

BOARD OF  
COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
1995 APR - 4 AM 9:42



BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

In the Matter of the Execution of )  
Deed D951181 for Repurchase of ) ORDER  
Tax Acquired Property to ) 95-72  
Former Owner )  
LEAHA WELLS )

It appearing that heretofore Multnomah County acquired the real property hereinafter described through foreclosure of liens for delinquent taxes, and that LEAHA WELLS is the former record owner thereof, and has applied to the county to repurchase said property for the amount of \$14,268.63 which amount is not less than that required by Section 275.180 ORS; and that it is for the best interests of the County that said application be accepted and that said property be sold to said former owner for said amount;

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

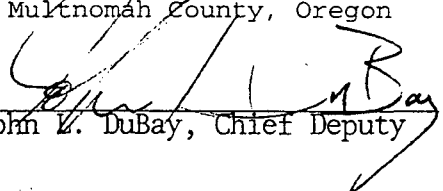
CUMBERLAND  
N 15' OF LOT 7, BLOCK 2;  
LOT 8, BLOCK 2

Dated at Portland, Oregon this 13th day of April, 1995.



REVIEWED:

Laurence Kressel, County Counsel  
for Multnomah County, Oregon

By   
John L. DuBay, Chief Deputy

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

  
Beverly Stein, Chair

DEED D951181

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

CUMBERLAND  
N 15' OF LOT 7, BLOCK 2;  
LOT 8, BLOCK 2

The true and actual consideration paid for this transfer, stated in terms of dollars is \$14,268.63.

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.

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

6903 N ALBINA 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 13th day of April, 1995, by authority of an Order of the Board of County Commissioners heretofore entered of record.



REVIEWED  
Laurence Kressel, County Counsel  
for Multnomah County, Oregon

By John L. DuBay  
John L. DuBay, Chief Deputy

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

Beverly Stein  
Beverly Stein, Chair

DEED APPROVED:  
Janice Druian, Director  
Assessment & Taxation

By K. G. Junberg

After recording, return to Multnomah County Tax Title, 166/200

STATE OF OREGON

)

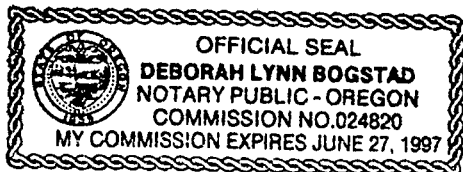
) ss

COUNTY OF MULTNOMAH

)

On this 13th day of April, 1995, before me, a Notary Public in and for the County of Multnomah and State of Oregon, personally appeared Beverly Stein, Chair, Multnomah County Board of Commissioners, to me personally known, who being duly sworn did say that the attached instrument was signed and sealed on behalf of the County by authority of the Multnomah County Board of Commissioners, and that said instrument is the free act and deed of Multnomah County.

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



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

Agenda No.: C-2

## AGENDA PLACEMENT FORM

WARD OF  
MULTNOMAH COUNTY  
OREGON  
1995 APR -5 PM 3:22

4/5/95

MULTNOMAH COUNTY CITIZEN INVOLVEMENT COMMITTEE  
CBAC INTEREST FORM

NAME JIM FRANCESCONI

HOME ADDRESS 2230 N. E. Alameda, Portland ZIP 97212 PHONE 288-4262

EMPLOYER Francesconi & Busch, P.C.

OCCUPATION Lawyer

OPTIONAL: Age 42 Sex M  
African American        Native American        Hispanic         
Asian/Pacific        White XXX Other       

ARE YOU A RESIDENT OF MULTNOMAH COUNTY? YES XXX NO       

AREAS OF INTEREST:  
Human Services X Youth X  
Justice Services X Aging         
Environmental Services        Health         
Facilities, transportation        General government         
Other economic development

VOLUNTEER/BOARD/COMMITTEE EXPERIENCE

Juv. Justice Task Force Subcommittee, present  
Private Industry Council Board, 1993 - present  
Work Force Quality Council Board, 1993 - present  
Urban League Board, 1989 - present  
House of Umoja Board, 1989 - present

OTHER RELEVANT EXPERIENCE

Oregon Governor's School Chair, 1993  
Portland Organizing Project Member  
State Juv. Justice Advisory Committee, 1989 - 1991  
Oregon Community Children and Youth Services Commission Member, 1989-1991

PLEASE LIST NAME, ADDRESS AND TELEPHONE NUMBERS OF TWO REFERENCES:

1. Bishop A.A. Kelle  
2. Phil Kierling

WOULD YOU HAVE A POTENTIAL CONFLICT OF INTEREST RELATIVE TO ANY COUNTY

DEPARTMENT? no

SIGNATURE [Signature] DATE 12/29/94

RECEIVED  
NOV 30 1994  
FRANCESCONI & BUSCH P.C.

MULTNOMAH COUNTY CITIZEN INVOLVEMENT COMMITTEE  
CBAC INTEREST FORM

NAME Gregory Allen Taylor  
HOME ADDRESS 510 NE Sumner ZIP 97211 PHONE 282-1870  
EMPLOYER Pacific Power  
OCCUPATION Customer Service Representative

OPTIONAL: Age 43 Sex \_\_\_\_\_  
African American X Native American \_\_\_\_\_ Hispanic \_\_\_\_\_  
Asian/Pacific \_\_\_\_\_ White \_\_\_\_\_ Other \_\_\_\_\_

ARE YOU A RESIDENT OF MULTNOMAH COUNTY? YES X NO \_\_\_\_\_

AREAS OF INTEREST:

Human Services X Youth X  
Justice Services X Aging \_\_\_\_\_  
Environmental Services \_\_\_\_\_ Health \_\_\_\_\_  
Facilities, transportation \_\_\_\_\_ General government \_\_\_\_\_  
Other \_\_\_\_\_

VOLUNTEER/BOARD/COMMITTEE EXPERIENCE Currently on King  
Neighborhood Housing Committee and the  
Albina Ministerial Alliance Friends Fund Raising  
Sub-Committee

OTHER RELEVANT EXPERIENCE I have served on  
work related committees making decision  
for day to day operations.

PLEASE LIST NAME, ADDRESS AND TELEPHONE NUMBERS OF TWO REFERENCES:

1. Ralph Nickerson 3559 NE Simpson Pld - 284-8483
2. Jody Barr 3565 NE Mathison Pl. Pld 248-3460

WOULD YOU HAVE A POTENTIAL CONFLICT OF INTEREST RELATIVE TO ANY COUNTY

DEPARTMENT? Wife works for Gift Program - Juvenile Service

SIGNATURE Megan Taylor DATE \_\_\_\_\_


**MULTNOMAH COUNTY OREGON**
**RECEIVED**

DEC 23 1994

 BEVERLY STEIN  
 MULTNOMAH COUNTY CHAIR

**INTEREST FORM FOR BOARDS AND COMMISSIONS**

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

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

(012) CITIZENS INVOLVEMENT COMMITTEE; (029) METROPOLITAN HUMAN RIGHTS COMMISSION; (013) COMMUNITY ACTION COMMISSION; (033) PLANNING COMM.

B. Name JAMES E WILLIAMS

Address 11531 SW LESSER RD.

City PORTLAND State OREGON Zip Code 97219

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

Home Phone 293-1258

C. Current Employer RETIRED

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Your Job Title \_\_\_\_\_

Work Phone \_\_\_\_\_ (Ext) \_\_\_\_\_

Is your place of employment located in Multnomah County? Yes \_\_\_\_\_ No \_\_\_\_\_

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

SEE ATTACHED RESUME

- E. Please list all current and past volunteer activities.

Name of Organization	Dates	Responsibilities
SEE ATTACHED		

- F. Please list all post-secondary school education.

Name of School	Dates	Responsibilities
SEE ATTACHED		

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

SEE ATTACHED

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

SEE ATTACHED

I. Affirmative Action Information

sex/racial ethnic background

Birth date: Month \_\_\_\_ Day \_\_\_\_ Year \_\_\_\_

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

Signature

*James E. Wall*

Date

*December 22, 1994*



## R E S U M E

James E. Williams  
Phone: 293-1258

11531 SW Lesser Rd  
Portland, Oregon 97219

EDUCATION:

Willamette University, College of Law, Salem,  
Oregon. J.D., 1983.

Boise State University, Boise, Idaho. B.A.,  
1980.

Internships: Idaho Legislature, 1976.  
Idaho Human Rights Commission, 1977.

EMPLOYMENT:

Fokko's Grandson Publishers (Proprietor),  
Beaverton, Oregon. 1990-present.

Attorney at Law (Self-employed), Beaverton,  
Oregon. 1983-90.

Department of Justice, Labor Division, Salem,  
Oregon. 1982-1983.

Idaho Human Rights Commission, Boise, Idaho.  
1977-79.

PUBLICATIONS:

Landlords' Handbook - A Guide for Owners and  
Managers of Residential Rental Properties in  
Oregon. Fokko's Grandson Publishers, 1990.

"Mobile Home Owners Are Helpless." Tigard Times,  
1989.

**VOLUNTEER, COMMUNITY INVOLVEMENT:**

Alternatives to Violence Project, 1994.

Democratic Party of Oregon,  
Rules Committee Chair, 1991-present.

Multnomah County Democratic Party, 1991-present.  
Rules Committee Chair.  
Finance Committee.  
Delegate to First Congressional District  
Committee.  
Delegate to State Central Committee.  
State Platform Convention delegate.

Far Southwest Neighborhood Association, Coalition  
Board Representative 1992-present.

Regional Institute for Citizen Participation in  
Government, Board Member, 1994-present.

National Association of Parliamentarians, 1993-present.

Southwest Neighborhood Information, Inc. Dispute Resolution Committee Chair, 1993. Bylaws Committee Chair. Board Member 1992-94.

Office of Community Development, Washington County. Loan Review Board member. 1986-93.

Oregon State Bar Association, Real Estate and Land Use Section. Guest Speaker, 1992.

Progressive Democratic Club. 1991-92. Chair, 1992.

Mobile Home Owners Association, Inc., Organizer, Attorney & Lobbyist 1984-1990.

Educational Opportunity Program, Portland State University. ESL tutor. 1983-1984.

Washington County Community Action Organization, Fair Housing and Landlord-Tenant Law Lecturer, 1987-89. Transitional Housing Program advisor, 1990.

Washington County Democratic Party, Campaign volunteer, 1984-91. Candidate for State Representative, 1986. Chair, 1989-90. Delegate to State and First Congressional District Committees, 1985-91. State Platform Convention delegate, 1984-90. Newsletter Editor, 1990-91. Rules Committee, 1985-91. Vice Chair, 1987-89.

LEISURE INTERESTS:

Bicycling, community activism, camping, home remodeling, woodworking, reading, traveling, weight lifting.

Meeting Date: APR 13 1995

Agenda No: C-3

(Above space for Board Clerk's Office Use ONLY)

AGENDA PLACEMENT FORM

Subject: FY94/95 Intergovernmental Revenue Agreement #103855 with City of Portland for Aging Services

BOARD BRIEFING      Date Requested:  
Amount of time:

REGULAR MEETING      Date Requested: April 13, 1995  
Amount of time: 5 minutes

DEPARTMENT: Social Services

DIVISION: Aging Services

CONTACT: Caroline Sullivan/Kathy Gillette

TELEPHONE: 248-3620

BLDG/RM #: 161/3rd floor

PERSON(S) MAKING PRESENTATION: Jim McConnell/Kathy Gillette

ACTION REQUESTED:

☐ INFORMATIONAL ONLY      ☐ POLICY DIRECTION      ☒ APPROVAL      ☐ OTHER

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

The Aging Services Division requests approval of the Intergovernmental Agreement with the City of Portland, Bureau of Parks & Recreation for aging services. This agreement assigns responsibility for administering the Area Agency on Aging to the County Aging Services Division and provides City funds in the amount of \$420,114 as the City share. City funds are used to continue support for contracted District Senior Service Centers and, new in FY94/95, provide support for the Gatekeeper Program and the SE Multi-Cultural Senior Center, both operated by the County.

The FY94-95 agreement increases City support by \$16,000 for the Gatekeeper Program and \$65,000 for the new SE Multi-Cultural Center in addition to ongoing funding in the amount of \$339,114 for District Centers.

In previous years, this agreement has included funding from the County to the City for the support of the Portland Multnomah Commission on Aging, the citizen advisory group which is administered by the City. These funds and services are addressed in a separate agreement. 4/17/95 ORIGINALS to Caroline Sullivan

SIGNATURES REQUIRED:

ELECTED OFFICIAL: [Signature]

OR

DEPARTMENT MANAGER: [Signature]

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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



# MULTNOMAH COUNTY OREGON

AGING SERVICES DIVISION  
AREA AGENCY ON AGING  
421 S.W. 5TH AVE., 3RD FLOOR  
PORTLAND, OREGON 97204-2238  
SENIOR HELPLINE: (503) 248-3646  
ADMINISTRATION: 248-3620  
TDD: 248-3683 FAX: 248-3656

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

## MEMORANDUM

TO: Beverly Stein, Board Chair  
FROM: Jim McConnell, Director *Jim C*  
DATE: March 31, 1995  
SUBJECT: FY 1994-95 Intergovernmental Revenue Agreement with City of Portland/Bureau of Parks and Recreation for Aging Services

Retroactive Status: This agreement is retroactive to July 1, 1994. Delays in reaching agreement about a change in format and other internal issues have delayed County processing of this agreement.

I. Recommendation: The Aging Services Division recommends Board of County Commissioner approval of the attached Intergovernmental Revenue Agreement with the City of Portland, for the period July 1, 1994 through June 30, 1995.

II. Analysis/Background: The City and County are jointly designated by the State as the local Area Agency on Aging. The attached intergovernmental agreement between Multnomah County and City of Portland establishes responsibility for administering the Area Agency on Aging with the County Aging Services Division and provides for City funds to come to the County to support the District Senior Centers, the Southeast Multi-Cultural Senior Center, and the Gatekeeper Program.

This agreement is renewed annually. In previous years, the agreement has included County funding for the Portland Multnomah Commission on Aging (PMCoA) which is administered by the City. The PMCoA funding from the County and the City revenue (contained in this agreement) to the County are handled by two different Bureaus. To simplify the document and administration of the agreement, City and County staff agreed to separate the Bureau of Parks revenues and the operation of the PMCoA into two contracts. Approval of the PMCoA contract is requested separately.

III. Fiscal Impact: The agreement provides for \$420,114 of City funds to come in quarterly payments to the County to support operations of the Aging Services Division. Funds are designated in the amount of \$339,114 for District Centers, \$65,000 for the SE Multi-Cultural Senior Center and \$16,000 for the Gatekeeper program. A County Budget Modification is required to increase the City funds to include support for the Gatekeeper Program and SE Multi-cultural Center. It will be processed separately.

IV. Legal Issues: NA

V. Controversial Issues: NA

VI. Link to Current County Policies: Included in Area Plan for Aging Services

VII. Citizen Participation: The Portland Multnomah Commission on Aging (PMCoA) has actively been involved in providing advocacy to City and County in their respective budget processes.

VIII. Other Government Participation: Implements the designation by the State Senior Disabled Services Division of the City and County jointly as the Area Agency on Aging for Portland/Multnomah County. The federal Older Americans Act requires that the State designate such an agency as recipient of federal funds to provide planning, advocacy and services for all residents age 60 and older.

AN EQUAL OPPORTUNITY EMPLOYER

**CONTRACT APPROVAL FORM**

(See Administrative Procedure #2106)

MULTNOMAH COUNTY OREGON

Contract # 103705

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

<b>CLASS I</b> <input type="checkbox"/> Professional Services under \$25,000	<b>CLASS II</b> <input type="checkbox"/> Professional Services over \$25,000 (RFP, Exemption) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue	<b>CLASS III</b> <input checked="" type="checkbox"/> Intergovernmental Agreement Revenue  <b>APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</b> AGENDA # <u>C-3</u> DATE <u>4/13/95</u> <u>DEB BOGSTAD</u> BOARD CLERK
---	---	--

Department Aging Services Division Division ASD Date March 31, 1995Contract Originator Caroline Sullivan/Kathy Gillette Phone 248-3620 Bldg/Room 161/3rd floorAdministrative Contact Caroline Sullivan/Kathy Gillette Phone 248-3620 Bldg/Room 161/3rd floorDescription of Contract Renews City/County Agreement regarding Area Agency on Aging. City provides funds for District Senior Centers, SE Multi-cultural Center, and Gatekeeper Programs.

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

ORS/AR # \_\_\_\_\_ Contractor is ☐ MBE ☐ WBE ☐ QRFContractor Name City of Portland/Bureau of Parks and RecreationMailing Address 1120 SW 5th #502  
Portland OR 97204Phone 823-6972Employer ID# or SS# 93-6002236Effective Date July 1, 1994Termination Date June 30, 1995Original Contract Amount \$ 420,114

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

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

Total Amount of Agreement \$ 420,114**REQUIRED SIGNATURES:**Department Manager James W. BonnellPurchasing Director (Class II Contracts Only) Kathy GilletteCounty Counsel Beverly Stein

County Chair / Sheriff \_\_\_\_\_

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

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

Payment Schedule

Terms

☐ Lump Sum \$ \_\_\_\_\_ ☐ Due on receipt☐ Monthly \$ \_\_\_\_\_ ☐ Net 30☐ Other \$ \_\_\_\_\_ ☐ Other \_\_\_\_\_☐ Requirements contract - Requisition required.

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

☐ Requirements Not to Exceed \$ \_\_\_\_\_Encumber: Yes ☐ No ☐Date March 31, 1995

Date \_\_\_\_\_

Date 4/13/95Date April 13, 1995

Date \_\_\_\_\_

VENDOR CODE				VENDOR NAME					TOTAL AMOUNT			
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT/ REV SRC	SUB OBJ	REPT CATEG	LGFS DESCRIPTION	AMOUNT	INC/ DEC	IND
01.	156	010	1760			2773			City GF	339,114		
02.	156	010	1810			2773			City GF	65,000		
03.	156	010	1876			2773			City GF	16,000		
* If additional space is needed, attach separate page. Write contract # on top of page.												

INSTRUCTIONS ON REVERSE SIDE

WHITE - CONTRACT ADMINISTRATION

CANARY - INITIATION

PINK - FINANCE

ORIGINAL

103705

INTERGOVERNMENTAL AGREEMENT FOR OPERATION  
OF THE PORTLAND/MULTNOMAH COUNTY AREA AGENCY ON AGING  
FY1994-1995

SECTION I. INTRODUCTION

This agreement is between the City of Portland, hereinafter called CITY, and Multnomah County, hereinafter called COUNTY. This agreement, subject to execution by all parties, will renew, amend and extend the agreement originally executed on January 1, 1984 from July 1, 1994 through June 30, 1995.

SECTION II. RECITALS

A. WHEREAS, there are over 102,243 persons over the age of 60 in the CITY and the COUNTY; and

B. WHEREAS, CITY and COUNTY recognize the problems of those elderly persons with fixed incomes and frail health, and have demonstrated their support for services to this population; and

C. WHEREAS, pursuant to Section 305 of the Older Americans Act of 1965, as amended, the Senior and Disabled Services Division (hereinafter called the State) has designated the geographic boundaries of Multnomah County including the incorporated areas of the City of Portland, as one planning and service area; and

D. WHEREAS, the parties by concurrent action in 1974, and in keeping with the Intergovernmental Cooperation provisions of ORS Chapter 190, agreed to serve as the Area Agency on Aging (hereinafter called the AAA) to plan, coordinate and conduct a comprehensive social service delivery system for elderly residents within the boundaries of Multnomah County (the State designated service area) for the period beginning July 1, 1974 and continuing until this agreement is terminated or replaced; and

E. WHEREAS, the designation of an administrative unit to assume the responsibilities of the AAA is necessary to receive Federal funds under the Older Americans Act, State funds through Oregon Project Independence, and Federal/State funds under Title XIX of the Social Security Act; and

F. WHEREAS, the parties agreed in 1984 that the COUNTY would serve as the administrative unit for the Area Agency on Aging; and

G. WHEREAS, it is the intention of the CITY and COUNTY to jointly fund the Multnomah County Aging Services Division; and

H. WHEREAS, the CITY and COUNTY are both committed through Aging Policy for Portland and Multnomah County of 1982 to support specialized urban and human services to the elderly;

THEREFORE, CITY and COUNTY agree as follows.

SECTION III: AGREED/CITY AND COUNTY

A. CITY and COUNTY will continue to jointly fund the AAA for the period of this agreement. Funding for the AAA will not be reduced as a result of CITY and COUNTY service negotiations.

B. COUNTY will continue to have administrative responsibility for the AAA until this agreement is terminated or replaced.

C. The AAA shall operate as a separate division, called the Aging Services Division.

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SECTION IV: AGREED/COUNTY

A. Pursuant to ORS 190.030(1) COUNTY shall perform within the boundaries of COUNTY, all services to the elderly prescribed by the Annual Plan, as approved under the Older Americans Act, Oregon Project Independence, and Title XIX (Medicaid) SSBG/GA Program. In the event CITY fails to provide its share of local funding based on the mutually approved Annual Plan, COUNTY at its discretion may review and revise its obligation under this Section.

B. COUNTY shall maintain sub-planning and service area districts within COUNTY boundaries and shall maintain advisory committees for each of these designated sub-planning and service area districts. The advisory committees shall have review and comment authority on all funds and services allocated to the respective sub-districts.

C. COUNTY shall provide to the CITY's Parks Bureau all billing invoices and any other program reports listed in Section IV.C as requested by the Parks Bureau designee.

D. COUNTY will hold intact the AAA policy of contracting for services and developing and implementing a single entry system.

SECTION V: AGREED/CITY

A. Pursuant to ORS 190.030 (1) CITY hereby assigns to COUNTY the responsibility and authority to perform for CITY, services to the elderly within the city boundaries, as prescribed in the Annual Plan and approved by State under the Older Americans Act, Oregon Project Independence, and Title XIX/SSBG/GA program.

B. CITY's Parks Bureau designee shall serve as the CITY's liaison to receive billing invoices from the COUNTY.

C. CITY shall provide to COUNTY, within 30 days of its request, comments on reports and documents received from COUNTY under the terms of this agreement.

D. The CITY budget allocation for the AAA shall be administered by the Bureau of Parks and Recreation and shall support the operation of the District Senior Service Centers, the Southeast Multi-Cultural Senior Center and the Gatekeeper Program.

SECTION VI: COMPENSATION - METHOD OF PAYMENT

A. It is the policy of CITY and COUNTY together to provide the required local funding for the AAA. The provision of funding by CITY and COUNTY shall be determined through approval of respective CITY and COUNTY annual budgets.

B. The FY94-95 CITY budgets includes funding for the AAA as follows:

District Centers	\$ 339,114
SE Multi-Cultural Senior Center	65,000
Gatekeeper Program	<u>16,000</u>

TOTAL	<u>\$ 420,114</u>
-------	-------------------

C. Upon receipt of an invoice, CITY shall make quarterly payments to COUNTY for FY94-95 funding in accordance with the following schedule:

August 1, 1994	\$ 105,029
November 1, 1994	105,029
February 1, 1995	105,028
May 1, 1995	<u>105,028</u>

TOTAL	<u>\$ 420,114</u>
-------	-------------------

C. COUNTY will waive indirect costs for the Older Americans Act and Oregon Project Independence funds now and in the future. COUNTY will not divert these funds from services to pay indirect costs. COUNTY will charge indirect costs on Title XIX Administrative dollars and any new Federal and State dollars as allowed.

D. COUNTY shall support the AAA policy of allocating funds and services, for non-restricted funding sources, to the designated sub-planning and service area districts through an allocation formula based on the in-need elderly population within COUNTY boundaries.

#### SECTION VII. SEPARABILITY

Should any Section, or portion thereof, of this Agreement be held unlawful and unenforceable by any court of competent jurisdiction, or any administrative agency having jurisdiction over the subject matter, such decision shall apply only to specific Section of portion thereof directly specified in the decision. All other portions of the Agreement as a whole shall continue without interruption for the term hereof.

#### SECTION VIII. TERM OF AGREEMENT

This continuation Agreement shall commence July 1, 1994 and continue until June 30, 1995 or until terminated or replaced. The agreement may be amended by written consent of the parties.

#### SECTION X. TERMINATION

All or part of this contract may be terminated by mutual consent by both parties, or upon 60 days written notice by either party, delivered to the designated contact person.

IN WITNESS, the parties have caused this instrument to be executed by their duly authorized officers.

CITY OF PORTLAND

By: \_\_\_\_\_ Date \_\_\_\_\_  
Vera Katz, Mayor  
City of Portland

By: \_\_\_\_\_ Date \_\_\_\_\_  
City of Portland Auditor

COUNTY OF MULTNOMAH

By: \_\_\_\_\_ Date 4/13/95  
Beverly Stein  
Multnomah County Chair

By: \_\_\_\_\_ Date 3/31/95  
James McConnell, Director  
Aging Services Division

REVIEWED:

By: \_\_\_\_\_ Date \_\_\_\_\_  
City of Portland Attorney

REVIEWED:

LAURENCE KRESSEL, County  
Counsel for Multnomah County

By: \_\_\_\_\_ Date 4/13/95  
Katie Gaetjens  
Assistant County Counsel

7/94  
igap&r95

Page 3 of 3

APPROVED MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # C-3 DATE 4/13/95  
DEB BOGSTAD  
BOARD CLERK



Meeting Date: APR 13 1995

Agenda No: C-4

(Above space for Board Clerk's Office Use ONLY)

AGENDA PLACEMENT FORM

Subject: FY94/95 Intergovernmental Agreement #103985 with City of Portland for Portland Multnomah Commission on Aging (PMCoA)

BOARD BRIEFING Date Requested:  
Amount of time:

REGULAR MEETING Date Requested: April 6, 1995  
Amount of time: 5 minutes

DEPARTMENT: Aging Services Division

DIVISION: Aging Services

CONTACT: Caroline Sullivan/Kathy Gillette

TELEPHONE: 248-3620

BLDG/RM #: 161/3rd floor

PERSON(S) MAKING PRESENTATION: Jim McConnell/Kathy Gillette

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

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

The Aging Services Division requests approval of the Intergovernmental Agreement with the City of Portland, Portland Multnomah Commission on Aging for the period July 1, 1994 through June 30, 1995.

This agreement provides County funding in the amount of \$99,386 for partial support of the Portland Multnomah Commission on Aging (PMCoA), which is administered by the City. The PMCoA provides broad-based advocacy for older residents of Portland and Multnomah County and also serves as the citizen and consumer advisory group to the County Aging Services Division, as required by the federal Older Americans Act.

This FY94-95 agreement includes the addition of \$20,688 for the establishment and maintenance of a new citizens advisory committee to review operations and make recommendations regarding the Adult Care Home Licensing Program operated by the Aging Services Division.

In previous years, this expenditure agreement for the PMCoA has been part of a revenue agreement with the City through its Parks and Recreation Department. The revenue portion, providing City funds to the County for operation of District Senior Centers and other jointly funded services, is being processed in a separate document. 4/17/95 ORIGINALS TO CAROLINE SULLIVAN

SIGNATURES REQUIRED:

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

OR

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

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

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BCCiga95.pmc

BOARD OF  
COUNTY COMMISSIONERS  
1995 APR -5 PM 3:56  
MULTNOMAH COUNTY  
OREGON  
6/93



# MULTNOMAH COUNTY OREGON

## DEPARTMENT OF SOCIAL SERVICES

AGING SERVICES DIVISION

AREA AGENCY ON AGING

421 S.W. 5TH, 3RD FLOOR

PORTLAND, OREGON 97204

SENIOR HELPLINE: (503) 248-3646 ADMINISTRATION: 248-3620

TDD: 248-3683 FAX: 248-3656

## BOARD OF COUNTY COMMISSIONERS

BEVERLY STEIN • CHAIR OF THE BOARD

DAN SALTZMAN • DISTRICT 1 COMMISSIONER

GARY HANSEN • DISTRICT 2 COMMISSIONER

TANYA COLLIER • DISTRICT 3 COMMISSIONER

SHARRON KELLEY • DISTRICT 4 COMMISSIONER

## MEMORANDUM

TO: Beverly Stein, Board Chair  
FROM: Jim McConnell, Director *Jim McConnell*  
DATE: March 29, 1995  
SUBJECT: FY 1994-95 Intergovernmental Revenue Agreement with City of Portland for Portland Multnomah Commission on Aging (PMCoA)

Retroactive Status: This agreement is retroactive to July 1, 1994. Delay in processing occurred in order obtain approval for changes in format of the IGA.

I. Recommendation: The Aging Services Division recommends Board of County Commissioner approval of the attached Intergovernmental Agreement #103985 with the City of Portland, for the period July 1, 1994 through June 30, 1995.

II. Analysis/Background: The City and County jointly support the Portland Multnomah Commission on Aging (PMCoA) as a citizen's advocacy and advisory group representing elderly residents and consumers of services in Portland and Multnomah County. The PMCoA is administered through the City of Portland, Bureau of Neighborhood Associations. The attached intergovernmental agreement between Multnomah County and City of Portland provides County funds as partial support for PMCoA activities. The PMCoA provides staff support for the Commission and related committees including the Area Agency on Aging (AAA) Committee, the Ethnic Minority Committee and new in FY94-95 the Adult Care Home Advisory Committee.

This agreement is renewed annually. In previous years, this agreement has been part of a revenue agreement with the City Parks and Recreation Department. The PMCoA funding from the County and the City revenue to the County are handled by two different City Bureaus. To simplify the document and administration of the agreement, City and County staff agreed to separate the Bureau of Parks revenues and the operation of the PMCoA into two contracts. Approval of the City Parks and Recreation revenues agreement is being requested separately.

III. Fiscal Impact: The agreement provides for \$99,386 of County General Fund and federal Title XIX dollars to support operations of the PMCoA and its related committees. This amount includes \$20,688 of new monies to establish and maintain the Adult Care Home Advisory Committee. Funds are budgeted and available for these purposes.

IV. Legal Issues: NA

V. Controversial Issues: NA

VI. Link to Current County Policies: Included in Area Plan for Aging Services

VII. Citizen Participation: The Portland Multnomah Commission on Aging (PMCoA) has actively been involved in providing advocacy to City and County in their respective budget processes.

VIII. Other Government Participation: Implements the designation by the State Senior Disabled Services Division of the City and County jointly as the Area Agency on Aging for Portland/Multnomah County, with the County Aging Services Division as the administrative unit. The federal Older Americans Act requires a an advisory committee made of up older citizens and consumers of services to advise the Area Agency on Aging and its administrative unit and to provide advocacy on behalf of residents aged 60 and older.

**CONTRACT APPROVAL FORM**

(See Administrative Procedure #2106)

MULTNOMAH COUNTY OREGON

Contract # 103985

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

<b>CLASS I</b> <input type="checkbox"/> Professional Services under \$25,000	<b>CLASS II</b> <input type="checkbox"/> Professional Services over \$25,000 (RFP, Exemption) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue	<b>CLASS III</b> <input checked="" type="checkbox"/> Intergovernmental Agreement  <b>APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</b> AGENDA # <u>C-4</u> DATE <u>4/13/95</u> <u>DEB BOGSTAD</u> BOARD CLERK
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Department Aging Services Division Division ASD Date March 29, 1995Contract Originator Caroline Sullivan/Kathy Gillette Phone 248-3620 Bldg/Room 161/3rd floorAdministrative Contact Caroline Sullivan/Kathy Gillette Phone 248-3620 Bldg/Room 161/3rd floorDescription of Contract Provides funds for Portland/Multnomah Commission on Aging for general advocacy review, comment and specialized review, comment and advocacy for ethnic, medicaid, and adult care home programs.

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

ORS/AR # \_\_\_\_\_ Contractor is ☐ MBE ☐ WBE ☐ QRFContractor Name City of Portland, Bureau of Neighborhood Associations  
Portland Multnomah Commission on AgingMailing Address 1120 SW 5th Avenue 5th floor  
Portland OR 97204-1978Phone 823-5269Employer ID# or SS# 93-6002236Effective Date July 1, 1994Termination Date June 30, 1995Original Contract Amount \$ 99,386

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

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

Total Amount of Agreement \$ 99,386Remittance Address \_\_\_\_\_  
(If Different) \_\_\_\_\_

Payment Schedule	Terms
<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on receipt
<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30
<input type="checkbox"/> Other \$ _____	<input type="checkbox"/> Other _____
<input type="checkbox"/> Requirements contract - Requisition required.	

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

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

## REQUIRED SIGNATURES:

Department Manager James M. ConnellPurchasing Director  
(Class II Contracts Only) Ralph BurtCounty Counsel Wendy Stein

County Chair / Sheriff \_\_\_\_\_

Contract Administration  
(Class I, Class II Contracts Only) \_\_\_\_\_Encumber: Yes ☐ No ☐Date March 27, 1995

Date \_\_\_\_\_

Date 4/13/95Date April 13, 1995

Date \_\_\_\_\_

VENDOR CODE				VENDOR NAME						TOTAL AMOUNT	\$	
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT/ REV SRC	SUB OBJ	REPT CATEG	LGFS DESCRIPTION	AMOUNT		INC/ DEC IND
01.	100	050	9395		XA02	6050			CGF	59,128		
02.	156	010	1715		CEPA	6060		179A	CGF	4,965		
03.	156	010	1715		CEPA	6060		1727	XTY	35,293		
* If additional space is needed, attach separate page. Write contract # on top of page.												

INSTRUCTIONS ON REVERSE SIDE

WHITE - CONTRACT ADMINISTRATION

CANARY - INITIATION

PINK - FINANCE

#103985  
ORIGINAL

INTERGOVERNMENTAL AGREEMENT FOR OPERATION  
OF THE AREA AGENCY ON AGING: PMCoA OPERATIONS

SECTION I. INTRODUCTION

This agreement is between the City of Portland, hereinafter called CITY, and Multnomah County, hereinafter called COUNTY. This agreement, subject to execution by all parties, will renew, amend and extend the Portland/Multnomah Commission on Aging (PMCoA) portion of the agreement originally executed on January 1, 1984 from July 1, 1994 through June 30, 1995.

SECTION II. RECITALS

A. WHEREAS, there are over 102,243 persons over the age of 60 in the CITY and the COUNTY; and

B. WHEREAS, CITY and COUNTY recognize the problems of those elderly persons with fixed incomes and frail health, and have demonstrated their support for services to this population; and

C. WHEREAS, pursuant to Section 305 of the Older Americans Act of 1965, as amended, the Senior and Disabled Services Division (hereinafter called the State) has designated the geographic boundaries of Multnomah County including the incorporated areas of the City of Portland, as one planning and service area; and

D. WHEREAS, the parties by concurrent action in 1974, and in keeping with the Intergovernmental Cooperation provisions of ORS Chapter 190, agreed to serve as the Area Agency on Aging (hereinafter called the AAA) to plan, coordinate and conduct a comprehensive social service delivery system for elderly residents within the boundaries of Multnomah County (the State designated service area) for the period beginning July 1, 1974 and continuing until this agreement is terminated or replaced; and

E. WHEREAS, the designation of an administrative unit to assume the responsibilities of the AAA is necessary to receive Federal funds under the Older Americans Act, State funds through Oregon Project Independence, and Federal/State funds under Title XIX of the Social Security Act; and

F. WHEREAS, the parties agreed in 1984 that the COUNTY would serve as the administrative unit for the Area Agency on Aging;

G. WHEREAS, the CITY and COUNTY are both committed through the Aging Policy for Portland and Multnomah County, dated 1982, to support specialized urban and human services to the elderly;

H. WHEREAS, it is the intention of the CITY and COUNTY to fund jointly the Portland/Multnomah Commission on Aging (hereinafter called PMCoA) as the citizens' advisory group to the Area Agency on Aging;

THEREFORE, CITY and COUNTY agree as follows.

SECTION III: AGREED/CITY AND COUNTY

A. CITY and COUNTY will continue to jointly fund the PMCoA as the citizen advisory group for the period of this agreement. Funding for the PMCoA will not be reduced as a result of CITY and COUNTY service negotiations.

B. The administrative responsibility for the PMCoA will remain with CITY.

C. The PMCoA shall serve as the CITY's representative of the Area Agency

on Aging to receive program reports and documents listed in Section V, Part A. The Aging Services Division shall serve as the COUNTY's representative of the Area Agency on Aging to develop the Annual Plan and other documents and reports listed in Section V, Part A.

#### SECTION IV: AGREED/CITY

A. CITY shall assure the maintenance of the basic functions of the PMCoA, including the following:

1. PMCoA shall provide to COUNTY, within 30 days of its request, comments on reports and documents received from COUNTY under the terms of this agreement.

2. PMCoA will meet regularly with Aging Services Division staff and provide written information requested and required by Aging Services Division for the administration of the funds designated for the Area Agency on Aging for Multnomah County.

3. PMCoA agrees to submit a final report on accomplishments, to be received by COUNTY, through Aging Services Division, within 90 days of the end of the fiscal year.

B. CITY shall assure maintenance during FY94/95 of additional activities to be performed by the PMCoA, including:

1. AAA Committee: Maintain and staff the Area Agency on Aging (AAA) Committee to:

a. Meet monthly to review long-term care and service policies, program implementation, unmet needs and client issues with Aging Services Division Director and selected Aging Services Division staff;

b. Participate with Aging Services Division staff in the monitoring and evaluation of Aging Services Division contracted services; Long Term Care Programs, including Branch operation and Protective Services; and Senior Help Line/24 Hour Crisis-Line;

c. Assist in design and implementation of new projects in Residential Care Facilities.

2. Multi-Ethnic Committee: Maintain and staff a Multi-Ethnic Committee to:

a. Meet monthly with Aging Services Division Staff to review policies, programs, unmet needs and client issues of ethnic minority groups needing Medicaid and other services;

b. Propose new programs and strategies to improve participation by ethnic seniors in the Medicaid and other programs;

c. Assist the Aging Services Division in outreach and information dissemination to ethnic elders;

d. Participate in monitoring and evaluation of Aging Services division programs and services to assure Aging services Division responsiveness to ethnic elders' needs.

C. CITY agrees to develop, staff and maintain through the PMCoA a new committee during FY94-95 to review operations and make recommendations regarding the Adult Care Home Licensing Program.

#### SECTION V: AGREED/COUNTY

A. COUNTY shall provide the following reports and documents to the PMCoA:

1. Annual Plan and any modifications thereto;

2. Copies of program performance reports.

B. COUNTY shall establish and maintain Aging Services Planning and Service-Area Districts within COUNTY boundaries and shall assure that an advisory committee is maintained for each of these designated districts. The District Advisory Committees shall have review and comment authority on all funds and services allocated to or established within the boundaries of their respective districts.

SECTION VI: COMPENSATION - METHOD OF PAYMENT

A. COUNTY, through the Board Chair's Office, agrees to make a lump sum to CITY upon receipt of an invoice for up to \$59,128 for Fiscal Year 1994/95 for basic support of the PMCoA

B. COUNTY, through the Aging Services Division, agrees to make quarterly payments to CITY (PMCoA) upon receipt of an invoice for activities as listed below:

- (1) maintain and staff the AAA Committee  
Quarterly: \$2,767.50                      Annual Total: \$11,070;
- (2) maintain and staff the Multi-Ethnic Committee  
Quarterly: \$2,125                      Annual Total: \$8,500;
- (3) maintain and staff the Adult Care Home Committee  
Quarterly: \$5,172                      Annual Total: \$20,688

C. COUNTY shall provide to CITY one-half of the required local funding for the basic PMCoA activities and additional funding for identified special projects. These funding amounts are listed in Table A: PMCoA FY 1994-95 Funding / COUNTY RESOURCES.

Table A: PMCoA FY 1994-95 Funding  
COUNTY RESOURCES

County Fund Source/ City Program	County General Fund	Title XIX	Total Funds
Non-Departmental/PMCoA	\$ 59,128		\$59,128
AAA Committee		11,070	11,070
Multi-Ethnic Committee		8,500	8,500
Adult Care Home Committee	<u>4,965</u>	<u>15,723</u>	<u>20,688</u>
TOTAL	\$ 64,093	\$ 35,293	\$99,386

D. COUNTY shall pay a maximum of \$99,386 through this agreement. Any portion not used by PMCoA during Fiscal Year 1994/95 shall revert to COUNTY.

SECTION VII: PORTLAND/MULTNOMAH COMMISSION ON AGING (PMCoA)

Regarding the PMCoA, the CITY and COUNTY agree to the following:

A. It is agreed by CITY and COUNTY that the purpose, composition, and funding of the PMCoA be maintained as described in this agreement. Changes shall be made only upon mutual written agreement of CITY, COUNTY, and PMCoA.

B. Administrative responsibility: Administrative responsibility for the PMCoA will remain with the CITY.

C. Basic Funding: It is the policy of the CITY and COUNTY to provide one-half each of the required local funding for basic PMCoA operations described in the mutually approved work plan of the PMCoA.

D. Purpose: The purpose of the PMCoA shall be to provide leadership to improve the quality of living for aging persons, as well as disabled persons as set forth in ORS 410 (henceforth implied in reference to the elderly).

E. Activities: The PMCoA shall carry out the above purposes by:

1. Representing the interests of the elderly consumer on all matters relating to the development and administration of the Area Agency on Aging's Annual Plan of Action and the operations conducted thereunder;

2. Meeting the basic needs of the elderly and promoting independent and dignified living for them through the processes of evaluating the service system's capacity to meet basic needs and advocating for necessary changes in services;

3. Developing and providing ongoing review of goals, objectives and priorities for service delivery to the elderly in Portland/Multnomah County in conjunction with the CITY and COUNTY;

4. Providing ongoing advice and guidance on policy decisions and program development, both in the planning and implementation phases, to the Area Agency on Aging, the CITY and COUNTY governments;

5. Representing the views of older people in advising the Area Agency on Aging regarding development of a long range plan for a coordinated and comprehensive system of services and the development of an Annual Plan of Action which specifies strategies and activities to make progress toward meeting the goals of the long range plan;

6. Representing the views of older people to the general community and providing review and comment to elected officials, decision-makers, agencies and organizations regarding public issues and proposals of interest to older people;

7. Serving an advocacy role on behalf of older persons through:

a. legislative advocacy before any legislative body, related to issues with significant impact on the elderly and aging services;

b. education of the general public concerning issues affecting older persons through dissemination of information, including public forums and conferences;

c. advocacy for needed programs and services in the public and private sector; and

d. coordination of its advocacy activities with other groups.

8. Conducting studies and hearings to identify, categorize, and prioritize the needs of older persons in Portland and Multnomah County;

9. Preparing, publishing and disseminating its findings to the COUNTY and the CITY, the Area Agency on Aging and interested persons, groups and entities in the community; and

10. Assisting appropriate agencies in identifying and securing grants to help fund programs for older persons.

F. Membership: The PMCoA shall be composed of thirty-one (31) members. Members shall serve without compensation, except they may be reimbursed for reasonable expenses incurred in the performance of their duties. Representation shall be as follows

1. at least fifty-one percent (51%) shall be persons over age 60;
2. low income persons (125% federal poverty maximum) shall be represented at least in proportion to their number in Portland/Multnomah County;
3. racial minority persons shall be represented at least in proportion to their numbers in Portland/Multnomah County; and
4. adult disabled persons, as set forth in ORS 410 shall be represented at least in proportion to their numbers in Portland/Multnomah County;
5. distribution of membership shall encompass all areas of Multnomah County, including rural, as well as urban.
6. In addition, membership distribution shall be as follows:

a. one (1) consumer from each of the eight (8) District Advisory Councils, for a total of eight (8) members representing their respective Districts

- b. one consumer from East County
- c. one (1) elected official;
- d. eight (8) members representing retired persons organizations;
- d. one (1) consumer representing disabled persons;
- e. twelve (12) members-at-large.

7. Appointment of members to the PMCoA shall be made as follows:

a. The Mayor of the CITY of Portland shall appoint four (4) consumers, representative of the North, Downtown, Northwest, and Near Northeast District Advisory Councils; five (5) members representing retired persons' organizations; and four (6) members-at-large.

b. The Multnomah COUNTY Board Chair shall appoint five (5) consumers, representative of the East County, Mid-County, Southwest, Northeast and Southeast District Advisory Councils; three (3) members representing retired persons' organizations; six (6) members-at-large and one consumer representing disabled persons.

c. The PMCoA shall appoint one (1) elected official.

8. A regular term of appointment shall be for three (3) years, with appointments staggered so that one-third of the membership is appointed each year. Members may serve no more than two (2) consecutive full terms.

9. If the appointing authority has not filled a position within sixty (60) days of receipt of the PMCoA's nominations, the PMCoA shall be empowered to appoint members to fill vacancies.

10. The primary staff shall be selected by the PMCoA, in accordance with the CITY Civil Service process, and shall be directly responsible to the PMCoA.



SECTION VIII. SEPARABILITY

Should any Section, or portion thereof, of this Agreement be held unlawful and unenforceable by any court of competent jurisdiction, or any administrative agency having jurisdiction over the subject matter, such decision shall apply only to specific Section of portion thereof directly specified in the decision. All other portions of the Agreement as a whole shall continue without interruption for the term hereof.

SECTION IX. TERM OF AGREEMENT

This continuation Agreement shall commence July 1, 1994 and continue until June 30, 1995 or until terminated or replaced. The agreement may be amended by written consent of the parties.

SECTION X. TERMINATION

All or part of this contract may be terminated by mutual consent by both parties, or upon 60 days written notice by either party, delivered to the designated contact person.

IN WITNESS, the parties have caused this instrument to be executed by their duly authorized officers.

CITY OF PORTLAND

By: \_\_\_\_\_  
Vera Katz, Mayor Date  
City of Portland

By: \_\_\_\_\_  
City of Portland Auditor

By: \_\_\_\_\_  
Becky Wehrli Date  
Executive Director  
Portland/Multnomah  
Commission on Aging

REVIEWED:

City Attorney

By: \_\_\_\_\_  
City of Portland Attorney Date

COUNTY OF MULTNOMAH

By: \_\_\_\_\_  
Beverly Stein Date  
Multnomah County Chair

By: \_\_\_\_\_  
James McConnell, 3-17-95  
Director, Aging Services  
Division

APPROVED MULTNOMAH COUNTY

BOARD OF COMMISSIONERS

AGENDA # C-4 DATE 4/13/95

DEB BOGSTAD

BOARD CLERK

REVIEWED:

LAWRENCE KRESSEL

County Counsel for Multnomah  
County, Oregon

By: \_\_\_\_\_  
Katie Gaetjens 4/13/95  
Assistant County Counsel Date

**PLEASE PRINT LEGIBLY!**

**MEETING DATE** 4-13-95

**NAME** Eugene Guillaume

**ADDRESS** 4572 N Prescott St

**STREET**

PHD  
**CITY**

97217  
**ZIP**

**I WISH TO SPEAK ON AGENDA ITEM NO.** 2-1

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

**SUBMIT TO BOARD CLERK**

Ambulance Services

meeting Rm. 602 6th floor

PORTLAND, OREGON  
APRIL 12, 1995

To Multnomah County Commissioners,  
PORTLAND and GRESHAM CITY COUNCIL MEMBERS:

Subject : AMBULANCE SERVICE for the PUBLIC :

I Eugene Guillaume would like to address you folks by this letter and through my representative: Gary Hansen  
May I ask each of you 3 Question ?

1. Where do you get the gall to totally disregard the voters say at the ballet box ?

The tax payers said NO to the takeover of the ambulance serv. by the fire dept. This not only adds additional taxes to the over burden tax payer, but removing additional tax money that Private Industry normally pays.

2. What giver you folks the right to circumvent Private Industry ?

We already have a mult-million dollar operation that is being operated by the state prison system in Pendleton, that is surcomventing the Textile Industry. Called "PRISON BLUES"

3. What gives you folks the right to expand the operations of the Government and quadtriple the burden on the tax payers ?

I would hope that I could and will hear from you folks!

My name is Eugene Guillaume and I may be reached at  
1572 N.Prescott street. Ftld. OR 97217  
My phone # 281-4141

#1

**PLEASE PRINT LEGIBLY!**MEETING DATE 4-13-95

NAME

Alice PERRY

ADDRESS

3940 SE 92nd

STREET

Donna OR 97266

CITY

ZIP

I WISH TO SPEAK ON AGENDA ITEM NO. R-2SUPPORT R-2 ☒ OPPOSE ☐

SUBMIT TO BOARD CLERK

#2

**PLEASE PRINT LEGIBLY!**MEETING DATE 4/13/95

NAME

LOWEN BERMAN

ADDRESS

5908 NW 22 AVE

STREET

PORTLAND 97211

CITY

ZIP

I WISH TO SPEAK ON AGENDA ITEM NO. R2SUPPORT ☒ OPPOSE ☐

SUBMIT TO BOARD CLERK

MEETING DATE: April 13, 1995

AGENDA NO: R-2

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Resolution Opposing House Bill 2933 and Similar Legislation

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

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

REGULAR MEETING: Date Requested: April 13, 1995

Amount of Time Needed: 5 minutes

DEPARTMENT: Nondepartmental

DIVISION: Commissioner Kelley

CONTACT: Carolyn Marks Bax

TELEPHONE #: 248-5213

BLDG/ROOM #: 106/1500

PERSON(S) MAKING PRESENTATION: Helen Cheek, MHRC Director and an  
MHRC Commissioner

ACTION REQUESTED

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

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

Legislation such as House Bill 2933 (modeled after California's Proposition 187) is counterproductive to the framework of Multnomah County's Urgent Benchmarks, as well as the Oregon Benchmarks and the Portland-Multnomah County Progress Board Benchmarks. House Bill 2933 would severely impact the County's goal to focus resources on long term outcomes by creating a two-tiered system whereby County staff and service providers would be forced into a crisis orientation model to respond to the basic needs of undocumented immigrants.

