



Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

BOARD OF COMMISSIONERS

Ted Wheeler, Chair

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-3308 FAX (503) 988-3093

Email: mult.chair@co.multnomah.or.us

Maria Rojo de Steffey, Commission Dist. 1

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5220 FAX (503) 988-5440

Email: district1@co.multnomah.or.us

Jeff Cogen, Commission Dist. 2

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5219 FAX (503) 988-5440

Email: district2@co.multnomah.or.us

Lisa Naito, Commission Dist. 3

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5217 FAX (503) 988-5262

Email: district3@co.multnomah.or.us

Lonnie Roberts, Commission Dist. 4

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5213 FAX (503) 988-5262

Email: lonnie.j.roberts@co.multnomah.or.us

On-line Streaming Media, View Board Meetings
www.co.multnomah.or.us/cc/live_broadcast.shtml

On-line Agendas & Agenda Packet Material
www.co.multnomah.or.us/cc/agenda.shtml

Americans with Disabilities Act Notice: If you need this agenda in an alternate format, or wish to participate in a Board Meeting, please call the Board Clerk (503) 988-3277, or the City/County Information Center TDD number (503) 823-6868, for information on available services and accessibility.

AUGUST 5 & 8, 2008 BOARD MEETINGS FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	9:00 a.m. Tuesday Executive Session
Pg 2	10:00 a.m. Tuesday Briefing on Library Funding Task Force Report
Pg 2	9:30 a.m. Thursday Public Comment
Pg 4	9:40 a.m. Thursday Resolution Vacating a Portion of SW Comus Street, a Public Road, Located in an Unincorporated Area of Southwest Multnomah County
Pg 4	9:44 a.m. Thursday Second Reading and Adoption of an Ordinance Amending MCC Chapter 7.450 et seq. Relating to Art Acquisition
Pg 4	9:45 a.m. Thursday Briefing on Metro's Proposed Business Recycling Program
Pg 4	10:15 a.m. Thursday Board Comment

Thursday meetings of the Multnomah County Board of Commissioners are cable-cast live and taped and may be seen by Cable subscribers in Multnomah County at the following times:

Thursday, 9:30 AM, (LIVE) Channel 30
Saturday, 10:00 AM, Channel 29
Sunday, 11:00 AM, Channel 30
Tuesday, 8:15 PM, Channel 29

Produced through MetroEast Community Media
(503) 667-8848, ext. 332 for further info
or: <http://www.metroeast.org>

Tuesday, August 5, 2008 - 9:00 AM
Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

EXECUTIVE SESSION

- E-1 The Multnomah County Board of Commissioners will meet in Executive Session Pursuant to ORS 192.660(2)(d),(e) and/or (h). Only Representatives of the News Media and Designated Staff are allowed to attend. News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Session. No Final Decision will be made in the Session. Presented by County Attorney Agnes Sowle. 15-55 MINUTES REQUESTED.
-

Tuesday, August 5, 2008 - 10:00 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

BOARD BRIEFING

- B-1 Briefing on Library Funding Task Force Report. Presented by Molly Raphael and Task Force Representatives. 60 MINUTES REQUESTED.
-

Thursday, August 7, 2008 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

CONSENT CALENDAR - 9:30 AM **NON-DEPARTMENTAL**

- C-1 Reappointment of Jennifer Cooperman, Marc Gonzales, and George Scherzer to the Multnomah County INVESTMENT ADVISORY BOARD

SHERIFF'S OFFICE

- C-2 New Owners Full On Premises Sales Liquor License for SPRINGDALE PUB 32302 E Historic Columbia River Highway, Corbett, Oregon

DEPARTMENT OF LIBRARY SERVICES

C-3 Budget Modification LIB-02 Reclassifying One Vacant Position in Neighborhood Libraries Division, as Determined by the Class/Comp Unit of Central Human Resources

DEPARTMENT OF COUNTY HUMAN SERVICES

C-4 Budget Modification DCHS-01 Reclassifying Two Office Assistant 2 Positions to Case Management Assistant Positions in the Aging and Disabilities Services Division, as Determined by Class/Comp Unit of Central Human Resources

C-5 ORDER Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

REGULAR AGENDA

PUBLIC COMMENT - 9:30 AM

Opportunity for Public Comment on non-agenda matters. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk.

DEPARTMENT OF LIBRARY SERVICES – 9:30 AM

R-1 NOTICE OF INTENT to Apply for a Library Services and Technology Act (LSTA) Grant from the Oregon State Library for “Kaboom! (Knowledgeable and Active Boomers): Harnessing the Energy and Engagement of Older Adults at the Library”

DEPARTMENT OF COUNTY HUMAN SERVICES – 9:35 AM

R-2 Aging and Disabilities Services Division NOTICE OF INTENT to Apply for American Society on Aging/MetLife Foundation Grant to Host One-day MindAlert Training to Promote Cognitive Fitness in Older Adults

DEPARTMENT OF COMMUNITY SERVICES – 9:40 AM

R-3 RESOLUTION Vacating a Portion of SW Comus Street, a Public Road, Located in an Unincorporated Area of Southwest Multnomah County, Pursuant to ORS 368.326 to 368.366

NON-DEPARTMENTAL - 9:45 AM

- R-4 Second Reading and Possible Adoption of an ORDINANCE Amending Multnomah County Code Chapter 7.450 et seq. Relating to Art Acquisition
- R-5 Briefing on Metro's Proposed Business Recycling Program. Presented by Marta McGuire, Metro Senior Solid Waste Planner and Matt Korot, Waste Reduction Manager. 30 MINUTES REQUESTED.

BOARD COMMENT

Opportunity (as time allows) for Commissioners to provide informational comments to Board and public on non-agenda items of interest or to discuss legislative issues.

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
This form is a public record

MEETING DATE: Aug 8, 2008

SUBJECT: Sellwood Bridge

AGENDA NUMBER OR TOPIC: _____

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Ron Swaren

ADDRESS: 1543 SE Umabila St

CITY/STATE/ZIP: Portland, OR

PHONE: _____ DAYS: _____ EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: Sellwood Bridge

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

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

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

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



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 08/07/08
 Agenda Item #: C-1
 Est. Start Time: 9:30 AM
 Date Submitted: 07/30/08

Agenda Title: Reappointment of Jennifer Cooperman, Marc Gonzales, and George Scherzer to the Multnomah County Investment Advisory Board

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: 7/31/2008 Amount of Time Needed: Consent Agenda
 Department: Non-Departmental Division: Chair's Office
 Contact(s): Ted Wheeler, Tara Bowen-Biggs
 Phone: (503)988-3308 Ext. 83953 I/O Address: 503/600
 Presenter(s): N/A

General Information

1. What action are you requesting from the Board?

Request board approval of appointment of reappointment of Jennifer Cooperman, Marc Gonzales and George Scherzer to the Multnomah County Investment Advisory Board.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The Investment Advisory board (IAB) reviews and advises on the County's investment performance and existing investment plan. There are 5 members on the committee appointed to 3-year terms by the County Chair with approval of the board of County Commissioners. Members are eligible for reappointment. The IAB meets quarterly. Harry Morton is the liaison to the IAB.

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

No fiscal impact

4. Explain any legal and/or policy issues involved.

No legal and/or policy issues involved.

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

N/A

Required Signature

Elected Official or
 Department/
 Agency Director:

TED WHEELER

Date: 7/30/08



**MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST**

Board Clerk Use Only

Meeting Date: 08/07/08
 Agenda Item #: C-2
 Est. Start Time: 9:30 AM
 Date Submitted: 07/30/08

**Agenda Title: New Owners Full On Premises Sales Liquor License for SPRINGDALE PUB
 32302 E Historic Columbia River Hwy, Corbett, OR 97019**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting: August 7, 2008 Amount of Time Needed: N/A
 Department: Sheriff's Office Division: Enforcement
 Contact(s): Kimberly Walker Norton
 Phone: (503) 251-2520 Ext. _____ I/O Address: 313/122
 Presenter(s): Consent Calendar

General Information

1. What action are you requesting from the Board?

Board approval of new liquor license application for Springdale Pub.

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

The Multnomah County Sheriff's Office has completed its investigation for the above liquor license. Assessment and Taxation reported that the address of Springdale Pub 32302 E Columbia River Hwy, Corbett, OR 97019, is in compliance with the Assessment and Taxation Office. The Land Use Planning Division reported that they have no objection to the new liquor license. Nothing in the background check of owner/s or manager raised any questions or concerns.

With the investigation completed the Multnomah County Sheriff's Office forwards a **FAVORABLE RECOMMENDATION** for the Liquor License Renewal.

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

4. Explain any legal and/or policy issues involved.

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

Required Signature

Elected Official

Date: 07/29/2008



MULTNOMAH COUNTY SHERIFF'S OFFICE

12240 NE GLISAN ST., • PORTLAND, OR 97230

Exemplary service for a safe, livable community

BERNIE GIUSTO
SHERIFF

(503) 255-3600 PHONE
(503) 251-2484 TTY
www.sheriff-meso.org

July 29, 2008

Board of County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, OR 97214-3587

Oregon Liquor Control Commission
9079 SE McLoughlin Boulevard
Portland, OR 97222-7355

Regarding:

BUSINESS NAME: Formerly: Historic Springdale Pub and Eatery

Now: **SPRINGDALE PUB**
32302 E Historic Columbia River Hwy.
Corbett, OR 97019

Subject: Liquor License Applicant
On Premises Sales & Off Premise Sales
Limited On-Premises Sales

Owners: Christin Marie Dillard Robbie Edward Dillard
44144 E Larch Mt. Road 44144 E Larch Mt. Road
Corbett, OR 97019 Corbett, OR 97019

The Multnomah County Sheriff's Office has completed its investigation for the above liquor license renewal. Assessment and Taxation reported that the address listed as 32302 E. Historic Columbia River Hwy is in compliance with the Assessment and Taxation Office. The Land Use Planning Division has reported that they have no objection to the renewal of the liquor license. Nothing in the background check of owner/s raised any questions or concerns.

With the investigation completed, the Multnomah County Sheriff's Office forwards a **FAVORABLE RECOMMENDATION** for the Liquor License Renewal.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Skipper".

Bob Skipper
Sheriff



OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION

Please Print or Type

Christ Cell: 503-313-7882

Applicant Name: Springdale Pub LLC Phone: Pub 503-645-2676

Trade Name (dba): Springdale Pub

Business Location Address: 32302 E Hist Col Rur Hwy

City: Corbett OR ZIP Code: 97019

DAYS AND HOURS OF OPERATION

Business Hours: Sunday 11:00AM to 1:00AM, Monday to, Tuesday to, Wednesday to, Thursday to, Friday to 2:00AM, Saturday to 2:00AM

Outdoor Area Hours: Sunday W/A to, Monday W/A to, Tuesday to, Wednesday to, Thursday to, Friday to, Saturday to

The outdoor area is used for: Food service, Alcohol service, Enclosed, how. The exterior area is adequately viewed and/or supervised by Service Permittees. (Investigator's Initials)

Seasonal Variations: Yes No If yes, explain:

ENTERTAINMENT

Check all that apply: Live Music, Recorded Music, DJ Music, Dancing, Nude Entertainers, Karaoke, Coin-operated Games, Video Lottery Machines, Social Gaming, Pool Tables, Other:

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday to, Monday to, Tuesday to, Wednesday to, Thursday to, Friday to, Saturday 8:00PM to 12:00AM about once or twice a month in the winter

SEATING COUNT

Restaurant: Outdoor: Lounge: 12 at bar Other (explain): 37 at tables - side area Banquet: Total Seating: 49 - see floor plan

OLCC USE ONLY Investigator Verified Seating: (Y) (N) Investigator Initials: Date:

I understand if my answers are not true and complete, the OLCC may deny my license application. Applicant Signature: Christin M Dillard Date: 5-14-08

MCSWEENEY Linda D

From: HUFF Deborah R [deborah.r.huff@co.multnomah.or.us]
Sent: Friday, July 25, 2008 11:22 AM
To: MCSWEENEY Linda D
Cc: SWICK Cindy A
Subject: RE: OLCC change of ownership

The property in question is in compliance with A&T.

-----Original Message-----

From: MCSWEENEY Linda D [mailto:linda.mcsweeney@mcsco.us]
Sent: Friday, July 25, 2008 7:17 AM
To: HUFF Deborah R
Subject: OLCC change of ownership

The Historic Springdale Pub and Eatery:
Has just changed ownership and I am investigating the following property. Could you please review and let us know if they are in compliance with Assessment and Taxation?

The name has been changed to: · Springdale Pub
32302 E Historic Columbia River Hwy.
Corbett, OR 97019

The new owners are: Robbie E. and Kristin M. Dillard
44144 E Larch Mountain Road
Corbett, OR 97019

Thank you.

Linda D McSweeney
MCSO CHL Unit
12240 NE Glisan Street
Portland, OR 97230
503-251-2441

CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

MCSWEENEY Linda D

From: GRIMMETT Michael V [michael.v.grimmnett@co.multnomah.or.us]
Sent: Wednesday, July 23, 2008 8:44 AM
To: MCSWEENEY Linda D
Cc: COOK Kevin C; TOKOS Derrick I
Subject: RE: Springdale Pub formerly known as Historic Springdale Pub and Eatery

Linda,

1. There are no open zoning violations of record against the following property:

Springdale Pub
32302 E Historic Columbia River Hwy.
Corbett, OR 97019

In response to your request, and after reviewing our records, the Land Use and Transportation Planning Division advised the Code Compliance office that it has no objection to the continuance of a liquor license for this business.

Michael Grimmnett
Code Compliance Specialist
Land Use and Transportation Program
Department of Community Services
Multnomah County
Portland, Oregon
(503) 988-5050 ext. 29604
FAX: (503) 988-3389

-----Original Message-----

From: COOK Kevin C
Sent: Wednesday, July 23, 2008 8:19 AM
To: GRIMMETT Michael V
Subject: FW: Springdale Pub formerly known as Historic Springdale Pub and Eatery

Michael,

Is this something you are familiar with?

Kevin C. Cook
Planner
Multnomah County Land Use Planning
1600 SE 190th Avenue, Suite 116
Portland, Oregon 97233
ph: 503-988-3043 x 26782
fax: 503-988-3389

-----Original Message-----

From: MCSWEENEY Linda D [mailto:linda.mcsweeney@mcsco.us]
Sent: Wednesday, July 23, 2008 8:16 AM
To: COOK Kevin C
Subject: Springdale Pub formerly known as Historic Springdale Pub and Eatery

Hi Kevin,

I am not sure you are the one I need to be emailing but Michael Grimmert no longer appears in the County email. I am assuming he has retired.

We are the unit that does the background investigations, land use planning and assessment and taxation reviews for new, renewal and change of ownership for Multnomah Counties OLCC applicants.

The Historic Springdale Pub and Eatery has just changed ownership and I am investigating the following property. Could you please review and let us know if they are in compliance with current land use ordinances?

The name has been changed to: Springdale Pub
32302 E Historic Columbia River Hwy.
Corbett, OR 97019

Thank you.

Linda D McSweeney
MCSO CHL Unit
12240 NE Glisan Street
Portland, OR 97230
503-251-2441

CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # C-3 DATE 08-07-08
 ANA KARNES, ASST BOARD CLERK

Board Clerk Use Only	
Meeting Date:	<u>08/07/08</u>
Agenda Item #:	<u>C-3</u>
Est. Start Time:	<u>9:30 AM</u>
Date Submitted:	<u>07/24/08</u>

BUDGET MODIFICATION: LIB-02

Agenda Title:	Budget Modification LIB-02 Reclassifying One Vacant Position in Neighborhood Libraries Division, as Determined by the Class/Comp Unit of Central Human Resources
----------------------	---

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date:	<u>August 7, 2008</u>	Amount of Time Needed:	<u>Not applicable</u>
Department:	<u>Library</u>	Division:	<u>Support Services</u>
Contact(s):	<u>Becky Cobb</u>		
Phone:	<u>503-988-5499</u>	Ext.	<u>85499</u>
Presenter(s):	<u>Consent Calendar</u>		
I/O Address:	<u>317/ADM/SUPSV</u>		

General Information

1. What action are you requesting from the Board?

Request board approval to reclassify one 1.0 FTE library vacant position.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Reclassification request #976 has been approved by the Class/Comp Unit of Central HR to reclassify an existing position (701428) from Library Manager/Branch (9780) to Program Manager 1 (9615). The reclassification was due to a reorganization of the Neighborhood Libraries administrative unit. This position was budgeted as Library Manager/Branch (9780); however, when the reclassification was done, Program Manager 1 was deemed more appropriate. The salary range is the same as Library Manager/Branch.

