

ANNOTATED MINUTES

Tuesday, November 21, 1995 - 9:30 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

REGULAR MEETING

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

CONSENT CALENDAR

***UPON MOTION OF COMMISSIONER KELLEY,
SECONDED BY COMMISSIONER HANSEN,
CONSENT CALENDAR ITEMS C-1, C-2 AND C-4
THROUGH C-8 WERE UNANIMOUSLY APPROVED.***

NON-DEPARTMENTAL

- C-1 Appointment of SUSAN OLIVER to the COMMUNITY AND FAMILY SERVICES CITIZEN BUDGET ADVISORY COMMITTEE
- C-2 Re-Appointment of KATHLEEN TODD to the NON-DEPARTMENTAL CITIZEN BUDGET ADVISORY COMMITTEE

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-4 CU 8-95 Hearings Officer Decision Approving Conditional Use Request for a Single Family Dwelling Not Related to Forest Management in the Commercial Forest Use Zoning District, for Property Located at 13838 NW ROCK CREEK ROAD
- C-5 ORDER Authorizing Execution of Deed D961263 Upon Complete Performance of a Contract to Virginia M. Belozor

ORDER 95-237.

DEPARTMENT OF JUVENILE JUSTICE SERVICES

- C-6 Intergovernmental Revenue Agreement 700216 with Children's Services Division Funding Catherine Freer Wilderness Therapy Expedition Services for a Gang Involved Youth
- C-7 Budget Modification DJJS 5 Adding \$2,860 State Children's Services Division Revenue to the Office of Program Development Budget to Fund Catherine Freer Wilderness Therapy Services for a Gang Involved Youth

SHERIFF'S OFFICE

- C-8 Dispenser Class A Liquor License Renewal for CRACKER BARREL GROCERY, 15005 NW SAUVIE ISLAND ROAD, PORTLAND

NON-DEPARTMENTAL

- C-3 Re-Appointment of WINZEL HAMILTON to the DISTRICT ATTORNEY CITIZEN BUDGET ADVISORY COMMITTEE

APPOINTMENT WITHDRAWN AT APPLICANT'S REQUEST.

REGULAR AGENDA

PUBLIC COMMENT

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

NO ONE WISHED TO COMMENT.

NON-DEPARTMENTAL

- R-2 ORDER in the Matter of the Appeal of Robert W. Burnell from the Hearings Officer's Order Denying an Application for Approval of an Adult Care Home Resident Manager

COMMISSIONER COLLIER MOVED AND COMMISSIONER SALTZMAN SECONDED, MOTION TO UPHOLD THE HEARINGS OFFICER ORDER. ATTORNEY PETE KASTING EXPLANATION. COMMISSIONER HANSEN COMMENTS IN SUPPORT OF REVISITING THE ADMINISTRATIVE

RULES. COMMISSIONER KELLEY COMMENTS IN SUPPORT OF REMANDING APPEAL BACK TO THE HEARINGS OFFICER OR DIRECTING STAFF TO REVISIT THE ADMINISTRATIVE RULES. COMMISSIONER SALTZMAN COMMENTS IN SUPPORT OF HEARINGS OFFICER DECISION. CHAIR STEIN ADVISED SHE SUPPORTS THE HEARINGS OFFICER DECISION BUT WOULD BE HAPPY TO WRITE TO THE DEPARTMENT REGARDING REVISING THE ADMINISTRATIVE RULES. ORDER 95-238 APPROVED, WITH COMMISSIONERS COLLIER, SALTZMAN AND STEIN VOTING AYE, AND COMMISSIONERS KELLEY AND HANSEN VOTING NO.

R-3 RESOLUTION Approving Multnomah County's Application for SB 1145 Construction Funds and Public Safety Strategy

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-3. BILL FARVER AND PETER OZANNE EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION REGARDING SUBSTITUTE RESOLUTION CONTAINING A NEW APPENDIX AND UPDATED NUMBERS, (CONSTRUCTION COSTS \$43.4 MILLION INSTEAD OF \$47 MILLION) AND CERTAIN NON-SUBSTANTIVE LANGUAGE CLARIFICATIONS. DAN NOELLE AND TAMARA HOLDEN COMMENTS IN SUPPORT. RAY MATHIS ON BEHALF OF CITIZEN CRIME COMMISSION, TESTIMONY IN SUPPORT. LISA HORNE ON BEHALF OF THE CHIEF'S FORUM, TESTIMONY IN SUPPORT. BOARD COMMENTS IN SUPPORT. COMMISSIONERS SALTZMAN AND COLLIER WITHDREW THEIR PREVIOUS MOTION AND SECOND, AND UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER COLLIER, SUBSTITUTE RESOLUTION 95-239 WAS UNANIMOUSLY APPROVED.

CHAIR STEIN ANNOUNCED THAT COMMISSIONER GARY HANSEN WAS APPOINTED

**SECOND VICE-PRESIDENT OF THE ASSOCIATION
OF OREGON COUNTIES.**

- R-4 RESOLUTION Approving the Amended Comprehensive Plan of the Multnomah Commission on Children and Families for 1995-1997

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-4. CAROL WIRE EXPLANATION AND RESPONSE TO BOARD QUESTION. RESOLUTION 95-240 UNANIMOUSLY APPROVED.

- R-5 First Reading of an ORDINANCE Amending Ordinance No. 822, in Order to Add, Delete and Revise Exempt Pay Ranges and Titles

ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF FIRST READING. CURTIS SMITH EXPLANATION. NO ONE WISHED TO TESTIFY. FIRST READING UNANIMOUSLY APPROVED. SECOND READING THURSDAY, NOVEMBER 30, 1995.

- R-6 First Reading of an ORDINANCE Amending MCC Chapter 2.30 (County Administrative Departments) in Order to More Efficiently Align Departmental Responsibilities; Creating the Department of Management Support Services

ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF FIRST READING. COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, AMENDMENT TO CHANGE THE NAME OF THE NEW DEPARTMENT TO THE DEPARTMENT OF SUPPORT SERVICES. BILL FARVER EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. BOARD COMMENTS REGARDING PARKS, EXPO, BUDGET OFFICE AND EMERGENCY MANAGEMENT SERVICES. NO ONE WISHED TO TESTIFY. FIRST READING UNANIMOUSLY APPROVED, AS

**AMENDED. SECOND READING THURSDAY,
NOVEMBER 30, 1995.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-7 Budget Modification DES 4 Authorizing Transfer from DES to MSS Budgets to Create Positions of Manager of Information Technology and Department of Management Support Services Director; Funding Management Assistant and Administrative Secretary Positions; and Purchase Computers and Other Materials and Services, Using Salary Savings and Existing Funds

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

- R-8 ORDER Authorizing Road Drainage Maintenance of SW Collina Avenue at SW Carey Lane and SW Radcliffe Road, and SW Hedlund Avenue Between SW Carey Lane and SW Riverdale Road, Local Access Roads in Unincorporated Multnomah County

***COMMISSIONER SALTZMAN MOVED AND
COMMISSIONER KELLEY SECONDED, APPROVAL
OF R-8. CHUCK HENLEY EXPLANATION. ORDER
95-241 UNANIMOUSLY APPROVED.***

- R-9 ORDER Authorizing Execution and Acceptance of Deed of Dedication and Easements for Public Road Purposes and for a Storm Drainage Facility [Portions of NE Blue Lake Road and NE 223rd Avenue]

***COMMISSIONER KELLEY MOVED AND
COMMISSIONER COLLIER SECONDED, APPROVAL
OF R-9. JOHN DORST EXPLANATION. ORDER 95-
242 UNANIMOUSLY APPROVED.***

DEPARTMENT OF HEALTH

- R-10 Notice of Intent to Submit a Request for Funding to Local Corporations for the Students Today Aren't Ready for Sex (STARS) Postponing Sexual Involvement (PSI) Statewide Training and Evaluation Project

COMMISSIONER COLLIER MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-10. TOM FRONK AND BARBARA GLICK EXPLANATION AND COMMENTS IN SUPPORT. JUDY STRAALSUND TESTIMONY IN SUPPORT. MR. FRONK RESPONSE TO QUESTION OF COMMISSIONER SALTZMAN REGARDING CORPORATE SPONSORS AND PROJECT LOGO. NOTICE OF INTENT UNANIMOUSLY APPROVED.

- R-11 Intergovernmental Agreement 201196 with the City of Portland for Enforcement of Multnomah County Code 6.33 Regarding Ambulance/Emergency Medical Service within the City

COMMISSIONER SALTZMAN MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-11. MATT RYAN EXPLANATION. AGREEMENT UNANIMOUSLY APPROVED.

PUBLIC CONTRACT REVIEW BOARD

(Recess as the Board of County Commissioners and convene as the Public Contract Review Board)

- R-12 ORDER Authorizing Exemption to Contract with Metro Community Development Corporation to Fund Weatherization Activities at Two Multi-Unit Housing Complexes to be Converted to Low Income Housing

COMMISSIONER HANSEN MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-12. REY ESPAÑA EXPLANATION. ORDER 95-243 UNANIMOUSLY APPROVED.

(Adjourn as the Public Contract Review Board and convene as the Budget Committee)

BUDGET COMMITTEE

(Recess as the Board of County Commissioners and convene as the Budget Committee)

R-13 RESOLUTION Accepting the 1995-96 Supplemental Budget and Preparing the Approved Supplemental Budget for Submittal to the Tax Supervising and Conservation Commission

COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-13. DAVE WARREN, GINNIE COOPER, CRAIG CALKINS AND AMY JOSLIN PRESENTATION, EXPLANATION AND RESPONSE TO BOARD QUESTIONS. RESOLUTION 95-244 UNANIMOUSLY APPROVED.

(Adjourn as the Budget Committee and reconvene as the Board of County Commissioners)

The regular meeting was adjourned at 10:55 am and the briefing convened at 11:00 am.

Tuesday, November 21, 1995 - 11:00 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

BOARD BRIEFING

B-1 Patterns of Growth Inside and Outside the Urban Growth Boundary, and How that Growth is Reflected in the Housing Market. Presented by Pat Ritz of Oregon Title.

COMMISSIONER SALTZMAN, MINDY SULLIVAN, PAT RITZ AND DAVID BELL PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION.

Commissioner Collier was excused at 11:45 a.m.

Chair Stein was excused at 11:58 a.m.

There being no further business, the meeting was adjourned at 12:08 p.m.

Tuesday, November 21, 1995 - 1:30 PM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

APPEAL HEARING

Chair Beverly Stein convened the meeting at 1:32 p.m., with Vice-Chair Sharron Kelley, Commissioners Gary Hansen, Tanya Collier and Dan Saltzman present.

- H-1 Review of the Merit System Civil Service Council Decision in the Matter of the Appeal of James Gerhardt, Robert O'Donnell and Scott Rayfield

BOARD ATTORNEY ANNA KANWIT EXPLAINED PROCESS. COUNTY COUNSEL STEVE NEMIROW PRESENTATION ON BEHALF OF EMPLOYEE SERVICES. JAMES GERHARDT, BOB O'DONNELL AND SCOTT RAYFIELD TESTIMONY IN OPPOSITION TO COUNCIL DECISION. MR. RAYFIELD RESPONSE TO A QUESTION OF COMMISSIONER SALTZMAN REGARDING PROMOTION LIST. MR. NEMIROW RESPONSE TO BOARD QUESTIONS AND DISCUSSION ON RULES REGARDING TIMELINE FOR PROMOTION LIST. MS. KANWIT RESPONSE TO BOARD QUESTIONS AND DISCUSSION ON BOARD OPTIONS TO UPHOLD, OVERTURN, OR REMAND THE COUNCIL DECISION. COMMISSIONER COLLIER MOVED, SECONDED BY COMMISSIONER HANSEN, UPHOLD THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF THE MERIT COUNCIL SYSTEM CIVIL SERVICE. CHAIR STEIN COMMENTS IN OPPOSITION TO MOTION. COMMISSIONERS COLLIER AND SALTZMAN COMMENTS IN SUPPORT OF MOTION. COMMISSIONER KELLEY COMMENTS IN OPPOSITION TO MOTION. FOLLOWING DISCUSSION, COMMISSIONER COLLIER MOVED, SECONDED BY COMMISSIONER HANSEN, MOTION IN SUPPORT OF THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF THE MERIT SYSTEM CIVIL SERVICE COUNCIL.

**FOLLOWING BOARD COMMENTS, MOTION
APPROVED, WITH COMMISSIONERS HANSEN,
COLLIER AND SALTZMAN VOTING AYE, AND
COMMISSIONERS KELLEY AND STEIN VOTING
NO.**

*There being no further business, the hearing was adjourned at 2:25 p.m. and
the briefing convened at 2:26 p.m.*

Tuesday, November 21, 1995 - 2:30 PM
(OR IMMEDIATELY FOLLOWING APPEAL HEARING)

Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

BOARD BRIEFING

- B-2 Update on the Activities of the Housing Authority of Portland, Expected Impacts of Federal Funding and Regulatory Changes, and Potential Opportunities for Cooperative Efforts with Multnomah County. Presented by Howard Shapiro, Housing Authority Board Chair.

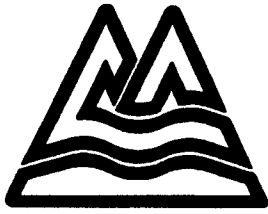
**COMMISSIONER SALTZMAN, HOWARD SHAPIRO,
DENNY WEST AND HELEN BIRNEY
PRESENTATION AND RESPONSE TO BOARD
QUESTIONS AND DISCUSSION.**

There being no further business, the meeting was adjourned at 3:11 p.m.

OFFICE OF THE BOARD CLERK
FOR MULTNOMAH COUNTY, OREGON

Deborah L. Bogstad

Deborah L. Bogstad



MULTNOMAH COUNTY OREGON

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

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

AGENDA

MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

FOR THE WEEK OF

NOVEMBER 20, 1995 - NOVEMBER 24, 1995

Tuesday, November 21, 1995 - 9:30 AM - Regular Meeting Page 2

Tuesday, November 21, 1995 - 11:00 AM - Briefing..... Page 5

Tuesday, November 21, 1995 - 1:30 PM - Appeal Hearing..... Page 5

Tuesday, November 21, 1995 - 2:30 PM - Briefing..... Page 5

THURSDAY, NOVEMBER 23, 1995 -HOLIDAY - OFFICES CLOSED

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

Thursday, 9:30 AM, (LIVE) Channel 30

Friday, 10:00 PM, Channel 30

Sunday, 1:00 PM, Channel 30

Produced through Multnomah Community Television

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

AN EQUAL OPPORTUNITY EMPLOYER

*Tuesday, November 21, 1995 - 9:30 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland*

REGULAR MEETING

CONSENT CALENDAR

NON-DEPARTMENTAL

- C-1 *Appointment of SUSAN OLIVER to the COMMUNITY AND FAMILY SERVICES CITIZEN BUDGET ADVISORY COMMITTEE*
- C-2 *Re-Appointment of KATHLEEN TODD to the NON-DEPARTMENTAL CITIZEN BUDGET ADVISORY COMMITTEE*
- C-3 *Re-Appointment of WINZEL HAMILTON to the DISTRICT ATTORNEY CITIZEN BUDGET ADVISORY COMMITTEE*

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-4 *CU 8-95 Hearings Officer Decision Approving Conditional Use Request for a Single Family Dwelling Not Related to Forest Management in the Commercial Forest Use Zoning District, for Property Located at 13838 NW ROCK CREEK ROAD*
- C-5 *ORDER Authorizing Execution of Deed D961263 Upon Complete Performance of a Contract to Virginia M. Belazer*

DEPARTMENT OF JUVENILE JUSTICE SERVICES

- C-6 *Intergovernmental Revenue Agreement 700216 with Children's Services Division Funding Catherine Freer Wilderness Therapy Expedition Services for a Gang Involved Youth*
- C-7 *Budget Modification DJJS 5 Adding \$2,860 State Children's Services Division Revenue to the Office of Program Development Budget to Fund Catherine Freer Wilderness Therapy Services for a Gang Involved Youth*

SHERIFF'S OFFICE

- C-8 *Dispenser Class A Liquor License Renewal for CRACKER BARREL GROCERY, 15005 NW SAUVIE ISLAND ROAD, PORTLAND*

REGULAR AGENDA

PUBLIC COMMENT

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

NON-DEPARTMENTAL

- R-2 *ORDER in the Matter of the Appeal of Robert W. Burnell from the Hearings Officer's Order Denying an Application for Approval of an Adult Care Home Resident Manager (CONTINUED FROM NOVEMBER 9, 1995)*
- R-3 *RESOLUTION Approving Multnomah County's Application for SB 1145 Construction Funds and Public Safety Strategy*
- R-4 *RESOLUTION Approving the Amended Comprehensive Plan of the Multnomah Commission on Children and Families for 1995-1997*
- R-5 *First Reading of an ORDINANCE Amending Ordinance No. 822, in Order to Add, Delete and Revise Exempt Pay Ranges and Titles*
- R-6 *First Reading of an ORDINANCE Amending MCC Chapter 2.30 (County Administrative Departments) in Order to More Efficiently Align Departmental Responsibilities; Creating the Department of Management Support Services*

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-7 *Budget Modification DES 4 Authorizing Transfer from DES to MSS Budgets to Create Positions of Manager of Information Technology and Department of Management Support Services Director; Funding Management Assistant and Administrative Secretary Positions; and Purchase Computers and Other Materials and Services, Using Salary Savings and Existing Funds*
- R-8 *ORDER Authorizing Road Drainage Maintenance of SW Collina Avenue at SW Carey Lane and SW Radcliffe Road, and SW Hedlund Avenue Between SW Carey Lane and SW Riverdale Road, Local Access Roads in Unincorporated Multnomah County*

- R-9 *ORDER Authorizing Execution and Acceptance of Deed of Dedication and Easements for Public Road Purposes and for a Storm Drainage Facility [Portions of NE Blue Lake Road and NE 223rd Avenue]*

DEPARTMENT OF HEALTH

- R-10 *Notice of Intent to Submit a Request for Funding to Local Corporations for the Students Today Aren't Ready for Sex (STARS) Postponing Sexual Involvement (PSI) Statewide Training and Evaluation Project*
- R-11 *Intergovernmental Agreement 201196 with the City of Portland for Enforcement of Multnomah County Code 6.33 Regarding Ambulance/Emergency Medical Service within the City*

PUBLIC CONTRACT REVIEW BOARD

(Recess as the Board of County Commissioners and convene as the Public Contract Review Board)

- R-12 *ORDER Authorizing Exemption to Contract with Metro Community Development Corporation to Fund Weatherization Activities at Two Multi-Unit Housing Complexes to be Converted to Low Income Housing*
- (Adjourn as the Public Contract Review Board and convene as the Budget Committee)*

BUDGET COMMITTEE

(Recess as the Board of County Commissioners and convene as the Budget Committee)

- R-13 *RESOLUTION Accepting the 1995-96 Supplemental Budget and Preparing the Approved Supplemental Budget for Submittal to the Tax Supervising and Conservation Commission*
- (Adjourn as the Budget Committee and reconvene as the Board of County Commissioners)*
-

Tuesday, November 21, 1995 - 11:00 AM
(OR IMMEDIATELY FOLLOWING REGULAR MEETING)
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

BOARD BRIEFING

- B-1 Patterns of Growth Inside and Outside the Urban Growth Boundary, and How that Growth is Reflected in the Housing Market. Presented by Pat Ritz of Oregon Title. 1 HOUR REQUESTED.*
-

Tuesday, November 21, 1995 - 1:30 PM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

APPEAL HEARING

- H-1 Review of the Merit System Civil Service Council Decision in the Matter of the Appeal of James Gerhardt, Robert O'Donnell and Scott Rayfield*
-

Tuesday, November 21, 1995 - 2:30 PM
(OR IMMEDIATELY FOLLOWING APPEAL HEARING)
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

BOARD BRIEFING

- B-2 Update on the Activities of the Housing Authority of Portland, Expected Impacts of Federal Funding and Regulatory Changes, and Potential Opportunities for Cooperative Efforts with Multnomah County. Presented by Howard Shapiro, Housing Authority Board Chair. 45 MINUTES REQUESTED.*

Meeting Date: NOV 21 1995
Agenda No. : C-1

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

AGENDA PLACEMENT FORM

SUBJECT: Appointments/Reappointments to Citizen Advisory Boards & Commissions

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

[illegible]

DEPARTMENT: Nondepartmental DIVISION: Chair's Office

[illegible]

PERSON(S) MAKING PRESENTATION:

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

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

Appointment of Susan Oliver to Position #1 on the Community & Family Services Citizen Budget Advisory Committee for a term ending 9/30/98.

Reappointments of Kathleen Todd to Position #6/Nondepartmental Citizen Budget Advisory Committee and Winzel Hamilton to Position #6/District Attorney Citizen Budget Advisory Committee for terms ending 9/30/96.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Beverly Stunt

OR

MANAGER:

Any Questions? Call the Office of the Board Clerk at 248-3277 or 248-5222.
forms\apf.doc

195 NOV - 3 PM - 19
WILLAMETTE COUNTY
OREGON

MULTNOMAH COUNTY CITIZEN INVOLVEMENT COMMITTEE
CBAC INTEREST FORM

NAME SUSAN N. OLIVER
HOME ADDRESS 2025 N. SARATOGA ZIP 97217 PHONE 289-698
EMPLOYER Self-Employed
OCCUPATION Accountant

OPTIONAL: Age 50 Sex F
African American Native American Hispanic
Asian/Pacific White X other

ARE YOU A RESIDENT OF MULTNOMAH COUNTY? YES X NO

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

VOLUNTEER/BOARD/COMMITTEE EXPERIENCE CAB 85-91, N/NE community
mental Health Center 78-88, Portsmouth Trinity Lutheran
CHURCH - PRESIDENT of Women - 1986 - Present

OTHER RELEVANT EXPERIENCE AAWW - Education + Legislative Comm. Hrc
ABWA - TREASURER + Secretary; ALC + ALCW - Portland Conference -
Treasurer;

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

1. Jane King 245 SE 108th, Portland 252-9850
2. Sue Nelson 8102 N. Crawford, 97203 286-0024

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

SIGNATURE Susan N. Oliver DATE 8/10/95

I AM IN A wheel chair from stroke (6/91) + MS.

Please return to: Office of Citizen Involvement, 2115 SE Morrison
Portland, Oregon 97214; Phone: 248-3450

Meeting Date: NOV 21 1995
Agenda No. : C-2

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

AGENDA PLACEMENT FORM

SUBJECT: Appointments/Reappointments to Citizen Advisory Boards & Commissions

BOARD BRIEFING: Date Requested:
Amount of Time Needed:

REGULAR MEETING: Date Requested: 11/21/95
Amount of Time Needed: Consent Agenda

DEPARTMENT: Nondepartmental DIVISION: Chair's Office

CONTACT: Delma Farrell TELEPHONE: X-3953
BLDG/ROOM: 106/1515

PERSON(S) MAKING PRESENTATION:

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

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

Appointment of Susan Oliver to Position #1 on the Community & Family Services Citizen Budget Advisory Committee for a term ending 9/30/98.