4/17/95 copies to Carolyn Marks Bax & Helen Cheek

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Sharon Kelley

OR

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

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

RECEIVED  
CLERK OF  
COUNTY OF  
MULTNOMAH  
APR -5 PM 2:37  
1995  
CLERK OF  
COUNTY OF  
MULTNOMAH  
OREGON

TO: Board of County Commissioners  
FROM: Commissioner Sharron Kelley  
RE: Resolution In Opposition to House Bill 2933  
DATE: April 4, 1995  
AGENDA DATE: April 13, 1995  
-----

I. Recommendation/Action Requested

Adopt Resolution

II. Background/Analysis

HB 2933 and similar proposed legislation to deny services to undocumented immigrants is detrimental to the health and well-being of our community. It undermines County principles of responsibility for basic services and jeopardizes the credibility of County staff and other professionals who provide human services and education by making them quasi-agents of the INS. California Proposition 187 faces constitutional challenges and Oregon HB 2933 contains similar restrictions on individual rights to due process and childrens' rights to education.

III. Financial Impact

None

IV. Legal Issues

None

V. Controversial Issues

None

VI. Link to Current County Policies

Supports County Benchmarks, particularly those in the categories of Children and Families and Access to Services. This also supports County/School partnerships, addresses County policies related to pre-natal care, healthy babies, children who are ready to learn when they enter school, assisting at risk-juveniles and making sure all young people graduate high school.

VII. Citizen Participation

This resolution was initiated by the Metropolitan Human Rights Commission.

VIII. Other Government Participation

The City of Portland is acting on a similar resolution.

SHARRON KELLEY  
Multnomah County Commissioner  
District 4



Portland Building  
1120 S.W. Fifth Avenue, Suite 1500  
Portland, Oregon 97204  
(503) 248-5213

REVISED

TO: Board of County Commissioners  
FROM: Commissioner Sharron Kelley  
RE: Resolution In Opposition to House Bill 2933  
DATE: April 11, 1995  
AGENDA DATE: April 13, 1995

-----

BOARD OF  
COUNTY COMMISSIONERS  
1995 APR 11 AM 10:13  
MULTNOMAH COUNTY  
OREGON

I. Recommendation/Action Requested

Adopt Resolution

II. Background/Analysis

HB 2933 and similar proposed legislation to deny services to undocumented immigrants is detrimental to the health and well-being of our community. It undermines County principles of responsibility for basic services and jeopardizes the credibility of County staff and other professionals who provide human services and education by making them quasi-agents of the INS. California Proposition 187 faces constitutional challenges and Oregon HB 2933 contains similar restrictions on individual rights to due process and childrens' rights to education.

III. Financial Impact

None

IV. Legal Issues

Currently, federal case law prohibits the County from using documented status as a basis for the denial of social services. Passage of the bill would create conflicting mandates on County government, resulting in litigation.



## V. Controversial Issues

This bill parallels Proposition 187 which received majority support in the 1994 election. A similar initiative might appear in Oregon in the future. The extent of popular support in Oregon for such a measure is known.

## VI. Link to Current County Policies

Supports County Benchmarks, particularly those in the categories of Children and Families and Access to Services. This also supports County/School partnerships, addresses County policies related to pre-natal care, healthy babies, children who are ready to learn when they enter school, assisting at risk-juveniles and making sure all young people graduate high school.

## VII. Citizen Participation

This resolution was initiated by the Metropolitan Human Rights Commission.

## VIII. Other Government Participation

The City of Portland is acting on a similar resolution.

TESTIMONY OF LOWEN BERMAN REPRESENTING THE METROPOLITAN HUMAN RIGHTS COMMISSION REGARDING A RESOLUTION CONDEMNING CALIFORNIA'S PROPOSITION 187 AND OREGON HOUSE BILL 2933.

Hello. My name is Lowen Berman and I am a member of the Metropolitan Human Rights commission. I am here to testify in support of the resolution now before you. This resolution speaks eloquently for itself, however there are a few points that I believe need to be stressed.

The premise underlying California's Proposition 187, Oregon's House Bill 2933 and all similar legislation is clearly spelled out in the first section of HB 2933 where it is stated that "The Legislative Assembly finds that people of the State of Oregon: (a) Have suffered and are suffering economic hardship caused by the presence of illegal aliens in the state; (b) Have suffered and are suffering personal injury and damage caused by the criminal conduct of illegal aliens in this state; ...."

This underlying premise is not true. It is a myth, a lie, a slander. Every objective study, as well as our own experience and common sense demonstrates that the contributions of immigrant populations, documented and undocumented alike, far exceed any costs associated with their presence. In fact those who these bills are designed to "protect" us from are overwhelmingly hard working, law abiding people, deeply committed to their families and to leading decent and constructive lives. They are much more likely to be victims of crime than criminals, much more likely to be exploited than exploiters, much more likely to suffer in silence than to demand an undo share. We must not lose sight of the fact that these so called "illegal aliens" are predominately courageous and competent people fleeing appalling physical, economic and political hardships in their pursuit of survival and happiness. They deserve our respect and compassion.

(more)

Beyond the falsehoods quoted above, there is another, more profound error in this legislation. This is the attempt to solve legitimate social problems by dividing the world into two classes of people; "them" and "us". This philosophic approach seeks scapegoats to explain our own problems and shortcomings. It is perhaps the most basic fallacy facing our world today. It has led to such enormous horrors as the recent experiences of Bosnia and Rwanda as well as to other, older Holocausts. It is also the source of the racism, sexism, homophobia and other forms of discrimination that continue to plague our own society. Dividing the world into "them" and "us" is not only false and counter productive; it can lead us in directions which are profoundly evil.

In summary: Solutions to problems of unemployment and crime lie within ourselves and the structures of our own society; not in the exclusion of others. Problems associated with large scale immigration and refugee populations will be solved when we have created a world in which people are no longer forced to flee their homes in order to meet their most basic human needs. In the meantime, understanding and compassion , not meanness and hatred, must be the guiding principles of our response to the newcomers among us.

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

In the Matter of Expressing Opposition )	
to Oregon House Bill 2933, and Similar )	
Legislation Denying Undocumented )	RESOLUTION
Immigrants Access to Health Care, )	95-73
Education, and Social Services. )	

WHEREAS, voters in the State of California passed Proposition 187, cutting off most government services including social services, non-emergency medical treatment, and public schooling to people living in California who are undocumented immigrants; and

WHEREAS, similar legislation has been proposed here in Oregon and throughout the nation; and

WHEREAS, the Multnomah County Board of Commissioners is committed to upholding the basic principles and values on which our nation was founded, including respect for diversity, respect for individual rights, and freedom from persecution; and

WHEREAS, foreign born people living in the U.S. make enormous contributions to the economic and cultural wealth of our country; and

WHEREAS, denying individuals (especially children) education, health care and subsistence is both morally reprehensible and counter-productive from every social and economic viewpoint; and

WHEREAS, Proposition 187 and House Bill 2933, lack fundamental due process protections of those individuals, including children, whose rights and interests would be severely curtailed; and

WHEREAS, federal and state judges immediately blocked enforcement of Proposition 187 in California in light of serious constitutional questions including the denial of education to children who are United States citizens; and

WHEREAS, these laws seriously undermine the professional credibility and principles of teachers, doctors, nurses, welfare workers, and local police by forcing them to become agents of the Immigration and Naturalization Service; and

WHEREAS, Proposition 187, even though it has not been enforced at present, has already had a chilling effect on people's willingness to seek necessary medical care thereby endangering not only their own health and welfare, but also the general public health and welfare; and

WHEREAS, these laws will have a disparate and negative impact upon people of color and those whose first language is other than English, as these individuals will inevitably be the first to be "suspected of illegal status" regardless of their actual status or citizenship; and

WHEREAS, these laws not only evolve from, but also contribute to, anti-immigrant and racist sentiments and have led, in California, to numerous incidents of illegal and racist attacks on the rights and dignity of people, foreign born and native born alike; and

NOW, THEREFORE, BE IT RESOLVED BY THE Board of County Commissioners, that the County condemns Proposition 187, Oregon House Bill 2933, and all similar legislation and urges all human rights commissions, cities, states and the federal government to work together to provide for the basic needs of all people within our borders.

BE IT FURTHER RESOLVED:

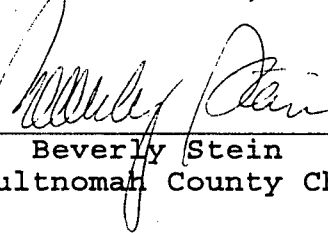
That Multnomah County supports the City of Los Angeles and all other counties, cities and school districts that have joined together to oppose Proposition 187 and urges all other cities, counties, states and school districts to join together to oppose this and all similar legislation, including Oregon House Bill 2933.



APPROVED this 13th day of April, 1995.

MULTNOMAH COUNTY, OREGON

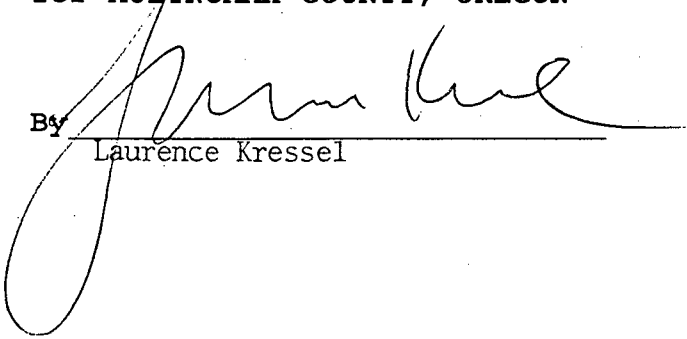
By

  
Beverly Stein  
Multnomah County Chair

REVIEWED:

LAURENCE KRESSEL, COUNTY COUNSEL  
for MULTNOMAH COUNTY, OREGON

By

  
Laurence Kressel

MEETING DATE: April 13, 1995

AGENDA NO: R-3

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Resolution to Participate in Funding Activities of the Oregon Dispute Resolution Commission

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

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

REGULAR MEETING: Date Requested: April 13, 1995

Amount of Time Needed: 5 minutes

DEPARTMENT: Nondepartmental DIVISION: Commissioner Kelley

CONTACT: Carolyn Marks Bax TELEPHONE #: 248-5213

BLDG/ROOM #: 106/1500

PERSON(S) MAKING PRESENTATION: Commissioner Kelley

ACTION REQUESTED

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

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

Multnomah County has participated in the ODRC program since 1991. The County conducts the RFP and selects community-based programs. The ODRC handles the contracts and matching funds are the responsibility of the selected community-based organization. Multnomah County's selected mediation programs have received over \$230,000 from ODRC during the past four years. The required program match increases each year.

*4/17/95 copies to Carolyn Marks Bax*

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Sharon Kelley

OR

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

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Office of the Board Clerk 248-3277/522  
0516C/63

1995 APR - 5 PM 2:30  
MULTNOMAH COUNTY  
OREGON  
BOARD OF  
COUNTY COMMISSIONERS

TO: Board of County Commissioners

FROM: Commissioner Sharron Kelley

RE:

DATE:

AGENDA DATE: April 13, 1995

---

I. Recommendation/Action Requested

Adopt Resolution to Participate In Oregon Dispute Resolution Commission Funding Activities.

II. Background/Analysis

Multnomah County first participated in ODRC funding in 1991. After the County conducted an RFP process, local grantees (Tri-County Youth Consortium, VORP, East Metro Mediation) were funded for two years, and in 1993 the contracts were extended. To comply with County procedures a new RFP must be conducted this year. The ODRC contracts directly with the programs, therefore the programs are responsible for matching funds.

Over the past four years, selected programs received over \$230,000 from ODRC. Their match requirements grew as follows: 1st year - 10%, 2nd year - 25%, 3rd year - 50 %, 4th year - 75 %. If any of the current programs is funded as a result of the next RFP, the 5th year match will be 100%.

Commissioner Kelley's Office has been the local coordinator for the ODRC program. Community and Family Services has agreed to assume this responsibility.

III. Financial Impact

Primary expenditure is the cost of conducting RFP. The County should receive over \$130,000 for the next biennium.

IV. Legal Issues

None

V. Controversial Issues

None



VI. Link to Current County Policies

Compatible with family support center mission and efforts to reduce juvenile violence.

VII. Citizen Participation

N/A

VIII. Other Government Participation

N/A

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

In the Matter of Participation	)	RESOLUTION
in Funding Activities of the	)	95-74
Dispute Resolution Commission	)	

WHEREAS, the Board of County Commissioners believes that the settlement of disputes by mediation may lead to more long lasting and mutually satisfactory agreements; and

WHEREAS, mediation can reduce time consuming and costly litigation, as well as alleviating situations which can result in violence; and

WHEREAS, the Oregon Legislature in the 1989 Session created the Dispute Resolution Commission, one of whose charges is to foster the development of community based dedication programs by making funding from civil filing fees available to participating counties; and

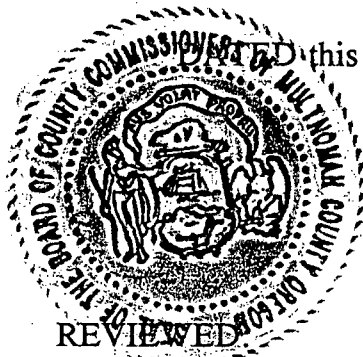
WHEREAS, Multnomah County values community based mediation programs and encourages the community to access mediation and dispute resolution services and training to reduce violence and improve communication and problem solving skills; and

WHEREAS, any county wishing to continue to participate must formally notify the Commission of its intentions; now therefore

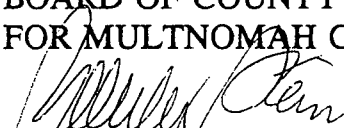
IT IS HEREBY RESOLVED that Multnomah County hereby notifies the Commission of its desire to be a participant in the expenditure of funds for dispute resolution programs within Multnomah County; and

IT IS FURTHER RESOLVED that Multnomah County hereby agrees to engage in a selection process consistent with Multnomah County procedures and designate funding recipients that meet the standards and guidelines adopted by the Commission and will provide services in accordance with Commission rules.


ADOPTED this 13th day of April, 1995.



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Beverly Stein, Chair

LAURENCE KRESSEL, COUNTY COUNSEL  
MULTNOMAH COUNTY, OREGON

  
Laurence Kressel

BUDGET MODIFICATION NO.

NOND #10(For Clerk's Use) Meeting Date  
Agenda No.

APR 13 1995

R-4

## 1. REQUEST FOR PLACEMENT ON THE AGENDA FOR \_\_\_\_\_

DEPARTMENT NondepartmentalCONTACT Stuart Farmer

\* NAME(S) OF PERSON MAKING PRESENTATION TO BOARD

(Date)

DIVISION Commissioner Collier

TELEPHONE \_\_\_\_\_

Commissioner Collier

## SUGGESTED

AGENDA TITLE \_\_\_\_\_ (to assist in preparing a description for the printed agenda)

Budget Modification Nond #10 requests authorization to move \$3,870 from Capital Outlay to Materials and Services and budgets \$2,579 of Washington State revenue for Temporary Services.

(Estimated Time Needed on the Agenda)

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

☐ Personnel changes are shown in detail on the attached sheet

This budget modification moves \$3,870 from Equipment, and appropriates \$2,000 for postage, \$1,000 for Supplies, \$270 for Food, \$500 for Telephone and \$100 for Distribution/Postage.

It also budgets \$2,579 new revenue from State of Washington's Higher Education Intern program to be used for temporary assistance.

## 3. REVENUE IMPACT (Explain revenues being changed and reason for the change)

General Fund revenue is increased by \$2,579.

BOARD OF  
COUNTY COMMISSIONERS  
1995 APR - 6 AM 11 17  
MULTNOMAH COUNTY  
OREGON

## 4. CONTINGENCY STATUS (to be completed by Budget &amp; Planning)

NA Fund Contingency before this modification (as of \_\_\_\_\_)

\$ \_\_\_\_\_

Date

After this modification

Originated By <u>Stuart Farmer</u>	Date <u>4/6/95</u>	Department Director	Date
Plan/Budget Analyst <u>Ang Bay</u>	Date <u>4/6/95</u>	Employee Services	Date
Board Approval <u>Deborah L. Boagston</u>	Date <u>4/13/95</u>		

## EXPENDITURE

TRANSACTION EB GM [ ]

TRANSACTION DATE \_\_\_\_\_

ACCOUNTING PERIOD \_\_\_\_\_

BUDGET FY \_\_\_\_\_

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
										0		
NOND 10	A	100	50	9250			6200	0	2,000	2,000		Postage
NOND 10	C	100	50	9250			6230	1,000	2,000	1,000		Supplies
NOND 10	C	100	50	9250			6270	500	770	270		Food
NOND 10	C	100	50	9250			7150	3,300	3,800	500		Telephone
NOND 10	C	100	50	9250			7560	2,300	2,400	100		Dist/Postage
										0		
NOND 10	C	100	50	9250			5200	3,000	5,375	2,375		Temporary
NOND 10	C	100	50	9250			5500	33,937	34,141	204		Fringe
										0	2,579	
NOND 10	C	100	50	9250			8400	3,870	0	(3,870)		Equipment
										0		
										0		
										0		
										0		
TOTAL EXPENDITURE CHANGE										2,579	2,579	

## REVENUE

TRANSACTION RB GM [ ]

TRANSACTION DATE \_\_\_\_\_

ACCOUNTING PERIOD \_\_\_\_\_

BUDGET FY \_\_\_\_\_

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
									0			
NOND 10	C	100	50	9250			2781	0	2,579	2,579		Wa St of
									0			
									0			
									0			
									0			
									0			
									0			
									0			
									0			
									0			
									0			
TOTAL REVENUE CHANGE										2,579	0	



## STAFF REPORT SUPPLEMENT

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TO: Board of County Commissioners

FROM: Commissioner Tanya Collier

DATE: April 6, 1995

REQUESTED PLACEMENT DATE: April 13, 1995

SUBJECT: Budget Modification NOND #10

---

I. Recommendation/Action Requested: Board Approval

II. Background /Analysis:

This is a request to redistribute \$3,870 from our capital equipment budget to various line items throughout our '94 -'95 budget to maintain on going office expenses.

The \$2,579 of revenue generated from the State of Washington's Higher Education Summer Intern Program is a partial reimbursement to our temporary personnel service budget. These funds were expended from our '94 -'95 budget to pay for a summer intern.

III. Financial Impact: General fund revenue is increased by \$2,579

IV. Legal Issues: None

V. Controversial Issues: None

VI. Link to Current County Policy: None

VII. Citizen Participation: None

VIII. Other Government Participation: None

MEETING DATE: APR 13 1995

AGENDA NO: R-5

(Above Space for Board Clerk's Use ONLY)

**AGENDA PLACEMENT FORM**

SUBJECT: Notice of Intent to Apply for HUD grant.

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

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

REGULAR MEETING: Date Requested: 04/13/95

Amount of Time Needed: 5 minutes

DEPARTMENT: \_\_\_\_\_ DIVISION: Community and Family Services Division

CONTACT: Rey Espana / Barbara Hershey TELEPHONE #: x5464  
BLDG/ROOM #: 160/6

PERSON (S) MAKING PRESENTATION: Rey Espana

**ACTION REQUESTED:**

☐ INFORMATIONAL ONLY    ☐ POLICY DIRECTION    ☒ APPROVAL    ☐ OTHER

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

Approval of Notice of Intent to Apply for HUD Supportive Housing Program grant .

**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  
1995 APR -4 AM 9:49



# MULTNOMAH COUNTY OREGON

COMMUNITY & FAMILY SERVICES DIVISION  
COMMUNITY ACTION PROGRAM OFFICE (503) 248-5464  
426 SW STARK, 6TH FLOOR  
PORTLAND, OREGON 97204  
FAX # (503) 248-3332

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

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

**TO:** Board of County Commissioners

**FROM:** Rey España, Manager *Rey España*  
Community Action Program Office

**VIA:** Lorenzo Poe, Director *Lorenzo Poe*  
Community and Family Services Division

**DATE:** March 28, 1995

**SUBJECT:** Notice of Intent to Apply for federal HUD Supportive Housing Program

- 
- I. Recommendation/Action Requested:** The Community and Family Services Division, Community Action Program Office, recommends that the Board of Commissioners approve the Notice of Intent to apply for a federal Supportive Housing Program grant under the McKinney Act. The program is funded by the U.S. Department of Housing and Urban Development (HUD). The grant period is for three years beginning at execution of contract. The grant, if awarded, may be renewable. Attached to this memorandum is a copy of the Notification of Funding Availability for Homeless Assistance published on February 17, 1995.
- II. Background Analysis:** The goal of the application is to fund gaps in the continuum of care for homeless families, singles, displaced youth, pregnant and parenting teens, and homeless adults in the acute care system of Adult Mental Health. The emphasis in the grant announcement is for each community to clearly identify an appropriate continuum of care for homeless persons and to use this funding opportunity to seek resources to fill the gaps in that continuum. Transitional housing through The Turning Point in SW (for families) and scattered site transitional rentals, accompanied by supportive services are the primary requests. Existing service providers will be expanding their services, if the application is successful. The components of the proposal all reflect gaps identified through planning processes for the various homeless populations.

- III. Financial Impact:** The application will be for approximately \$12,000,000 for an initial three year grant providing rent for transitional housing units, partial construction costs for the family transitional facility, and expenses for supportive services. Administrative costs (particular to the implementation of this grant) are allowable subject to a 5% cap on total funds, including personnel to coordinate the grant projects.
- IV. Legal Issues:** None known
- V. Controversial Issues:** None known
- VI. Link to Current County Policies:** The application is consistent with the current Comprehensive Housing Affordability Strategy and is consistent with the forthcoming Consolidated Plan. The needs assessment for families with housing states, "Affordable, permanent housing is a primary need for many families." Support services are needed to attain and sustain permanent housing. The needs assessment for domestic violence identifies resources and services needed, including "translation and culturally sensitive services." The requests for the singles system are compatible with the Shelter Reconfiguration Plan. The Youth system has tailored their requests to the needs identified in the 1991 Service Plan.
- VII. Citizen Participation:** Program oversight is through the Community Action Commission which has citizen representation.
- VIII. Other Government Participation:** The Adult Mental Health Program of Multnomah County Division of Community and Family Services will implement the component of the proposal targeted to adults in the acute care system. The Tri-County Youth Consortium and the Youth Program Office coordinated the youth portion which will provide services through county contracts. The single adult and family programs will be implemented through the Community Action Program Office's network of non-profit provider agencies.

**Estimated Filing Timeline:** Grant proposals must be received by HUD, Office of Community Planning and Development in Washington D.C. by the close of business on April 7, 1995.



**U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**Office of the Assistant Secretary for  
Community Planning and Development**

**February 17, 1995**

**Notice of Funding Availability for  
Continuum of Care Homeless Assistance**

**Supportive Housing Program (SHP)**

**Shelter Plus Care (S+C)**

**Sec 8 Moderate Rehabilitation Single Room Occupancy  
Program for Homeless Individuals (SRO)**

**AGENCY:** Office of the Assistant Secretary for Community Planning and Development, HUD.

**ACTION:** Notice of funding availability (NOFA).

**SUMMARY:** This Notice announces the availability of approximately \$900 million for applications for assistance designed to help communities develop continuum of care systems to assist homeless persons. These funds are available under three programs to fill gaps within the context of developing coordinated systems for combating homelessness. The three programs are: (1) Supportive Housing; (2) Shelter Plus Care; and (3) Section 8 Moderate Rehabilitation for Single Room Occupancy Dwellings for Homeless Individuals. Funds will be awarded competitively. This notice of funding availability (NOFA) contains information concerning the continuum of care approach, eligible applicants, eligible activities, application requirements, and application processing.

**DEADLINE DATE:** All applications are due in HUD Headquarters on or before close of business on April 7, 1995. HUD will treat as ineligible for consideration applications that are received after that deadline. Applications may not be sent by facsimile (FAX).

**ADDRESSES:** For a copy of application packages, please contact a HUD Field Office or call the American Communities information center at 1-800-998-9999. Prior to close of business on the deadline date completed applications will be accepted at the following address: Processing and Control Unit, Room 7255, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, DC 20410, Attention: Continuum of Care Funding. At close of business on the deadline date applications will be received at either room 7255 or the south lobby of the Department of Housing and Urban Development at the above address. Two copies of the application must also be sent to the HUD Field Office serving the area in which the applicant's project is located. A list of Field Offices appears in the appendix of this NOFA. Field office copies must be received by the application deadline as well, but a determination that an application was received on time will be made solely on receipt of the application at HUD Headquarters in Washington.

**FOR FURTHER INFORMATION:** Please contact the HUD Field Office for the area in which the project is located for additional information. Telephone numbers are included in the list of Field Offices set forth in the appendix of this NOFA.

**SUPPLEMENTARY INFORMATION:**

Paperwork Reduction Act Statement

The information collection requirements contained in this notice have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1980, and assigned OMB approval numbers 2506-0131, 2506-0112, and 2506-0118.

**I. Substantive Description**

(a) Authority.

The Supportive Housing program is authorized by title IV, subtitle C, of the Stewart B. McKinney Homeless Assistance Act (McKinney Act), as amended, 42 USC 11381. Regulations for this program are contained in 24 CFR part 83, as amended by an interim rule published in the Federal Register on May 10, 1994, and a final rule published in the Federal Register on July 19, 1994. Funds made available under this NOFA for the Supportive Housing program are subject to the requirements of the amended regulations.

The Shelter Plus Care program is authorized by title IV, subtitle F, of the McKinney Act, as amended, 42 USC 11403. Regulations for this program are contained in 24 CFR part 582, as amended by an interim rule published in the Federal Register on May 10, 1994. Funds made available under this NOFA for the Shelter Plus Care program are subject to the requirements of the amended regulations.

The Section 8 Moderate Rehabilitation Program for Single Room Occupancy (SRO) Dwellings for Homeless Individuals is authorized by section 441 of the McKinney Act, as amended, 42 USC 11401. Regulations for this program are contained in 24 CFR part 882, subpart H, as amended by an interim rule published in the Federal Register on May 10, 1994. Funds made available under this NOFA for the Section 8 Moderate Rehabilitation Program for Single Room Occupancy Dwellings for Homeless Individuals are subject to the requirements of the amended regulations.

(b) Funding Availability.

Approximately \$900 million is available under this NOFA. This consists of approximate amounts of \$600 million for Supportive Housing, \$150 million for Shelter Plus Care, and \$150 million for SRO. All of the funds available under this NOFA were appropriated under the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1995 (Pub.L. 103-327, approved September 28, 1994). Any unobligated funds from previous competitions or additional funds that may become available as a result of deobligations or recaptures from previous awards may also be used to fund applications for the same program submitted in response to this NOFA. HUD reserves the right to reallocate funds from one program to another if an insufficient number of approvable applications are received for a program. HUD also reserves the right to fund less than the full amount requested in any application.

(c) Purpose.

The purpose of this NOFA is to fund projects and activities which will fill gaps within the context of developing continuum of care systems to assist homeless persons. A continuum of care system consists of four basic components:

(1) A system of outreach and assessment for determining the needs and conditions of an individual or family who is homeless, or whether assistance is necessary to prevent an individual from becoming homeless;

(2) Emergency shelters with appropriate supportive services to help ensure that homeless individuals and families receive adequate emergency shelter and referral to necessary service providers or housing finders;

(3) Transitional housing with appropriate supportive services to help those homeless individuals and families who are not prepared to make the transition to permanent housing and independent living; and

(4) Permanent housing, or permanent supportive housing, to help meet the long-term needs of homeless individuals and families.

While not all homeless individuals and families in a community will need to access all four, unless all four components are coordinated within a community, none will be successful. A strong homeless prevention strategy is also key to the success of the continuum of care.

Developing a continuum of care system involves a community process for coordinating resources. The community process should include nonprofit organizations, state and local government agencies, other homeless providers, housing developers and service providers, private foundations, neighborhood groups, and homeless or formerly homeless persons.

(d) Coordinating resources.

The Department recognizes that differing statutory requirements of the three programs covered by this NOFA are barriers to creating continuum of care systems that are truly responsive to community needs. The Department is continuing to pursue legislative changes necessary to provide localities and providers with the flexibility they need to create comprehensive systems that completely address the many dimensions of the problem in a coordinated fashion. Meanwhile, under this NOFA, the Department will continue to move in that direction by using its funding resources to help increase the level of coordination among nonprofit organizations, government agencies and other entities that is necessary to develop systematic approaches for successfully addressing homelessness.

To further the purpose of this NOFA, heavy emphasis is placed upon coordination in the application selection criteria. In preparing its application, the applicant should, to the maximum extent possible, coordinate its efforts with other providers of services and housing to homeless persons, such as nonprofit organizations, government agencies, and housing developers, and consult with homeless or formerly homeless persons.

Scoring high on the "Coordination" selection criteria will be important to the success of an application in this competition. High scores will depend on organizations working together to: create, maintain and build upon a community-wide inventory of current services and housing for homeless families and individuals; identify the full spectrum of needs of homeless families and individuals; and coordinate efforts to obtain resources to fill gaps between the current inventory and needs. Applicants are advised to pay special attention to the "Coordination" selection criteria before beginning the process of developing an application.

(e) Use of NOFA funds and matching funds to fill gaps.

Funds available under this NOFA and matching funds may be used in the following ways to fill gaps within the context of developing a continuum of care system:

(1) Outreach/Assessment. The Supportive Housing program may provide funding for outreach to homeless persons and assessment of their needs. The Shelter Plus Care program requires a supportive services match; outreach and assessment activities count toward that match. The SRO program applicants receive rating points for the extent to which supportive services, including outreach and assessment, are provided.

(2) Transitional housing and necessary social services. The Supportive Housing program may be used to provide transitional housing with services, including both facility-based transitional housing and scattered-site transitional services. The Supportive Housing program may also be used to provide a safe haven, as described in section I.(g)(1) of this NOFA.

(3) Permanent housing or permanent supportive housing. The Supportive Housing program may be used to provide permanent supportive housing for persons with disabilities, including both facility-based and scattered-site permanent supportive housing. The Shelter Plus Care program may be used to provide permanent supportive housing for persons with disabilities in a variety of housing rental situations. This program requires a supportive services match; all supportive service activities count toward that match. The SRO program provides permanent housing for homeless individuals with incomes that do not exceed the low-income standard of the Section 8 housing program. The SRO program applicants receive rating points for the extent to which supportive services are provided. Providing permanent housing for homeless families is not available under the SRO program or the SRO component of the Shelter Plus Care (S+C) program because an SRO unit is designed for a single individual. Permanent housing for homeless families is only eligible under the other components of the S+C program and under the Supportive Housing program if an adult member has a disability.

(f) Targeting. This NOFA is targeted to serving persons who are sleeping in emergency shelters (including hotels or motels used as shelter for homeless families), other facilities for homeless persons, or places not meant for human habitation, such as cars, parks, sidewalks, or abandoned buildings. This includes persons who ordinarily live in such places but are in a hospital or other institution on a short-term basis (short-term is considered to be 30 consecutive days or less.) For the Section 8 SRO program, individuals - currently residing in units to be assisted and who are eligible for assistance under Section 8 of the United States Housing Act of 1937 may also be served under this NOFA.

(g) Program Summaries.

The chart below summarizes key aspects of the Supportive Housing Program, the Shelter Plus Care Program, and the Section 8 Moderate Rehabilitation Program for Single Room Occupancy Dwellings for Homeless Individuals. Descriptions are contained in the applicable program regulations.

ELEMENT	SUPPORTIVE HOUSING	SHELTER PLUS CARE	SECTION 8 SRO
<b>AUTHORIZING LEGISLATION</b>	Subtitle C of Title IV of the Stewart B. McKinney Homeless Assistance Act, as amended	Subtitle F of Title IV of the Stewart B. McKinney Homeless Assistance Act, as amended	Section 441 of the Stewart B. McKinney Homeless Assistance Act, as amended
<b>IMPLEMENTING REGULATIONS</b>	24 CFR part 583, as amended May 10 and July 19, 1994	24 CFR part 582, as amended May 10, 1994	24 CFR part 882, subpart H, as amended May 10, 1994
<b>ELIGIBLE APPLICANT(S)</b>	<ul style="list-style-type: none"> <li>• States</li> <li>• Units of general local government</li> <li>• Public housing agencies (PHAs)</li> <li>• Tribes</li> <li>• Private nonprofit organizations</li> <li>• CMHCs that are public nonprofit organizations</li> </ul>	<ul style="list-style-type: none"> <li>• States</li> <li>• Units of general local government</li> <li>• Tribes</li> <li>• PHAs</li> </ul>	<ul style="list-style-type: none"> <li>• PHAs</li> <li>• Private nonprofit organizations</li> </ul>
<b>COMPONENTS</b>	<ul style="list-style-type: none"> <li>• Transitional housing</li> <li>• Permanent housing for disabled persons</li> <li>• Innovative supportive housing</li> <li>• Supportive services not in conjunction with supportive housing</li> <li>• Safe Havens</li> </ul>	<ul style="list-style-type: none"> <li>• Tenant-based</li> <li>• Sponsor-based</li> <li>• Project-based</li> <li>• SRO-based</li> </ul>	<ul style="list-style-type: none"> <li>• SRO housing</li> </ul>
<b>ELIGIBLE ACTIVITIES</b>	<ul style="list-style-type: none"> <li>• Acquisition</li> <li>• Rehabilitation</li> <li>• New construction</li> <li>• Leasing</li> <li>• Operating costs</li> <li>• Supportive services</li> </ul>	<ul style="list-style-type: none"> <li>• Rental assistance</li> </ul>	<ul style="list-style-type: none"> <li>• Rental Assistance</li> </ul>
<b>ELIGIBLE POPULATIONS</b>	<ul style="list-style-type: none"> <li>• Homeless persons</li> </ul>	<ul style="list-style-type: none"> <li>• Homeless disabled individuals</li> <li>• Homeless disabled individuals and their families</li> </ul>	<ul style="list-style-type: none"> <li>• Homeless individuals</li> <li>• Section 8 eligible current occupants</li> </ul>
<b>POPULATIONS GIVEN SPECIAL CONSIDERATION</b>	<ul style="list-style-type: none"> <li>• Homeless persons with disabilities</li> <li>• Homeless families with children</li> </ul>	Homeless persons who: <ul style="list-style-type: none"> <li>• are seriously mentally ill</li> <li>• have chronic problems with alcohol and/or drugs</li> <li>• have AIDS and related diseases</li> </ul>	N/A
<b>INITIAL TERM OF ASSISTANCE</b>	3 years	5 years: TRA, SRA, and PRA if no rehab 10 years: SRO and PRA if rehab	10 years

(h) Special Program Provisions.

(1) Supportive Housing Program.

Minimum percentages. Approximately \$600 million is available for assistance under the Supportive Housing program. In accordance with section 429 of the McKinney Act, as amended, HUD will allocate Supportive Housing funds as follows: not less than 25 percent for projects that primarily serve homeless families with children; not less than 25 percent for projects that primarily serve homeless persons with disabilities; and not less than 10 percent for supportive services not provided in conjunction with supportive housing. After applications are rated and ranked, based on the criteria described below, HUD will determine if the conditionally selected projects achieve these minimum percentages. If not, HUD will skip higher-ranked applications in a category for which the minimum percent has been achieved in order to achieve the minimum percent for another category. If there are an insufficient number of conditionally selected applications in a category to achieve its minimum percent, the unused balance will be used for the next highest-ranked approvable Supportive Housing application.

Safe havens. As described in the program summaries chart above, the Supportive Housing program includes five different types of projects. Safe haven projects are one type. As used in this NOFA, a safe haven is a form of supportive housing designed specifically to provide a safe residence for homeless persons with serious mental illness who are currently residing primarily in public or private places not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, and who have been unwilling or unable to participate in mental health or substance abuse treatment programs or to receive other supportive services.

For many persons with mental illness who have been living on the street, the transition to permanent housing is best made in stages, starting with a small, highly supportive environment where an individual can feel at ease, out of danger, and subject to relatively few immediate service demands. Traditional supportive housing settings often assume a readiness by the clientele to accept a degree of structure and service participation that could overwhelm and defeat a person with mental illness who has come fresh from the street.

Safe havens are designed to provide persons with serious mental illness who have been living on the streets with a secure, non-threatening, non-institutional, supportive environment. These facilities can serve as a "portal of entry" to the service system and provide access to basic services such as food, clothing, bathing facilities, telephones, storage space, and a mailing address.

Safe havens do not require participation in services and referrals as a condition of occupancy. Rather, it is hoped that after a period of stabilization in a safe haven, residents will be more willing to participate in services and referrals, and will eventually be ready to move to a more traditional form of housing. While all rules applicable to the Supportive Housing Program apply to safe havens, to ensure that safe havens projects are competitive with other Supportive Housing projects, the "Quality of Project Plan" rating criteria in this NOFA have been modified to reflect the special characteristics of safe havens.

Specifically, the term "safe haven" means a structure or a clearly identifiable portion of a structure: (1) that proposes to serve hard-to-reach homeless persons with severe mental illness; (2) that provides 24-hour residence for eligible persons who may reside for an unspecified duration; (3) that provides private or semi-private accommodations; (4) that may provide for the common use of kitchen facilities, dining rooms, and bathrooms; and,

(5) in which overnight occupancy is limited to no more than 25 persons. A "safe haven" may also provide supportive services to eligible persons who are not residents on a drop-in basis. To be considered for funding under the Safe Havens component of the Supportive Housing Program, a proposed project must be consistent with the five features listed above.

(2) Shelter Plus Care Program. Approximately \$150 million is available for assistance under the Shelter Plus Care program. In accordance with section 463(a) of the McKinney Act, as amended by the 1992 Act, at least 10 percent of Shelter Plus Care funds will be allocated for each of the four components of the program: Tenant-based Rental Assistance; Sponsor-based Rental Assistance; Project-based Rental Assistance; and Section 8 Moderate Rehabilitation of Single Room Occupancy Dwellings for Homeless Individuals (provided there are sufficient numbers of approvable applications to achieve these percentages). After applications are rated and ranked, based on the criteria described below, HUD will determine if the conditionally selected projects achieve these minimum percentages. If necessary, HUD will skip higher-ranked applications for a component for which the minimum percent has been achieved in order to achieve the minimum percent for another component. If there are an insufficient number of approvable applications in a component to achieve its minimum percent, the unused balance will be used for the next highest-ranked approvable Shelter Plus Care application.

Any applicant that is a unit of general local government, a local public housing authority, or an Indian tribe may submit only one Shelter Plus Care application. Any applicant that is a State or a State public housing authority may submit applications for more than one jurisdiction but must submit a separate application for each and may only submit one application for each jurisdiction. In accordance with section 455(b) of the McKinney Act, no more than 10 percent of the assistance made available for Shelter Plus Care in any fiscal year may be used for programs located within any one unit of general local government. Ten percent for this fiscal year equals \$15 million.

With regard to the Shelter Plus Care/Section 8 SRO component, applicant States, units of general local government and Indian tribes must subcontract with a Public Housing Authority to administer the Shelter Plus Care assistance. Also with regard to this component, no single project may contain more than 100 units.

(3) Section 8 Moderate Rehabilitation Program for Single Room Occupancy Dwellings for Homeless Individuals. Approximately \$150 million is available for assistance under the SRO program. Applicants need to be aware of the following limitations on the allocation of Section 8 SRO funds:

- A separate application must be submitted for each site for which assistance is requested and, under section 8(e)(2) of the United States Housing Act of 1937, no single project may contain more than 100 units;
- Under section 441(c) of the McKinney Act, no city or urban county may have projects receiving a total of more than 10 percent of the assistance made available under this program;
- Applicants that are private nonprofit organizations must subcontract with a Public Housing Authority to administer the SRO assistance; and
- Under section 441(e) of the McKinney Act and 24 CFR 882.805(g)(1), HUD publishes the SRO per unit rehabilitation cost limit each year to take into account changes in construction

costs. For purposes of Fiscal Year 1995 funding, the cost limitation is raised from \$15,900 to \$16,100 per unit to take into account increases in construction costs during the past 12-month period.

## II. Application Requirements

An application for Supportive Housing, Shelter Plus Care, or Section 8 SRO assistance consists of narrative, numerical, and financial information. The application requires a description of: gaps that need to be filled in the community's response to homelessness; how the proposed project will help the community develop a continuum of care system by filling one of these gaps; the proposed project, including the plan for housing and/or services to be provided to participants; resources expected for the project and the amount of assistance requested; the experience of all organizations who will be involved in the project; and the sources and number of proposed participants. An application also contains certifications that the applicant will comply with fair housing and civil rights requirements, program regulations, and other Federal requirements, and (in most cases) that the proposed activities are consistent with the HUD-approved Consolidated Plan (or Comprehensive Housing Affordability Strategy if still in effect) of the applicable State or Unit of general local government.

The specific application requirements will be specified in the application package for each program. This package includes all required forms and certifications, and may be obtained from a HUD Field Office listed in the appendix of this NOFA or by calling the American Communities information center on 1-800-998-9999.

Care should be taken in the selection of projects and in the preparation of applications to ensure that environmental and historic preservation impediments do not cause an application to be denied or approval severely delayed. In general, any application HUD receives from a state or local government will require that the environmental assessment be prepared by the local or state government before the grant application can be approved. The environmental assessments for non-governmental applicants will be conducted by HUD. Questions about which environmental and historic preservation laws may apply should be addressed to the HUD Field office.

## III. Application Selection Process

The Department will use the same review, rating, and conditional selection process for all three programs (S+C, SRO, and SHP):

### (a) Review.

Applications will be reviewed to ensure that they meet the following requirements:

- (1) Applicant eligibility. The applicant and project sponsor, if relevant, must be eligible to apply for the specific program.
- (2) Eligible population to be served. The population to be served must meet the eligibility requirements of the specific program.
- (3) Eligible activities. The activities for which assistance is requested must be eligible under the specific program.
- (4) Fair housing and equal opportunity. Organizations that receive assistance through the application must be in compliance with applicable civil rights laws and Executive Orders.
- (5) Vacancy rate. For the Section 8 SRO program, at least 25 percent of the units to be assisted at any one site must be vacant at the time of application.



(b) Rating and Conditional Selection.

Applications for S+C, SRO, and SHP grants will be conditionally selected in three separate categories, one for each program. To rate applications, the Department may establish panels including persons not currently employed by HUD to obtain outside points of view, including views from other Federal agencies.

After all points have been awarded, applications will be ranked from highest point score to lowest for each program. A bonus of 2 points will be added in determining the final score of any project that will serve homeless persons living within the boundaries of a federal Empowerment Zone or Enterprise Community. Whether an application is conditionally selected will depend on its overall ranking compared to other applications submitted for the same program, except that HUD reserves the right to select lower rated applications if necessary to achieve geographic diversity; ensure that the overall amount of assistance received by a jurisdiction is not disproportionate to the jurisdiction's overall need for homeless assistance, as calculated from generally available data; or achieve diversity of assistance provided in a community as determined through a comparison of applications from a given jurisdiction.

For all programs, in the event of a tie between applicants, the applicant with the highest score for the coordination criterion will be selected. If a tie remains, the applicant with the highest score for the quality of project criterion will be selected. In the event of a procedural error that, when corrected, would result in selection of an otherwise eligible applicant during the funding round under this NOFA, HUD may select that applicant when sufficient funds become available.

For Shelter Plus Care and Supportive Housing, in cases where the applicant requests assistance for more than one of the components of the program within one application, the components will not be rated separately. Rather, the application will be rated as a whole. (For Section 8 SRO, only one project is allowed per application.)

(c) Core Selection Criteria.

The following five core selection criteria apply to each of the programs covered by this NOFA and account for 105 of the 110 points available for award.

(1) Coordination. HUD will award up to 40 points based on the extent to which the application demonstrates:

- Participation in a community process for developing a continuum of care strategy, which could include nonprofit organizations, State and local governmental agencies, other homeless providers, housing developers and service providers, private foundations, local businesses and the investment banking community, neighborhood groups, and homeless or formerly homeless persons.
- Need for the type of project proposed in the area to be served, and that the proposed project will effectively and appropriately fill a gap in the community's response to homelessness.
- Coordination with other applicants, if any, applying for assistance under this NOFA for projects in the same local jurisdiction. (If more than one organization within a local jurisdiction is submitting an application under this NOFA, higher scores will be assigned where it is clear that the proposed projects have been coordinated within a single, appropriate

continuum of care strategy and that each project effectively and appropriately fills a gap in the community's response to homelessness.)

- Use by the project of mainstream services, such as income supports, mental health services, and substance abuse treatment, and how the project uses or will use mainstream housing programs, such as Section 8 rental assistance, HOME, and State programs, and other permanent housing resources to complete the continuum of care.

(2) Need. HUD will award up to 20 points based on:

- the jurisdiction's need for homeless assistance, as calculated from generally available data including data on poverty, housing overcrowding, population, age of housing and growth lag; and
- the extent of need in that jurisdiction taking into account the higher rated applications and the extent of need nationwide.

(3) Quality of project. HUD will award up to 25 points based on the extent to which the applicant demonstrates that the proposed project will:

- Reach out and engage potential eligible participants. The most needy are homeless persons who are sleeping in places not meant for human habitation, such as cars, tunnels and parks and persons who are staying at shelters, transitional housing or other facilities for persons who originally came from the streets or emergency shelter.
- Provide appropriate housing. HUD will consider how the housing fits the needs of participants and ensures their safety; empowers participants through involvement in decision-making and project operations; employs participants in the project or otherwise helps increase their incomes; and ensures that transportation is available and accessible. HUD will also consider project staffing and the scale of the project, viewing the concentration of very large numbers of homeless persons at one location unfavorably.
- For transitional housing projects, appropriateness of housing also includes how the project assists participants in locating and succeeding in permanent housing, and provides necessary follow-up services upon the completion of transitional housing. For permanent housing projects, appropriateness of housing also includes how the project assists integration of participants into the surrounding community.
- Provide appropriate services. HUD will consider whether the project provides up-front, individualized, needs assessments and ongoing case management, how services fit the needs of participants, and the availability of needed services.
- For projects serving families, the project serves the family together, and works to strengthen the family structure. Projects that mix families with singles populations in the same structure will be viewed unfavorably.
- For safe haven projects, the above factors are modified to award up to 25 points on the extent to which the applicant demonstrates how the project will link persons to other housing and supportive services after stabilization in a safe haven, the availability of

basic services in the safe haven, and how the security of participants will be assured by the applicant.

The rating under this criterion will also consider the extent to which the project represents an innovative approach when viewed nationally that promises to be successful and replicable. Applications submitted under the "innovative supportive housing" component of the Supportive Housing Program must achieve points for innovation.

Applications receiving less than 8 points under the quality of project criterion will not be selected for a grant award.

(4) Capacity. HUD will award up to 15 points based on extent to which all the organizations involved in the project demonstrate:

- Experience in carrying out similar activities to those proposed either as an ongoing provider of housing and/or services to homeless people, or as an ongoing provider of housing and/or services who is in some way tangibly connected to an ongoing homeless delivery system.
- Timeliness in the speed with which the project will become operational, taking into account differences in the types of projects proposed for funding.

The rating under this criterion will also consider the Department's knowledge of the prior experience of the applicant (and any organizations that will participate in carrying out the program) in serving homeless persons and in carrying out programs similar to those proposed in the application, and the prior performance of the applicant (and any organizations that will participate in carrying out the program) with any-HUD administered programs.

An applicant receiving less than 7 points under the capacity criterion will not be selected for a grant award.

(5) Leveraging. HUD will award up to 5 points based on the extent to which the amount of assistance to be provided under this grant is supplemented with documented cash or in-kind resources from public and private sources that will be used for the project. For S+C and SRO applications, leveraging will be based on documented resources for supportive services. For SHP applications, leveraging will be based on documented resources for any project activity.

(d) Supportive Housing additional selection criterion.

The following selection criterion accounts for the remaining 5 points available for award for SHP applications.

(1) Cost effectiveness. HUD will award up to 5 points based on the extent to which supportive services are provided from resources other than the Supportive Housing Program grant.

(e) Shelter Plus Care additional selection criterion.

The following selection criterion accounts for the remaining 5 points available for award for S+C applications.

(1) Serving targeted disabilities. Within the eligible population to be served, HUD will award up to 5 points based on the percentage of individuals to be served (beyond 50 percent) who experience serious mental

illness, have chronic alcohol and/or drug abuse problems, or have AIDS and related diseases in relation to the total number of people proposed to be served.

(f) Section 8 SRO additional selection criterion.

The following selection criterion accounts for the remaining 5 points available for award for Section 8 SRO applications.

(1) Availability of vacant units. HUD will award up to 5 points based on the percentage of units (beyond the required 25 percent) proposed for assistance which are vacant at the time of application.

(g) Clarification of application information.

In accordance with the provisions of 24 CFR part 4, subpart B, HUD may contact an applicant to seek clarification of an item in the application, or to request additional or missing information, but the clarification or the request for additional or missing information shall not relate to items that would improve the substantive quality of the application pertinent to the funding decision.

(h) Technical Assistance.

Prior to the application deadline, HUD staff will be available to provide advice, guidance and general technical assistance to potential applicants on application requirements and program policies. Following conditional selection, HUD staff will be available to assist in clarifying or confirming information that is a prerequisite to the offer of a grant agreement by HUD. However, between the application deadline and the announcement of conditional selections, HUD will accept no information that would improve the substantive quality of the application pertinent to the funding decision.