Reason for Classification Decision:

The Neighborhood Libraries Manager directly supervises exempt Library Supervisor in 12 branches. Functions of this position include: program management; budget management; operational

leadership, as well as personnel and quality management. These functions are consistent with those of the Program Manager 1 classification.

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

There is no fiscal impact in the Library Fund for the current or future fiscal year.

4. Explain any legal and/or policy issues involved.

Local 88 represented employees have a contractual right to appeal and arbitrate the outcome of a reclassification request, which would include Board action to disapprove the request. It is the policy of Multnomah County to make all employment decisions without regard to race, religion, color, national origin, sex, age, marital status, disability, political affiliations, sexual orientation, or any other non-merit factor.

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

Not applicable.

ATTACHMENT A

Budget Modification

If the request is a **Budget Modification**, please answer **all** of the following in detail:

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

There is no change in revenue in the Library Fund.

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

There is no budget change.

- **What do the changes accomplish?**

The change in classifications more accurately reflects the level and scope of the job duties.

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

In Neighborhood Libraries, a budgeted position (701428) is reclassified from Library Manager/Branch (9780) to Program Manager 1 (9615).

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

There is no change to the indirect.

- **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**

Not applicable.

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

Not applicable.

- **If a grant, when the grant expires, what are funding plans?**

Not applicable.

<p><i>NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.</i></p>

ATTACHMENT B

BUDGET MODIFICATION: LIB-02

Required Signatures

**Elected Official or
Department/
Agency Director:**

Molly Raphael

Date: 07/24/08

Molly Raphael

Budget Analyst:

Michael D. Jaspin

Date: 07/28/08

Mike Jaspin

Department HR:

Leila Wrathall

Date: 07/24/08

Leila Wrathall

Countywide HR:

Date: _____

Budget Modification ID: **LIB-02**

EXPENDITURES & REVENUES

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Program #	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Internal Order	Cost Center	WBS Element						
1									0				
2	80-50	1510	80021	70		805110		60000	506,110	506,110	0		Permanent
3	80-50	1510	80021	70		805110		60130	152,802	152,802	0		Salary Related Expense
4	80-50	1510	80021	70		805110		60140	158,188	158,188	0		Insurance Benefits
5										0			
6										0			
7										0			
8										0			
9										0			
10										0			
11										0			
12										0			
13										0			
14										0			
15										0			
16										0			
17										0			
18										0			
19										0			
20										0			
21										0			
22										0			
23										0			
24										0			
25										0			
26										0			
27										0			
28										0			
29										0			
											0	0	Total - Page 1
											0	0	GRAND TOTAL

ANNUALIZED PERSONNEL CHANGE

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

							ANNUALIZED			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1510	9780	61738	805110	Library Manager/Branch	701428	(1.00)	(76,243)	(22,088)	(15,141)	(113,472)
1510	9615	61738	805110	Program Manager 1	701428	1.00	76,243	22,088	15,141	113,472
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
TOTAL ANNUALIZED CHANGES						0.00	0	0	0	0

CURRENT YEAR PERSONNEL DOLLAR CHANGE

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

							CURRENT YEAR			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1510	9780	61738	805110	Library Manager/Branch	701428	(1.00)	(76,243)	(22,088)	(15,141)	(113,472)
1510	9615	61738	805110	Program Manager 1	701428	1.00	76,243	22,088	15,141	113,472
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
TOTAL CURRENT FY CHANGES						0	0	0	0	0



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # C-4 DATE 8/7/08
 ANA KARNES, ASST BOARD CLERK

Board Clerk Use Only

Meeting Date: 08/07/08
 Agenda Item #: C-4
 Est. Start Time: 9:30 AM
 Date Submitted: 07/29/08

BUDGET MODIFICATION: DCHS – 01

Agenda Title: Budget Modification DCHS-01 Reclassifying Two Office Assistant 2 Positions to Case Management Assistant Positions in the Aging and Disabilities Services Division, as Determined by Class/Comp Unit of Central Human Resources

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: August 7, 2008 **Amount of Time Needed:** N/A

Department: County Human Services **Division:** Aging and Disabilities Services

Contact(s): Kathy Tinkle

Phone: 503 988-3691 **Ext.** 26858 **I/O Address:** 167/620

Presenter(s): Consent Agenda

General Information

1. What action are you requesting from the Board?

The Department of County Human Services recommends approval of budget modification DCHS-01 reclassifying 1.84 FTE (2.00 on an annualized basis) in Aging and Disability Services Division (ADS) from Office Assistant 2 to Case Management Assistant (an entry level position in the Case Management series), as determined by the Class/Comp unit of Central Human Resources.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

This modification reflects a Class/Comp decision on a reclassification request initiated by ADS management (Program Offer 25023).

These Long Term Care program Case Management Assistant positions provide assistance to professional case managers and clients. They provide a variety of case management support and client services to help ensure access to, and the delivery of various social and community services for eligible clients. Services and primary duties will include: Maintaining client files that contain

medical, social, educational and other confidential information; providing direct client services such as conducting home visits, assisting with home placements and relocation; accompany clients to appointments; assisting with licensing and inspection activities for relative Adult Foster Homes; and providing case management services such as assisting in the selection and monitoring of Homecare Workers.

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

The reclassification request will result in personnel cost savings of \$830, due to the positions being vacant for one month. The cost savings will be offset with a like increase in supply expenses. The pay scale for a Case Management Assistant is (\$32,865 - \$40,507) while the pay scale for an Office Assistant 2 is (\$30,130 - \$37,020). Personnel costs will increase over time, as the pay scale for the Case Management Assistant is higher than an Office Assistant 2.

Service reimbursement from Title XIX Fund to the Risk Fund decreases by \$1,712

4. Explain any legal and/or policy issues involved.

N/A

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

N/A

ATTACHMENT A

Budget Modification

If the request is a **Budget Modification**, please answer all of the following in detail:

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

N/A

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

Risk fund decreases by \$1,712

- **What do the changes accomplish?**

Approves the classification decision from Human Resources Class/Comp, allows for a classification that better reflects the functions and duties of the position involved, and moves resource within Long Term Care program to cover expanded workload.

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

Yes. The approval of this budget modification will result in reclassifying 1.84 FTE (2.00 on an ongoing basis) in Aging and Disability Services Division from Office Assistant 2 to Case Management Assistant, as determined by the Class/Comp unit of Central Human Resources.

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

N/A

- **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**

N/A

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

N/A

- **If a grant, when the grant expires, what are funding plans?**

N/A

ATTACHMENT B

BUDGET MODIFICATION: DCHS - 01

Required Signatures

**Elected Official
or Department/
Agency Director:**

Kathy Linker for Joanne Fuller

Date: 07/28/08

Budget Analyst:

[Signature]

Date: 07/29/08

Department HR:

Paula Brent

Date: 07/28/08

Countywide HR:

Date:

EXPENDITURES & REVENUES

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

Budget/Fiscal Year: 2009

Line No.	Fund Center	Fund Code	Program #	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Internal Order	Cost Center	WBS Element						
1	30-55	1505	25023	40			ADSDIVLTCWDXIX	60000		336	336	Permanent (713674 CMA)	
2	30-55	1505	25023	40			ADSDIVLTCWDXIX	60130		105	105	Salary Related	
3	30-55	1505	25023	40			ADSDIVLTCWDXIX	60140		(856)	(856)	Insurance	
4	30-55	1505	25023	40			ADSDIVLTCWDXIX	60240		415	415	Supplies	
5										0			
6										0			
7	30-55	1505	25023	40			ADSDIVLTCMCXIX	60000		336	336	Permanent (713675 CMA)	
8	30-55	1505	25023	40			ADSDIVLTCMCXIX	60130		105	105	Salary Related	
9	30-55	1505	25023	40			ADSDIVLTCMCXIX	60140		(856)	(856)	Insurance	
10	30-55	1505	25023	40			ADSDIVLTCMCXIX	60240		415	415	Supplies	
11										0			
12										0			
13	72-10	3500		20		705210		50316		1,712	1,712	Svc Reimb F/S to Risk	
14	72-10	3500		20		705210		60330		(1,712)	(1,712)	Claim Paid	
15										0			
16										0			
17										0			
18										0			
19										0			
20										0			
21										0			
22										0			
23										0			
24										0			
25										0			
26										0			
27										0			
28										0			
29										0			
										0	0	Total - Page 1	
										0	0	GRAND TOTAL	

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

							ANNUALIZED			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1505	6001	62960	ADSDIVLTCWDXIX	Office Asst 2	713674	(1.00)	(29,900)	(9,401)	(12,742)	(52,043)
1505	6299	62960	ADSDIVLTCWDXIX	Case Mgmt Asst	713674	1.00	32,865	10,333	12,920	56,118
1505	6001	62961	ADSDIVLTCMCXIX	Office Asst 2	713675	(1.00)	(29,900)	(9,401)	(12,742)	(52,043)
1505	6299	62961	ADSDIVLTCMCXIX	Case Mgmt Asst	713675	1.00	32,865	10,333	12,920	56,118
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
TOTAL ANNUALIZED CHANGES						0.00	5,930	1,864	356	8,150

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

							CURRENT YEAR			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1505	6001	62960	ADSDIVLTCWDXIX	Office Asst 2	713674	(1.00)	(29,900)	(9,401)	(12,742)	(52,043)
1505	6299	62960	ADSDIVLTCWDXIX	Case Mgmt Asst	713674	0.92	30,236	9,506	11,886	51,628
1505	6001	62961	ADSDIVLTCMCXIX	Office Asst 2	713675	(1.00)	(29,900)	(9,401)	(12,742)	(52,043)
1505	6299	62961	ADSDIVLTCMCXIX	Case Mgmt Asst	713675	0.92	30,236	9,506	11,886	51,628
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
TOTAL CURRENT FY CHANGES						(0.16)	672	210	(1,712)	(830)



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 08/07/08
 Agenda Item #: C-5
 Est. Start Time: 9:30 AM
 Date Submitted: 07/30/08

Agenda Title: ORDER Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: August 7, 2008 Amount of Time Needed: N/A
 Department: DCHS Division: MHASD
 Contact(s): Jean Dentinger/Karen Zarosinski
 Phone: (503) 988-5464 Ext. 27297 I/O Address: 167/1/520
 Presenter(s): Consent Calendar

General Information

- What action are you requesting from the Board?**
 Requesting adoption of order and approval of designees. The Mental Health and Addiction Services Division is recommending approval of the designees in the accordance with ORS 426.215.
- Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.**
 Outpatient mental health agencies depend upon certain staff having the ability to assess clients for "Director Designee Custody". This certification allows the designee to direct a police officer or secure transportation provider to take into custody any individual with mental health issues who is found to be dangerous to self or to others. Police then transport the individual to a hospital or other approved treatment facility for further evaluation. As agencies experience staffing turnover or increases, new staff needs to be trained and certified as designees.
- Explain the fiscal impact (current year and ongoing).**
 None.
- Explain any legal and/or policy issues involved.**
 In accordance with ORS 426.215.
- Explain any citizen and/or other government participation that has or will take place.**
 None.

Required Signature

Department Director:

Date: **07/30/08**

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. _____

Authorizing a Designee of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

The Multnomah County Board of Commissioners Finds:

- a) If authorized by a county governing body, a designee of a mental health program director may direct a peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody, and treatment of mental illness.
- b) There is a current need for specified designees of the Multnomah County Mental Health Program Director to have the authority to direct a peace officer to take an allegedly mentally ill person into custody.
- c) The designee listed below has been specifically recommended by the Mental Health Program Director and meets the standards established by the Mental Health Division.

The Multnomah County Board of Commissioners Orders:

1. The individual listed below is authorized as a designee of the Mental Health Program Director for Multnomah County to direct any peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody or treatment for mental illness.
2. Added to the list of designees are:

Stacy Riser

Elizabeth Chenven

ADOPTED this 7th day of August, 2008.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLES, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

BY: _____
Patrick Henry, Assistant County Attorney

SUBMITTED BY:
Joanne Fuller, Director, Dept. of County Human Services

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. 08-115

Authorizing a Designee of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

The Multnomah County Board of Commissioners Finds:

- a) If authorized by a county governing body, a designee of a mental health program director may direct a peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody, and treatment of mental illness.
- b) There is a current need for specified designees of the Multnomah County Mental Health Program Director to have the authority to direct a peace officer to take an allegedly mentally ill person into custody.
- c) The designee listed below has been specifically recommended by the Mental Health Program Director and meets the standards established by the Mental Health Division.

The Multnomah County Board of Commissioners Orders:

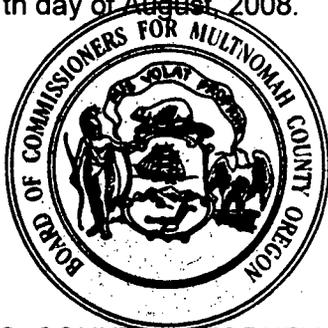
1. The individual listed below is authorized as a designee of the Mental Health Program Director for Multnomah County to direct any peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody or treatment for mental illness.

2. Added to the list of designees are:

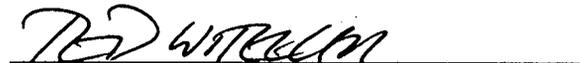
Stacy Riser

Elizabeth Chenven

ADOPTED this 7th day of August, 2008.

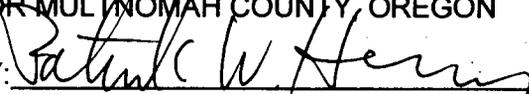


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLES, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

BY: 
Patrick Henry, Assistant County Attorney

SUBMITTED BY:

Joanne Fuller, Director, Dept. of County Human Services



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

Board Clerk Use Only

Meeting Date: 08/07/08
 Agenda Item #: R-1
 Est. Start Time: 9:30 AM
 Date Submitted: 07/21/08

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-1 DATE 8-7-08
 ANA KARNES, ASST BOARD CLERK

NOTICE OF INTENT to Apply for a Library Services and Technology Act (LSTA) Grant from the Oregon State Library for "Kaboom! (Knowledgeable and Active Boomers): Harnessing the Energy and Engagement of Older Adults at the Library"

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: August 7, 2008 **Amount of Time Needed:** 5 minutes
Department: Library **Division:** Support Services
Contact(s): Becky Cobb
Phone: 503/988-5499 **Ext.** 85499 **I/O Address:** 317
Presenter(s): Jane Salisbury and Abigail Elder

General Information

1. What action are you requesting from the Board?

Request approval to apply for a Library Services & Technology Act grant through the Oregon State Library for the first year of a two-year grant project to implement "Kaboom! (Knowledgeable & Active Boomers): Harnessing the Energy & Engagement of Older Adults at the Library."

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

By 2015, Oregon boomers will swell the ranks of those ages 50 and older to an estimated 1.5 million people. More than 700,000 will reside in the Portland metro area served by Multnomah County Library. With an average life expectancy of 76 years, this group, which represents an unprecedented combination of experience, available time, energy, networks, and life assets, will have a profound impact on the region's economy, community services, and quality of life. Research shows these boomers, who are ten times more civic-minded than any other population segment, will be more active in retirement than previous generations. Whether and how these active older adults are engaged in the community has tremendous implications for the future of libraries. By offering patrons a wealth of possible next steps and ways to engage their experience and talent for

community benefit, Multnomah County Library proposes to position itself to meet this demographic surge and social phenomenon. The lessons learned during the proposed grant project will be shared to inform other library leaders in Oregon and the nation.

The goal of Kaboom! (Knowledgeable & Active Boomers) is to challenge our assumptions, our language, and the way in which we organize adult and senior library services to find new and engaging methods to address this emerging life phase in transformational ways. Inspired by partnerships with Libraries for the Future's Lifelong Access Libraries Initiative, Life by Design NW, and Multnomah County's Vital Aging Taskforce, Kaboom! will provide new ideas as a library demonstration project during the proposed two years of leading-edge work to serve and engage boomers.