-Reappointments of Kathleen Todd to Position #6/Nondepartmental Citizen Budget Advisory Committee and Winzel Hamilton to Position #6/District Attorney Citizen Budget Advisory Committee for terms ending 9/30/96.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Beverly Stein

OR

MANAGER: _____

Any Questions? Call the Office of the Board Clerk at 248-3277 or 248-5222.
forms\apf.doc

1995 NOV -9 PM 4:19
MULTI-DISTRICT COURT
CLERK
OREGON

Meeting Date: NOV 21 1995
Agenda No. : C-3

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

AGENDA PLACEMENT FORM

SUBJECT: Appointments/Reappointments to Citizen Advisory Boards & Commissions

BOARD BRIEFING: Date Requested:
Amount of Time Needed:

REGULAR MEETING: Date Requested: 11/21/95
Amount of Time Needed: Consent Agenda

DEPARTMENT: Nondepartmental DIVISION: Chair's Office

CONTACT: Delma Farrell TELEPHONE: X-3953
BLDG/ROOM: 106/1515

PERSON(S) MAKING PRESENTATION:

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

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

Appointment of Susan Oliver to Position #1 on the Community & Family Services Citizen Budget Advisory Committee for a term ending 9/30/98.

Reappointments of Kathleen Todd to Position #6/Nondepartmental Citizen Budget Advisory Committee and Winzel Hamilton to Position #6/District Attorney Citizen Budget Advisory Committee for terms ending 9/30/96.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Beverly Stein

OR

MANAGER: _____

Any Questions? Call the Office of the Board Clerk at 248-3277 or 248-5222.
forms\apf.doc

1995 NOV - 9 PM 4:19
MULTIPLA COUNTY
OREGON

Meeting Date: NOV 21 1995

Agenda No: C-4

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Reporting of a Hearings Officers decision in the matter of CU 8-95.

BOARD BRIEFING Date Requested:

Amount of Time Needed:

REGULAR MEETING Date Requested: November 21, 1995

Amount of Time Needed: 5 minutes

DEPARTMENT: DES

DIVISION: Planning

CONTACT: Bary Manning

TELEPHONE: 248-3043

BLDG /ROOM: 412/Plan

PERSON(S) MAKING PRESENTATION: Bary Manning

ACTION REQUESTED

☐ Informational Only ☐ Policy Direction ☒ Approval ☐ Other

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

Reporting of Multnomah County Hearings Officer decision in the matter of CU 8-95.
Conditional Use approval for a dwelling not related to forest management in the Commercial Forest Use zoning district.

SIGNATURES REQUIRED:

Elected Official: _____

OR

Department Manager: KB Lawrence Nicholas

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
1995 NOV - 9 PM 4:36



BOARD HEARING OF November 21, 1995

TIME 1:30pm

CASE NAME Conditional Use Request: CU 8-95

NUMBER

CU 8-95

1. Applicant Name/Address

William Drevescraft
1655 SW Highland Parkway
Portland, OR 97221

2. Action Requested by Applicant

Conditional Use approval for a dwelling not related to forest
management in the
Commercial Forest Use zoning district.

ACTION REQUESTED OF BOARD	
<input checked="" type="checkbox"/>	Affirm Plan.Com./Hear.Of
<input type="checkbox"/>	Hearing/Rehearing
<input type="checkbox"/>	Scope of Review
<input type="checkbox"/>	On the record
<input type="checkbox"/>	De Novo
<input type="checkbox"/>	New Information allowed

3. Planning Staff Recommendation

CU 8-95: Approval, subject to conditions

4. Hearings Officer Decision:

CU 8-95: Approval, subject to conditions

5. If recommendation and decision are different, why?

6. The following issues were raised:

Janet Metzger appeared and testified in oppositon to the application. Ms. Metzger did not address any of the ordinance criteria. Rather, she took issue with the criteria and provisions of the code that allow dwellings on lots record under the template test.

7. Policy implications related to this case:

None

HEARINGS OFFICER DECISION

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

November 1, 1995

CU 8-95 **CONDITIONAL USE REQUEST FOR SINGLE FAMILY DWELLING
NOT RELATED TO FOREST MANAGEMENT**

Applicant requests Conditional Use approval to develop a single family residence not related to forest management in the CFU zoning district.

LOCATION: 13838 NW Rock Creek Road

MAP DESCRIPTION: Tax Lot 9, Section 26, T2N, R2W

SITE SIZE: 18.50 acres

PROPERTY OWNER
AND APPLICANT: William L. Drevescraft
 1655 SW Highland Parkway
 Portland, Oregon 97221

PLAN DESIGNATION: Commercial Forest; Significant Goal 5 Resource
 Area

ZONING DISTRICT: CFU (Commercial Forest Use District) Tualatin
 Basin

HEARINGS OFFICER DECISION:

CONDITIONAL USE
(CU 8-95):

Approve, subject to conditions, Development of this property with a single family dwelling not related to forest management, based on the findings and conclusions, contained herein.

BOARD OF
COUNTY COMMISSIONERS
1995 NOV - 9 PM 4:34
MULTNOMAH COUNTY
OREGON

CONDITIONS OF CONDITIONAL USE APPROVAL

1. Approval of this conditional use shall expire two years from the date of this order unless substantial construction has taken place in accordance with MCC 11.15.7110(C).

2. The dwelling location is restricted to the area indicated on the submitted site plan.
3. Prior to approval of building permits, applicant must provide evidence that a stocking survey report has been submitted to the County Tax Assessor in accordance with OAR 660-06-029(5)(C). The Assessor will then determine whether the property can receive tax deferral status.
4. Prior to the issuance of a building permit, the property owner shall provide to the Division of Planning and Development, a copy of the recorded restrictions acknowledging the rights of nearby properties to conduct farm and forest practices. A prepared form is available at the Planning offices.
5. Prior to the issuance of a building permit for the dwelling, applicant will submit a copy of a well report demonstrating that a domestic water supply is available on the property, that complies with the provisions of MCC 11.15.2074(C).
6. Prior to the issuance of a building permit, applicant shall establish primary and secondary fire safety zones around the proposed site of the structure. As long as the property is under forest resource zoning, applicant will maintain primary and secondary fire safety zones around all structures in accordance with MCC 11.15.2074(A)(5)(b), and as required by the Forest Practice Rules under the Department of Forestry, Forest Management Plan.
7. The dwelling shall have a fire retardant roof and all chimneys shall be equipped with spark arrestors in accordance with the requirements of OAR 660-06-035(4) and (6). The dwelling shall also comply with the Uniform Building Codes, be attached to a foundation for which a building permit has been obtained, and have a minimum floor area of 600 square feet.
8. Any fences erected shall be erected in accordance with the standards of MCC 11.15.6426(B)(3).
9. Residential landscaping areas (also known as the "cultivated area") shall not exceed one acre in size and shall be contiguous to the proposed dwelling in conformance with standards for wildlife habitat areas (MCC 11.15.6426).
10. No species of an invasive vegetation (English Ivy, Vinca, etc.) shall be introduced in the "cultivated" area contiguous to the proposed dwelling. The remaining portion of the parcel shall be left in native vegetation unless altered in conjunction with an approved forest management plan, or to comply with primary and secondary fire safety zone requirements.

11. Prior to issuance of the building permit, applicant shall demonstrate compliance with MCC 11.15.6700-.6735 and/or obtain approval of the hillside development and erosion control permit.
12. Development of this property shall be limited to the dates specified in MCC 11.15.6428(F). Soil disturbing activity within the 100 foot riparian corridor of Rock Creek Tributary II (South), shall be limited to the period between June 15th and September 15th. Revegetation and/or soil stabilization within the riparian area of Rock Creek Tributary II (South), shall be accomplished no later than October 15th.

PARTY STATUS

PARTIES AGENTS AND WITNESSES TO THE PROCEEDING.

1. Parties:

The persons, agencies and organizations who submitted written or oral testimony in this proceeding on their own behalf are parties to the proceeding. MCC 11.15.8225(A)(1). These persons were:

A. Applicant and Owner, William L. Drevescraft, 1655 SW Highland Parkway, Portland, OR 97221

B. Person opposed to the application:

(1) Janet Metzger (appeared in person)

C. Determination of Party Status:

(1) William L. Drevescraft is the applicant and property owner and has party status.

(2) Janet Metzger is entitled to party status pursuant to MCC 11.15.8225(A)(2) and made an appearance of record personally in accordance with MCC 11.15.8225(B).

2. Agents for Parties:

Persons who submitted testimony, but only in the capacity of a representative for one of the parties and not on their own behalf are agents of the parties to these proceedings. That person was:

A. Agent for applicant, Lynette Jones, 22601 NW Dairy Creek Road, Cornelius, OR 97113

PROCEDURAL ISSUES

1. Impartiality of the Hearings Officer.
 - A. No ex parte contacts. I did not have any ex parte contacts prior to the hearing of this matter.
 - B. No conflicting personal or financial or family interest. I have no financial interest in the outcome of this procedure. I have no family or financial relationship with any of the parties.
2. Procedural Issues.

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

BURDEN OF PROOF

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

FACTS

1. Applicant's Proposal. Applicant requests a conditional use approval to develop an 18.50 acre lot with a single family dwelling not related to forest management.
2. Site and Vicinity Information.
 - A. The subject parcel is located on Rock Creek Road, west of Skyline Boulevard in the rural West Hills area of unincorporated Multnomah County. The parcel measures 1,338 feet wide by 648 feet deep. The property is roughly bisected diagonally by Rock Creek Road, which generally follows the course of Rock Creek in the area. Elevation of the subject parcel is 420 to 550 feet, with slopes from 10 to 20% on the northeast side of the road and slopes much greater on the southwest section of the parcel, 30 to 80%. The proposed building site is relatively level in comparison to the remainder of the site. The applicant submitted a geotechnical analysis which indicates that the building site has slopes of 5 to 20%. The building site is indicated on the site plan. The slides presented during the course of the staff report showed relatively minimal slope at the area of the building site.
 - B. The site is currently being used for timber production. Eight acres of the subject property to the east of NW Rock Creek Road were harvested in 1989. This area was restocked

in 1990. The trees to the west of NW Rock Creek Road are approximately 30 years old and cover approximately 10 acres of the southwest portion of the property. The property is surrounded by other properties located in the CFU Zone. Parcels in the immediate vicinity vary in size, ranging from less than one acre to over 35 acres.

3. Testimony and Evidence Presented.

A. The case file for CU 8-95 contains numbered exhibits 1 through 15f. In addition, at the hearing Barry Manning presented a staff report which included slides that will be referred to as Exhibit 16. The entire case file has also been received and reviewed. The following numbered exhibits have been received by the Hearings Officer.

- (1) Application package and narrative
- (2) Significant Environmental Concern (SEC) application narrative
- (3) Letter from applicant supplying additional application information
- (4) 1994 air photo of vicinity depicting forested/cleared areas, roads, and applicant's template test
- (5) Site Plan (primary)
- (6) Staff template test analysis
- (7) Goal 5 Significant Wildlife Habitat areas map
- (8) Big Game Winter Habitat Area map
- (9a-b) Site plan depicting Goal 5 Stream Conservation Area
- (10) Geotechnical Analysis / HDP Form-1
- (11) Site Plan depicting fire protection zones and proposed driveway grades
- (12) Site Plan depicting proposed utility installation locations and stormwater drainage
- (13) West Hills Rural Area Plan - selected sections
- (14) Reforestation certification letter from Oregon Department of Forestry
- (15a-f) Utility and service provision forms
- (16) Slides of the site

- B. Barry Manning testified for the county, summarized the history of the application and his staff report and identified the slides of the site and surrounding property which slides are listed as Exhibit (16) herein. In addition, he stated factual evidence indicating that the lot in question was a lot of record that existed prior to January 25, 1990. The lot is on land that has a soils type which is capable of producing 85 cubic feet of Douglas Fir timber per acre per year. Accordingly, the standards of MCC 11.2052(A)(3)(c) would be applicable in determining whether a dwelling not related to forest management may be allowed on the subject lot. The lot, in fact, was created in 1962 in accordance with standards applicable at that time. Evidence was submitted addressing the criteria in MCC 11.2052(A)(3)(c). The additional facts stated in the Staff Report are hereby incorporated by this reference herein. Maps describing the property are attached hereto as Exhibits A, B, and C and are incorporated by this reference herein.
- C. Lynette Jones, the applicant's representative, verified and reiterated a number of items that the applicant had submitted with the materials, much of which is enclosed in the above-referenced exhibits and which I would incorporate by this reference herein. In addition, Ms. Jones indicated that a portion of the parcel had been logged and restocked to forestry standards. The proposed driveway for the residence would be over the old logging road. She also indicated that the applicant would comply with all standards in the zone and all conditions imposed. She further indicated that there would be no fencing on site and that the geological reports verified the slope and stability of the area.
- D. Janet Metzger, a resident of Rock Creek Road who lives outside the notice area for the hearing, appeared and testified in opposition to the application. However, Ms. Metzger did not address any of the ordinance criteria. Rather, Ms. Metzger took issue with the criteria and the provisions of the Code which allowed the construction of a residence on the lot of record in the CFU Zone. She indicated that she did not think any residences should be allowed on a lot of less than 80 acres. Accordingly, her testimony dealt with issues that could only be dealt with by the Board of County Commissioners legislatively, as opposed to the specific ordinance criteria which I must address as Hearings Officer.

STANDARDS AND CRITERIA ANALYSIS AND FINDINGS OF FACT

1. Conditional Use Approval Criteria for a Dwelling Not Related to Forest Management in the Commercial Forest Use Zone.

The lot in question is located within the Commercial Forest Use Zone. A dwelling not related to forest management is permitted as a conditional use pursuant to 11.15.2050(B) pursuant to the provisions of MCC .2052 and .2074.

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

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

Analysis: The applicants have submitted evidence indicating that the parcel was created by deed in 1962. The lot is shown on the 1962 Multnomah County Zoning Map, where it appears in the F-2 (Agricultural/Timber Growing District - Two Acre Minimum Lot Size) District. At 18.50 acres, the parcel exceeds the minimum parcel size for the zoning at the time of creation. Therefore, this parcel met the zoning in effect in 1962. The parcel is not contiguous to another substandard parcel or parcels under the same ownership. OAR 660-06-027(5)(A) further expands on the definition of contiguous ownership. That section provides that "tract" means one or more contiguous lots or parcels in the same ownership. The tract shall not be considered to consist of less than the required acreage because it is crossed by a public road or waterway. There are no other dwellings on the parcel. Therefore, the lot does qualify as a lot of record pursuant to the standards of MCC 11.15.2062 and the relevant provisions of OAR 660-06. I find that this standard has been met.

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

Analysis: At 18.50 acres the lot is sufficient size, and dimensions (1338 feet by 648 feet) are adequate to accommodate the proposed dwelling and meet the setbacks of the CFU Zone. The proposed dwelling will be over 60 feet from Rock Creek Road, a County maintained road, and will be greater than 200 feet from all other property lines. Accordingly, I find that this standard has been met.

(3) The lot shall meet the following standards: . . .

- (c) The lot shall be composed primarily of soils which are capable of producing above 85 cf/ac/yr of Douglas Fir timber; and
 - (i) The lot and at least all or part of 11 other lots [that existed on January 1, 1993, OAR 660-06-027(1)(d)(C)(i)] exist within a 160-acre square when centered on the center of the subject lot parallel and perpendicular to section lines; and
 - (ii) Five dwellings [that existed on January 1, 1993, OAR 660-06-027(1)(d)(C)(ii)] exist within the 160-acre square.

Analysis: The subject property is comprised primarily of soils which are capable of producing 85 cf/ac/yr of Douglas Fir timber. Those soils are Wauld very gravely loam (56E) and Cascade silt loam (7E). The applicant has provided information based on maps and assessor's information indicating that at least 15 lots and 5 dwellings which existed on January 1, 1993, fall within that 160 acre square. The staff has, in fact, confirmed the existence of the requisite number of lots. The applicant has contended that 6 homesites exist within the template area. However, staff research indicates that there are 4 existing dwellings and a dwelling which existed on January 1, 1993 but was destroyed by fire in 1995. Accordingly, since that party would have the right to rebuild the house, that homesite is being counted to meet the template test requirements. Therefore, the application in question meets the standards for parcelization within the applicable timber productivity range. Based on the evidence in the record I find that the parcel soils exceed 85 cf/ac/yr, and that the parcel also satisfies the test of MCC 11.15.2052(c).

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

Analysis: The lots and dwellings counted and referenced above are not located within an urban growth boundary. Accordingly, I find that this standard has been met.

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

Analysis: The applicant has presented evidence indicating that the parcel's annual cubic feet production calculates out to be 2,405 cubic feet. Staff indicated in the report that the parcel actually appears to be made up of two types of soils. Mr. Manning clarified the staff comments and

indicated that there was actually a typographical error in his staff report. In staff's view, the annual timber production for the two types of soils would range between 2200 cf to 3034 cf for the parcel. The figures in his staff report were not intended to apply per acre. They were figures for the entire parcel. Accordingly, I find that the lot is not capable of producing 5000 cf of wood fiber per year.

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

Analysis: The evidence in the file indicates there are forestry zoned (CFU) properties adjacent to all sides of the property. Recognizing that all such CFU lands have the potential to practice intensive forestry management activities, such as aerial spraying, helicopter assisted harvesting of logs, heavy equipment operations, and cable assisted logging, the applicant has complied with all of the required setbacks in order to meet the safety standard with regards to all anticipated activities related to timber management and harvesting, thereby mitigating any potential adverse impacts.

The proposed dwelling location has been designed to provide maximum setback distances based upon identified land uses to assure a reasonable effort in reducing the impacts to the adjacent property.

Staff concurs that the proposed dwelling will not have any adverse impacts on farming or forestry on surrounding parcels, as the dwelling complies with the setbacks required in the Commercial Forest Use Zoning district. In addition, the owners will be required, as a condition of building permit approval, to submit proof that a statement has been recorded with the Division of Records stating that the owner and successors in interest acknowledge the rights of owners of nearby property to conduct forest operations consistent with the Forest Practices Act and Rules and to conduct accepted farming practices.

Based on the evidence in the record, I find that the dwelling will not force a significant change in, significantly increase the costs of, or impede accepted farming or forest practices on surrounding forest or agricultural lands.

- (5) The dwelling will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife, or that agency has certified that the impacts of the additional dwelling, considered with approvals of other

dwelling in the area since acknowledgement of the Comprehensive Plan in 1980, will be acceptable.

Analysis: The subject property is located outside the Big Game Winter habitat area. Accordingly, I find that applicant has demonstrated that they have met the standard of MCC 11.15.2052(A) (5).

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

Analysis: The proposed dwelling is located within the boundaries of Multnomah County RFPD 20. I find this standard has been met.

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

Analysis: Since the lot which is the subject of this application has direct access to a public road, no road use permit would be required and I find this standard is inapplicable.

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

Analysis: The Multnomah County Code requires that a parcel on which a dwelling not related to forest management is sited, must be disqualified from receiving a farm or forest tax deferral. However, OAR 660-06-029(5) provides that a dwelling in a forest zone may still receive a tax deferral if they meet the Department of Forestry stocking requirements and submit a stocking survey report to the County Assessor. Therefore, the applicant should submit a stocking report pursuant to OAR 660-06-029(5). I find that the provisions of OAR 660-06-029(5) do, however, prohibit the county from requiring that the lot be permanently disqualified from receiving a forest tax deferral.

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

MCC .2074 Development Standards for Dwellings and Structures.

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

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

Analysis: The applicant proposes to minimize possible effects on surrounding resource lands by maintaining setbacks of at least 200 feet. Furthermore, the topography lends itself to placement of a homesite in this area. The dwelling has been sited to protect natural riparian buffer zones. The proposed homesite will continue to keep the majority of land planted in trees. The proposed homesite is a part of an old logging deck site. It is already cleared. After the dwelling is established, this deck site will still be functional for future harvesting of timber and the driveway will serve a dual purpose. Accordingly, I find siting the dwelling in the proposed location will cause the least impact on nearby forest and agricultural lands, since it is being sited in accordance with CFU Zoning district setbacks and is being placed in an area that has already been cleared. Accordingly, I find that the applicant has met this standard.

- (2) Forest operations and accepted farming practices will not be curtailed or impeded. [OAR 660-06-029(1)(B): *The siting insures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;*]

Analysis: The proposed site for the location of the dwelling on the subject tract is an area that has already been cleared of trees. Because the area in question has been cleared, siting the dwelling there will result in little or no removal of additional trees, thereby allowing the balance of the forested portion of the tract to be utilized for forest practices. The home was placed in such a way as to decrease the risk of fire, and also to not impede the access of logging related equipment from accessing the log deck, which will be to the northwest of the round-about. A condition that the cultivated area be limited to an area not exceeding one acre in size contiguous to the proposed dwelling will further minimize adverse impacts on forest operations and accepted forest practices. In addition, the owner shall be required, as a condition of building permit approval, to submit proof that a statement has been recorded with the Division of Records stating that

the owner and the successors in interest acknowledge the right of owners of nearby property to conduct forest operations consistent with the Forest Practices Act and Rules, and to conduct accepted farming practices. I find that the applicant has met this standard.

- (3) The amount of forest land used to site the dwelling or other structure, access road, and service corridor is minimized.

Analysis: The dwelling site will not exceed one acre, including the driveway. The amount of forest land used to site this dwelling is relatively small and may be the minimum necessary, given the setback and access requirements of the CFU Zoning district. The cultivated area for the dwelling will be limited to one acre, which further limits the amount of forest land used to site the dwelling. I find that the applicant has demonstrated that the amount of forest land used to site the proposed dwelling is minimized.

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

Analysis: The access road is less than 300 feet in length. Therefore, I find this criteria does not apply.

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

- (a) Access for a pumping fire truck to within 15 feet of any perennial water source on the lot. The access shall meet the driveway standards of MCC .2074(D) with permanent signs posted along the access route to indicate the location of the emergency water source;

Analysis: Access to the perennial Rock Creek will be from the County road. Permanent signs will be posted along the access route to indicate the location of the emergency water source. The access will meet the driveway standards of MCC .2074(D). Accordingly, I find that the standards of this section have been met.

- (b) Maintenance of a primary and secondary fire safety zone.

- (i) A primary fire safety zone is a fire break extending a minimum of 30 feet in

all directions around a dwelling or structure. . . .

- (ii) On lands with 10 percent or greater slope the primary fire safety zone shall be extended down the slope from a dwelling or structure as follows:

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

- (iii) A secondary fire safety zone is a fire break extending a minimum of 100 in all directions around the primary safety zone. . . .