#### IV. Grant Award Process

HUD will notify conditionally selected applicants in writing. As necessary, HUD will subsequently request them to submit additional project information, which may include documentation to show the project is feasible; documentation of firm commitments for cash match; documentation showing site control; information necessary for HUD to perform an environmental review, where applicable; and such other documentation as specified by HUD in writing to the applicant, that confirms or clarifies information provided in the application. SRO and S+C/SRO applicants will be notified of the date of the two month deadline for submission of such information; other S+C applicants and all SHP applicants will be notified of the date of the one month deadline for submission of such information. If an applicant is unable to meet any conditions for grant award within the specified timeframe, HUD reserves the right not to award funds to the applicant, but instead to either: use them to select the next highest ranked application(s) from the original competition for which there are sufficient funds available; or add them to funds available for the next competition for the applicable program.

#### V. Special Incentive for Purchase of HUD-Owned Single Family Properties Under the Single Family Property Disposition Homeless Program.

Supportive Housing funds may be used to purchase HUD-owned single family (one- to four unit) properties under the Single Family Property Disposition Homeless Program, provided the properties are used to house homeless persons. This includes both eligible homes owned by HUD and those presently under lease.

The Department is offering a special incentive for the purchase of HUD-owned single family properties located in zip code areas designated by HUD as "revitalization" areas. Lessees and other qualifying nonprofit organizations and governmental entities may purchase uninsurable properties in revitalization areas at a 30 percent discount; FHA insurable properties in revitalization areas are offered at a discount of 10 percent. There are 230 revitalization areas nationwide. Contact your local HUD Office for assistance in identifying revitalization areas.

Qualifying nonprofit organizations and governmental entities may purchase HUD-owned homes outside revitalization areas at a discount approved by the Secretary, usually 10 percent. However, if five or more homes are purchased and closed simultaneously, a 15 percent discount will be applied in all areas. The sales price, to which any discount will be applied, is the current fair market value, or the value established at the time of the lease, whichever is less, provided that the lessee agrees to use the property either to house homeless persons for 10 years or to resell only to a lower-income buyer.

The incentives described above should be especially attractive to organizations currently operating transitional housing for the homeless in homes leased from HUD. Providers with a maximum five-year lease term may purchase uninsurable properties at the 30 percent discount in revitalization areas, thus making the purchase of their leased property far more affordable. Lessees operating satisfactory homeless programs, and who purchase, will also have a competitive advantage under the rating criterion, "Capacity", since they may demonstrate experience with HUD homeless programs.

#### **VI. Employment opportunities for homeless persons.**

A key goal of the continuum of care approach is to assist homeless persons achieve independent living whenever possible. Each of the three programs under this NOFA has as a goal increasing the skill level and/or income of program participants. Employment opportunities not only help achieve these goals but are also important in rebuilding self-esteem.

The McKinney Act recognizes the importance of employment opportunities in requiring that, to the maximum extent practicable, recipients involve homeless persons through employment, volunteer services, or otherwise, in constructing, rehabilitating, maintaining, and operating the project and in providing supportive services. Under the Supportive Housing Program, employment assistance activities are eligible, and grant recipients can use these funds for such activities as job training, wages, and educational awards for homeless persons. While Shelter Plus Care Program and SRO Program funds may only be used for rental assistance, employment assistance activities paid from other sources count towards the match requirement of the Shelter Plus Care Program and can also count for purposes of the "leveraging" rating criterion.

Inclusion in the application of employment assistance activities for homeless persons may improve the rating score under the "Quality of Project" criterion, making the application more competitive.

#### **VII. Linking Homeless Assistance Programs and AmeriCorps**

The Corporation for National Service, established in 1993 to engage Americans of all ages and backgrounds in community-based service, supports a range of national and community service programs. AmeriCorps, one of the national service programs supported by the Corporation, engages thousands of young Americans on a full or part-time basis to help communities address their toughest challenges, while earning support for college, graduate school, or job training.

Applicants for the Supportive Housing Program are encouraged to link their proposed projects with AmeriCorps. AmeriCorps Members can be an excellent source of committed, caring staff. An applicant may call The Corporation for National Service in Washington, DC, on (202) 606-5000 to ask for the State Commission contact name and phone number. Through the information received from the State Commission, the applicant may contact an AmeriCorps Program Sponsor in the local area. The Sponsor recruits, selects, trains, and places individuals who become AmeriCorps Members.

Full-time AmeriCorps members (those working 1,700 hours over a 9 to 12 month period) are eligible to receive approximately \$7,600 as a living allowance, health care and child care if necessary, and a post-service award of \$4,725 to be used for current or future college, graduate school, or job training, or to repay existing qualified loans. AmeriCorps is able to support a greater number of Members if other organizations or programs, such as the Supportive Housing Program, can pay the program and Member-related expenses, with AmeriCorps providing the post-service educational awards.

For Supportive Housing, applicants may request funds for paying operating and supportive services costs. These costs may include payment for AmeriCorps Members, such as living allowances, health care costs, and reasonable overhead costs of the AmeriCorps program sponsor, but may not exceed the cost which would be paid by the applicant for the same services when procured from a contractor. An applicant does not fill out a special exhibit for AmeriCorps Members. Instead, the costs for the AmeriCorps Members are included in the operating and supportive services budgets, as appropriate, just as other staff costs are.

If Members are used in operating the Supportive Housing project, the costs are subject to the requirement that operating costs be shared. Examples of how Members may be used in operating a project include maintenance, security, and facility management. Supportive services are not subject to cost-sharing, so if Members are engaged in delivering supportive services, such as substance abuse counseling, case management, or recreational programs, no local share is required.

#### VIII. Other Matters

##### Prohibition Against Lobbying Activities

The use of funds awarded under this NOFA is subject to the disclosure requirements and prohibitions of Section 319 of the Department of Interior and Related Agencies Appropriations Act for Fiscal Year 1990 (31 U.S.C. 1352) (the "Byrd Amendment") and the implementing regulations at 24 CFR part 87. These authorities prohibit recipients of Federal contracts, grants, or loans from using appropriated funds for lobbying the Executive or Legislative branches of the Federal government in connection with a specific contract, grant, or loan. The prohibition also covers the awarding of contracts, grants, cooperative agreements, or loans unless the recipient has made an acceptable certification regarding lobbying. Under 24 CFR part 87, applicants, recipients and sub-recipients of assistance exceeding \$100,000 must certify that no Federal funds have been or will be spent on lobbying activities in connection with the assistance.

Environmental Impact. In accordance with 40 CFR 1508.4 of the regulations of the Council on Environmental Quality and 24 CFR 50.20(k) and (l) of the HUD regulations, the policies and procedures set forth in this document are determined not to have the potential for having a significant impact on the quality of the human environment, and therefore are exempt from further environmental reviews under the National Environmental Policy Act of 1969. (This same determination was made at the time of development of the interim rule on the Supportive Housing Program, Shelter Plus Care, and

Section 8 Moderate Rehabilitation Single Room Occupancy Program for Homeless Individuals, that was published in the Federal Register on May 10, 1994 (59 FR 24252).

Executive Order 12606, The Family. The General Counsel, as the Designated Official under Executive Order 12606, The Family, has determined that the policies announced in this Notice would have a significant impact on the formation, maintenance, and general well-being of families, but since this impact would be beneficial, no further analysis under the Order is necessary.

Executive Order 12612, Federalism. The General Counsel has determined, as the Designated Official for HUD under section 6(a) of Executive Order 12612, Federalism, that the policies contained in this Notice will not have federalism implications and, thus, are not subject to review under the Order. The promotion of activities and policies to end homelessness is a recognized goal of general benefit without direct implications on the relationship between the national government and the states or on the distribution of power and responsibilities among various levels of government.

Drug-Free Workplace Certification. The Drug-Free Workplace Act of 1988 requires grantees of Federal agencies to certify that they will provide drug-free workplaces. Thus, each applicant must certify that it will comply with drug-free workplace requirements in accordance with 24 CFR part 24, subpart F.

Accountability in the Provision of HUD Assistance. HUD has promulgated a final rule to implement section 102 of the Department of Housing and Urban Development Reform Act of 1989 (HUD Reform Act). The final rule is codified at 24 CFR part 12. Section 102 contains a number of provisions that are designed to ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. On January 14, 1992, HUD published at 57 FR 1942 additional information that gave the public (including applicants for, and recipients of, HUD assistance) further information on the implementation of section 102. The documentation, public access, and disclosure requirements of section 102 are applicable to assistance awarded under this NOFA as follows:

Documentation and public access requirements. HUD will ensure that documentation and other information regarding each application submitted pursuant to this NOFA are sufficient to indicate the basis upon which assistance was provided or denied. This material, including any letters of support, will be made available for public inspection for a five-year period beginning not less than 30 days after the award of the assistance. Material will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15. In addition, HUD will include the recipients of assistance pursuant to this NOFA in its quarterly Federal Register notice of all recipients of HUD assistance awarded on a competitive basis. (See 24 CFR 12.14(a) and 12.16(b), and the notice published in the Federal Register on January 16, 1992 (57 FR 1942), for further information on these documentation and public access requirements.)

Disclosures. HUD will make available to the public for five years all applicant disclosure reports (HUD Form 2880) submitted in connection with this NOFA. Update reports (also Form 2880) will be made available along with the applicant disclosure reports, but in no case for a period less than three years. All reports -- both applicant disclosures and updates -- will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15. (See 24 CFR subpart C, and the notice published in the FEDERAL REGISTER on January 16, 1992 (57 FR 1942), for further information on these disclosure requirements.)

### Section 103 HUD Reform Act

HUD's regulation implementing section 103 of the Department of Housing and Urban Development Reform Act of 1989 was published May 13, 1991 (56 FR 22088) and became effective on June 12, 1991. That regulation, codified as 24 CFR Part 4, applies to the funding competition announced today. The requirements of the rule continue to apply until the announcement of the selection of successful applicants. HUD employees involved in the review of applications and in the making of funding decisions are limited by Part 4 from providing advance information to any person (other than an authorized employee of HUD) concerning funding decisions, or from otherwise giving any applicant an unfair competitive advantage. Persons who apply for assistance in this competition should confine their inquiries to the subject areas permitted under 24 CFR Part 4.

Applicants who have questions should contact the HUD Office of Ethics (202) 708-3815 (TDD/Voice). (This is not a toll-free number.) The Office of Ethics can provide information of a general nature to HUD employees, as well. However, a HUD employee who has specific program questions, such as whether particular subject matter can be discussed with persons outside the Department, should contact his or her Regional or Field Office Counsel, or Headquarters counsel for the program to which the question pertains.

Section 112 HUD Reform Act. Section 13 of the Department of Housing and Urban Development Act contains two provisions dealing with efforts to influence HUD's decisions with respect to financial assistance. The first imposes disclosure requirements on those who are typically involved in these efforts -- those who pay others to influence the award of assistance or the taking of a management action by the Department and those who are paid to provide the influence. The second restricts the payment of fees to those who are paid to influence the award of HUD assistance, if the fees are tied to the number of housing units received or are based on the amount of assistance received, or if they are contingent upon the receipt of assistance.

Section 13 was implemented by final rule published in the Federal Register on May 17, 1991 (56 FR 22912) as 24 CFR part 86. If readers are involved in any efforts to influence the Department in these ways, they are urged to read the final rule, particularly the examples contained in Appendix A of the rule.

Submissions. Applications which are mailed prior to April 7, 1995 but received within ten (10) days after that date will be deemed to have been received by that date if postmarked by the United States Postal Service by no later than April 4, 1995. Overnight delivery items received after April 7, 1995 will be deemed to have been received by that date upon submission of documentary evidence that they were placed in transit with the overnight delivery service by no later than April 6, 1995.

Authority: 42 U.S.C. 11403 note; 42 U.S.C. 11389; 42 U.S.C. 1437a, 1437c, and 1437f; 42 U.S.C. 3535(d); 24 CFR parts 582, 583, and 882.

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Andrew Cuomo, Assistant Secretary for  
Community Planning and Development



# APPENDIX: LIST OF HUD FIELD OFFICES

Telephone numbers for Telecommunications Devices for the Deaf (TDD machines) are listed for field offices; all HUD numbers, including those noted \*, may be reached via TDD by dialing the Federal Information Relay Service on 1-800-877-TDDY or (1-800-877-8339) or (202) 708-9300.

<u>ALABAMA</u>	John D. Harmon, Beacon Ridge Tower, 600 Beacon Pkwy. West, Suite 300, Birmingham, AL 35209-3144; (205) 290-7645; TDD (205) 290-7624.
<u>ALASKA</u>	Dean Zinck, 949 E. 36th Avenue, Suite 401, Anchorage, AK 99508-4399; (907) 271-3669; TDD (907) 271-4328.
<u>ARIZONA</u>	Lou Kislin, 400 N. 5th St., Suite 1600, Arizona Center, Phoenix AZ 85004; (602) 379-4754; TDD (602) 379-4461.
<u>ARKANSAS</u>	Billy M. Parsley, TCBY Tower, 425 West Capitol Ave., Suite 900, Little Rock, AR 72201-3488; (501) 324-6375; TDD (501) 324-5931.
<u>CALIFORNIA</u>	(Southern) Herbert L. Roberts, 1615 W. Olympic Blvd., Los Angeles, CA 90015-3801; (213) 251-7235; TDD (213) 251-7038. (Northern) Steve Sachs, 450 Golden Gate Ave., P.O. Box 36003, San Francisco, CA 94102-3448; (415) 556-5576; TDD (415) 556-8357.
<u>COLORADO</u>	Sharon Jewell, First Interstate Tower North, 633 17th St., Denver, CO 80202-3607; (303) 672-5414; TDD (303) 672-5248.
<u>CONNECTICUT</u>	Daniel Kolesar, 330 Main St., Hartford, CT 06106-1860; (203) 240-4508; TDD (203) 240-4522.
<u>DELAWARE</u>	John Kane, Liberty Sq. Bldg., 105 S. 7th St., Philadelphia, PA 19106-3392; (215) 597-2665; TDD (215) 597-5564.
<u>DISTRICT OF COLUMBIA</u>	James H. McDaniel, 820 First St., NE, Washington, DC (and MD and VA suburbs) 20002; (202) 275-0994; TDD (202) 275-0772.
<u>FLORIDA</u>	James N. Nichol, 301 West Bay St., Suite 2200, Jacksonville, FL 32202-5121; (904) 232-3587; TDD (904) 791-1241.
<u>GEORGIA</u>	John Perry, Russell Fed. Bldg., Room 688, 75 Spring St., SW, Atlanta, GA 30303-3388; (404) 331-5139; TDD (404) 730-2654.
<u>HAWAII</u>	Patti A. Nicholas, 7 Waterfront Plaza, Suite 500, 500 (and Pacific) Ala Moana Blvd., Honolulu, HI 96813-4918; (808) 522-8180; TDD (808) 541-1356.
<u>IDAHO</u>	John G. Bonham, 520 SW 6th Ave., Portland, OR 97204-1596 (503) 326-7018; TDD * via 1-800-877-8339.
<u>ILLINOIS</u>	Jim Barnes, 77 W. Jackson Blvd., Chicago, IL 60604-3507; (312) 353-1696; TDD (312) 353-7143.
<u>INDIANA</u>	Robert F. Poffenberger, 151 N. Delaware St., Indianapolis, IN 46204-2526; (317) 226-5169; TDD * via 1-800-877-8339.
<u>IOWA</u>	Gregory A. Bevirt, Executive Tower Centre, 10909 Mill Valley Road, Omaha, NE 68154-3955; (402) 492-3144; TDD (402) 492-3183.
<u>KANSAS</u>	William Rotert, Gateway Towers 2, 400 State Ave., Kansas City, KS 66101-2406; (913) 551-5484; TDD (913) 551-6972.
<u>KENTUCKY</u>	Ben Cook, P.O. Box 1044, 601 W. Broadway, Louisville, KY 40201-1044; (502) 582-5394; TDD (502) 582-5139.
<u>LOUISIANA</u>	Greg Hamilton, P.O. Box 70288, 1661 Canal St., New Orleans, LA 70112-2887; (504) 589-7212; TDD (504) 589-7237.
<u>MAINE</u>	David Lafond, Norris Cotton Fed. Bldg., 275 Chestnut St., Manchester, NH 03101-2487; (603) 666-7640; TDD (603) 666-7518.
<u>MARYLAND</u>	Harold Young, 10 South Howard Street, 5th Floor, Baltimore, MD 21202-0000; (410) 962-2520x3116; TDD (410) 962-0106.
<u>MASSACHUSETTS</u>	Frank Del Vecchio, Thomas P. O'Neill, Jr., Fed. Bldg., 10 Causeway St., Boston, MA 02222-1092; (617) 565-5342; TDD (617) 565-5453.

MICHIGAN Richard Paul, Patrick McNamara Bldg., 477 Michigan Ave., Detroit, MI 48226-2592; (313) 226-4343; TDD \* via 1-800-877-8339.

MINNESOTA Shawn Huckleby, 220 2nd St. South, Minneapolis, MN 55401-2195; (612) 370-3019; TDD (612) 370-3186.

MISSISSIPPI Jeanie E. Smith, Dr. A. H. McCoy Fed. Bldg., 100 W. Capitol St., Room 910, Jackson, MS 39269-1096; (601) 965-4765; TDD (601) 965-4171.

MISSOURI (Eastern) David H. Long, 1222 Spruce St., St. Louis, MO 63103-2836; (314) 539-6524; TDD (314) 539-6331.  
(Western) William Rotert, Gateway Towers 2, 400 State Ave., Kansas City, KS 66101-2406; (913) 551-54843; TDD (913) 551-6972.

MONTANA Sharon Jewell, First Interstate Tower North, 633 17th St., Denver, CO 80202-3607; (303) 672-5414; TDD (303) 672-5248.

NEBRASKA Gregory A. Bevirt, Executive Tower Centre, 10909 Mill Valley Road, Omaha, NE 68154-3955; (402) 492-3144; TDD (402) 492-3183.

NEVADA (Las Vegas, Clark Cnty) Lou Kislin, 400 N. 5th St., Suite 1600, 2 Arizona Center, Phoenix, AZ 85004; (602) 379-4754; TDD (602) 379-4461.  
(Remainder of State) Steve Sachs, 450 Golden Gate Ave., P.O. Box 36003, San Francisco, CA 94102-3448; (415) 556-5576; TDD (415) 556-8357.

NEW HAMPSHIRE David Lafond, Norris Cotton Fed. Bldg., 275 Chestnut St., Manchester, NH 03101-2487; (603) 666-7640; TDD (603) 666-7518.

NEW JERSEY Frank Sagarese, 1 Newark Center, Newark, NJ 07102; (201) 622-7900; TDD (201) 645-3298.

NEW MEXICO Katie Worsham, 1600 Throckmorton, P.O. Box 2905, Fort Worth, TX 76113-2905; (817) 885-5483; TDD (817) 885-5447.

NEW YORK (Upstate) Michael F. Merrill, Lafayette Ct., 465 Main St., Buffalo, NY 14203-1780; (716) 846-5768; TDD \* via 1-800-877-8339.  
(Downstate) Jack Johnson, 26 Federal Plaza, New York, NY 10278-0068; (212) 264-2885; TDD (212) 264-0927.

NORTH CAROLINA Charles T. Ferebee, Koger Building, 2306 West Meadowview Road, Greensboro, NC 27407; (910) 547-4005; TDD (910) 547-4055.

NORTH DAKOTA Sharon Jewell, First Interstate Tower North, 633 17th St., Denver, CO 80202-3607; (303) 672-5414; TDD (303) 672-5248.

OHIO Jack E. Riordan, 200 North High St., Columbus, OH 43215-2499; (614) 469-6743; TDD (614) 469-6694.

OKLAHOMA Ted Allen, Murrah Fed. Bldg., 200 NW 5th St., Oklahoma City, OK 73102-3202; (405) 231-4973; TDD (405) 231-4181.

OREGON John G. Bonham, 520 SW 6th Ave., Portland, OR 97204-1596 (503) 326-7018; TDD \* via 1-800-877-8339.

PENNSYLVANIA (Western) Bruce Crawford, Old Post Office and Courthouse Bldg., 700 Grant St., Pittsburgh, PA 15219-1906; (412) 644-5493; TDD (412) 644-5747.  
(Eastern) Joyce Gaskins, Liberty Sq. Bldg., 105 S. 7th St., Philadelphia, PA 19106-3392; (215) 597-2665; TDD (215) 597-5564.

PUERTO RICO Carmen R. Cabrera, 159 Carlos Chardon Ave., (and Caribbean) San Juan, PR 00918-1804; (809) 766-5576; TDD (809) 766-5909.

RHODE ISLAND Frank Del Vecchio, Thomas P. O'Neill, Jr., Fed. Bldg., 10 Causeway St., Boston, MA 02222-1092; (617) 565-5342; TDD (617) 565-5453.

SOUTH CAROLINA Louis E. Bradley, Fed. Bldg., 1835-45 Assembly St., Columbia, SC 29201-2480; (803) 765-5564; TDD \* via 1-800-877-8339.

SOUTH DAKOTA

Sharon Jewell, First Interstate Tower North, 633 17th St., Denver, CO 80202-3607; (303) 672-5414; TDD (303) 672-5248.

TENNESSEE

Virginia Peck, 710 Locust St., Knoxville, TN 37902-2526; (615) 545-4396; TDD (615) 545-4559.

TEXAS

(Northern) Katie Worsham, 1600 Throckmorton, P.O. Box 2905, Fort Worth, TX 76113-2905; (817) 885-5483; TDD (817) 885-5447.

(Southern) John T. Maldonado, Washington Sq., 800 Dolorosa, San Antonio, TX 78207-4563; (210) 229-6820; TDD (210) 229-6885.

UTAH

Sharon Jewell, First Interstate Tower North, 633 17th St., Denver, CO 80202-3607; (303) 672-5414; TDD (303) 672-5248.

VERMONT

David Lafond, Norris Cotton Fed. Bldg., 275 Chestnut St., Manchester, NH 03101-2487; (603) 666-7640; TDD (603) 666-7518.

VIRGINIA

Joseph Aversano, 3600 W. Broad St., P.O. Box 90331, Richmond, VA 23230-0331; (804) 278-4503; TDD (804) 278-4501.

WASHINGTON

John Peters, Federal Office Bldg., 909 First Ave., Suite 200, Seattle, WA 98104-1000; (206) 220-5150; TDD (206) 220-5185.

WEST VIRGINIA

Bruce Crawford, Old Post Office & Courthouse Bldg., 700 Grant St., Pittsburgh, PA 15219-1906; (412) 644-5493; TDD (412) 644-5747.

WISCONSIN

Lana J. Vacha, Henry Reuss Fed. Plaza, 310 W. Wisconsin Ave., Ste. 1380, Milwaukee, WI 53203-2289; (414) 297-3113; TDD \* via 1-800-877-8339.

WYOMING

Sharon Jewell, First Interstate Tower North, 633 17th St., Denver, CO 80202-3607; (303) 672-5414; TDD (303) 672-5248.

MEETING DATE: APR 13 1995

AGENDA NO: R-6

(Above Space for Board Clerk's Use ONLY)

**AGENDA PLACEMENT FORM**

SUBJECT: Notice of Intent to Apply for HHS grant.

BOARD BRIEFING

Date Requested: \_\_\_\_\_

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

REGULAR MEETING:

Date Requested: 04/13/95

Amount of Time Needed: 5 minutes

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

DIVISION: Community and Family Services Division

CONTACT: Rey Espana / Barbara Willer

TELEPHONE #: x5464

BLDG/ROOM #: 160/6

PERSON (S) MAKING PRESENTATION: Rey Espana

**ACTION REQUESTED:**

☐ INFORMATIONAL ONLY    ☐ POLICY DIRECTION    ☒ APPROVAL    ☐ OTHER

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

Approval of Notice of Intent to Apply for HHS Family Support Center Program grant to fund homeless family prevention services. This would be third year continuation funding for the current program funded through the Family Support Center Program.

**SIGNATURES REQUIRED:**

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

OR

DEPARTMENT MANAGER: Lalenz Poe mib

**ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES**

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

BOARD OF  
COUNTY COMMISSIONERS  
1995 APR -4 AM 9:49  
MULTNOMAH COUNTY  
OREGON



# MULTNOMAH COUNTY OREGON

COMMUNITY & FAMILY SERVICES DIVISION  
COMMUNITY ACTION PROGRAM OFFICE (503) 248-5464  
426 SW STARK, 6TH FLOOR  
PORTLAND, OREGON 97204  
FAX # (503) 248-3332

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

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

**TO:** Board of County Commissioners

**FROM:** Rey España, Manager *Rey España*  
Community Action Program Office

**VIA:** Lorenzo Poe, Director *Lorenzo Poe*  
Community and Family Services Division

**DATE:** March 31, 1995

**SUBJECT:** Notice of Intent to Apply for HHS Family Support Center Program

- 
- I. **Recommendation/Action Requested:** The Community and Family Services Division, Community Action Program Office, recommends that the Board of Commissioners approve the Notice of Intent to apply for funding under the Office of Community Services Family Support Center and Gateway Demonstration Programs. The program is funded by the U.S. Department of Health and Human Services (HHS). The grant period is for a one year continuation of funding for the current program funded through the Family Support Center Program the past two years. The grant, if awarded, will be for 12 months, starting October 1, 1995. Attached to this memorandum is a copy of the Request for Applications published on March 6, 1995.
  - II. **Background Analysis:** The goal of the application is for the continuation of funding for homeless family prevention services. The current program has developed system-wide changes to expand homeless family prevention services on the continuum of care for homeless families. This application would continue development and implementation of the system of care and services for families at risk of homelessness.
  - III. **Financial Impact:** The application will be for approximately \$200,000 for a 12-month period to pay for program coordination and community services. This grant will cover County indirect costs.
  - IV. **Legal Issues:** None known
  - V. **Controversial Issues:** None known

- 2
- VI. **Link to Current County Policies:** The application is consistent with the current Comprehensive Housing Affordability Strategy and is consistent with the forthcoming Consolidated Plan. The needs assessment for families with housing states, "Affordable, permanent housing is a primary need for many families." Support services are needed to attain and sustain permanent housing. This application focuses on support services to assist families to obtain and maintain permanent housing.
- VII. **Citizen Participation:** Program oversight is through the Community Action Commission which has citizen representation.
- VIII. **Other Government Participation:** The homeless prevention program is coordinated through the Community Action Program Office office in partnership with many non-profit community agencies, including the Housing Authority of Portland and Portland Housing Center, as well as subcontracting community service centers of the CAPO.

**Estimated Filing Timeline:** Grant proposals must be received by HHS, Office of Community Services, Washington D.C. by the close of business on April 20, 1995.

Monday  
March 6, 1995

Request for Applications

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Part IV

**Department of  
Health and Human  
Services**

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Office of Community Services

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**Request for Applications Under the Office  
of Community Services' FY 1995 Family  
Support Center and Gateway  
Demonstration Programs; Notice**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of Community Services

[Program Announcement No. OCS-95-07]

#### Request for Applications Under the Office of Community Services' FY 1995 Family Support Center and Gateway Demonstration Programs

**AGENCY:** Administration for Children and Families (ACF) DHHS.

**ACTION:** Announcement of availability of funds and request for applications under the Office of Community Services' FY 1995 Family Support Center and Gateway Demonstration Programs.

**SUMMARY:** The Office of Community Services (OCS) announces that competing applications will be accepted for Family Support Center and Gateway Demonstration projects authorized by the Stewart B. McKinney Homeless Assistance Act, as amended (P.L. 103-382). (See 42 U.S.C. 11481-11489.)

**CLOSING DATE:** The closing date for submission of applications is April 20, 1995.

#### FOR FURTHER INFORMATION CONTACT:

Sheldon Shalit, Program Officer, Administration for Children and Families, Office of Community Services, 370 L'Enfant Promenade SW., Washington, DC 20447, (202) 401-4807.

This Announcement is accessible on the OCS Electronic Bulletin Board for downloading through your computer modem by calling 1-800-627-8886. For assistance in accessing the Bulletin Board, *A Guide to Accessing and Downloading* is available from Ms. Minnie Landry at (202) 401-5309.

**SUPPLEMENTARY INFORMATION:** Under the Family Support Center Program, the Office of Community Services will make grants to eligible entities to pay for the cost of demonstration programs designed to prevent family homelessness through the provision of intensive and comprehensive supportive services to previously homeless individuals and families residing in subsidized public housing or those at risk of homelessness. Services to infants, children and youths shall be designed to enhance their physical, social and educational development and include an array of appropriate services that address the causes and deleterious effects of homelessness. Services to parents and other family members shall be designed to contribute to their child(ren)'s healthy development and to the acquisition of skills and resources

that can prevent homelessness and move the family toward self-sufficiency. All services provided shall be coordinated through the auspices of an organized case management program and include necessary and appropriate services that address the economic and housing needs of the "low-income and very low-income" client families.

Under the Gateway Demonstration Program, grants will be provided to local education agencies to provide on-site education, training and necessary support services to economically disadvantaged residents of public housing. Applicants, in consultation with the local public housing authorities and private industry councils, will design such demonstration programs to increase literacy levels and basic employment skills among residents of public housing developments.

Eligible applicant entities for the Family Support Center Demonstration Program are limited to State and local government agencies, Head Start agencies and any community-based organization of demonstrated effectiveness such as a Community Action Agency designated under section 210 of the Economic Opportunity Act of 1984 (42 U.S.C. 2790), public housing agencies as defined in section 3(b)(6) of the United States Housing Act of 1937 (42 U.S.C. 1437a(6)), State Housing Finance Agencies, local education agencies, an institution of higher education, a public hospital, a community development corporation, a private industry council as defined under section 102(a) of the Job Training Partnership Act (JTPA) (29 U.S.C. 1512(a)), a community health center, and any other public or private nonprofit organizations specializing in the provision of social services.

Eligible applicant entities for the Gateway Demonstration Program are limited to local education agencies in consultation with public housing authorities and private industry councils. Such programs will provide required services as outlined in Part III, Section B.

#### Availability of Funds and Grant Amounts

1. OCS is statutorily limited to funding no more than 25 Family Support Center Demonstration grants for a period not to exceed three years. Approximately \$7 million is available to support grant awards under this program announcement.

Under the Family Support Center Demonstration Program legislation, grants must be for a minimum amount of \$200,000 per year for a total of at least

\$600,000 for the maximum project period of three years, and the maximum grant support allowable for a three-year project period is \$2,000,000.

Pursuant to this Announcement, OCS plans to make up to approximately \$4.3 available to fund up to 14 new grants with three year project periods and budget periods of 17-months for not less than \$283,000 each and averaging approximately \$310,000 per grantee. Applications for continuation grants funded under these awards beyond the 17-month budget period but within the three year project period will be entertained in subsequent years on a non-competitive basis, subject to the availability of funds, satisfactory progress of the grantee, and determination that this would be in the best interest of the government.

OCS expects to make \$2,000,000 available to fund 10 competitive 12-month renewal grants. Current grantees completing their second year of Family Support Center Demonstration Programs are eligible to compete for renewal grants for a maximum of twelve additional months of support. This will allow these projects to complete a full three year program as a demonstration project.

2. OCS plans to fund 5 three-year Gateway Demonstration projects for a first-year budget period of up to \$125,000 each.

#### Part I: General Information—Family Support Center Demonstrations

##### A. Program Purpose

The Family Support Center Demonstration Program is an integral part of an HHS/HUD, White House and Interagency Council for the Homeless initiative to encourage and test integrated services delivery approaches to reducing homelessness among families with children. The purpose of this demonstration is to develop and operate Family Support Centers which can intervene to prevent family homelessness. The program supports the Family Support Center's efforts to coordinate and integrate its activities with State and local public and private agencies in providing improved assistance to this at-risk population. Using a coordinated case management approach, Family Support Centers should provide a comprehensive array of family oriented services to prevent initial occurrences of homelessness and to combat the effects of previous homelessness and to prevent its recurrence.

Family Support Centers, through the provision of a comprehensive array of supportive social services using



coordinated case management, should strive to enhance the physical, social, and educational development of low- and very low-income families, thereby increasing their chances of becoming self-sufficient. The intended beneficiaries of these services are families who are living in government-subsidized housing who were homeless or who are at risk of becoming homeless. (Families at risk of homelessness include those living in precarious housing situations, e.g., doubled up with another family; in unstable or inadequate housing; or those facing eviction or loss of housing.)

#### *B. Program Services*

The project awards will primarily allow for the development and establishment of a family support center that can arrange for and/or provide an array of comprehensive and intensive case-managed social services to those individuals and families who are living in government subsidized housing who were previously homeless or who are at risk of homelessness. Services to infants, children and youths shall be designed to enhance their physical, social and educational development and include an array of appropriate services that address the causes and deleterious effects of homelessness. Services to parents and other family members shall be designed to contribute to their child(ren)'s healthy development and to the achievement of skills and objectives that move the family toward self-sufficiency. All services provided shall be coordinated through the auspices of a family case management program and include necessary and appropriate services that address the economic and housing needs of the "low-income and very low-income" client families.

In the case of services provided to infants, children and youth, such services shall include, where appropriate, the following:

- Nutritional services
- Screening and referral services
- Child care services
- Early childhood development programs
- Early intervention services for children with, or at risk of developmental delays
- Dropout prevention services
- After school activities
- Job readiness and job training services
- Education (including basic skills and literacy services)
- Emergency services including special outreach services targeted to homeless and runaway youth
- Crisis intervention and counseling services

— Other services as necessary and appropriate

In the case of services provided to parents and other family members, services shall be designed to better enable parents and other family members to contribute to their child's healthy development and to the acquisition of skills and resources that can prevent homelessness and move the family toward self-sufficiency and shall include, where appropriate, the following:

- Substance abuse education
- Counseling
- Referral for treatment
- Crisis intervention
- Employment counseling and training
- Life-skills training, including personal financial counseling
- Education, including basic skills and literacy services
- Parenting classes
- Consumer homemaking
- Other services as necessary and appropriate

Family case management shall include the following:

- Needs assessment
- Support in accessing and maintaining appropriate public assistance and social services
- Referral and followup for substance abuse counseling and treatment
- Counseling and crisis intervention
- Family advocacy services
- Housing assistance activities
- Housing counseling
- Eviction or foreclosure prevention assistance
- Referral to sources of emergency rental or mortgage assistance payment
- Support in accessing home energy assistance
- Other services as appropriate

Centers may be part of an existing family oriented program for low and very low income, at risk families or a center organized specifically to provide services targeted at serving the previously homeless and/or at risk families in an identified community. Approaches are sought that emphasize a coordinated effort by a range of community-oriented entities that consolidate resources to the targeted population and which seek to replace a goal of maintenance with a goal of progression and transformation.

#### *C. Program Beneficiaries*

Projects proposed for funding under this announcement must directly benefit low-income and very low-income families with children residing in governmentally subsidized housing who were previously homeless or who are at risk of becoming homeless. The term

"low-income" when applied to families means one whose income does not exceed 80% of the median income for a family in the area, as determined by the Secretary of Housing and Urban Development, subject to his discretion to establish different ceilings based on area variations. The term "very low-income" when applied to families means one whose income does not exceed 50% of the median income for a family in the area, as determined by the Secretary of Housing and Urban Development, subject to his discretion to establish different ceilings based on area variations. (See Attachment A.)

#### *D. Eligible Applicants*

Eligible entities are State and local government agencies, Head Start agencies and any community-based organization of demonstrated effectiveness such as a Community Action Agency designated under section 210 of the Economic Opportunity Act of 1984 (42 U.S.C. 2790), public housing agencies as defined in section 3(b)(6) of the United States Housing Act of 1937 (42 U.S.C. 1437a(6)), State Housing Finance Agencies, local education agencies, an institution of higher education, a public hospital, a community development corporation, a private industry council as defined under section 102(a) of the Job Training Partnership Act (JTPA) (29 U.S.C. 1512(a)), a community health center, and any other public or private nonprofit organizations specializing in the provision of social services.

More than one eligible entity in a State may apply, but separate applications must be submitted.

Any non-profit organization submitting an application must submit proof of its non-profit status in its application at the time of submission. The non-profit agency can accomplish this by providing a copy of the currently valid IRS tax exemption certificate or by providing a copy of the applicant's Articles of Incorporation bearing the seal of the State in which the corporation or association is domiciled.

#### *E. Project Period*

This announcement is soliciting applications for project periods of up to three years. Awards, on a competitive basis, will be for an initial seventeen (17) month budget period, although project periods may be for three years. Applications for continuation grants funded under these awards beyond the initial 17-month budget period, but within the three-year project period, will be entertained in subsequent years on a non-competitive basis, subject to the availability of funds, satisfactory

progress of the grantee and determination that continued funding would be in the best interest of the government.

## **Part II: Guidelines for Family Support Center Demonstration Project Plans and Applications**

### **A. Grant Objectives**

The objectives of the grants funded under the Family Support Center Demonstration Program are: the enhancement of the living conditions of low and very low income families; the improvement of the physical, social and educational development of low and very low income children and families served by the program; the achievement of progress towards increased potential for independence and self-sufficiency among families served; the reduction in the rate of repeated incidences of homelessness among center clientele; and a decrease in the incidence of first time homelessness among community participants.

### **B. Project Design**

The Family Support Center Demonstration Program is intended to prevent the occurrence or recurrence of family homelessness by providing an intensive and comprehensive array of supportive and other services. This announcement prescribes no single model, however, for designing, staffing, or delivering the services of such a program. Its purpose is to stimulate eligible entities to demonstrate the effectiveness of innovative models or approaches which will offer value to both the client population selected and the social services providers in the community. It invites applicants to propose structures and mechanisms for delivering services that are unique to the community and the clientele that they serve, and to propose a program and an approach that replace the goal of client maintenance with one of transformation of families to a position of self-sufficiency.

The center should create a centralized point for the provision of these services and facilitate access to various service providers in the community. The center should provide active family case management and assist clients in maintaining a stable household and assist them in achieving self-sufficiency. Further, the center should assist in joining the case management functions offered by other service providers to render coordinated family case management. The center should tie together service providers in the community and organize a means to reduce duplication of effort in response

to their potentially or previously homeless clientele; and, to reduce the administrative and programmatic burdens that often are placed upon the client population.

To accomplish these goals, applicants are expected to have, in addition to the ability to provide a core of essential services, the capacity to coordinate, link and otherwise organize a cadre of existing providers and to propose a program and an approach that replace the goal of client maintenance with one of transformation to self-sufficiency. A Family Support Center Demonstration program should also include coordination and linkage with existing Federal, State and locally sponsored social services and housing programs such as the Community Services Block Grant (CSBG), AFDC/JOBS program and the varied programs of the Departments of Housing and Urban Development, Labor, and Education.

Each Family Support Center Demonstration Program applicant is required to exhibit the following:

- the capacity to administer a comprehensive support services program directed toward an identified target population;
- the geographic proximity of the facility to the families to be served or the ability to provide mobile or offsite services;
- the ability to coordinate and integrate its activities with State and local public agencies (such as agencies responsible for education, employment and training, health and mental health services, substance abuse services, social services, child care, nutrition, income assistance, housing and energy assistance, and other relevant services), with public or private non-profit agencies and organizations that have a demonstrated record of effectiveness in providing assistance to homeless and at risk families, and with appropriate non-profit private organizations involved in the delivery of eligible support services;
- the fiscal and administrative capacities to conduct a complex, comprehensive and intensive service delivery program;
- the involvement of project participants and community representatives in the planning and operation of the program;
- the utilization and proximity of available comparable Community Action Agency services, unless the applicant is the CAA and intends to expand its existing services;
- the provision of coordinated family case management services which

- direct all respective case management activities through a team approach;
- use of not more than 7 percent of their grant award to improve the retention and effectiveness of staff and volunteers;
- the participation in an ongoing evaluation mechanism to address process and outcome issues as they relate to the efficacy and efficiency of the demonstration program; and
- the establishment and provision of necessary staff to support an advisory body representing the community, providers and target population. The advisory council must include a participant of the program as an active member.

The operating and organizational structure of the program should include a range of agreements with community services providers that responds to the assessed needs of the client populations. These agreements are essential to the success of the project. The program seeks to attract prospective grantees with written agreements either in place at the time of application or able to be in place within 60 days of the grant award. This is to assure an accelerated provision of services to the clients. In those cases where additional services are to be added to existing service patterns, the grantee will provide timetables for the inclusion of these added services. Prospective grantees will have a combination of existing and potential agreements and affiliations for services. It is recommended that the program include affiliations with entities that support and enlarge its service providing role. This may include affiliations with the academic community, such as schools of social work, that may provide a source of staff resources, student/intern placements and a site for scholastic investigation, evaluation and research.

Most importantly, applicants must be closely identified with and located within circumscribed geographical boundaries that coincide with the location and residences of the target population. This catchment area concept should be reflected in the physical location of the project which should be readily accessible to the target population. This in no way limits the possible configurations for project locus. Instead, it permits a range of possibilities that is consistent with the residential pattern of the target population. While the project is most likely to be physically located in or near the place(s) where its target population lives, it is conceivable that its administrative functions may be off-site or co-located with parent agencies.

The activities funded under this program announcement must be in addition to, and not in substitution for, activities previously carried on without Federal assistance. Also, funds or other resources currently devoted to activities designed to meet the needs of the poor within a community, area, or State must not be reduced.

A percentage of non-Federal share, either in cash and/or in-kind contributions, secured from non-Federal sources is not required. The lack of a requirement is not intended in any way to discourage the use of applicant or third party financial and resource support. Although there is not a specific non-Federal percentage requirement for grants awarded under this announcement, the amount pledged will be given additional weight during the evaluation process. Therefore, the applicant should ensure any amount proposed as match prior to inclusion in its budget. If approved for funding, grantees will be held accountable for commitments of non-Federal resources and failure to provide the required amount will result in a disallowance of unmatched Federal Funds. Further, it should be noted that as the project matures over the project life, there is an implicit encouragement of the assumption of costs of the project by the applicant and the constituent community participants.

#### *C. Grantee Assurances*

The applicant is required by statute to provide within its application the following:

1. Assurances that grant funds will be used to create new services only to the extent that no other funds can be obtained to fulfill the purpose, as required by 42 U.S.C. 11482(e)(2)(F);

2. A description of the program's relationship to various State and local agencies, as required by 42 U.S.C. 11482(e)(2)(G);

3. An explanation of the methods which the grantee will employ to ensure that no more than 7% of the grant funds awarded will be used to improve the retention and effectiveness of staff and volunteers, as required by 42 U.S.C. 11482(e)(2)(I);

4. Assurances that the grantee will establish an advisory council group of not more than 15 members to provide policy and programming guidance which will meet the representational requirements of 42 U.S.C. 11482(e)(2)(J). Representation includes the following:

- participants in the programs, including parents;
- representatives of local private industry;

- individuals with expertise in the services the program intends to offer;
- representatives of the community in which the program will be located;
- representatives of local government social service providers;
- representatives of local law enforcement agencies;
- representatives of the local public housing agency, where appropriate; and
- representatives of local education providers.

5. Assurances that any fees assessed by the grantee for program services will be nominal in relation to the financial situation of the recipient of such services, as required by 42 U.S.C. 11482(e)(2)(M); and

6. Assurance that grant funds will not be used to supplant Federal, State and local funds currently expended to provide program services, as required by 42 U.S.C. 11482(e)(2)(N).

#### *D. Project Evaluation*

The Department expects to contract for an independent evaluation of the programs and entities that receive assistance under this announcement. The anticipated evaluation shall examine, at a minimum, the fulfillment of program objectives. Additionally, for children and families served, the project evaluation will also include the following:

1. The enhancement of the living conditions of low and very low income families in housing and in neighborhoods;

2. The improvement of physical, social and educational development;

3. The achievement of progress towards increased potential for independence and self-sufficiency; and,

4. The degree to which the provision of services is affected by caseload size.

Grantees are expected to cooperate with Federal evaluation contractor(s) that will be funded by the Department. Evaluation contractors will conduct assessments of program and service delivery models. Such cooperation will involve initially, reaching agreement with the contractors on the collection and retention of data which will be needed for the evaluation, and thereafter periodically furnishing needed process and outcome oriented data as required and allowing them access to information that has not otherwise been provided by the grantee.

Grantees are expected to maintain sufficient resources to fulfill required data obligations and to respond to demands for information that is to be compiled for national evaluation and reporting purposes.

#### *E. Grant Applications*

Applicants should develop their applications so as to address the following factors and elements:

##### *Responsiveness to Community Need*

Applicants should identify the population to be served by the project and should describe how previously homeless and at-risk families within this community will be chosen for enrollment. They should provide demographic data to show that there are sufficient numbers of eligible low- and very low-income families residing in the designated area. The application should include a credible plan for enrolling a sufficient number of these families in the project to warrant project investment. Applicants should also demonstrate that the services they intend to provide are responsive both to the assessed needs of the population to be served and the purposes of this announcement.

##### *Project Strategy*

Applicants should persuasively explain their project strategy—how it will achieve the homelessness prevention goals of this program with the community to be served. The distinctive features of the service approach to be demonstrated should be emphasized, rather than an exhaustive description of all the individual service activities to be undertaken. As an integral part of this discussion, they should define the meaning of success for their project and describe the conditions that they expect to see exist at the conclusion of the project period. Applicants should also identify and briefly describe the kinds of results they will be seeking and the key measures of performance and accomplishment that management will be using to monitor and manage the initiative to a successful conclusion, using time-based graphics if appropriate.

##### *Project Services and Delivery Arrangements*

Applicants should identify the different services they will offer to achieve project goals and should describe where and how they will be provided. They should also describe the role and contribution of project partners, such as referral sources and agencies with which services will be coordinated. Both on-budget and no-cost partners should be identified and explained; the applicant should differentiate between those services to be provided with Federal funds and those [to be] committed to the project from other funding sources. Partnering applicants should furnish relevant

agreements, letters of commitment, and information about prior experience with these partners with their applications, indicating which services will be affected and the levels of service (availability and cost) that will be provided to project participants from these provider organizations.

#### **Applicant Capabilities and Management Qualifications**

Applicants should present, through relevant information about their personnel and their experience, their qualifications for undertaking a demonstration program of the type proposed. They should identify proposed project leadership, submit the resumes of relevant education and experience, and describe the previous success of the team or of its key members with strengthening families and their housing arrangements through the delivery and coordination of quality family support services. They should also address the experience of project leadership—especially the individual accountable for effective service delivery to the selected clientele—in coordinating other agencies and project participants over whom he/she has influence but not control. The roles and commitments of the key people in the project should be defined.

#### **Project Plans (Budgets) and Schedules**

Applicants should detail the implementation plan and schedule for the project, using time-based displays as appropriate. The early months of the schedule should detail service-building and/or service redirecting activities, with major project milestones such as training capacities established, cooperative services open for use, and apprenticeship relationships created. Later entries should indicate when various kinds of project outcomes will begin to be realized in the lives of the community being served. The budget for the project should be correlated with this timeline, showing approximately when budget resources (including non-Federal) will be available and how they will be used to conduct project activity.

#### **Project Reporting**

Provide in descriptive terms, the manner in which required reports are to be assembled along with the identification of data sources. The application should identify and describe the mechanisms that will be instituted and the commitment of specific resources that will address the requisite evaluation activities, including commitment to meet information requirements. This would necessarily include the reliance on a useful

information management system that is capable of producing program outcome data and responding to needs of a national evaluation study.

Renewal applications should, with regard to future program operations, include the basic information required above. In addition, renewal applications should also include a description of the program's previous 12 months of operation in sufficient detail that it can be reviewed against the project evaluation criteria found in Part IV of this document.

### **Part III: Description of the Gateway Demonstration Program**

#### **A. Program Purpose**

This demonstration program will provide grant funds to local education agencies, in consultation with the local public housing authority and private industry council, to provide on-site education, training and necessary support services to economically disadvantaged residents of public housing who have encountered barriers to employment because of basic skills deficiencies.

#### **B. Program Services and Requirements**

The project awards will primarily allow for the development, establishment and operation of an education, training and support services program, at a minimum, consisting of the following mandatory services:

- Outreach and information services designed to make eligible individuals aware of available services;
- Literacy and bilingual education services, where appropriate and necessary;
- Remedial education and basic skills training;
- Employment training and personal management skill development or referrals for such services; and
- Child care or dependent care for dependents of eligible individuals during those times, including afternoons and evenings, when training services are being provided. (To the extent practicable, child care services shall be designed to employ public housing residents after appropriate training.)

Program may provide the following optional services:

- Pre-employment skills training;
- Employment counseling and application assistance;
- Job development services;
- Federal employment-related activity services;
- Completion of high school or GED program services;
- Transitional assistance, including child care for up to 6 months to

enable such individual to successfully secure unsubsidized employment:

- Substance abuse prevention and education; and,
- Other appropriate support services.

#### **C. Program Beneficiaries**

Projects proposed for funding under this portion of the announcement must directly target training and services to individuals who reside in public housing; are economically disadvantaged; and have encountered barriers to employment because of basic skills deficiency including not having a high school diploma, GED, or the equivalent. The grantee shall give priority to single heads of households with young dependent children.

#### **D. Evaluation**

The Department expects to contract for an independent evaluation of the programs and entities that receive assistance under this program. The anticipated evaluation shall examine, at a minimum, with respect to the fulfillment of program objectives for families with children residing in public housing, the ability of the Gateway Program to promote increases in literacy levels and basic employment skills and the securing of jobs.