The goals and objectives of this projects are to hire a part-time Project Coordinator to work with a team of library staff to explore, create, test, and implement new library services for older adults; contract with an Adult Services Consultant to share the latest research, help identify trends, and assist with program development; recruit 25 advisors for service on the project's voluntary network; and, after an evaluation and promotion phase, secure 24 speakers to offer the first in a series of programs, service-learning activities, training opportunities, and facilitated issues forums, specifically designed to engage people over 50 in active community life.

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

This is the first year of a two-year grant project with a total budget for the first year of \$169,072.

4. Explain any legal and/or policy issues involved.

None.

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

Twenty-five advisors will be recruited from a diverse group of active adults in the community for service on the project's voluntary network.

ATTACHMENT A

Grant Application/Notice of Intent

If the request is a Grant Application or Notice of Intent, please answer all of the following in detail:

- **Who is the granting agency?**

The Oregon State Library is the granting agency.

- **Specify grant (matching, reporting and other) requirements and goals.**

Local matching support for grant projects funded from LSTA sources is not required by federal or state regulations. However, cash and/or in-kind support is expected as evidence of local commitment to the project objectives. Quarterly progress reports are required, with a full report at the end of the project.

- **Explain grant funding detail – is this a one time only or long term commitment?**

This is the first year of a two-year project. The total budget for the first year is \$169,072, with \$99,543 in local in-kind support (personnel), \$3,500 in local cash (supplies), and \$66,029 requested in LSTA funds.

- **What are the estimated filing timelines?**

The full grant proposal is due August 15, 2008.

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

The grant will begin on February 1, 2009 and end on January 31, 2010 unless a second year is funded.

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

The plan is to request a 2nd year of LSTA funding. At the close of the 2nd year, the results of the findings from this project will be incorporated into the Library's regular programming.

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

Indirect charges will be covered by the LSTA funds.

ATTACHMENT B

Required Signatures

**Elected Official or
Department/
Agency Director:**

Molly Raphael

Date: 07/21/08

Budget Analyst:

Michael D. Gaspin

Date: 07/21/08



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-2 DATE 8-7-08
 ANA KARNES, ASST BOARD CLERK

Board Clerk Use Only

Meeting Date: 08/07/08
 Agenda Item #: R-2
 Est. Start Time: 9:35 AM
 Date Submitted: 07/23/08

Agenda Title: Aging and Disabilities Services Division NOTICE OF INTENT to Apply for American Society on Aging/MetLife Foundation Grant to Host One-day MindAlert Training to Promote Cognitive Fitness in Older Adults

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: August 7, 2008 Amount of Time Needed: 5 minutes
 Department: County Human Services Division: Aging & Disability Services
 Contact(s): Kathy Tinkle
 Phone: 503-988-3691 Ext. 26858 I/O Address: 167/1/620
 Presenter(s): Mary Shortall

General Information

1. What action are you requesting from the Board?

The Department of County Human Services (DCHS) is requesting retroactive approval for a Notice of Intent to apply for an American Society on Aging (ASA) / MetLife Foundation grant.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Aging and Disability Services Division (ADSD)--in collaboration with Portland Parks and Recreation, Portland Community College's Senior Studies Institute, and Hollywood Senior Center--applied for a grant to facilitate the implementation of the MindAlert program. The MindAlert Program seeks to disseminate research and innovative practices that address steps that older adults can take to maintain and enhance cognitive and mental functions in their later years. Recent research has shown that mental function can be significantly improved by appropriate training and practice, even among older adults who showed a clear decline in certain cognitive functions, including memory loss.

If awarded the grant, ADSD would host a one-day training session on programs and techniques that promote cognitive fitness in older adults. This train-the-trainer event will equip attendees such as ADSD, senior center, adult learning, senior housing, and parks and recreation staff with new methods for enhancing cognitive functioning in older adults. This training would take place by

November 30, 2008. This action will impact program offer #25020 – ASD Access and Early Intervention Services.

This Notice of Intent (NOI) is retroactive because due to the small dollar amount and the short filing timelines for the grant application, it was not clear whether or not a NOI was necessary. Upon learning that it was, ADSD worked to prepare the appropriate agenda materials for the Board of County Commissioner's review and approval. In the event that the Board does not approve this Notice of Intent, ADSD will withdraw the application.

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

The grant would cover ADS expenditures in an amount not to exceed \$1,200 for conference facility, refreshments and ADSD staff time. ASA will cover remaining costs including - the trainer's costs such as transportation, lodging, and honorarium.

4. Explain any legal and/or policy issues involved.

There are no legal and/or policy issues associated with applying for this grant.

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

ADSD would coordinate with a chosen MindAlert faculty member to tailor program materials to the local community. In collaboration with its partners, ADSD would recruit and register 15-25 older adults to participate in a morning demonstration program, and at least 25 professionals from ADSD and a variety of community organizations to observe the demonstration and then participate in an afternoon session that focuses on implementing approaches covered in the morning.

ATTACHMENT A

Grant Application/Notice of Intent

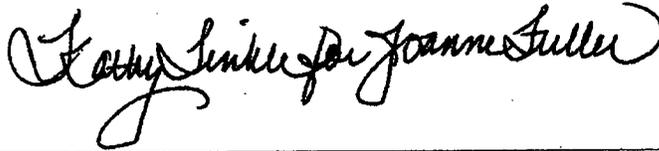
If the request is a Grant Application or Notice of Intent, please answer all of the following in detail:

- **Who is the granting agency?**
American Society on Aging / MetLife Foundation
- **Specify grant (matching, reporting and other) requirements and goals.**
Coordinate, host and evaluate a one day MindAlert program training session.
- **Explain grant funding detail – is this a one time only or long term commitment?**
Yes. This is a one-time only grant.
- **What are the estimated filing timelines?**
May 2, 2008
- **If a grant, what period does the grant cover?**
The grant covers July 1, 2008 to June 30, 2009 fiscal period. Implementation would be effective when the Memorandum of Understanding (MOU) is signed by both parties with an anticipated completion date of November 30, 2008.
- **When the grant expires, what are funding plans?**
No plans to continue funding when grant expires.
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**
The county indirect, central finance and human resources, and departmental overhead costs will be covered through grant.

ATTACHMENT B

Required Signatures

Elected Official
or Department/
Agency Director:



Date: 07/23/08

Budget Analyst:



Date: 07/23/08



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 08/07/08
Agenda Item #: R-3
Est. Start Time: 9:40 AM
Date Submitted: 07/23/08

Agenda Title: **RESOLUTION Vacating a Portion of SW Comus Street, a Public Road, Located in an Unincorporated Area of Southwest Multnomah County, Pursuant to ORS 368.326 to 368.366**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: August 7, 2008 **Amount of Time Needed:** 5 minutes
Department: Community Services **Division:** Land Use & Trans Program
Contact(s): Brian Vincent P.E., Multnomah County Engineer, or Patrick Hinds, Program Manager
Phone: (503) 988-5050 **Ext.** 29642 **I/O Address:** 425/2
Presenter(s): Brian Vincent or Patrick Hinds

General Information

1. What action are you requesting from the Board?

The Land Use and Transportation Program recommends that the Board approve the attached Resolution vacating a portion of SW Comus Street, a public road, situated in Southwest Multnomah County.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Situated in the Northeast One-Quarter of Section 34, Township 1 South, Range 1 East, W.M., this public road was originally created by the Plat of PALATINE HILL NO. 3, recorded on March 27, 1890, in Book 151, Pages 13 and 14, of Multnomah County Plat Records.

The portion of S.W. Comus Street being proposed for vacation is situated between S.W. Moapa Ave. and S.W. Tryon Ave. The portion of S.W. Comus St., as proposed for vacation, has not been improved and does not appear to be traveled. Multnomah County has no plans to improve this portion of S.W. Comus St. The portion of S.W. Comus, as proposed for vacation, is 50 feet wide and 200 feet long and is in an environmentally protected area with steep grades and is unsuitable for

road construction.

Multnomah County has road jurisdiction for this area but does not maintain this portion of S.W. Comus Street. The City of Portland has Land-Use Planning authority for this area. The City of Portland supports the proposed vacation. This road vacation will not land lock any existing lots in PALATINE HILL NO. 3.

A copy of the petition is attached to this report as Exhibit 1. A vicinity map is attached to this report as Exhibit 2. The areas being proposed for vacation is more particularly described in this petition and in Exhibit A attached to the Resolution.

The vacation petition being considered today contains the acknowledgement and consent of 100 percent of the abutting and adjoining property owners, as defined by ORS 368.336. Title to the area being vacated will vest as provided by ORS 368.366(1)d.

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

There is no fiscal impact. This public road is not maintained by Multnomah County, and no public money is spent on this road. All costs associated with this vacation request are the responsibility of the petitioner.

4. Explain any legal and/or policy issues involved.

The County Road Official, as required by ORS 368.351(1), has reviewed the petition and finds that this public road is no longer needed for public purposes and declares the vacation of this portion of SW Comus Street, a local public road, as described in Exhibit A attached to the Resolution, to be in the public interest.

This proposed road vacation was initiated by a petition from an abutting property owner and contains the consent of 100 percent of the remaining abutting property owners. Therefore, under ORS 368.351, the County may proceed to complete this vacation without additional notice and publication.

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

This is a citizen-initiated petition.

This public road is located in an area of Multnomah County that is unincorporated. The proposed action is consistent with community involvement, development, and any applicable intergovernmental cooperation.

Required Signature

**Elected Official or
Department/
Agency Director:**



Date: 07/23/08

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Vacating a Portion of SW Comus Street, a Public Road, Located in an Unincorporated Area of Southwest Multnomah County, Pursuant to ORS 368.326 to 368.366

The Multnomah County Board of Commissioners Finds:

- a. The portion of SW Comus Street, a 50-foot wide public road right-of-way, affected by this vacation was originally created by the PALATINE HILL NO. 3 subdivision plat, recorded March 27, 1890, in Book 151, Pages 13 and 14, Multnomah County Plat Records. This portion of public road is unimproved.
- b. The portion of the public road to be vacated is more particularly described in the Exhibit A, as attached to this Resolution.
- c. Multnomah County does not maintain or have plans to develop this portion of public road.
- d. Mr. Jeffrey Stevens, petitioner, has submitted a petition to vacate this public road, which is in compliance with ORS 368.341(3).
- e. As allowed under ORS 368.351, the above-referenced petition:
 - contains the acknowledged signatures of owners of 100 percent of any private property proposed to be vacated and acknowledged signatures of owners of 100 percent of property abutting any public property proposed to be vacated; and
 - indicates the owners' approval of the proposed vacation.
- f. In addition, the appropriate County Road Official has filed a written report pursuant to ORS 368.351(1) that contains an assessment that the proposed vacation of public property is in the public interest. (See Agenda Placement Request.)
- g. Pursuant to ORS 368.351, the County may make a determination about this vacation without additional notice and publication required under ORS 368.346.
- h. The entire portion of the public right-of-way being vacated will remain subject to the rights of any existing public utility that has improvements located within that right of way. Nonetheless, PGE, Qwest, and Palatine Hill Water District have specifically requested that the petitioner and the other property owner who signed the petition grant the utilities easements in the vacated public right of way. The County staff understands the petitioner and the other property owner have agreed to the utilities' request.
- i. As required under MCC 27.054, the County has received a total of \$1265.00 from the petitioner, of which \$200.00 applies to the feasibility study that was performed by the County. The remaining \$1065.00 will be applied to the vacation proceeding. The total

costs for this vacation, including administrative costs, are \$2176.25. Administrative costs include staff time for research, review, analyses, and document preparation. The balance owed by the petitioner at the date of this hearing is \$911.25.

- j. Vacation of the County's right-of-way interest in this property serves the public interest.

The Multnomah County Board of Commissioners Resolves:

1. Subject to the petitioner's payment of all funds due as provided under MCC 27.054, the portion of public road, as more particularly described in the attached Exhibit A, is vacated as a public road, excepting the easement rights any existing utilities may have in the vacated property under ORS Chapter 368.
2. Pursuant to MCC 27.054, the total cost for this vacation proceeding incurred by the County is \$2176.25; and Mr. Jeffrey Stevens, the petitioner, is directed to pay the remaining amount of \$911.25 to the County.
3. The Land Use and Transportation Program of the Department of Community Services will record and file this Resolution in accordance with ORS 368.356(3), only upon receipt of the total amount due under MCC 27.054.
4. Upon the recording and filing of this Resolution, the County Surveyor will mark the plat, if applicable, as provided under ORS 271.230; and title in the underlying property shall vest as provided under ORS 368.366.

ADOPTED this 7th day of August, 2008.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director
Department of Community Services

EXHIBIT A

RE: LEGAL DESCRIPTION FOR THE PORTION OF COMUS STREET TO BE VACATED

Formal Vacation Request

Legal description of property

A portion of land located in the right of way of SW Comus Street located in the Northeast one-quarter of Section 34, Township 1 South, Range 1 East of the Willamette Meridian, in the County of Multnomah, State of Oregon, more particularly described as follows:

Beginning at the Northwest corner of Lot 10, Block 108, PALATINE HILL NO. 3, in the County of Multnomah, State of Oregon; thence North 50.00 feet to the North right of way line of SW Comus Street, said point is also the Southwest corner of Lot 1, Block 107, PALATINE HILL NO. 3; thence East along the North right of way line of SW Comus Street to the Southeast corner of Lot 16, Block 107, PALATINE HILL NO. 3; thence South 50.00 feet to the South right of way line of SW Comus Street, said point is also the Northeast corner of Lot 11, Block 108, PALATINE HILL NO. 3; thence West along the South right of way line of said SW Comus Street to the point of beginning. Containing 10,000 square feet more or less.

Exhibit 1

Formal Vacation Request

A. Legal description of property

A portion of land located in the right of way of SW Comus Street located in the Northeast one-quarter of Section 34, Township 1 South, Range 1 East of the Willamette Meridian, in the County of Multnomah, State of Oregon, more particularly described as follows:

Beginning at the Northwest corner of Lot 10, Block 108, PALATINE HILL NO. 3, in the County of Multnomah, State of Oregon; thence North 50.00 feet to the North right of way line of SW Comus Street, said point is also the Southwest corner of Lot 1, Block 107, PALATINE HILL NO. 3; thence East along the North right of way line of SW Comus Street to the Southeast corner of Lot 16, Block 107, PALATINE HILL NO. 3; thence South 50.00 feet to the South right of way line of SW Comus Street, said point is also the Northeast corner of Lot 11, Block 108, PALATINE HILL NO. 3; thence West along the South right of way line of said SW Comus Street to the point of beginning. Containing 10,000 square feet more or less.

B. Statement of Reasons for Vacation

- a. Expand our property
- b. The road will never be built
 - i. Environmental protected area
 - ii. Steep grade
 - iii. Not necessary for access to other parcels

C. Names and addresses of all persons holding any recorded interest in the property to be vacated

- a. PGE
 - i. 121 SW Salmon Street
Portland, OR 97204
- b. Palatine Hill Water District
 - i. 121 SW Salmon Street, Suite 900
Portland, OR 97204
- c. Qwest
 - i. 8021 SW Capitol Hill Road
Portland, OR 97219

- D. Comprehensive title report
 - a. See Attachment I

- E. Names and addresses of all persons owing improvements and written responses from utilities that states easement requirements
 - a. No persons own improvements
 - b. Written responses from utilities contained in Attachment II
 - c. Easement requirements can be found in Attachment IV. The utilities have made their easements requirements a prerequisite for their consent to the vacation.

- F. Names and addresses of all persons owning abutting real property
 - a. Jeff Stevens
10910 SW Moapa Ave.
Portland, OR 97219
 - b. Louise Beauchamp
10742 SW Moapa Ave.
Portland, OR 97219

- G. Notarized signatures of all abutting property owners evidencing consent to proposed vacation
 - a. See attachment III

- H. Proposed redivision
 - a. Property shall be divided according to Oregon Statute. From the center-line Comus St. becomes the property of the abutting landowner.