- (iv) No requirement in (i), (ii) or (iii) above may restrict or contradict a forest management plan approved by the State of Oregon Department of Forestry pursuant to the State Forest Practice Rules; and

Analysis: Adequate room exists on site to maintain the primary and secondary fire safety zones. The homesite is in an area of slopes with approximately 5 to 20% according to the applicant's geotechnical analysis. Accordingly, the primary fire safety zone should be extended downslope from the existing dwelling an additional 50 feet in accordance with MCC .2074(A)(5)(b)(ii) unless further geotechnical or survey analysis determines that slopes are less than 10% on this portion of the site. The secondary fire safety zone should extend an additional 100 feet beyond the perimeter of the primary fire protection zone. Accordingly, I find that the risks associated with wildfire are, and can be, minimized at the site. However, I will add a condition that the applicant be required to maintain primary and secondary fire safety zones around all structures in accordance with MCC 11.15.2074(A)(5)(b). This requirement will be a condition of approval for a building permit.

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

Analysis: The evidence in the record indicates that the slope at the proposed building site varies from 5 to 20%. The slides presented by staff presented a visual verification of relatively minimal slopes. Accordingly, I

find that the building site has a slope of less than 40% and that this standard is met.

(B) The dwelling shall:

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

OAR 660-06-035(5) The dwelling shall have a fire retardant roof.

OAR 660-60-035(6) If the dwelling has a chimney, or chimneys, each chimney shall have a spark arrestor.

Analysis: The applicant has indicated that the dwelling which will be placed on the property will meet all building code requirements. The proposed dwelling will be attached to a foundation and have the appropriate building permit. The floor area will exceed 600 square feet. The building will have a fire retardant roof and the chimney will have a spark arrestor. These requirements of the Oregon Administrative Rules will be listed as conditions of approval. Accordingly, I find that the applicant can meet, through imposition of conditions, the requirements for this standard.

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

Analysis: This standard prohibits taking water from a Class II stream. The applicant proposes to drill a well on the property for the domestic water supply. This does appear to be feasible. That source of water would comply with this standard. Prior to the issuance of a building permit, applicant will be required to provide proof of an adequate

domestic water supply from a well. This determination can be made administratively.

I find that the applicant can meet this standard by the imposition of a condition in this order, that he submit a well report demonstrating that a domestic water supply is available to his property.

- (D) A driveway accessing a dwelling shall be designed, built and maintained in accordance with the standards set forth in MCC 11.15.2074 (D).

Analysis: Access to this parcel will be via a pre-existing access point and a newly constructed private driveway 20 feet wide, with a 15 foot wide all weather surface road. The road will have no more than a 7% grade to the one acre homesite. The road will extend northeast from NW Rock Creek Road. Adequate sight distance exists at the pre-existing access road intersection. The private driveway will have an all weather surface of at least 15 feet, a vertical clearance of at least 14 feet, a minimum curve radii of 48 feet, a turn around with a diameter of 50 feet on the inside and 90 feet on the outside.

Turnouts will not be required as the driveway to the dwelling itself is less than 200 feet. However, the turn around entails additional feet beyond the house to comply with fire safety standards and to preserve several old growth hardwood trees growing in the driveway island. It appears that the applicant's proposal does comply with the standards. As a condition of approval, however, the applicant will be required to submit a "Multnomah County Minimum Design Standards for Residential Driveways and Privately Maintained Roads", form completed and signed by an official of the Multnomah County Fire District No. 20.

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

Analysis: The deed restriction will be provided to the Land Use Department, proof of recordation of the deed restriction is required as a condition of approval. Accordingly, I find that this standard can be met by imposing a condition that the applicant submit the required deed restriction.

3. MCC 11.15.2052 (B): Dwellings not related to forest management shall not be allowed upon the effective date of a small scale resource land program adopted pursuant to the requirements of OAR 660, Division 6 and 33.

Analysis: There is no small scale resource land program adopted pursuant to the requirements of OAR 660, Division 6 and 33, in effect at this time. Accordingly, I find this section is not applicable to the decision in question.

4. Multnomah County Comprehensive Plan Policies

A. Policies in the Comprehensive Plan which are applicable to these Quasi-judicial Decisions are discussed as follows:

- (1) **POLICY NO. 13, AIR, WATER AND NOISE QUALITY. MULTNOMAH COUNTY, . . . SUPPORTS EFFORTS TO IMPROVE AIR AND WATER QUALITY AND TO REDUCE NOISE LEVELS. . . . FURTHERMORE, IT IS THE COUNTY'S POLICY TO REQUIRE, PRIOR TO APPROVAL OF A LEGISLATIVE OR QUASI-JUDICIAL ACTION, A STATEMENT FROM THE APPROPRIATE AGENCY THAT ALL STANDARDS CAN BE MET WITH RESPECT TO AIR QUALITY, WATER QUALITY AND NOISE LEVELS..**

Analysis: A single family home is not a "noise generator". The County has not indicated that there are any state air quality standards applicable to the proposed residential use. Accordingly, I find that the noise and air quality elements of this policy are inapplicable to a single family residence. The county sanitarian has found that the subject site can be served by an on-site septic system. Such a certification indicates that the septic system can be installed without any degradation of water quality. The applicant is also being required to submit confirmation that he has a domestic water supply which does not come from a Class II stream, and which is from a source authorized by the Water Resources Department ground water rules. Accordingly, I find that the applicant has demonstrated that the applicable agencies have issued statements that all relevant standards can be met with respect to air quality, water quality and noise levels consistent with Policy 13 of the Comprehensive Plan.

- (2) **POLICY NO. 14, DEVELOPMENTAL LIMITATIONS. THE COUNTY'S POLICY IS TO DIRECT DEVELOPMENT AND LAND FORM ALTERATIONS AWAY FROM AREAS WITH DEVELOPMENT LIMITATIONS EXCEPT UPON A SHOWING THAT DESIGN AND CONSTRUCTION TECHNIQUES CAN MITIGATE ANY PUBLIC HARM OR ASSOCIATED PUBLIC COST, AND MITIGATE ANY ADVERSE EFFECTS TO SURROUNDING PERSONS OR PROPERTIES. DEVELOPMENT LIMITATIONS AREAS ARE THOSE WHICH HAVE ANY OF THE FOLLOWING CHARACTERISTICS:**

- A. Slopes exceeding 20%;
- B. Severe soil erosion potential;
- C. Land within the 100 year flood plain;

- D. A high seasonal water table within 0-24 inches of the surface for 3 or more weeks of the year;
- E. A fragipan less than 30 inches from the surface; and
- F. Land subject to slumping, earth slides or movement.

Analysis: The applicant has indicated that the property is not located in a slope hazard area and that fact has been confirmed by County staff. The property is not located in a flood plain, nor does it have high water tables. The proposed dwelling is subject to the siting and development standards of the Commercial Forest Use Zoning district, standards for Goal 5 resource protection of significant streams and wildlife habitat, and compliance with the standards of MCC 11.15.6700-.6735 for hillside development and erosion control. Conformance with these standards and processes will ensure mitigation of any adverse impacts. The dwelling is sited on an area with a slope of less than 20% and a geotechnical analysis indicated no slope instability, seasonably high water table, or fragipan less than 30 inches from the surface. Accordingly, I find that the applicant has carried the burden of proof to show compliance with Comprehensive Plan Policy No. 14.

(3) **POLICY NO 22, ENERGY CONSERVATION. THE COUNTY'S POLICY IS TO PROMOTE THE CONSERVATION OF ENERGY AND TO USE ENERGY RESOURCES IN A MORE EFFICIENT MANNER. . . . THE COUNTY SHALL REQUIRE A FINDING PRIOR TO THE APPROVAL OF LEGISLATIVE OR QUASI-JUDICIAL ACTION THAT THE FOLLOWING FACTORS HAVE BEEN CONSIDERED:**

- A. **THE DEVELOPMENT OF ENERGY-EFFICIENT LAND USES AND PRACTICES;**
- B. **INCREASED DENSITY AND INTENSITY OF DEVELOPMENT IN URBAN AREAS, ESPECIALLY IN PROXIMITY TO TRANSIT CORRIDORS AND EMPLOYMENT, COMMERCIAL AND RECREATIONAL CENTERS;**
- C. **AN ENERGY-EFFICIENT TRANSPORTATION SYSTEM LINKED WITH INCREASED MASS TRANSIT, PEDESTRIAN AND BICYCLE FACILITIES;**
- D. **STREET LAYOUTS, LOTTING PATTERNS AND DESIGNS THAT UTILIZE NATURAL ENVIRONMENTAL AND CLIMATIC CONDITIONS TO ADVANTAGE.**
- E. **FINALLY, THE COUNTY WILL ALLOW GREATER FLEXIBILITY IN THE DEVELOPMENT AND USE OF RENEWABLE ENERGY RESOURCES.**

Analysis: No new streets, power lines, or energy consumption development requirements are proposed or needed for this application. It can be served by existing utilities. Staff has indicated that outside the urban area, energy efficient transportation lotting pattern issues are not applicable. The general policies stated in Policy No. 22 relating to energy conservation do relate primarily to urban scale development. The plan is a general statement of policy goals and requires that the county require a finding prior to the approval of a quasi-judicial action that factors A - E have been considered. Those statements in the policy, however, are not specific approval criteria. Accordingly, I do find that the factors A through E have been given the consideration appropriate for this application.

- (4) **POLICY NO. 37, UTILITIES. THE COUNTY'S POLICY IS TO REQUIRE A FINDING PRIOR TO APPROVAL OF A LEGISLATIVE OR QUASI-JUDICIAL ACTION THAT:**

WATER DISPOSAL SYSTEM

- A. THE PROPOSED USE CAN BE CONNECTED TO A PUBLIC SEWER AND WATER SYSTEM, BOTH OF WHICH HAVE ADEQUATE CAPACITY; OR**
- B. THE PROPOSED USE CAN BE CONNECTED TO A PUBLIC WATER SYSTEM, AND THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) WILL APPROVE A SUBSURFACE SEWAGE DISPOSAL SYSTEM ON THE SITE; OR**
- C. THERE IS AN ADEQUATE PRIVATE WATER SYSTEM, AND THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) WILL APPROVE A SUBSURFACE SEWAGE DISPOSAL SYSTEM; OR**
- D. THERE IS AN ADEQUATE PRIVATE WATER SYSTEM, AND A PUBLIC SEWER WITH ADEQUATE CAPACITY.**

DRAINAGE

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

ENERGY AND COMMUNICATIONS

H. THERE IS AN ADEQUATE ENERGY SUPPLY TO HANDLE THE NEEDS OF THE PROPOSAL AND THE DEVELOPMENT LEVEL PROJECTED BY THE PLAN; AND

I. COMMUNICATIONS FACILITIES ARE AVAILABLE.

Analysis: There are no public water or sewer systems in the area. The applicant has indicated that he intends to drill a well and obtain his water from such a source. The applicant will, in fact, be required to submit a well report as a condition of this approval. The applicant proposes to install a septic system to meet the disposal considerations. A Land Feasibility Study (LFS 75-80) determined this parcel was suitable for an on-site sewage disposal system.

Accordingly, I find that the property can be served by an adequate private water system consisting of a well and that the Oregon Department of Environment Quality will approve a subsurface sewage disposal system on the site. Stormwater drainage has been addressed. Accordingly, I find that the water run-off from the site will not adversely affect the water quality in adjacent streams, ponds, lakes relative to drainage on adjoining lands.

The applicant has indicated that other utilities are available in the road. Accordingly, I find that there is adequate energy supply to handle the needs of the proposal and that communications facilities are available on site, meeting the requirements of factors H and I of this Plan Policy.

Accordingly, I do hereby make the findings that the water and disposal system, drainage system, and energy and communications systems are adequate for the proposed development.

- (5) POLICY NO. 38, FACILITIES. THE COUNTY'S POLICY IS TO REQUIRE A FINDING PRIOR TO APPROVAL OF A LEGISLATIVE OR QUASI-JUDICIAL ACTION THAT:

SCHOOL

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

FIRE PROTECTION

B. THERE IS ADEQUATE WATER PRESSURE AND FLOW FOR FIRE FIGHTING PURPOSES; AND

- C. THE APPROPRIATE FIRE DISTRICT HAS HAD AN OPPORTUNITY TO REVIEW AND COMMENT ON THE PROPOSAL.

POLICE PROTECTION

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

Analysis: The applicant has submitted signed forms from the Portland Public Schools, Multnomah County RFPD No. 20 for fire protection, and Multnomah County Sheriff's Office verified service availability to the proposed dwelling. Accordingly, I find that the applicant has met the Comprehensive Plan Policy No. 38 criteria relating to facilities.

- (6) POLICY NO. 40, DEVELOPMENT REQUIREMENTS. THE COUNTY'S POLICY IS TO ENCOURAGE A CONNECTED PARK AND RECREATION SYSTEM AND TO PROVIDE FOR SMALL PRIVATE RECREATION AREAS BY REQUIRING A FINDING PRIOR TO APPROVAL OF LEGISLATIVE OR QUASI-JUDICIAL ACTION THAT:

- A. PEDESTRIAN AND BICYCLE PATH CONNECTIONS TO PARKS, RECREATION AREAS AND COMMUNITY FACILITIES WILL BE DEDICATED WHERE APPROPRIATE AND WHERE DESIGNATED IN THE BICYCLE CORRIDOR CAPITAL IMPROVEMENTS PROGRAM AND MAP.
- B. LANDSCAPED AREAS WITH BENCHES WILL BE PROVIDED IN COMMERCIAL, INDUSTRIAL AND MULTIPLE FAMILY DEVELOPMENTS, WHERE APPROPRIATE.
- C. AREAS FOR BICYCLE PARKING FACILITIES WILL BE REQUIRED IN DEVELOPMENT PROPOSALS, WHERE APPROPRIATE.

Analysis: This Policy requires consideration of three factors where appropriate. The obvious emphasis in this policy is related to multiple family, commercial and industrial developments and urban area development. This policy is not applicable to a single family residential development in the Commercial Forest Use Zone. Accordingly, I find that this Plan Policy has been given the appropriate level of consideration.

7. Application of West Hills Reconciliation Report

- A. In September of 1994, Multnomah County adopted the "West Hills Reconciliation Report" which is considered an amendment to the Multnomah County Comprehensive Framework Plan. The Reconciliation Report consists of both findings

and policy recommendations. The policy recommendations have not yet been separately incorporated into the Comprehensive Framework Plan. The report has not yet been acknowledged by LCDC. However, pursuant to ORS 197.625(3)(a), this unacknowledged but adopted Comprehensive Plan provision is effective for purposes of this application, because no stay has been granted under ORS 197.845. Accordingly, the West Hills Reconciliation Report will be applied to this application.

The subject tract is part of the West Hills area of Multnomah County that has been designated a significant Goal 5 wildlife habitat and stream resource area in the reconciliation report. The report contains a Goal 5 ESEE Analysis that discusses the various conflicting uses relative to the wildlife habitat, and the significant streams. Ultimately, the plan adopts a balanced approach which limits, but does not prohibit, conflicting uses in order to protect wildlife habitat and to protect significant streams. Accordingly, under the provisions of the plan, residential use is a "conflicting use" which is allowed in the areas where significant wildlife habitat and significant streams exist. The approach of the report is to protect the resources by imposing conditions which minimize impact upon the resources. The report does not include approval criteria for uses within these resource areas.

Specific measures to protect primary wildlife habitat areas in the West Hills are detailed on page VI-25 of the Reconciliation Report. Specific measures to protect significant streams in the West Hills are detailed on pages VI-19 to VI-21 of the Reconciliation Report. These measures are applicable to this proposal.

The specific protection measures set forth in the West Hills Reconciliation Report for primary wildlife habitat areas include the following:

1. Where a parcel to be developed contains both primary and secondary, or primary and impacted wildlife habitat areas, development activities should be limited to the secondary or impacted areas to the maximum extent feasible.
2. Fencing should be prohibited along roadways, thus reducing barriers to wildlife movement. Design standards for fences outside of the "cultivated" area discussed below should be adopted which ensure that fences do not block passage for a wide range of wildlife species.
3. The "cultivated" area (i.e., lawns and gardens) of residential lots in the primary habitat areas should be

limited to one acre (consistent with fire safety standards), leaving the remaining land in the parcel in native vegetation, to be altered only in conjunction with approved forest management practices. This cultivated area should be designed to minimize the edge effect along roads.

4. Similarly, the cleared area for community service and conditional uses should be limited to the minimum size necessary for the use, and should under no circumstances exceed two acres (consistent with fire safety standards).
5. Certain introduced vegetation should be prohibited (e.g., English Ivy, Vinca, and other invasive species), even in cultivated areas.
6. Erosion control standards should be adopted where there will be prolonged exposure of soils, or excavation, associated with residential development.
7. Development along significant streams should be regulated as proposed in the discussion of streams.

The specific protection measures set forth in the West Hills Reconciliation Report for significant streams include the following:

1. Maximum provision of landscaped area, scenic and aesthetic enhancement, open space, or vegetation between any use and a stream.
2. Preservation of agricultural and forest land adjacent to streams for farm and forest use.
3. Building, structure, or use located so as to best preserve and protect the riparian zone area.
4. Minimum conflict between recreational uses and the riparian zone area.
5. Protection of public safety and private property from vandalism and trespass to the maximum extent practicable considering environmental values of the riparian zone.
6. Protection and enhancement of opportunities for fish and wildlife to live in and travel through the riparian zone.
7. Protection and enhancement of natural vegetation along streams.

8. Retention of areas of annual flooding and wetlands in their natural state.
9. Limit development to portions of a site located away from steep slopes, soils, and other unstable geological conditions.
10. Protection of areas within and adjacent to the riparian zone from erosion.
11. Regulation of construction practices and schedules in order to minimize erosion into streams from water runoff and soil erosion.
12. Minimization of impervious surface area in order to reduce pollution of stream waters.
13. Provide for a minimum setback from the ordinary high water mark of each stream which will protect the stream's resources.

8. 11.15.6428 SEC Provisions Relating to Wildlife Habitat.

The designated level of protection for the significant wildlife habitat in the West Hills Area is 3.C., Page VI-23, West Hills Reconciliation Report. The plan provides that "implementation of these standards as regards residential and community service/conditional uses should be accomplished through use of a significant environmental concern (SEC) overlay zone for wildlife habitat protection." Page VI-24, West Hills Reconciliation Report.

An SEC overlay zone designation has not been made applicable to the subject tract that is the subject of this application. However, MCC 11.15.6409 provides: "For Goal 5 resources designated "3-C", the approval criteria shall be used to determine the most appropriate location, size and scope of the proposed development, in order to make the development compatible with the purposes of this section, but shall not be used to prohibit a use or be used to require removal or relocation of existing physical improvements to the property."

Accordingly, the "criteria" in Section 11.15.6426 shall be reviewed in order to determine the most appropriate location for the proposed development, but shall not be utilized to prohibit that development.

Compliance with the standards of the Significant Environmental Concern criteria in the Multnomah County Zoning Ordinance will also assure conformance with the applicable protection measures for wildlife habitat identified in the West Hills Reconciliation Report. Accordingly, the specific protection measures for primary wildlife habitat areas set forth in the West Hills Reconciliation Report will be reviewed in conjunction with, and in the context of, the SEC provisions relating to wildlife habitat. Where appropriate,

conditions will be imposed which minimize impact upon the wildlife resources.

- (A) A development application should include an area map showing properties which are adjacent to the proposed development with the following information:

1. Location of. . . wildlife habitat areas. . .
2. Location of all existing forested areas. . . and non-forested "cleared" areas.
3. Location of existing structures.
4. Location of. . . roads. . . driveways. . . on the subject parcel and within 200 feet. . .
5. Proposed type and location of all fencing on the subject property.

Analysis: The applicant has submitted a report prepared by A.G. Crook Company (Crook Report) that addresses the requirements of MCC 11.15.6426. A copy this report is included in the case file and identified as Exhibit 2. Since the parcel lies entirely within the primary habitat area, it is not possible to limit development activities to the portion of the parcel that has secondary or impacted areas.

The location of existing forested and non-forested areas, as well as structures, and roads, driveways and access ways within 200 feet of the subject parcel is shown on a 1994 air photo which is included in the case file and identified as Exhibit 4. The applicant states that no fencing is proposed for the property. Accordingly, I find that the applicant has provided appropriate information in accordance with this standard.

- (B) The following standards shall be reviewed to determine the most appropriate location, size and scope of the proposed development.

1. Limitation of development activities to less valuable wildlife habitat areas where a parcel contains a combination of primary, secondary, and impacted wildlife habitat.

Analysis: The parcel lies wholly within the primary wildlife habitat area. Accordingly, this provision would not be applicable.

2. Development should be located so as to maintain existing forested areas which are broadly contiguous

with forested areas or areas being reforested on adjacent property.

Analysis: The house is proposed to be sited on the only unforested area of the land. The rest of the land is completely forested.

The applicants proposal sites the dwelling on a cleared portion of the site that will leave over seventeen acres of wooded vegetated area remaining on site. This remaining wooded forested area is broadly contiguous to other forested wooded areas on adjoining parcels. I find that the proposed site for the dwelling is the location that is most likely to maintain existing forested areas.

3. The proposed development shall satisfy either (a) or (b) below:.

The applicant has chosen to address and satisfy the requirements of (a) which follow. Accordingly, the provisions of (b) are inapplicable.

(a) Development location and fencing standards:

- (i) The development shall be within 200 feet of any public road abutting the site.

Analysis: The proposed development is within 200 feet of Rock Creek Road.

- (ii) Access road/driveway and service corridor serving the development shall not exceed 500 feet in length.

Analysis: The proposed driveway does not exceed 500 feet in length.

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

Analysis: The application materials indicate that the proposed driveway is within 100 feet of the south property boundary. Staff cannot confirm this measurement. The driveway appears to be in excess of 100 feet from a property boundary. However, the driveway on the adjacent property to the south, Tax Lot 31, appears to be in excess of 200 feet from the property boundary. Therefore, based on information provided by staff, the requirement to place the driveway within 100 feet of the property boundary does not apply.

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

Analysis: The development is within 300 feet of the property boundary.

- (v) Fencing within a required setback from a public road shall be designed so as to allow the passage of wildlife. Such fencing shall meet the following criteria:
- (A) Fences shall have a maximum height of 42 inches and a minimum 17 inch gap between the ground and the bottom of the fence.
 - (B) Fences may be constructed of rail, barbed, or barbless wire. The bottom strand of a wire fence shall be barbless. Fences may be electrified. Cyclone, woven wire, and chain link fences are prohibited.
 - (C) Solid fencing which acts as a visual barrier to wildlife is not permitted.
 - (D) That portion of the required setback along a public road which can be described as an area bounded by:
 - (1) the public road,
 - (2) a line connecting two points extending one hundred (100) feet from each end of the building line of the principal residence or structure,
 - (3) a line connecting the public road and one of the two outer points described in (2) above which is perpendicular to the public road, and
 - (4) a line connecting the public road and the other of the two outer points described in (2) above which is perpendicular to the public road:

shall not be subject to these fencing requirements.

Analysis: As detailed in the application materials and Crook Report, no fencing is proposed.

Accordingly, I find that the applicant has met all of the SEC considerations for protecting wildlife habitat. In addition, conditions 8, 9, 10 and 11 of this final order are conditions which will minimize impact upon the wildlife habitat consistent with the West Hills Reconciliation Report and give consideration to the specific protection measures one through seven set forth in the West Hills Reconciliation Report for primary wildlife habitat areas.