Grantees are expected to cooperate with Federal evaluation contractor(s) that will be funded by the Department. Evaluation contractors will conduct assessments of program and service delivery models. Such cooperation will involve periodically furnishing needed process and outcome oriented data as required by the contractors and allowing them access to information that has not otherwise been provided by the grantee.

Grantees are expected to maintain sufficient resources to fulfill required data obligations and to respond to requests for information that is to be compiled for national evaluation and reporting.

#### **E. Eligible Applicants**

Eligible entities are local education agencies.

#### **F. Project Period**

This announcement is soliciting applications for project periods up to three years. Awards, on a competitive basis, will be for a seventeen (17) month budget period, although project periods may be for three years. Applications for continuation grants funded under these awards beyond the 17-month budget period, but within the three year project period, will be entertained in subsequent years on a non-competitive basis, subject to the availability of funds, satisfactory progress of the

grantee and determination that this would be in the best interest of the government.

#### G. Requirements

The applicant shall demonstrate that training and ancillary support services will be accessed through existing program providers to the extent that they are located in the immediate vicinity of the public housing development, or they will contract with such providers for on-site service delivery. The applicant shall warrant that funds provided under this program will be utilized to purchase such services only to the extent that no other funds can be obtained to fulfill the purpose of this demonstration.

The local public housing agency shall agree to make available suitable facilities in the public housing development for the provision of education, training and support services.

The applicant shall detail the process by which the recipients of services will be recruited with the assistance of the public housing authority and how they will be determined to be eligible individuals.

The applicant shall demonstrate the ability to coordinate the services provided with other services provided, with the public housing development and private industry council as well as with other public and private agencies and organizations of demonstrated effectiveness providing similar and ancillary services to the target population.

The applicant, to the fullest extent practicable, shall set forth the manner in which it will attempt to employ residents of the public housing development whenever qualified residents are available.

#### Part IV: Criteria for Review and Evaluation of Applications for New Family Support Center and Gateway Demonstration Programs

Applications for both programs will be reviewed and evaluated to assess the applicant's ability to carry out the projects described under Part II and III of this announcement, using the following criteria and weights:

##### A. Understanding of Program Purposes and Community Needs (10 points)

###### 1. Understanding of Program Purposes (0-5 points)

The extent to which the application reflects a good understanding of the purpose(s) of the program, including the problems, barriers and impediments that prevent the efficient and effective

delivery of an array of intensive and comprehensive services. For the Family Support Center Program, the purpose is to stabilize previously homeless and at-risk families and prevent them experiencing initial or recurring episodes of homelessness. For the Gateway Program, the purpose is to provide education, training and necessary support services to economically disadvantaged residents of public housing who have encountered barriers to employment because of basic skills deficiencies.

###### 2. Understanding of Client, Community, and Service System Needs (0-5 points)

The degree to which the application presents the appropriate and pertinent demographic, social and personal data describing the needs of the client populations to be served. Specifically, the Family Support Center application should identify the extent of family homelessness and the numbers of families in the project's community who are at risk of becoming homeless. For both programs, community data should reflect the resources and the lack of services or programs to address the target population needs. Service system needs should reveal the extent to which there is potential for short to intermediate range solutions to organizational and systemic problems that affect the target populations.

##### B. Quality of Project Plan (40 points)

###### 1. Degree of Innovativeness (0-10 points)

Application should articulate creative and otherwise original approaches and ways to achieve project objectives; application describes unique features of the project, such as design or technological innovations, reductions in cost or time, or extraordinary client and community involvements. The application uses original and enterprising means to identify, target, reach and serve children and families using creative and innovative configurations of mainstream and other programs in the community.

###### 2. Soundness and Clarity of Project Approach/Strategy (0-15 points)

The soundness and feasibility of the project approach to achieve specified goals and objectives and response to client, community and system needs. The extent to which the application outlines a sound and workable plan of action and details how the proposed work will be accomplished and gives acceptable reasons for taking one approach as opposed to others. The inclusion of plans and actions to

accomplish service coordination and delivery.

###### 3. Appropriateness and Specificity of Project Goals (0-5 points)

The enumeration of clearly articulated goals and corresponding objectives addressing the problems. These should be listed in a sequential and integrated fashion tied to program purposes and client needs. For the Family Support Center, this must include the reduction of family homelessness through prevention measures. For Gateway, this must include education and training to prepare participants for employment.

###### 4. Appropriateness of Performance and Impact Measures Selected (0-5 points)

Application lists the activities along with anticipated steps to be carried out in a programmatic and chronological order. Application includes a feasible schedule of target dates and accomplishments, in sufficient detail, for the first seventeen months and more generally for the remaining project period up to 36 months.

Application identifies measurable expected results for participating children and families.

###### 5. Cost Effectiveness (0-5 points)

The extent to which the project's financial costs are reasonable in view of the activities to be carried out and their forecasted outcomes. Applications should address cost expenditures *vis a vis* anticipated project related benefits.

##### C. Capacity (20 points)

###### 1. Staff Background and Experience (0-10 points)

The extent to which the résumés of the program director and key project staff (including names, addresses, training, background and other qualifying experience) demonstrate the ability to effectively and efficiently administer and/or operate within a project of this size, complexity and scope. Staff background and experience should also exhibit clearly the ability of proposed staff to use and coordinate activities with other agencies for the delivery of intensive and comprehensive support services. In the event that new hires or positions are involved, application should include position descriptions and demonstrate the ability to bring available human resources quickly on line with the project.

###### 2. Organization (0-10 points)

Organizational resources that can be utilized within this project, including applicant facilities and physical resources such as existing office and

client services space. The resources capacity of the organization may also include the attributes of the applicant entity to attract cooperating community and other agency resources such as outside means, properties and assets to participate in the program. Application also includes information confirming the organization's administrative and management capabilities and its appropriate location within the organizational structure to support the successful operation of this project.

#### *D. Coordination (15 points)*

##### **1. Consortia or Project Partnerships (0-5 points)**

Application demonstrates breadth and depth in the strength of the consortia involved in the project. Application describes project coordination and linkages with organizations, agencies, and key groups as well as the activities and nature of their effort or contribution. Partnerships established with various private (e.g. foundations, volunteer efforts) and key public programs are included.

##### **2. Committed Resources (0-5 points)**

Application identifies current and/or anticipated commitments indicating kinds of service along with specific level of efforts from cooperating service-providing organizations or agencies.

##### **3. Linkages (0-5 points)**

Confirmation of linkages established with other local systems-oriented or integration initiatives.

#### *E. Monitoring and Evaluation (15 points)*

##### **1. Reports and Monitoring (0-5 points)**

Application should include information reflecting the entity's ability to conform to required schedule of program and administrative reports and to maintain controls through an organized monitoring effort.

##### **2. Evaluation Activities (0-10 points)**

Application should contain information outlining the entity's ability and willingness to participate in ongoing evaluation mechanisms and the capacity to provide required process and outcome oriented data. For the Family Support Center program, these data requirements will support identification and evaluation of grantee objectives, namely, the enhancement of the living conditions of low and very low income families; the improvement of the physical, social and educational development of low and very low income children and families served by the program; the achievement of

progress towards increased potential for independence and self-sufficiency among families served; the reduction in the rate of repeated incidences of homelessness among center clientele and a decrease in the incidence of first time homelessness among community participants.

For Gateway programs, these data requirements will support identification and evaluation of grantee objectives, namely, the removal of barriers to employment because of basic skills deficiencies and the preparation for employment and securing of jobs.

#### **Part V: Criteria for Review and Evaluation of Applications for Family Support Center Demonstration Renewal Projects—Only**

Applications for renewals will be reviewed and evaluated to assess the applicant's ability to carry out the projects described under Part II of this announcement, using the following criteria and weights:

##### *A. Understanding of Program Purposes and Community Needs (0-25 points)*

The application has briefly restated the key elements of the initial grant's approved work plan, including the problems, barriers and impediments that have prevented the effective delivery of intensive and comprehensive services to homeless and at risk families. In describing the initial plan the applicant has included pertinent demographic, social and personal data describing the needs of the client population to be served, and the ability of the community to respond to such needs.

##### *B. Quality of Project Plan (0-40 points)*

The application provides sufficient evidence of positive outcomes demonstrating that initial project design, approach and implementation strategies are effective in responding to client and community homeless prevention needs. The information is sufficient to identify and evaluate grantee accomplishments, namely, the enhancement of the living conditions of low and very low income families; the improvement of the physical, social and educational development of low and very low income children and families served by the program; the achievement of progress towards increased potential for independence and self-sufficiency among families served; the degree to which the provision of services is affected by caseload size; the reduction in the rate of repeated incidences of homelessness among center clientele; and a decrease in the incidences of first

time homelessness among community participants.

##### *C. Institutional and Community Coordination (0-15 points)*

The applicant shows that there has been a continuing involvement among the community service partners and an increased coordination in service delivery programs as a result of its initial grant. Partnerships established with various private (e.g. foundations, volunteer efforts) and key public programs are included.

The application reflects how the initial period of the grant has had a positive impact toward strengthening the community socio-economic infrastructure, and toward achieving greater access to community resources and/or greater integration of available social service delivery systems while preventing family homelessness.

##### *D. Cost Effectiveness (0-10 points)*

The extent to which the project's financial costs are reasonable in view of accomplishments and forecasted outcomes. Application should address cost expenditures *vis a vis* project benefits to date and anticipate project related benefits.

##### *E. Evaluation Significance (0-10 points)*

- The applicant has demonstrated that a longer project operational period is needed to assure program results that will have greater significance.
- The applicant has documented that the renewal of its project will result in more substantial progress toward self-sufficiency of the targeted client population.
- The applicant has demonstrated that a renewal of the grant will result in a more valid and useful project including what the anticipated contributions to policy, practice, and program evaluation will be.

#### **Part VI: Application Procedures**

##### *A. Availability of Forms*

This announcement with attachments contains standard forms necessary to apply for awards under this program. The forms may be reproduced for use in submitting applications. Copies of the **Federal Register** containing this Announcement are available at most local libraries and Congressional District Offices for reproduction. If copies are not available at these sources, they may be obtained by writing or telephoning the office listed in the section entitled "For Further Information" at the beginning of this Announcement or through the OCS Electronic Bulletin Board.



Agencies and organizations interested in applying for demonstration grant funds should submit an application on the Standard Form 424, 424A and 424B included in this announcement.

Each Form 424 must be signed by an individual authorized to act on behalf of the applicant agency and to assume responsibility for the obligations imposed by the terms and conditions of the grant award. Applications must be prepared in accordance with the guidance provided in this announcement and the instructions in the attached applications package.

The applicant must be aware that in signing and submitting the application for this award, it is certifying that it will comply with the Federal requirements concerning the drug-free workplace and debarment regulations set forth in Attachments E and F.

#### *B. Application Submission*

1. *Deadlines.* Applications shall be considered as meeting the deadline if they are either:

a. Received on or before the deadline date at the Department of Health and Human Services, Administration for Children and Families, Division of Discretionary Grants, 370 L'Enfant Promenade, S.W., 6th Floor, Washington, D.C. 20447, or

b. Sent on or before the deadline date and received by ACF in time for the independent review. (Applicants are cautioned to request a legibly dated U.S. Postal Service postmark or to obtain a legibly dated receipt from a commercial carrier or the U.S. Postal Service. Private metered postmarks are not accepted as proof of timely mailing.)

2. *Applications submitted by other means.* Applications which are submitted in accordance with the above criteria shall be considered as meeting the deadline only if they are physically received before the close of business on or before the deadline date. Hand delivered applications are accepted during the normal working hours of 8:00 a.m. to 4:30 p.m., Monday through Friday, on or prior to the established closing date at: The Administration for Children and Families, Division of Discretionary Grants, 6th Floor, ACF Guard Station, 901 D Street, S.W., Washington, D.C. 20447.

3. *Late Applications.* Applications which do not meet one of these criteria are considered late applications. The ACF Division of Discretionary Grants will notify each late applicant that its application will not be considered in this competition.

4. *Extension of Deadline.* The ACF may extend the deadline for all applicants because of acts of God such

as floods, hurricanes, etc. or when there is a disruption of the mails. However, if the granting agency does not extend the deadline for all applicants, it may not waive or extend the deadline for any applicant. Applications once submitted are considered final and no additional materials will be accepted.

One signed original application and two copies are required.

*Note:* Applicants should note that the U.S. Postal Service does not uniformly provide a dated post mark. Before relying on this method, applicants should check with their local post office. In some instances packages presented for mailing after a pre-determined time are postmarked with the next day's date. In other cases, postmarks are not routinely placed on packages. Applicants are cautioned to verify that there is a date on the package, and that it is the correct date of mailing, before accepting a receipt. Private metered postmarks are not acceptable as proof of timely mailing.

Applications which have a postmark later than the closing date, or which are hand-delivered after the closing date, will be returned to the sender without consideration in the competition.

#### *C. Application Consideration*

All applications that meet the published deadline for submission will be screened to determine completeness and conformity to the requirements of this announcement. Applications meeting the above screening requirements will be reviewed competitively and scored against the criteria outlined in Part IV or Part V of this announcement. The review will be conducted in Washington, D.C. Such applications will be referred to reviewers knowledgeable about programs dealing with housing, homelessness, education, community action and supportive services. Reviewers will provide a numerical score and explanatory comments based solely on responsiveness to the specific criteria published in this announcement. Reviewers' scores will weigh heavily in funding decisions but may not be the only factor considered. Applications generally will be considered in order of the average scores assigned by reviewers. However, highly ranked applications are not guaranteed funding as other factors are considered, including: comments of reviewers and government officials; staff evaluation and input; geographic distribution; previous program performance of applicants; compliance with grant terms under previous DHHS grants; audit reports; investigative reports; and applicant's progress in resolving any final audit disallowances on previous OCS or other Federal agency grants.

OCS reserves the right to discuss applications with other Federal or non-Federal funding sources to ascertain the applicant's performance record.

The results of the competitive review will assist the Director of the Office of Community Services, in considering competing applications. Consideration will be given to ensuring that a variety of geographic areas are served, that projects with different auspices are selected and that various project designs and models are represented.

#### *D. Intergovernmental Review*

This program is covered under Executive Order 12372, Intergovernmental Review of Federal Programs, and 45 CFR Part 100, Intergovernmental Review of Department of Health and Human Services Programs and Activities. Under the Order, States may design their own processes for reviewing and commenting on proposed Federal assistance under covered programs.

All States and Territories except Alabama, Alaska, Colorado, Connecticut, Hawaii, Idaho, Kansas, Louisiana, Minnesota, Montana, Nebraska, Oklahoma, Oregon, Pennsylvania, South Dakota, Virginia, Washington, American Samoa and Palau have elected to participate in the Executive Order process and have established Single Points of Contact (SPOCs). Applicants from these nineteen jurisdictions need take no action regarding E.O. 12372. Applicants for projects to be administered by Federally-recognized Indian Tribes are also exempt from the requirements of E.O. 12372. Applicants must submit any required material to the SPOCs as soon as possible so that the program office can obtain and review SPOC comments as part of the award process. It is imperative that the applicant submit all required materials, if any, to the SPOC and indicate the date of this submittal (or the date of contact if no submittal is required) on the Standard Form 424, item 16a.

Under 45 CFR 100.8(a)(2), a SPOC has 60 days from the application deadline date to comment on proposed new or competing continuation awards.

SPOCs are encouraged to eliminate the submission of routine endorsements as official recommendations. Additionally, SPOCs are requested to clearly differentiate between mere advisory comments and those official State process recommendations which they intend to trigger the "accommodate or explain" rule.

When comments are submitted directly to ACF, they should be addressed to: Department of Health and

Human Services, Administration for Children and Families, Division of Discretionary Grants, 370 L'Enfant Promenade, S.W., 6th Floor, Washington, D.C. 20447.

A list of the Single Points of Contact for each State and Territory is included as Attachment G of this announcement.

#### Part VII: Instructions for Completing Applications

(Approved by the Office of Management and Budget under Control Number 0970-0062)

The standard forms attached to this announcement shall be used when submitting applications for all funds under this announcement. It is suggested that you reproduce single-sided copies of the SF-424 and SF-424A, and type your application on the copies. If an item on the SF-424 cannot be answered or does not appear to be related or relevant to the assistance requested, write "NA" for "Not Applicable". If your submission on an item needs further explanation or is not directly responsive to the item requested, please explain or provide commentary in Item Number 23. This item may be extended by use of an additional sheet of paper, appropriately identified.

Prepare your application in accordance with instructions provided on the forms as well as with the OCS specific instructions set forth below:

#### A. SF-424—"Application for Federal Assistance" (see Attachment B)

Item 1. For the purposes of this announcement, all projects are considered "Applications"; there are no "Pre-Applications" and no Construction projects. Accordingly, check the "Non-Construction" box.

Item 2. "Date Submitted" and "Applicant Identifier"—Date application is submitted to ACF and applicant's own internal control number, if applicable.

Item 3. "Date received by State"—N/A.

Item 4. "Date received by Federal Agency"—Leave blank.

Item 5 and 6. The legal name of the applicant must match that listed as corresponding to the Employer Identification Number. Where the applicant is a previous Department of Health and Human Services grantee, enter the Central Registry System Employee Identification Number (CRS/EIN) and the Payment Identifying Number, if one has been assigned, in the Block entitled "Federal Identifier" located at the top right hand corner of the form.

Item 7. Mark the appropriate box. If the applicant is a non-profit corporation, enter "N" in the box and specify "non-profit corporation" in the space marked "other". Proof of non-profit status, such as IRS determination or Articles of Incorporation, must be included as an appendix to the project narrative.

Item 8. "Type of Application"—Please indicate the type of application (New or New-Renewal).

Item 9. "Name of Federal Agency"—Enter DHHS-ACF/OCS.

Item 10. The Catalog of Federal Domestic Assistance Number for OCS programs covered under this announcement is 93.578. The title is "Family Support Center and Gateway Demonstration Program".

Item 11. "Descriptive Title of Applicant's Project"—Enter the project title (a brief descriptive title) and the following letter designations must be used:

ZC—Family Support Center  
ZR—Family Support Center Renewals  
ZG—Gateway Demonstration

Item 12. "Areas Affected by Project"—List only the largest unit or units affected, such as State, county or city.

Item 13. "Proposed Project"—Enter the desirable starting date for the project and the proposed completion date. Projects may not exceed the maximum duration specified.

Item 14. "Congressional District of Applicant/Project"—Enter the number of the Congressional District where the applicant's principal office is located and the number(s) of the Congressional district(s) where the project will be located.

Item 15a. This amount should be no greater than the amount specified under the Section on *Availability of Funds and Grant Amounts*.

#### B. SF-424A—"Budget Information-Non-Construction Programs"

(See Attachment C)

See Instructions accompanying this form as well as the instructions set forth below:

Sections A, B, C, and D should reflect budget estimates for the first year of the project. Section E should present the estimates for Federal assistance for the second year of the project. Grant awardees will be required to submit a "continuation application" for the second year of the project.

In completing these sections, the "Federal Funds" budget entries should separately identify all Federal funds involved in the project, "Non-Federal" will include mobilized funds from all

other sources—applicant, State, and other.

#### Section A—Budget Summary

Line 1: Column (a): Enter "Family Support Center/Gateway Demonstration Program"; Column (b): Enter 93.578 Columns (c) and (d): Not Applicable for new applications. Columns (e), (f) and (g): enter the appropriate amounts needed to support the project for the first budget period.

Lines 2-4: Enter same information as above for any other Federal funds proposed to be used in the project. (Please explain status of funds; e.g., approved or requested, etc.)

#### Section B—Budget Categories

Allocability of costs are governed by applicable cost principles set forth in OMB Circular A-122 and 45 CFR Part 74 (non-governmental) and OMB Circular A-7 and 45 CFR Part 92 (governmental). Budget estimates for all costs must be supported by adequate detail for the grants officer to perform a cost analysis and review. Adequately detailed calculations for each budget object class are those which reflect estimation methods, quantities, unit costs, salaries, and other similar quantitative detail sufficient for the calculations to be duplicated. For any additional object class categories included under the object class "other" identify the additional object class(es) and provide supporting calculations.

Supporting narratives and justifications are required for each budget category, with emphasis on unique/special initiatives; large dollar amounts; local, regional, or other travels; new positions; major equipment purchases and training programs.

A detailed itemized budget with a separate budget justification for each major item should be included, as indicated below.

Personnel-Line 6a. Enter the estimated total costs of salaries and wages.

*Justification:* Identify the principal investigator or project director, if known. Specify by title or name the percentage of time allocated the project, the individual annual salaries, and the cost to the project of the organization's staff who will be working on the project. Do not include costs of consultants or personnel costs of delegate agencies or of specific project(s) or businesses to be financed by the applicant.

Fringe Benefits-Line 6b: Enter the estimated total costs of fringe benefits unless treated as part of an approved indirect cost rate which is entered on line 6j.



**Justification:** Provide a breakdown of amounts and percentages that comprise fringe benefit costs, such as health insurance, FICA, retirement insurance, taxes, etc.

**Travel-Line 6c:** Enter total costs of all travel by employees of the project. Do not enter costs for consultant's travel.

**Justification:** Include the total number of traveler(s), total number of trips, destinations, number of days, transportation costs and subsistence allowances. Except for Family Support Center renewal applications, travel costs to attend one national workshop in Washington, D.C. by the project director should be included.

**Equipment-Line 6d:** Enter the estimated total costs of all tangible, non-expendable personal property to be acquired by the project. Tangible, non-expendable personal property is that which has a useful life of more than one year and an acquisition cost of \$5,000 or more per unit.

**Justification:** Only equipment required to conduct the project may be purchased with Federal funds. The applicant organization or its subgrantees must not have such equipment, or a reasonable facsimile, available for use in the project. The justification also must contain plans for future use or disposal of the equipment after the project ends. An applicant may use its own definition of non-expendable personal property, provided that such a definition would at least include all tangible personal property as defined above. (See Line 21 for additional requirements).

**Supplies-Line 6e:** Enter the total costs of all tangible personal property (supplies) other than that included on line 6d.

**Justification:** Specify general categories of supplies and their costs.

**Contractual-Line 6f:** Enter the total costs of all contracts: (1) procurement contracts (except those which belong on other lines such as equipment, supplies, etc.) and (2) contracts with secondary recipient organizations including delegate agencies and specific project(s) or businesses to be financed by the applicant.

**Justification:** If available at the time of application, attach a list of contractors, indicating the names of the organizations, the purposes of the contracts, the estimated dollar amounts, and selection process of the awards as part of the budget justification. Also provide back-up documentation identifying the name of contractor, purpose of contract, and major cost elements.

**Note:** Whenever the applicant/grantee intends to delegate part of the program to

another agency, thus entering into an interagency agreement, the applicant/grantee must submit Sections A and B of this Form SF-24A, completed for each delegate agency by agency title, along with the required supporting information referenced in the applicable instructions. The total costs of all such agencies will be part of the amount shown on Line 6f. Free and open competition is encouraged for any procurement activities planned using ACF grant funds. Prior approval is required when applicants anticipate procurements that will exceed \$25,000 are requesting an award without competition.

The applicant's procurement procedures should outline the type of advertisement appropriate to the nature and anticipated value of the contract to be awarded. Advertisements are typically made in city, regional and local newspapers; trade journals; and/or through announcements by professional associations.

**Construction-Line 6g:** New construction costs are not permitted under this program. This line may be used for renovation costs.

**Other-Line 6h:** Enter the estimated total of all other costs. Such costs, where applicable, may include, but are not limited to, insurance, food, medical and dental costs (noncontractual), space and equipment rentals, printing and publication, computer use, training costs including tuition, training service costs including wage payments to individuals and supportive service payments, and staff development costs.

**Indirect Charges-Line 6j:** Enter the total amount of indirect costs. This line generally should be used only when the applicant currently has an indirect cost rate approved by the Department of Health and Human Services or other Federal agency. With the exception of local governments, applicants should enclose a copy of a current rate agreement negotiated with a Federal agency other than the Department of Health and Human Services. If the applicant organization is renegotiating a rate, it should immediately upon notification that an award will be made, develop a tentative indirect cost rate proposal based on its most recently completed fiscal year in accordance with the principles set forth in the pertinent DHHS Guide for Establishing Indirect Cost Rates, and submit it to the appropriate DHHS Regional Office.

It should be noted that when an indirect cost rate is requested, those costs included in the indirect cost pool should not be also charged as direct costs to the grant.

**Total-Line 6k:** Enter total amounts of lines 6i and 6j.

**Program Income-Line 7:** Enter the estimated amount of income, if any,

expected to be generated from this project. Separately show expected program income generated from OCS support and income generated from other mobilized funds. Do not add or subtract this amount from the budget total. Show the nature and source of income in the program narrative statement.

**Justification:** Describe the nature, source and anticipated use of program income in the Program Narrative Statement.

#### Section C—Non-Federal Resources

This section is to record the amounts of "non-Federal" resources that will be used to support the project. Provide a brief explanation, on a separate sheet, showing the type of contribution, broken out by Object Class Category, and whether it is cash or third-party in-kind. The firm commitment of these funds should be documented and submitted with the application in order to be given full credit in the review criteria.

**Justification:** Describe all non-Federal resources including third-party, cash and/or in-kind contributions. Except in unusual situations, this documentation should be in the form of letters of commitment from the organization(s)/ individuals from which funds will be received.

**Grant Program-Line 8.** Grant Program. Column (a): Enter the project title.

Column (b): Enter the amount of cash or donations to be made by the applicant.

Column (c): Enter the other contribution.

Column (d): Enter the amount of cash and third-party, in kind contributions to be made from all other sources.

Column (e): Enter the total of columns (b), (c), and (d).

Grant Program-Lines 9, 10, and 11 should be left blank.

Grant Program-Line 12. Carry the total of each column of Line 8, (b) through (e). The amount in Column (e) should be equal to the amount on Section A, Line 5, column (f).

#### Section D—Forecasted Cash Needs

**Federal-Line 13.** Enter the amount of Federal (OCS) cash needed for this grant, by quarter, during the first 17-month budget period for Family Support Center Demonstration applications. For Gateway Demonstration grants, enter the amount of Federal (OCS) cash needed for this grant, by quarter, during the first 12-month budget period.

**Non-Federal-Line 14.** Enter the amount of cash from all other sources needed by quarter during the first year

Total-Line 15. Enter the total of Lines 13 and 14.

#### Section E—Budget Estimates of Federal Funds Needed for Balance of Project

Applicants for two year projects will complete line 16, (a), (b) and (c).

Column (a) refers respectively to the second year of the project.

#### Section F—Other Budget Information

**Direct Charges—Line 21.** Use this space and continuation sheets as necessary to fully explain and justify the major items included in the budget categories shown in Section B. Include sufficient detail to facilitate determination of allowability, relevance to the project, and cost benefits. Particular attention must be given to the explanation of any requested direct cost budget item which requires explicit approval by the Federal agency. Budget items which require identification and justification shall include, but not be limited to, the following:

A. Salary amounts and percentage of time worked for those key individuals who are identified in the project narrative;

B. Any foreign travel;

C. A list of all equipment and estimated cost of each item to be purchased wholly or in part with grant funds which meet the definition of nonexpendable personal property provided on Line 6d, Section B. Need for equipment must be supported in program narrative;

D. Contractual: major items or groups of smaller items; and

E. Other: group into major categories all costs for consultants, local transportation, space, rental, training allowances, staff training, computer equipment, etc. Provide a complete breakdown of all costs that make up this category.

**Indirect Charges—Line 22.** Enter the type of HHS or other Federal agency approved indirect cost rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied and the total indirect expense. Also, enter the date the rate was approved and attach a copy of the rate agreement.

**Remarks—Line 23.** Provide any other explanations and continuation sheets required or deemed necessary to justify or explain the budget information.

#### C. SF-24B—"Assurances-Non-Construction"

All applicants must fill out, sign, date and return the "Assurances" (see Attachment D) with the application.

### Part VIII: Contents of Application and Receipt Process

#### A. Contents of Application

Each application submission should include a signed original and two additional copies of the application. Each application should include the following in the order presented:

1. Table of Contents;
2. Completed Standard Form 424 which has been signed by an Official of the organization applying for the grant who has authority to obligate the organization legally.

[Note: The original SF-24 must bear the original signature of the authorizing representative of the applicant organization]

3. "Budget Information-Non-Construction Programs" (SF-424A);

4. A narrative budget justification for each object class category required under Section B, SF-424A;

5. Filled out, signed, and dated "Assurances-Non-Construction Programs" (SF-424B);

6. The applicant should sign Attachment E. In so doing, the applicant is certifying that it will comply with the Federal requirements concerning the drug-free workplace and debarment regulations set forth in Attachments E and F.

7. Restrictions on Lobbying, Certification for Contracts, Grants, Loans, and Cooperative Agreements: fill out, sign and date form found at Attachment H.

8. A project abstract (a paragraph which succinctly describes the project in 200 characters or less).

9. An Executive Summary—not to exceed one page;

10. Appendices, including (where applicable) proof of non-profit status; proof that the organization is a community development corporation, commitments from service providing organizations, where applicable; Single Point of Contact comments, if applicable; Maintenance of Effort Certification and resumes.

11. A self-addressed mailing label which can be affixed to a notice to acknowledge receipt of application.

The total number of pages for the entire application package, excluding Appendices, should not exceed 50 pages. Pages should be numbered sequentially throughout, excluding Appendices, beginning with the SF-424 as Page #1.

Applications must be uniform in composition since OCS may find it necessary to duplicate them for review purposes. Therefore, applications must be submitted on white 8½x11 inch paper only. They must not include

colored, oversized or folded materials. Do not include organizational brochures or other promotional materials, slides, films, clips, etc. in the application. They will be discarded if included. The applications should be two-holed punched at the top center and fastened separately with a compressor slide paper fastener, such as an ACCO clip, or a binder clip. The submission of bound applications, or applications enclosed in binders, is specifically discouraged.

#### B. Acknowledgement of Receipt

All applicants who meet the initial screening criteria outlines in Part V, Section C will receive an acknowledgement notice with an assigned identification number. Applicants are requested to supply a self-addressed mailing label with their application which can be attached to this acknowledgement postcard. This number and the program priority area letter code must be referred to in all subsequent communications with OCS concerning the application. If an acknowledgement is not received within three weeks after the deadline date, please notify ACF by telephone (202) 401-9365.

### Part IX: Post-Award Information and Reporting Requirements

Following approval of the applications selected for funding, notice of project approval and authority to draw down project funds will be made in writing. The official award document is the Financial Assistance Award which provides the amount of Federal funds approved for use in the project, the project and budget periods for which support is provided, the terms and conditions of the award, and the total project period for which support is contemplated.

In addition to the General Conditions and Special Conditions (where the latter are warranted) which will be applicable to grants, grantees will be subject to the provisions of 45 CFR parts 74 (non-governmental) and 92 (governmental).

Grantees will be required to submit quarterly progress and financial reports (SF 269) throughout the project period, as well as a final progress and financial report within 90 days of the termination of the project. These reports will be submitted in accordance with instructions to be provided by OCS, and will be the basis for any dissemination effort conducted by the Office of Community Services.

Grantees are subject to the audit requirements in 45 CFR Parts 74 and 92 and OMB Circular A-133 and OMB Circular A-128, Audits of States and Local Governments.

Attachment I indicates the regulations which apply to all applicants/grantees under the Family Support Center and Gateway Demonstration Programs.

Dated: February 23, 1995.

Donald Sykes,  
*Director, Office of Community Services.*

**Attachment A**

**FY 1995 Median Family Income as  
Determined by the Secretary of Housing  
and Urban Development**

HUD Field Offices with assisted  
housing program functions are

responsible for maintaining records of income limits established for areas within their jurisdiction. Field Offices are prepared to make income limits available to the public upon request.

Requests from the public for individual area limits, sets of national or regional income limits may be secured by calling 1-800-245-2691 (301-251-5154 in the Washington, DC area).

The Office of Community Services, Division of Community Demonstration Programs maintains a current set of income information. You may contact

Mr. Sheldon Shalit at 202-401-4807 if you are not able to access the appropriate information from the toll free number listed above.

BILLING CODE 4184-01-P

## Attachment B

APPLICATION FOR  
FEDERAL ASSISTANCE

OMB Approval No. 0348-0043

1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED	Applicant Identifier
3. DATE RECEIVED BY STATE		State Application Identifier	
4. DATE RECEIVED BY FEDERAL AGENCY		Federal Identifier	
5. APPLICANT INFORMATION			
Legal Name		Organizational Unit	
Address (give city, county, state, and zip code):		Name and telephone number of the person to be contacted on matters involving this application (give area code)	
6. EMPLOYER IDENTIFICATION NUMBER (EIN): [ ][ ] - [ ][ ][ ][ ][ ][ ][ ][ ][ ][ ]		7. TYPE OF APPLICANT: (enter appropriate letter in box) <input type="checkbox"/> A State H Independent School Dist. B County I State Controlled Institution of Higher Learning C Municipal J Private University D Township K Indian Tribe E Interstate L Individual F Intermunicipal M Profit Organization G Special District N Other (Specify) _____	
8. TYPE OF APPLICATION: <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es). <input type="checkbox"/> <input type="checkbox"/> A Increase Award B Decrease Award C Increase Duration D Decrease Duration Other (specify): _____		9. NAME OF FEDERAL AGENCY:	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: [ ][ ][ ][ ][ ][ ][ ][ ][ ][ ] TITLE: _____		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:	
12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.):			
13. PROPOSED PROJECT: Start Date Ending Date		14. CONGRESSIONAL DISTRICTS OF: a Applicant b Project	
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a Federal	\$ .00	a YES THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE _____	
b Applicant	\$ .00	b NO <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372	
c State	\$ .00	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
d Local	\$ .00		
e Other	\$ .00		
f Program income	\$ .00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?	
g TOTAL	\$ .00	<input type="checkbox"/> Yes If "Yes," attach an explanation. <input type="checkbox"/> No	
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED			
a Typed Name of Authorized Representative		b Title	c Telephone number
d Signature of Authorized Representative		e Date Signed	

Previous Editions Not Usable

Standard Form 424 (REV 4-88)  
Prescribed by OMB Circular A-102

Authorized for Local Reproduction

**Instructions for the SF 424**

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

**Item and entry**

1. Self-explanatory.
2. Date application submitted to Federal agency (or State if applicable) & applicant's control number (if applicable).
3. State use only (if applicable).
4. If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank.
5. Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application.
6. Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.
7. Enter the appropriate letter in the space provided.
8. Check appropriate box and enter appropriate letter(s) in the space(s) provided:
  - "New" means a new assistance award.
  - "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date.
  - "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation.
9. Name of Federal agency from which assistance is being requested with this application.
10. Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.
11. Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.
12. List only the largest political entities affected (e.g., State, counties, cities).
13. Self-explanatory.
14. List the applicant's Congressional District and any District(s) affected by the program or project.
15. Amount requested or to be contributed during the first funding/budget period by

each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate *only* the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.

16. Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process.

17. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.

18. To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)

BILLING CODE 4184-01-P

OMB Approval No. 0348-0044

**BUDGET INFORMATION — Non-Construction Programs**

SECTION A — BUDGET SUMMARY						
Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.		\$	\$	\$	\$	\$
2.						
3.						
4.						
5. TOTALS		\$	\$	\$	\$	\$

SECTION B — BUDGET CATEGORIES					
6 Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
a. Personnel	\$	\$	\$	\$	\$
b. Fringe Benefits					
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual					
g. Construction					
h. Other					
i. Total Direct Charges (sum of 6a - 6h)					
j. Indirect Charges					
k. TOTALS (sum of 6i and 6j)	\$	\$	\$	\$	\$
7. Program Income	\$	\$	\$	\$	\$

Attachment C

SECTION C - NON-FEDERAL RESOURCES				
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8.	\$	\$	\$	\$
9.				
10.				
11.				
12. TOTALS (sum of lines 8 and 11)	\$	\$	\$	\$

SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$	\$	\$	\$	\$
14. NonFederal					
15. TOTAL (sum of lines 13 and 14)	\$	\$	\$	\$	\$

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT				
(a) Grant Program	FUTURE FUNDING PERIODS (Years)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16.	\$	\$	\$	\$
17.				
18.				
19.				
20. TOTALS (sum of lines 16-19)	\$	\$	\$	\$

SECTION F - OTHER BUDGET INFORMATION (Attach additional Sheets if Necessary)	
21. Direct Charges:	22. Indirect Charges:
23. Remarks	

Authorized for Local Reproduction

**Instructions for the SF-424A****General Instructions**

This form is designed so that application can be made for funds from one or more grant programs. In preparing the budget, adhere to any existing Federal grantor agency guidelines which prescribe how and whether budgeted amounts should be separately shown for different functions or activities within the program. For some programs, grantor agencies may require budgets to be separately shown by function or activity. For other programs, grantor agencies may require a breakdown by function or activity. Sections A, B, C, and D should include budget estimates for the whole project except when applying for assistance which requires Federal authorization in annual or other funding period increments. In the latter case, Sections A, B, C, and D should provide the budget for the first budget period (usually a year) and Section E should present the need for Federal assistance in the subsequent budget periods. All applications should contain a breakdown by the object class categories shown in Lines a-k of Section B.

**Section A. Budget Summary**

Line 1-4, Columns (a) and (b)

For applications pertaining to a single Federal grant program (Federal Domestic Assistance Catalog number) and *not* requiring a functional or activity breakdown, enter on Line 1 under Column (a) the catalog program title and the catalog number in Column (b).

For applications pertaining to a single program *requiring* budget amounts by multiple functions or activities, enter the name of each activity or function on each line in Column (a), and enter the catalog number in Column (b).

For applications pertaining to multiple programs where one or more programs *require* a breakdown by function or activity, prepare a separate sheet for each program requiring the breakdown. Additional sheets should be used when one form does not provide adequate space for all breakdown of data required. However, when more than one sheet is used, the first page should provide the summary totals by programs.

Lines 1-4, Columns (c) through (g.)

For new applications, leave Columns (c) and (d) blank. For each line entry in Columns (a) and (b), enter in Columns (e), (f), and (g) the appropriate amounts of funds needed to support the project for the first funding period (usually a year).

For continuing grant program applications, submit these forms before the end of each funding period as required by the grantor agency. Enter in Columns (c) and (d) the estimated amounts of funds which will remain unobligated at the end of the grant funding period only if the Federal grantor agency instructions provide for this. Otherwise, leave these columns blank. Enter in columns (e) and (f) the amounts of funds needed for the upcoming period. The amount(s) in Column (g) should be the sum of amounts in Columns (e) and (f).

For supplemental grants and changes to existing grants, do not use Columns (c) and (d). Enter in Column (e) the amount of the

increase or decrease of Federal funds and enter in Column (f) the amount of the increase or decrease of non-Federal funds. In Column (g) enter the new total budgeted amount (Federal and non-Federal) which includes the total previous authorized budgeted amounts plus or minus, as appropriate, the amounts shown in Columns (e) and (f). The amount(s) in Column (g) should not equal the sum of amounts in Columns (e) and (f).

Line 5—Show the totals for all columns used.

**Section B Budget Categories**

In the column headings (1) through (4), enter the titles of the same programs, functions, and activities shown on Lines 1-4, Column (a), Section A. When additional sheets are prepared for Section A, provide similar column headings on each sheet. For each program, function or activity, fill in the total requirements for funds (both Federal and non-Federal) by object class categories.

Lines 6a-i—Show the totals of Lines 6a to 6h in each column.

Line 6j—Show the amount of indirect cost.

Line 6k—Enter the total of amounts on Lines 6i and 6j. For all applications for new grants and continuation grants the total amount in column (5), Line 6k, should be the same as the total amount shown in Section A, Column (g), Line 5. For supplemental grants and changes to grants, the total amount of the increase or decrease as shown in Columns (1)-(4), Line 6k should be the same as the sum of the amounts in Section A, Columns (e) and (f) on Line 5.

Line 7—Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount. Show under the program narrative statement the nature and source of income. The estimated amount of program income may be considered by the federal grantor agency in determining the total amount of the grant.

**Section C. Non-Federal Resources**

Lines 8-11—Enter amounts of non-Federal resources that will be used on the grant. If in-kind contributions are included, provide a brief explanation on a separate sheet.

Column (a)—Enter the program titles identical to Column (a), Section A. A breakdown by function or activity is not necessary.

Column (b)—Enter the contribution to be made by the applicant.

Column (c)—Enter the amount of the State's cash and in-kind contribution if the applicant is not a State or State agency. Applicants which are a State or State agencies should leave this column blank.

Column (d)—Enter the amount of cash and in-kind contributions to be made from all other sources.

Column (e)—Enter totals of Columns (b), (c), and (d).

Line 12—Enter the total for each of Columns (b)-(e). The amount in Column (e) should be equal to the amount on Line 5, Column (f), Section A.

**Section D. Forecasted Cash Needs**

Line 13—Enter the amount of cash needed by quarter from the grantor agency during the first year.

Line 14—Enter the amount of cash from all other sources needed by quarter during the first year.

Line 15—Enter the totals of amounts on Lines 13 and 14.

**Section E. Budget Estimates of Federal Funds Needed for Balance of the Project**

Line 16-19—Enter in Column (a) the same grant program titles shown in Column (a), Section A. A breakdown by function or activity is not necessary. For new applications and continuation grant applications, enter in the proper columns amounts of Federal funds which will be needed to complete the program or project over the succeeding funding periods (usually in years). This section need not be completed for revisions (amendments, changes, or supplements) to funds for the current year of existing grants.

If more than four lines are needed to list the program titles, submit additional schedules as necessary.

Line 20—Enter the total for each of the Columns (b)-(e). When additional schedules are prepared for this Section, annotate accordingly and show the overall totals on this line.

**Section F. Other Budget Information**

Line 21—Use this space to explain amounts for individual direct object-class cost categories that may appear to be out of the ordinary or to explain the details as required by the Federal grantor agency.

Line 22—Enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

Line 23—Provide any other explanations or comments deemed necessary.

**Attachment D**

[OMB Approval No. 0345-0040]

**Assurances—Non-Construction Programs**

**Note:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a



purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 *et seq.*), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of

the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply with the provisions of the Hatch Act (5 U.S.C. 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. 276a to 276a-7), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333), regarding labor standards for federally assisted construction subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 *et seq.*); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. 7401 *et seq.*); (g) protection of underground sources of drinking water under the Safe Drinking

Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 *et seq.*) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 *et seq.*).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544), as amended (7 U.S.C. 2131 *et seq.*) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 *et seq.*) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Signature of Authorized Certifying Official

Title

Applicant Organization

Date Submitted

BILLING CODE 4184-01-P

## Attachment E

**U.S. Department of Health and Human Services**  
**Certification Regarding Drug-Free Workplace Requirements**  
**Grantees Other Than Individuals**

By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.

This certification is required by regulations implementing the Drug-Free Workplace Act of 1988, 45 CFR Part 76, Subpart F. The regulations, published in the May 25, 1990 Federal Register, require certification by grantees that they will maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be placed when the Department of Health and Human Services (HHS) determines to award the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HHS, in addition to any other remedies available to the Federal Government, may taken action authorized under the Drug-Free Workplace Act. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of grants, or governmentwide suspension or debarment.

Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.

Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios.)

If the workplace identified to HHS changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see above).

Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 USC 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15).

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

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

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about:

(1) The dangers of drug abuse in the workplace; (2) The grantee's policy of maintaining a drug-free workplace; (3) Any available drug counseling, rehabilitation, and employee assistance programs; and, (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

(1) Abide by the terms of the statement; and, (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or, (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant (use attachments, if needed):

Place of Performance (Street address, City, County, State, ZIP Code) \_\_\_\_\_

Check ☐ if there are workplaces on file that are not identified here.

Sections 76.630(c) and (d)(2) and 76.635(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central receipt point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, S.W., Washington, D.C. 20201.

DGMO Form#2 Revised May 1990

**Attachment F****Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transactions**

By signing and submitting this proposal, the applicant, defined as the primary participant in accordance with 45 CFR part 76, certifies to the best of its knowledge and believe that it and its principals:

(a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal Department or agency;

(b) have not within a 3-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) are not presently indicted or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) have not within a 3-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

The inability of a person to provide the certification required above will not necessarily result in denial of participation in this covered transaction. If necessary, the prospective participant shall submit an explanation of why it cannot provide the certification. The certification or explanation will be considered in connection with the Department of Health and Human Services (HHS) determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

The prospective primary participant agrees that by submitting this proposal, it will include the clause entitled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transaction." Provided below without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions**  
(To be Supplied to Lower Tier Participants)

By signing and submitting this lower tier proposal, the prospective lower tier participant, as defined in 45 CFR part 76, certifies to the best of its knowledge and belief that it and its principals:

(a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

(b) where the prospective lower tier participant is unable to certify to any of the above, such prospective participant shall attach an explanation to this proposal.

The prospective lower tier participant further agrees by submitting this proposal that it will include this clause entitled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transactions." Without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

**Attachment G****Executive Order 12372—State Single Points of Contact****Arizona**

Mrs. Janice Dunn, ATTN: Arizona State Clearinghouse, 3800 N. Central Avenue, 14th Floor, Phoenix, Arizona 85012, Telephone (602) 280-1315

**Arkansas**

Tracie L. Copeland, Manager, State Clearinghouse, Office of Intergovernmental Services, Department of Finance and Administration, P.O. Box 3278, Little Rock, Arkansas 72203, Telephone (501) 682-1074

**California**

Glenn Stober, Grants Coordinator, Office of Planning and Research, 1400 Tenth Street, Sacramento, California 95814, Telephone (916) 323-7480

**Delaware**

Ms. Francine Booth, State Single Point of Contact, Executive Department, Thomas Collins Building, Dover, Delaware 19903, Telephone (302) 736-3326

**District of Columbia**

Rodney T. Hallman, State Single Point of Contact, Office of Grants Management and Development, 717 14th Street, NW., Suite 500, Washington, DC 20005, Telephone (202) 727-6551

**Florida**

Florida State Clearinghouse, Intergovernmental Affairs Policy Unit, Executive Office of the Governor, Office of Planning and Budgeting, The Capitol, Tallahassee, Florida 32399-0001, Telephone (904) 488-8441

**Georgia**

Mr. Charles H. Badger, Administrator, Georgia State Clearinghouse, 254 Washington Street, SW., Atlanta, Georgia 30334, Telephone (404) 656-3855

**Illinois**

Steve Klokenga, State Single Point of Contact, Office of the Governor, 107 Straton Building, Springfield, Illinois 62706, Telephone (217) 782-1671

**Indiana**

Jean S. Blackwell, Budget Director, State Budget Agency, 212 State House, Indianapolis, Indiana 46204, Telephone (317) 232-5610

**Iowa**

Mr. Steven R. McCann, Division of Community Progress, Iowa Department of Economic Development, 200 East Grand Avenue, Des Moines, Iowa 50309, Telephone (515) 281-3725

**Kentucky**

Ronald W. Cook, Office of the Governor, Department of Local Government, 1024 Capitol Center Drive, Frankfort, Kentucky 40601, Telephone (502) 564-2382

**Maine**

Ms. Joyce Benson, State Planning Office, State House Station #38, Augusta, Maine 04333, Telephone (207) 289-3261

**Maryland**

Ms. Mary Abrams, Chief, Maryland State Clearinghouse, Department of State Planning, 301 West Preston Street, Baltimore, Maryland 21201-2365, Telephone (301) 225-4490

**Massachusetts**

Karen Arone, State Clearinghouse, Executive Office of Communities and Development, 100 Cambridge Street, Room 1803, Boston, Massachusetts 02202, Telephone (617) 727-7001

**Michigan**

Richard S. Pastula, Director, Michigan Department of Commerce, Lansing, Michigan 48909, Telephone (517) 373-7356

**Mississippi**

Ms. Cathy Mallette, Clearinghouse Officer, Office of Federal Grant Management and Reporting, 301 West Pearl Street, Jackson, Mississippi 39203, Telephone (601) 960-2174

**Missouri**

Ms. Lois Pohl, Federal Assistance Clearinghouse, Office of Administration, P.O. Box 809, Room 430, Truman Building, Jefferson City, Missouri 65102, Telephone (314) 751-4834

**Nevada**

Department of Administration, State Clearinghouse, Capitol Complex, Carson City, Nevada 89710, Telephone (702) 687-4065, Attention: Ron Sparks, Clearinghouse Coordinator

**New Hampshire**

Mr. Jeffrey H. Taylor, Director, New Hampshire Office of State Planning, Attn: Intergovernmental Review, Process/James E. Bieber, 2 1/2 Beacon Street, Concord, New Hampshire 03301, Telephone (603) 271-2155

**New Jersey**

Gregory W. Adkins, Acting Director, Division of Community Resources, N.J. Department of Community Affairs, Trenton, New Jersey 08625-0803, Telephone (609) 292-6613  
Please direct correspondence and questions to: Andrew J. Jaskolka, State Review Process Division of Community Resources, CN 814, Room 609, Trenton, New Jersey 08625-0803, Telephone (609) 292-9025

**New Mexico**

George Elliott, Deputy Director, State Budget Division, Room 190, Bataan Memorial Building, Santa Fe, New Mexico 87503, Telephone (505) 827-3640, FAX (505) 827-3006

**New York**

New York State Clearinghouse, Division of the Budget, State Capitol, Albany, New York 12224, Telephone (518) 474-1605

**North Carolina**

Mrs. Chrys Baggett, Director, Office of the Secretary of Admin. N.C. State Clearinghouse, 116 W. Jones Street, Raleigh, North Carolina 27603-8003, Telephone (919) 733-7232

**North Dakota**

N.D. Single Point of Contact, Office of Intergovernmental Assistance, Office of Management and Budget, 600 East Boulevard Avenue, Bismarck, North Dakota 58505-0170, Telephone (701) 224-2094

**Ohio**

Larry Weaver, State Single Point of Contact, State/Federal Funds Coordinator, State Clearinghouse, Office of Budget and Management, 30 East Broad Street, 34th Floor, Columbus, Ohio 43266-0411, Telephone (614) 466-0698

**Rhode Island**

Mr. Daniel W. Varin, Associate Director, Statewide Planning Program, Department of Administration, Division of Planning, 265 Melrose Street, Providence, Rhode Island 02907, Telephone (401) 277-2656. Please direct correspondence and questions to: Review Coordinator, Office of Strategic Planning

**South Carolina**

Omeagia Burgess, State Single Point of Contact, Grant Services, Office of the Governor, 1205 Pendleton Street, Room 477, Columbia, South Carolina 29201, Telephone (803) 734-0494

**Tennessee**

Mr. Charles Brown, State Single Point of Contact, State Planning Office, 500 Charlotte Avenue, 309 John Sevier Building, Nashville, Tennessee 37219, Telephone (615) 741-1676

**Texas**

Mr. Thomas Adams, Governor's Office of Budget and Planning, P.O. Box 12428, Austin, Texas 78711, Telephone (512) 463-1778

**Utah**

Utah State Clearinghouse, Office of Planning and Budget, ATTN: Carolyn Wright, Room 116 State Capitol, Salt Lake City, Utah 84114, Telephone (801) 538-1535

**Vermont**

Mr. Bernard D. Johnson, Assistant Director, Office of Policy Research & Coordination, Pavilion Office Building, 109 State Street, Montpelier, Vermont 05602, Telephone (802) 828-3326

**West Virginia**

Mr. Fred Cutlip, Director, Community Development Division, West Virginia Development Office, Building #6, Room 553, Charleston, West Virginia 25305, Telephone (304) 348-4010

**Wisconsin**

Mr. William C. Carey, Federal/State Relations, Wisconsin Department of Administration, 101 South Webster Street, P.O. Box 7864, Madison, Wisconsin 53707, Telephone (608) 266-0267

**Wyoming**

Sheryl Jeffries, State Single Point of Contact, Herschler Building, 4th Floor, East Wing, Cheyenne, Wyoming 82002, Telephone (307) 777-7574

**Guam**

Mr. Michael J. Reidy, Director, Bureau of Budget and Management Research, Office of the Governor, P.O. Box 2950, Agaña, Guam 96910, Telephone (671) 472-2285

**Northern Mariana Islands**

State Single Point of Contact, Planning and Budget Office, Office of the Governor, Saipan, CM, Northern Mariana Islands 96950

**Puerto Rico**

Norma Burgos/Jose H. Caro, Chairman/Director, Puerto Rico Planning Board, Minillas Government Center, P.O. Box 41119, San Juan, Puerto Rico 00940-9985, Telephone (809) 727-4444

**Virgin Islands**

Jose L. George, Director, Office of Management and Budget, #41 Norregade Emancipation Garden Station, Second Floor, Saint Thomas, Virgin Islands 00302, Please direct correspondence to: Linda Clarke, Telephone (809) 774-0750

**Attachment H****Certification Regarding Lobbying****Certification for Contracts, Grants, Loans, and Cooperative Agreements**

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal

loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**State for Loan Guarantee and Loan Insurance**

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature \_\_\_\_\_

Title \_\_\_\_\_

Organization \_\_\_\_\_

Date \_\_\_\_\_

BILLING CODE 4184-01-P

**DISCLOSURE OF LOBBYING ACTIVITIES**Approved by OMB  
0348-0046Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352  
(See reverse for public burden disclosure.)