- I. Notarized signature of person with authority to bind impacted party under C or E evidencing consent to proposed vacation
 - a. See attachment IV

Attachment I

1st Revision
PUBLIC RECORDS REPORT FOR PARTITION / SUBDIVISION / CONDOMINIUM

THIS REPORT IS FOR THE EXCLUSIVE USE OF:
Lawyers Title Insurance Corporation
385 First Street, Suite 217
Lake Oswego, OR 97034

Date Prepared: **October 09, 2007**
Order No.: **BFg0002018**
Customer Ref:
File Reference: **Informational**

CONDITIONS, STIPULATIONS AND DEFINITIONS

(I) Definitions:

- (a) "Customer": The person or persons named or shown on this cover sheet.
- (b) "Effective date": The title plant date of **October 01, 2007**.
- (c) "Land": The land described, specifically as by reference, in this public record report and improvements affixed thereto which by law constitute real property.
- (d) "Liens and encumbrances": Include taxes, mortgages, and deeds of trust, contracts, assignments, rights of way, easements, covenants, and other restrictions on title.
- (e) "Public records": Those records which by the laws of the State of Oregon impart constructive notice of matters relating to said land.

(II) Liability of **Lawyers Title Insurance Corporation**:

- (a) **THIS IS NOT A COMMITMENT TO ISSUE TITLE INSURANCE AND DOES NOT CONSTITUTE A POLICY OF TITLE INSURANCE.**
- (b) The liability of **Lawyers Title Insurance Corporation** for errors or omissions in this public record report is limited to the amount of the fee paid by the customer, provided, however, that **Lawyers Title Insurance Corporation** has no liability in the event of no actual loss to the customer.
- (c) No costs of defense, or prosecution of any action, is afforded to the customer.
- (d) In any event, **Lawyers Title Insurance Corporation** assumes no liability for loss or damage by reason of the following:
 - 1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
 - 2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
 - 3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
 - 4. Discrepancies, encroachments, shortage in area, conflicts in boundary lines or any other facts which a survey would disclose.
 - 5. (i) Unpatented mining claims; (ii) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (iii) water rights or claims or title to water.
 - 6. Any right, title, interest, estate or easement in land beyond the lines of the area specifically described or referred to in this report, or in abutting streets, roads, avenues, alleys, lanes, ways or waterways.

7. Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use or enjoyment of the land; (ii) the character, dimensions or location of an improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at the effective date hereof.
8. Any governmental police power not excluded by (II)(d)(7) above, except to the extent that notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at the effective date hereof.
9. Defects, liens, encumbrances, adverse claims or other matters created, suffered, assumed, agreed to or actually known by the customer.

(III) Report Entire Contract:

Any rights or actions or rights of action that the customer may have or may bring against **Lawyers Title Insurance Corporation** arising out of the subject matter of this report must be based on the provisions of this report. No provision or condition of this report can be waived or changed except by a writing signed by an authorized officer of **Lawyers Title Insurance Corporation**. By accepting this form report, the customer acknowledges and agrees that the customer has been afforded the opportunity to purchase a title insurance policy but has elected to utilize this form of public record report and accepts the limitation of liability of **Lawyers Title Insurance Corporation** as set forth herein.

(IV) Fee:

The fee charged for this Report does not include supplemental reports, updates or other additional services of **Lawyers Title Insurance Corporation**.

REPORT

Order No. : Bfg0002018
Effective Date : 5:00 P.M. on October 01, 2007
Customer Ref:

A. The land referred to in this public record report is located in the County of Multnomah, State of Oregon, and is described as follows:

PARCEL I:

Lots 9, 10, 11, and 12, Block 108, PALATINE HILL NO. 3, in the County of Multnomah and State of Oregon.

PARCEL II:

Lots 1, 2, 15 and 16, Block 107, PALATINE HILL NO. 3, in the County of Multnomah and State of Oregon.

B. As of the effective date and according to the public records, we find title to the land apparently vested in:

Jeffrey Stevens, as to Parcel I, and Louise W. Beauchamp, Trustee of the Louise W. Beauchamp Trust under Trust Agreement dated August 3, 1998, as to Parcel II

C. And as of the effective date and according to the public records. The land is subject to the following liens and encumbrances, which are not necessarily shown in the order of priority:

1. 2007-2008 taxes, a lien in an amount to be determined, but not yet payable.
2. **NOTE: 2006-07 TAXES ARE PAID IN FULL and are being shown for informational purposes only. This exception will not be shown on a title insurance policy.**
Original Amount : \$6,614.40
Account No. R232947; Levy Code 304; Map 1S1E34 AA 04300
Affects Parcel I
3. **NOTE: 2006-07 TAXES ARE PAID IN FULL and are being shown for informational purposes only. This exception will not be shown on a title insurance policy.**
Original Amount : \$655.15
Account No. R232940; Levy Code 304; Map 1S1E27 DD 05600
Affects Lots 1 and 2 of Parcel II
4. **NOTE: 2006-07 TAXES ARE PAID IN FULL and are being shown for informational purposes only. This exception will not be shown on a title insurance policy.**
Original Amount : \$655.15
Account No. R232944; Levy Code 304; Map 1S1E27 DD 05700
Affects Lots 15 and 16 of Parcel II

5. Trust Deed, to secure an indebtedness in the amount shown below, and any other obligations secured thereby,
 - Recorded : August 5, 2004
 - As : 2004-144017
 - Grantor : Jeffrey Stevens, an unmarried person
 - Trustee : First American
 - Beneficiary : Mortgage Electronic Registration Systems, Inc.
 - Amount : \$484,000.00
 - MIN No. : 100026600064407534
 Affects Parcel I

6. Trust Deed, to secure an indebtedness in the amount shown below, and any other obligations secured thereby,
 - Recorded : August 31, 2006
 - As : 2006-162495
 - Grantor : Jeffrey Stevens
 - Trustee : None shown
 - Beneficiary : J. P. Morgan Chase Bank, NA
 - Amount : \$88,104.59
 - Loan No. : Not disclosed
 Affects Parcel I

The above trust deed names no trustee, or names a trustee that is not qualified under ORS 86.790. It will be necessary to appoint a qualified trustee of record in order to reconvey the above trust deed or to foreclose the same by nonjudicial advertisement and sale.

7. We find one or more judgment(s) and/or tax lien(s), which are not shown herein, against names similar to Jeffrey Stevens.

8. Any invalidity or defect in the title of the vestee(s) herein in the event the trust under which title is held is invalid or fails to confer sufficient powers in the trustee(s), or in the event there is a lack of compliance with the terms and provisions of the trust.

End of Reported Information

There will be additional charges for additional information or copies. For questions or additional requests, contact:

Title Officer: Mary Rethemeyer: 503-262-4600; FX 262-4704

Attachment II

RESPONSE

The undersigned states that (check one):

There are no installations belonging to this utility or agency within said street area on map attached.

There are installations belonging to this utility or agency in place within said street area shown on map attached, and a sketch of their location and width is attached or enclosed.

Dated: 10-16-07

COMCAST

(Name of agency or utility)

Signature: *DL Boynton*

Print: DAVID L. BOYNTON

Title: PLANNING AND DESIGN SUPERVISOR

Jake Stevens Street Vacation
Comcast Utility Letter

RESPONSE

The undersigned states that (check one):

There are no installations belonging to this utility or agency within said street area on map attached.

There are installations belonging to this utility or agency in place within said street area shown on map attached, and a sketch of their location and width is attached or enclosed.

Dated: 10/16/07

NW Natural Gas
(Name of agency or utility)

Signature: Treck Cardwell

Print: TRECK CARDWELL

Title: STAFF ASST 3

Jake Stevens Street Vacation
NW Natural Utility Letter



MULTNOMAH COUNTY OREGON

Department of Community Services
Land Use and Transportation Program – Dunthorpe-Riverdale Sanitary Service District
1620 SE 190th Avenue
Portland, Oregon 97233
(503) 988-5050 FAX (503) 988-5565

Letter of Transmittal

To:	Land America Lawyers title
Attn:	Jason c. Dahlberg
	1120 NW Couch St #500
	Portland, OR 97209

Date:	November 7, 2007
Project:	SW Comus Ave - Street Vacation
Subject:	DR Sanitary Svc District Review

- We are sending you:**
- Comments
 - Drawings
 - Copy of Letters
 - Prints
 - Change Order
 - Under separate cover via ___ the following items:
 - Specifications

Drawings

- For Approval
- For Review and Comment
- Return All Corrected Prints
- For Your Files
- Returned for Corrections
- To forward to addressee
- As Requested
- Submit ___ Copies for Distribution

Jason,

There are no sewer installations in the area between properties 1S1E27DD-05600 / 1S1E27DD-05700 AND 1S1E34AA-04300 belonging to the Dunthorpe-Riverdale Sanitary Service District.

Please contact me if you have questions or need to discuss.

Dahlberg, Jason

From: HANSELL Tom J [tom.j.hansell@co.multnomah.or.us]
Sent: Wednesday, November 07, 2007 4:11 PM
To: Dahlberg, Jason
Subject: RE: Utility Letter for Jake Stevens

Attachments: Land America_SW Comus_St Vacation_071107_Transmittal Ltr.doc



Land America_SW
Comus_St Vacat...

Jason,

No sewer installations on the property you identified on the map.

Get back to me if you needed anything else.

Tom

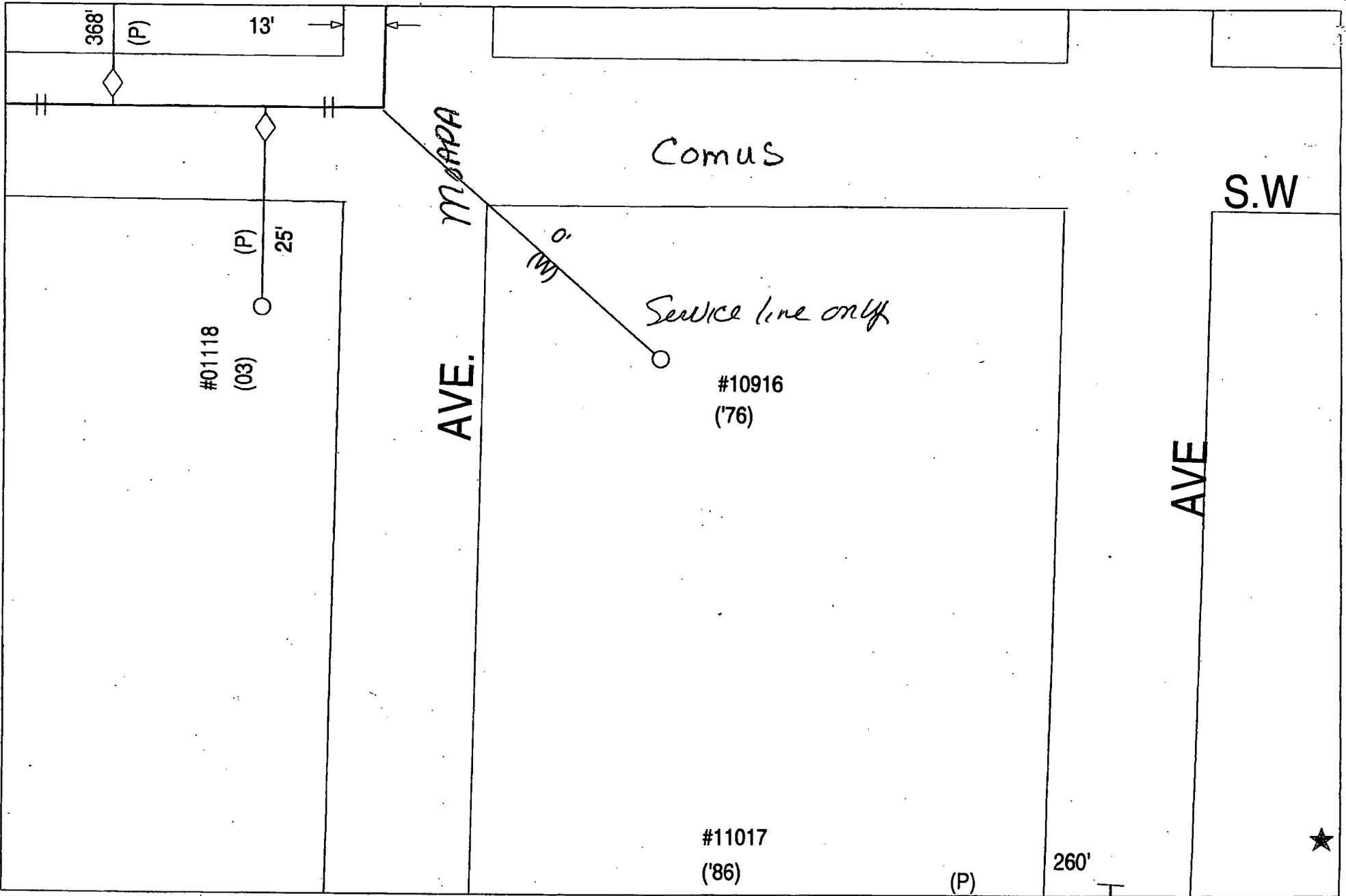
-----Original Message-----

From: Dahlberg, Jason [mailto:JDahlberg@landam.com]
Sent: Monday, October 29, 2007 10:27 AM
To: HANSELL Tom J
Subject: Utility Letter for Jake Stevens

<<Map.jpg>> Hi <<Tom_Hansell_Utility_Letter.doc>> Tom, Attached is the map and letter with a response section for you to send back to me. Please let me know if you have any questions.

Thanks,

Jason Dahlberg
Developer Services
LandAmerica / Lawyers Title Insurance
1120 NW Couch St., #500
Portland, OR 97209
Phone (503)220-8354
Fax (503)228-5830
You have a choice~
Choose Lawyers Title



RESPONSE

The undersigned states that (check one):

There are no installations belonging to this utility or agency within said street area on map attached.

There are installations belonging to this utility or agency in place within said street area shown on map attached, and a sketch of their location and width is attached or enclosed.

Dated: 11/2/07

QWEST
(Name of agency or utility)

Signature: Lynn M Smith

Print: Lynn M Smith

Title: Right of Way Manager
Oregon

LOCATES REQUIRED TO DETERMINE
POSITION & EXACT LOCATION

Jake Stevens Street Vacation
Qwest Utility Letter

BURIED CABLE

1S1E27DD -05600	1S1E27DD -05700

COMUS

MOAPA

Does your records show any installations within this area?

BURIED CABLE
PLACED IN 1936

1S1E34AA -04300

11/13/2007

14:16

LTIC DEV SERVICE

RESPONSE

The undersigned states that (check one):

There are no installations belonging to this utility or agency within said street area on map attached.

There are installations belonging to this utility or agency in place within said street area shown on map attached, and a sketch of their location and width is attached or enclosed.

Dated: 11-15-07

PALATINE HILL WATER DISTRICT
(Name of agency or utility)

Signature: James L. Helton

Print: James L. Helton, P.E.

Title: District Engineer

District has 6" water main and service lines within Comus Street, between Moapa and Toyon. See attached excerpt from District mapping.

Jake Stevens Street Vacation
Palatine Hill Water District Utility Letter

WATER DIST

4" x 4" TEE
4" PLUG
4" G.V.

SS

4" D.I.

1" GAS

4" C.I.

AVE.

AVE.



COMUS

12" TEE
12" x 6" G.V.
6" G.V.

57.

4" D.I. (1992)

MH S.S.

MH

6" C.I.

STEEL
VALVE

6" G.V.
6" x 8" INCR.
6" x 6" BEND
6" G.V. & T.H.

6" G.V.
6" x 6" R.D.C.R.
6" G.V.

12" x 6" TAPPING
6" G.V.

CR
LL.
VALVE

CITY OF PORTLAND
PAINTINE HILL WATER DISTRICT
S.W. FRANK

S.W. MOADA

TRIMON

Attachment III

Abutting Property Owner Consent to Vacation

I, Louise Beauchamp, of 10742 SW Moapa Ave., Portland, OR 97219 consent to the vacation of land described below:

A portion of land located in the right of way of SW Comus Street located in the Northeast one-quarter of Section 34, Township 1 South, Range 1 East of the Willamette Meridian, in the County of Multnomah, State of Oregon, more particularly described as follows:

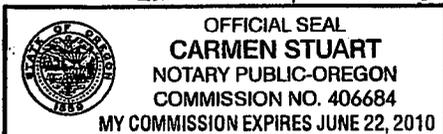
Beginning at the Northwest corner of Lot 10, Block 108, PALATINE HILL NO. 3, in the County of Multnomah, State of Oregon; thence North 50.00 feet to the North right of way line of SW Comus Street, said point is also the Southwest corner of Lot 1, Block 107, PALATINE HILL NO. 3; thence East along the North right of way line of SW Comus Street to the Southeast corner of Lot 16, Block 107, PALATINE HILL NO. 3; thence South 50.00 feet to the South right of way line of SW Comus Street, said point is also the Northeast corner of Lot 11, Block 108, PALATINE HILL NO. 3; thence West along the South right of way line of said SW Comus Street to the point of beginning. Containing 10,000 square feet more or less.