9. 11.15.6428 SEC Provisions Relating to Streams.

The designated level of protection for the significant streams in the West Hills area is 3-C -- Limit Conflicting Uses. Page VI-19, West Hills Reconciliation Report. The report further indicates the protection for significant streams can best be accomplished through placement of an "overlay" zone, similar in concept to the Significant Environmental Concern (SEC) - Streams overlay currently within the Multnomah County Zoning Ordinance. Page VI-19, West Hills Reconciliation Report. The West Hills Reconciliation Report indicates that the area where the SEC overlay zone should be placed is within the riparian area. Page VI-20 West Hills Reconciliation Report. At the time the application was submitted, no SEC Streams overlay zone designation had been made applicable to the subject tract. However, MCC 11.15.6409 provides:

"For Goal 5 resources designated "3-C", the approval criteria shall be used to determine the most appropriate location, size and scope of the proposed development, in order to make the development compatible with the purposes of this section, but shall not be used to prohibit a use or be used to require removal or relocation of existing physical improvements to the property."

Accordingly, the "criteria" in Section 11.15.6428 shall be reviewed in order to determine the most appropriate location for the proposed development, but shall not be utilized to prohibit that development.

Compliance with the standards of the Significant Environmental Concern section in the Multnomah County Zoning Ordinance will also assure conformance with the applicable protection measures for significant streams identified in the West Hills Reconciliation Report. Accordingly, the specific protection measures for streams set forth in the West Hills Reconciliation Report will be reviewed in conjunction with, and in the context of the SEC provisions relating to streams. Where appropriate, conditions will be imposed which minimize impact upon the significant stream resources.

(B) Additional SEC Permit Submittal requirements to develop in a Stream Conservation Area:

- (1) A site plan drawn to scale showing the Stream Conservation Area boundary, the location of all existing and proposed structures, roads, watercourses, drainageways, stormwater facilities, utility installations, and topography of the site at a contour interval equivalent to the best available U.S. Geological Survey 7.5' or 15' topographic information;
- (2) A detailed description and map of the Stream Conservation Area including that portion to be affected by the proposed activity. This documentation must also include a map of the entire Stream Conservation Area, an assessment of the Stream Conservation Area's functional characteristics and water sources, and a description of the vegetation types and fish and wildlife habitat;
- (3) A description and map of soil types in the proposed development area and the locations and specifications for all proposed draining, filling, grading, dredging, and vegetation removal, including the amounts and methods;
- (4) A study of any flood hazard, erosion hazard, and/or other natural hazards in the proposed development area and any proposed protective measures to reduce such hazards as required by (F)(5) below;
- (5) A detailed Mitigation Plan as described in subsection (E), if required; and
- (6) A description of how the proposal meets the approval criteria listed in subsection (C) below.

Analysis: The applicant has submitted a report prepared by the A.G. Crook Company that addresses the requirements of MCC 11.15.6428. A copy of this report is included in the case file and identified as Exhibit 2.

A site plan showing a stream conservation area has been submitted. The stream conservation area described on the site plan is larger than the extent of the riparian area described in the West Hills Reconciliation Report. The site plan also shows the other features required in (1). A description of the Stream Conservation Area is provided in the Crook Report as is a map of the soil type. A HDP Form 1, *Geotechnical Reconnaissance and Stability Preliminary Study*, has been submitted for the proposed development. This study provides a preliminary analysis of the development limitation of a property. The study concludes

that the site is suitable for development of a single family dwelling and that development in the proposed site does not pose any adverse effects on or off site. The study does caution against disturbance of slopes over 25% and recommends careful attention to erosion to avoid siltation of the local drainage (presumably Rock Creek and the tributary running northeasterly through the property). The study asserts that no earth work is proposed for the project, however some earth disturbance involving filling and grading will certainly be necessary. Satisfaction of items (3) and (4) above can be achieved through compliance with Multnomah County Hillside Development and Erosion Control code sections 11.15.6700-.6735. Since this site is located in the Tualatin Basin, compliance with MCC 11.15.6700-.6735 is required prior to building permit approval. Compliance with these standards is listed as a Condition of Approval.

Accordingly, I find that upon review of the above-listed "criteria" that the applicant has demonstrated he has chosen the most appropriate location for the proposed development. The standards set forth SEC 11.15.6428(b) are to be utilized in determining the most appropriate site and not as criteria to determine whether the development should be allowed. Accordingly, I find that the applicant has appropriately addressed and met these standards.

(C) The applicant shall demonstrate that the proposal:

- (1) Has no practicable alternative as described in subsection (D) below:**

Analysis: The house site has been proposed for location in an area that has been impacted by logging activities. The area has been cleared of trees, the soil has been compacted, and a majority of the area is graveled. It meets the stated specifications of being outside the most valuable habitat areas. Locating the house outside the Stream Conservation Area places it inside the Forested Area.

The applicant has demonstrated that the site is the most appropriate location for the proposed development. In view of the applicable standards, I find that this section has been met.

- (2) Will have no impacts on the Stream Conservation Area's functional characteristics and its existing contour, vegetation, fish and wildlife resources, shoreline anchoring, flood storage, general hydrological conditions, and visual amenities. this impact determination shall also consider specific site information contained in the adopted Stream Conservation Areas inventory and the economic, social,**

environmental, and energy (ESEE) analysis made part of the supporting documentation of the comprehensive plan;

Analysis: The applicant has provided information indicating that no grading will take place on site. No trees will be cut to construct the project. Applicant has also indicated that there will be no negative impact of fish and wildlife resources and enclosed a mitigation plan and riparian planting plan which will enhance the riparian area for fish and wildlife habitat. Applicant has indicated that the project will have no effect on the stream flow addressing the issues of shoreline anchoring, flood storage and general hydrological conditions. Applicant contends that the proposed project will enhance the visual amenities because the planting plan has been designed to enhance the aesthetic appeal of the area. The applicant has submitted documentation that addresses the criteria. Staff has indicated that it does not anticipate any negative impacts to the Stream Conservation Area's contour, vegetation, fish and wildlife resources, and visual amenity. The impact determination has to be made based on the ESEE analysis made a part of the supporting documentation of the comprehensive plan. However, the West Hills Reconciliation Report takes a balancing approach which does not prohibit the proposed uses. Rather, specific protection measures are suggested which allow a use subject to conditions. I find that the applicant has demonstrated that the proposed use will have minimal impacts on the stream water resource and that this criteria has been met.

- (3) Will not cause measurable degradation of groundwater or surface water quality; or

Analysis: The applicant has submitted evidence indicating that there will be no measurable degradation of groundwater or surface water quality. Impervious surfaces have been minimized by constructing the access road of gravel. The run-off from the house roof will be directed to a French drain system. These two measures will maximize ground water recharge on the site and minimize surface water. A Land Feasibility Study (LFS 75-80) found the site suitable for an on-site sewage disposal system. This study provides further assurance that the proposed development is compatible with soil and slope conditions on site. Accordingly, I find that the applicant has submitted evidence appropriately addressing this standard.

- (4) Will provide offsetting replacement Stream Conservation Area for any loss of existing Stream Conservation Areas and will significantly enhance the functional characteristics of the stream. This Mitigation Plan shall meet the standards of subsection (E) below.

Analysis: The mitigation plan presented in response to this standard will be discussed below.

- (5) This section is only applicable for stream resources designated "3-C".

Analysis: The West Hills Reconciliation Report has designated the significant streams inventory therein as "3-C" resources.

- (D) A finding of no practicable alternative is to be made by the Approval Authority only after demonstration by the applicant that:

- (2) For uses listed by the underlying zone as Conditional Uses, there is neither an alternative site on the Lot of Record for the development outside of the Stream Conservation Area, nor can the basic purpose of the project reasonably be accomplished using one or more other practicable alternative sites in Multnomah County that would avoid or result in less adverse impact on a Stream Conservation Area. An alternative site is to be considered practicable if it is the subject of a listing agreement or advertised for sale and the proposed activity can be conducted on that site after taking into consideration costs, existing technology, infrastructure, and logistics in achieving the overall project purposes.

Analysis: The site chosen for the house is in an area that has been impacted by logging activities. The proposed site has been cleared of trees, has been compacted and the majority of the area is graveled. The location chosen for the dwelling is the best location for the site given the constraints of topography and other conflicting State and County codes.

The "criteria" stated above is phrased in a manner that would determine whether the proposed use could be approved on the subject site. That standard is inconsistent with the "3-C" balancing standard, which provides that the approval criteria shall be used to determine the most appropriate location, size and scope of the proposed development, in order to make development compatible with the purposes of this section, but shall not be used to prohibit a use or be used to require removal or relocation of existing physical improvements to the property. Accordingly, I do not find this standard fully applicable in the instant case. I do find that appropriate consideration has been given to the most appropriate site for the dwelling and that the proposed dwelling site has been chosen in a fashion to meet siting standards that limit removal of vegetation and runoff into stream corridors.

(E) A Mitigation Plan and monitoring program may be approved by the Hearings Officer upon submission of the following:

- (1) A site plan and written documentation which contains the applicable information for the replacement Stream Conservation Area as required by MCC .6428(B);

Analysis: The applicant has submitted a site plan with maps showing a riparian planting plan. In addition, Exhibit 2 in the case file is a report prepared by A.G. Crook Company. Pages 11 through 16 of that report deal with stream and riparian issues and a mitigation and riparian planting plan. This report contains the information necessary to address this criteria.

- (2) A description of the applicant's coordination efforts to date with the requirements of other local, State, and Federal agencies;

Analysis: There are no other requirements of local, State and Federal agencies which would require coordination in this matter.

- (3) A Mitigation Plan which demonstrates retention of the resource values addressed in MCC .6428(C) (2);

Analysis: In order to enhance fish and wildlife habitat values on the site, the riparian area will be revegetated with trees and shrubs according to the plan submitted by applicant. In order to preserve ground water recharge and wildlife habitat values and minimize human impacts on the site, nuisance plants, such as English ivy and Himalayan blackberry growing on site will be controlled. In addition, roof drains from the house will be sunk into the ground in a French drain system. Only native vegetation will be used in the riparian area plantings. The driveway will be constructed of permeable material and will be the minimum size necessary to meet Code requirements. This plan does demonstrate retention of the resource values addressed in MCC .6428(C) (2).

- (4) Documentation that replacement Stream Conservation Areas were considered and rejected according to the following order of locational preferences:

- (a) On the site of the impacted Steam Conservation Area, with the same kind of resource;
- (b) Off-site, with the same kind of resource;
- (c) On-site, with a different kind of resource;
- (d) Off-site, with a different kind of resource.

Analysis: The applicant's submitted mitigation plan demonstrates that the mitigation will occur on-site with the same type of resource. Accordingly, criteria (4)(a) has been met. Criteria (b) through (d) do not apply.

- (5) A five year annual monitoring plan which insures an 80 percent annual survival rate of any required plantings.

Analysis: The planting area will be planted with native species such as big leaf maple, red alder, cascara and ninebark and monitored annually during the month of June for five years. Any plants found to have died during the previous year will be replaced to ensure 80% survival of plantings. Thus, the monitoring plan does address this standard.

Accordingly, I find that the applicant has submitted a mitigation plan and monitoring program which I find acceptable and I do hereby approve that plan.

(F) Design Specifications

The following design specifications shall be incorporated, as appropriate, into any developments within a Stream Conservation Area:

- (1) A bridge or arched culvert which does not disturb the bed or banks of the stream and are of the minimum width necessary to allow passage of peak winter flows shall be utilized for any crossing of protected streams.

Analysis: The applicant's proposal does not involve the crossing of any streams. Accordingly, this criteria is inapplicable.

- (2) All storm water generated by a development shall be collected and disposed of on-site into dry wells or by other best management practice methods which emphasize groundwater recharge and reduce peak stream flows.

Analysis: Water collected from the roof of the proposed house will be directed into the French drain system. This methodology will appropriately emphasize groundwater recharge and reduce peak stream flows.

- (3) Any exterior lighting associated with a proposed development shall be placed, shaded or screened to avoid shining directly into a Stream Conservation Area.

Analysis: There will be no lights associated with the proposed house, other than a small porch light. Accordingly, this standard has been appropriately addressed.

- (4) Any trees over 6" in caliper that are removed as a result of any development shall be replaced by any combination of native species whose combined caliper is equivalent to that of the trees removed.

Analysis: Applicant's proposal will not involve cutting any trees over 6" in caliper. Accordingly, no replacement of trees will be necessary.

- (5) Satisfaction of the erosion control standards of MCC .6730.

Analysis: Applicant will be required to comply with MCC 11.15.6700 - .6735 as a condition of approval prior to issuance of a building permit. Accordingly, this standard can be met by the imposition of such a condition.

- (6) Soil disturbing activities within a Stream Conservation Area shall be limited to the period between June 15 and September 15. Revegetation/soil stabilization must be accomplished no later than October 15. Best Management Practices related to erosion control shall be required within a Stream Conservation Area.

Analysis: No soil disturbing activities will take place in the Stream Conservation Area. The riparian area will be planted in November of 1995, before the house is constructed. Standard control measures will be used during house construction. The West Hills Reconciliation Report indicates that the area where the SEC overlay zone should be placed is within the riparian area. The riparian corridor for the creek on the northeast portion of the property is approximately 100 feet wide at the northern side of the creek. Accordingly, the area for the proposed homesite falls entirely outside of the "riparian area". Accordingly, if an overlay zone were to be designated within the future, it is likely that the house would fall outside of the Stream Conservation Area. I find that appropriate consideration has been given to this standard.

- (7) Demonstration of compliance with all applicable state and federal permit requirements.

Analysis: No state or federal permits are needed. Accordingly, this standard is inapplicable.

I find that appropriate consideration has been given to the above specified design specifications.

I find that the applicant has met all of the appropriate SEC considerations for protecting significant stream resources. In addition, imposition of conditions 11 and 12 of this final order are conditions which will minimize impact upon

the significant stream resources consistent with the West Hills Reconciliation Report and give consideration to the specific protection measures set forth in the West Hills Reconciliation Report for significant streams.

CONCLUSION

Based on the findings and the substantial evidence cited or referenced herein, I conclude that the application for the conditional use satisfies all applicable approval criteria, provided that the conditions of approval are complied with. Accordingly, the applicants request for conditional use approval is approved subject to the conditions of approval contained herein.

IT IS SO ORDERED this 1st day of November, 1995.

A handwritten signature in black ink, appearing to read 'Joan M. Chambers', is written over a horizontal line.

JOAN M. CHAMBERS
Hearings Officer

Signed by the Hearings Officer:	November 1, 1995
Decision Mailed to Parties:	November 9, 1995
Decision Submitted to Board Clerk:	November 9, 1995
Last day to Appeal Decision:	November 20, 1995
Reported to Board of County Commissioners:	November 21, 1995

Appeal to the Board of County Commissioners

The Hearings Officer Decision may be appealed to the Board of County Commissioners (Board) by any person or organization who appears and testifies at the hearing, or by those who submit written testimony into the record. An appeal must be filed with the County Planning Division within ten days after the Hearings Officer decision is submitted to the Clerk of the Board. An appeal requires a completed *Notice of Review* form and a fee of \$500.00 plus a \$3.50-per-minute charge for a transcript of the initial hearing(s). [ref. MCC 11.15.8260(A)(1) and MCC 11.15.9020(B)]. Instructions and forms are available at the County Planning and Development Office at 2115 SE Morrison Street (in Portland).

Failure to raise an issue by the close of the record at or following the final hearing, (in person or by letter), precludes appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to provide specificity on an issue sufficient for the Board to respond, precludes appeal to LUBA on that issue.

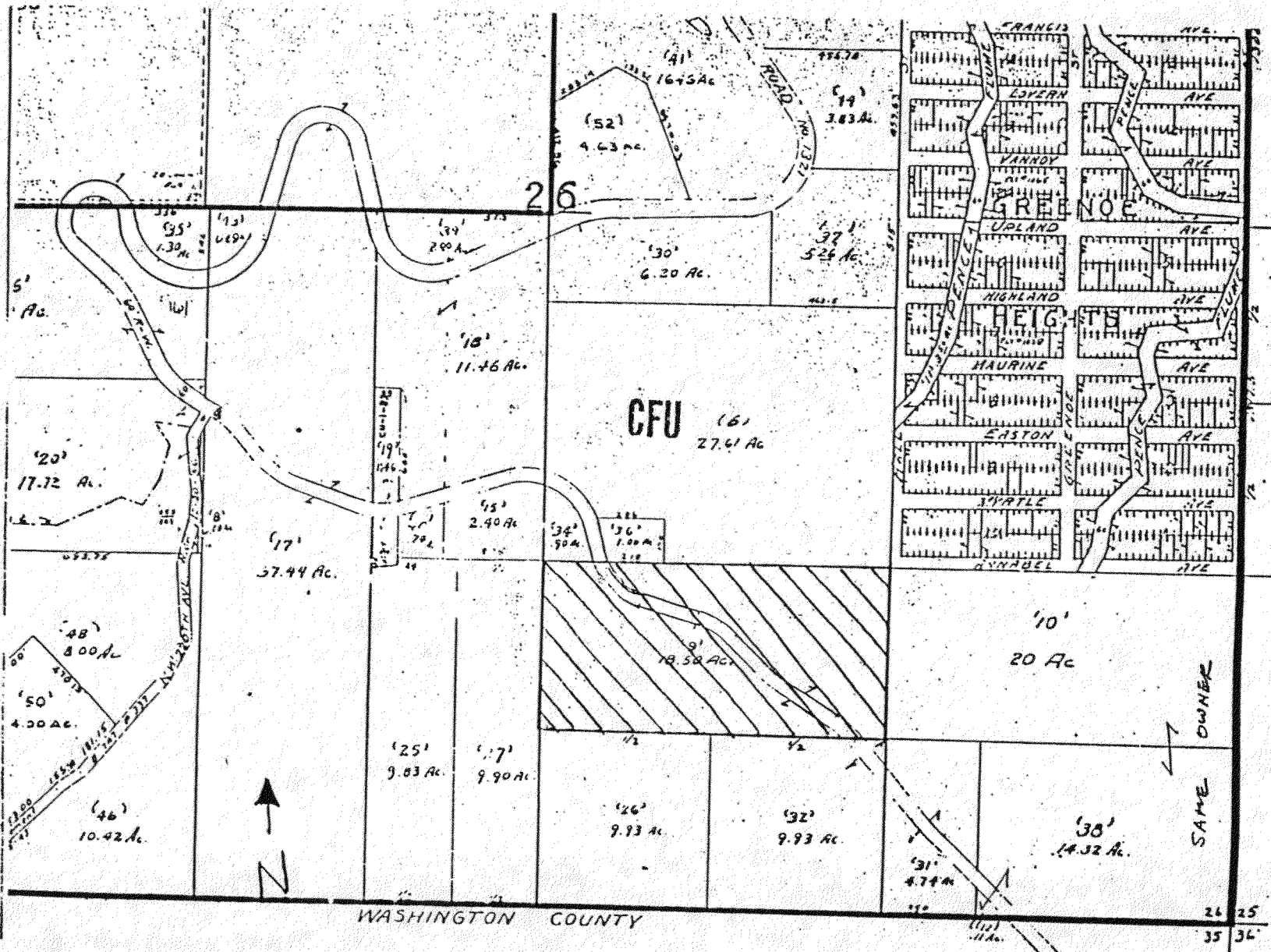
To appeal the Hearings Officer decision, a *Notice of Review* form and fee must be submitted to the County Planning Director. For further information call the Multnomah County Planning and Development Division at 248-3043.

[illegible]

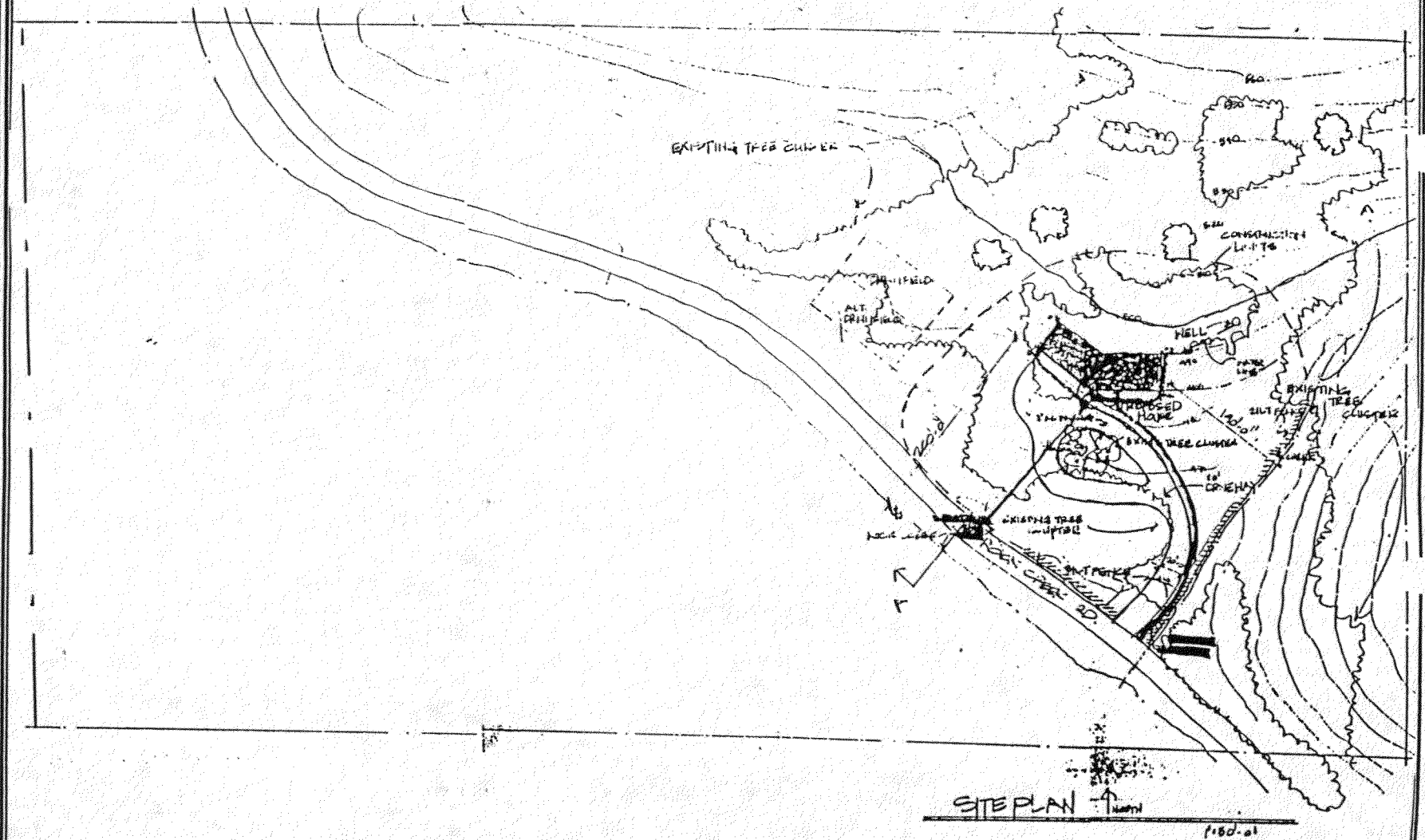
Page 106

ZONING MAP CU 8-95

EXHIBIT B Page 1 of 1



SITE PLAN CU 8-95



MEETING DATE: NOV 21 1995

AGENDA NO: C-5

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

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

BOARD BRIEFING: Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING: Date Requested: _____

Amount of Time Needed: Consent

DEPARTMENT: Environmental Services DIVISION: Assessment & Taxation

CONTACT: Kathy Tuneberg TELEPHONE #: 248-3590

BLDG/ROOM #: 166/300/Tax Title

PERSON(S) MAKING PRESENTATION: Kathy Tuneberg

ACTION REQUESTED:

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

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

Request approval of deed to contract purchaser for completion of Contract #15704 (Property purchased at auction).