<b>1. Type of Federal Action:</b> <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. Report Type:</b> <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change <b>For Material Change Only:</b> year _____ quarter _____ date of last report: _____
<b>4. Name and Address of Reporting Entity:</b> <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known:  Congressional District, if known: _____		<b>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</b>   Congressional District, if known: _____
<b>6. Federal Department/Agency:</b>  _____	<b>7. Federal Program Name/Description:</b>  CFDA Number, if applicable: _____	
<b>8. Federal Action Number, if known:</b>  _____	<b>9. Award Amount, if known:</b> \$ _____	
<b>10. a. Name and Address of Lobbying Entity (if individual, last name, first name, MI):</b>  _____  (attach Continuation Sheet(s) SF-LLL-A, if necessary)		<b>b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):</b>  _____
<b>11. Amount of Payment (check all that apply):</b> \$ _____ <input type="checkbox"/> actual <input type="checkbox"/> planned	<b>13. Type of Payment (check all that apply):</b> <input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other; specify: _____	
<b>12. Form of Payment (check all that apply):</b> <input type="checkbox"/> a. cash <input type="checkbox"/> b. in-kind; specify: nature _____ value _____		
<b>14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment Indicated in Item 11:</b>   _____  (attach Continuation Sheet(s) SF-LLL-A, if necessary)		
<b>15. Continuation Sheet(s) SF-LLL-A attached:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>16. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</b>		<b>Signature:</b> _____ <b>Print Name:</b> _____ <b>Title:</b> _____ <b>Telephone No.:</b> _____ <b>Date:</b> _____
<b>Federal Use Only:</b>		Authorized for Local Reproduction Standard Form - LLL

**Attachment I—DHHS Regulations Applying to All Applicants/Grantees Under the Family Support Center and Gateway Demonstration Programs**

Title 45 of the *Code of Federal Regulations*:

Part 16—Department of Grant Appeals Process

Part 74—Administration of Grants (non-governmental)

Part 74—Administration of Grants (state and local governments and Indian Tribal affiliates):

**Sections**

74.62(a) Non-Federal Audits

74.173 Hospitals

74.174(b) Other Nonprofit Organizations

74.304 Final Decisions in Disputes

74.710 Real Property, Equipment and Supplies

74.715 General Program Income

Part 75—Informal Grant Appeal Procedures

Part 76—Debarment and Suspension from Eligibility for Financial Assistance

**Subpart F—Drug Free Workplace Requirements**

Part 80—Non-Discrimination Under Programs Receiving Federal Assistance through the Department of Health and Human Services Effectuation of Title VI of the Civil Rights Act of 1964

Part 81—Practice and Procedures for Hearings Under Part 80 of this Title

Part 83—Non-discrimination on the basis of sex in the admission of individuals to training programs

Part 84—Non-discrimination on the Basis of Handicap in Programs

Part 91—Non-discrimination on the Basis of Age in Health and Human Services Programs or Activities Receiving Federal Financial Assistance

Part 92—Uniform Administrative Requirements for Grants and Cooperative Agreements to States and Local Governments (Federal Register, March 11, 1988)

Part 93—New Restrictions on Lobbying

Part 100—Intergovernmental Review of Department of Health and Human Services Programs and Activities

**Attachment J**

**Certification Regarding Maintenance of Effort**

The undersigned certifies that:

(1) activities funded under this program announcement are in addition to, and not in substitution for, activities previously carried on without Federal assistance.

(2) funds or other resources currently devoted to activities designed to meet the needs of the poor within a community, area, or State have not been reduced in order to provide the required matching contributions.

When legislation for a particular block grant permits the use of its funds as match, the applicant must show that it has received a real increase in its block grant allotment and must certify that other anti-poverty programs will not be scaled back to provide the match required for this project.

Organization \_\_\_\_\_

Authorized Signature \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

**Attachment K**

**Certification Regarding Environmental Tobacco Smoke**

Public Law 103-227, Part C—Environmental Tobacco Smoke, also known as the Pro-Children Act of 1994 (Act), requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health; day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 per day and/or the imposition of an administrative compliance order on the responsible entity.

By signing and submitting this application the applicant/grantee certifies that it will comply with the requirements of the Act. The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which contain provisions for the children's services and that all subgrantees shall certify accordingly.

[FR Doc. 95-5330 Filed 3-3-95; 8:45 am]

BILLING CODE 4164-01-P

**1. REQUEST FOR PLACEMENT ON THE AGENDA FOR**April 13, 1995DEPARTMENT  
CONTACTHealth  
Dwayne PratherDIVISIONS  
TELEPHONESupport Services  
248-3056

NAME OF PERSON MAKING PRESENTATION TO BOARD

Dwayne Prather or Tom Fronk**SUGGESTED AGENDA TITLE**

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

Budget Modification MCHD 11 increases the Information and Referral Program to reflect the receipt of an increase in the State Information and Referral Contract.

(Estimated time needed on the Agenda: 5 minutes)

**2. DESCRIPTION OF MODIFICATION****[ ] PERSONNEL CHANGES ON ATTACHED PAGE**

The Health Department has received an increase to its existing State Information and Referral contract.

It allows for enhanced statewide information and referral services to teens, their parents and health care providers.

BOARD OF  
COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
1995 APR -4 AM 9:49

**3. REVENUE IMPACT**

Increase MCH Hotline Grant by \$40,000

Increase General Fund by \$3,516

**4. CONTINGENCY STATUS**

The General Fund Contingency is increased by \$2,106 (Indirect)

Originated By <i>Tom Sears / Suzanne Kalm</i>	Date <i>3/30/95</i>	Department Director <i>Billi Odgers</i>	Date <i>3/30/95</i>
Finance/Budget <i>Madeline</i>	Date <i>4/3/95</i>	Employee Relations	Date
Board Approval <i>Deborah C. Boaster</i>	Date <i>4/13/95</i>		



## EXPENDITURE DETAIL - MCHD 11

EXPENDITURE TRANSACTION EB [ ] GM [ ]						TRANSACTION DATE	ACCOUNTING PERIOD	BUDGET FISCAL YEAR		
DOCUMENT										
NUMBER	ACTION	FUND	AGENCY	ORG	OBJECT CODE	CURRENT AMOUNT	REVISED AMOUNT	INCREASE (DECREASE)	SUBTOTAL	DESCRIPTION
		156	015	0875	6110			36,364		Professional Services
		156	015	0875	7100			4,629		Indirect
									40,993	TOTAL, INFO & REF
		156	015	0905	6230			2,523		Supplies
									2,523	TOTAL, BUS SVCS FIN MGMT
		100	015	0900	7608			2,523		CASH TRANSFER TO F/S - 0900
		100	045	9120	7700			2,106		CONTINGENCY
TOTAL EXPENDITURE CHANGE								48,145		

## REVENUE DETAIL - MCHD 11

REVENUE TRANSACTION RB [ ] GM [ ]						TRANSACTION DATE	ACCOUNTING PERIOD	BUDGET FISCAL YEAR		
DOCUMENT										
NUMBER	ACTION	FUND	AGENCY	ORG	REVENUE CODE	CURRENT AMOUNT	REVISED AMOUNT	INCREASE (DECREASE)	SUBTOTAL	DESCRIPTION
		156	015	0875	2371			40,000		MCH Hotline
		156	015	0875	7601			993		GF Support
		156	015	0905	7601			2,523		GF Support
		100	045	7410	6602			4,629		Svc Reim from F/S
TOTAL REVENUE CHANGE								48,145		



# MULTNOMAH COUNTY OREGON



HEALTH DEPARTMENT  
426 S.W. STARK STREET, 8TH FLOOR  
PORTLAND, OREGON 97204-2394  
(503) 248-3674  
FAX (503) 248-3676  
TDD (503) 248-3816

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

## MEMORANDUM

TO: Board of County Commissioners  
FROM: *Bill* Odegaard  
REQUESTED PLACEMENT DATE: April 13, 1995  
DATE: March 30, 1995  
SUBJECT: Budget Modification MCHD 11

I. Recommendation/Action Requested:

The Board of County Commissioners is requested to approve budget modification MCHD 11 which increases the State information and referral contract.

II. Background/Analysis:

The Health Department currently provides a local information and referral service for county residents. In addition, the Department contracts with the State Health Division and the Office of Medical Assistance Programs to produce a statewide toll-free telephone number for maternal and child health issues. This contract amendment allows for the addition of a second statewide toll-free telephone number for use by teens, their parents and health care providers regarding reproductive health issues and available programs in their areas.

III. Financial Impact:

This budget modification increases the Federal/State Fund by \$43,516 and the General Fund Contingency by \$2,106.

IV. Legal Issues:

None

V. Controversial Issues:

None

VI. Link to Current County Policies:

These funds will enhance the existing maternal and child information referral by targeting teens and their families.

VII. Citizen Participation:

None

VIII. Other Government Participation:

Federal, state and county programs will be accessed through this program.

MEETING DATE: APR 13 1995

AGENDA NO: R-8

Above Space for Board Clerk's Use ONLY) \_\_\_\_\_

AGENDA PLACEMENT FORM

SUBJECT: Intergovernmental Agreement with city of Troutdale for NE 257th Drive Median Maintenance.

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

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

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

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

DEPARTMENT: Environmental Services DIVISION: Transportation

CONTACT: Bob Thomas BT TELEPHONE #: x3888 3838  
BLDG/ROOM #: #425/Yeon

PERSON(S) MAKING PRESENTATION: \_\_\_\_\_

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

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

Approval by the Board of County Commissioners is sought for the adoption of the Intergovernmental Agreement between Multnomah County and the City of Troutdale for NE 257th Drive median maintenance.

4/17/95 ORIGINALS TO BOB THOMAS

SIGNATURES REQUIRED:

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

OR

DEPARTMENT MANAGER: Buty Willie

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

BOARD OF  
COUNTY COMMISSIONERS  
1995 APR - 4 PM 4:00  
MULTNOMAH COUNTY  
OREGON



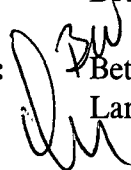

# MULTNOMAH COUNTY OREGON

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

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

## MEMORANDUM

TO: Board of County Commissioners

FROM:  Betsy Williams, D.E. S. Director  
 Larry F. Nicholas, P.E., Transportation Director

TODAY'S DATE: March 29, 1995

REQUESTED PLACEMENT DATE: April <sup>13</sup>~~20~~, 1995

RE: Adoption of IGA between Multnomah County and the City of Troutdale for NE 257th Drive Median Maintenance.

I. Recommendation/Action Requested:

The Transportation Division recommends the Board adopt this Intergovernmental Agreement with the City of Troutdale for maintenance on the median of NE 257th Drive. NE 257th Drive, between NE Cherry Park Road and NE Historic Columbia Highway, is a County maintained road. Under terms of this contract, Troutdale will provide landscaping maintenance within the right of way on this roadway.

II. Background/Analysis:

The median of NE 257th Drive was landscaped by Multnomah County in 1992. The Transportation Division does not have a landscaping crew that would provide the quality service that is available from the City of Troutdale. The City of Troutdale has offered to provide landscaping services to the County road median under terms of this agreement.

III. Financial Impact:

Troutdale has estimated it can provide services required for \$7,200 per fiscal year.

IV. Legal Issues:

No legal issues are apparent; maintenance services are currently provided by and for each jurisdiction in the East County area. It has proven to be cost-effective for services to be provided by the agency having the most expertise in the specialty field required.

V. Controversial Issues:

None indicated.

VI. Link to Current County Policies:

This IGA is consistent with County policy to provide services that are both cost-effective and in the best interest of the public. Multnomah County will not have to increase staff or acquire additional equipment to perform the specialized maintenance required. The Transportation Division has established a cooperative working relationship with the City of Troutdale on many other service exchanges, and this new arrangement increases the link between the two bodies.

VII. Citizen Participation:

NA

VIII. Other Government Participation:

NA



MULTNOMAH COUNTY OREGON

**CONTRACT APPROVAL FORM**

(See Administrative Procedure #2106)

Contract # 301895

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

CLASS I	CLASS II	CLASS III
<input type="checkbox"/> Professional Services under \$25,000	<input type="checkbox"/> Professional Services over \$25,000 (RFP, Exemption) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue	<input checked="" type="checkbox"/> Intergovernmental Agreement  <b>APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</b> AGENDA # <u>R-8</u> DATE <u>4/13/95</u> <u>DEB BOGSTAD</u> <b>BOARD CLERK</b>

Department Environmental Services Division Transportation Date 3/31/95Contract Originator Bob Thomas Phone 388-3830 Bldg/Room 425Administrative Contact same as above Phone \_\_\_\_\_ Bldg/Room \_\_\_\_\_Description of Contract Intergovernmental Agreement with the City of Troutdale for NE 257th Drive Median Maintenance.

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

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

Contractor Name City of Troutdale  
 Mailing Address 104 SE Kibling  
Troutdale, OR 97060  
 Phone (503) 665-6129  
 Employer ID# or SS# \_\_\_\_\_  
 Effective Date Upon Execution  
 Termination Date Until Terminated  
 Original Contract Amount \$ \_\_\_\_\_  
 Total Amount of Previous Amendments \$ \_\_\_\_\_  
 Amount of Amendment \$ \_\_\_\_\_  
 Total Amount of Agreement \$ 7,200.00

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

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

☐ Lump Sum \$ \_\_\_\_\_ ☐ Due on receipt  
☐ Monthly \$ \_\_\_\_\_ ☐ Net 30  
☐ Other \$ \_\_\_\_\_ ☐ Other \_\_\_\_\_  
☐ Requirements contract - Requisition required.

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

☒ Requirements Not to Exceed \$ 7,200.00

Encumber: Yes ☐ No ☐Date 4-3-95

Date \_\_\_\_\_

Date April 4, 1995Date April 13, 1995

Date \_\_\_\_\_

**REQUIRED SIGNATURES:**Department Manager Betsy WilliePurchasing Director (Class II Contracts Only) [Signature]County Counsel [Signature]County Chair / Sheriff [Signature]Contract Administration (Class I, Class II Contracts Only) [Signature]

VENDOR CODE			VENDOR NAME							TOTAL AMOUNT	\$	
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT/ REV SRC	SUB OBJ	REPT CATEG	LGFS DESCRIPTION	AMOUNT		INC/ DEC IND
01.	150	030	6410			6110						
02.												
03.												
* If additional space is needed, attach separate page. Write contract # on top of page.												

INSTRUCTIONS ON REVERSE SIDE

WHITE - CONTRACT ADMINISTRATION

CANARY - INITIATION

PINK - FINANCE

**AGREEMENT  
WITH CITY OF TROUTDALE FOR  
MAINTENANCE OF COUNTY STREET MEDIAN**

**THIS CONTRACT**, made and entered into as of the \_\_\_\_ day of \_\_\_\_\_, 1995, by and between Multnomah County, a home rule political subdivision of the State of Oregon, hereafter referred to as "County," and City of Troutdale, a municipal organization, hereafter referred to as "City."

**W I T N E S S E T H:**

**WHEREAS**, Multnomah County requires services which City of Troutdale is capable of providing, under terms and conditions hereafter described; and

**WHEREAS**, City is able and prepared to provide such services as County does hereafter require, under those terms and conditions set forth; now, therefore,

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

1. **TERM.**

The term of this agreement shall be from date of final approval, until terminated under the provisions of Section 4 of this agreement.

2. **SERVICES.**

City agrees to provide services upon a planted median strip located in the center of NE 257th Drive, a County street in Troutdale. The median strip consists of a planted area approximately 3,180 feet long and from four feet to approximately eleven feet wide. City's services under this agreement shall be to provide specific maintenance consisting of the following:

- A. Fertilization at regular intervals.
- B. Weeding and/or herbicide applications to control weeds, grasses and other undesirable vegetation.
- C. Necessary pruning to maintain appearance and reduce danger to motorists and other street users.
- D. Tree and plant restoration and/or replacement in the event of damage by vehicles or other causes.
- E. Additional maintenance as agreed to.



3. **COMPENSATION.**

- A. County agrees to compensate City a total amount of, not to exceed, \$7,200 per fiscal year for performance of those services hereunder; payment shall be based upon the following terms:
1. The County will reimburse the City for direct cost for work necessary to fulfill the terms of the agreement. The direct cost shall be the sum of base salary cost, fringe benefits, and overhead.
  2. The City shall compile accurate cost accounting records and submit itemized bills, no later than bi-monthly, to the County for all costs authorized by this agreement. The County agrees to pay the bills within 30 days of receiving the bill.

4. **TERMINATION.**

- A. This Agreement may be terminated:
1. by mutual consent of the parties:
  2. by either party upon 30 days written notice to the other, delivered by certified mail or in person; or
- B. Termination under any provision of this paragraph shall not affect any right, obligation, or liability of City or County which accrued prior to such termination.

5. **SUBCONTRACTS OR ASSIGNMENT.**

City shall neither subcontract with others for any of the work prescribed herein, nor assign any of City's rights acquired hereunder without obtaining prior written approval from County; County by this agreement incurs no liability to the third person for payment of any compensation provided herein to the City.

6. **ADHERENCE TO LAW.**

City shall adhere to all applicable laws governing its relationship with its employees, including, but not limited to, laws, rules, regulations and policies concerning worker's compensation and minimum and prevailing wage requirements.

7. The City shall, subject to the limitations of the Oregon Tort Claim Act, indemnify, defend and save County harmless for any and all claims, suits or actions for damage or loss of property, or injury or death of any person arising out of or in connection with City performing the maintenance services.

8. MODIFICATION:

Any modification of the provisions of this Agreement shall be reduced to writing and signed by the parties.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly appointed officers the date first written above.

CITY OF TROUTDALE

MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Paul Thalhofer, Mayor

By \_\_\_\_\_  
Beverly Stein, Chair

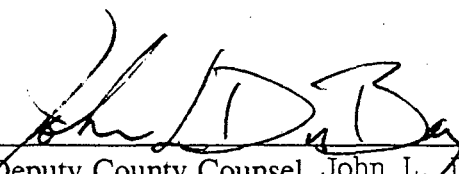
By \_\_\_\_\_  
Pam Christian, City Administrator

APPROVED AS TO FORM:

REVIEWED:

By \_\_\_\_\_  
Tim Sercombe, City Attorney

LAURENCE KRESSEL, County Counsel  
for Multnomah County

By \_\_\_\_\_  
Deputy County Counsel John L. DuBay

BTRJ1164.IGA

APPROVED MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-8 DATE 4/13/95  
DEB BOGSTAD  
BOARD CLERK

place10

MEETING DATE:

APR 13 1995

AGENDA NO:

R-9

(Above Space for Board Clerk's Use ONLY)

**AGENDA PLACEMENT FORM**

RECEIVED

MAR 30 1995

COUNTY COUNSEL FOR  
MULTNOMAH COUNTY, OR

SUBJECT: ORDER Setting a Hearing Date

BOARD BRIEFING      Date Requested:  
                                 Amount of Time Requested:

REGULAR MEETING      Date Requested: April 13, 1995  
                                 Amount of Time Requested: 5 Minutes

DEPARTMENT:      Environmental Services

DIVISION:      Assessment & Taxation

CONTACT:      Richard Payne

TELEPHONE: Extention 3632

BLDG/RM:      412/206

PERSON(S) MAKING PRESENTATION:

David Sweet, City of Portland

**ACTION REQUESTED**

\_\_\_ INFORMATIONAL ONLY    \_\_\_ POLICY DIRECTION    XXX APPROVAL    \_\_\_ OTHER

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

Order Setting April 27 1995 as a Hearing Date in the Matter of Approving a Request for Transfer of Tax Foreclosed Property to the City of Portland, Bureau of Buildings, for Low-income Housing Development.

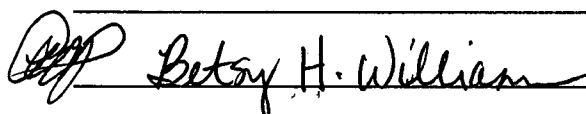
4/17/95 copies to RICH PAYNE & TAX TITLE

**SIGNATURE REQUIRED:**

ELECTED OFFICIAL:

or

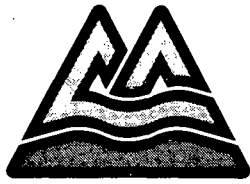
DEPARTMENT MANAGER:

 Betsy H. Williams

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

1995 APR -5 PM 3:56  
MULTNOMAH COUNTY  
OREGON



# MULTNOMAH COUNTY OREGON

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

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

## AGENDA ITEM BRIEFING - STAFF REPORT SUPPLEMENT

TO: BOARD OF COUNTY COMMISSIONERS

FROM: RICHARD C. PAYNE  
Department of Environmental Services

DATE: MARCH 29, 1995

REQUESTED PLACEMENT DATE: April 13, 1995

SUBJECT: ORDER SETTING APRIL 27, 1995 AS A HEARING DATE IN THE  
MATTER OF APPROVING A REQUEST FOR TRANSFER OF TAX  
FORECLOSED PROPERTY TO CITY OF PORTLAND, BUREAU OF  
BUILDINGS, FOR LOW-INCOME HOUSING DEVELOPMENT

### I. RECOMMENDATION / ACTION REQUESTED:

That the Board of County Commissioners set April 27, 1995 to receive public testimony concerning the subject request for transfer of tax foreclosed property, for no monetary consideration, from Multnomah County's Tax Title Section and decide on whether the requested transfer to City of Portland, Bureau of Buildings, shall be approved.

### II. BACKGROUND / ANALYSIS:

See attached memorandum from David Sweet, City of Portland, Bureau of Buildings.

### III. FINANCIAL IMPACT:

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

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

**AGENDA ITEM BRIEFING - STAFF REPORT SUPPLEMENT**  
**Page 2**

**IV. LEGAL ISSUES:**

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

**V. CONTROVERSIAL ISSUES:**

This requested transfer differs from the current donation process in effect within Multnomah County. County Ordinance No. 795 calls for all properties transferred to governmental agencies or non-profit corporations for development of low-income housing to go through the County's competitive Affordable Housing Development Program (A.H.D.P.) process prior to the Board of County Commissioners consideration of donation without monetary consideration.

This request has not gone through the A.H.D.P. process for the following reasons (see attached memorandum, dated August 19, 1994, from City of Portland Bureau of Buildings):

1. The property is currently in the process of City of Portland's Housing Receivership Program.
2. Monies have been expended to rehabilitate the property.
3. The property is being rented to a low-income family.

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

There are no conflicts with County policies.

**VII. CITIZEN PARTICIPATION:**

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

**VIII. OTHER GOVERNMENT PARTICIPATION:**

City of Portland Bureau of Building, Portland Housing Commission and Housing Our Families, a non-profit low-income housing developer, have been involved.




CITY OF  
**PORTLAND, OREGON**  
BUREAU OF BUILDINGS

1120 S.W. 5th Avenue  
Portland, Oregon 97204-1992  
Mailing Address: P.O. Box 8120  
Portland, Oregon 97207-8120  
(503) 823-7300 29  
FAX: (503) 823-6983  
TDD: (503) 823-6868

## MEMO

**DATE:** August 19, 1994

**TO:** Rich Payne, Multnomah County, Department of Environmental Services

**FROM:**  David Sweet, City of Portland, Bureau of Buildings

**SUBJECT:** Receivership - 5049 NE 14th Avenue; R-72450-1480

### BACKGROUND:

This house has a long history of code enforcement actions, and has been a prominent neighborhood eyesore for years. In 1992, the Vernon Neighborhood Action Group featured this house on its Halloween "Street of Screams" tour. In March 1993, at the request of the city, the court appointed Housing Our Families as receiver for the property under the Oregon Housing Receivership Act.

In November of 1989, the City Council passed Chapter 29.80 of the City Code, entitled Housing Receivership. This enabled the City to make use of the Oregon Housing Receivership Act. The act was adopted by the 1989 session of the legislature, at the request of the City of Portland. It gives the City standing to file a court action seeking to have a receiver appointed for housing that has persistent code violations.

The receiver, which may be either a nonprofit housing corporation or the Housing Authority of Portland, would correct the code violations and rehabilitate the structure. In order to do this, the receiver could borrow money against the property, terminate and initiate tenancies, collect rents and apply them to costs, and charge a management fee. All the receiver's costs would be assessed as a lien against the property, which would have priority over other existing financial interests. An owner could redeem the property by paying all the receiver's costs, and showing the court that the property would be responsibly managed in the future. Absent such a showing, the receiver could foreclose on the lien, and take ownership of the property.

A few eastern cities have used receivership as a tool for housing rehabilitation. Results have been mixed in limited experience, but it appears that receivership can be an effective approach. Oregon is the first western state to adopt enabling legislation for receivership programs. Portland is the first western city to have a receivership program. This is our first completed project under the program.

Receivership - 5049 NE 14th Ave.  
August 19, 1994  
Page 2

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Housing Our Families is a nonprofit community development corporation working to provide affordable rental housing in inner North and Northeast Portland. Using a \$56,000 low-interest loan from the Portland Development Commission, Housing Our Families has completely renovated this 5-bedroom house. It is currently rented to a large, low-income family for \$500 per month. Housing Our Families is now in the process of having its renovation costs assessed as a lien on the property. It can then foreclose, and take title to the property.

**THE PROBLEM:**

As you know, the property is currently in redemption for tax foreclosure. The redemption period expires September 30, 1994. I understand that the amount needed to pay off the account is about \$6,550. Housing Our Families could pay this money and redeem the property, but that additional cost of acquisition would make the house less affordable as a rental. Moreover, it seems that what has been accomplished here is compatible with the goals of the county's program to donate tax foreclosed properties to eligible nonprofits. Therefore I am writing to you in hopes that we can find an alternative to paying the taxes.

**OPTIONS:**

Our favorite idea is some sort of tax abatement. I don't know if this is feasible under any existing program. Is there some new approach we could take? This issue is going to come up again, since most properties that get placed in receivership will be tax delinquent. It would be great if we could set up a process to deal with these.

Another option might be an agreement that the County will take title to the property on September 30, and then deed it to Housing Our Families. This might make PDC nervous as the lender, but I am sure we can work with them.

Perhaps you have another idea of how best to approach this. Please let me know what you think. You can reach me at 823-7329. Thank you for agreeing to work with me on this.

cc: Gretchen Dursch, Housing Our Families

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

Setting April 27, 1995 as a Hearing	)	
Date in the Matter of Approving a	)	ORDER
Request for Transfer of Tax Foreclosed	)	95- 75
Property to the City of Portland	)	
for Low Income Housing Use	)	

WHEREAS, State of Oregon statute and Multnomah County ordinance allow for transfer of tax foreclosed properties to governmental agencies and non-profit corporations for low income housing and public uses; and

WHEREAS, the City of Portland has formally requested the transfer of certain property, described below, for low-income housing use:

Address:	5049 NE 14th St.	Taxes & Interest:	\$3,671.02
Neighborhood:	King	Co. Maintenance Expenses:	\$205.00
Addition:	Rosedale Annex	Market (Assessed) Value:	\$25,800.00
Legal Description:	Lot 14, Block 10	Greenspace Designation:	Park Deficient
Tax Account No.	R72450-1480		

WHEREAS, State of Oregon statute and Multnomah County ordinance require that a public hearing be held prior to any such transfer; now therefore

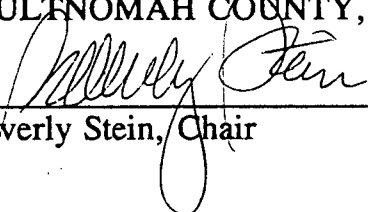
IT IS HEREBY ORDERED pursuant to ORS 271.330(2) and Multnomah County Ordinance 795, the Multnomah County Board of Commissioners will conduct a public hearing regarding transfer of the above described property to the City of Portland at 9:30 a.m., Thursday, April 27, 1995 in room 602 of the Multnomah County Courthouse, 1021 SW Fourth Avenue, Portland; and

IT IS FURTHER ORDERED that comments or objections to this transfer must be filed with the Office of the Board Clerk on or before the April 27, 1995 public hearing.



this 13th day of April, 1995.

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

  
Beverly Stein, Chair

LAURENCE KRESSEL, COUNTY COUNSEL  
MULTNOMAH COUNTY, OREGON

  
John L. DuBay, Chief Deputy



MEETING DATE: APR 13 1995AGENDA NO: R-10

(Above Space for Board Clerk's Use ONLY)

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**AGENDA PLACEMENT FORM**  
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SUBJECT: \_\_\_\_\_

BOARD BRIEFING

Date Requested: \_\_\_\_\_

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

REGULAR MEETING:

Date Requested: April 13, 1995

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

DEPARTMENT: Environmental ServicesDIVISION: TransportationCONTACT: Ed AbrahamsonTELEPHONE #: X6992BLDG/ROOM #: 425PERSON(S) MAKING PRESENTATION: Ed Abrahamson**ACTION REQUESTED:**☐ INFORMATIONAL ONLY    ☐ POLICY DIRECTION    ☒ APPROVAL    ☐ OTHER**SUMMARY** (Statement of rationale for action requested, personnel and fiscal/budgetary impacts, if applicable):

Resolution authorizing execution of a Memorandum of Understanding (MOU) regarding conformity of the Air Quality Maintenance Area in Multnomah County, outside of Metro's boundaries.

4/17/95 ORIGINAL CAP & IGAS & COPY OF  
Resolution to Ed Abrahamson**SIGNATURES REQUIRED:**

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

OR

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

**ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES**

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



# MULTNOMAH COUNTY OREGON

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

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

## MEMORANDUM

**TO:** BOARD OF COUNTY COMMISSIONERS

**FROM:**

*[Signature]* Betsy Williams, Director, Department of Environmental Services  
*[Signature]* Larry F. Nicholas, P.E., Director of Transportation

RECEIVED

**TODAY'S DATE:** March 22, 1995

MAR 31 1995

**REQUESTED PLACEMENT DATE:** April 13, 1995

COUNTY  
MULTNOMAH COUNTY, OR

**RE:** Resolution Authorizing Execution of a Memorandum of Understanding (MOU) Regarding Conformity of the Air Quality Maintenance Area in Multnomah County, Outside of Metro's Boundaries

**I. Recommendation/Action Requested**

Approval by the Board of County Commissioners is sought for the MOU.

**II. Background/Analysis**

The federal Clean Air Act has long required federal officials to assure that no project which receives federal assistance will impede attainment and/or maintenance of federal air quality standards. This aspect of the Clean Air Act is especially directed at federally funded transportation projects. However, the Clean Air Act and implementing regulations also prohibit local agencies from approving non-federally funded projects unless assurance is provided that air quality standards will not be adversely affected.

This assurance is provided in a qualitative and quantitative "Conformity Determination" prepared by Metro. The Determinations assess transportation projects recommended in the RTP, and which are allocated funding in the TIP or which are proposed by local agencies, for their consistency with goals and programs established in Oregon State (Air Quality) Implementation Plan (SIP). Metro prepares a Determination when either the RTP or the TIP is amended to include or to remove projects of regional air quality significance or when local agencies propose such projects.

The MOU that is the subject of this Resolution is made necessary by a discrepancy between boundaries of the Portland/Vancouver Interstate AQMA and Metro's boundary. The Interstate AQMA boundary was established in the 1970s by DEQ and EPA. Metro's boundary was established by O.R.S. 268 as amended by the Metro Charter approved by the electorate in 1992. The Interstate AQMA boundary includes a portion of rural Multnomah County outside Metro's boundary.

III. Financial Impact:

No known financial impact.

IV. Legal Issues

The issues addressed by the MOU are who is responsible for determining transportation project conformity in these rural Interstate AQMA areas and the procedures to be used for making the determination and resolving any disputes. The MOU is made necessary by a provision of the metropolitan planning regulations recently adopted by FHWA and FTA. Section 450.308(a) of the regulations specifies that, in the absence of an MOU resolving these issues, Metro will be responsible for carrying out all federal MPO planning requirements within the entirety of the larger Interstate AQMA boundary.

V. Controversial Issues

There are no known controversial issues.

VI. Link to Current County Policies

The MOU affects Transportation System Planning in rural AQMA areas and shall be the joint responsibility of ODOT and Multnomah County. Projects that are regionally significant transportation projects proposed for implementation must conform with the SIP. Local agency approval of any regionally significant transportation project not analyzed in Metro's regional emissions analysis, whether the project were federally funded or non-federally funded, would constitute a violation of the Clean Air Act and the Oregon State Implementation Plan.

VII. Citizen Participation

No citizen input was required or sought for this MOU. Citizen testimony at the Board of County Commissioners meeting is not expected.

#### VIII. Other Government Participation

The MOU authorizes Metro to Determine Conformity of regionally significant transportation projects in the AQMA area outside Metro's boundary. Therefore, the MOU must also receive approval from other affected jurisdictions, including unincorporated portions of Clackamas and Washington Counties, and in the rural incorporated cities of Banks, Gaston, and North Plains.

EAVH197.MEM



OFFICE MEMORANDUM . . . DEPARTMENT OF ENVIRONMENTAL SERVICES

TO: Deb Bogstad  
Clerk's Office

FROM: Cathey Kramer *CK*  
Transp. Division

DATE: April 12, 1995

RE: New Signature Page for MOU - Air Quality Maint. Area

Ed Abrahamson explained to me the need for a new signature page for the MOU which is Exhibit A to a Resolution.

I don't know if we submitted three or four originals for signature, or just one, so I am enclosing four signature pages. I have included a copy of the Placement Form for ID purposes so you can locate the appropriate agenda item.

This matter goes before the Board April 13.

Thanks.

Attachments

1995 APR 13 PM 1:46  
CLINTY COMMUNITY CENTER  
MULTNOMAH COUNTY  
OREGON

3. To the extent that programming of new transportation control and/or demand measures is pursued to demonstrate conformity, the selection of such measures shall be made by the MPO for reductions within the MPO portion of the AQMA, pursuant to 23 CFR Part 450.312(c), and by ODOT and/or Tri-Met, the Cities and the Counties for reductions attributable to rural AQMA areas. DEQ shall be consulted regarding the methodology employed by Metro for crediting of emission reductions attributable to all such measures as may be committed to by either the MPO, ODOT and/or Tri-Met, the Cities and the Counties.
4. The provisions of this MOU shall expire at midnight, September 30, 1995, unless renewed by all signatories. In the event this MOU (or an MOU substantially similar) is not renewed, an alternative approach for determining conformity shall be established.

Agreed to this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

\_\_\_\_\_  
Rena Cusma  
Executive Director, Metro

\_\_\_\_\_  
Donald Forbes  
Director, ODOT

\_\_\_\_\_  
Lydia Taylor  
Interim Director, ODEQ

\_\_\_\_\_  
Beverly Stein  
Chair  
Multnomah County Comm.

\_\_\_\_\_  
Ed Lindquist  
Chair  
Clackamas County Comm.

\_\_\_\_\_  
Bonnie Hays  
Chair  
Washington County Comm.

\_\_\_\_\_  
Tom Walsh  
General Manager  
Tri-Met

\_\_\_\_\_  
Barbara Roberts  
Governor  
State of Oregon

\_\_\_\_\_  
Howard Steinbach  
Mayor  
City of Banks

\_\_\_\_\_  
Brett Costelloe  
Mayor  
City of Gaston

\_\_\_\_\_  
Robert Kindel, Jr.  
Mayor  
City of North Plains

\_\_\_\_\_  
Rod Monroe  
Chair  
JPACT

**CONTRACT APPROVAL FORM**

(See Administrative Procedure #2106)

MULTNOMAH COUNTY OREGON

Contract # 301875

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

<b>CLASS I</b> <input type="checkbox"/> Professional Services under \$25,000	<b>CLASS II</b> <input type="checkbox"/> Professional Services over \$25,000 (RFP, Exemption) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue	<b>CLASS III</b> <input checked="" type="checkbox"/> Intergovernmental Agreement  <b>APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</b> AGENDA # <u>R-10</u> DATE <u>4/13/95</u> <u>DEB BOGSTAD</u> BOARD CLERK
---	---	---

Department Environmental Services Division Transportation Date 3/24/95Contract Originator Ed Abrahamson Phone 248-5050 Bldg/Room #425/YeonAdministrative Contact same as above Phone " " Bldg/Room " "Description of Contract Resolution authorizing execution of a Memorandum of Understanding (MOU) regarding conformity of the Air Quality Maintenance Area in Multnomah County lying outside of Metro's boundaries.

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

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

Contractor Name Metro  
 Mailing Address 600 NE Grand Ave.  
Portland, OR 97232-2736  
 Phone (503) 797-1700  
 Employer ID# or SS# \_\_\_\_\_  
 Effective Date Upon execution  
 Termination Date Sept. 30, 1995, unless renewed  
 Original Contract Amount \$ -0-  
 Total Amount of Previous Amendments \$ -0-  
 Amount of Amendment \$ -0-  
 Total Amount of Agreement \$ -0-

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

## Payment Schedule

## Terms

- ☐ Lump Sum \$ \_\_\_\_\_ ☐ Due on receipt  
☐ Monthly \$ \_\_\_\_\_ ☐ Net 30  
☐ Other \$ \_\_\_\_\_ ☐ Other \_\_\_\_\_  
☐ Requirements contract - Requisition required.

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

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

## REQUIRED SIGNATURES:

Department Manager [Signature]  
 Purchasing Director (Class II Contracts Only) [Signature]  
 County Counsel [Signature]  
 County Chair / Sheriff [Signature]  
 Contract Administration (Class I, Class II Contracts Only) [Signature]

Encumber: Yes ☐ No ☐Date 3-30-95

Date \_\_\_\_\_

Date 4/13/95Date April 13, 1995

Date \_\_\_\_\_

VENDOR CODE			VENDOR NAME						TOTAL AMOUNT \$		
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT/ REV SRC	SUB OBJ	REPT CATEG	LGFS DESCRIPTION	AMOUNT	INC/ DEC IND
01.	150	030	6104			6110					
02.											
03.											
* If additional space is needed, attach separate page. Write contract # on top of page.											

INSTRUCTIONS ON REVERSE SIDE

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

For the Purpose of Authorizing Execution )  
of a Memorandum of Understanding (MOU) )  
Regarding Conformity of Portions of the )  
Air Quality Maintenance Area Outside )  
of Metro's Boundaries )

---

Resolution No. 95-76

WHEREAS, The boundaries of the Oregon portion of the Portland/Vancouver Interstate Air Quality Maintenance Area (AQMA) were mutually agreed to by the Oregon Department of Environmental Quality (DEQ) and the federal Environmental Protection Agency (EPA) in the 1970s; and

WHEREAS, Metro's boundaries were established by Chapter 268 of the Oregon Revised Statutes and the Metro Charter; and

WHEREAS, Governor Straub designated Metro as the Portland metropolitan area planning organization (MPO) in 1979; and

WHEREAS, The Oregon portion of the Interstate AQMA does not comply with the federal air quality standard for Ozone; and

WHEREAS, Federal clean air legislation (the Clean Air Act) requires states to prepare State Implementation Plans (SIPs) for attainment and maintenance of federal air quality standards; and

WHEREAS, The Clean Air Act and implementing regulations require that transportation projects, whether or not they use federal funds and whether or not they are proposed in MPO transportation plans (i.e., the RTP) and improvement programs (i.e., the TIP), must demonstrate conformity with SIPs; and

WHEREAS, This conformity is established in Conformity Determinations prepared pursuant to federal regulations; and

WHEREAS, Metro prepares the Portland Area Conformity Determination for approval by officials of the federal Department of Transportation; and

WHEREAS, Portions of the Oregon portion of the Interstate AQMA located in unincorporated portions of Multnomah County outside Metro's boundaries; and



WHEREAS, The federal Metropolitan Planning Regulation (23 CFR Part 450) were jointly adopted by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) in November 1993; and

WHEREAS, The new regulations require that an agreement between the MPO, state air quality and transportation authorities and affected local jurisdictions must be signed by the Governor which defines how conformity with the SIP will be determined for regionally significant transportation projects planned to occur in those portions of the Interstate AQMA outside Metro's boundaries; and

WHEREAS, in the absence of such an agreement, Metro is required by the new planning regulations to assume all transportation planning responsibilities for such areas;

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners authorizes execution of a Memorandum of Understanding included in this Resolution as Exhibit A, which would specify how conformity with the SIP will be determined for both locally and federally funded, regionally significant transportation projects planned in those portions of the Interstate AQMA outside Metro's boundaries.

That ODOT, DEQ, Tri-Met, Metro, Clackamas and Washington Counties, and the cities of Banks, Gaston and North Plains will each also need to approve this MOU for it to become effective.

That upon approval by each party listed in the MOU, Metro staff is authorized to recommend the MOU to the Governor for approval.

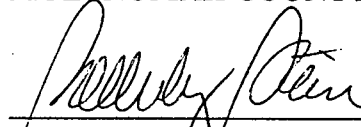
That Metro staff is authorized to take such other action as may be needed to see that, upon final approval by the Governor, the MOU is submitted to the appropriate FHWA and FTA officials.

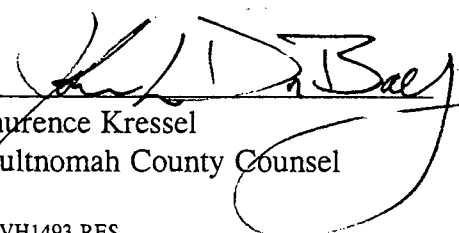
That this Memorandum of Understanding will expire at midnight, September 30, 1995, unless renewed by all signatories.

Approved this 13th day of April, 1995.



MULTNOMAH COUNTY, OREGON

  
Beverly Stein  
Multnomah County Chair

  
for Laurence Kressel  
Multnomah County Counsel

## EXHIBIT A

### MEMORANDUM OF UNDERSTANDING FOR ANALYSIS OF TRANSPORTATION PROJECT CONFORMITY WITH THE OREGON STATE IMPLEMENTATION PLAN FOR OREGON PORTIONS OF THE PORTLAND/VANCOUVER AIR QUALITY MAINTENANCE AREA (AQMA) OUTSIDE METRO'S JURISDICTION

\*\*\*\*\*

This Memorandum of Understanding is executed pursuant to the Metropolitan Planning regulations contained in 23 CFR Part 450.310(f) which state:

"If the metropolitan planning area does not include the entire nonattainment or maintenance area, there shall be an agreement among the State Department of Transportation, State air quality agency, affected local agencies, and the MPO describing:

- [A] The process for cooperative planning and analysis of all projects outside the metropolitan planning area but within the nonattainment or maintenance area.
- [B] The agreement must also indicate how the total transportation related emissions for the nonattainment or maintenance area, including areas both within and outside the metropolitan planning area, will be treated for the purpose of determining [SIP] conformity...
- [C] The agreement shall address policy mechanisms for resolving conflicts concerning transportation related emissions that may arise between the metropolitan planning area and the portion of the nonattainment or maintenance area outside the metropolitan planning area."

This situation occurs in the Portland area. The Metro MPO boundary does not encompass portions of the Portland/Vancouver Interstate Air Quality Maintenance Area (AQMA) which is in nonattainment status with respect to the National Ambient Air Quality Standards for Ozone established in the Clean Air Act Amendments of 1990 (hereafter, "rural AQMA area"). The rural AQMA areas of concern are depicted in Attachment 1 to this Memorandum, and encompass portions of unincorporated Clackamas, Multnomah and Washington Counties (the Counties) and the incorporated cities of Banks, Gaston and North Plains in Washington County (hereafter, the Cities). (It should be noted that the region is also in non-attainment for Carbon Monoxide. However, the boundary of the Oregon portion of the maintenance area for Carbon Monoxide is the same as the MPO boundary and is therefore not germane to this MOU.)

Under 23 CFR Part 450.308(a), a formal agreement must be approved by the Governor sanctioning an MPO boundary that is less than the AQMA boundary and which specifies the manner in which requirements of Part 450.310(f) (above) will be addressed. In the absence of such an agreement, Metro is required to implement all the metropolitan planning requirements identified in Part 450 for both rural AQMA and MPO boundary areas.

Metro has historically accounted for transportation facilities included in the entirety of the three counties, including those portions outside the MPO boundary but falling within the AQMA boundary, to ensure accuracy of its regional transportation model. Metro has also historically accounted for population and employment data within the entirety of the three Counties (and Yamhill and Clark Counties as well) for similar reasons. Metro shall continue to undertake these analyses contingent upon their continued identification as work items in the Unified Work Program and the availability of adequate planning funds.

Metro prepares the Portland Metropolitan Area Conformity Determination pursuant to 23 CFR Part 450.324(b), and consults with the Oregon Department of Environmental Quality (DEQ) regarding details of these Determinations. In the last four years in which Conformity Determinations have been required, Metro's analysis has included all regionally significant projects proposed within the entire Oregon portion of the Interstate AQMA. The MOU ratifies continuation of this practice.

Air quality matters affecting that portion of the Interstate AQMA in Washington State, including conformity of transportation related emissions with Washington State's SIP, are entirely the responsibility of Washington State governmental entities and are not addressed in this MOU.

A. Cooperative Planning and Analysis Process

1. Transportation system planning in rural AQMA areas shall be the joint responsibility of ODOT, the Cities and the Counties, with facility ownership establishing specific project-level responsibility as is currently the case. Demographic assumptions used in the planning process, both historical and projected, shall rely upon Metro's regional forecasts. Metro shall be responsible for transportation system planning (pursuant to the federal Metropolitan Planning Regulation) within its established boundaries which, it is agreed, shall be less than the boundaries of the Oregon portion of the Interstate AQMA unless otherwise amended pursuant to applicable state law. This declaration is responsive to 40 CFR Part 308(a).
2. ODOT Region 1, the Cities and the Counties are responsible for declaration to Metro of planned, regionally significant transportation projects proposed for implementation in rural AQMA areas. Failure to declare such projects to Metro shall cause the projects to be omitted from Metro's regional emissions analysis. Under Section 176(c)(2)(C) of the Clean Air Act, "a transportation project may be adopted or approved by a metropolitan planning organization or any recipient of funds designated under Title 23 U.S.C. or the Urban Mass Transportation Act... only if it comes from a conforming transportation plan and TIP."