Louise Beauchamp, Trustee of the Louise W. Beauchamp Trust under Trust Agreement dated August 3, 1998

Louise Beauchamp
Trustee of the Louise W. Beauchamp
Trust under Trust Agreement
dated August 3, 1998.

State of Oregon
County of Clackamas

This instrument was acknowledged
before me on July 24, 2008 by
Louise Beauchamp.
Carmen Stuart



Abutting Property Owner Consent to Vacation

I, Jeffrey Stevens, of 10910 SW Moapa Ave., Portland, OR 97219 consent to the vacation of land described below:

A portion of land located in the right of way of SW Comus Street located in the Northeast one-quarter of Section 34, Township 1 South, Range 1 East of the Willamette Meridian, in the County of Multnomah, State of Oregon, more particularly described as follows:

Beginning at the Northwest corner of Lot 10, Block 108, PALATINE HILL NO. 3, in the County of Multnomah, State of Oregon; thence North 50.00 feet to the North right of way line of SW Comus Street, said point is also the Southwest corner of Lot 1, Block 107, PALATINE HILL NO. 3; thence East along the North right of way line of SW Comus Street to the Southeast corner of Lot 16, Block 107, PALATINE HILL NO. 3; thence South 50.00 feet to the South right of way line of SW Comus Street, said point is also the Northeast corner of Lot 11, Block 108, PALATINE HILL NO. 3; thence West along the South right of way line of said SW Comus Street to the point of beginning. Containing 10,000 square feet more or less.

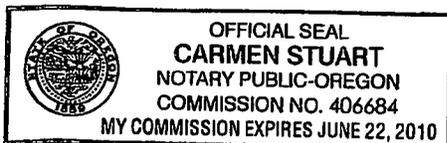
Jeffrey Stevens



State of Oregon
County of Clackamas

This instrument was acknowledged
before me on July 24, 2008
by Jeffrey Stevens.

Carmen Stuart



Attachment IV



Portland General Electric Company
121 SW Salmon Street • Portland, Oregon 97204
PortlandGeneral.com

January 15, 2008

Jeffrey Stevens
333 S. State Street, Suite 153
Lake Oswego, Oregon 97034

Re: Reservation of PGE rights within proposed vacation of SW Comus Street.

Dear Mr. Stevens:

According to the Multnomah County records there are at least three tax lots involved in the proposed street vacation. It is our understanding that tax lots 1S1E27DD-05600 and 1S1E27DD-05700 are owned by the Louise Beauchamp Trust, and that tax lot 1S1E34AA-04300 is owned by Jeffrey Stevens. This letter will confirm that Portland General Electric Company ("PGE") does have existing utility facilities located within the area of the proposed street vacation (see Exhibit "B" attached hereto).

This letter will confirm that PGE will not object to the proposed street vacation provided that Multnomah County includes as a condition of the vacation that the owners of each of the properties involved in the vacation grant PGE a non-exclusive, perpetual easement (on PGE's standard form easement) allowing PGE to construct, operate and maintain PGE's electric power lines and related facilities in their current location (currently within the right-of-way of SW Comus Street as generally shown on the attached Exhibit "A"). The Easements in favor of PGE must be properly executed, notarized and delivered to PGE in conjunction with the completion of the vacation process. PGE reserves its right to object to the proposed vacation if the easements are not executed in a form suitable for recording with Multnomah County and delivered to my office within three business days of the completion of the vacation process.

Please confirm the agreement of the owners of each of the above-referenced tax lots to grant PGE a non-exclusive, perpetual easement as noted above by signing and returning a copy of the signed letter to my office.

PORTLAND GENERAL ELECTRIC COMPANY

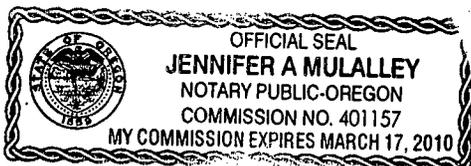
By: Ted Powell

Title: Property Agent, Property Department

STATE OF OREGON)
) ss.
County of Multnomah)

On this 15th day of January, 2008, the above-named Ted Powell personally appeared being sworn stated that he is a Property Agent in the Property Department for Portland General Electric Company; and he executed this document in my presence.

Jennifer A. Mulalley
Notary Public for Oregon
My Commission Expires: 3/17/10



READ AND APPROVED:

We each agree to grant PG [redacted] exclusive, perpetual easements described in the foregoing [redacted]



Jeffery Stevens
Jeffery Stevens

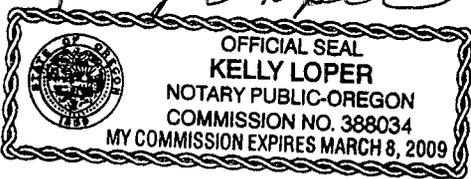
Louise Beauchamp Trust

By: *Louise Beauchamp*
Printed Name: Louise Beauchamp
Title: Trustee

Date: Feb 7, 2008

Date: Feb. 7, 2008

Cc: _____ Multnomah County
Jason, C. Dahlberg, LandAmerica Lawyers Title

Kelly Loper


Kelly Loper


COMUS

MOAPA

EXHIBIT "A"	
1S1E27DD -05600	1S1E27DD -05700

Does your records show any installations within this area?

1S1E34AA -04300

EXHIBIT "B"

50'

TAX LOT 5600

489.40
PP 6310
ANC 19.71'

2.0ft

499.92
PP 2314

42.84'

Down Guy and Anchor
.12.57' EXTENDS BEYOND
EAST EDGE OF SW MOAPA

SW COMUS ST

PROPOSED VACATION

2.4ft

502.38
PP 6309

6.83'
44.18'

5.3ft

Underground Service

499.38
IP

483.47
IP BENT

TAX LOT 4300

SW MOAPA ST



January 24, 2008

Jeffery Stevens
333 S. State Street #153
Lake Oswego, Oregon 97034



RE: Proposed Vacation of a Portion of SW Comus Street

Dear Mr. Stevens,

This letter is to address the vacation request of that portion of SW Comus that will involve 3 tax lots; 1S1E27DD-05600 & -05700 owned by the Louise Beauchamp Trust and tax lot 1S1E34AA-04300 owned by Jeffery Stevens. Qwest has confirmed it has current facilities located within the area of the proposed street vacation, and wishes to reserve these rights for current and future facilities.

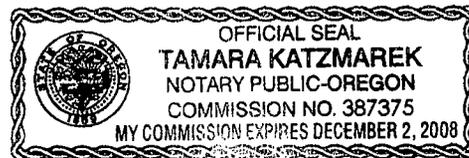
If this area is to become private property, Qwest will require an easement from the owners of the 3 tax lots involved. We have been in contact with the representative of Jeffery Stevens and have a pending agreement for the necessary private easement for 5' on either side of the "as placed" cable, upon completion of the vacation process, we have not contacted the Trust of Louise Beauchamp but have been advised an easement will be granted.

Please confirm the agreement of the owners of each of the above referenced tax lots to grant Qwest a non-exclusive, perpetual easement as noted above by signing and returning the attached letter to my office. If you have any questions, please feel free to give me a call at 503-242-6376.

Sincerely

QWEST CORPORATION

Lynn M Smith
Manager, Right-of-Way - Oregon



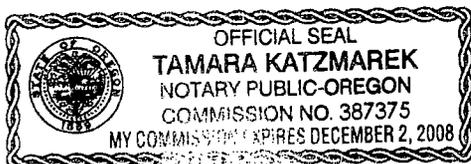
STATE OF OREGON)
) ss:
COUNTY OF MULTNOMAH)

The foregoing instrument was acknowledged before me this 24 day of January, 2008, by Lynn M Smith, as Right of Way Manager, of **Qwest Corporation**, a Colorado corporation, on behalf of the corporation.

Witness my hand and official seal:

Notary Public

My commission expires: 12-2-2008



READ AND APPROVED

We each agree to grant Qwest a non-exclusive, perpetual easement described in the foregoing letter.



Jeffery Stevens
Jeffery Stevens

Date: Feb 7, 2008

Louise Beauchamp Trust

By: *Louise Beauchamp*
Printed Name Louise Beauchamp
Title: Trustee

Date: Feb 7, 2008

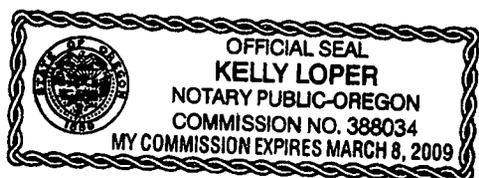
Please return to:
Qwest Corporation
Attn: Lynn Smith
8021 SW Capitol Hill Rd
Portland, Or 97219

State of OREGON
County of CLACKAMAS

This instrument was acknowledged before me on FEB. 7, 2008 by
JEFFREY STEVENS AND LOUISE BEAUCHAMP

Kelly Loper

Notary Public - State of Oregon





Murray, Smith & Associates, Inc.
Engineers/Planners

121 S.W. Salmon, Suite 900 ■ Portland, Oregon 97204-2919 ■ PHONE 503.225.9010 ■ FAX 503.225.9022

94-0304.401
January 9, 2008

Mr. Jeffrey Stevens
333 S. State Street
Lake Oswego, Oregon 97034

Re: Request to Vacate Portion of S.W. Comus Street Contiguous to
Tax Lot 04300, 1S1E34AA (10910 SW Moapa Avenue)

Dear Mr. Stevens:

Murray, Smith & Associates, Inc. (MSA) is retained by the Palatine Hill Water District (PHWD) as District Manager and District Engineer. PHWD reviewed your request, at their Board meeting of December 18, 2007, for vacation of the portion of S.W. Comus Street abutting the north side of your property (between SW Moapa Avenue and SW Tryon Avenue). Palatine Hill Water District owns, operates, and maintains a 6-inch diameter water main that is located in this portion of S.W. Comus Street.

PHWD does not object to the proposed vacation. PHWD requires that a permanent waterline easement be reserved in the southerly half of S.W. Comus Street for the purpose of accessing and maintaining the existing 6-inch diameter public water main and for future replacement of the main as it becomes necessary. This easement is crucial to allow the District to continue providing public water service meeting all current state and federal standards to the properties on each end of the vacated street. This easement can be in the form of the following language in the Multnomah County vacation order:

“FURTHER ORDERED that an easement is hereby reserved for Palatine Hill Water District, their successors and assigns, over the southerly one-half of that portion of S.W. Comus Street being vacated, and the right is reserved unto them to maintain, continue, repair, reconstruct, renew, replace and/or rebuild the existing waterline; that no building or structure of any kind shall be built or erected within the easement except with the prior written consent of the County Engineer and the owner of the utility.”

We would be happy to answer any questions you might have regarding the above language. Please provide copies of the draft and final vacation orders for our records. Thank you.

Sincerely,

MURRAY, SMITH & ASSOCIATES, INC.

James L. Helton, P.E.
District Engineer, Palatine Hill Water District

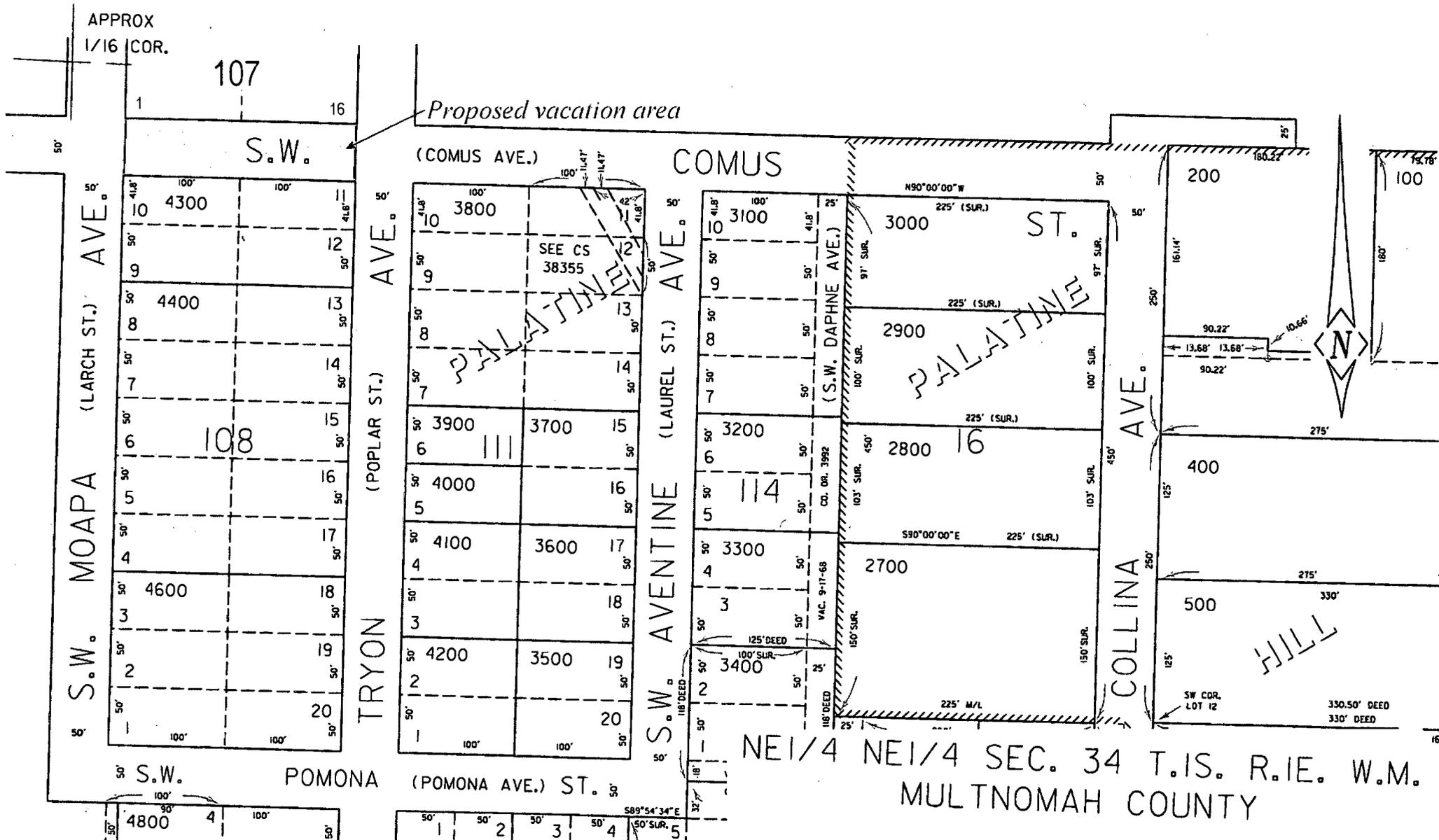
cc: Palatine Hill Water District
Patrick Hinds, Multnomah County

State of OREGON
County of Multnomah

Subscribed before me on Jan. 9, 2008
by James L. Helton

Notary Public - State of Oregon

EXHIBIT 2



BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 08-116

Vacating a Portion of SW Comus Street, a Public Road, Located in an Unincorporated Area of Southwest Multnomah County, Pursuant to ORS 368.326 to 368.366

The Multnomah County Board of Commissioners Finds:

- a. The portion of SW Comus Street, a 50-foot wide public road right-of-way, affected by this vacation was originally created by the PALATINE HILL NO. 3 subdivision plat, recorded March 27, 1890, in Book 151, Pages 13 and 14, Multnomah County Plat Records. This portion of public road is unimproved.
- b. The portion of the public road to be vacated is more particularly described in the Exhibit A, as attached to this Resolution.
- c. Multnomah County does not maintain or have plans to develop this portion of public road.
- d. Mr. Jeffrey Stevens, petitioner, has submitted a petition to vacate this public road, which is in compliance with ORS 368.341(3).
- e. As allowed under ORS 368.351, the above-referenced petition:
 - contains the acknowledged signatures of owners of 100 percent of any private property proposed to be vacated and acknowledged signatures of owners of 100 percent of property abutting any public property proposed to be vacated; and
 - indicates the owners' approval of the proposed vacation.
- f. In addition, the appropriate County Road Official has filed a written report pursuant to ORS 368.351(1) that contains an assessment that the proposed vacation of public property is in the public interest. (See Agenda Placement Request.)
- g. Pursuant to ORS 368.351, the County may make a determination about this vacation without additional notice and publication required under ORS 368.346.
- h. The entire portion of the public right-of-way being vacated will remain subject to the rights of any existing public utility that has improvements located within that right of way. Nonetheless, PGE, Qwest, and Palatine Hill Water District have specifically requested that the petitioner and the other property owner who signed the petition grant the utilities easements in the vacated public right of way. The County staff understands the petitioner and the other property owner have agreed to the utilities' request.
- i. As required under MCC 27.054, the County has received a total of \$1265.00 from the petitioner, of which \$200.00 applies to the feasibility study that was performed by the County. The remaining \$1065.00 will be applied to the vacation proceeding. The total

costs for this vacation, including administrative costs, are \$2176.25. Administrative costs include staff time for research, review, analyses, and document preparation. The balance owed by the petitioner at the date of this hearing is \$911.25.