Deed D961263 and Board Order attached.

11/27/95 copies & ORIGINAL Deed to tax title

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

OR

DEPARTMENT MANAGER: James M. De Batsf Willis

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

BOARD OF
COUNTY COMMISSIONERS
1995 NOV -9 PM 4:20
MULTNOMAH COUNTY
OREGON

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the matter of the Execution of)
Deed D961263 Upon Complete Performance of) ORDER
a Contract to) 95-237
VIRGINIA M. BELOZER)

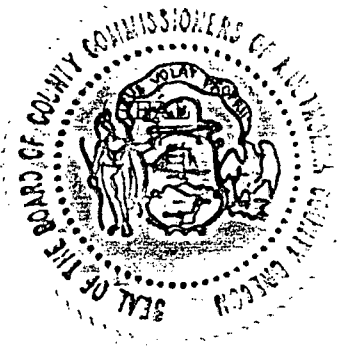
It appearing that heretofore, on July 21, 1992, Multnomah County entered into a contract with VIRGINIA M. BELOZER for the sale of the real property hereinafter described; and

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

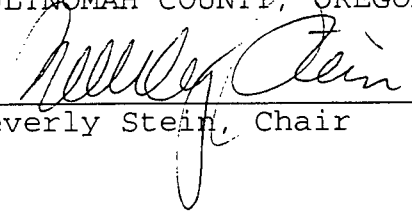
NOW THEREFORE, it is hereby ORDERED that the Chair of the Multnomah County Board of County Commissioners execute a deed conveying to the contract purchaser the following described real property, situated in the County of Multnomah, State of Oregon:

LOTS 27 & 28, BLOCK 11 PORTSMOUTH VILLA EXTENDED, a recorded subdivision in Multnomah County, State of Oregon.

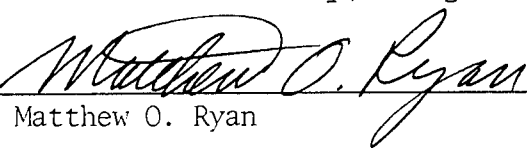
Dated at Portland, Oregon this 21st day of November 1995.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

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

By 
Matthew O. Ryan

DEED D961263

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to VIRGINIA M. BELOZER, Grantee, the following described real property, situated in the County of Multnomah, State of Oregon:

LOTS 27 & 28, BLOCK 11 PORTSMOUTH VILLA EXTENDED, a record subdivision in Multnomah County, State of Oregon.

The true and actual consideration paid for this transfer, stated in terms of dollars is \$33,500.00.

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

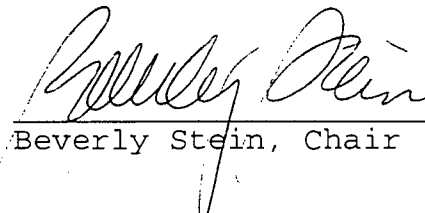
Until a change is requested, all tax statements shall be sent to the following address:

VIRGINIA M. BELOZER, 15055 S LODER RD, OREGON CITY, OREGON 97045

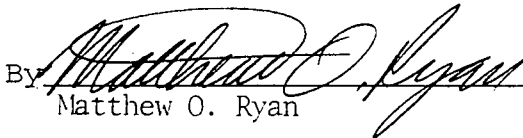
IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of County Commissioners this 21st day of November, 1995, by authority of an Order of the Board of County Commissioners heretofore entered of record.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

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

By 
Matthew O. Ryan

DEED APPROVED:
Janice Druian, Director
Assessment & Taxation

By 
K. A. Tuneberg

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

STATE OF OREGON

)

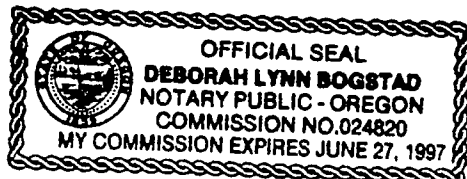
) ss

COUNTY OF MULTNOMAH

)

On this 21st day of November, 1995, before me, a Notary Public in and for the County of Multnomah and State of Oregon, personally appeared Beverly Stein, Chair, Multnomah County Board of Commissioners, to me personally known, who being duly sworn did say that the attached instrument was signed and sealed on behalf of the County by authority of the Multnomah County Board of Commissioners, and that said instrument is the free act and deed of Multnomah County.

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



Deborah Lynn Bogstad

Notary Public for Oregon

My Commission expires: 6/27/97

MEETING DATE: NOV 21 1995

AGENDA NO: C-6

(Above Space for Board Clerk's Use Only)

AGENDA PLACEMENT FORM

SUBJECT: Children's Services Division Intergovernmental Agreement

BOARD BRIEFING Date Requested: _____

Amount of Time Needed: 3 minutes

DEPARTMENT: Juvenile Justice Services DIVISION: _____

CONTACT: Alandria Taylor TELEPHONE#: 248-3968

PERSON(S) MAKING PRESENTATION: Joanne Fuller/Jimmy Brown

ACTION REQUESTED:

☐ INFORMATION ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

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

Ratification of a Retroactive Intergovernmental Revenue Agreement, between Children's Services Division and Multnomah County Department of Juvenile Justice Services to provide revenue for therapy tuition for a gang involved youth who is on probation with the Department of Juvenile Justice Services.

A Budget Modification is included ~~in this packet~~.

11/27/95 ORIGINALS TO ALANDRIA TAYLOR

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

OR

DEPARTMENT MANAGER: _____

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

3410 5F
COUNTY CLERK
1995 NOV 14 AM 10:07
MULTNOMAH COUNTY
OREGON



MULTNOMAH COUNTY OREGON

DEPARTMENT OF JUVENILE JUSTICE SERVICES
1401 N.E. 68TH
PORTLAND, OREGON 97213
(503) 248-3460
TDD 248-3561

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

TO: BOARD OF COUNTY COMMISSIONERS

FROM: Elyse Clawson, Director
Department of Juvenile Justice Services

DATE: November 1, 1995

RE: Approval of a Retroactive Intergovernmental Revenue Agreement between the Department of Juvenile Justice Services and Children's Services Division

I. **Recommendation/Action Requested:**

The Department of Juvenile Justice Services recommends the Board's approval of a Retroactive Intergovernmental Revenue Agreement for additional services to be provided to a gang involved youth who is on probation with the Department of Juvenile Justice Services.

II. **Background/Analysis:**

This Agreement reflects pass-through dollars from CSD for this youth to receive therapy services through the Catherine Freer Wilderness Therapy Expedition.

Retroactive Status:

This contract is retroactive due to contracting decisions.

III. **Financial Impact:**

Provides an additional \$2,860 in revenue for FY 1995/96

IV. **Legal Issues:**

N/A

V. **CONTROVERSIAL ISSUES:** N/A

VI. **Link to Current County Policies:**

This Intergovernmental Revenue Agreement adds revenue to support Multnomah County and CSD's priority to serve gang-involved youth through specialized programs.

VII. **Citizen Participation:**

N/A

VIII. **Other Government Participation:**

N/A

MULTNOMAH COUNTY CONTRACT APPROVAL FORM

(See Administrative Procedures CON-1)

Contract # 700216

Amendment # _____

<p style="text-align: center;">CLASS I</p> <p><input type="checkbox"/> Professional Services under \$25,000</p>	<p style="text-align: center;">CLASS II</p> <p><input type="checkbox"/> Professional Services over \$25,000 (RFP, Exemption)</p> <p><input type="checkbox"/> PCRB Contract</p> <p><input type="checkbox"/> Maintenance Agreement</p> <p><input type="checkbox"/> Licensing Agreement</p> <p><input type="checkbox"/> Construction</p> <p><input type="checkbox"/> Grant</p> <p><input type="checkbox"/> Revenue</p>	<p style="text-align: center;">CLASS III</p> <p><input type="checkbox"/> Intergovernmental Agreement</p> <p><input checked="" type="checkbox"/> Intergovernmental Revenue Agreement</p> <p style="text-align: center;">APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</p> <p>AGENDA # <u>C-6</u> DATE <u>11/21/95</u></p> <p style="text-align: center;">DEB BOGSTAD BOARD CLERK</p>
--	--	--

Department: Juvenile Justice Services Division: _____ Date: 10/26/95

Contract Originator: Jimmy Brown Phone: 248-3968 Bldg/Room: 311\DJJS

Administrative Contact: Alandria Taylor Phone: 248-3968 Bldg/Room: 311\DJJS

Description of Contract: This Intergovernmental Agreement allows additional services to be provided to a gang involved youth who is receiving probation services through the Department of Juvenile Justice Services.

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

ORS/AR # _____ Contractor is ☐ MBE ☐ WBE ☐ QRF

<p>Contractor Name: <u>Children's Services Division</u></p> <p>Mailing Address: <u>500 Summer St., NE</u> <u>Salem, OR 97310-</u></p> <p>Phone: <u>(503) 945-5725</u></p> <p>Employer ID# or SS#: _____</p> <p>Effective Date: <u>July 1, 1995</u></p> <p>Termination Date: <u>June 30, 1996</u></p> <p>Original Contract Amount: \$ <u>2,860</u></p> <p>Total Amt of Previous Amendments: \$ _____</p> <p>Amount of Amendment: \$ _____</p> <p>Total Amount of Agreement: \$ <u>2,860</u></p>	<p>Remittance Address (if different) _____</p> <p>Payment Schedule Terms</p> <p><input type="checkbox"/> Lump Sum \$ _____ <input type="checkbox"/> Due on Receipt</p> <p><input type="checkbox"/> Monthly \$ _____ <input type="checkbox"/> Net 30</p> <p><input type="checkbox"/> Other \$ _____ <input type="checkbox"/> Other</p> <p><input type="checkbox"/> Requirements contract - Requisition Required</p> <p>Purchase Order No. _____</p> <p><input type="checkbox"/> Requirements Not to Exceed \$ _____</p> <p>Encumber: Yes <input type="checkbox"/> No <input type="checkbox"/></p>
--	---

REQUIRED SIGNATURES:

Department Manager: [Signature] Date: 11-3-95

Purchasing Director: _____ Date: _____
(Class II Contracts Only)

County Counsel: [Signature] Date: 11/14/95

County Chair/Sheriff: [Signature] Date: November 21, 1995

Contract Administration: _____ Date: _____
(Class I, Class II/Contracts Only)

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

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

DISTRIBUTION: Contracts Administration, Initiator, Finance

G:\DATA\CONTRACT\CAF.DOC

INTERAGENCY GOVERNMENTAL
Agreement

Oregon

August 28, 1995

MULTNOMAH COUNTY JUVENILE JUSTICE DIVISION
1401 NE 64TH AVE
PORTLAND, OR 97201

ATTN: Jimmy Brown

DEPARTMENT OF
HUMAN
RESOURCES

OREGON
YOUTH
AUTHORITY

Contract Log #: 5-0825 Boy's Prgm

We are FAXING a copy of the new agreement between you and the Oregon Youth Authority. We are requesting a swift return of this document. **To Validate this agreement, all required signatures must be obtained, prior to service date.**

Please review and note the effective date, amount, and other provisions of this agreement. We believe this document accurately represents your understanding with OYA. If you have any question regarding this agreement please call Adele Tabor at the SCF Business Services Office, 1 503 945 - 5658.

*** NOTE:** Complete and sign the "Contractor Data and Certification" information required (see signature pages). This data is vital for accurate payment and IRS reporting. The Federal ID or Social Security Number is mandatory for payment. Your signature verifies this data.

Please sign and date two (2) copies of this agreement. It is required that both copies of this document arrive back in the Business Services Office as soon as possible.

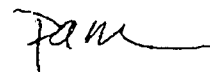
The address is:

Services to Children & Families
Business Services Section
Human Resource Bldg, 4th Floor
500 Summer Street, NE
Salem, Oregon 97310-1017.

Oregon law requires that Provider's comply with necessary insurance/Worker's Compensation coverage. If this applies to you, it is essential that this information is on file with SCF, prior to implementation of the document.

A copy of this document will be sent to you after the process has been completed.

Sincerely,



Pam Pederson, Secretary
CSD, Business Services



John A. Kitzhaber
Governor

500 Summer Street NE
Salem, OR 97310-1003
Salem - (503) 945-5725
FAX - (503) 945-5954

STATE OF OREGON INTERGOVERNMENTAL AGREEMENT

CSD Contract Number: 5-0825

Date: August 25, 1995

This agreement is between the State of Oregon, acting by and through its Department of Human Resources, Oregon Youth Authority, hereinafter referred to as the "Department or Division" and **MULTNOMAH COUNTY JUVENILE JUSTICE DIVISION** hereinafter referred to as the "County". The Department's supervising representative for this agreement is Mary Lackaff.

Effective Date and Duration: This agreement shall become effective on August 29, 1995 (or on the date at which every party has signed this agreement, and when required, the Department of Administrative Services and the Department of Justice have approved this agreement, whichever date is later). This agreement shall expire, unless otherwise terminated or extended, on September 30, 1995. However, such expiration shall not extinguish or prejudice Department's right to enforce this agreement with respect to (i) any breach of a County warranty; or (ii) any default or defect in County performance that has not been cured.

Statement of Work: The statement of services to be performed and agreement provisions are contained in the following that are attached hereto and are by this reference, made a part of this agreement:

<u>Document</u>	<u>Pages</u>
SCHEDULE	4
GENERAL PROVISIONS	5

Consideration: Department agrees to pay County an amount not to exceed \$2,860.00 for accomplishment of the work, including any allowable expenses. Interim payments shall be made to County as outlined in the agreement document entitled SCHEDULE.

Amendments: The terms of this agreement shall not be waived, altered, modified, supplemented or amended, in any manner whatsoever, except by written instrument signed by the parties including, when required, the Department of Administrative Services and the Department of Justice.

COUNTY MUST COMPLETE COUNTY DATA AND CERTIFICATION	
NAME: (tax filing):	<u>MULTNOMAH County Dept. of Juvenile Justice Services</u>
ADDRESS:	<u>1401 NE 68th</u>
Social Security # or Federal Tax ID. #	<u>93-6002309</u>
Citizenship: Non-resident alien	<input type="checkbox"/> Yes <input type="checkbox"/> No

I, the undersigned, agree to perform work outlined in this agreement in accordance with the terms and conditions and the attachments referenced herein.

Approved by the County:

Signature: [Signature]

Title: Program Development Administrator

Date: 08/29/95

Approved by Oregon Youth Authority, Department of Human Resources:

By: _____

Date: _____

Reviewed by Contracts Officer: _____

Date: _____

Approved for Legal Sufficiency: _____

N/A

Assist. A.G. Date: _____

SCHEDULE

COUNTY: MULTNOMAH COUNTY JUVENILE JUSTICE
DIVISION

DATE: August 25, 1995

SECTION A SERVICES TO BE PERFORMED

1. The County agrees to provide the services described as follows, and in any attachments here to, to PAUL HUSEBY hereinafter referred to as child, in accordance with the terms and conditions stipulated in this agreement and its attachments.
 - a. The County will provide individual counseling which shall focus on supporting the child's continued sobriety. Additionally the counseling shall address the issues which include but are not limited to the child's issues surrounding self destructive behaviors, self esteem, decision making skills and relapse prevention.
 - b. The goals of the counseling shall be to provide supportive therapy as a preventative means to minimize the child's self abusive behavior, increase community protection and divert placement in a residential setting or training school.
 - c. Services shall be provided at the County's facility or other mutually agreed upon locations.
 - d. The County shall provide the Department with written documentation which shall include a report outlining treatment issues, child's progress and recommendations for further treatment to Joni Zimmerman, Manager, Transition Project, Oregon Youth Authority, MacLaren School, 2630 N. Pacific Hwy., Woodburn, OR 97071 with a copy to Mary Lackaff, Metro Region Diversion Specialist. This report shall also include any urgent concerns the County may have regarding the child.
2. Payment will be made only for actual hours of service provided or in cases where less than 24 hours notice of cancellation of an appointment was given.

SECTION B CONSIDERATION

1. As consideration for the services provided by the County during the period beginning August 29, 1995 and ending September 30, 1995, payment shall be subject to the provisions of ORS 293.462 (payment of overdue account charges); the Department will pay to the County, by check(s), an amount not to exceed \$2,860.00 for wrap around services as described in the child's mutually agreed upon plan.
2. County shall not submit billings for, and Department will not pay, any amount in excess of the maximum compensation amount set forth above. If this maximum compensation amount is increased by amendment of this agreement, the amendment must be fully effective before County performs work subject to the amendment. No payment will be made for any services performed before the beginning date or after the expiration date of this agreement. This agreement will not be amended after the expiration date.
3. Payment will be made by the Department to the County monthly, on or after the first of each month following the month in which the services were performed, or as otherwise stipulated in the agreement, subject to receipt by the Department of the billing.

Section B. continued

4. Billings and a report of the services rendered will be submitted monthly, on form CSD 294A, to Oregon Youth Authority, Attn: Joni Zimmerman, Manager, Transition Project, MacLaren School, 2630 N. Pacific Highway, Woodburn, OR 97071. A supply of the form CSD 294A shall be sent to the County by the Department.

SECTION C PROVISIONS SPECIFIC TO THIS AGREEMENT

1. PROGRAM:

- a. The Department enters into this agreement in anticipation of requiring the County's services.
- b. County-Client Relationship: The County will establish a system through which a child and the child's parents or guardian may present grievances about the operation of the County's service program. At the time arrangements are made for the County's services, the County will advise the child and parents or guardian of this provision. The County shall notify the Department of all unresolved grievances.
- c. Services to Culturally Diverse Children and Families: Providing equal access to and maximum benefit from services for children and youth who are members of culturally diverse groups is a priority for the Department.
- d. Program Records, Controls, Reports and Monitoring Procedures: The County agrees to maintain program records including statistical records, and to provide program records to the Department at times and in the form prescribed by the Department. The County agrees to establish and exercise such controls as are necessary to assure full compliance with the program requirements of this agreement. The County also agrees that a program and facilities review (including meetings with consumers, review of service records, review of policy and procedures, review of staffing ratios and job descriptions, and meetings with any staff directly or indirectly involved in the provision of services) may be conducted at any reasonable time by state and federal personnel and other persons authorized by the Department.
- e. No Third Party Beneficiaries: Department and County are the only parties to this agreement and are the only parties entitled to enforce its terms. Nothing in this agreement gives, is intended to give, or shall be construed to give or provide any benefit or right, whether directly, indirectly or otherwise, to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this agreement.
- f. Records Maintenance; Access: County shall maintain all fiscal records relating to this agreement in accordance with generally accepted accounting principles. In addition, County shall maintain any other records pertinent to this agreement in such a manner as to clearly document County's performance hereunder. County acknowledges and agrees that Department and, notwithstanding section c, above, the Oregon Secretary of State's Office, the Federal Government, and their duly authorized representative shall have access to such fiscal records and to all other books, documents, papers, plans and writings of County that are pertinent to this agreement for the purpose of performing examinations and audits, and making excerpts and transcripts. All such fiscal records, books, documents, papers, plans, and writings shall be retained by County and kept accessible for a minimum of 3 years, except as required longer by law, following final payment and

Section C.1.f. continued

termination of this agreement, or until the conclusion of any audit, controversy or litigation arising out of or related to this agreement.

- g. Worker's Compensation: The County, its subcontractors, if any and all employers providing work, labor or materials under this agreement are subject employers under the Oregon Worker's Compensation Law and shall comply with ORS 656.017, which requires them to provide workers' compensation coverage that satisfies Oregon law for all their subject workers. Out-of-state employers must provide Oregon workers' compensation coverage for all their workers who work at a single location within Oregon for more than 30 days in a calendar year.
- h. Confidentiality of Information: The use or disclosure by any party of any information concerning a recipient of services purchased under this agreement, for any purpose not directly connected with the administration of the Department's or the County's responsibilities with respect to such purchased services, is prohibited, except on written consent of the Department, or if the Department is not the recipient's guardian, on written consent of the recipient's responsible parent, guardian, or attorney.
- i. Indemnification and Insurance
Notwithstanding the hold harmless provision in the General Provisions of this agreement, the County and the Department shall not be responsible for any legal liability, loss, damages, costs and expenses arising in favor of any person, on account of personal injuries, death, or property loss or damage occurring, growing out of, incident to, or resulting directly or indirectly from the acts or omissions of the other party under this agreement.

Both the Department and the County shall obtain, and at all times keep in effect, comprehensive liability insurance and property damage insurance covering each respective party's own acts and omissions under this agreement. County may satisfy these requirements in any manner allowed by ORS 30.282. The Department shall satisfy this requirement through the Insurance Fund established under ORS 278.425. Such liability insurance, whatever the form, shall be in an amount not less than the limits of public body tort liability specified in ORS 30.270. In the event of unilateral cancellation or restriction by the insurance company of the County's insurance policy referred to in this paragraph, the County shall immediately notify the Department verbally and in writing.

As evidence of the insurance coverages and bond required by this agreement, and prior to the execution of this agreement, the County shall furnish certificate(s) of insurance to Oregon Youth Authority, Department of Human Resources, ATTN: Contracts Manager, 500 Summer Street, NE., Salem, OR 97310-1017. The certificate form to be completed by the County's insurer and bonding company will be maintained in the Department's file of this agreement.

Each insurance policy and bond must contain a provision that there shall be no cancellation, material change, or refusal to renew such insurance policies without 30 days prior written notice to the Department.

2. PAYMENT

- a. Fiscal Responsibility, Records, Controls, Reports and Monitoring Procedures: The County agrees to establish and exercise such controls as are necessary to assure full compliance with federal regulations and the Department's guidelines on allowable use of funds paid by the Department under this agreement.
- b. The County agrees to collect financial statistics on a regular basis and to make financial reports at times and in the form prescribed by the Department.
- c. The County agrees that the rates charged to the Department for services to children under this agreement shall not exceed costs for comparable services to children not covered by this agreement.
- d. The funds paid by the Department to the County under this agreement are restricted funds. This agreement will be administered under Federal guidelines and regulations, and will be in compliance with Federal Cost and Audit requirements which are stipulated in OMB Circulars A-122 and A-133. The County agrees to expend the agreement funds strictly in accordance with these applicable Federal and State regulations.

GENERAL PROVISIONS

GOV.