Federal authorities interpret this section of the Clean Air Act to mean "projects must be included in a regional emissions analysis which demonstrates that the plan and TIP

would still conform if the project were included." (Federal Register, Vol. 58, No. 225, p. 62204, November 24, 1993) Local agency approval of any regionally significant transportation project not analyzed in Metro's regional emissions analysis, whether the project were federally or non-federally funded, would constitute a violation of the Clean Air Act and the Oregon State Implementation Plan. Such approvals could cause federal authorities to sanction the transportation program of the entire Portland area.

Therefore, upon discovery that a federally or non-federally funded, regionally significant transportation project in the rural Interstate AQMA area has not been assessed for conformity with the SIP, parties to this agreement shall withhold right-of-way and construction funding until the project shall have been included in a regional emissions analysis prepared by Metro.

3. Project declarations shall specify both when facility construction *and* operation are expected relative to "analysis years" adopted in the MPO Conformity Determination. For the FY 1995 Portland Metropolitan Area Determination, these years are 1995, 1996, 2000 and 2010. Metro, in consultation with DEQ, shall notify ODOT and the Cities and Counties of changed analysis years which may be adopted from time to time.
4. Project declarations shall define project design concept, scope and phasing sufficient to permit analysis of air quality impacts and, to the extent feasible, shall provide estimates of cost and source(s) of committed and/or anticipated revenue. The intent of revenue declarations is that only projects assured of funding, and thus of construction, shall be modeled. The interpretation of engineering specifications for purposes of defining system modelling parameters shall be conducted by Metro staff pursuant to reasonable professional practice and in consultation with project sponsors.
5. Prior to EPA approval of the State's Air Quality Conformity Rule (currently in development pursuant to 40 CFR Part 51 and 93), a regionally significant project occurring within a rural AQMA area shall have the meaning defined in 40 CFR Part 51.392, as augmented by the list of exempt projects contained in Part 51.460 and 51.462, or such other definition as may be agreed to in consultation between Metro, ODOT, and DEQ. After EPA approval of the State Rule, the meaning shall be as defined in the Rule, or as may be defined in the process of consultation provided for in the Rule. Metro's consultation with DEQ regarding rural Interstate AQMA area projects selected for analysis shall occur at the same time as Metro's consultation with DEQ regarding overall system definitions used in making Conformity Determinations pursuant to 40 CFR Part 51.402(c).
6. Prior to EPA approval of the State Conformity Rule, the threshold for project significance within the MPO boundary shall continue to be the more rigorous standard of "typical inclusion in Metro's regional transportation model," or such other standard

as may be adopted by Metro after consulting with DEQ. After EPA approval of the Rule, the definition shall be as defined in the Rule, or as may be defined in the process of consultation provided for in the Rule.

**B. Treatment of Emissions Forecasts**

1. Emissions resulting from regionally significant projects occurring both inside and outside of the MPO boundary shall be computed by Metro in a combined quantitative analysis meeting requirements of the 40 CFR Part 51, and 93 SIP Conformity regulations. The computation shall also sub-quantify emissions attributable to both the rural and MPO portions of the AQMA. The combined emission estimate shall be used as the basis for determining whether, on the basis of the region's phased air quality attainment status:
  - a. Total mobile source emissions are less in the milestone years than in 1990 or such other base year as may be adopted from time to time; and
  - b. Total mobile source emissions are less in each milestone year assuming implementation of the proposed regionally significant projects, than would occur without their implementation; and/or
  - c. Total emissions fall below the mobile source emission budget as may be specified in the Attainment SIP revision mandated by 40 CFR Part 51.

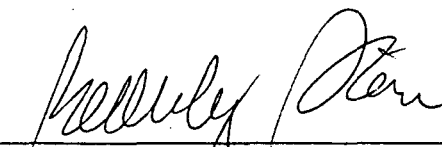
**C. Conflict Resolution in the Event of Nonconformity**

1. Quantification of emissions attributable to regionally significant projects will result in the TIP and/or RTP either passing or failing the above described "build/no build" and/or emission budget tests. In the event of a failure of any of the three tests, ODOT, Metro, the Counties, the Cities, Tri-Met and DEQ will cooperate in defining actions outside the metropolitan boundary necessary to achieve conformity of proposed projects with the SIP. The JPACT/Metro Council process will be relied upon to identify TIP/RTP amendments needed to demonstrate SIP conformity of projects occurring within the metropolitan boundary. Appropriate amendments or actions may include deletion of highway expansion projects, programming of transportation control and/or demand measures or a combination of these two approaches.
2. To the extent that deletion of highway expansion projects is pursued to demonstrate conformity, due weight in the selection process shall be given to the relative contribution of rural AQMA area emissions relative to MPO-area emissions. Countervailing considerations may include safety and preservation benefits of modernization proposals together with such other technical and administrative criteria as may be deemed appropriate by a majority of the Metro, County, ODOT and DEQ representatives. Should a project occurring within one of the Cities be proposed for deletion, the affected city shall have one vote in the cooperative process in actions regarding the project.

3. To the extent that programming of new transportation control and/or demand measures is pursued to demonstrate conformity, the selection of such measures shall be made by the MPO for reductions within the MPO portion of the AQMA, pursuant to 23 CFR Part 450.312(c), and by ODOT and/or Tri-Met, the Cities, and the Counties for reduction attributable to rural AQMA areas. DEQ shall be consulted regarding the methodology employed by Metro for crediting of emission reductions attributable to all such measures as may be committed to by either the MPO, ODOT, and/or Tri-Met, the Cities, and the Counties.
4. The provisions of this MOU shall expire at midnight, September 30, 1995, unless renewed by all signatories. In the event this MOU (or an MOU substantially similar) is not renewed, an alternative approach for determining conformity shall be established.

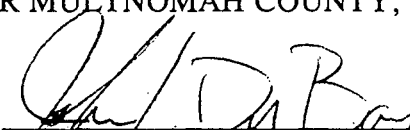
Agreed to this 13th day of April, 1995.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

By   
Beverly Stein, Chair

Reviewed:

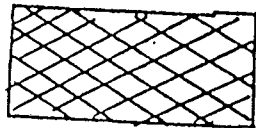
LAURENCE KRESSEL, COUNTY COUNSEL  
FOR MULTNOMAH COUNTY, OREGON

By   
John L. DuBay, Deputy County Counsel

APPROVED MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-10 DATE 4/13/95  
DEB BOGSTAD  
BOARD CLERK

# Attachment 1

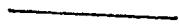
## Map Key



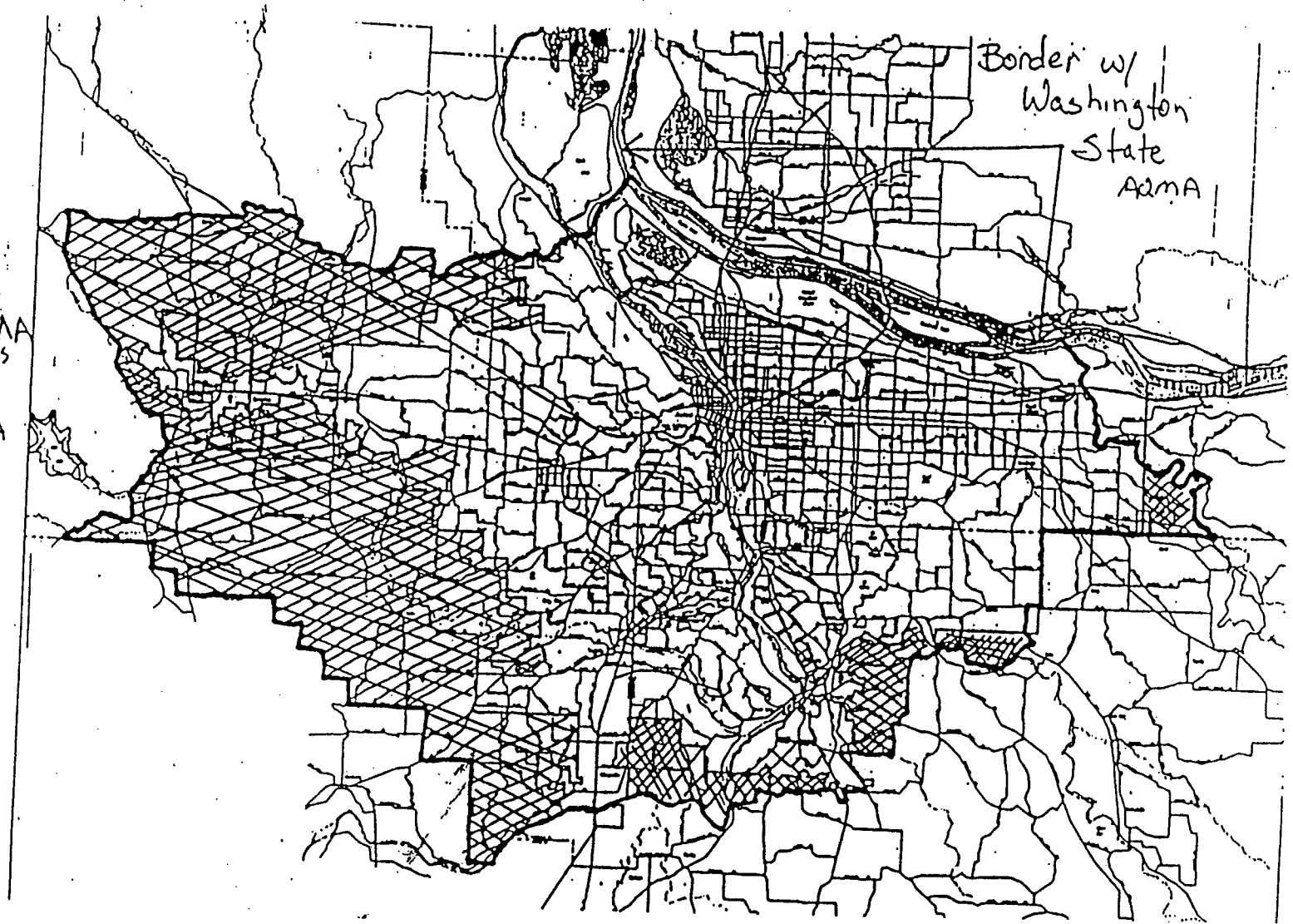
Rural  
AQMA  
Areas



AQMA  
Boundary



MPO  
Boundary



#1

PLEASE PRINT LEGIBLY!

MEETING DATE

4/13/95

NAME

Bob Robinson

ADDRESS

1221 SW 5th

STREET

Portland

97212

CITY

ZIP CODE

I WISH TO SPEAK ON AGENDA ITEM #

SIPR-11

SUPPORT

✓

~~Chair~~

~~Amendments~~

~~OPPOSE~~

SUBMIT TO BOARD CLERK



#2

**PLEASE PRINT LEGIBLY!**

**MEETING DATE** 4-13-95

**NAME**

NICK SAUVIE

**ADDRESS**

7455 SE 52ND

**STREET**

PORTLAND OR 97206

**CITY**

**ZIP**

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

**SUPPORT**

**OPPOSE**

**SUBMIT TO BOARD CLERK**

TAX R-11  
~~ABATEMENT~~

#3

**PLEASE PRINT LEGIBLY!**

**MEETING DATE** 4/13/95

**NAME**

Tasha Harmon - CON

**ADDRESS**

802 SE 27th Ave

**STREET**

PLU

OR 97214

**CITY**

**ZIP**

**I WISH TO SPEAK ON AGENDA ITEM NO.** SIP R-11

**SUPPORT** \_\_\_\_\_

**OPPOSE** \_\_\_\_\_

✓

**SUBMIT TO BOARD CLERK**

#4

**PLEASE PRINT LEGIBLY!**

**MEETING DATE** 4/13/95

**NAME** JAN SAVIDGE

**ADDRESS** 432 SE 15TH ST

**STREET**

GRESHAM OR 97080

**CITY** **ZIP**

**I WISH TO SPEAK ON AGENDA ITEM NO.** R-11

**SUPPORT** X **OPPOSE**

**SUBMIT TO BOARD CLERK**

Chair Stein's amendments to the SIP

#5

**PLEASE PRINT LEGIBLY!**

**MEETING DATE**

4/13/95

**NAME**

JOHN Rodgers

**ADDRESS**

5425 NE O 27th

**STREET**

Portland

97211

**CITY**

**ZIP**

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

R-11

**SUPPORT**

**OPPOSE**

**SUBMIT TO BOARD CLERK**

Agenda No.: R-11

## AGENDA PLACEMENT FORM

4/6/95

## MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS  
FROM: Sharon Timko, Staff Assistant *Sharon*  
TODAY'S DATE: April 6, 1995  
REQUESTED PLACEMENT DATE: April 13, 1995

RE: Resolution Adopting a Property Tax Abatement Policy

I. Recommendation/Action Requested:

II. Background/Analysis:

The Board has received several staff reports on property tax abatements. A public hearing was held to receive public input on whether the County should advance a tax abatement policy. A group of experts gave brief presentations on the various issues regarding tax abatements at the first public hearing.

The Board agreed to advance the development of a tax abatement policy. A technical advisory team was convened with representation from the Chair's Office, City of Gresham, Portland Development Commission, Gretchen Kafoury's Office, Oregon Economic Development Department, and Portland State University/Institute for Metropolitan Studies. The technical advisory team complied and distributed a background report on tax abatement issues for review.

The Board invited the mayors of Troutdale, Gresham, Portland, Fairview, Wood Village and the Metro Presiding Officer to be involved in a goal setting session and a session to review a draft tax abatement policy presented by the technical advisory committee.

A public hearing on the final draft property tax abatement policy is scheduled for Tuesday, April 11, 1995.

III. Financial Impact:

There will be no financial impact to the County as long as the County is not in compression. If the County is in compression, the County may not be able to collect its full levy.

IV. Legal Issues:

None

V. Controversial Issues:

Property tax abatement is controversial.

VI. Link to Current County Policies:

Promotes progress towards some of the County's Urgent Benchmarks.

VII. Citizen Participation:

A public hearing was held to receive comments on whether the County should advance a tax abatement policy. Another public hearing is scheduled for April 11, 1995 to receive comment on a final draft property tax abatement policy.

VIII. Other Government Participation:

A technical advisory committee was convened by the Board to develop a draft property tax abatement policy. The committee included participation from other governments, including the cities of Gresham and Portland, Portland State University/Institute for Metropolitan Studies, State of Oregon Economic Development Department, Portland Development Commission.

The Board invited the mayors of Troutdale, Gresham, Portland, Fairview, Wood Village and the Metro Presiding Officer to be involved in the development and review of a property tax abatement policy.

SHARRON KELLEY  
Multnomah County Commissioner  
District 4



Portland Building  
1120 S.W. Fifth Avenue, Suite 1500  
Portland, Oregon 97204  
(503) 248-5213

BOARD OF  
COUNTY COMMISSIONERS  
1995 APR - 7 PM 1:48  
MULTNOMAH COUNTY  
OREGON

REVISED  
M E M O R A N D U M

TO: Board of Commissioners

FROM: Commissioner Sharron Kelley

RE: Proposed Revisions to Background Statement for the  
Implementing Policy of the Multnomah County Strategic  
Investment Program

DATE: April 7, 1995

-----

Deletions are [bracketed]; additions are underlined.

I. Background

On a nationwide basis, there is a growing gap in incomes between households: the lower 80 percent of households by income have received only two percent of income growth over the past 15 years. The Secretary of Labor has stated that this gap can be addressed nationally through the adaptation to a new economy driven by advanced technologies and global competition in which productive skills are the key to success. This adaptation will require job training in technical skills and the encouragement of companies that treat their workers not as costs to be cut but as assets to be developed: training workers, providing responsibility and job security.

In Oregon, wages are currently only 88 percent of the national average. As part of its Workforce Development plans, the State of Oregon has submitted the vision that it will have the best educated and prepared workforce in the nation by the year 2000 and a workforce equal to any in the world by the year 2010. This vision includes the goals of quality employment for all Oregonians through investments in education, training and experience in the workforce.



Locally, within the Portland metropolitan area, the per capita income of Multnomah County residents has not kept pace with income growth in the neighboring counties. In the manufacturing sector in Multnomah County, the number of jobs has declined over the last 15 years while it has grown in neighboring counties.

Among the Community Goals set forth in the January 1995 Report of the Portland-Multnomah Progress Board are the following:

\*Attract internationally competitive companies that support well compensated jobs with long-term potential.

\*Build a world-class workforce <sup>SERIOUS ERROR</sup> ~~skills~~ that provides the full range of skills necessary to attract and sustain competitive, high performance companies.

\*Ensure that all residents, particularly low-income and unemployed people, have the opportunity to benefit from business growth.

\*Graduate all children from high school with skills enabling them to succeed in the work force and/or in post-secondary education, including the fundamental ability to read, write, communicate, and reason.

\*Establish stronger educational programs beyond the secondary level to meet the region's needs for accessible education, expanded graduate programs, high quality research, technology transfer, and economic development.

Among its Urgent Benchmarks, the Progress Board has adopted the following measures for which improvement is sought:

\*Average annual payroll per non-farm worker;

\*Percentage of citizens with incomes above 100 percent of the poverty level;

\*Percentage of children 0-17 living above 100 percent of the

poverty level;

\*Percentage of citizens who have economic access to basic health care.

The characteristics of the semiconductor and metals industries make them desirable as part of the strategy to achieve these goals. These characteristics include: high investment per job; a highly trained workforce earning wages well above average, coupled with opportunities for initial entry and career/skill advancement for lower skilled members of Oregon's existing labor force; high multiplier effect of additional investment created via supplier and service companies throughout the state; and low impact on property tax financed local services per dollar of investment. Firms in capital-intensive industries generally are especially desirable to a region because they tend to invest heavily in developing the skill levels of their employees, pay their employees well, and contribute in other ways to the economic development of the region.

Oregon has many natural advantages that make it attractive to firms seeking to locate a new facility. For firms in capital-intensive industries such as semi-conductors and metals, however, Oregon's property tax system has made locating in Oregon less attractive relative to locating in another state or outside the U.S. [Firms in capital-intensive industries generally are especially desirable to a region because they tend to invest heavily in developing the skill levels of their employees, pay their employees well, and contribute in other ways to the economic development of the region.]

A highly capital-intensive production facility would pay many times more in property taxes than an otherwise-identical facility with average capital intensity, but would impose the same costs on local government service providers. If the property tax burden on a typical production facility is a fair burden, then the burden on a highly capital-intensive facility is excessive.

The 1993 Oregon legislature [sought to] provided a means for rectifying this inequity and enjoying additional investment and employment within the state by capital-intensive firms. With the passage of House Bill 3686, counties and cities may elect, under

certain conditions, to exempt portions of projects funded by Economic Development Revenue Bonds from property-tax assessments. This program for abating property taxes for capital-intensive firms is called the Strategic Investment Program (SIP).

House Bill 3686 specified that the governing body of an Oregon county may impose additional reasonable requirements on an applicant. Multnomah County seeks to implement its SIP in a way that promotes attainment of the County's goals. [To ensure that abatements are granted only to firms that share the County's goals, this policy document describes in detail the things a successful applicant will do, knowing that firms eligible to apply probably would do most or all of them anyway.]




## Beverly Stein, Multnomah County Chair

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

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

### MEMORANDUM

TO: Board of County Commissioners

FROM: Commissioner Beverly Stein 

DATE: April 11, 1995

RE: Proposed Amendments to the Strategic Investment Policy

I am interested in the following four amendments to the draft Strategic Investment Policy (proposed amendments in italics). As a courtesy, I hope that members of the Board will move and second these amendments for discussion purposes.

#### **Amendment #1 Public Comment** (page 4, last bullet under Review)

Within *fourteen* days from the date the application is deemed complete, the consultants will submit a report to the Board on the compliance of the application with this Implementing Policy including the findings of the fiscal and economic impact studies *and proposed contract terms and conditions*. *The application along with the consultants' reports will be made public at this time and public notice will be given that a hearing will be held on the application and consultants' reports.*

*No less than 7 days after public notice, a public hearing will be held. After the hearing, the Board will give directions to the negotiating team.*

#### Rationale:

##### 1) Policy Standards are General

Several policy standards are very general in nature and do not have specific requirements. The stakeholders argued that specific requirements will be negotiated for each contract. This approach was favored by the stakeholders because of the perceived uniqueness associated with each application. However, the general nature



of policy does not enable the public to be fully involved.

Public comment is valuable and would be very useful to the Board when the specifics of the application and consultant's reports are submitted. For example, local community groups such as neighborhood associations would have an opportunity to comment on the impacts of the proposed project on schools, housing, and roads. The Board would have the benefit of reviewing the overall project prior to negotiations not just from the applicant's perspective but from a community's perspective.

In addition, the consultant's report will identify the strengths and weaknesses of the application. The public could then comment on the costs and benefits of the proposed property tax abatement.

2) Public Records Law

County Counsel has advised the Board that the application can be kept confidential if it is submitted through the Oregon Economic Development Commission or Oregon Economic Development Department. However, once the County-hired consultant submits the application as part of the overall report to the Board, the application and report are no longer confidential. At that point, the report is a public record and subject to public disclosure.

Therefore, holding a public hearing prior to negotiations would not infringe upon the applicant's confidentiality.

3) Identify Key Issues at Beginning of Process

The proposed review process in the draft policy allows for public comment and possible contract changes at the end of the process. However, if time is a major factor (as was conveyed at the stakeholders meeting) then it makes more sense to identify all the issues at the beginning of the process through an initial public hearing. Convening the only public hearing at the end of the process increases the likelihood of extending the overall timeline to address new issues raised at the public hearing.

Furthermore, it will become more difficult for the Board to change its position after lengthy negotiations have occurred prior to the public hearing. We owe it to the public to provide a review process that truly engages them. Publicly subsidized industrial expansions will have positive as well as negative impacts on taxpayers' quality of life, neighborhoods, and wallets. The public deserves to be an integral part of the discussion.

4) Extend the County's Review Time

The Budget and Quality Office staff (charged with policy implementation) have raised

concern about the review time frame. They feel that the County and/or consultant will be put at a disadvantage because there will be insufficient time to review the application. The applicant has all the time necessary to prepare the application. If our staff responsible for implementing the policy asserts that more time is needed, I support their judgment.

I proposed a seven day extension from when the application is deemed complete to when the consultants will submit a report to the Board.

**Amendment #2 Provide a Viable Affordable Housing Standard**  
(page 11 (C) Housing and Transportation, first bullet under Standards)

*Applicant will agree to contribute five percent of the total property taxes abated minus the community service fee to a County Housing Trust Fund. In addition, 5 percent of the community service fee will also go to a County Housing Trust Fund. The funds will be paid into a County Housing Trust Fund to address the needs of home ownership, creation of low and moderate rentals and other diverse low cost housing needs.*

**Rationale:**

**1) Region is Experiencing a Severe Affordable Housing Crisis**

The Portland Metropolitan area has become one of the most unaffordable regions in the United States when median income is compared to median rent and home prices. According to the a recent study, the region is considered less affordable than upscale communities such as Orange County and Santa Barbara, California.

The County through the Strategic Investment Program has an opportunity to assist in addressing this regional housing crisis.

**2) The Proposed Assessment Strategy Is Unpredictable**

The current draft proposal could be an onerous assessment that could cost the applicant millions of dollars it does not specify what standards will be used to assess the applicant's impact on housing.

Using the Integrated Device Technology (IDT) application from Washington county as an example and the generally accepted figure of \$10,000 per unit as an affordable housing subsidy and 60 percent of median income as a low income standard, we get an estimated \$6 million figure for the applicant's contribution under the current standard. It could be a deal breaker.

A more fair and conservative approach to addressing the affordable housing crisis

would be to require an up-front dedication of funding.

3) **County Needs to Drive a Hard Fair Bargain**

The County is in the driver seat to craft a policy that garners the best deal for the residents of Multnomah County. The regional economy is healthy and growing. Multnomah County is a highly attractive community that offers many amenities to the high technology industry.

Since Measure 5, businesses already have received a significant reduction in their property taxes. Portland Organizing Project estimates that 150 county-based corporations have together saved \$49.6 million in property taxes since the passage of Measure 5.

For these reasons, I believe it is appropriate to require half of the housing fee be above and beyond the community service fee.

**Amendment #3 Increase the Number of High Wage Jobs**

(page 9 under "The following standards will be met by an applicant offering a full spectrum of jobs")

*At minimum of 50 percent of the employees filling new jobs created as a result of the property tax abatement should earn equal to or greater than the average annual covered wage in Multnomah County.*

**Rationale:**

- 1) Clearly defines the County's position and creates parallel language to the standard required for applicants creating high-wage jobs.

The draft policy lacks precise language in this area. This language assists in defining the County's intent on what types of jobs are desirable under this program.

- 2) Companies agreed to this condition in Washington County

Washington County has this as a goal in their policy and was agreed upon by each of the firms receiving property tax abatements.

**Amendment #4 Repayment**

Modify Section VI. (page 7)

Specific terms for repayment will be negotiated *for each standard* and included in the Abatement Contract. In any case, total repayment *for non-compliance* will not exceed

75 percent of the total abatement for the year the penalty is cited.

Delete the following phrase from Section VIII B., C., D., E., and F:

*Repayment*

*Payment to the County of \$1.00 repayment for each \$1.00 saved by not meeting the standard.*

Rationale:

1) Difficult if Not Impossible to Calculate in Advance

It may not be possible for the parties to accurately calculate in advance or retrospect what may be the cost savings of not meeting an standard. Washington County had a much simpler approach. The proposed amendment is consistent and similar to the Washington County policy. They merely agreed with the applicant during the negotiation process on a fair amount of the abatement that will be returned for each of the contract areas not meet.

The proposed language in Section VI. (page 7) clarifies that the contract will include repayment provisions for all terms and conditions of the contract, and that this will not exceed 75 percent of the total abatement received for the year the penalty is cited. This is sufficient guidance to the negotiator.

cc: Mayor Vera Katz  
Mayor Gussie McRobert  
Mayor Don Robertson  
Mayor Paul Thalsofer  
Mayor Roger Vonderhar





Post-It Fax Note	16/1	Date	4/12	# of pages	3
To	Sharon Timko	From	Ethan Seltzer		
Co./Dept.	Multn. Co.	Co.	IMS-PSU		
Phone #		Phone #	725-5170		
Fax #	248-3093	Fax #			

## MEMORANDUM

April 12, 1995

To: Tony Ruffolo, Tom Potiowsky, Jeff Tashman

From: Ethan Seltzer 

Re: Key Observations regarding the Draft Multnomah County SIP Policy

First, thank you for taking the time to discuss Multnomah County's draft SIP implementation policy. Your perspectives on the ability of the policy to meet County purposes are extremely valuable, and will be of use as the Commission reviews the draft on Thursday, April 13. Attached is a draft of a summary of our discussion. Please let me know if this is complete and if it accurately reflects our discussion. In addition, please feel free to suggest ways to incorporate specific or more specific recommendations to the Board as they discuss the draft. Please leave a message for me here, 725-5170, send me email at ethan@upa.pdx.edu, or feel free to call me at home, 282-4155.

Thanks, again, for your time and consideration. Both I and the Multnomah County Commissioners appreciate the time and thought that you've contributed to this process.

ES:ae

attachments

- c: Sharon Timko, Chair Stein's Office  
 Joe Cortright, Joint Committee on Trade and Economic Development  
 Bob Robison, Commissioner Kafoury's Office  
 Mike Ogan, Portland Development Commission

BOARD OF  
 COUNTY COMMISSIONERS  
 MULTNOMAH COUNTY  
 OREGON  
 1995 APR 12 PM 3:51

**Multnomah County Draft SIP Implementation Policy**  
**Key Observations**  
**Institute of Portland Metropolitan Studies**  
**April 12, 1995**

1) The policy needs to clearly communicate the County's top priority or objective. As written, the draft does not clearly distinguish between primary and secondary objectives. For example, though jobs are an important objective, there is nothing in the draft that explains the relationship of that objective to others included as standards, such as child care and housing. Because the draft speaks to so many objectives, the County may find that its negotiators are uncertain about relative priorities, and that the applications it gets are unfocused. If the County is going to grant tax abatements, it should grant them for a purpose. At a minimum, the policy should clearly communicate a hierarchy of goals or objectives directly in the purpose statement.

2) The policy should clearly be directed at addressing the needs of a target population. As the policy recognizes, not all firms are the same and they aren't all creating the same kinds of jobs. Therefore, it is entirely possible that each application will most directly affect different segments of the County's population. Consequently, with each application, the County needs a policy that incorporates the following kind of thought process:

- Given the nature of the enterprise, what is the target population most directly affected by this application?
- What are the needs of that group of people?
- What/where is the project and how is it linked to the target population physically, economically, and long-term?
- In light of the needs of the target population and the links between the target population and the project, what is the highest priority objective for the negotiation between the County and the applicant?

Note that with changes in the target population, key objectives for the negotiation may change. The policy should anticipate this kind of fluidity and incorporate it in the form of an explicit step in the formulation of the County's instructions to its negotiators.

3) This process will only work well with clear and ongoing communication between the Board and its negotiators, and the clear understanding by all that the Board will stand behind its instructions to its negotiators. The direction and intent of the negotiation cannot be delegated. The Commissioners need to anticipate their active involvement at key points throughout the 42-day cycle of the application review and negotiation process.

4) Penalties need to be clear, substantial, and persuasive. As written, the penalties may be impossible to calculate and do not communicate the seriousness of the County's expectation. Perhaps a better approach would be to use something like the penalty clause in the Washington County policy, where failure to meet the negotiated standard(s) results in repayment of the abated taxes for that year.

5) There needs to be a clearly articulated minimum standard for acceptability. For example, the Washington County policy includes a standard of \$20,000 maximum in abated taxes per job created, and another standard that states a goal of 50% of the jobs being permanent and paying a wage at or above the average annual covered wage in the County. Multnomah County should incorporate some kind of minimum standards or goals in its policy as a means for establishing a clear floor for the negotiation. Note, however, that this raises the issue of the relationship of the County's policy to that of other counties in the metropolitan area: if Multnomah County's minimum standards are different, it creates a perhaps unnecessary atmosphere of competition.

allowing companies to play counties off against each other. In addition, the notion of what is acceptable and what is a "deal killer" is a matter of conjecture. Establishing minimum standards is as much an art as a science, with our notion of what is acceptable becoming clearer as we gain experience through future negotiations.

For these reasons, Multnomah County should regard the establishment of minimum standards as something that will need to be revisited over time, incorporating the lessons and gains of each negotiation. We know that the \$20,000 standard is acceptable, since it already worked in Washington County. Whether \$20,000 is the only number that works, however, is not known. To avoid a situation that pits county against county, the Commission should provide the leadership to bring together other county boards in the region to discuss and hopefully agree to a common set of minimum expectations, and an agreed on process for evaluating and changing them over time as negotiations proceed.

**CROOK Barry**

1995 APR 12 PM 3:54

From: CROOK Barry  
To: STEIN Beverly E; COLLIER Tanya D; KELLEY Sharron E; HANSEN David D; SALTZMAN Dan S  
Cc: TIMKO Sharon E  
Subject: DRAFT Strategic Investment Program Policy  
Date: Fri, April 7, 1995 9:38AM

MULTNOMAH COUNTY  
OREGON

I have reviewed the draft policy document and wanted to relay some of my reactions to it, at least those that concern my involvement in the process and areas that affect the financial condition of the County; and some thoughts on the implications I feel the policy's timelines might have on our negotiating position.

First, the timelines. They seem unreasonably short. Under either Option A or Option B, I will be asked to hire a consultant in a time frame that probably does not permit thoughtful and judicious selection. I am not convinced I could even adhere to the timelines given the County's rules for contracting. Even if a preliminary RFP is prepared annually seeking potential consultants, I doubt the ability to process a selection in the time frame contemplated. Seven days will mean 5 working days . . . given my belief that the selection of the consultant should be made with an eye toward the specific applicant (so that knowledge of the industry is taken into the selection criteria) I do not believe that this can realistically be done within the time frame outlined. I am asked to hire a consultant, subject to board approval, within 7 days (5 working days). That consultant then must certify that the application is complete, and perform financial analysis within the next 7 days. So within the first 14 days, I receive an application and \$10,000, hire a consultant that the Board approves of, and work with the consultant to do financial analysis on the application -- this is extremely ambitious, so ambitious that I wonder just how much a consultant might charge for that kind of turn-around effort. I would lengthen this timeline to 21 to 24 days.

Second, I also believe that the entire review/negotiation timeframe will be so short that the County will inevitably be put at a disadvantage in terms of first understanding what is being requested by the applicant, understanding the economic climate the applicant is operating within (and the implications that this knowledge has on the negotiations that will follow that understanding), and in conducting of the negotiations themselves. By creating this short timeframe, the County will be rushed towards completing a negotiation -- and I believe this will mean we will not give careful consideration to the many items that should be considered and negotiated. This, as a practical matter, will put us at a disadvantage and may cause us to "leave on the table" items we might otherwise be able to negotiate. The firm seeking the abatement will have all the time in the world to prepare for that application -- the County will be under the gun to respond. This will work against us in any negotiation.

I understood the staff recommendation to the Board to be that Option A and Option B should be taken as a whole, with little mixing and matching. Why? In the different areas (specifically Section VI -- Compliance Auditing, etc.) it seems to me that either procedure can be selected to be paired with either Option A or B that relates to the first part of the policy. I recommend that the applicant be made to pay for any compliance auditing -- whether we find violations or not. The magnitude of the benefit conveyed far outweighs any applicant's cost of compliance.

Why the clause restricting penalty to no more than 75% of the abatement? A firm could completely abandon any effort to adhere to the abatement agreement and still receive a 25% abatement. Why do that? We shouldn't restrict the penalty at all. Theoretically the applicant could negotiate in bad faith, make no effort to comply with the terms of the agreement, and yet still receive a 25% abatement.

The conditional nature of the agreement: ". . . conditions beyond the control of the parties" leading to renegotiation of the contract "upon agreement of both parties" is confusing to me. What constitutes "conditions beyond the control of the parties" and if something is beyond their control, why must the other party agree to renegotiate. What might trigger this? A change in the market conditions affecting the applicant's business? Changes in the law that limits assessed value growth and therefore may make the County want to get the abated taxes before the agreement is completed? Both represent changes "beyond the control of the parties", but I wonder how much the

other party will want to abandon the agreement and renegotiate because of those changed circumstances? We must be very careful with specific contract language here.

The remainder of the Policy relates to specific goals and objectives -- while I may have opinions about them, I see no need to address them. Whatever the Board determines is appropriate I presume will be part of the information the applicant will provide in its initial application -- or be taken up during, and made part of the contract negotiation. I favor making it a requirement of the initial application. I would recommend that the Board provide more direction in this policy as to how failures in each of these areas would impact the penalty/payback provisions -- but maybe it is contemplated that this will be made part of the final agreement to be negotiated with each applicant?

R. Barry Crook  
Budget & Quality Manager



## MULTNOMAH COUNTY COMMUNITY ACTION COMMISSION

421 S.W. Fifth, Suite 200  
Portland, OR 97204-2221



TEL: 503-248-5464  
FAX: 503-248-3332

Testimony before the Multnomah County Board of Commissioners

April 13, 1995

Re: Strategic Investment Program

Everyone deserves a home! Do you share that belief? Your interest in establishing a strategic investment program leads me to believe that you value creating homes for wealthy corporations. Do you also have a commitment to create homes for human beings?

The point of my testimony, which I offer on behalf of the Multnomah County Community Action Commission, is simply that everyone deserves a home. That we need to create a link between homes for wealthy businesses and homes for people who are caught up in poverty or near poverty. Everyone deserves a home. That word "everyone" is one of inclusivity. Let's include business entities and certainly, let's include people, no matter what level of income they may have. Everyone deserves a home and today you can set in place a policy that will open up opportunities for more low-income citizens in Multnomah County to have homes.

The Community Action Commission does not have a position one way or another with regard to pursuing big business as a solution to poverty. Setting aside the issue of the efficacy of tax abatements for wealthy corporations, I am here to inform you that last night **the Community Action Commission voted to support the amendments that Chair Stein has presented to you for your consideration.** We urge the full board to accept the amended language because, among other things, it takes a major step in the right direction with regard to establishing a revenue source for a housing trust fund.

Why should business be pulled in as part of the solution to our affordable housing crisis? Because these businesses have been attracted to our county for a multitude of reasons related to the livability assets our community offers, yet somehow I don't think they get much exposure to the downside of life in Multnomah County—the fact that not everyone here has a decent, safe home. It would be hard for these businesses to draw that conclusion because the areas they visit do not require them to step over homeless people on the sidewalks. But nevertheless, the outer cities have their share of people who have no homes—individuals who scrape out a "home" in the middle of wild blackberry thickets and families who sleep in their cars or doubled up in crowded housing situations. Let's help these businesses not only to acknowledge Multnomah County's affordable housing crisis, but to be a part of the solution.

We need a housing trust fund. Requiring incoming, wealthy corporations to support that fund is an excellent way to generate revenue for the development of low- and moderate-income housing. With Congress stepping back from its responsibility to see that everyone has a home, it's up to us to find ways to pick up the slack. Chair Stein is proposing an excellent way to do just that.

Months or years from now you are likely to be invited to the ground breaking and ribbon cutting ceremonies of these newly settled corporations. If you adopt the requirement to set aside some abated tax money for the housing trust fund, you'll be able to have a sense of pride not just over the beautiful corporate home that you have helped make a reality, but also for hopefully hundreds of homes for human beings too. There can be a link between corporate homes and people homes. You hold the key for locking in that connection. Please remember, as you vote on the strategic investment policy, that **everyone deserves a home!**

Although I have only addressed Chair Stein's amendment dealing with a housing trust fund, the Community Action Commission also urges you to accept the other amendments as well.

TANYA COLLIER  
Multnomah County Commissioner  
District 3



1120 SW Fifth St., Suite 1500  
Portland, OR 97204  
(503) 248-5217

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

TO: Chair, Beverly Stein  
Commissioner Gary Hansen  
Commissioner Sharron Kelley  
Commissioner Dan Saltzman

FROM: Commissioner Tanya Collier

DATE: April 12, 1995

SUBJECT: Amendment to SIP

Here is the amendment I E-mailed you about. I wanted to respond to the concerns articulated at the public hearing last night regarding the growing need for affordable housing in Multnomah County. Let me know if you think this will work.

Thanks.

TC:sf

BOARD OF  
COUNTY COMMISSIONERS  
1995 APR 12 PM 5:03  
MULTNOMAH COUNTY  
OREGON



## PROPOSED AMENDMENTS TO THE STRATEGIC INVESTMENT POLICY:

### Process for Establishing Use of Community Service Fee (Page 7, VII)

Consistent with State law, a Community Service Fee equal to the lesser of \$2 million or 25 percent of abated taxes will be paid to the County by the Applicant or its successors each year abatement is in effect.

**The County Board will agree to establish a criteria and process for allocating the Community Service Fee after consultation with elected officials from all cities within the County will decide how to use the Community Service Fee. Criteria will include housing as a priority allocation. The fee may be used for:**

- mitigating potential impacts of the project
- collaborative efforts among City agencies, County agencies, school districts, and community groups to achieve progress as measured by Portland-Multnomah Benchmarks.
- other uses in the interest of the community

In addition to the Community Service Fee, the County may ask for financial contributions from the applicant to address the goals of this policy as part of the terms and conditions of the contract negotiated under this policy.

### C. Housing and Transportation (Page 11)

#### Multnomah County Goals:

- Provide assistance securing affordable housing
- Encourage employees to use transit, car pools, van pools, or alternative modes of transportation

#### Standards:

- **The County will place a percentage of the community service fee aside to address the need for assistance with home ownership and the creation of low and moderate rental units.**
- The County will work with the City in which the project will be located, other cities in the region, and Metro to assess the applicant's impact on the availability of affordable housing in the region and, if an adverse impact is predicted, the applicant will agree in negotiations to fund an appropriate company- or company-operated program.
- The applicant will describe a credible program to encourage employees to use transit, car pools, van pools, or alternative modes of transportation and will make assurance that such a program will be implemented.

SHARRON KELLEY  
Multnomah County Commissioner  
District 4



Portland Building  
1120 S.W. Fifth Avenue, Suite 1500  
Portland, Oregon 97204  
(503) 248-5213

M E M O R A N D U M

TO: Board of Commissioners

FROM: Commissioner Sharron Kelley

RE: Additional Proposed Revision to the Implementing Policy  
of the Multnomah County Strategic Investment Program

DATE: April 12, 1995

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additions are underlined.

Page 2 - The Board also may refuse to ratify an abatement contract that, in its judgment, would not meet the Goals set forth in this policy or because the extent to which it meets the Goals does not justify the value of the abatement.

BOARD OF  
COUNTY COMMISSIONERS  
1995 APR 13 AM 8:28  
MULTNOMAH COUNTY  
OREGON



**DAN SALTZMAN, Multnomah County Commissioner, District One**

1120 S.W. Fifth Avenue, Suite 1500 • Portland, Oregon 97204 • (503) 248-5220 • FAX (503) 248-5440

## **SALTZMAN AMENDMENT TO THE MULTNOMAH COUNTY STRATEGIC INVESTMENT PROGRAM POLICY**

TO IV (C) UNDER SECTION TITLED "REVIEW," INSERT THE FOLLOWING  
BEFORE THE LAST BULLETED PARAGRAPH (page 5):

During the period of negotiation between the negotiating team and the applicant, the Board of County Commissioners will receive a written progress report no less than once a week during the course of negotiations.

MAKE THE FOLLOWING CHANGES IN "X. GLOSSARY OF TERMS:"

"Complete Application" (page 15): Change from "a county representative will determine whether the application is complete..." to "The Budget and Quality office director will determine whether the application is complete"

"Negotiating Team" (page 16): Delete "The applicant's negotiating team is limited to no greater number of members than the County's negotiating team".



## Beverly Stein, Multnomah County Chair

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

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

### MEMORANDUM

TO: Board of County Commissioners

FROM: Commissioner ~~Beverly Stein~~

DATE: April 13, 1995

RE: **REVISED** Proposed Amendments to the Strategic Investment Policy

I am interested in the following six amendments to the draft Strategic Investment Policy (proposed amendments in italics). As a courtesy, I hope that members of the Board will move and second these amendments for discussion purposes. **Revised language is underlined.**

#### **Amendment #1 Public Comment** (page 4, last bullet under Review)

Within *fourteen* days from the date the application is deemed complete, the consultants will submit a report to the Board on the compliance of the application with this Implementing Policy including the findings of the fiscal and economic impact studies *and proposed contract terms and conditions*. *The application along with the consultants' reports will be made public at this time and public notice will be given that a hearing will be held on the application and consultants' reports.*

*No less than 7 days after public notice, a public hearing will be held. After the hearing, the Board will give directions to the negotiating team.*

#### Rationale:

##### 1) Policy Standards are General

Several policy standards are very general in nature and do not have specific requirements. The stakeholders argued that specific requirements will be negotiated for each contract. This approach was favored by the stakeholders because of the



perceived uniqueness associated with each application. However, the general nature of policy does not enable the public to be fully involved.

Public comment is valuable and would be very useful to the Board when the specifics of the application and consultant's reports are submitted. For example, local community groups such as neighborhood associations would have an opportunity to comment on the impacts of the proposed project on schools, housing, and roads. The Board would have the benefit of reviewing the overall project prior to negotiations not just from the applicant's perspective but from a community's perspective.

In addition, the consultant's report will identify the strengths and weaknesses of the application. The public could then comment on the costs and benefits of the proposed property tax abatement.

2) Public Records Law

County Counsel has advised the Board that the application can be kept confidential if it is submitted through the Oregon Economic Development Commission or Oregon Economic Development Department. However, once the County-hired consultant submits the application as part of the overall report to the Board, the application and report are no longer confidential. At that point, the report is a public record and subject to public disclosure.

Therefore, holding a public hearing prior to negotiations would not infringe upon the applicant's confidentiality.

3) Identify Key Issues at Beginning of Process

The proposed review process in the draft policy allows for public comment and possible contract changes at the end of the process. However, if time is a major factor (as was conveyed at the stakeholders meeting) then it makes more sense to identify all the issues at the beginning of the process through an initial public hearing. Convening the only public hearing at the end of the process increases the likelihood of extending the overall timeline to address new issues raised at the public hearing.

Furthermore, it will become more difficult for the Board to change its position after lengthy negotiations have occurred prior to the public hearing. We owe it to the public to provide a review process that truly engages them. Publicly subsidized industrial expansions will have positive as well as negative impacts on taxpayers' quality of life, neighborhoods, and wallets. The public deserves to be an integral part of the discussion.

4) Extend the County's Review Time

The Budget and Quality Office staff (charged with policy implementation) have raised concern about the review time frame. They feel that the County and/or consultant will be put at a disadvantage because there will be insufficient time to review the application. The applicant has all the time necessary to prepare the application. If our staff responsible for implementing the policy asserts that more time is needed, I support their judgment.

I proposed a seven day extension from when the application is deemed complete to when the consultants will submit a report to the Board.

**Amendment #2 Provide a Viable Affordable Housing Standard**

(page 11 (C) Housing and Transportation, first bullet under Standards)

*Applicant will agree to contribute five percent of 75 percent of the total property taxes abated to a County Housing Trust Fund to be dedicated to the community where the business is located. In addition, 5 percent of the community service fee will also go to a County Housing Trust Fund. The funds will be paid into a County Housing Trust Fund to address the needs of home ownership, creation of low and moderate rentals and other diverse low cost housing needs.*

Rationale:

1) Region is Experiencing a Severe Affordable Housing Crisis

The Portland Metropolitan area has become one of the most unaffordable regions in the United States when median income is compared to median rent and home prices. According to the a recent study, the region is considered less affordable than upscale communities such as Orange County and Santa Barbara, California.

The County through the Strategic Investment Program has an opportunity to assist in addressing this regional housing crisis.

2) The Proposed Assessment Strategy Is Unpredictable

The current draft proposal could be an onerous assessment that could cost the applicant millions of dollars it does not specify what standards will be used to assess the applicant's impact on housing.

Using the Integrated Device Technology (IDT) application from Washington county as an example and the generally accepted figure of \$10,000 per unit as an affordable housing subsidy and 60 percent of median income as a low income standard, we get an estimated \$6 million figure for the applicant's contribution under the current

standard. It could be a deal breaker.

A more fair and conservative approach to addressing the affordable housing crisis would be to require an up-front dedication of funding.

3) **County Needs to Drive a Hard Fair Bargain**

The County is in the driver seat to craft a policy that garners the best deal for the residents of Multnomah County. The regional economy is healthy and growing. Multnomah County is a highly attractive community that offers many amenities to the high technology industry.

Since Measure 5, businesses already have received a significant reduction in their property taxes. Portland Organizing Project estimates that 150 county-based corporations have together saved \$49.6 million in property taxes since the passage of Measure 5.

For these reasons, I believe it is appropriate to require half of the housing fee be above and beyond the community service fee.

**Amendment #3 Increase the Number of High Wage Jobs**

(page 9 under "The following standards will be met by an applicant offering a full spectrum of jobs")

*At minimum of 50 percent of the employees filling new jobs created as a result of the property tax abatement should earn equal to or greater than the average annual covered wage in Multnomah County.*

**Rationale:**

- 1) Clearly defines the County's position and creates parallel language to the standard required for applicants creating high-wage jobs.

The draft policy lacks precise language in this area. This language assists in defining the County's intent on what types of jobs are desirable under this program.

- 2) Companies agreed to this condition in Washington County

Washington County has this as a goal in their policy and was agreed upon by each of the firms receiving property tax abatements.

#### **Amendment #4 Repayment**

Modify Section VI. (page 7)

Specific terms for repayment will be negotiated *for each standard and condition* and included in the Abatement Contract. In any case, total repayment *for non-compliance* will not exceed 75 percent of the total abatement for the year the penalty is cited.

Delete the following phrase from Section VIII B., C., D., E., and F:

##### *Repayment*

*Payment to the County of \$1.00 repayment for each \$1.00 saved by not meeting the standard.*

Rationale:

##### 1) Difficult if Not Impossible to Calculate in Advance

It may not be possible for the parties to accurately calculate in advance or retrospect what may be the cost savings of not meeting an standard. Washington County had a much simpler approach. The proposed amendment is consistent and similar to the Washington County policy. They merely agreed with the applicant during the negotiation process on a fair amount of the abatement that will be returned for each of the contract areas not meet.

The proposed language in Section VI. (page 7) clarifies that the contract will include repayment provisions for all terms and conditions of the contract, and that this will not exceed 75 percent of the total abatement received for the year the penalty is cited. This is sufficient guidance to the negotiator.

#### **Amendment #5 Clarify Child Care Standard**

(Page 8 under "Hiring, Wages, Benefits, Training, and Retention")

*Company will do a child care impact study and respond by providing* support for all parents needing child care, especially entry level parents.

#### **Amendment #6 Clarify Job Creation Standard**

(Page 10 under "The following standards will be met by all applicants")

The applicant will describe by category (e.g., entry-level production, skilled production, technical and professional, management, administrative and support, sales, clerical, maintenance, security, shipping and receiving, food service, etc.) the number of jobs and wage scales of those jobs that the project will create at the facility. The applicant also specify which of these are regular full time, part time, temporary, or contract positions.