- j. Vacation of the County's right-of-way interest in this property serves the public interest.

The Multnomah County Board of Commissioners Resolves:

1. Subject to the petitioner's payment of all funds due as provided under MCC 27.054, the portion of public road, as more particularly described in the attached Exhibit A, is vacated as a public road, excepting the easement rights any existing utilities may have in the vacated property under ORS Chapter 368.
2. Pursuant to MCC 27.054, the total cost for this vacation proceeding incurred by the County is \$2176.25; and Mr. Jeffrey Stevens, the petitioner, is directed to pay the remaining amount of \$911.25 to the County.
3. The Land Use and Transportation Program of the Department of Community Services will record and file this Resolution in accordance with ORS 368.356(3), only upon receipt of the total amount due under MCC 27.054.
4. Upon the recording and filing of this Resolution, the County Surveyor will mark the plat, if applicable, as provided under ORS 271.230; and title in the underlying property shall vest as provided under ORS 368.366.

ADOPTED this 7th day of August, 2008.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director
Department of Community Services

EXHIBIT A

RE: LEGAL DESCRIPTION FOR THE PORTION OF COMUS STREET TO BE VACATED

Formal Vacation Request

Legal description of property

A portion of land located in the right of way of SW Comus Street located in the Northeast one-quarter of Section 34, Township 1 South, Range 1 East of the Willamette Meridian, in the County of Multnomah, State of Oregon, more particularly described as follows:

Beginning at the Northwest corner of Lot 10, Block 108, PALATINE HILL NO. 3, in the County of Multnomah, State of Oregon; thence North 50.00 feet to the North right of way line of SW Comus Street, said point is also the Southwest corner of Lot 1, Block 107, PALATINE HILL NO. 3; thence East along the North right of way line of SW Comus Street to the Southeast corner of Lot 16, Block 107, PALATINE HILL NO. 3; thence South 50.00 feet to the South right of way line of SW Comus Street, said point is also the Northeast corner of Lot 11, Block 108, PALATINE HILL NO. 3; thence West along the South right of way line of said SW Comus Street to the point of beginning. Containing 10,000 square feet more or less.



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 08/07/08
Agenda Item #: R-4
Est. Start Time: 9:45 AM
Date Submitted: 06/26/08

Agenda Title: **Second Reading and Possible Adoption of an ORDINANCE Amending Multnomah County Code Chapter 7.450 et seq. Relating to Art Acquisition**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: August 7, 2008 **Amount of Time Needed:** 1 minute
Department: Non-Departmental **Division:** Commissioner Maria Rojo de Steffey
Contact(s): Matthew Lashua
Phone: 503 988-6796 **Ext.** 86796 **I/O Address:** 503/600
Presenter(s): Commissioner Maria Rojo de Steffey

General Information

1. What action are you requesting from the Board?

Approval of Second Reading and Adoption of an Ordinance Amending Multnomah County Code Chapter 7.450 et seq. Relating to Art Acquisition.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The Public Art Program was established in 1980. Ordinances provided for the Metropolitan Arts Commission (MAC) management and collection of funds for the Percent for Public Art Programs for Multnomah County, the City of Portland, and Metro. MAC was responsible for selection, acquisition, siting, maintenance, administration, deaccessioning, community education, and registration of Public Art of the City/County Public Art Collection.

MAC restructured into a nonprofit organization, the Regional Arts and Culture Council, in order to implement the Arts Plan 2000+ and Metro Regional Arts Funding Task Force recommendations to provide cost effective, efficient and flexible services.

The purpose of Multnomah County investment in the arts is to promote access, inclusion and excellence in the arts, to leverage other resources, and to enhance the arts contribution to human services, economic vitality, educational opportunities, neighborhood and community revitalization, economic vitality and overall quality of life.

To reflect the ongoing support for arts in Multnomah County, The Board of County Commissioners updates the following ordinance, raising the percentage for art to 2% and reflecting what type of construction projects trigger the Percent for Public Arts Program.

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

Construction of a new building where the construction cost exceeds \$1,000,000 will trigger the Percent for Public Arts Program. Two percent of the construction cost of each construction project shall be set aside for the acquisition of art.

4. Explain any legal and/or policy issues involved.

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

Required Signature

**Elected Official or
Department/
Agency Director:**

Maria Rojas de Jeffrey

Date: 06/26/08

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending MCC §§7.450 et seq. Relating to Art Acquisition

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

The Multnomah County Board of Commissioners Finds:

- a. The Public Art Program was established in 1980. Ordinances provided for the Metropolitan Arts Commission (MAC) management and collection of funds for the Percent for Public Art Programs for Multnomah County, the City of Portland, and Metro. MAC was responsible for selection, acquisition, siting, maintenance, administration, deaccessioning, community education, and registration of Public Art of the City/County Public Art Collection.
- b. MAC restructured into a nonprofit organization, the Regional Arts and Culture Council, in order to implement the Arts Plan 2000+ and Metro Regional Arts Funding Task Force recommendations to provide cost effective, efficient and flexible services.
- c. The purpose of Multnomah County investment in the arts is to promote access, inclusion and excellence in the arts, to leverage other resources, and to enhance the arts contribution to human services, economic vitality, educational opportunities, neighborhood and community revitalization, economic vitality and overall quality of life.
- d. To reflect the ongoing support for arts in Multnomah County, it is necessary to update the code sections relating to art acquisition to raise the percentage for art to 2% and reflect what type of construction projects trigger the Percent for Public Arts Program.

Multnomah County Ordains as follows:

Section 1. MCC §7.450 is amended as follows:

ART ACQUISITION

§ 7.450 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context requires a different meaning.

CONSTRUCTION PROJECT or ALTERATION. Construction of a new building where the construction cost exceeds \$1,000,000 and projects for the rehabilitation, renovation or improvement of existing County buildings or to premises leased by the County where the project construction cost exceeds \$200,000, ~~rehabilitation, renovation, remodeling or improvement.~~

CONSTRUCTION COST. ~~The actual~~Actual construction cost of a new building or a rehabilitation, renovation or improvement to an existing County building or premises leased by the County. Construction Cost does not include ~~excluding~~ planning, architectural, engineering, consultant and administrative costs, costs for fees, and permits, testing, inspections, and indirect cost, such as, interest paid during construction, advertising and legal fees and all other indirect costs. Construction Cost does not include the cost of furnishings for the new building.

~~COUNTY BUILDING.~~ All county buildings except service facilities not normally visited by the public, such as maintenance sheds, bridges and similar structures, and does not include roads.

~~MAJOR COUNTY CONSTRUCTION PROJECT.~~ A construction project which involves the construction or alteration of a county building with an estimated construction cost of \$50,000 or more.

Section 2. MCC §7.451 is amended as follows:

§ 7.451 POLICY.

It is the policy of the county that each ~~major county construction project which involves the construction or alteration of county buildings~~ shall have an appropriate display of art integrated into the project in order to provide a more beneficial atmosphere and energizing environment.

Section 3. MCC §7.452 is amended as follows:

§ 7.452 FUNDING.

(A) ~~One and thirty three one hundredths~~ Two percent of the construction costs of each construction project, capital improvement costs, budgets, development funds and purchase prices listed in § 7.453 of this subchapter shall be set aside for the acquisition of art. The acquired art may be an integral part of the newly acquired building or property attached thereto or be capable of display in other public buildings or on other public property. Siting variances may be granted by the Board.

(B) ~~Thirty three one hundredths percent of~~ The 1.332% set aside in division (A) of this section shall be allocated as follows: 1.26% for art; .54% to dedicated solely for use by the regional arts and culture council Regional Arts and Culture Council for management and administration of the art; and .20% for use by the Regional Arts and Culture Council for the purpose of payment of administration, public education, or maintenance costs of the commission's percent for art program.

Section 4. MCC §7.453 is deleted as follows:

~~§ 7.453 FUNDING SOURCES.~~

~~The following shall be subject to the art acquisition policy referred to in § 7.452 of this subchapter:~~

~~(A) Construction cost of a major county construction project involving the construction or alteration of a county building;~~

~~(B) The capital improvement budget in the division of facilities management;~~

~~(C) The purchase price of any building, including the appurtenant land, acquired by the county for use in whole or part by the county.~~

Section 5. MCC §7.454 is amended as follows:

§ 7.454 ADMINISTRATION.

The Regional Arts and Culture Council ~~regional arts and culture council~~ shall in its discretion administer the provisions of this subchapter relating to art acquisition and display.

Section 6. MCC §7.455 is amended as follows:

§ 7.455 ADOPTION OF GUIDELINES.

The Regional Arts and Culture Council~~regional arts and culture council~~ shall have the authority:

- (A) To determine the cases in which it would be inappropriate to display art in a county building;
- (B) To identify suitable art objects for county buildings;
- (C) To encourage the preservation of ethnic cultural arts and crafts, including Pacific Northwest Indian arts;
- (D) To facilitate the preservation of art objects and artifacts that may be displaced by a construction project;
- (E) To prescribe a method or methods of competitive selection of art objects for display;
- (F) To prescribe procedures for the selection, acquisition and display of art in county buildings; and
- (G) To set forth any other matter appropriate to the administration of this subchapter.

Section 7. MCC §7.456 is amended as follows:

§ 7.456 REGIONAL ARTS AND CULTURE COUNCIL'S DECISION FINAL.

The ~~council's~~decision of the Regional Arts and Culture Council as to the selection, acquisition, allocation and display of art objects shall be final.

FIRST READING: July 31, 2008

SECOND READING AND ADOPTION: August 07, 2008

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By John S. Thomas, Deputy County Attorney

SUBMITTED BY:
Maria Rojo de Steffey, Commissioner District 1

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1117

Amending MCC §§7.450 et seq. Relating to Art Acquisition

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

The Multnomah County Board of Commissioners Finds:

- a. The Public Art Program was established in 1980. Ordinances provided for the Metropolitan Arts Commission (MAC) management and collection of funds for the Percent for Public Art Programs for Multnomah County, the City of Portland, and Metro. MAC was responsible for selection, acquisition, siting, maintenance, administration, deaccessioning, community education, and registration of Public Art of the City/County Public Art Collection.
- b. MAC restructured into a nonprofit organization, the Regional Arts and Culture Council, in order to implement the Arts Plan 2000+ and Metro Regional Arts Funding Task Force recommendations to provide cost effective, efficient and flexible services.
- c. The purpose of Multnomah County investment in the arts is to promote access, inclusion and excellence in the arts, to leverage other resources, and to enhance the arts contribution to human services, economic vitality, educational opportunities, neighborhood and community revitalization, economic vitality and overall quality of life.
- d. To reflect the ongoing support for arts in Multnomah County, it is necessary to update the code sections relating to art acquisition to raise the percentage for art to 2% and reflect what type of construction projects trigger the Percent for Public Arts Program.

Multnomah County Ordains as follows:

Section 1. MCC §7.450 is amended as follows:

ART ACQUISITION

§ 7.450 DEFINITIONS:

For the purpose of this subchapter, the following definitions shall apply unless the context requires a different meaning.

CONSTRUCTION PROJECT or ALTERATION. Construction of a new building where the construction cost exceeds \$1,000,000 and projects for the rehabilitation, renovation or improvement of existing County buildings or to premises leased by the County where the project construction cost exceeds \$200,000, ~~rehabilitation, renovation, remodeling or improvement.~~

CONSTRUCTION COST. The actual ~~Actual~~ construction cost of a new building or a rehabilitation, renovation or improvement to an existing County building or premises leased by the County. Construction Cost does not include ~~excluding~~ planning, architectural, engineering, consultant and administrative costs, costs for fees, ~~and~~ permits, testing, inspections, ~~and indirect cost, such as,~~ interest paid during construction, advertising and legal fees and all other indirect costs. Construction Cost does not include the cost of furnishings for the new building.

~~———— COUNTY BUILDING. All county buildings except service facilities not normally visited by the public, such as maintenance sheds, bridges and similar structures, and does not include roads.~~

~~———— MAJOR COUNTY CONSTRUCTION PROJECT. A construction project which involves the construction or alteration of a county building with an estimated construction cost of \$50,000 or more.~~

Section 2. MCC §7.451 is amended as follows:

§ 7.451 POLICY.

It is the policy of the county that each ~~major county construction project which involves the construction or alteration of county buildings~~ shall have an appropriate display of art integrated into the project in order to provide a more beneficial atmosphere and energizing environment.

Section 3. MCC §7.452 is amended as follows:

§ 7.452 FUNDING.

(A) ~~One and thirty three one hundredths~~Two percent of the construction costs of each construction project, capital improvement costs, budgets, development funds and purchase prices listed in § 7.453 of this subchapter shall be set aside for the acquisition of art. The acquired art may be an integral part of the newly acquired building or property attached thereto or be capable of display in other public buildings or on other public property. Siting variances may be granted by the Board.

(B) ~~Thirty three one hundredths percent of t~~The 1.332% set aside in division (A) of this section shall be allocated as follows: 1.26% for art; .54% to dedicated solely for use by the regional arts and culture councilRegional Arts and Culture Council for management and administration of the art; and .20% for use by the Regional Arts and Culture Council for the purpose of payment of administration, public education, or maintenance costs of the commission's percent for art program.

Section 4. MCC §7.453 is deleted as follows:

~~§ 7.453 FUNDING SOURCES.~~

~~———— The following shall be subject to the art acquisition policy referred to in § 7.452 of this subchapter:~~

~~———— (A) Construction cost of a major county construction project involving the construction or alteration of a county building;~~

~~———— (B) The capital improvement budget in the division of facilities management;~~

~~———— (C) The purchase price of any building, including the appurtenant land, acquired by the county for use in whole or part by the county.~~

Section 5. MCC §7.454 is amended as follows:

§ 7.454 ADMINISTRATION.

The Regional Arts and Culture Council~~regional arts and culture council~~ shall in its discretion administer the provisions of this subchapter relating to art acquisition and display.

Section 6. MCC §7.455 is amended as follows:

§ 7.455 ADOPTION OF GUIDELINES.

The Regional Arts and Culture Council~~regional arts and culture council~~ shall have the authority:

- (A) To determine the cases in which it would be inappropriate to display art in a county building;
- (B) To identify suitable art objects for county buildings;
- (C) To encourage the preservation of ethnic cultural arts and crafts, including Pacific Northwest Indian arts;
- (D) To facilitate the preservation of art objects and artifacts that may be displaced by a construction project;
- (E) To prescribe a method or methods of competitive selection of art objects for display;
- (F) To prescribe procedures for the selection, acquisition and display of art in county buildings; and
- (G) To set forth any other matter appropriate to the administration of this subchapter.

Section 7. MCC §7.456 is amended as follows:

§ 7.456 REGIONAL ARTS AND CULTURE COUNCIL'S DECISION FINAL.

The ~~council's~~ decision of the Regional Arts and Culture Council as to the selection, acquisition, allocation and display of art objects shall be final.

FIRST READING:

July 31, 2008

SECOND READING AND ADOPTION:

August 07, 2008

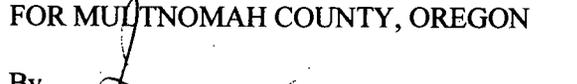


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


 Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
 John S. Thomas, Deputy County Attorney

SUBMITTED BY:
Maria Rojo de Steffey, Commissioner District 1



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 08/07/08
Agenda Item #: R-5
Est. Start Time: 9:46 AM
Date Submitted: 07/24/08

Agenda Title: **Briefing on Metro's Proposed Business Recycling Program**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date: August 7, 2008 **Amount of Time Needed:** 30 minutes
Department: Non-Departmental **Division:** Commissioner Rojo
Contact(s): Matthew Lashua
Phone: 503-988-6796 **Ext.** 86796 **I/O Address:** 503/600
Presenter(s): Marta McGuire, Metro Sr. Solid Waste Planner & Matt Korot, Waste Reduction Mgr.