1. Government Employment Status - If payments under this contract are to be charged against federal funds, the Contractor certifies that it is not currently employed by the federal government.
2. Payments under this Contract - Contractor will be responsible for any federal or state taxes applicable to any compensation or payments paid to Contractor under this contract. Contractor will not be eligible for any benefits from these contract payments of Federal Social Security, unemployment insurance, or workers' compensation, except as a self-employed individual.
3. Compliance with Applicable Law, Licensing and Program Standards - The Contractor shall comply with all federal, state and local laws and ordinances applicable to the work under this contract, including those in the ADDENDUM TO GENERAL PROVISIONS which is attached hereto and by this reference made a part hereof. Contractor agrees that the provisions of ORS 279.312, 279.314, 279.316, 279.320, and 279.555 shall apply to and govern the performance of this contract. Contractor shall comply with all applicable state, county and municipal standards for licensing, certification and operation of required facilities, shall maintain any applicable professional license or certificate required to perform the services described in this contract, and shall comply with any other standards or criteria described in this contract.
4. Safeguarding of Client Information - The use or disclosure by any party of any information concerning a recipient of services purchased under this contract for any purpose not directly connected with the administration of the Department's or the Contractor's responsibilities with respect to such services is prohibited except on written consent of the Department, or if the Department is not the recipient's guardian, on written consent of the recipient's responsible parent, guardian or attorney.
5. Equal Rights - The Contractor agrees to comply with Title VI of the Civil Rights Act of 1964, with Section V of the Rehabilitation Act of 1973, and with all applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations. Contractor also shall comply with the Americans with Disabilities Act of 1990 (Pub L No. 101-336), including Title II of that Act, ORS 659.425, and all regulation and administrative rules established pursuant to those laws.
6. Access to Records - The Department, the Secretary of State's Office of the State of Oregon, the Federal Government, and their duly authorized representatives shall have access to the books, documents, papers and records of the Contractor which are directly pertinent to the contract for the purpose of making audits, examinations, excerpts, copies and transcriptions. The Contractor agrees to include this provision in any subcontracts which may be authorized.
7. Retention of Records - The Contractor agrees to retain all books, records, and other documents relevant to this contract for three years after final payment is made under the contract or all pending matters are closed, whichever is later. If an audit, litigation or other action involving the contract is started before the end of the three year period, the records shall be retained until all issues arising out of the action are resolved or until the end of the three year period, whichever is later.
8. Subcontracting - Unless subcontracting is authorized elsewhere in the contract, the Contractor shall not enter into any subcontracts for any of the work contemplated under this contract without obtaining prior written approval from the Department, which approval shall be attached to the original contract. Prior written approval shall not be required for the purchase by the Contractor of articles, supplies and services which are incidental to the provision of residential care and related services under this contract but necessary for the performance of such work (e.g. facilities maintenance). Approval by the Department of a subcontract shall not result in any obligations to the Department in addition to the agreed rates of payment and total consideration. Any subcontracts which the Department may authorize shall contain all requirements of this contract, and the Contractor shall be responsible for the performance of the subcontractor.

9. Force Majeure - Neither the Department nor Contractor shall be held responsible for delay or default caused by fire, civil unrest, labor unrest, acts of God and war which is beyond respectively, the Department's or Contractor's reasonable control. Contractor shall, however, make all reasonable efforts to remove or eliminate such a cause of delay or default and shall, upon the cessation of the cause, diligently pursue performance of its obligations under the contract.

10. Termination

a. This contract may be terminated by mutual consent of both parties, or by the Department upon 30 days' written notice to Contractor, delivered personally or by certified mail.

b. The Department may also terminate this contract effective upon delivery of written notice to the Contractor, or at such later date as may be established by the Department, under any of the following conditions:

1) If Department funding from state or other sources is not obtained and continued at levels sufficient to allow for the purchase of the indicated quantity of services as required in this contract. The contract may be modified to accommodate the change in available funds.

2) If state laws, regulations or guidelines are modified, changed or interpreted in such a way that the services are no longer allowable or appropriate for purchase under this contract or are no longer eligible for the funding proposed for payments authorized by this contract.

3) If any license or certificate required by law or regulation to be held by the Contractor to provide the services required by this contract is for any reason denied, revoked, suspended, not renewed or changed in such a way that the Contractor no longer meets requirements for such license or certificate.

Termination under (this) paragraph a. and b. shall be without prejudice to any obligations or liabilities of either party already reasonably incurred prior to such termination.

c. Contractor's timely and accurate performance in accordance with the requirements and delivery schedule set forth in this contract is of the essence of this contract. The Department, by written notice to the Contractor, may immediately terminate the whole or any part of this contract under any of the following conditions:

1) If the Contractor fails to provide services called for by this contract within the time specified or any extension thereof.

2) If the Contractor fails to perform any of the other requirements of this contract or so fails to pursue the work so as to endanger performance of this contract in accordance with its terms, and after receipt of written notice from the Department specifying such failure, the Contractor fails to correct such failure within 15 calendar days or such other period as the Department may authorize.

If the contract is terminated under this paragraph, the Department's obligations shall be limited to payment for services provided in accordance with the contract prior to the date of termination, less any damages suffered by the Department. The rights and remedies of the Department in this section related to defaults (including breach of contract) by the Contractor shall not be exclusive and are in addition to many other rights and remedies provided to the Department by law or under this contract.

11. Enforcement of Contract - The passage of the contract expiration date shall not extinguish or prejudice the Department's right to enforce this contract with respect to any default or defect in performance that has not been cured.

12. Waiver of Default - The failure of the Department to enforce any provision of this contract shall not constitute a waiver by the Department of that or any other provision.

13. Severability - The parties agree that if any term or provision of this contract is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the contract did not contain the particular term or provision held to be invalid.

14. Dual Payment - Contractor shall not be compensated for work performed under this contract by any other agency of the State of Oregon.

15. Fees Prohibited - The Contractor will not impose or demand any fees from any person or agency for services provided and paid for under this contract, unless the fees have been approved in advance by the Department.

16. State Tort Claims Act - Contractor is not an officer, employee, or agent of the state as those terms are used in ORS 30.265.

17. Hold Harmless Provision - Contractor shall defend, save, hold harmless, and indemnify the State of Oregon, the Department of Human Resources, the Department and their officers, agents and employees from all claims, suits or actions of whatsoever nature resulting from or arising out of the activities of the Contractor or its subcontractors, agents or employees under this contract, including failure of contractor to comply with the nondiscrimination requirements of section 5.
18. Assignment of Contract - Successors in Interest - The Contractor shall not assign or transfer its interest in this contract without prior written approval of the Department which shall be attached to the original contract. Any such assignment or transfer, if approved, is subject to such conditions and provisions as the Department may deem necessary. No approval by the Department of any assignment or transfer of interest shall be deemed to create any obligation of the Department in addition to the agreed rates of payment and total contract consideration. The provisions of this contract shall be binding upon and shall inure to the benefit of the parties hereto, and their respective successors and assigns.
19. Funds Available and Authorized - The Department certifies that at the time the contract is written that sufficient funds are authorized and available for expenditure to finance costs of this contract within the Department's current appropriation or limitation.
20. Recovery of Overpayments - If billings under this contract, or under any other contract between the Contractor and the Department, result in payments to the Contractor to which the Contractor is not entitled, the Department, after giving written notification to the Contractor, may withhold from payments due to the Contractor such amounts, over such periods of time, as are necessary to recover the amount of the overpayment.
21. Other Agency Approvals - If the amount of this contract, including all amendments thereto, exceeds \$25,000, approval for legal sufficiency by the Attorney General is required. If this contract provides for the provision of professional service to the benefit of the Department and is not exclusively for the benefit of Department clients or other third party entities, approval by the Executive Department is required. All such approvals, when required, shall be obtained before any work may begin under this contract.
22. Controlling State Law - The provisions of this contract shall be construed and enforced in accordance with the provisions of the laws of the State of Oregon. Any action or suit involving any question arising under this contract must be brought in the appropriate court of the State of Oregon.
23. Ownership of Work Product - All work products of the Contractor which result from this contract are the exclusive property of the Department.
24. Equal Employment Opportunity - If this contract, including amendments, is for more than \$10,000, then Contractor shall comply with Executive Order 11246, entitled "Equal Employment Opportunity," as amended by Executive Order 11375, and as supplemented in Department of Labor regulations (41 CFR Part 60). OMB Circular A - 102, § 14.c.
25. Clean Air, Clean Water, EPA Regulations - If this contract, including amendments, exceeds \$100,000 then Contractor shall comply with all applicable standards, orders, or requirements issued under Section 306 of the Clean Air Act (42 U.S.C. 1857(h)), Section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR Part 15), which prohibit the use under non-exempt Federal contracts, grants or loans of facilities included on the EPA List of Violating Facilities. Violations shall be reported to the Department and to the U.S.E.P.A. Assistant Administrator for Enforcement (EN-329). All subcontracts, including amendments, which exceed \$100,000 shall include this language. OMB Circular A-102, § 14.i.
26. Energy Efficiency - Contractor shall comply with applicable mandatory standards and policies relating to energy efficiency which are contained in the Oregon energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-165). OMB Circular A-102, § 14.j.

27. Truth in Lobbying - The Contractor certifies, to the best of the Contractor's knowledge and belief that:

a. No federal appropriated funds have been paid or will be paid, by or on behalf of the Contractor, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any federal contract, grant, loan or cooperative agreement.

b. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence any such officer, employee or member in connection with this federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying" in accordance with its instructions.

c. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

d. The undersigned is solely responsible for all liability arising from a failure by the undersigned to comply with the terms of this certification. Additionally, the undersigned promises to indemnify the Department for any damages suffered by the Department as a result of the undersigned's failure to comply with the terms of this certification.

This certification is a material representation of facts upon which reliance was placed when this contract was made or entered into. Submission of this certification is a prerequisite for making or entering into this contract imposed by section 1352, Title 31, U.S.Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

28. Merger Clause - THIS CONTRACT WHICH INCLUDES ALL ATTACHED OR REFERENCED EXHIBITS, CONSTITUTES THE ENTIRE AGREEMENT BETWEEN THE PARTIES. NO WAIVER, CONSENT, MODIFICATION OR CHANGE OF TERMS OF THIS CONTRACT SHALL BIND EITHER PARTY UNLESS IN WRITING AND SIGNED BY BOTH PARTIES AND WHEN REQUIRED THE EXECUTIVE DEPARTMENT AND DEPARTMENT OF JUSTICE. SUCH WAIVER, CONSENT, MODIFICATION OR CHANGE, IF MADE, SHALL BE EFFECTIVE ONLY IN THE SPECIFIC INSTANCE AND FOR THE SPECIFIC PURPOSE GIVEN. THERE ARE NO UNDERSTANDINGS, AGREEMENTS, OR REPRESENTATIONS, ORAL OR WRITTEN, NOT SPECIFIED HEREIN REGARDING THIS CONTRACT. CONTRACTOR, BY SIGNATURE OF ITS AUTHORIZED REPRESENTATIVE, HEREBY ACKNOWLEDGES THAT IT HAS READ THIS CONTRACT, UNDERSTANDS IT, AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS.

ADDENDUM TO GENERAL PROVISIONS

CONTRACTOR AGREES TO BE IN COMPLIANCE WITH APPLICABLE LAW:

279.312 Conditions of public contracts concerning payment of laborers and materialmen, contributions to Industrial Accident Fund, liens and withholding taxes. Every public contract shall contain a condition that the contractor shall:

- (1) Make payment promptly, as due, to all persons supplying to such contractor labor or material for the prosecution of the work provided for in such contract.
- (2) Pay all contributions or amounts due the Industrial Accident Fund from such contractor or subcontractor incurred in the performance of the contract.
- (3) Not permit any lien or claim to be filed or prosecuted against the state, county, school district, municipality, municipal corporation or subdivision thereof, on account of any labor or material furnished.
- (4) Pay to the Department of Revenue all sums withheld from employees pursuant to ORS 316.167.

279.314 Condition concerning payment of claims by public officers. (1) Every public contract shall also contain a clause or condition that, if the contractor fails, neglects or refuses to make prompt payment of any claim for labor or services furnished to the contractor or a subcontractor by any person in connection with the public contract as such claim becomes due, the proper officer or officers representing the state, county, school district, municipality, municipal corporation or subdivision thereof, as the case may be, may pay such claim to the person furnishing the labor or services and charge the amount of the payment against funds due or to become due the contractor by reason of such contract.

(2) The payment of a claim in the manner authorized in the section shall not relieve the contractor or the contractor's surety from obligation with respect to any unpaid claims.

279.316 Condition concerning hours of labor. (1) Every public contract shall also contain a condition that no person shall be employed for more than eight hours in any one day, or 40 hours in any one week, except in cases of necessity, emergency, or where the public policy absolutely requires it, and in such cases, except in cases of contracts for personal services as defined in ORS 279.051, the laborer shall be paid at least time and a half pay for all overtime in excess of eight hours a day and for work performed on Saturday and on any legal holiday specified in ORS 279.334.

(2) In the case of contracts for personal services as defined in ORS 279.051, the contract shall contain a provision that the laborer shall be paid at least time and a half for all overtime worked in excess of 40 hours in any one week, except for individuals under these contracts who are excluded under ORS 653.010 to 653.261 or under 29 U.S.C. sections 201 to 209 from receiving overtime.

279.320 Condition concerning payment for medical care and providing workers' compensation. (1) Every public contract shall also contain a condition that the contractor shall promptly, as due, make payment to any person, copartnership, association or corporation, furnishing medical, surgical and hospital care or other needed care and attention, incident to sickness or injury, to the employees of such contractor, of all sums which the contractor agrees to pay for such services and all moneys and sums which the contractor collected or deducted from the wages of employees pursuant to any law, contract or agreement for the purpose of providing or paying for such service.

(2) Every public contract also shall contain a clause or condition that all employers working under the contract are subject employers that will comply with ORS 656.017.

RECYCLING

As required by ORS 279.555, in the performance of this contract the Contractor shall use, to the maximum extent economically feasible, recycled paper.

INTERGOVERNMENTAL REVENUE AGREEMENT

Page 11

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly appointed officers the date first written above.

MULTNOMAH COUNTY, OREGON

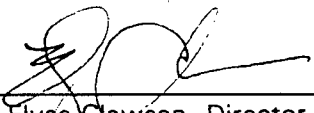
By: _____
Contractor

Date: _____

Contractor's I.D. No.

By: 
Beverly Stein, Chair
Board of County Commissioners

Date: November 21, 1995

By: 
Elyse Clawson, Director
Department of Juvenile Justice Services

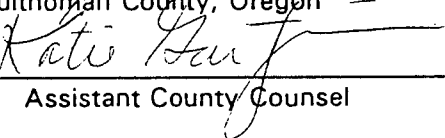
Date: 11-3-95

By: _____
Jimmy Brown
Program Manager

Date: _____

REVIEWED:

LAURENCE KRESSEL, County Counsel
for Multnomah County, Oregon

By: 
Assistant County Counsel

Date: 11/14/95

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-6 DATE 11/21/95
DEB BOGSTAD
BOARD CLERK

BUDGET MODIFICATION NO. DJJS 5

(For Clerk's Use) Meeting Date NOV 21 1995
Agenda No. C-7

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR: _____
(Date)

DEPARTMENT: Juvenile Justice Services
CONTACT: Marie Eighmey

DIVISION: Office of Pgm Development
TELEPHONE: 248-3550

*NAME(S) OF PERSON MAKING PRESENTATION TO BOARD: Elyse Clawson/Joanne Fuller

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

The Budget Modification # DJJS 5 adds \$2,860 in state Children Services Division revenue to the Department of Juvenile Justice Services to pay for wilderness camp services for youth.

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

This Budget Modification supports an intergovernmental revenue agreement between Multnomah County Department of Juvenile Justice Services and state Children Services Division. It adds \$2,860 to the Pass Through Payment budget line to purchase wilderness camp services to address youth sobriety issues.

The Indirect Cost is covered by a \$20 increase in the General Fund Cash Transfer to Federal/State.

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

- Increases Federal/State Revenue Code 2386 by \$2,860 CSD revenue.
- Increases General Fund Cash Transfer to Federal/State by \$20.

1995 NOV 14 AM 10:07
MULTNOMAH COUNTY
OREGON
CLERK OF COUNTY COMMISSION

4. CONTINGENCY STATUS (to be completed by Finance/Budget)

(Specify Fund) Contingency before this modification (as of _____ (Date) \$ _____)

Marie Eighmey 11/8/95
Originated By Date

After this modification \$ _____
[Signature] 11-8-95
Department Manager Date

Christine Ullie 11/13/95
Finance/Budget Date

Employee Relations Date

ROBERTA L. BOCASTO 11/21/95
Board Approval Date

EXPENDITURE TRANSACTION EB [] GM [] TRANS DATE _____ ACCT'G PERIOD _____ BUDGET FY _____
DOCUMENT NUMBER _____ ACTION _____

[illegible]

REVENUE

FUND	AGENCY	ORG	ACT.	REPT CATEG.	REV SOURCE	CURR AMT	REV AMT	CHANGE	TOTAL	DESCRIPTION
156	012	2705		JPEF	2386			2,860		CSD
156	012	2705			7601			20		GF Indirect
									2,880	Total, Org 2705
100	045	7410			6602			20		Svc Reimb from Fund 156
									20	Total, Svc Reimbursement
									2,900	TOTAL REVENUE

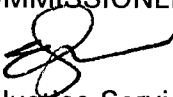


MULTNOMAH COUNTY OREGON

DEPARTMENT OF JUVENILE JUSTICE
1401 N.E. 68TH
PORTLAND, OREGON 97213
(503) 248-3460
TDD 248-3561

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

TO: BOARD OF COUNTY COMMISSIONERS

FROM: Elyse Clawson, Director 
Department of Juvenile Justice Services

DATE: November 8, 1995

RE: Approval of Budget Modification #DJJS 5, Which Supports A \$2,860 Intergovernmental Revenue Agreement Between The Department Of Juvenile Justice Services and Children's Services Division

I. **Recommendation/Action Requested:** The Department of Juvenile Justice Services recommends Board of County Commissioners' approval of a modification to add \$2,860 Children's Services Division revenue to the Department's budget.

II. **Background/Analysis:** The state Children's Services Division, through an intergovernmental agreement with the Department of Juvenile Justice Services, is providing \$2,860 dedicated revenue to be passed through the Department to the Catherine Freer Wilderness Therapy Expedition contractor to purchase therapy services for a youth.

III. **Financial Impact:** This modification increases the Department's Federal/State program by \$2,880, consisting of \$2,860 CSD revenue and \$20 General Fund Cash Transfer. It reduces General Fund Contingency by the \$20 Indirect Cost charge.

IV. **Legal Issues:** None.

V. **Controversial Issues:** None.

VI. **Link to Current County Policies:** Supports services to gang-involved youth through specialized, contracted programs.

VII. **Citizen Participation:** Not applicable.

VIII. **Other Government Participation:** Partnership with State of Oregon; continuation of the support Multnomah County has demonstrated towards Children's Services Division funding by County coverage of Indirect Cost.

me c:\wp51\data\covrcsdc.nov

MEETING DATE NOV 21 1995

AGENDA NO. C-8

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

Subject: OLCC License Renewal

BOARD BRIEFING Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING Date Requested: _____

Amount of Time Needed: _____

DEPARTMENT Sheriff's Office DIVISION _____

CONTACT Sergeant Bob Barnhart TELEPHONE 251-2431

BLDG/ROOM # 313/124

PERSON(S) MAKING PRESENTATION: Sergeant Bob Barnhart

ACTION REQUESTED:

() INFORMATIONAL ONLY () POLICY DIRECTION ☒ APPROVAL () OTHER

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

This is an OLCC Dispenser Class A License Renewal Application for:

Cracker Barrel Grocery
15005 NW Sauvie Island Rd
Portland, OR 97231

The background has been checked on applicant(s):

Kae Mun Yom and Chong Su Yom
and no criminal history can be found on the above.

11/24/95 ORIGINAL TO SGT. BARNHART

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

OR

DEPARTMENT MANAGER: RA Barnhart

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any questions call the Office of the Board Clerk, 248-3277/248-5222

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
1995 NOV - 8 AM 8 12

Oregon Liquor Control Commission

PO Box 22297, Portland, OR 97269 1-800-452-6522

License Renewal Application

IMPORTANT: Failure to fully disclose any information requested, or providing false or misleading information on this form is grounds to refuse to renew the license. Your license expires December 31, 1995

License Type: Package Store	District: 1	County/City: 2600	RO#: R00281A	421/203
-----------------------------	-------------	-------------------	--------------	---------

YOM KAE MUN
15005 NW SAUVIE ISLAND RD
PORTLAND OR 97231

Licensee(s) YOM KAE MUN
YOM CHONG SU

Tradename CRACKER BARREL GROCERY
15005 NW SAUVIE ISLAND RD
PORTLAND OR 97231

Instructions:

1. Answer all questions completely on the renewal application.
2. Have each partner or an authorized corporate officer sign the renewal application.
3. Have the local governing body endorse the renewal application.
4. Return completed renewal application along with the appropriate license fee due before December 12, 1995 to avoid late fees.

Operational Questions:	Responses:
(1) Please list a daytime phone number.	Phone Number: 621-3960
(2) Please list all <u>arrests or convictions</u> for any crime, violation, or infraction of any law during the last year even if they are <u>not liquor</u> related for anyone who holds a financial interest in the licensed business. Attach additional sheet of paper to back of form if needed.	Name Offense Date City/State Result
(3) Will anyone share in the profits who is not a licensee? If yes, please give name(s) and explain.	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES & EXPLAIN:
(4) Were there any changes of ownership (ie: add/drop partners, change to corporations, etc.) not reported to the OLCC in the last year?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES & EXPLAIN:

Endorsement - Please take this form to your local governing body that is listed below before you return it to the OLCC.