## DAN SALTZMAN, Multnomah County Commissioner, District One

1120 S.W. Fifth Avenue, Suite 1500 • Portland, Oregon 97204 • (503) 248-5220 • FAX (503) 248-5440

### SALTZMAN REMARKS ON THE STRATEGIC INVESTMENT POLICY

Over the many weeks we have considered a policy for Multnomah County's participation in the Strategic Investment Program, we have listened to a wide variety of people who have come to us with a wide variety of concerns.

These concerns have been serious issues, including the nature of the national economy, the policies of the Federal Reserve, the Oregon Health Plan, and a host of community needs from housing to child care to the environment.

The sum of this testimony has been to cast the discussion in very broad, and dramatic terms: the battle for economic justice and the redistribution of wealth, the need to solve a housing crisis, the questions of a higher minimum wage and universal health coverage. These are valid issues..

But our task is to craft a policy that will enable us to use tax abatements as a tool to further specific, well defined goals. Using that tool to also solve all these global problems is like using a screwdriver to drive in a nail. It just doesn't work very well.

We should focus carefully on the real choices we are presented with. When viewed in these "real-world" terms, I believe that the picture becomes much clearer. And given the general attractiveness of our region and the limited number of parcels available in our county for large-scale industrial investment, the issue also takes on a certain urgency: We have a small window of opportunity to make a difference.

We can choose not to use a tool such as the SIP. We can be laissez-faire, let the free market prevail. These properties might end up in billion dollar investments that generate significant jobs. They could just as likely become mini-storage facilities, churches or golf courses. Those things are useful, but they aren't going to do much for increasing our base of family wage jobs.

What the SIP will allow us to do is attract targeted industries that pay higher than average wages for jobs that become careers, not dead ends. It will allow us to strategically connect those industries with workforce development programs that will offer our children a better, ongoing prospect of good careers in the community. And it will strengthen our economic base with industries that have been targeted by our state as the best potential for long-term growth.

It is also a rare opportunity to leave a legacy for the community. Most centers of high-tech industry have a strong nucleus. In Oregon, it was the presence of industry pioneer Tektronix that eventually fostered the "silicon forest" in Oregon. Through effective use of the SIP, we have the chance to create another such destiny-shaping investments here in Multnomah County.

But the real reason for passing the policy before us is found in people's lives. As County Commissioners, that is something we know very well. This isn't a question of creating jobs for outsiders who will just make us grow faster. The people who this policy will help are right here, right now. They are in our health clinics, our family centers and our justice system. This program is for someone working three jobs with no benefits and little or no potential just to make ends meet. It's for a single mother who wants a job that will give her family a future. It's for a young person leaving high school or community college who wants an opportunity that stretches beyond a counter and a cash register.

If we put an ad in our local papers offering the kind of jobs and opportunities this policy will attract, the line would stretch from here to Gresham. And it would be filled by our citizens.

I will close by quoting from a letter to the editor that appeared in The Oregonian a couple of weeks ago: *"the degree to which quality of life is improved by providing jobs at \$9.50 an hour instead of standing in line for one paying \$6.50 an hour may be debatable to you, but most other working people would find it a distinct advantage."*

Using the SIP will not create a perfect world. But it will create a stronger community, and will improve the lives of many who live within it. That is why I hope we will approve this policy today, and use it tomorrow.

# Multnomah County Strategic Investment Program

## I. Background

Oregon has many natural advantages that make it attractive to firms seeking to locate a new facility. For firms in capital-intensive industries such as semiconductors and metals, however, Oregon's property tax system has made locating in Oregon less attractive relative to locating in another state or outside the U.S. Firms in capital-intensive industries generally are especially desirable to a region because they tend to invest heavily in developing the skill levels of their employees, pay their employees well, and contribute in other ways to the economic development of the region.

A highly capital-intensive production facility would pay many times more in property taxes than an otherwise-identical facility with average capital intensity, but would impose the same costs on local government service providers. If the property tax burden on a typical production facility is a fair burden, then the burden on a highly capital-intensive facility is excessive.

The 1993 Oregon legislature sought to provide a means for rectifying this inequity and enjoy additional investment and employment within the state by capital-intensive firms. With the passage of House Bill 3686, counties and cities may elect, under certain conditions, to exempt portions of projects funded by Economic Development Revenue Bonds from property-tax assessments. This program for abating property taxes for capital-intensive firms is called the Strategic Investment Program (SIP).

House Bill 3686 specified that the governing body of an Oregon county may impose additional reasonable requirements on an applicant. Multnomah County seeks to implement its SIP in a way that promotes attainment of the County's goals. To ensure that abatements are granted only to firms that share the County's goals, this policy document describes in detail the things a successful applicant will do, knowing that firms eligible to apply probably would do most or all of them anyway.

## **II. Purpose**

The purpose of this Implementing Policy is to ensure that:

- the SIP is implemented in a fair and open manner
- only projects that would not otherwise locate in Multnomah County receive property tax abatements under the SIP
- benefits are enjoyed by current county residents, especially those who are unemployed or underemployed, and the region as a whole benefits
- the implementation of the County's SIP results in the creation of a reasonable number of long-term jobs that lead to economic self sufficiency in relation to the amount of taxes abated
- the implementation of the County's SIP is consistent with the County's land use, development, and environmental goals and promotes progress as measured by the County's Urgent Benchmarks.

## **III. Limits**

This implementing policy will sunset after two years. The County Board will appoint an independent body to evaluate the effectiveness of this implementing policy and to recommend its continuation, reform, or elimination. The duration of the sunset review will be limited to 60 days and review may be initiated up to 60 days prior to sunset.

The Board will not approve abatement contracts based upon applications that fail to meet the Standards set forth in this Implementing Policy. The Board also may refuse to ratify an abatement contract that, in its judgment, would not meet the Goals set forth in this policy. Section IV of this policy describes the process by which the Board reviews and makes decisions on SIP abatements.

The Board will grant abatements only to companies that have demonstrated a commitment to obeying all applicable laws and regulations including, but not limited to, environmental laws, labor laws, laws requiring notice before layoffs, land use laws, and tax laws.

Each and every provision of an abatement contract entered into under this policy is binding on any and all successors-in-interest to the applicant by virtue of sale, lease, assignment, merger, or any other transfer of any interests in the applicant corporation t any other person or entity.

In the event of a corporate dissolution or a bankruptcy proceeding under Chapter 7, the full real market value of the development project shall be placed on the tax roll as taxable property.

#### **IV. Procedures for Review and Negotiation**

##### **A. Application fee and deposit**

A deposit of \$10,000, to cover the full cost of review and processing by all public agencies and consultants will be collected at the time of application. The deposit will be collected by the Multnomah County Budget and Quality Office. Any amount collected in excess of actual cost will be reimbursed. Actual costs in excess of the deposit collected will be billed and paid by the applicant.

##### **B. Summary of the application procedure**

A pre-application exchange of information between prospective applicants and relevant agencies is expected. State and local economic development agencies may facilitate this exchange. The better prepared the review agencies are in advance of application, the more quickly the application may be reviewed. The identity of potential applicants may be kept confidential until the consultant's report is submitted to the Board. If the original application was not submitted through the Oregon Economic Development Commission or the Oregon Economic Development Department, however, it is a public record and subject to public disclosure..

Multnomah County will retain, with approval from the City in which the proposed project will be located, independent consultants to coordinate the review of the application for compliance with this Implementing Policy. State and local agencies will contribute information and analysis as appropriate. With direction from Multnomah County, the independent consultants will coordinate negotiations with the applicant. Local agencies may evaluate the application in light of the consultants' reports and make recommendations to the Board.

This process can be completed within approximately 42 days of application if the application is complete when presented, not including the time required for negotiations.

##### **C. Sequence and timeline for review**

Pre-application (begins two weeks or more in advance of application)

- The prospective applicant will become informed about the process, necessary participants, and information requirements of review agencies and will use that information to draft the application in a way that expedites review. County and City personnel will become familiar with the applicant's proposed project and will begin to identify issues and information requirements associated with that project.
- The prospective applicant will inform Multnomah County as soon as possible of the date it intends to submit an application.
- The prospective applicant may choose to expedite the review process by paying the deposit in advance of making application, thereby permitting the County to retain the consultants and the County Chair to recommend and the Board to approve a negotiating team.

#### Application

- Applicant submits 20 copies of application to the Multnomah County Budget and Quality Office and pays deposit (if not already paid)
- The Multnomah County Budget and Quality Office distributes the copies and, if it has not already done so under the expedited process, begins hiring the consultants. The contract document will follow the process for a Class II contract as outlined in the County's Administrative Manual except that Board Approval will be required.
- If a negotiating team has not already been appointed under the expedited process, the County Chair will recommend and the Board will approve one.

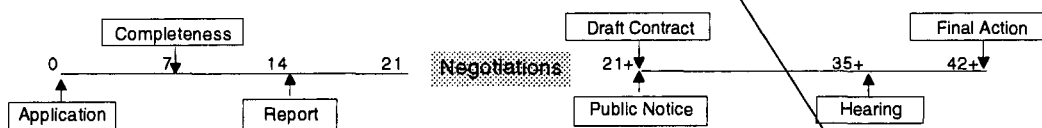
#### Review (approximately 21 days plus time for negotiations)

- The County will have retained the consultants within seven days of receipt of the deposit. The consultants will make a determination of completeness within seven days of the date of application. If an application is deemed incomplete, the County and applicant will be advised as to what additional information is needed.
- Within seven days from the date the application is deemed complete, the consultants will submit a report to the Board on the compliance of the application with this Implementing Policy including the findings of the fiscal and economic impact studies.

- Negotiations may begin at any time after the date of application, but no later than seven days after the County receives the consultants' report.
- When negotiations are complete, the negotiating team will submit a draft of the contract between the County and the applicant, along with the consultants' report, to the County Board. The County Board will forward a copy to the City Council of the affected city. Public notice will be given.

#### Public Review and County Approval (approximately 21 days)

- No less than 14 days after public notice, a joint City/County public hearing will be held. The County Board will take action on the contract within seven days after the hearing. The Board may vote to
  - accept the contract as submitted
  - accept the contract with conditions that, if agreed to by the applicant, will not require further negotiations
  - refer the contract back for further negotiation with instructions to the negotiators
  - reject the contract and provide reasons for rejection



#### D. Negotiating Team

The County's negotiating team will be recommended by the County Chair and approved by the Board. The City in which the project will be located will appoint a representative who will be a part of the negotiating team.

The negotiating team will have access to and will make use of the consultants and parties.

## **V. Contents of Application**

### **A. General Information**

The applicant will describe itself and the proposed project

### **B. Compliance with Standards and consistency with Goals**

Section VIII of this policy lists for each of several categories Goals and related Standards. The Standards are clear and measurable and must be met in advance of an application being approved. The Goals are less clearly defined and, in many cases, progress toward their attainment cannot be measured until after a project is operational. The Abatement Contract will contain negotiated terms and conditions that specify measures of attainment appropriate to the applicant's operations as well as repayment terms should agreed-upon performance not be achieved.

The applicant will demonstrate that it meets every Standard by including sufficient evidence in the application. For each Standard, this implementing policy describes a repayment provision in general terms, which will be defined more specifically during negotiations.

The applicant will describe how the proposed project will advance each of the County's Goals. Statements made in the application regarding the applicant's commitment to meeting these Goals may become a part of the Abatement Contract, which will contain negotiated terms and conditions that specify measures of attainment appropriate to the applicant's operations as well as repayment terms should agreed-upon performance not be achieved.

### **C. Past practices**

Multnomah County is interested in encouraging the location of companies that will help the County to achieve its goals and will bring benefits to the community. Learning about the applicant's experience in other communities will allow Multnomah County to have confidence that the applicant will be a beneficial addition to the community.

The applicant will report any sanctions or consent agreements related to violations of U.S. federal or state laws or rules relating to environmental protection, worker safety, or labor relations. The applicant also will report all prior and existing tax abatement agreements in other U.S. jurisdictions so that the County may verify that the applicant has upheld the terms of those agreements.



## **VI. Compliance Auditing, Enforcement, Repayment, and Changes to the Contract**

Once an Abatement Contract is in place, the applicant will report annually on how it is meeting each of the terms and conditions of the contract. Measures of attainment for each of these will have been agreed to as part of the contract and the contract will describe a specific format for annual reports that will include a high degree of specificity for each of the terms and conditions. If the County receives information indicating a potential violation of the contract terms, it may ask the applicant for a written response. In the event that the applicant's written response fails to satisfy the County, the County may retain an outside firm or the County Auditor to verify compliance. The City in which the project is located may also investigate complaints. The applicant will provide access to necessary records.

In the event a violation is found, the costs of such verification would be billed and paid by the applicant, over and above the application fee and community service fee. If no violation is found, the County and City will pay for the investigation.

In the event of non-compliance, repayment of abated taxes (i.e. penalties) must be equal to or greater than the savings the company would realize by not meeting the requirement. Specific terms for repayment will be negotiated and included in the Abatement Contract. In any case, total repayments will not exceed 75% of the total abatement. Repaid funds will be directed to the area of public policy most directly related to the failure to comply.

Conditions beyond the control of the parties may lead to renegotiation of the contract upon agreement of both parties.

## **VII. Process for Establishing Use of Community Service Fee**

Consistent with State law, a Community Service Fee equal to the lesser of \$2 million or 25 percent of abated taxes will be paid to the County by the applicant or its successors each year abatement is in effect.

The County Board, after consultation with elected officials from all cities within the County, will decide how to use the Community Service Fee. The fee may be used for:

- mitigating potential impacts of the project
- collaborative efforts among City agencies, County agencies, school districts, and community groups to achieve progress as measured by Portland-Multnomah Benchmarks

- other uses in the interest of the community

In addition to the Community Service Fee, the County may ask for financial contributions from the applicant to address the goals of this policy as part of the terms and conditions of the contract negotiated under this policy.

## **VIII. SIP Goals and Standards**

The following goals and standards fit within the framework of related Portland-Multnomah Benchmarks.

### **A. Need for the exemption**

Multnomah County Goal:

- Abatements will be granted to secure investments that would otherwise not take place within Multnomah County

Standard:

- Applicant will describe why an abatement is needed and state that they would not locate here otherwise

### **B. Hiring, Wages, Benefits, Training, and Retention**

Multnomah County Goals:

- The creation of long-term jobs with family wages, benefits, and working conditions for residents of Multnomah County or the creation of a full spectrum of jobs for residents of Multnomah County who are unemployed or under-employed, with a clear career track from entry-level jobs to family-wage jobs.
- Provide support for all parents needing child care, especially entry-level parents
- Provide educational opportunities to enhance upward mobility for both technical and management roles
- Minimize the number of contracted on-site jobs that pay low wages

Standards:

Multnomah County wishes to attract firms that will pay especially high wages and will employ large numbers of area residents who are unemployed or underemployed, but understands that jobs that

pay especially high wages generally require skills that large numbers of unemployed or underemployed area residents are unlikely to possess. In recognition of the fact that projects eligible for the SIP are likely to fall into two broad categories—research-oriented facilities that pay high wages but are unlikely to employ large numbers of current area residents and production-oriented facilities that can employ significant numbers of current area residents but at wages that are high only in relation to other production jobs—this policy provides two parallel sets of standards.

The following standard will be met by an applicant offering primarily high-wage jobs:

- The applicant will make assurance that 75 percent of regular employees (counted on an FTE basis) will be paid more than the mean covered payroll per employee in Multnomah County.

The following standards will be met by an applicant offering a full spectrum of jobs (an applicant not meeting the above standard):

- The applicant will agree to a minimum number of jobs to be created through the project as part of the terms and conditions of the abatement contract
- The applicant will demonstrate that a clear path exists for advancement from entry-level positions to positions that provide higher pay, including positions that pay more than the mean covered payroll per employee in the county
- The applicant will describe its wage scale for occupations with entry-level positions and describe how an entry-level employee might typically move through pay levels and job classifications
- The applicant will agree to negotiate contract terms and conditions appropriate to its operations and to the local labor market that will specify minimum percentages for hiring current residents of the region
- The applicant will describe how their employment practices facilitate the retention of employees and will agree to negotiate contract terms that specify appropriate measures and standards for employee retention.
- The applicant will describe a credible program to assist employees who need child care, taking into account the hours and shifts that employees will work, and will make assurance that such a program

will be implemented. This standard applies only to employers that will be offering a substantial number of below-family-wage jobs.

The following standards will be met by all applicants:

- The applicant will describe by category (e.g., entry-level production, skilled production, technical and professional, management, administrative and support, sales, etc.) the number of jobs it will create. The applicant also will specify which of these are regular full time, part time, temporary, or contract positions.
- The applicant will agree to enter into an exclusive Full Service First Source Agreement to use Job Net or an equivalent sourcing arrangement.
- The applicant will describe training and education programs available to entry-level employees and training and education programs available to other employees. In-house programs, tuition assistance for job-related training and education, or contracts directly with community colleges or universities would meet this standard.
- The applicant will describe the benefits offered to employees, making clear what the employer's contribution is and which employees qualify
- The applicant will demonstrate its commitment to all full-time, long-term employees by describing employer-paid benefits, which may include: health insurance, dental insurance, life insurance, accidental death insurance, disability insurance, retirement, profit sharing, employee ownership/stock purchase, educational assistance, day care, and transportation assistance. As a part of these benefits, the applicant must provide employer-paid health insurance equal to or better on the whole than the Oregon Health Plan, and must allow other employees and members of employees' families to purchase health insurance at or below cost, to the extent that the applicant's health-insurance carrier will write coverage for such persons

Repayment:

- Payment to the County of \$1.00 for every \$1.00 saved by not meeting the standard.

### C. Housing and Transportation

#### Multnomah County Goals:

- Provide assistance securing affordable housing
- Encourage employees to use transit, car pools, van pools, or alternative modes of transportation

#### Standards:

- The County will work with the City in which the project will be located, other cities in the region, and Metro to assess the applicants impact on the availability of affordable housing in the region and, if an adverse impact is predicted, the applicant will agree in negotiations to fund an appropriate company- or community-operated program.
- The applicant will describe a credible program to encourage employees to use transit, car pools, van pools, or alternative modes of transportation and will make assurance that such a program will be implemented

#### Repayment:

- Payment to the County of \$1.00 repayment for each \$1.00 saved by not meeting standard.

### D. Infrastructure and Public Services

#### Multnomah County Goals:

- No unmitigated adverse impacts on the level of services provided to existing residents of Multnomah County and the region

#### Standards:

As part of its application, the applicant will describe impacts in the following areas and what it has committed to do to mitigate negative impacts. The applicant will provide statements from the relevant agencies that there will be no unmitigated adverse impacts on the level of service or infrastructure or that describe what unmitigated adverse impacts will result from the project. Remedies for unmitigated adverse impacts will be negotiated as part of the terms and conditions of the contract.

- Transportation infrastructure (including traffic and congestion, transit, port, rail, air, multi-modal)
- Utility infrastructure (water and sewer capacity; solid and hazardous waste disposal)
- Public safety (police, fire, emergency medical services, disaster preparedness)

#### Repayment:

- Payment to the County of \$1.00 repayment for each \$1.00 saved by not meeting standards.

#### E. Environmental Protection

##### Multnomah County Goal:

- To grant abatements only to firms that demonstrate a commitment to environmental protection.

#### Standards:

The applicant will describe credible programs in each of the following areas, will present verification by the relevant regulatory authorities that these programs are reasonable, and will demonstrate a commitment to ongoing monitoring.

- Reducing the use of toxic and hazardous materials
- Water conservation, reuse, and waste water discharge
- Air quality
- Waste reduction and recycling

- Energy conservation

Repayment:

- Payment to the County of \$1.00 repayment for each \$1.00 saved by not meeting standards.

#### F. Stimulation of Local Economy

Multnomah County Goal:

- To encourage the purchase of goods and services produced or sold by businesses in Multnomah County and the region.

Standards:

- The applicant will have a plan to identify for procurement locally-produced or sold goods and services and to solicit bids from local suppliers

Repayment:

- Payment to the County of \$1.00 repayment for each \$1.00 saved by not meeting standard.

## **IX. Impact analysis**

The impact analysis will be assembled by the consultants primarily from components provided by other agencies and included in the application. It will address the following points:

A. Fiscal Impacts (impacts on revenues and capacity constraints). This analysis will show property-tax revenues under each of three scenarios and will calculate their differences from each other: (1) without the project, (2) with the project without abatement, and (3) with the project with abatement. Community service fees will be shown separately and will not be counted as property tax revenue.

1. Education Districts
2. County
3. City
4. Special Districts
5. Impacts on existing property tax payers (tax bills relative to no development and relative to no abatement)
6. Cumulative fiscal impacts including those of SIP abatements already granted

### **B. Economic Impacts**

1. Labor market impacts (number and types of jobs; incomes; impacts on other employers)
2. Indirect and induced business activity (additional demand for locally-produced goods and services; resulting changes in employment and income)
3. Competitive impacts on existing businesses (would abatements give new firm unfair advantage over direct competitors already located here?)
4. Dollars of abated taxes per job created
5. Jobs per acre



## **X. Glossary of Terms**

**Abatement of Taxes** means the exemption of real or personal property from taxation for key industry development projects under ORS 307.123.

**Abatement Contract** means the contract between the applicant and the County that specifies the terms and conditions under which property taxes will be abated.

**Abatement Value** means the amount of property taxes projected to be abated over the repayment period of the revenue bonds issued to finance a particular project as determined by the Division of Assessment and Taxation of Multnomah County

**Actual Cost of Review and Processing** includes the cost of administrative time expended by personnel of relevant agencies (defined below) to investigate, review, and report on the applicant's compliance with adopted County policies. Those costs are to be calculated based on the number of hours expended by each employee at a rate representing actual gross salary per hour plus benefits at the time the service is provided. Other costs, including but not limited to reproduction, fax, telephone, and experts, are to be calculated at the actual cost to the relevant agency.

**Benchmarks** are long-range, measurable quality of life goals. The benchmarks referred to in this policy were adopted by the Portland-Multnomah Progress Board.

**Complete Application** means an application that addresses each and every policy in this policy document as adopted by resolution by the Board of County Commissioners. The application must identify each goal separately and describe with particularity how the proposed project is consistent with that specific goal. Additionally, every standard which is set out in the policy document which is designed to meet a specific goal must be addressed in the application. A County representative will determine whether the application is complete, i.e., if every policy, goal, and standard has been addressed and whether it is supported by sufficient detail or documentation to allow an analysis of compliance with the policies. The County representative can request additional information upon the sole discretion of the consultant and will notify the applicant in writing of the date the application was determined to be complete.

**County Board** means the Multnomah County Board of Commissioners.

**Covered Employment** means the number of employees covered by unemployment insurance and is defined by federal law and reported by the Oregon Employment Division.

**Covered Payroll** means the total wages earned by employees who are covered by unemployment insurance and is defined by federal law and reported by the Oregon Employment Division.

**Full Spectrum of Jobs** means that an applicant will be hiring employees with wages higher than the mean covered payroll per employee in Multnomah County, as well as production and entry-level employees with lower wages.

**Mean Covered Payroll per Employee in Multnomah County** currently means \$27,298 per year as reported by the Oregon Employment Division for calendar year 1993. This figure will be adjusted annually to reflect the most current-available statistics. The mean covered payroll for a year is calculated by dividing the total covered payroll in the county for that year by average covered employment in the county during that year.

**Negotiating Team** means those persons appointed by the Chair of the Board of County Commissioners pursuant to section IV(C) of the County's adopted SIP policy and approved by at least two other commissioners plus one person appointed by the City in which the project will be located. The applicant's negotiating team is limited to no greater number of members than the County's negotiating team.

**Offering Primarily Higher-Wage Jobs** means that at least 75 percent of the employees operating the applicant's project will be paid more than the mean covered payroll per employee in Multnomah County as defined below.

**Relevant Agencies** are those agencies identified by the County or the City in which the applicant's project is proposed to be located.

**Repayment** means the payment due by the applicant to the unsegregated property tax fund of Multnomah County on account of a breach of the negotiated agreement setting the special provisions which induced the County's, and City's, if any, approval of and request for applicant's project to be funded by revenue bonds pursuant to ORS 285.330, resulting in property tax abatement.

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

In the Matter of Adopting a ) RESOLUTION  
County Policy for the Strategic ) 95-77  
Investment Program )

WHEREAS, capital-intensive industries are especially desirable to a region because they tend to invest heavily in developing the skill levels of their employees, pay their employees well, and contribute in other ways to the economic development of a region; and

WHEREAS, such industries have purportedly been reluctant to locate in Oregon because of the reliance on property taxes to fund schools and local governments which burden capital-intensive industries more than a typical production facility but impose the same costs on local government service providers; and

WHEREAS, the 1993 Oregon Legislature passed House Bill 3686 in order to encourage additional investment and employment within the State by capital-intensive firms; and

WHEREAS, House Bill 3686 allows counties and cities to elect, under certain conditions, to exempt portions of projects funded by Economic Development Revenue Bonds from property tax assessments under the Strategic Investment Program (SIP) set out in ORS 285.330 et seq.; and

WHEREAS, House Bill 3686 specified that the governing body of an Oregon county may impose additional reasonable requirements on an SIP applicant, the County has created a policy setting out those additional requirements which will ensure that abatements of taxes are granted only to firms that share the County's goals; now therefore

IT IS HEREBY RESOLVED that the attached **MULTNOMAH COUNTY STRATEGIC INVESTMENT PROGRAM POLICY** be the guiding document to be used by the County to review applications from firms seeking tax abatements under the SIP; and

IT IS FURTHER RESOLVED that applications for tax abatements only be approved for firms that demonstrate that their developments will promote the policies set out therein.


ADOPTED this 13th day of April, 1995.



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Beverly Stein, Chair

LAURENCE KRESSEL, COUNTY COUNSEL  
MULTNOMAH COUNTY, OREGON

  
Sandra N. Duffy, Deputy Counsel

# MULTNOMAH COUNTY STRATEGIC INVESTMENT PROGRAM

## I. Background

On a nationwide basis, there is a growing gap in incomes between households: the lower 80 percent of households by income have received only two percent of income growth over the past 15 years. The Secretary of Labor has stated that this gap can be addressed nationally through the adaptation to a new economy driven by advanced technologies and global competition in which productive skills are the key to success. This adaptation will require job training in technical skills and the encouragement of companies that treat their workers not as costs to be cut but as assets to be developed: training workers, providing responsibility and job security.

In Oregon, wages are currently only 88 percent of the national average. As part of its Workforce Development plans, the State of Oregon has submitted the vision that it will have the best educated and prepared workforce in the nation by the year 2000 and a workforce equal to any in the world by the year 2010. This vision includes the goals of quality employment for all Oregonians through investments in education, training and experience in the workforce.

Locally, within the Portland metropolitan area, the per capita income of Multnomah County residents has not kept pace with income growth in the neighboring counties. In the manufacturing sector in Multnomah County, the number of jobs has declined over the last 15 years while it has grown in neighboring counties.

Among the Community Goals set forth in the January 1995 Report of the Portland-Multnomah Progress Board are the following:

- \*Attract internationally competitive companies that support well compensated jobs with long-term potential.
- \*Build a world-class workforce that provides the full range of skills necessary to attract and sustain competitive, high performance companies.
- \*Ensure that all residents, particularly low-income and unemployed people, have the opportunity to benefit from business growth.
- \*Graduate all children from high school with skills enabling them to succeed in the work force and/or in post-secondary education, including the fundamental ability to read, write, communicate, and reason.
- \*Establish stronger educational programs beyond the secondary level to meet the region's needs for accessible education, expanded graduate programs, high quality research, technology transfer, and economic development.

Among its Urgent Benchmarks, the Progress Board has adopted the following measures for which improvement is sought:

- \*Average annual payroll per non-farm worker;
- \*Percentage of citizens with incomes above 100 percent of the poverty level;
- \*Percentage of children 0-17 living above 100 percent of the poverty level;
- \*Percentage of citizens who have economic access to basic health care.

The characteristics of the semiconductor and metals industries make them desirable as part of the strategy to achieve these goals. These characteristics include: high investment per job; a highly trained workforce earning wages well above average, coupled with opportunities for initial entry and career/skill advancement for lower skilled members of Oregon's existing labor force; high multiplier effect of additional investment created via supplier and service companies throughout the state; and low impact on property tax financed local services per dollar of investment. Firms in capital-intensive industries generally are especially desirable to a region because they tend to invest heavily in developing the skill levels of their employees, pay their employees well, and contribute in other ways to the economic development of the region.

## II. Purpose

The purpose of this Implementing Policy is to ensure that:

- the SIP is implemented in a fair and open manner;
- only projects that would not otherwise locate in Multnomah County receive property tax abatements under the SIP;
- benefits are enjoyed by current county residents, especially those who are unemployed or underemployed, and the region as a whole benefits;
- the implementation of the County's SIP results in the creation of a reasonable number of long-term jobs that lead to economic self sufficiency in relation to the amount of taxes abated;
- the implementation of the County's SIP is consistent with the County's land use, development, and environmental goals and promotes progress as measured by the County's Urgent Benchmarks.

### III. Limits

This implementing policy will sunset after two years. The County Board will appoint an independent body to evaluate the effectiveness of this implementing policy and to recommend its continuation, reform, or elimination. The duration of the sunset review will be limited to 60 days and review may be initiated up to 60 days prior to sunset.

The Board will not approve abatement contracts based upon applications that fail to meet the Standards set forth in this Implementing Policy. The Board also may refuse to ratify an abatement contract that, in its judgment, would not meet the Goals set forth in this policy or because the extent to which it meets the Goals does not justify the value of the abatement. Section IV of this policy describes the process by which the Board reviews and makes decisions on SIP abatements.

The Board will grant abatements only to companies that have demonstrated a commitment to obeying all applicable laws and regulations including, but not limited to, environmental laws, labor laws, laws requiring notice before layoffs, land use laws, and tax laws.

Each and every provision of an abatement contract entered into under this policy is binding on any and all successors-in-interest to the applicant by virtue of sale, lease, assignment, merger, or any other transfer of any interests in the applicant corporation to any other person or entity.

In the event of a corporate dissolution or a bankruptcy proceeding under Chapter 7, the full real market value of the development project shall be placed on the tax roll as taxable property.

### IV. Procedures for Review and Negotiation

#### A. Application fee and deposit

A deposit of \$10,000, to cover the full cost of review and processing by all public agencies and consultants will be collected at the time of application. The deposit will be collected by the Multnomah County Budget and Quality Office. Any amount collected in excess of actual cost will be reimbursed. Actual costs in excess of the deposit collected will be billed and paid by the applicant.

#### B. Summary of the application procedure

A pre-application exchange of information between prospective applicants and relevant agencies is expected. State and local economic development

agencies may facilitate this exchange. The better prepared the review agencies are in advance of application, the more quickly the application may be reviewed.

Multnomah County will retain, with approval from the City in which the proposed project will be located, independent consultants to coordinate the review of the application for compliance with this Implementing Policy. State and local agencies will contribute information and analysis as appropriate. With direction from Multnomah County, the independent consultants will coordinate negotiations with the applicant. Local agencies may evaluate the application in light of the consultants' reports and make recommendations to the Board.

This process can be completed within approximately 42 days of application if the application is complete when presented, not including the time required for negotiations.

#### C. Sequence and timeline for review

Pre-application (begins two weeks or more in advance of application)

- The prospective applicant will become informed about the process, necessary participants, and information requirements of review agencies and will use that information to draft the application in a way that expedites review. County and City personnel will become familiar with the applicant's proposed project and will begin to identify issues and information requirements associated with that project.
- The prospective applicant will inform Multnomah County as soon as possible of the date it intends to submit an application.
- The prospective applicant may choose to expedite the review process by paying the deposit in advance of making application, thereby permitting the County to retain the consultants and the County Chair to recommend and the Board to approve a negotiating team.

#### Application

- Applicant submits 20 copies of application to the Multnomah County Budget and Quality Office and pays deposit (if not already paid).

- The Multnomah County Budget and Quality Office distributes the copies and, if it has not already done so under the expedited process, begins hiring the consultants.
- If a negotiating team has not already been appointed under the expedited process, the County Chair will recommend and the Board will approve one.

Review (approximately 21 days plus time for negotiations)

- The County will have retained the consultants within seven days of receipt of the deposit. The consultants will make a determination of completeness within seven days of the date of application. If an application is deemed incomplete, the County and applicant will be advised as to what additional information is needed.
- Within seven days from the date the application is deemed complete, the consultants will submit a report to the Board on the compliance of the application with this Implementing Policy including the findings of the fiscal and economic impact studies.
- Negotiations may begin at any time after the date of application, but no later than seven days after the County receives the consultants' report.
- During the period of negotiation between the negotiating team and the applicant, the Board of County Commissioners will receive a progress report no less than once a week during the course of negotiations.
- When negotiations are complete, the negotiating team will submit a draft of the contract between the County and the applicant, along with the consultants' report, to the County Board. The contract document will follow the process for a Class II contract as outlined in the County's Administrative Manual except that Board Approval will be required. The County Board will forward a copy to the City Council of the affected city. Public notice will be given.

Public Review and County Approval (approximately 21 days)

- No less than 14 days after public notice, a joint City/County public hearing will be held. The County Board will take action on the contract within seven days after the hearing. The Board may vote to
  - accept the contract as submitted.



- accept the contract with conditions that, if agreed to by the applicant, will not require further negotiations.
- refer the contract back for further negotiation with instructions to the negotiators.
- reject the contract and provide reasons for rejection.

#### D. Negotiating Team

The County's negotiating team will be recommended by the County Chair and approved by the Board. The City in which the project will be located will appoint a representative who will be a part of the negotiating team.

The negotiating team will have access to and will make use of the consultants and parties.

### V. Contents of Application

#### A. General Information

The applicant will describe itself and the proposed project.

#### B. Compliance with Standards and consistency with Goals

Section VIII of this policy lists for each of several categories Goals and related Standards. The Standards are clear and measurable and must be met in advance of an application being approved. The Goals are less clearly defined and, in many cases, progress toward their attainment cannot be measured until after a project is operational. The Abatement Contract will contain negotiated terms and conditions that specify measures of attainment appropriate to the applicant's operations as well as repayment terms should agreed-upon performance not be achieved. Performance measures corresponding to the policy Benchmarks will be established and used to instruct the negotiating team.

The applicant will demonstrate that it meets every Standard by including sufficient evidence in the application. For each Standard, this implementing policy describes a repayment provision in general terms, which will be defined more specifically during negotiations.

The applicant will describe how the proposed project will advance each of the County's Goals. Statements made in the application regarding the applicant's commitment to meeting these Goals may become a part of the

Abatement Contract, which will contain negotiated terms and conditions that specify measures of attainment appropriate to the applicant's operations as well as repayment terms should agreed-upon performance not be achieved.

#### C. Past practices

Multnomah County is interested in encouraging the location of companies that will help the County to achieve its goals and will bring benefits to the community. Learning about the applicant's experience in other communities will allow Multnomah County to have confidence that the applicant will be a beneficial addition to the community.

The applicant will report any sanctions or consent agreements related to violations of U.S. federal or state laws or rules relating to environmental protection, worker safety, or labor relations. The applicant also will report all prior and existing tax abatement agreements in other U.S. jurisdictions so that the County may verify that the applicant has upheld the terms of those agreements.

### VI. Compliance Auditing, Enforcement, Repayment, and Changes to the Contract

Once an Abatement Contract is in place, the applicant will report annually on how it is meeting each of the terms and conditions of the contract. Measures of attainment for each of these will have been agreed to as part of the contract and the contract will describe a specific format for annual reports that will include a high degree of specificity for each of the terms and conditions. If the County receives information indicating a potential violation of the contract terms, it may ask the applicant for a written response. In the event that the applicant's written response fails to satisfy the County, the County may retain an outside firm or the County Auditor to verify compliance. The City in which the project is located may also investigate complaints. The applicant will provide access to necessary records.

In the event a violation is found, the costs of such verification would be billed and paid by the applicant, over and above the application fee and community service fee. If no violation is found, the County and City will pay for the investigation.

In the event of non-compliance, repayment of abated taxes (i.e. penalties) must be equal to or greater than the savings the company would realize by not meeting the requirement. Specific terms for repayment will be negotiated for each standard and condition and included in the Abatement

Contract. In any case, total repayment for non-compliance will not exceed 75 percent of the total abatement for the year the penalty is cited. Repaid funds will be directed to the area of public policy most directly related to the failure to comply.

Conditions beyond the control of the parties may lead to renegotiation of the contract upon agreement of both parties.

## VII. Process for Establishing Use of Community Service Fee

Consistent with State law, a Community Service Fee equal to the lesser of \$2 million or 25 percent of abated taxes will be paid to the County by the applicant or its successors each year abatement is in effect.

The County Board will agree to establish criteria and a process for allocating the Community Service Fee after consultation with elected officials from all cities within the County. The fee may be used for:

- mitigating potential impacts of the project.
- collaborative efforts among City agencies, County agencies, school districts, and community groups to achieve progress as measured by Portland-Multnomah Benchmarks.
- other uses in the interest of the community.

In addition to the Community Service Fee, the County may ask for financial contributions from the applicant to address the goals of this policy as part of the terms and conditions of the contract negotiated under this policy.

## VIII. SIP Goals and Standards

The following goals and standards fit within the framework of related Portland-Multnomah Benchmarks.

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Multnomah County Goal:

- Abatements will be granted to secure investments that would otherwise not take place within Multnomah County.

Standard:

- Applicant will describe why an abatement is needed and state that they would not locate here otherwise.

B. Hiring, Wages, Benefits, Training, and Retention.

Multnomah County Goals:

- The creation of long-term jobs with family wages, benefits, and working conditions for residents of Multnomah County or the creation of a full spectrum of jobs for residents of Multnomah County who are unemployed or under-employed, with a clear career track from entry-level jobs to family-wage jobs.
- Company will do a child care impact study and respond by providing support for all parents needing child care, especially entry-level parents.
- Provide educational opportunities to enhance upward mobility for both technical and management roles.
- Minimize the number of contracted on-site jobs that pay low wages.

Standards:

Multnomah County wishes to attract firms that will pay especially high wages and will employ large numbers of area residents who are unemployed or underemployed, but understands that jobs that pay especially high wages generally require skills that large numbers of unemployed or underemployed area residents are unlikely to possess. In recognition of the fact that projects eligible for the SIP are likely to fall into two broad categories—research-oriented facilities that pay high wages but are unlikely to employ large numbers of current area residents and production-oriented facilities that can employ significant numbers of current area residents but at wages that are high only in relation to other production jobs—this policy provides two parallel sets of standards.

The following standard will be met by an applicant offering primarily high-wage jobs:

- The applicant will make assurance that 75 percent of regular employees (counted on an FTE basis) will be paid more than the mean covered payroll per employee in Multnomah County.

The following standards will be met by an applicant offering a full spectrum of jobs (an applicant not meeting the above standard):

- The applicant will agree to a minimum number of jobs to be created through the project as part of the terms and conditions of the abatement contract.
- The applicant will demonstrate that a clear path exists for advancement from entry-level positions to positions that provide higher pay, including positions that pay more than the mean covered payroll per employee in the county.
- The applicant will describe its wage scale for occupations with entry-level positions and describe how an entry-level employee might typically move through pay levels and job classifications.
- The applicant will agree to negotiate contract terms and conditions appropriate to its operations and to the local labor market that will specify minimum percentages for hiring current residents of the region.
- The applicant will describe how their employment practices facilitate the retention of employees and will agree to negotiate contract terms that specify appropriate measures and standards for employee retention.
- The applicant will describe a credible program to assist employees who need child care, taking into account the hours and shifts that employees will work, and will make assurance that such a program will be implemented. This standard applies only to employers that will be offering a substantial number of below-family-wage jobs.

The following standards will be met by all applicants:

- The applicant will describe by category (e.g., entry-level production, skilled production, technical and professional, management, administrative and support, sales, clerical, maintenance, security, shipping and receiving, food service, etc.) the number of jobs and wage scales of those jobs that the project will create at the facility. The applicant also will specify which of these are regular full time, part time, temporary, or contract positions.
- The applicant will agree to enter into an exclusive Full Service First Source Agreement to use Job Net or an equivalent sourcing arrangement.

- The applicant will describe training and education programs available to entry-level employees and training and education programs available to other employees. In-house programs, tuition assistance for job-related training and education, or contracts directly with community colleges or universities would meet this standard.
- The applicant will describe the benefits offered to employees, making clear what the employer's contribution is and which employees qualify.
- The applicant will demonstrate its commitment to all full-time, long-term employees by describing employer-paid benefits, which may include: health insurance, dental insurance, life insurance, accidental death insurance, disability insurance, retirement, profit sharing, employee ownership/stock purchase, educational assistance, day care, and transportation assistance. As a part of these benefits, the applicant must provide employer-paid health insurance equal to or better on the whole than the Oregon Health Plan, and must allow other employees and members of employees' families to purchase health insurance at or below cost, to the extent that the applicant's health-insurance carrier will write coverage for such persons.

#### C. Housing and Transportation

##### Multnomah County Goals:

- Provide assistance securing affordable housing.
- Encourage employees to use transit, car pools, van pools, or alternative modes of transportation.

##### Standards:

- The County will place a percentage of the Community Service Fee aside to address the need for assistance with home ownership and the creation of low and moderate rental units.
- The County will work with the City in which the project will be located, other cities in the region, and Metro to assess the applicants impact on the availability of affordable housing in the region and, if an adverse impact is predicted, the applicant will agree in negotiations to fund an appropriate company- or community-operated program.
- The applicant will describe a credible program to encourage employees to use transit, car pools, van pools, or alternative modes of

transportation and will make assurance that such a program will be implemented.

#### D. Infrastructure and Public Services

##### Multnomah County Goals:

- No unmitigated adverse impacts on the level of services provided to existing residents of Multnomah County and the region.

##### Standards:

As part of its application, the applicant will describe impacts in the following areas and what it has committed to do to mitigate negative impacts. The applicant will provide statements from the relevant agencies that there will be no unmitigated adverse impacts on the level of service or infrastructure or that describe what unmitigated adverse impacts will result from the project. Remedies for unmitigated adverse impacts will be negotiated as part of the terms and conditions of the contract.

- Transportation infrastructure (including traffic and congestion, transit, port, rail, air, multi-modal).
- Utility infrastructure (water and sewer capacity; solid and hazardous waste disposal).
- Public safety (police, fire, emergency medical services, disaster preparedness).

#### E. Environmental Protection

##### Multnomah County Goal:

- To grant abatements only to firms that demonstrate a commitment to environmental protection.

##### Standards:

The applicant will describe credible programs in each of the following areas, will present verification by the relevant regulatory authorities that these programs are reasonable, and will demonstrate a commitment to ongoing monitoring.

- Reducing the use of toxic and hazardous materials.

- Water conservation, reuse, and waste water discharge.
- Air quality.
- Waste reduction and recycling.
- Energy conservation.

#### F. Stimulation of Local Economy

##### Multnomah County Goal:

- To encourage the purchase of goods and services produced or sold by businesses in Multnomah County and the region.

##### Standards:

- The applicant will have a plan to identify for procurement locally-produced or sold goods and services and to solicit bids from local suppliers.

### IX. Impact analysis

The impact analysis will be assembled by the consultants primarily from components provided by other agencies and included in the application. It will address the following points:

- A. Fiscal Impacts (impacts on revenues and capacity constraints). This analysis will show property-tax revenues under each of three scenarios and will calculate their differences from each other: (1) without the project, (2) with the project without abatement, and (3) with the project with abatement. Community service fees will be shown separately and will not be counted as property tax revenue.
  1. Education Districts.
  2. County.
  3. City.
  4. Special Districts.
  5. Impacts on existing property tax payers (tax bills relative to no development and relative to no abatement).



6. Cumulative fiscal impacts including those of SIP abatements already granted.

B. Economic Impacts

1. Labor market impacts (number and types of jobs; incomes; impacts on other employers).
2. Indirect and induced business activity (additional demand for locally-produced goods and services; resulting changes in employment and income).
3. Competitive impacts on existing businesses (would abatements give new firm unfair advantage over direct competitors already located here?).
4. Dollars of abated taxes per job created.
5. Jobs per acre.

## **X. Glossary of Terms**

**Abatement of Taxes** means the exemption of real or personal property from taxation for key industry development projects under ORS 307.123.

**Abatement Contract** means the contract between the applicant and the County that specifies the terms and conditions under which property taxes will be abated.

**Abatement Value** means the amount of property taxes projected to be abated over the repayment period of the revenue bonds issued to finance a particular project as determined by the Division of Assessment and Taxation of Multnomah County.

**Actual Cost of Review and Processing** includes the cost of administrative time expended by personnel of relevant agencies (defined below) to investigate, review, and report on the applicant's compliance with adopted County policies. Those costs are to be calculated based on the number of hours expended by each employee at a rate representing actual gross salary per hour plus benefits at the time the service is provided. Other costs, including but not limited to reproduction, fax, telephone, and experts, are to be calculated at the actual cost to the relevant agency.

**Benchmarks** are long-range, measurable quality of life goals. The benchmarks referred to in this policy were adopted by the Portland-Multnomah Progress Board.

**Complete Application** means an application that addresses each and every policy in this policy document as adopted by resolution by the Board of County Commissioners. The application must identify each goal separately and describe with particularity how the proposed project is consistent with that specific goal. Additionally, every standard which is set out in the policy document which is designed to meet a specific goal must be addressed in the application. The Budget and Quality office director will determine whether the application is complete, i.e., if every policy, goal, and standard has been addressed and whether it is supported by sufficient detail or documentation to allow an analysis of compliance with the policies. A County representative can request additional information upon the sole discretion of the consultant and will notify the applicant in writing of the date the application was determined to be complete.

**County Board** means the Multnomah County Board of Commissioners.

**Covered Employment** means the number of employees covered by unemployment insurance and is defined by federal law and reported by the Oregon Employment Division.

**Covered Payroll** means the total wages earned by employees who are covered by unemployment insurance and is defined by federal law and reported by the Oregon Employment Division.

**Full Spectrum of Jobs** means that an applicant will be hiring employees with wages higher than the mean covered payroll per employee in Multnomah County, as well as production and entry-level employees with lower wages.

**Mean Covered Payroll per Employee in Multnomah County** currently means \$27,298 per year as reported by the Oregon Employment Division for calendar year 1993. This figure will be adjusted annually to reflect the most current-available statistics. The mean covered payroll for a year is calculated by dividing the total covered payroll in the county for that year by average covered employment in the county during that year.

**Negotiating Team** means those persons appointed by the Chair of the Board of County Commissioners pursuant to section IV(C) of the County's adopted SIP policy and approved by at least two other commissioners plus one person appointed by the City in which the project will be located.

**Offering Primarily Higher-Wage Jobs** means that at least 75 percent of the employees operating the applicant's project will be paid more than the mean covered payroll per employee in Multnomah County as defined below.

**Relevant Agencies** are those agencies identified by the County or the City in which the applicant's project is proposed to be located.

**Repayment** means the payment due by the applicant to the unsegregated property tax fund of Multnomah County on account of a breach of the negotiated agreement setting the special provisions which induced the County's, and City's, if any, approval of and request for applicant's project to be funded by revenue bonds pursuant to ORS 285.330, resulting in property tax abatement.

MEETING DATE: APR 13 1995  
AGENDA NO: B-3

(Above Space for Board Clerk's Use Only)

**AGENDA PLACEMENT FORM**

SUBJECT: Animal Control Budget Report

BOARD BRIEFING      Date Requested: April 13, 1995  
Amount of Time Needed: 30 minutes

REGULAR MEETING:      Date Requested: \_\_\_\_\_  
Amount of Time Needed: \_\_\_\_\_

DEPARTMENT: Board of County Commissioners      DIVISION: Commissioner Collier

CONTACT: Heidi Soderberg      TELEPHONE #: 248-3740  
BLDG. / ROOM #: 106/1500

PERSON(S) MAKING PRESENTATION: Dave Flagler, Heidi Soderberg, Keri Hardwick

**ACTION REQUESTED:**

☒ INFORMATIONAL ONLY    ☐ POLICY DIRECTION    ☐ APPROVAL    ☐ OTHER

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

A briefing to present the results of the Animal Control Budget Study.

*4/13/95 Rescheduled to 4/27/95*

**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 / 248-5222

BOARD OF  
COUNTY COMMISSIONERS  
1995 APR 13 11:54  
MULTI-COUNTY  
ORANGE COUNTY

# **Multnomah County Animal Control Budget Study**

**Conducted for  
Commissioner Tanya Collier**

**By  
Staff Assistant  
Heidi Soderberg  
March 1995**

**In Cooperation with  
Dave Flagler  
John Rowton  
Keri Hardwick  
Mike Oswald**

# **ANIMAL CONTROL BUDGET STUDY--MARCH 1995**

## **PURPOSE**

To reduce the gap between the service citizens expect from Animal Control and the services the agency actually delivers.

## **BACKGROUND**

While Animal Control has received national recognition for its work, the fact remains that the Animal Control staff deals with issues that are emotional and difficult to resolve. As a result the number of complaints that the Board of County Commissioners receives about Animal Control are very high. Clear themes have emerged from the calls that reach the Commissioners' offices. The intent of this study is to address those themes in a systematic manner.

In addition, as the population and density have increased in Multnomah County, service levels have remained constant. This has placed undue strain on the agency to provide more service without increasing staffing levels.

## **OBJECTIVES**

- Strengthen customer service.
- Strengthen customer relations.
- Strengthen enforcement mechanisms.
- Provide more timely nuisance relief.

## **SCOPE**

The following is an examination of Animal Control budget, revenue and staffing trends over the last seven years to determine if the agency is being funded at levels that are consistent with a growing population. Also included is a summary of alternate funding mechanisms. The education and outreach program of the agency will be reviewed. Finally, the report will conclude with a discussion of the current phone system of Animal Control. The phones are a consistent source of citizen complaints.