General Information

1. What action are you requesting from the Board?

None; Informational briefing only

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

Businesses generate almost half of the region's garbage and dispose of more than 100,000 tons of materials that are recyclable. While businesses in the metro-areas have ample access to recycling resources, those businesses in unincorporated Multnomah County have not been provided with similar information and materials to ensure recycling.

To increase business recycling, Metro has proposed a Business Recycling Requirement for all businesses located within the metro area. If adopted by Metro Council, local governments in the region (including Multnomah County) would be directed to make it mandatory for businesses in their jurisdictions that are located within the Metro boundaries to recycle paper and containers. Metro is recommending that jurisdictions adopt this requirement with an ordinance. The requirements would be phased in and businesses would have a grace period to comply.

In unincorporated Multnomah County, there are 517 businesses (according to the most recent census data) that would be affected by such an ordinance. The Business Recycling Requirement is

tentatively scheduled to go to Metro Council for a vote in September, and, if approved, would be adopted on January 1, 2009.

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

N/A

4. Explain any legal and/or policy issues involved.

N/A

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

Metro has conducted meetings with businesses and stakeholders in unincorporated Multnomah County in order to gauge the possibility of compliance with a business recycling ordinance. In meetings held in early 2008, Metro found business support for the measure was 61% in favor.

Required Signature

**Elected Official or
Department/
Agency Director:**

Maria Rojo de Steffey

Date: 07/24/08

Proposed Business Recycling Requirements Review and Discussion



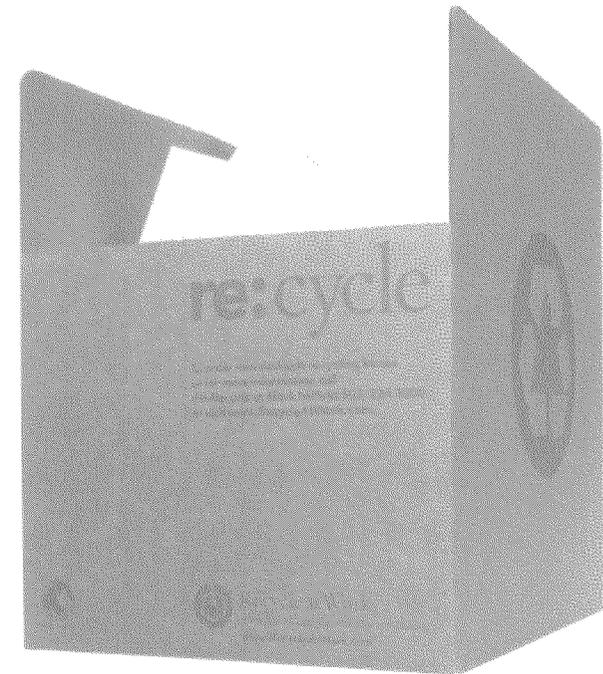
Presenters:
Marta McGuire, Senior Planner and
Matt Korot, Waste Reduction & Outreach Manager
August 7, 2008

Overview

- Current Business Recycling
- Proposed Program
- Stakeholder Feedback
- Questions

The current system:

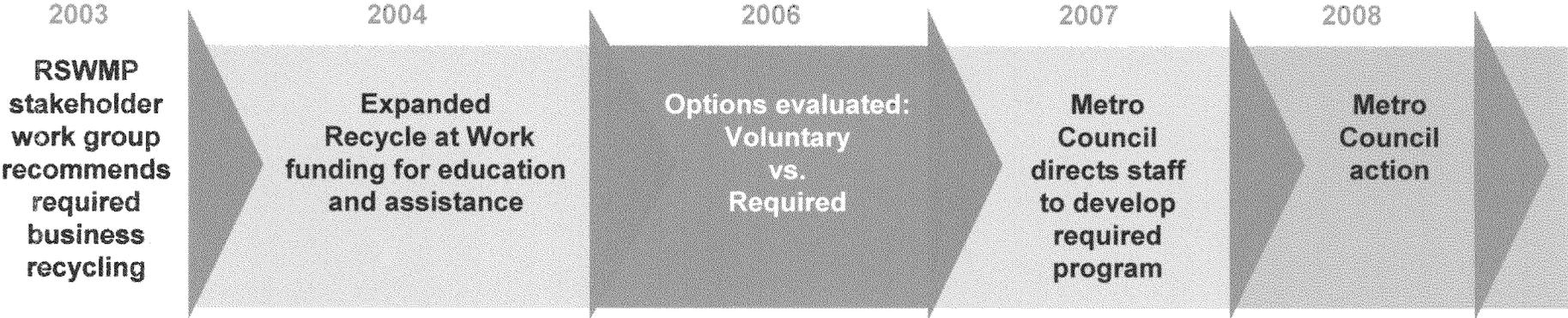
- Access to recycling service
- Free education, technical assistance and resources
- Recognition and partners
- Plenty of processing capacity
- Stable material markets



**Businesses throw away more than
100,000 tons of recyclable paper and
containers annually - *one ton per minute.***



Business Recycling Policy Development





METRO

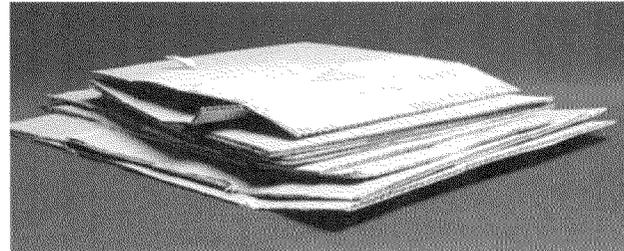
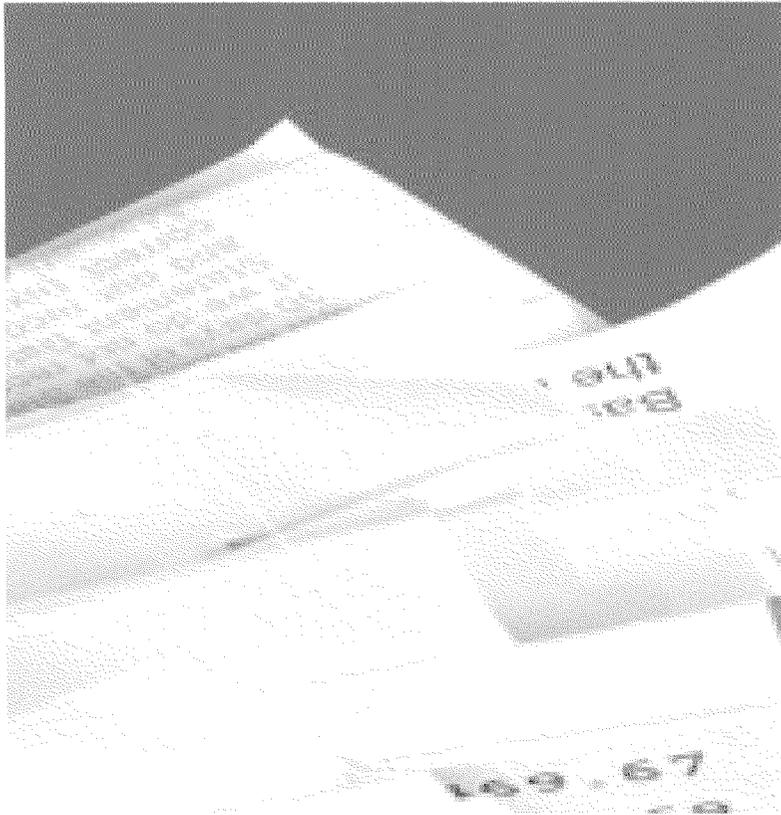
Proposed Program

Target generators

- More than 60,000 businesses, institutions and public agencies.



The Targets

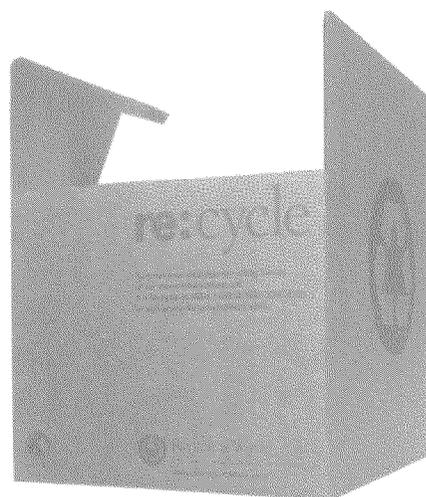
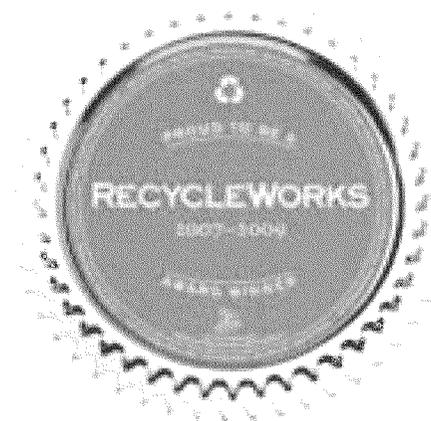
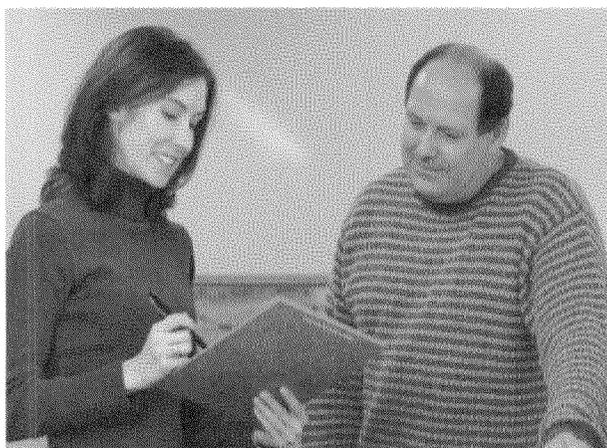


Recyclable Paper and Containers

How does a business comply?



Expanded Education and Assistance



Impact on Businesses



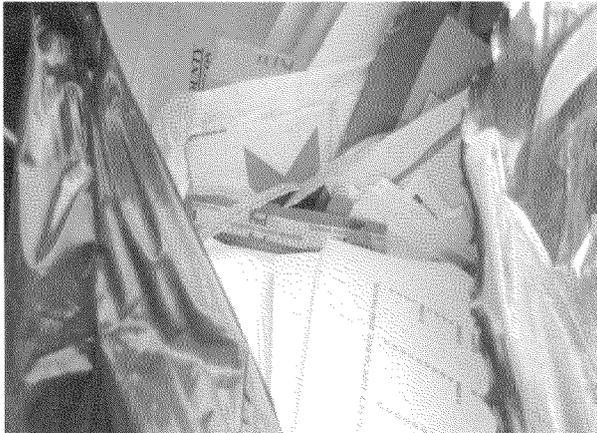
Program Benefits

- Consistency of recycling services
- Material supply for local recycling companies
- Reduced environmental impact
- Potential cost savings for business



Local Government Role

- Adopt code language
- Establish compliance program
- Annual reporting



Proposed Timeline

September 2008

Metro Council action

February 2009

Requirements effective

July 2011

Performance report

Stakeholder Feedback

Stakeholder Outreach

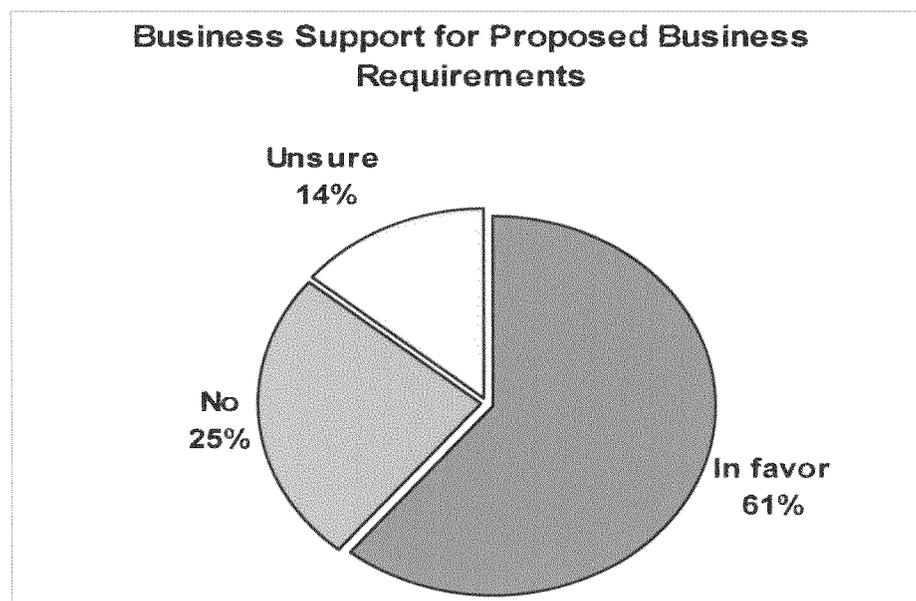
- 18 presentations to business groups and elected officials
- +300 participants
- Newspaper and newsletter coverage



<p style="text-align: center;">The Oregonian</p> <p>Metro proposes required paper recycling at firms Trash - Most businesses at the Wilsonville meeting urge voluntary efforts</p> <p>Thursday, April 17, 2008 CHRISTINA LIMA The Oregonian</p> <p><small>Fact: Portland-area businesses each year send out as trash the equivalent of all the trees in Portland's cherished Forest Park.</small></p> <p><small>Culprit: Office paper. It typically ends up as trash, rather than in recycling bins. And in combination with other materials, it generates more than 100,000 tons of trash per year -- stuff that goes to the landfill rather than through the recycling system.</small></p>	<p style="text-align: right;"><small>Subscriptions Daily Regional Ads Phone Classified Ad</small></p> <p style="text-align: center;">WILSONVILLE SPOKESMAN</p> <p style="text-align: center;"><small>Thursday, March 27, 2008</small></p> <p>Business recycling coming your way Metro Council plans to adopt a mandate for local businesses</p> <p>By Michelle Te</p> <p>Before you toss that empty water bottle in the garbage, think again.</p> <p>Oregonians, who often feel good about going and staying "green," generating more waste and recycling less than they did just two years ago.</p>
--	---

Stakeholder feedback

- Support overall project objective
- Education and economic incentives are preferred
- Mandate is necessary to make recycling a priority
- Regulations and enforcement should be implemented gradually





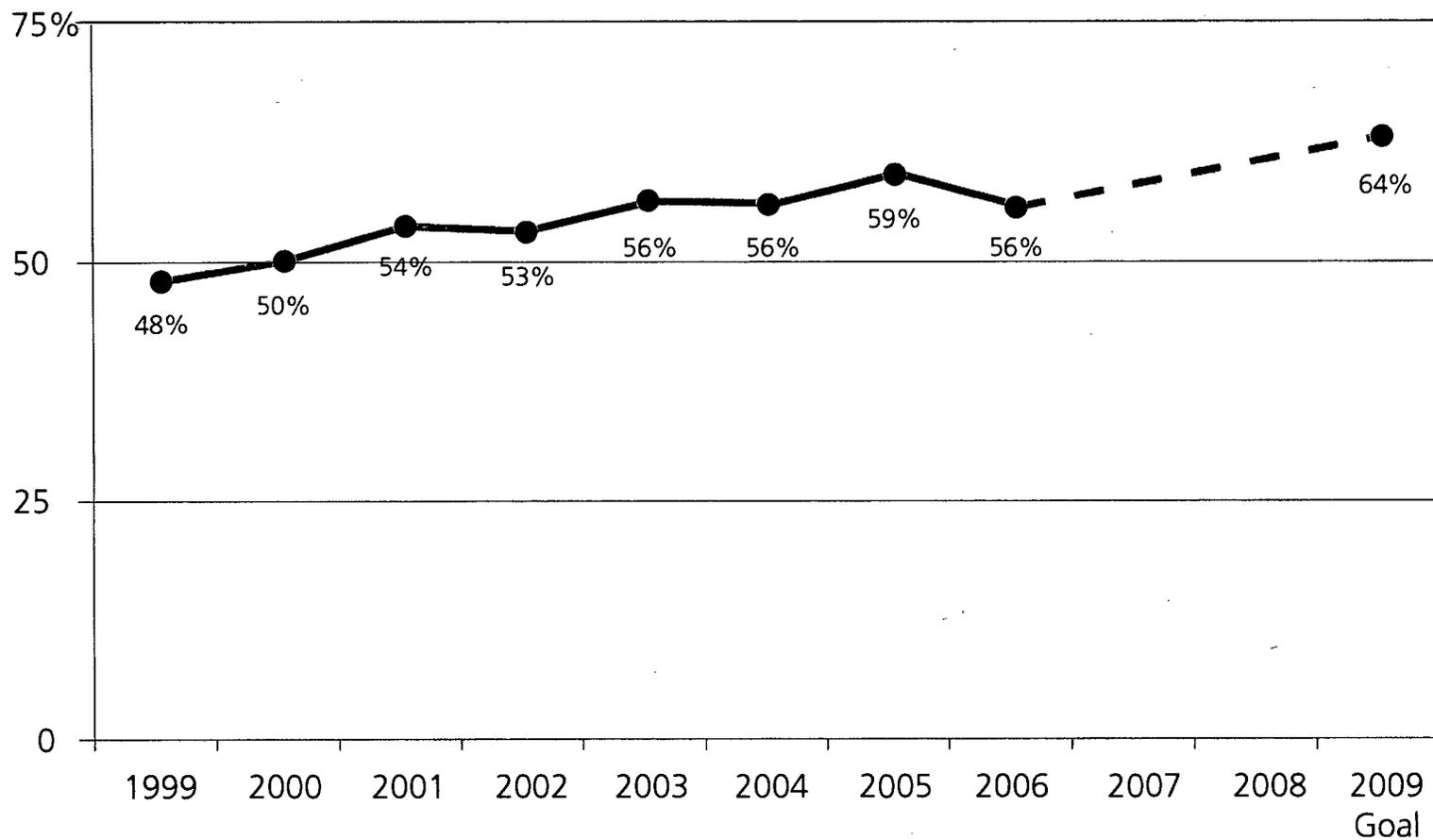
METRO

Questions



METRO

Extra slides



The region cannot achieve a 64% waste reduction goal without better recycling.