The County of MULTNOMAH recommends that this license be GRANTED X REFUSED _____ on (date) 11/21/95

Signed: Beverly Stein Title of Signer Beverly Stein, Multnomah County Chair

License Fees and Late Fee Schedule & Amounts - Do not mail cash.		Dollar Amount (\$)
License Fee for Package Store		50.00
TOTAL FEE TO PAY >>>>PLEASE PAY THIS AMOUNT<<<<		50.00
Late Fees		
IF Renewal Application Is Received After December 11, 1995 but before January 01, 1996		Add 12.50 To Total Due
IF Renewal Application Is Received On or After January 01, 1996.		Add 20.00 To Total Due

Print Name	Signature	Date	Social Security #	Date of Birth
YOM KAE MUN	X <u>[Signature]</u>	11/3/95	540-06-1925	7-24-41
YOM CHONG SU	X <u>[Signature]</u>	11/3/95	541-04-2665	1-17-40

NOV 21 1995

MEETING DATE: November 9, 1995

AGENDA NO: R-2

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: ORDER DENYING ROBERT W. BURNELL APPLICATION FOR ADULT CARE HOME RESIDENT
MANAGER

BOARD BRIEFING: _____ DATE REQUESTED: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: _____ DATE REQUESTED: Thursday, November 9, 1995

AMOUNT OF TIME NEEDED: 5 minutes

DEPARTMENT: Non-Departmental DIVISION: Chair Beverly Stein

CONTACT: City Atty Pete Kasting TELEPHONE #: 823-4047
BLDG/ROOM #: 131/315

PERSON(S) MAKING PRESENTATION: Pete Kasting, Robert Burnell, Katie Gaetjens

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

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

ORDER in the Matter of the Appeal of Robert W. Burnell from the Hearings Officer's Order Denying an Application for Approval of an Adult Care Home Resident Manager

11/27/95 copies to ADULT CARE HOME Program, Pete Kasting, Katie Gaetjens & Hearings Office
11/28/95 copies to Eli Stutsman & Robert Burnell

SIGNATURES REQUIRED:

ELECTED OFFICIAL: *Beverly Stein*
(OR)
DEPARTMENT
MANAGER: _____

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

1995 NOV 21 11:54
MULTICOUNTY CLERK
OREGON

BEFORE THE BOARD OF COUNTY COMMISSIONERS

MULTNOMAH COUNTY

BOARD OF
COUNTY COMMISSIONERS
1995 NOV 20 AM 11:36
MULTNOMAH COUNTY
OREGON

In the Matter of the Disapproval of
Resident Manager Application for
Burnell Adult Care Home

City Hearings Office
No. 1530700

DEPARTMENT'S RESPONSE
TO APPELLANT'S MOTION
FOR RECONSIDERATION

INTRODUCTION

The Adult Care Home Program of the Multnomah County Department of Aging Services ("Department") strongly opposes appellant's motion for reconsideration. A remand to the Hearings Officer is procedurally unnecessary and inappropriate. Appellant's legal arguments are not supported by law or the facts in this case. Finally, either amending or remanding the Hearings Officer's order will encourage many other applicants with a history of drunk driving convictions to appeal a denial. This precedent will likely result in a significantly greater number of hearings for both the agency and the Board.

ARGUMENT

1. Procedural Issues. Appellant's motion that the order be remanded to the Hearings Officer makes no sense in this case. Appellant is not offering any new evidence to be considered.¹

¹ We note that appellant would in fact be prohibited from introducing new evidence unless that evidence could not have been produced at the hearing. MCAR 890-090-350. Instead, appellant is asking that the Hearings Officer reconsider his decision in light of arguments now raised for the first time. Pursuant to MCAR 890-

1 Appellant is asking for a chance to start over. Had the
2 Hearings Officer felt he needed additional information, or that he
3 wanted the Director to reconsider the order based on evidence
4 presented at the hearing, he could have addressed these concerns
5 before making a decision. See MCAR 890-090-370. He did not do
6 this. To send this order back to the Hearings Officer at this
7 point is inappropriate and would prolong the process unnecessarily.
8 The time to raise these arguments was at the hearing.

9 Additionally, the Board can elect to reconsider a hearing
10 decision upon appeal, based on new argument. MCC 8.90.090(J). At
11 the appeal hearing, appellant did not raise any new argument. The
12 Board decided the record was adequate to make a decision and did
13 not request additional argument. Because appellant did not offer
14 additional arguments at the appeal, but instead raised them for the
15 first time after the Board had already made a decision on the
16 hearing record, the Department asks that the Board not reconsider
17 this matter anew. There must be some finality to the process.

18 2. Legal Arguments. Appellant's legal arguments boil down to
19 an assertion that the agency incorrectly interpreted its own rule.
20 It is an axiom of administrative law practice that deference is
21 paid to an agency's interpretation of a rule which it promulgated
22 under proper authority. See, e.g., Martin v. ODOT, 122 Or App
23 2711, 174, 857 P2d 225 (1993).

24 _____
25 090-360, "the Hearings Officer shall evaluate [the evidence] in
26 light of the presentations of the parties during the hearing
(emphasis added)."

1 Appellant argues that "a conviction for drunk driving is not
2 the same as alcohol abuse." The American Heritage Dictionary,
3 Second Edition, defines "abuse" as "to use wrongly, improperly, to
4 misuse." Certainly driving while drunk is a "misuse" of alcohol.
5 It is because society considers driving while drunk a misuse of
6 alcohol that it has made drunk driving a criminal offense. Drunk
7 driving is an "offense involving alcohol abuse."

8 Appellant also argues that a criminal conviction for drunk
9 driving is not substantially related to the qualifications or
10 functions of a resident manager for an adult care home.
11 Convictions for drunk driving are evidence of alcohol abuse. While
12 a resident manager may not be driving an automobile while on duty,
13 most people convicted of drunk driving are drunk before they enter
14 the automobile in which they are arrested. In all likelihood,
15 their alcohol abuse is not limited to times when they are driving.
16 Therefore, the rule is rationally related to a legitimate
17 government purpose, that is, assuring that caretakers in adult care
18 homes are able to perform their job duties.

19 The consequences of an intoxicated resident manager caring for
20 frail adults can be deadly. In January, 1995, four residents of a
21 Medford senior foster care home died as the result of a fire
22 started by a fifth resident. The resident manager was found to
23 have a blood alcohol level of 0.14% more than four hours after the
24 fire started. Although it cannot be proved that the senior
25 residents would have survived had the resident manager not been
26

1 drunk, the District Attorney filed charges against the resident
2 manager for Criminal Mistreatment and Recklessly Endangering
3 Another Person. (Press release attached.)

4 Resident managers work 12 hour shifts, without supervision.
5 They may be called upon to make critical decisions in life-
6 threatening situations. They must be sober. A rule limiting the
7 ability of individuals convicted of offenses involving alcohol
8 abuse to serve as a resident manager is related to the
9 qualifications and functions of a resident manager.

10 3. Finality Issues. The Department indicates that a
11 considerable number of applicants for both adult care home operator
12 and resident manager positions report a history of drunk driving
13 offenses. A clear rule, without variances except under the most
14 unusual of circumstances, is necessary to address these
15 applications. Absent such a rule, it is inevitable that many of
16 these individuals will appeal denials of their applications. This
17 in turn would put both the Department and the Board in the position
18 of trying to guess about future behavior on a frequent basis.

19 Allowing a second appeal in this case would also extend this
20 case excessively, as well as encouraging protracted battles in
21 future cases. A clear rule, consistently applied, is essential.

22 CONCLUSION

23 Appellant belatedly raises a series of weak arguments and asks
24 that the entire case be remanded to the Hearings Officer. The
25 agency's original decision in this matter is fully supported by the
26

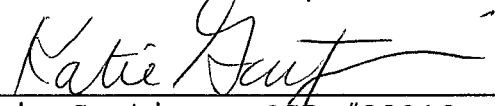
1 applicable administrative rule, which in turn is supported by a
2 firm rationale. The Hearings Officer upheld the Department's
3 interpretation of its rule. The Department asks the Board to do
4 likewise, and to affirm the September 22, 1995 decision of the
5 Hearings Officer on the record.

6 DATED this 17th day of November, 1995.

7 Respectfully submitted,

8 LAURENCE KRESSEL, COUNTY COUNSEL
9 FOR MULTNOMAH COUNTY, OREGON

10 By


Katie Gaetjens, OSB #88210
Assistant County Counsel
Of Attorneys for Department of Aging
Services

13 F:\DATA\COUNSEL\WPDATA\EIGHTEEN\RECONBRU.PLE
14
15
16
17
18
19
20
21
22
23
24
25
26

CERTIFICATE OF MAILING

I hereby certify that on the 17th day of November, 1995, I served the within document by fax, a full, true, and correct copy thereof, addressed to the following:

Peter Kastings
City Attorney's Office
Room 315, City Hall
1220 SW Fifth Avenue
Portland, OR 97204
Attorney for Board of
County Commissioners
Fax No. 823-3089

Eli D. Stutsman
1900 Standard Insurance Center
900 S.W. Fifth Avenue
Portland, OR 97204
Fax No. 273-9135


Katie Gaetjens

*Stipulated
9/29/95
Application
file*

OFFICE OF THE DISTRICT ATTORNEY

MARK HUDDLESTON

DISTRICT ATTORNEY

CRIMINAL PROSECUTION

(503) 776-7011

715 West 10th Street, Medford, Oregon 97501

September 12, 1995
10:00 a.m.

PRESS RELEASE

For Immediate Release

Jackson County District Attorney Mark Huddleston announced today that his office has concluded its investigation into the January 12, 1995 fire at a Medford senior foster care home which resulted in the death of four residents. Gladys Bartelt (88), Sarah Lindemood (91), Dorthy Peterson (85) and John Long (82) all died from the effects of smoke inhalation within 2 weeks of the fire at 1449 Oleander.

Fire and police investigators believe the cause of the fire to be careless smoking on the part of another resident; Carl Vance Amack (80). Mr. Amack, along with the resident manager, Swanee Frick, survived the fire.

Huddleston indicated that Carl Amack is suffering from a degenerative mental condition. He stated that there was no evidence that Amack set the fire intentionally. For that reason, and because of Amack's mental condition; Huddleston said that no charges would be filed against Carl Amack.

* District Attorney Huddleston said that charges of Criminal Mistreatment in the Second Degree and Recklessly Endangering Another Person had been filed against Swanee Frick. These charges are based on the fact that Frick had a blood alcohol content of 0.14% over four hours after the fire started. Although Huddleston said he could not prove that anyone would have survived the fire if Frick had not been drinking; he stated that such a high level of intoxication meant that Frick was unable to provide necessary care and assistance to the residents under her supervision.

----- A press-conference will be held this afternoon, September 12, 1995 at 3:00 p.m. at the Medford Police Department Briefing room.

c:\wp51\doc\epress.912

WEDNESDAY

Sept. 13, 1995



High 95, Low 47
Sunny and warm, NW
winds at 5-15 mph
WEATHER/12A

REVITALIZED AND READY

Steve Bennett has returned to SOSC football after a two-year layoff and will start at offensive tackle in the Raiders' season opener on Saturday.

■ Sports/1D



SALE PROTEST

Environmentalists have penetrated the sealed-off Sugarloaf timber sale.

■ Local/3A

JUST DESSERTS

Thierry Chouard has turned tart-making into a growing local business.

■ a la carte/1B

Mail Tribune

Southern Oregon's Morning News Source

Medford, Oregon

Price 50 cents

Caregiver charged in fatal blaze

By DAM DODGE
of the Mail Tribune

On the night a fire ripped through a north Medford foster care home, killing four elderly residents, the woman who was supposed to be watching over them was drunk, according to a district attorney's office investigation.

Jackson County District Attorney Mark Huddleston Tuesday announced he had filed five counts of second-degree criminal mistreatment and five counts of recklessly endangering others against the caregiver.

Swanee Bertha Frick, in connection with the Jan. 12 tragedy at 1449 Oleander St.

Huddleston said Frick had a blood alcohol content of 0.14 more than four hours after the fire started. In Oregon, a person is considered legally intoxicated when their blood alcohol level is .08.

"I do believe and am thoroughly convinced that her level of intoxication, twice that legal to drive a vehicle," interfered with her fulfilling her responsibilities as a caregiver, Huddleston said.

Also on Tuesday, Roberta Renning-Fry, president of the Oregon Care Providers As-

sociation, called intoxication while on duty "absolutely unacceptable for care providers on duty giving residential care."

Huddleston said his investigation took eight months because "every time we came close, we thought of something else we needed."

The fire broke out when a resident of the home, Carl Vance Amack, 80, went onto a porch in the middle of the night to smoke a cigarette, according to Medford police and fire authorities. Either the cigarette or the lighter apparently set fire to a stuffed chair on the porch, a glassed-in addition to

the home. The smoldering fire exploded when it hit Amack's oxygen tanks in the next room.

Within two weeks of the fire, four residents of the home were dead of burns or smoke inhalation: Gladys Bartelt, 88; Sarah Lindemood, 91; Dorothy "Dottie" Peterson, 85; and John Long, 82.

Only Frick and Amack survived. Frick, 50, has been working at a Central Point foster care home owned by Donna Zimmerman, and was cited there Tuesday morning. Frick, who listed her address as that home at 1110 Crown Ave., Central

Point, declined to comment Tuesday. State records indicate she has worked there as resident caregiver since April 1994.

After the fire, Amack, who has empty sella and senile dementia, moved next door into another home operated by Carol Dawson, the same licensed foster care provider overseeing 1449 Oleander.

Huddleston said he declined to press charges against Amack because of Amack's degenerative mental condition and also because there was no evidence that he lit the

see FOSTER HOME, page 2A

LOCAL

Foster home

from Page 1A

tended to start the fire.

He also said Dawson and the landlord, Jim Goguen, were cleared of any criminal liability.

Huddleston said although he could not prove that anyone's life would have been spared had Frick not been drinking, such a high level of intoxication meant Frick was unable to provide necessary care and assistance to the five residents under her supervision.

Although Frick was at work Tuesday, officials at the Rogue Valley Council of Governments' Senior and Disabled Services Office said they issued a letter to Zimmerman Tuesday saying she must not let Frick work until the case is resolved. If Frick is found guilty of the charges she probably would not be able to work as a caregiver for five years. If she is exonerated she could immediately be reinstated to her post.

Lois Langlois, program administrator for the senior and disabled services office, said that her investigators will go over the case again to see if they will take any action against Dawson. She said at this time Dawson is a "provider in good standing." Langlois said her staff suspended review of the case while the district attorney was compiling information "so we wouldn't trip over them."

Dawson said she had no comment on the arrest or the pending state investigation.

The home at 1449 Oleander has been rebuilt and remodeled since the fire, according to landlord Jim Goguen. There are now three fire exits and the windows are lower so it would be easier to get out in case of emergency.

Goguen said he and Dawson are hoping to reopen the foster care home soon. The only impediment to their plans could be the senior



Caregiver Swanee Frick is comforted after the Jan. 12 fire.

MT file photo

and disabled services office, which must issue them a license first.

Langlois could not comment on whether they will get their license — she said it would be processed like any other foster care application.

Ruth Fowlkes, whose "Aunt Dottie" died because of the fire, said she's sick of "the whole kit and caboodle." She said was angry that the district attorney took

so long to issue findings and all the pain has to be dredged up again. She also said she's sad that a caregiver who seemed so wonderful had let her aunt and all the others down so badly.

"I was shocked to hear she had been drinking," Fowlkes said. "That was wrong. Very wrong. She had days off, she should have been doing her drinking then."

Cougar

from Page 1A

Ross have already told. The Rosses will not let children walk to Kenner. Becky Ross is driving to school until the cougar is

"If it's in the neighborhood could be (a threat) to Bryan Ross said. "They're beautiful cats. I hate to see anything happen."

Complaints about cougars in Jackson County have all passed 70 since January 1995 well on track to year's record of 79 complaints, according to the

Many of the problems have been attributed to the Rogue Valley cougar population which has been estimated at about 150 animals.

Biologists suspect the large number of domestic cougars, which do not tolerate other males within claimed hunting areas, stretch for 100 square miles.

The younger males go

Shanno

from Page 1A

when they're blown out.

One night she decided to had come. She went to and got the candles and bundled the candles in four with rubber bands. Two little torches. She had her tools and gas, and hair into a stocking cap. to Ashland.

Her plan was to shut down without hurting. Only later would she justify murder of labor workers.

On the way she pulled into "a pointed engine, sputtered noise pulled into the park. The building next door

1
2
3 BEFORE THE BOARD OF COUNTY COMMISSIONERS
4 FOR THE COUNTY OF MULTNOMAH
5

6 In the Matter of the) City Hearings Office
7 Disapproval of Resident)
8 Manager Application for) Case No. 1530700
9 Burnell Adult Care Home)
10)
11) **MOTION FOR**
12) **RECONSIDERATION AND**
13) **REMAND**
14)

15
16
17
18 **I. INTRODUCTION**

19 Last week, Tuesday, October 31, 1995, the Board ruled to
20 decide this matter on the record and tentatively affirmed the
21 Hearings Officer's Determination and Order.

22 The Board further directed Mr. Kasting to prepare a final
23 order for the Board's consideration today, November 9, 1995.

24
25
26 **II. MOTION FOR RECONSIDERATION AND REMAND**

27 The Burnell Adult Care Home (Mr. Burnell) respectfully
28 requests that the Board of Commissioners reconsider its
29 tentative approval of the hearings officer's decision.

30 Mr. Burnell's request is very narrow.

31 Mr. Burnell requests that the Board remand this matter back
32 to the Hearings Officer for reconsideration of the following two
33 issues:

34 Issue No. 1. Whether Ms. Jenkins' conviction for drunk

1 driving is "alcohol abuse" as this term is intended by MCAR 890-
2 020-230(c).

3 Issue No. 2. Whether Ms. Jenkins' drunk driving
4 conviction is "**substantially related**" to the qualifications,
5 functions or duties of a resident manager as this phrase is
6 intended by MCAR 890-020-230(a).

7 Issue No. 3. Whether there is substantial evidence in the
8 record necessary to support agency's denial of Ms. Jenkins'
9 application to be a resident manager.

10
11 **III. JUSTIFICATION IN SUPPORT**
12 **OF MOTION TO RECONSIDER**
13

14 1. Mr. Burnell's Request is Narrow.

15 Mr. Burnell agrees with the Board that this matter should
16 be decided on the record, and that there is no need to re-open
17 the record, or to hold additional hearings. Mr. Burnell's
18 request is far narrower. He asks only that the matter be
19 remanded back to the referee for reconsideration on the existing
20 record of the legal issues specified above.

21
22 2. Information Desired by the Hearings Officer was not
23 Provided at Hearing.

24 The Hearings Officer invited further comment during the
25 hearing on both legal points specified above. (See Transcript
26 at 5, 21-25). Unfortunately, because Mr. Burnell was not

1 represented by legal counsel (for which he accepts respons-
2 ibility) he was unable to respond appropriately. Id.

3
4 3. Ms. Jenkins did Not Commit the Crimes or Offenses that
5 Require the Denial of her Application.

6 In the present case, the agency argues that a drunk driving
7 conviction is an "offense involving * * * alcohol abuse." (See
8 Rebuttal to Appellant's Exceptions, 2, lines 12-13). This
9 however, is a conclusion not necessarily supported by the Rule.
10 The language edited out of the sentence "offense involving * * *
11 alcohol abuse" is material. In its full context, the regulation
12 refers to

13 prostitution, offenses involving narcotics,
14 **alcohol abuse** and dangerous drugs [emp. supp.],
15 see MCAR 890-020-230(c).

16 A conviction for drunk driving is not the same as "alcohol
17 abuse." Although drunk driving is nothing to be proud about, it
18 is not included in the rule, which lists much more serious
19 crimes, but does not expressly include drunk driving.
20 Consequently, this Rule does not require the denial of Ms.
21 Jenkins' application to be a resident manager.

22 4. Ms. Jenkins' Conviction is Not "Substantially
23 Related" to her Employment as Resident Manager.

24 Only "**convictions**" of those "**crimes**" that are
25 "**substantially related** to the qualifications, functions or
26

1 duties of a [resident] manager" require that the application be
2 denied. See MCAR 890-020-230(a). Here, in this record, there
3 is no evidence that Ms. Jenkins' prior drunk driving conviction
4 is *substantially related* to her employment as a resident
5 manager. It appears that the agency simply assumes that a
6 "substantial relationship" exists because MCAR 890-020-230(c)
7 (quoted above) lists "related crimes." MCAR 890-020-230(c) does
8 not, however, say that those listed crimes are "substantially
9 related." Rather, the test of whether "**convictions**" for those
10 "**crimes**" are "**substantially related**" is required by §§(a) of the
11 same Rule. The agency has simply ignored the application of the
12 substantial relationship test in favor of an in-house policy
13 that fails to consider each applicant on his or her own merit.

14 15 IV. CONCLUSION

16 Although the applicant has been convicted of drunk driving,
17 she has not been convicted of one of the crimes listed in MCAR
18 890-020-230(c). Even if a conviction for drunk driving is
19 considered one of those crimes, in the present case it is not
20 "substantially related" to her position as a resident manager.
21 Nor is there substantial evidence in the record to support such
22 a finding.

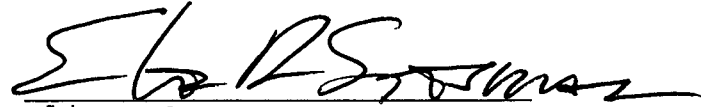
23 For the three reasons described above, Mr. Burnell urges
24 the Board to remand this case back to the Hearings Officer for

25 ///

26 ///

1
2 reconsideration. The Board has authority to do so pursuant to
3 MCAR 8.90.090 (J).

4 Dated this 9th day of November, 1995.

5
6 

7 Eli D. Stutsman
8 Attorney for Burnell Adult
9 Care Home and Phyllis Jenkins
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

1
2
3
4 BEFORE THE BOARD OF COUNTY COMMISSIONERS
5 FOR THE COUNTY OF MULTNOMAH

6 In the Matter of the) City Hearings Office
7 Disapproval of Resident)
8 Manager Application for) Case No. 1530700
9 Burnell Adult Care Home)
10)
11) POINTS AND AUTHORITIES IN
12) SUPPORT OF MOTION FOR
13) RECONSIDERATION AND
14) REMAND
15

16
17
18 I. INTRODUCTION

19 The Hearings Officer is urged to reverse his prior
20 Determination & Order on either of the following three
21 independent grounds:

22 1. Ms. Jenkins' conviction for drunk driving is not
23 "alcohol abuse" as this term is intended by MCAR 890-020-230(c).

24 2. Ms. Jenkins' drunk driving conviction is not
25 "**substantially related** to the qualifications, functions or
26 duties of a [resident] manager" as this phrase is intended by
MCAR 890-020-230(a).

3. A finding that the prior drunk driving conviction is
"substantially related" to the functions of a resident manager
in not supported by substantial evidence in the record in this
case.

1 B. Ms. Jenkins' Conviction is Not "Substantially Related"
2 to her Employment as Resident Manager.

3 Only "**convictions**" of those "**crimes**" that are
4 "**substantially related** to the qualifications, functions or
5 duties of a [resident] manager" require that the application be
6 denied, see MCAR 890-020-230(a), except where the Director
7 grants a variance. See MCAR 890-050-210.¹

8 MCAR 890-050-210 provides in relevant part:

9 Persons who have been convicted of one or more crimes
10 which are **substantially related to the qualifications,**
11 **functions or duties of * * * [a] manager * * *** shall
be prohibited from * * * working in * * * an adult
care home [emp. supp.].

12 Here, in this record, there is no evidence that Ms.
13 Jenkins' prior drunk driving conviction is **substantially related**
14 to her employment as a resident manager. It appears, however,
15 that the agency simply assumes that a "substantial relationship"
16 exists because MCAR 890-020-230(c) (quoted above) lists "related
17 crimes."

18 MCAR 890-020-230(c) does not, however, say that the crimes
19 listed there are "substantially related." Rather, the test of
20 whether "**convictions**" for those "**crimes**" are "**substantially**
21 **related**" is mandated by §§(a) of the same Rule. The agency has
22 simply ignored the application of the substantial relationship
23 test in favor of an in-house policy that fails to consider each
24 applicant on his or her own merit. (See Discussion infra).