The analysis spans seven years, FY 1987-88 to FY 1993-94 and will focus on those areas most likely to have some impact on the above-mentioned objectives. Recommendations for both short-term and long-term solutions for increasing the service level at Animal Control are outlined.

A second report that will evaluate the Animal Control Ordinance, and policies and procedures will be available in November, 1995. A sub-committee of the Animal Control Advisory Committee will evaluate both the ordinance and policies and procedures to make sure they reflect the current needs of Multnomah County residents. Recommendations will be based on an analysis of complaint information and on the relevant experience of each committee member. The intention of the combined reports is to meet the above stated objectives.

## **ROLE OF ANIMAL CONTROL IN MULTNOMAH COUNTY**

Multnomah County Animal Control provides services to all of Multnomah County, including Portland, Gresham, Wood Village, Troutdale, Fairview and the unincorporated areas of the County. Services provided include: licensing and adoption of companion animals; shelter and care for lost or unwanted animals; barking dog investigations; sick and injured animal rescue; animal bite investigations; protective custody for pets; vicious animal control; dead animal pick-up; cruelty investigations; impounding of stray dogs; dog, cat and exotic animal facility licensing; round-up of stray livestock; assistance with resolving neighborhood problems; and education about responsible pet ownership.

State mandates have determined that Animal Control is the jurisdiction of local government. The only service mandated by state statute is quarantining rabid animals. Local priorities determine Animal Control programs. The current service agenda of Multnomah County Animal Control is a reflection of the urban area in which it operates.

Multnomah County Animal Control is funded through fees and fines, licensing revenue and general fund money.

## SECTION I--BUDGET STUDY

### Total Expenditures:

Animal Control expenditures have increased during the seven year period under review (FY 1987-88 through 1993-94). Their total expenditures for FY 1987-88 was \$1,631,668. By FY 1993-94 the agency's spending reached \$2,294,161, an increase of 32%. The following chart illustrates total expenditures and increases from the previous year for each year of the analysis.

Fiscal Year	Total Expenditures	Increase From Previous Year	
		Dollars	Percent
1987-88	\$1,631,668	\$84,836	5.5%
1988-89	\$1,791,950	\$160,282	9.8%
1989-90	\$1,822,683	\$30,733	1.7%
1990-91	\$1,833,096	\$10,413	.6%
1991-92	\$1,829,182	\$-3,914	-.2%
1992-93	\$1,938,856	\$109,674	6.1%
1993-94	\$2,156,756	\$217,900	8.7%

*\*These figures are from Multnomah County Budget Documents.*

Increases in expenditures have been considerable in recent years. The most significant increases occurred between FY 1991-92 and 1992-93 and between FY 1992-93 and 1993-94. The first increase of \$109,674 in FY 1991-92 reflects a one-time budget item of \$90,000 for building improvements. The second increase of \$217,900 in 1993-94 reflects a County policy change of charging departments for building maintenance costs. Animal Control's share was \$108,000. In addition, permanent costs increased significantly during the same year. Permanent costs include: increases in employee salaries, fringe benefits and step increases; increases in postage and temporary costs related to the agency's taking over the Notice of Infraction program; and increased costs of installing the Pet Adoption Outreach Program at Clackamas Town Center. These added programs plus the cost of maintaining a workforce of long-term employees, explains most of the 8.7% increase.



### Revenue:

Animal Control revenue fluctuated between FY 1987-88 and 1990-91. During those years the license canvassing program was started and then suspended. This explains the increase in FY 1988-89 and the subsequent decreases in revenue in FY 1989-90 and 1990-91. During the following three budget cycles, FY 1991-92 through 1993-94, revenue steadily increased, primarily because new programs were instituted that generated revenue. The canvassing program was started again in 1991 and has had a significant impact on revenue. Also, in 1993 the cost of pet licenses pets increased. The net effect of these various changes more than doubled Animal Control revenue during the last three years. The following chart illustrates the agency's revenue for each year of the survey.

Fiscal Year	Actual Revenue	Increase From Previous Year	
		Dollars	Percent
1987-88	460,335	N/A	N/A
1988-89	525,829	65,494	14.2%
1989-90	491,916	-33,913	-6.5%
1990-91	466,225	-25,691	-5.3%
1991-92	727,470	261,245	56.2%
1992-93	900,158	172,688	23.7%
1993-94	1,168,406	268,248	29.8%

*\*These figures are from Multnomah County's Local Government Financial System..*

### General Fund:

During the period of analysis, increasing revenues at Animal Control have kept pace with increasing expenditures. Overall, the agency's reliance of general fund money has decreased significantly in the last eight years. Animal Control is currently raising over fifty percent of its total budget in revenues. In contrast, in FY 1987-88 revenues were only twenty-eight percent of the agency's total budget. The following chart illustrates the drop in reliance on supplemental income from the General Fund.

Fiscal Year	Total Expenditures	Revenue	General Fund Supplement	% of General Fund Supplement
1987-88	\$1,631,668	\$460,335	\$1,171,333	72%
1988-89	\$1,791,950	\$525,829	\$1,266,121	71%
1989-90	\$1,822,683	\$491,916	\$1,330,767	73%
1990-91	\$1,833,096	\$466,225	\$1,336,871	73%
1991-92	\$1,829,182	\$727,470	\$1,101,712	60%
1992-93	\$1,938,856	\$900,158	\$1,038,698	54%
1993-94	\$2,156,756	\$1,168,406	\$988,350	46%

### Population Changes:

The population in Multnomah county has steadily increased during this seven year time frame. At the end of 1988 there were 570,500 residents. By 1994 there were 620,000. The total increase in Multnomah County residents equaled 49,400, an increase of 8.7%. The following chart illustrates the population for 1988 through 1994.

Year	Population
1988	570,500
1989	581,000
1990	587,500
1991	600,000
1992	605,000
1993	615,000
1994	620,000

*\*These figures are from Portland State University Population Research and Census Center, Population Estimates for Oregon. These numbers are for the calendar year end.*

Pet Population. A 1994 survey of Multnomah County citizens estimate the dog population for Multnomah County at 104,671. The same survey estimates a total of 122,991 cats. These estimates do not include strays. The problems relating to 800,000 plus people and pets guarantee a booming business for Animal Control.

### Staffing Trends:

Budgeted Full-Time Equivalents. In 1987-88 Animal Control added 2.5 FTE to their staff of 40.5, giving them a total of 43 FTE. That number remained consistent throughout the next six years of the study.

Actual Full-Time Equivalents. This analysis also looked at *actual hours worked* by Animal Control staff. The 43 FTE were not available for service at all times due to vacant positions and leave time (vacation, holiday and sick leave), with and without pay. The number of actual people employed ranged between 39.8 and 43. The following chart shows the number of FTE for each year.

Year	FTE
1988	40.3
1989	41.4
1990	41.5
1991	38.6
1992	39.8
1993	43
1994	43

*\*These figures are from the Hours Register of the Payroll System. These are for the calendar year end.*

## Program Changes:

Notice of Infraction Program. In February 1993, the responsibility of administering the Notice of Infraction program moved out of the court system and is now done internally by Animal Control staff. The program requires processing tickets, scheduling hearings, and collecting fines. No new employees were hired to administer this program.

Shelter Hours. Shelter hours were extended in 1992 to include four hours of operation on Sunday. Employees were shifted to cover the added half day and new staff positions were not added.

Clackamas Town Center Adoption Outreach. An adoption outreach program at Clackamas Town Center has been running about 14 months, beginning in November 1993. While the program is run primarily with volunteers, it does require one FTE at the Center and approximately one-half 1/2 FTE at the shelter to do the paperwork and prepare the animals for adoption. No new staff were added.

Customer Service Orientation. The philosophy of Animal Control has changed in recent years. In the past, the agency emphasized enforcement, impounding animals and writing citations. Now, Animal Control places a higher priority on education and problem solving. Infractions are still taken seriously, but in some instances, a little education goes a long way toward creating permanent solutions.

Discontinued Programs. Animal Control has not eliminated any programs in recent years.

## **Conclusions and Recommendations**

In the seven year period covered in this report, the Animal Control budget and revenues have increased, along with a corresponding increase in the population of Multnomah County. Budget increases, which were offset by increased revenue, have been sufficient to meet increased costs associated with inflation and added programs. Budget increases have not been adequate to hire personnel necessary to keep pace with the growing population.

Increases in program activity and a more customer friendly environment require employees to do more every year. There is no reason to believe that demands for service will be decreasing anytime soon. The growing population will soon require more service than Animal Control is able to deliver. To maintain service levels at Animal Control, additional officers and office staff are needed.

## **Recommendation:**

- **Add 1 Animal Control Officer**

An added officer would be able handle up to 20 requests for service in a day. In a six month period, that officer can respond to an additional 2,400 service requests. In keeping with key results measurements, the additional officer would move the average response time for emergency calls from 30 minutes to 25 minutes and provide for a slight improvement in non-emergency calls. In addition, the added officer will enable staff to continue educating and problem solving, functions that get less attention when the workforce is stretched beyond capacity.

- **Add 2 Office Assistants**

The additional office assistants would increase the number of calls handled in day by 100 to 130, reduce the back-log of data entry and improve collections for Notice of Infractions (which in turn will generate more revenue), and assist the Community Information Specialist in providing additional community education and outreach.

**TOTAL NEW COSTS                      \$102,000**

- **Decrease Ongoing:                      \$7,000**

- **Improve Collection:                      \$3,000**

The added office assistants will reduce temporary services, and improve collection of Notice of Infraction and Potentially Dangerous Dog fees.

- **Increase Revenue:                      \$7,000**

The additional Animal Control officer will generate approximately \$7,000 of revenue per year.

**TOTAL INCREASED COST              \$85,000**

## **OPTION I**

- **Increase General Fund Contribution to Animal Control budget by \$85,000.**

## **OPTION II**

- **Increase Fees:                              \$55,600**

Based on the Animal Control Ordinance Study Committee's evaluation of the David M. Griffith and Associates 1994 Costs, Fees and Revenue Study for Multnomah County.  
(See attached, Section IV Animal Control, pg. 14)

- **General Fund:                              \$29,400**

David M. Griffith and Associates Fee Study. The fee study by David M. Griffith and Associates (DMG), a nation-wide consulting firm who specialize in revenue enhancements and cost accounting, suggests that many fees at Animal Control do not cover the cost of providing the service. DMG recommends "...recovery levels as close to full cost as possible, or to the point where compliance will be lost." (pg. 16). In short, the firm looked at the full cost of service, compared that number with revenues received and then recommended fee recovery levels that they believe are both realistic and achievable. The suggested fee increases were attached to services that met the following criteria: the service was not a public good (like facilities licenses); the fee was meant to discourage certain activities (the potentially dangerous dog fees); and/or where the increased fee would not discourage compliance (high licensing fees).

DMG also suggested raising the cost of pet licenses if additional revenue was required by Animal Control. Those fees were increased in FY 1992-93 to bring them in line with those of other animal control agencies. Previous to that time all licenses were \$5. Currently, cat licenses are \$8 and dog licenses are \$10. Because this change occurred so recently, we are not recommending an increase at this time. Another increase could have a negative impact on compliance.

Animal Control Ordinance Study Committee. The Animal Control Ordinance Study Committee, comprised of volunteers of the Animal Control Advisory Council, evaluated the fee increases proposed by DMG and suggested the following modifications:

- Do not decrease Item 31--Euthanize Dispenser/Owner Release.
- Do not increase Items 34 & 35--Cat/Dog Adoptions
- Round increased amount to \$30 on item 37--Notice of Infraction.
- Restructure fee amounts on items 41 and 42--Dangerous Dog.

Dangerous Dog-Level 1	\$50
Dangerous Dog-Level 2 & 3	\$100
Dangerous Dog-Level 4	\$150

In addition, some of the unit volume estimates used by the consultants were wrong. Keri Hardwick reviewed and corrected unit volume estimates for all categories.

**Note.** The increased fee estimate reflects both the new unit numbers and the Ordinance Committee's recommendations.

## **SECTION II--ALTERNATIVE FUNDING MECHANISMS**

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Multnomah County often questions the appropriateness of the current arrangement for funding Animal Control. Historically, when the general fund becomes stretched beyond its capacity, the Board of County Commissioners has targeted Animal Control for budget reductions. Alternative funding mechanisms have been explored in the past, with the two primary areas being: 1) charging jurisdictions for service; and 2) instituting a state pet food tax.

### **Funding from other jurisdictions:**

Currently, Animal Control provides the same level of service for all jurisdictions within the county, including the state mandated rabies program, licensing, and stray dog and dead animal pick-up. All other services, like the potentially dangerous dog program and nuisance programs, are enhancements and could be provided on a fee basis to interested jurisdictions.

In 1991 the Multnomah County Department of Environmental Services wrote the Animal Control Services Report which reviewed service and fiscal arrangements in 17 comparable counties in the United States. Some counties provide services to cities on per capita fee basis. In some areas, Humane Societies or private companies are paid by cities to deliver animal control services. Most large cities in the counties reviewed provided their own animal control service.

Our current arrangement is the result of historical developments. In the early 1970's the City of Portland contracted with the County for animal control services. The City gave the County equipment and a one time cash payment to help start the agency. In return, Animal Control agreed to provide services to the City. The contract was re-negotiated periodically until the late '70's when it was agreed that the City would receive service indefinitely without payment to Multnomah County. In FY 1984-85 a huge budget shortfall within the County required severe cuts in the Animal Control budget. At that time, rather than go without services, the City of Portland gave the County a one-time payment of \$300,000 for Animal Control Services. There are no agreements in place with any other jurisdiction.

### **Pet Food Tax:**

The most equitable funding mechanism for animal control services is a pet food tax because the burden of paying for services falls to those who keep pets, and the cost is minimal. However, no state has been able to pass a pet food tax, including Oregon. House Bill 2993 (1979) and House Bill 2016 (1987) were both designed to implement a pet food tax in Oregon. Neither was successful.

There are significant stumbling blocks to passing a pet food tax in Oregon. Animal control issues are more pronounced in urban areas. Since Multnomah County is the only urban County in the state, it's difficult to gain state-wide political support for the tax. No mechanism exists for collecting a pet food tax, such as an existing sales tax. Finally, lobbyists for the pet food industry, one of the biggest in the nation, have been successful at blocking the tax whenever it has been proposed.

## Conclusions and Recommendations

Neither option appears viable at this time. The pet food tax is most unlikely because of the expense of administering the tax. Studies suggest the cost of administering a pet food tax would require about a third of the total revenue. Gaining state-wide support is not probable in the current anti-tax environment, especially since animal control issues are not as pronounced in less urban jurisdictions.

Charging jurisdictions for Animal Control services is an option that could be pursued at such a time when general fund support for Animal Control would mean the loss of other vital county services. In the recent past, Multnomah County has tried to charge local cities for animal control services, but cities were unwilling to take on the burden.

## SECTION III--EDUCATION AND OUTREACH

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### Current Programs:

The current education and outreach programs at Animal Control are directed by the Community Information Specialist.

Clackamas Town Center Adoption Outreach. The adoption outreach program is a satellite of the agency located in a donated storefront at Clackamas Town Center Mall. The store is operated primarily with volunteers and is open four days a week. The store has adoptable animals, educational information, and staff and volunteers who can inform about responsible pet ownership.

Resource Information to Media. The Community Information Specialist works with local media on animal related stories. He provides them with research information and data they need for articles.

Speakers Bureau. Animal Control staff, primarily the administrative staff, are available to visit schools, neighborhood associations, business organization, and community meetings. They respond to requests from the community for public education on Animal Control related issues. Animal Control also offers shelter tours to various children's groups.

<b>Conclusions and Recommendations</b>
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In reviewing citizen complaints about Animal Control, some themes emerge: citizens aren't always clear about their responsibility as pet owners; or, they are confused about Animal Control policies and procedures; or, they don't understand the role of the agency in Multnomah County. Clearing up some of the confusion and ultimately improving communication between the agency and its customers, will result in increased customer service and satisfaction. The following recommendation is a three year plan that will spread out the cost of expanding education and outreach without immediate demands for general fund money.

#### Short-term (One year and beyond)

1. One page explanation of process. Both the barking dog and potentially dangerous dog programs generate many complaints. The complaints often relate to the caller not having a clear idea of the process. A short synopsis should be included with the complaint paperwork packets that will explain what each party should expect as they work through the complaint process.
2. Responsible People Make Responsible Pets Brochure. Part of Animal Control's role in the community is to educate the public about responsible pet ownership. The agency needs to take advantage of every contact they make with citizens by handing-out or mailing the brochure *Responsible People Make Responsible Pets*. The brochure highlights pieces of the



Animal Control ordinance, outlines responsibilities of the pet owner and lists the services available.

3. Articles. In an attempt to further educate the public about the role Animal Control in Multnomah County, Commissioner Collier's office, in collaboration with the Public Information Specialist, will write a series of articles over the next year highlighting Animal Control background and history, services and employees. The articles will be offered to all neighborhood and community papers.

#### **Long-term (Three Year Plan)**

1. Video production. The equipment would be useful for instituting two new programs. First, Animal Control could produce programs about the agency's message on responsible pet ownership. The tapes would be aired on local community access channels and offered to schools. Second, the equipment could also be utilized to produce employee training films. The tapes would replace the current training programs which can be done only periodically and are very time consuming for Animal Control staff. In addition, training films could be developed for errant dog owners who are now required by ordinance to take classes in responsible pet ownership. (Add package for FY 1996-97)
2. In-House Printing. Animal Control currently spends approximately \$15,000 per year on printing. There are many pieces of information that could go out to the public but don't. A one-time purchase of a computer upgrade would allow the agency to increase correspondence with citizens without increasing the printing budget. The agency could begin producing its annual newsletter on a quarterly basis and expand its distribution to all community groups, neighborhood organizations and others in the Animal Control community. (Add package for FY 1997-98)

John Rowton, the Public Information Specialist, is currently exploring a number of options for increasing outreach at Animal Control. For example, Mr. Rowton is working with Big Dog Sportswear at the Troutdale Outlet Mall to design an outreach satellite at their store. The program would be a smaller version of the outreach center at Clackamas Town Center. There are many opportunities for expanding outreach and education in the community which will continue to be explored.

#### Section IV--Animal Control Phone System:

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A plan to enhance service levels and improve customer service at Animal Control would not be complete without an analysis of the phone system. The agency has attempted to increase the efficiency of phone service at the shelter. Citizens complain that they were unable to reach Animal Control or were dropped out of the system before reaching a customer service representative. Here is a summary of what's been instituted and plans for future improvements.

##### Fall, 1994.

1. A direct line for licensing was added to the system which allows licensing customers to bypass the automated system and get through the licensing process promptly and easily.
2. An administrative line was added and linked to voice mail. This improvement is also a bypass of the automated system. It is now possible to contact Animal Control staff directly.
3. Field officers were assigned cellular phones.

The above mentioned enhancements decreased incoming calls handled by customer service representatives which allowed representatives to answer more calls for requests for service.

##### FY 1995-96 Add Package.

\$10,000 to fund the Automatic Call Distributor System and an additional four lines to the shelter. The added lines should eliminate calls being dropped out of the system. At the present, there are not enough phone lines running to the shelter to carry all the calls that occur during peak hours. The Call Distributor System will inform customers that they have the option of waiting for a service representative, give the caller an estimated wait time, and then forward the call to the next available representative.

##### RESULTS Committee.

A RESULTS committee began meeting in December, 1994 to determine the underlying cause of the phone problems of the agency. They will collect data on incoming calls and conduct a review of the phone dialog. The committee will have a recommendation by May, 1995.

## SECTION IV

### ANIMAL CONTROL

The Animal Control division is responsible for the enforcement of all local and state laws relating to the care, treatment, impounding, and disposal of animals. The division responds to citizen calls for service regarding animals, issues animal licenses per law, and continues to aggressively control lost or stray animal populations. Its primary goal is to protect both animals and residents of the county through the promotion and enforcement of responsible ownership. The division is operated under the supervision of the Environmental Services department.

The division operates an extensive animal licensing program for dogs and cats and provides most of its licensing through an automated computer system. The division has a license compliance group which attempts to increase licensing through a massive canvassing program. Much of this canvassing is provided with temporary employees. The licensing function (fees 1-12, & 15) costs the County \$515,965 annually (This does not include the cost of facility licensing which requires annual inspections, license replacement, and puppy/kitty tags). Total revenues are \$1,077,317.

In DMG's analysis of this division, licensing activities were treated as non-fee-for-service activities. License revenues typically are used to cover more than the cost of issuing the licenses. The excess revenues are used to support other valuable services that are not recovered through fees, including collection of stray and wild animals. However, since there is potential for substantial revenue increases, the licensing function will be discussed along with the user fee services activities in the analysis section below.

Total costs of fee-for-service activities are \$479,164, with \$142,670 in corresponding revenues. This leaves a subsidy of \$336,494 which is currently being funded by either license revenues or general fund dollars.

### ECONOMIC AND POLICY CONSIDERATIONS

1. Subsidy - In most animal control agencies, services have deliberately been subsidized to promote compliance. Subsidization of animal services is usually the result of a desire by a county to encourage use of the service either by 1) groups of people who may not be able to afford them, and 2) the citizens as a whole to keep the county free of animal related problems. It is common for local governments to have a sliding scale of fees for animal control based on the ability to pay.

In Multnomah County Animal Control, there are several non-fee-for service subsidy areas which are listed by fee number in the analysis and recommendations

section below. Most of these are common to all animal control operations, but three areas deserve special discussion:

- Nuisance, fee 50, includes time mostly associated with complaints regarding barking dogs, cruelty, and loose animals.
- Animal care program, fee 51, includes costs for janitorial services at the animal control facility, for minor maintenance by staff, and for staff time showing animals to people for potential adoptions.
- Animal rescue costs, fee 52, include protective custody costs and emergency animal rescue for animals in distress, abandoned, or neglected.

These three areas cost the general fund \$855,148 annually.

2. Economic Incentives - Many fees in an animal control division are established as a disincentive to participate in a particular activity. An example would be high dangerous dog fees. Other fees can be established as an incentive to promote compliance or to generate a response that will possibly save the county money in the future, such as lower licensing fees for animals that have been spayed.
3. Elasticity - Demand for animal control fees tend to be relatively elastic. That is, if fees are raised past a certain point, the public generally resists paying for those services and will not bother to license their dog or cat, spay or neuter their pet, or redeem their animals from impoundment at the shelter. While many citizens are responsible owners, some prefer to risk a later citation (or losing their pet) rather than pay for a license.
4. Competition - Veterinary hospitals will usually provide alteration, euthanasia, and perhaps adoption services. However, they do not provide all the services that an animal control division provides. In addition, they make it a practice not to subsidize their services. Therefore, competition is not really a factor in establishing animal control fees. They only competition would be not using animal services at all.

## ANALYSIS AND RECOMMENDATIONS

The Animal Control division currently collects less revenue than it expends on animal services, which is not uncommon. Total user fee services (#13, 14, 16-21, 26-28, 30-35, 37-42, 44-48) cost \$479,164 annually with offsetting revenues of \$142,670. Licensing services (#1-12, and 15) cost \$515,965 per year with revenues of \$1,077,317. Dead animal pick-up on the roadways costs \$117,858 and is reimbursed in full by the Roads Fund (fee 49). The non fee for service activities cost \$1,438,352 and include the impoundment of non-returned animals, boarding of non-returned animals, back-up adoptions, destruction of dangerous dogs, animal nuisance, animal care program, and animal rescue (fees 22-25, 29, 36, 43, and 49-52). Total Animal Control division costs are \$2,591,338 with total revenues of \$1,344,984, generated primarily from licensing. This leaves the division with a total general fund subsidy of \$1,246,353 (48%).

DMG would typically recommend recovery levels as close to full cost as possible, or to the point at which compliance will not be lost. Unfortunately, it is rare for an animal regulation agency to attain this level. Typically, excluding license services, an animal control division seems to peak when they are recovering 40-50% of their total user fee costs. Currently, your division is at a 30% recovery level.

Following is a summary of DMG's recommendations for Multnomah County Animal Control services. In addition to these recommendations, we have given some analysis in the licensing area which would provide other revenue options should the Commission want to reduce the current subsidy further.

- Facility Inspections - DMG recommends charging a fee that represents full cost. This activity requires anyone owning 4 or more animals to have a facility license and an annual inspection. The current fee also includes annual licenses for the animals which is less than what they would pay for licensing each animal individually. Because of the type of service received, there appears to be no reason for subsidization. (fees 16-18)
- Impounds - There was no recommended fee increase for this service although costs are higher than current fees. The reasoning behind the recommendation is that if impound fees are raised too high, it acts as a disincentive for owners to retrieve their pets. When pets are not returned, the expense on the overall division is increased due to future maintenance of the animal. (fees 19-21)
- Boards - The current rates are very similar to local kennel daily rents in the surrounding areas. Current fees are a bit higher than cost because the division wants to stay non-competitive with private companies. In addition, a portion of the fee is intended to recover the rental of the space provided to the animal which is not part of the total cost. (fees 26-28)
- Owner Released - DMG has recommended a fee decrease for animals released by owners for euthanization and disposal. Currently, the fee is \$25 with a cost of

\$17. A fee equal to cost has been recommended. The staff was concerned that this was less than the private sector for the same service, but it is DMG's opinion that only full cost recovery is appropriate in this instance.

The costs associated with the release of healthy animals by owners is currently greater than the current fees of \$15 or \$25. However, DMG has recommended not lowering these fees because the division incurs the subsequent costs in either maintenance, adoption services, or euthanization and disposal of these animals. DMG is concerned that raising the fees higher could have the result that the animals would be merely dumped instead of being brought to the facility. (fees 31-33)

- Adoption - Current adoption fees only recover about 40% of total costs, not including the costs of back-up adoptions. DMG has made recommendations which reflect a 60% recovery level resulting in a \$10 increase each. No fee recommendation was made for back-up adoptions as they help insure an animal will be processed out of the facility. (fees 34-36)
- Notice of Infraction - A minor increase was recommended for first time notice of infractions which will recover full cost. No increases were made for second and third offenses as these are currently recovering more than cost. This is appropriate because these are typically seen as disincentives for failure to comply. Overall, the division has a relatively low recovery level for collection of all notice of infractions because current policy dismisses the fine if compliance occurs within 30 days. The division feels this is a useful policy because they have relatively little power to collect these fees and achieving compliance is the ultimate goal. (fees 37-39)
- Appeals/Hearings - DMG recommends increases for these services to approximately 80% recovery of full costs. The division refunds the fee if the appeal is won, so that full costs can never be 100% recovered. These recommendations should not financially prevent anyone from appealing the process. (fees 40 & 45)
- Dangerous Dog Program - Animals included in this program have behaved in a manner that warrants annual monitoring by division staff. It is DMG's opinion that this activity should not be subsidized, since owners are responsible for the behavior of their pets. However, full cost was not recommended due to the large difference between full cost and the current fee. Our recommendations are based on an average recovery level of at least 60% immediately. DMG also recommends implementing full cost recovery in the near future. (fees 41-44)

Note that the recommended fee shown on the following User Fee Study Summary Sheet is an average of \$115 for all dangerous dogs (levels 1-4), reflecting an average recovery of 60% of costs. Based on discussions with County staff, the fee covers the annual monitoring and renewal processes, and not incident

responses. In their opinion, the fee should increase with the increasing severity level of the dog's behavior. DMG recommends that the fees be set at \$100 (50% of full cost) for level 1, \$115 (60%) for level 2, \$135 (70%) for level 3, and \$155 (80%) for level 4. This will yield an average fee of \$115 and an average cost recovery of 60%.

- Livestock Pickup & Return - Full cost has been recommended as DMG sees this as a service that directly benefits the owners of the livestock. (fee 46)
- Dead Animal Disposal - No fee changes were recommended at this time as full cost is being recovered. Costs for non-veterinarian disposal slightly exceeds cost, but volume is insignificant and the charge is competitive with private agencies.

Total revenues for veterinary disposal reflects a low rate of cost recovery. Although this is a current fee, charges have not been collected. This situation has been remedied after DMG's analysis and revenues are projected at about \$10,000. (fees 47 & 48)

- Licenses - DMG recommends increases to current 1 year licenses by \$1 each, 2 year licenses by \$2 each, and 3 year licenses by \$3 each. In general, these are relatively small increases that will generate additional revenues of \$92,557 increasing current revenues from \$1,077,317 to \$1,169,874 or an increase of about 9%. The increase was recommended because there has not been a fee increase in 3-4 years.

The issue of licenses is very important to DMG's overall analysis of Multnomah County Animal Control because, other than the general fund, it is the primary source of revenue for operations. The above increases seem very reasonable to DMG. However, should the Commission determine that it is inappropriate for the general fund to subsidize animal control services at the current level, there are a variety of options that could be implemented to reduce the subsidy.

DMG's experience has been that most animal control agencies that operate anywhere close to recovering their costs of services do so through their licensing revenues. This practice assumes that license revenue is an appropriate source of funding these services. DMG notes that the general public benefits from animal control services through reduced risk of disease and injury, and that animal owners are not the only beneficiary of animal control services.

Following, are some example options for license revenue increases.

- If the County Commission wanted to recover the balance of the costs associated with fee-for-service activities (\$157,488) total license revenues would need to be increased by \$250,045 instead of the \$92,557 recommended increase. In this instance, an overall increase of 23% straight across the board or more than doubling DMG's current recommended fee increases for each license category would be necessary (i.e. \$2 for one

year, \$4 for two years).

- If the Commission wanted to cut the current subsidy in half, after the implementation of DMG recommendations for fee services, a total of \$579,953 would need to be generated from license increases. This would result in a 54% increase of current fees, or multiplying each current fee by 1.5.
- If the Commission wanted to recover all subsidy costs, after the implementation of DMG's recommended fee increases, excluding license increases, additional revenues of \$1,159,905 would need to be generated from licenses. This would require approximately doubling current fees. DMG notes that this could reduce actual revenues received, since many owners would elect not to license their animals.

When increasing license fees, there comes a point at which owners will elect not to license their animals. If large increases in license fees are ever implemented, the County would need to insure compliance by 1) eliminating the waiver for notice of infractions (30 day grace period) and 2) implementing a mechanism that will enable the division to collect unpaid fees, licenses and fines. Determining the mix of support for animal control services between general fund dollars and license revenues is a fundamental policy decision which issues of cost cannot resolve.

Should all of DMG's recommendations be implemented, the division will realize \$179,006 in revenues annually. License increases makes up \$92,557 with the balance (\$86,449) coming from user fee recommended increases.

Following is a summary schedule which present specific fee recommendations and resulting changes in revenues for animal control services.



# User Fee Study Summary Sheet

Animal Control	Per Unit Information							
	UNIT VOLUME	CURRENT FEE	00% OF FULL COST	50% OF FULL COST	100% OF FULL COST	CURRENT SUBSIDY	RECOMMENDED FEE	SUBSIDY @ RECOM FEE
1 1 YR. LICENSE-DOG	15042.0	\$10.00	\$4.83	\$6.44	\$8.05	(\$1.95)	\$11.00	(\$2.95)
2 1 YR. LICENSE-DOG (FERTILE)	8594.0	\$25.00	\$4.83	\$6.44	\$8.05	(\$16.95)	\$26.00	(\$17.95)
3 2 YR. LICENSE-DOG	3029.0	\$17.00	\$4.82	\$6.43	\$8.04	(\$8.98)	\$19.00	(\$10.98)
4 2 YR. LICENSE-DOG (FERTILE)	1731.0	\$46.00	\$4.83	\$6.44	\$8.05	(\$37.95)	\$48.00	(\$39.95)
5 3 YR. LICENSE-DOG	4727.0	\$24.00	\$4.83	\$6.44	\$8.05	(\$16.95)	\$27.00	(\$18.95)
6 3 YR. LICENSE-DOG (FERTILE)	2700.0	\$60.00	\$4.83	\$6.44	\$8.05	(\$51.95)	\$63.00	(\$54.95)
7 1 YR. LICENSE-CAT	16255.0	\$8.00	\$4.83	\$6.44	\$8.05	\$0.05	\$9.00	(\$0.95)
8 1 YR. LICENSE-CAT (FERTILE)	2722.0	\$15.00	\$4.83	\$6.44	\$8.05	(\$6.95)	\$16.00	(\$7.95)
9 2 YR. LICENSE-CAT	3268.0	\$14.00	\$4.83	\$6.44	\$8.05	(\$5.95)	\$16.00	(\$7.95)
10 2 YR. LICENSE-CAT (FERTILE)	583.0	\$25.00	\$4.84	\$6.45	\$8.06	(\$16.94)	\$27.00	(\$18.94)
11 3 YR. LICENSE-CAT	3237.0	\$19.00	\$4.83	\$6.44	\$8.05	(\$10.95)	\$22.00	(\$13.95)
12 3 YR. LICENSE-CAT (FERTILE)	678.0	\$36.00	\$4.82	\$6.43	\$8.04	(\$27.96)	\$39.00	(\$30.96)
13 LICENSE-REPLACEMENT	2639.0	\$3.00	\$4.31	\$5.75	\$7.19	\$4.19	\$3.00	\$4.19
14 PUPPY/KITTEN TAGS	125.0	\$0.00	\$10.73	\$14.31	\$17.89	\$17.89	\$0.00	\$17.89
15 LICENSE COMPLIANCE	1.0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
16 FACILITY INSPECTION-DOG	73.0	\$100.00	\$85.04	\$113.38	\$141.73	\$41.73	\$142.00	(\$0.27)
17 FACILITY INSPECTION-EXOTIC	8.0	\$100.00	\$84.80	\$113.06	\$141.33	\$41.33	\$142.00	(\$0.67)
18 FACILITY INSPECTION-CAT	19.0	\$50.00	\$85.13	\$113.61	\$141.89	\$91.89	\$142.00	(\$0.11)
19 IMPOUND-DOG	2168.0	\$25.00	\$19.37	\$25.82	\$32.28	\$7.28	\$25.00	\$7.28
20 IMPOUND-CAT	10.0	\$15.00	\$14.62	\$19.36	\$24.20	\$9.20	\$15.00	\$9.20
21 IMPOUND-OTHER	10.0	\$15.00	\$14.62	\$19.36	\$24.20	\$9.20	\$15.00	\$9.20
22 IMPOUND-DOG (NON RETURNED)	8435.0	\$0.00	\$20.87	\$27.82	\$34.78	\$34.78	\$0.00	\$34.78
23 IMPOUND-CAT (NON RETURNED)	802.0	\$0.00	\$14.77	\$19.69	\$24.61	\$24.61	\$0.00	\$24.61
24 IMPOUND-OTHER (NON-RETURNED)	211.0	\$0.00	\$20.87	\$27.82	\$34.78	\$34.78	\$0.00	\$34.78
25 IMPOUND-EUTHANIZE/DISPOSE	6794.0	\$0.00	\$11.48	\$15.30	\$19.13	\$19.13	\$0.00	\$19.13
26 BOARD-CAT OR OTHER PER DAY	8.0	\$5.00	\$2.70	\$3.60	\$4.60	(\$0.60)	\$5.00	(\$0.50)
27 BOARD-DOG PER DAY	20.0	\$8.00	\$3.03	\$4.04	\$5.05	(\$2.95)	\$8.00	(\$2.95)
28 BOARD-LIVESTOCK PER DAY	5.0	\$8.00	\$2.88	\$3.84	\$4.80	(\$3.20)	\$8.00	(\$3.20)
29 BOARDS-NON RECOVER. (3 DAYS)	10544.0	\$0.00	\$9.63	\$12.70	\$15.88	\$15.88	\$0.00	\$15.88
30 VETERINARY FEE	10.0	\$20.00	\$13.28	\$17.68	\$22.10	\$2.10	\$22.00	\$0.10
31 EUTHANIZE/DISP-OWNER RELEASED	193.0	\$25.00	\$10.30	\$13.73	\$17.16	(\$7.84)	\$17.00	\$0.16
32 RELEASE OF OWNED-1	100.0	\$15.00	\$8.65	\$8.74	\$10.92	(\$4.08)	\$15.00	(\$4.08)
33 RELEASE OF OWNED-2 OR MORE	1.0	\$25.00	\$12.00	\$16.00	\$20.00	(\$5.00)	\$25.00	(\$5.00)
34 ADOPTION-DOGS	1783.0	\$20.00	\$30.66	\$40.88	\$51.10	\$31.10	\$30.00	\$21.10
35 ADOPTION-CATS	563.0	\$20.00	\$30.95	\$41.26	\$51.68	\$31.68	\$30.00	\$21.68
36 BACK-UP ADOPTIONS	1000.0	\$0.00	\$12.83	\$17.10	\$21.38	\$21.38	\$0.00	\$21.38
37 NOTICE OF INFRACTION	3075.0	\$25.00	\$17.45	\$23.26	\$29.08	\$4.08	\$29.00	\$0.08
38 NOTICE OF INFRACTION (2ND)	878.0	\$50.00	\$17.44	\$23.26	\$29.07	(\$20.93)	\$50.00	(\$20.93)
39 NOTICE OF INFRACTION (3RD)	439.0	\$75.00	\$17.45	\$23.26	\$29.08	(\$45.92)	\$75.00	(\$45.92)
40 APPEALS	180.0	\$25.00	\$40.31	\$53.74	\$67.18	\$42.18	\$50.00	\$17.18

# User Fee Study Summary Sheet

multnomah county, oregon

		Per Unit Information							
Animal Control		UNIT VOLUME	CURRENT FEE	00% OF FULL COST	80% OF FULL COST	100% OF FULL COST	CURRENT SUBSIDY	RECOMMENDED FEE	SUBSIDY @ RECOM FEE
41	DANGEROUS DOG-LVL 1 & 2	310.0	\$25.00	\$117.47	\$168.62	\$195.78	\$170.78	\$115.00	\$80.78
42	DANGEROUS DOG-LVL 3 & 4	100.0	\$50.00	\$117.45	\$168.60	\$195.75	\$145.75	\$115.00	\$80.75
43	DESTRUCTION OF DOG-LVL 5	1.0	\$0.00	\$14,686.40	\$19,447.20	\$24,309.00	\$24,309.00	\$0.00	\$24,309.00
44	DANGEROUS DOG DECLASSIFY	60.0	\$25.00	\$32.64	\$43.39	\$54.24	\$29.24	\$40.00	\$14.24
45	HEARINGS-DANGEROUS DOGS	138.0	\$25.00	\$67.10	\$89.46	\$111.83	\$86.83	\$80.00	\$31.83
46	LIVESTOCK PICKUP & RETURN	20.0	\$10.00	\$22.08	\$29.44	\$38.80	\$28.80	\$37.00	(\$0.20)
47	DEAD ANIMAL DISPOSAL	10.0	\$15.00	\$7.28	\$9.68	\$12.10	(\$2.90)	\$15.00	(\$2.90)
48	DEAD DISPOSAL FOR VETS	1041.0	\$10.00	\$5.62	\$7.36	\$9.20	(\$0.80)	\$10.00	(\$0.80)
49	DEAD ANIMAL PICKUP	2598.0	\$48.15	\$27.24	\$36.32	\$45.40	(\$2.75)	\$48.15	(\$2.75)
50	ANIMAL NUISANCE	1.0	\$0.00	\$335,105.40	\$446,807.20	\$558,509.00	\$558,509.00	\$0.00	\$558,509.00
51	ANIMAL CARE PROGRAM	1.0	\$0.00	\$122,868.00	\$163,824.00	\$204,780.00	\$204,780.00	\$0.00	\$204,780.00
52	ANIMAL RESCUE	1.0	\$0.00	\$55,115.40	\$73,487.20	\$91,859.00	\$91,859.00	\$0.00	\$91,859.00

# User Fee Study Summary Sheet

multnomah county, oregon

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		Total Program Information							
Animal Control		REVENUE @ CURRENT FEE	REVENUE @ 00% FEE	REVENUE @ 80% FEE	REVENUE @ 100% FEE	CURRENT SUBSIDY	REVENUE @ RECOM FEE	REMAINING SUBSIDY @ RECOM FEE	INCREASED REVENUE @ RECOM FEE
1	1 YR. LICENSE-DOG	\$150,420	\$72,653	\$98,870	\$121,088	(\$20,332)	\$165,482	(\$44,374)	\$15,042
2	1 YR. LICENSE-DOG (FERTILE)	\$214,850	\$41,609	\$55,345	\$69,182	(\$145,668)	\$223,444	(\$154,282)	\$8,594
3	2 YR. LICENSE-DOG	\$51,403	\$14,612	\$19,483	\$24,353	(\$27,140)	\$57,651	(\$33,198)	\$8,058
4	2 YR. LICENSE-DOG (FERTILE)	\$79,828	\$8,361	\$11,148	\$13,935	(\$65,691)	\$83,088	(\$69,153)	\$3,482
5	3 YR. LICENSE-DOG	\$113,448	\$22,831	\$30,442	\$38,052	(\$75,396)	\$127,629	(\$89,677)	\$14,181
6	3 YR. LICENSE-DOG (FERTILE)	\$182,000	\$13,041	\$17,388	\$21,735	(\$140,265)	\$170,100	(\$148,365)	\$8,100
7	1 YR. LICENSE-CAT	\$122,040	\$73,682	\$98,242	\$122,803	\$763	\$137,295	(\$14,492)	\$15,255
8	1 YR. LICENSE-CAT (FERTILE)	\$40,830	\$13,147	\$17,630	\$21,912	(\$18,918)	\$43,652	(\$21,040)	\$2,722
9	2 YR. LICENSE-CAT	\$45,724	\$16,776	\$21,033	\$26,291	(\$19,433)	\$52,266	(\$25,965)	\$8,632
10	2 YR. LICENSE-CAT (FERTILE)	\$14,676	\$2,819	\$3,759	\$4,699	(\$9,876)	\$16,741	(\$11,042)	\$1,186
11	3 YR. LICENSE-CAT	\$81,503	\$16,635	\$20,848	\$26,058	(\$35,445)	\$71,214	(\$45,156)	\$9,711
12	3 YR. LICENSE-CAT (FERTILE)	\$20,808	\$2,788	\$3,718	\$4,647	(\$16,161)	\$22,642	(\$17,895)	\$1,734
13	LICENSE-REPLACEMENT	\$2,610	\$11,386	\$15,180	\$18,974	\$16,384	\$2,610	\$16,384	\$0
14	PUPPY/KITTEN TAGS	\$0	\$1,342	\$1,789	\$2,236	\$2,236	\$0	\$2,236	\$0
15	LICENSE COMPLIANCE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
16	FACILITY INSPECTION-DOG	\$7,300	\$6,208	\$8,277	\$10,348	\$3,046	\$10,388	(\$20)	\$3,088
17	FACILITY INSPECTION-EXOTIC	\$800	\$509	\$678	\$848	\$248	\$852	(\$4)	\$252
18	FACILITY INSPECTION-CAT	\$950	\$1,618	\$2,157	\$2,696	\$1,746	\$2,698	(\$2)	\$1,748
19	IMPOUND-DOG	\$34,950	\$41,990	\$55,986	\$69,983	\$35,033	\$34,950	\$35,033	\$0
20	IMPOUND-CAT	\$160	\$146	\$194	\$242	\$92	\$150	\$92	\$0
21	IMPOUND-OTHER	\$160	\$146	\$194	\$242	\$92	\$160	\$92	\$0
22	IMPOUND-DOG (NON RETURNED)	\$0	\$176,022	\$234,696	\$293,369	\$293,369	\$0	\$293,369	\$0
23	IMPOUND-CAT (NON RETURNED)	\$0	\$11,842	\$16,790	\$19,737	\$19,737	\$0	\$19,737	\$0
24	IMPOUND-OTHER (NON-RETURNED)	\$0	\$4,403	\$5,871	\$7,339	\$7,339	\$0	\$7,339	\$0
25	IMPOUND-EUTHANIZE/DISPOSE	\$0	\$66,604	\$88,071	\$110,839	\$110,839	\$0	\$110,839	\$0
26	BOARD-CAT OR OTHER PER DAY	\$30	\$16	\$22	\$27	(\$3)	\$30	(\$3)	\$0
27	BOARD-DOG PER DAY	\$160	\$61	\$81	\$101	(\$59)	\$160	(\$59)	\$0
28	BOARD-LIVESTOCK PER DAY	\$40	\$14	\$19	\$24	(\$16)	\$40	(\$16)	\$0
29	BOARDS-NON RECOVER. (3 DAYS)	\$0	\$100,483	\$133,951	\$167,439	\$167,439	\$0	\$167,439	\$0
30	VETERINARY FEE	\$200	\$133	\$177	\$221	\$21	\$220	\$1	\$20
31	EUTHANIZE/DISP-OWNER RELEASED	\$4,826	\$1,987	\$2,650	\$3,312	(\$1,613)	\$3,281	\$31	(\$1,644)
32	RELEASE OF OWNED-1	\$1,600	\$655	\$874	\$1,092	(\$408)	\$1,500	(\$408)	\$0
33	RELEASE OF OWNED-2 OR MORE	\$26	\$12	\$16	\$20	(\$5)	\$25	(\$5)	\$0
34	ADOPTION-DOGS	\$35,660	\$64,667	\$72,889	\$91,111	\$55,451	\$53,490	\$37,621	\$17,830
35	ADOPTION-CATS	\$11,260	\$17,424	\$23,232	\$29,040	\$17,780	\$16,890	\$12,150	\$5,630
36	BACK-UP ADOPTIONS	\$0	\$12,828	\$17,104	\$21,380	\$21,380	\$0	\$21,380	\$0
37	NOTICE OF INFRACTION	\$10,076	\$53,653	\$71,637	\$89,421	\$79,340	\$11,687	\$77,734	\$1,612
38	NOTICE OF INFRACTION (2ND)	\$5,760	\$16,314	\$20,419	\$26,623	\$19,773	\$5,760	\$19,773	\$0
39	NOTICE OF INFRACTION (3RD)	\$4,360	\$7,060	\$10,213	\$12,766	\$8,416	\$4,350	\$8,416	\$0
40	APPEALS	\$4,376	\$7,265	\$9,674	\$12,092	\$7,717	\$8,760	\$3,342	\$4,375

# User Fee Study Summary Sheet

Total Program Information								
Animal Control	REVENUE @	REVENUE @	REVENUE @	REVENUE @	CURRENT	REVENUE @	REMAINING	INCREASED
	CURRENT FEE	00% FEE	80% FEE	100% FEE	SUBSIDY	RECOM FEE	SUBSIDY @	REVENUE @
							RECOM FEE	RECOM FEE
41 DANGEROUS DOG-LVL 1 & 2	\$7,760	\$38,416	\$48,653	\$60,892	\$52,942	\$35,850	\$25,042	\$27,900
42 DANGEROUS DOG-LVL 3 & 4	\$5,000	\$11,746	\$15,680	\$19,576	\$14,575	\$11,600	\$8,076	\$8,600
43 DESTRUCTION OF DOG-LVL 5	\$0	\$14,685	\$19,447	\$24,309	\$24,309	\$0	\$24,309	\$0
44 DANGEROUS DOG DECLASSIFY	\$1,260	\$1,827	\$2,170	\$2,712	\$1,462	\$2,000	\$712	\$750
45 HEARINGS-DANGEROUS DOGS	\$3,350	\$9,260	\$12,346	\$16,433	\$12,083	\$10,720	\$4,713	\$7,370
46 LIVESTOCK PICKUP & RETURN	\$200	\$442	\$588	\$738	\$538	\$740	(\$4)	\$540
47 DEAD ANIMAL DISPOSAL	\$160	\$73	\$97	\$121	(\$29)	\$160	(\$29)	\$0
48 DEAD DISPOSAL FOR VETS	\$10	\$5,746	\$7,602	\$9,677	\$9,667	\$10,410	(\$833)	\$10,400
49 DEAD ANIMAL PICKUP	\$124,997	\$70,716	\$94,287	\$117,858	(\$7,139)	\$124,997	(\$7,139)	\$0
50 ANIMAL NUISANCE	\$0	\$335,108	\$446,807	\$558,609	\$558,609	\$0	\$558,609	\$0
51 ANIMAL CARE PROGRAM	\$0	\$122,868	\$163,824	\$204,780	\$204,780	\$0	\$204,780	\$0
52 ANIMAL RESCUE	\$0	\$55,115	\$73,487	\$91,859	\$91,859	\$0	\$91,859	\$0
Department Totals	\$1,344,984	\$1,654,803	\$2,073,070	\$2,691,338	\$1,246,353	\$1,523,990	\$1,087,347	\$179,008
% of Full Cost	61.90%	60.00%	80.00%	100.00%	48.10%	58.81%	41.18%	6.91%
Excluding Noted Items	\$142,870	\$287,498	\$383,331	\$479,164	\$336,494	\$321,678	\$167,488	\$179,008 ***
	29.77%	60.00%	80.00%	100.00%	70.23%	87.13%	32.87%	37.36%

\* - Items marked with an asterisk have been excluded from the fee for service totals.

\*\* - Revenue for this fee area is based on an estimated recoverable volume for fees 13, 19, 37-40, 45 & 48. (Rec. volumes are 870, 1398, 403, 115, 58, 175, 134, & 1041)

\*\*\* - This increased revenue includes additional revenues from the recommended increases in licenses.

Please Note: Activity 15 has an annual cost of \$374,231 of which was spread as support costs to fees 1-14 & 16-18.

The total increased revenue is made up of \$92,557 in animal license increases with the balance (\$86,449) in fee-for-service activities.