Monitoring and Evaluation

- 1) Local adoption
- 2) Waste sorts
- 3) Business surveys
- 4) Two-year performance report



Advisory Committee Review

- SWAC: Recommend approval of ordinance, Yes – 9, No –7, Abstentions – 2
- MPAC: Recommend approval of ordinance, Yes –10, No –3

Benefits

- Consistency of recycling services across the region
- Potential cost savings for business
- Material supply for local recycling companies
- Reduced environmental impact:
 - Eliminates carbon emissions equal to taking 42,000 cars off the road.
 - Results in energy savings that could power nearly 15,000 homes for one year.
 - Saves 1.2 million trees per year (equivalent of Forest Park).

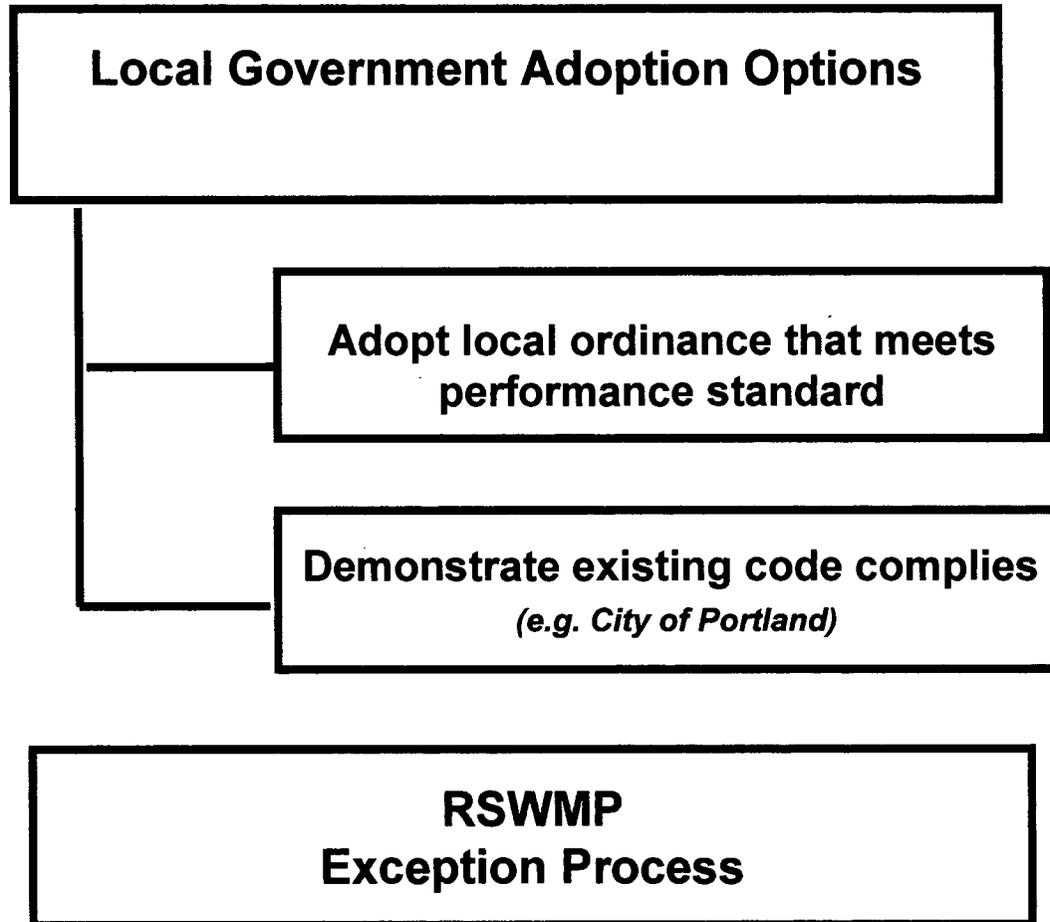
RSWMP Exception Process



Exception Criteria

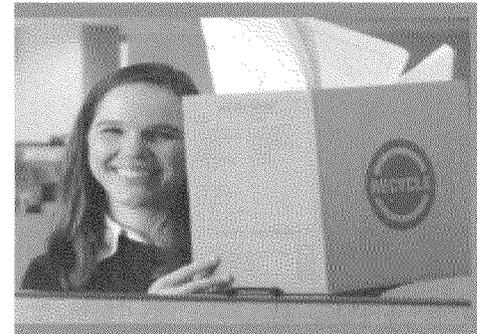
1. The exception impacts the region's ability to meet RSWMP goals.
2. The exception reduces the ability of another local government to comply with the requirements.
3. The local government has adopted other measures to achieve the intended result of the requirement.

Proposed Business Recycling Requirements Local Government Adoption



Purpose and Intent

- Increase business recycling of paper and containers
- Increase delivery of Recycle at Work Services
- Create a consistent standard



Case Study: Business Not Recycling Retail Shop, Beaverton

Previous Garbage Service	1 yd garbage serviced
Previous Recycling Service	90 gallon recycling cart
Previous Monthly Price of Service	\$83.36
Change in Service	Switched garbage to 90 gallon cart and increased recycling to 1 yd container
New Monthly Price of Service	\$36
Price Change	(\$47)
Projected Monthly Price Increase with Proposed Program <2%	\$.49

Municipalities with Mandatory Recycling

Portland (OR)

Seattle (WA)

Chicago (IL)

New York (NY)

Santa Barbara County (CA)

Dane County (WI)

Cambridge (MA)

Sarasota, Alachua, Volusia counties (FL)

Onondaga County (NY)

Monmouth County (NJ)

Vancouver (BC)

Miami-Dade County (FL)

Honolulu (HI)

Pittsburgh (PA)

Philadelphia (PA)

Gainesville (FL)

San Diego County (CA)

Prince William County (VA)

Mecklenburg County (NC)

Durham (NC)

Atlantic Beach (FL)

Miami (FL)

Palm Beach County (FL)

Incentives to Recycle

- Free education, technical assistance, and resources
- State law prohibiting garbage haulers from charging more for garbage and recycling services than they do for garbage alone
- Volume-based rates
- Recognition programs to highlight businesses doing well
- Stable infrastructure to collect, transport, sort, and recycle materials

Despite education efforts and incentives, some businesses choose not to participate.

Key Elements of a Mandatory Program

- Uniformity of approach
- Education and assistance
- Exemptions
- Enforcement



Recycle at Work services since 2000

- Program set up and implementation
- Free posters, boxes, and signage
- Solutions to space constraints
- Communication between employees, tenants, property managers, and janitorial staff



Metro has invested \$3.5 million in the voluntary assistance program that is free of charge to businesses, yet the services are underutilized.

Metro Compliance Program

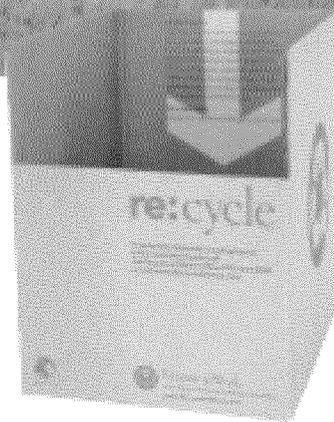
1. Notice of noncompliance
2. Issue a citation
3. Assess fine



Proposed Program

- Recycling requirement
- Expanded education and assistance
- Compliance component
- Exemptions





Are you green on the inside?

Incorporating green business practices couldn't be easier with Recycle at Work's free, hands-on assistance. Our experts can:

- Help you recycle additional items.
- Locate recycled-content, environmentally-friendly products that work for you.
- Provide free recycling boxes, stickers and posters.
- Simplify your recycling program.
- Help you organize a sustainability committee.
- Connect you with other programs and services to help make your operations sustainable.

Feel Good. Look Good.

Recycle at Work



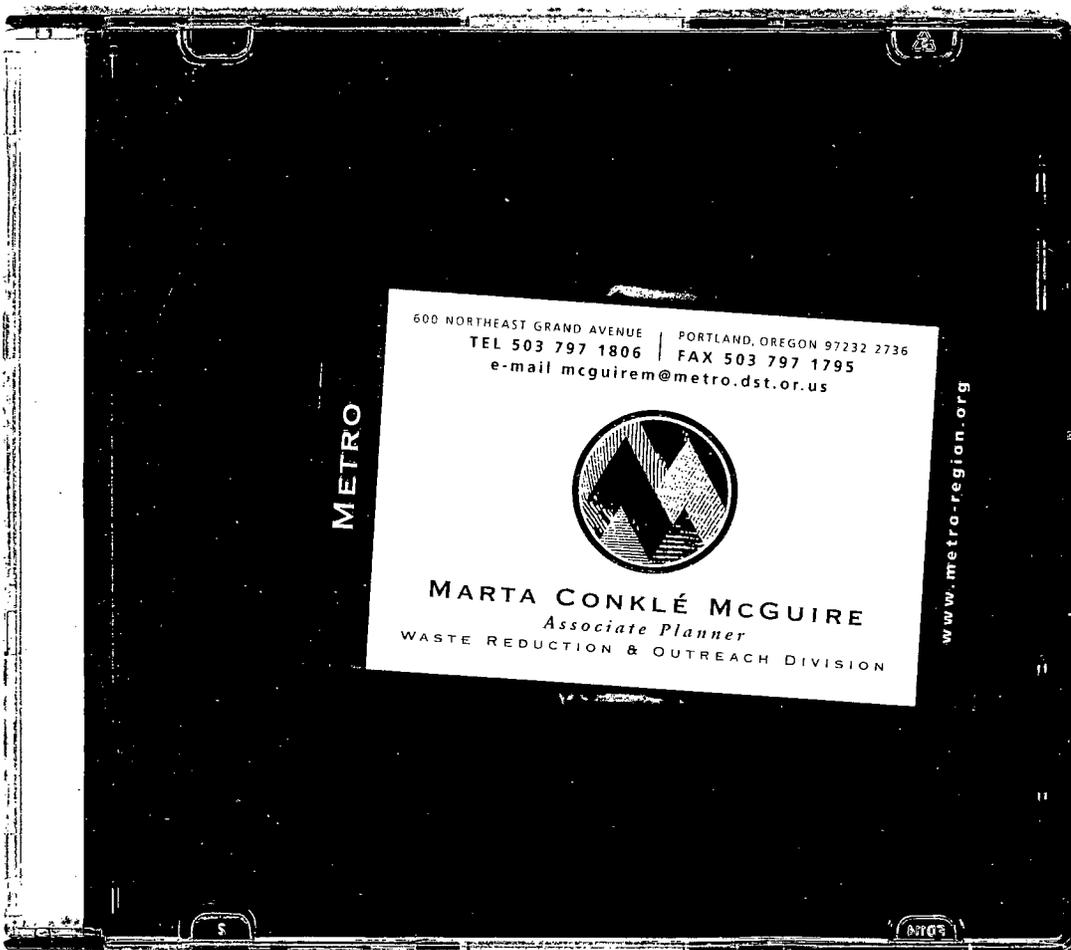
Recycling Benefits





METRO

Why do we need to increase business recycling?



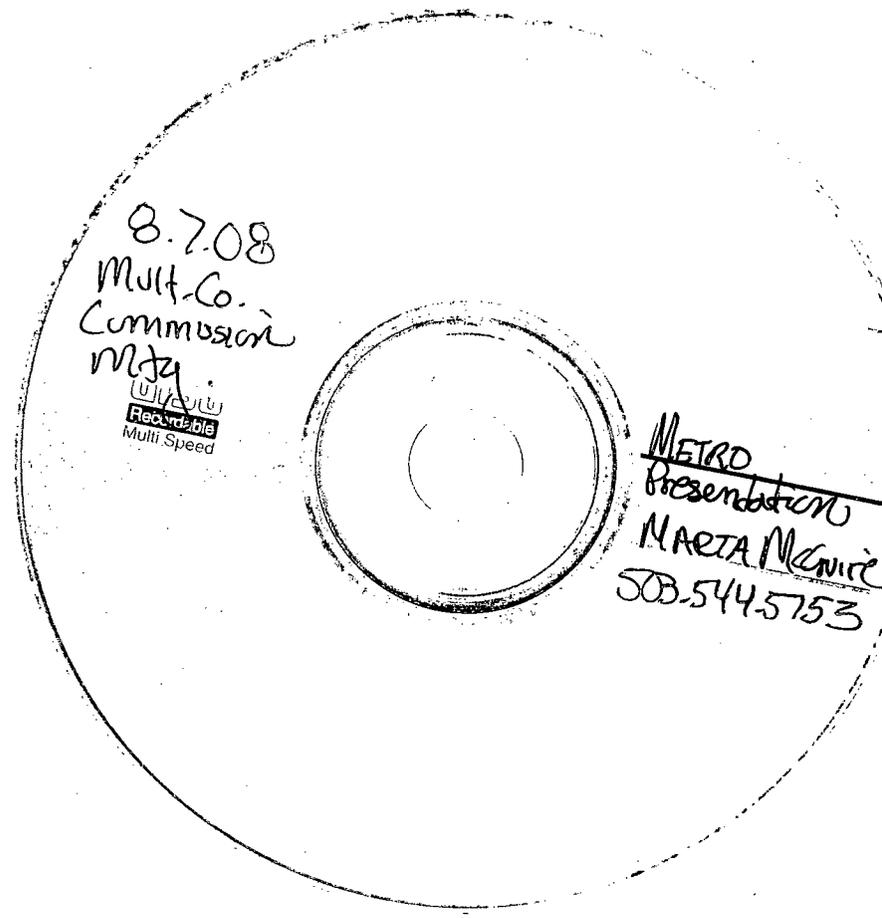
600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1806 | FAX 503 797 1795
e-mail mcguirem@metro.dst.or.us



MARTA CONKLÉ MCGUIRE
Associate Planner
WASTE REDUCTION & OUTREACH DIVISION

METRO

www.metro-region.org



8.7.08
Mult-Co.
Commission
Marta

Recordable
Multi-Speed

~~METRO~~
~~Presentation~~
MARTA McGUIRE
503.544.5753