26 ¹In the present case, a variance was not granted.

1
2 1. The Definition of "Substantially Related".

3 The words "substantially related" are not defined in MCAR
4 890-020-230, and although these words are used in five Oregon
5 Revised Statutes, they are not defined there either. See ORS
6 443.735, ORS 674.140; ORS 696.060, ORS 696.301, ORS 696.535.²
7 In the absence of regulatory or statutory definitions, it is
8 necessary to look elsewhere.

9
10 a. A Dictionary Definition.

11 One legal dictionary defines "substantially" to mean:

12 **Essentially; without material qualification; in**
13 **the main; in substance; materially; in a sub-**
14 **stantial manner. About, actually, competently,**
and essentially [emp. supp.; citation omitted].

15 See Black's Law Dictionary, p 1281 (5th Ed 1979).

16 Applying this definition to the case at hand, i.e., to a
17 drunk driving conviction occurring *a year before* Ms. Jenkins'
18 employment as a resident manager, and based upon the evidence
19 developed at hearing, it is necessary to conclude that her drunk
20 driving conviction is not *substantially related* to her functions
21 or duties as a resident manager. Using the language of the
22 definition, her drunk driving conviction does not affect the
23 "*essential*" work of a residential manager; it is not "*actually*"
24 related. There is no evidence in the record to the contrary.

25
26 ²Indeed, MCAR 890-020-230(a) appears to be borrowed directly
from ORS 443.735(3).

1 b. The Oregon Court of Appeals

2 In a case that is admittedly off point, but perhaps
3 involves more extreme behavior, (i.e., drug abuse during the
4 period of employment), the Oregon Court of Appeals held that an
5 employee's off-the-job drug use that had no impact in the
6 workplace does not constitute "misconduct connected with work."
7 See Glide Lumber Prod. Co. v. Emp. Div., 86 Or App 669, 674-675
8 (1987) (contested unemployment compensation). Although this
9 opinion is off point, it does suggest that an off-the-job drunk
10 driving conviction a year before Ms. Jenkins' employment as a
11 resident manager, is not "**related**," much less "**substantially**
12 **related**" to her current functions and duties as a resident
13 manager.

14
15 c. Other Agencies.

16 In the contested case hearing of Anthony B. Beardslee, the
17 Workers' Compensation Board used the words "substantially
18 related" when explaining a "single unified formula" used to
19 determine whether a consequential injury was related to the on-
20 the-job injury; the Board wrote:

21 [it was a situation where the second injury was
22 sustained] outside of the normal course of
23 employment, but was nonetheless **substantially**
24 **related to the employment because** [it occurred
during] **necessary or reasonable activities that**
would not have been undertaken but for [the
original on-the-job] [emp. supp.].

25 Anthony B. Beardslee, 42 Van Natta 852 (1990).
26

1 This case is also off point. However, it does suggest that
2 for a conviction to be "**substantially related**" to the
3 qualifications, functions, or duties of a resident manager, the
4 conviction should be closely related to the activities *required*
5 *by the employment*, in this case, employment as a resident
6 manager.

7 In the present case, however, Ms. Jenkins' conviction for
8 drunk driving is not "substantially related" to her employment
9 as a resident manager. There was absolutely no relevant
10 evidence introduced at hearing to the contrary. For example,
11 she is not a chauffeur. Her role as a resident manager does not
12 require her to drive, or transport people. The prior conviction
13 does not effect her new employment a year later. Ms. Jenkins
14 testified that she has not consumed alcohol since the time of
15 her prior arrest in 1993. (TR 15, lines 3-4). Her employer
16 testified that she performed very well on the job, and indeed,
17 it is the employer that continues to work for a reversal of the
18 denied application. (See quotation, p 9 infra).

19
20 2. Lack of Substantial Evidence in the Record.

21 To the extent that the agency argued that drunk driving
22 convictions were evidence of bad judgment that might affect Ms.
23 Jenkins' job performance, that was pure argument.

24 There is no evidence, much less substantial evidence in the
25 record, that Ms. Jenkins' prior drunk driving conviction is
26 "substantially related" to anything she does at work. The

1 agency cannot meet its burden of proof by simply **arguing** that a
2 prior drunk driving conviction is a crime "substantially
3 related" to her functions as a resident manager.

4 For example, the agency argues:

5 Appellant's exceptions in effect argue that
6 the rule should not be applied to this
7 particular resident manager applicant
8 because she has fully recovered. **The**
9 **Department has neither the manpower nor the**
10 **ability to assess the facts underlying each**
11 **criminal conviction. It must be able to**
12 **apply its rules consistently.**

13 (See Rebuttal to Appellant's Exceptions, 6).

14 This may be a convenient application of the rules for the
15 agency, but it hardly places into the record substantial
16 evidence (or any evidence) that Ms. Jenkins' year-old drunk
17 driving conviction is "substantially related" to the duties
18 required of her new-found and successful employment as a
19 resident manager.

20 Consequently, while the record is replete with speculative
21 argument that "past behavior is a good predictor of future
22 behavior," (see Rebuttal to Appellant's Exceptions, 6; TR 26),
23 the record lacks substantial evidence to support a denial of Ms.
24 Jenkins' application.

25 Indeed, it appears that the agency's denial is based upon
26 a past incident, involving "a prior provider's boyfriend" who
had been convicted of drunk driving and later he "hit and killed
somebody." (TR 19, 26, 28-9). That incident may reflect poorly
on that individual, but it proves nothing in this contested case

1 hearing. It has nothing to do with whether Ms. Jenkins' prior
2 conviction is "substantially related" to her employment as a
3 resident manager.

4 As the agency's representative testified at hearing, the
5 denial of Ms. Jenkins' application was based upon the
6 application of the agency's new policy, which was summarized at
7 hearing as follows:

8 And it was specifically told to us by the
9 people whose job it is to audit our program and
10 tell us what we're doing wrong [and] that we were
11 wrong in that case [the one involving a prior
12 provider's boyfriend that killed some one], and
13 that we needed to strengthen and tighten up * * *
14 excluding people with criminal records from our
15 program.

16 Since then we have instituted a policy that
17 we are strictly going by guidelines in this * *
18 *. **That's our new policy based upon an audit**
19 **recommendation** [emp. supp.]

20 (See TR 29, lines 12-18). The agency should not be allowed to
21 substitute a new policy in place of duly enacted county
22 regulations.³

23 Lastly, although this record will not support a denial of
24 Ms. Jenkins' application, it will support a finding that Ms.

25 ³An agency's power is limited:

26 * * * The Agency has no powers except those mentioned
27 in the statute. It is the statute, not the agency,
28 which directs what shall be done. The statute is not a
29 mere outline of policy which the agency is at liberty
30 to disregard or put into effect according to its own
31 ideas of the public welfare.

32 U. of O. Co-Oper. v. Dept. of Rev., 273 OR 539, 550 (1987),
33 quoting Gouge v. David et al, 185 Or 437, 459 (1949).

1 Jenkins has rehabilitated herself and that any prior drunk
2 driving conviction is not "substantially related" to her new
3 employment; e.g., that her prior conviction will neither
4 compromise her relationship with her employer, (see TR 11-12),
5 nor her performance on-the-job as a resident manager. (See TR
6 12-13, 18, 27, 28). Indeed, Ms. Jenkins' employer offered the
7 most compelling evidence at hearing:

8 I am also active at the state level in
9 trying to promote education and information
10 among caregivers to improve the quality of
11 care through the state. And in that
12 position I've had numerous chances to work
13 with Multnomah and Washington Counties, and
14 to encounter organizations such as Oregon
Fair Share and others who are interested in
the welfare of the elderly. So I have some
grasp of the --- the pressures that the
licensor [is] under to enforce the rules * *
* to not let any bad apples stay in the
business or to come into the business.

15 What I'm afraid of is -- in this case is
16 that we're not getting rid of really a bad apple
17 but we're throwing out one of the good apples * *
18 * I've seen a lot of caregivers, and I have
19 confidence in [Ms. Jenkins'] ability to do it
20 right and not harm the residents. And I will say
21 that because of the ongoing process -- * * * I've
22 seen her at work for several months. I've talked
to relief caregivers who've come in and see her
come onto the job from her free time, and see her
go off of the job, numerous families, and we have
families who visit every day, and residents, and
[I have] **never heard anything about alcohol or
bad behavior. And that's the main reason I want
to go to bat for her here.**

23 (TR 12).

24 ///

25 ///

26 ///

1
2 **III. CONCLUSION**
3

4 Although Ms. Jenkins' has been convicted of drunk driving,
5 she has not been convicted of one of the crimes listed in MCAR
6 890-020-230(c). Even if a conviction for drunk driving is
7 considered a crime of "alcohol abuse," in this case, it is not
8 "substantially related" to her position as a resident manager
9 and therefore will not support a denial of her application
10 pursuant to MCAR 890-020-230(a). This record lacks substantial
11 evidence to conclude otherwise.

12 For the above reasons, the Hearings Officer is urged
13 reverse his prior Determination & Order as well as the agency's
14 denial of the resident manager application at issue here.

15 Dated this 9th day of November, 1995.

16
17 

18 Eli D. Stutsman
19 Attorney for Burnell Adult
20 Care Home and Phyllis Jenkins
21
22
23
24
25
26

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of the Appeal)
of Robert W. Burnell from the)
Hearings Officer's Order Denying) ORDER
an Application for Approval of an)
Adult Care Home Resident Manager)

The Board of County Commissioners has reviewed the record, Hearings Officer's Order, exceptions and rebuttal regarding the appeal of Robert W. Burnell from a determination of the Hearings Officer that the Manager of the Multnomah County Adult Care Program properly denied appellant's application for approval of Ms. Phyllis Jenkins as resident manager of an adult care home. The Hearings Officer found that Ms. Jenkins had been convicted of the offense of driving under the influence of intoxicants on March 7, 1994; that this offense was an offense involving "alcohol abuse" under MCAR 890-020-230(c); and that the Manager's denial of the application was therefore authorized by MCAR 890-020-230(a).

The Board accepts the Hearings Officer's Order, attached hereto as Exhibit A. The Board has also reviewed the applicant's exceptions to the Hearing's Officer's Order, attached as Exhibit B, and the Adult Care Program's rebuttal to the applicant's exceptions, attached as Exhibit C. The Board finds that the Adult Care Program's submittal fully responds to the applicant's exceptions and that there are no grounds for rejecting or modifying the Hearing's Officer's order.

It is hereby Ordered that the decision of the Hearings Officer on the Appeal of Robert W. Burnell is accepted.

Review of this Final Order may be taken solely and exclusively by writ of review in the manner set forth in ORS 34.020 to ORS 34.100.

Approved this _____ day of _____, 1995.

MULTNOMAH COUNTY, OREGON

By _____
Beverly Stein
Multnomah County Chair

REVIEWED:
PETER KASTING, SPECIAL COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By Peter Kasting
Peter Kasting

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of the Appeal)	
of Robert W. Burnell from the)	
Hearings Officer's Order Denying)	ORDER
an Application for Approval of an)	95-238
Adult Care Home Resident Manager)	

The Board of County Commissioners has reviewed the record, Hearings Officer's Order, exceptions and rebuttal regarding the appeal of Robert W. Burnell from a determination of the Hearings Officer that the Manager of the Multnomah County Adult Care Program properly denied appellant's application for approval of Ms. Phyllis Jenkins as resident manager of an adult care home. The Hearings Officer found that Ms. Jenkins had been convicted of the offense of driving under the influence of intoxicants on March 7, 1994; that this offense was an offense involving "alcohol abuse" under MCAR 890-020-230(c); and that the Manager's denial of the application was therefore authorized by MCAR 890-020-230(a).

The Board accepts the Hearings Officer's Order, attached hereto as Exhibit A. The Board has also reviewed the applicant's exceptions to the Hearing's Officer's Order, attached as Exhibit B, the Adult Care Program's rebuttal to the applicant's exceptions, attached as Exhibit C, supplemental memoranda submitted by the applicant dated November 9 and November 19, 1995 (included in the record), and a supplemental memorandum submitted by the Office of County Counsel dated November 17, 1995 (included in the record). The Board finds that the Adult Care Program's submittals fully respond to the applicant's exceptions and supplemental memoranda, and that there are no grounds for rejecting or modifying the Hearing's Officer's order.

It is hereby Ordered that the decision of the Hearings Officer on the Appeal of Robert W. Burnell is accepted.

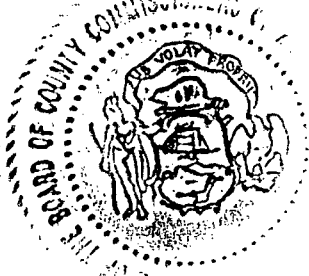
/ / / / /

/ / / /

/ / /

Review of this Final Order may be taken solely and exclusively by writ of review in the manner set forth in ORS 34.020 to ORS 34.100.

Approved this 21st day of November, 1995.



MULTNOMAH COUNTY, OREGON

By *Beverly Stein*
Beverly Stein
Multnomah County Chair

REVIEWED:

PETER KASTING, SPECIAL COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By *Peter Kasting*
Peter Kasting



CITY OF
PORTLAND, OREGON
HEARINGS OFFICE

1120 S.W. 5th Avenue, Room 1017
Portland, Oregon 97204-1960
Elizabeth A. Normand, Land Use Hearings Officer
(503) 823-7719
William W. Shatzer, Code Hearings Officer
(503) 823-7307
FAX (503) 823-4347

HEARINGS OFFICER'S DETERMINATION AND ORDER

APPEAL OF ROBERT W. BURNELL

HEARING NO. 153070

DATE OF HEARING: September 22, 1995

APPEARANCES:

Ms. Mary Fassell for Multnomah County

Mr. Robert W. Burnell, appellant

HEARINGS OFFICER: Mr. William W. Shatzer

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

This is an appeal from a determination by the Multnomah County Adult Care Home Program denying Mr. Burnell's application to have Phyllis Jenkins certified as a resident manager for Mr. Burnell's adult care facility.

MCAR 890-020-230(a) provides, "Persons who have been convicted of one or more crimes which are substantially related to the qualifications, functions, or duties of ... a manager ... shall be prohibited from operating, working in, or being in an Adult Care Home on a regular basis." MCAR 890-020-230(c) provides, "Such related crimes include ... offenses involving ... alcohol abuse...." After determining that Ms. Jenkins had been convicted of the offense of driving under the influence of intoxicants on March 7, 1994, the Adult Care Program found that this offense was, indeed, an offense involving alcohol abuse and denied Mr. Burnell's application to approve Ms. Jenkins as a resident manger under the above-quoted provisions of MCAR 890-020-230. This appeal followed.

The facts in this proceeding are undisputed. Ms. Jenkins does not dispute the fact of her DUII conviction. Nor does there seem to be any dispute that the offense of DUII is an offense involving "alcohol abuse".

Under these facts, the hearings officer's powers are really quite limited. It is not within the proper exercise of my functions to seek to substitute my judgment for that of the Director nor to second-guess the Director's determinations simply because I might have reached a different decision. Rather, it is only my

function to ensure that any determinations reached by the Director are authorized by law and are neither arbitrary nor capricious. In view of the clear and mandatory language of MCAR 890-020-230(a), which mandates that persons convicted of "crimes which are substantially related ... shall be prohibited" from working in an Adult Care Home, and the language of MCAR 890-020-230(a), which mandates that offenses involving alcohol abuse, such as DUII, are to be considered "related crimes", clearly the Director's determination was authorized by law and was neither arbitrary nor capricious.

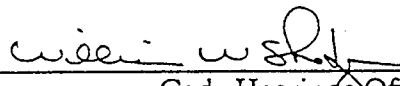
Accordingly, the Director's determination must be sustained.

ORDER AND DETERMINATION:

1. The determination of the Multnomah County Adult Care Program dated July 26, 1995, denying the appellant Burnell's application for certification of Phyllis Jenkins as a resident manager is SUSTAINED.
2. This order and determination has been mailed to the parties on September 26, 1995 and shall become final on October 16, 1995, unless written exceptions are file with the Board of County Commissioners prior to such date.

Dated: _____

9-26-95



Code Hearings Officer

WWS:db

Robert W. Burnell
Pioneer Care Homes
P.O. Box 892
Sherwood, OR 97140
(503) 590-5202
October 11, 1995

Board Clerk
Multnomah County Board of Commissioners
1120 SW 5th Avenue
Portland, OR 97204

To Whom It May Concern:

This letter is written exception to the hearings officer's determination and order in the appeal of Robert W. Burnell, Hearing No. 153070, done by Hearings Officer William W. Shatzer. Ms. Jenkins has changed her employment field and life style since the DUI, indicating good judgement and a desire to learn from her past mistakes. Resident family members, co-workers and employers see her in the home daily and have seen no sign of any use of alcohol, let alone abuse of it. I am responsible for the well-being of the five residents of our adult foster home, and I have no fear of leaving them in the hands of Ms. Jenkins. We request that the Board of Commissioners reverse this decision. Thank you.

Sincerely,


Robert W. Burnell

RECEIVED

OCT 16 1995

HEARINGS OFFICE

CLERK OF
COUNTY COMMISSIONERS
1995 OCT 13 PM 2:31
MULTNOMAH COUNTY
OREGON

BEFORE THE BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY

In the Matter of the Disapproval of
Resident Manager Application for
Burnell Adult Care Home

City Hearings Office
No. 1530700

REBUTTAL TO
APPELLANT'S EXCEPTIONS

Following a hearing, Hearings Officer Shatzer upheld the determination of the Manager of the Multnomah County Adult Care Home Program, Department of Aging Services (Department), denying appellant's application for approval of Ms. Phyllis Jenkins as resident manager of applicant's adult care home. He sustained the Manager's findings that Ms. Jenkins had been convicted of the offense of driving under the influence of intoxicants on March 7, 1994. He also upheld the Manager's determination that driving under the influence of intoxicants was an offense involving "alcohol abuse" under MCAR 890-020-230(c) and held that the Manager's denial of the application was therefore authorized by MCAR 890-020-230(a). (Copy of September 26, 1995 order attached). On October 13, 1995 appellant filed exceptions to the order. (Copy attached).

REBUTTAL TO EXCEPTIONS

Appellant raises three exceptions to the decision. He asserts that the resident manager applicant, Ms. Perkins, has changed her employment and lifestyle since her last Driving Under the Influence

1 of Intoxicants (DUII) conviction, that no one who has observed her
2 care of residents in the home has seen signs of alcohol abuse, and
3 that he has no concerns about her care of residents. Each of these
4 exceptions is in fact a challenge to the fairness of the rule.
5 There is no dispute that applicant was convicted of DUII offenses.

6 To understand the appeal, it is essential to understand the
7 rule at issue. MCAR 890-020-230(a) provides that "persons who have
8 been convicted of one or more crimes which are substantially
9 related to the qualifications, functions, or duties of...a
10 manager...shall be prohibited from operating, working in, or being
11 in an Adult Care Home on a regular basis." MCAR 890-020-230(c)
12 defines related crimes to include "offense involving . . .alcohol
13 abuse." MCAR 890-020-230(j) permits the Director to consider
14 approving applicants convicted of the "related" crimes only if ten
15 years have elapsed since the conviction. Pursuant to this scheme,
16 Ms. Jenkins is clearly disqualified from serving as a resident care
17 manager at this time, because she was convicted of a related
18 offense in March, 1994. Consequently, the Board is being asked to
19 consider not whether the rule was properly applied, but whether the
20 rule leads to an unfair result.

21 1. Necessity for Rule. The Department has determined that a
22 history of alcohol abuse, as documented by a conviction or
23 convictions for alcohol-related offenses, is inconsistent with the
24 provision of safe care to vulnerable elderly and disabled residents
25 in adult care homes. In this case, Ms. Jenkins was denied approval
26 to be a resident manager in the care home based on her DUII

1 convictions. As the hearing record indicates, Ms. Jenkins had had
2 two convictions over six years for DUII offenses, and had completed
3 a second diversion program only a month before the current
4 application. (See Transcript at 9 - 11).

5 As resident manager, Ms Jenkins would live in the home for 12
6 hour shifts. Unlike care providers in hospitals or nursing homes,
7 she would have no on-site supervision. She would be the only
8 caretaker for five elderly or disabled adults. Only those
9 individuals or their family members could observe her behavior if
10 there were alcohol or drug use. Residents and family members might
11 be poor observers, have only casual contact, or be very hesitant to
12 report problems.

13 Although some of Ms. Perkins responsibilities would be fairly
14 routine, she could also be called upon to make emergency decisions
15 in situations such as fire or medical crises. A sober person,
16 capable of exercising good judgment, is critical at such moments.
17 Consequently, the Department has determined by rule to permit only
18 individuals without a history of alcohol abuse related offenses to
19 serve in this position. Driving while under the influence
20 demonstrates both a history of alcohol consumption and the exercise
21 of poor judgment. Because past behavior is a good predictor of
22 future behavior, the Department is reluctant to approve Ms. Jenkins
23 as Resident Manager.

24 The Department also needs a consistent, clearly understood
25 rule on this issue to assure equal treatment from case to case.
26 Appellant in effect argues that the rule is too harsh as applied to

1 Ms. Jenkins because she has undergone a change. While it is true
2 that some alcohol abusers stop drinking permanently, it is also
3 true that many try numerous times to quit drinking without
4 permanent success. The Department has neither the manpower nor the
5 expertise to analyze each such situation separately and to
6 determine who will and who will not return to drinking. Experts in
7 the field find this determination difficult. Such an ad hoc review
8 would also result in inconsistent determinations from case to case.
9 Consequently, the Department has elected to implement a rule that
10 provides maximum protection for the elderly and disabled clients it
11 is mandated to protect.¹

12 DUII convictions are fairly common among applicants wishing to
13 become Adult Care Home operators, Resident Manager and/or care
14 givers. Granting an exception for Ms. Jenkins would set a
15 precedent for other applicants with DUII convictions. While Ms.
16 Jenkins might never drink again and be an exemplary resident
17 manager, it can easily be predicted that other applicants with DUII
18 convictions will not remain sober and perform adequately. Granting
19 an exception opens the door for these applicants as well.

20 2. Exceptions to the Rule. Implicit in appellant's argument
21 is the request that an exception be granted in this case. As noted
22 above, MCAR 890-020-230(j) does not permit approval of individuals
23

24 ¹ In his September, 1994 audit of the adult care home program, the
25 Multnomah County Auditor found that the Department made inconsistent criminal
26 history decisions, and recommended more careful application of existing rules.
In particular, he faulted the Department for failing to have disapproved an adult
care home operator's boyfriend to be in the care home when it knew he had had two
DUII convictions in ten years.

1 to work in the adult care home unless ten years have elapsed since
2 the conviction. Given the critical importance of a resident
3 manager's ability to make good judgments in crisis situations, the
4 Department believes an extended waiting period between a conviction
5 and approval as a resident manager is necessary.

6 Nonetheless, the issue of a two year minimum period of
7 sobriety was discussed at both the informal conference and the
8 hearing. The Department indicated this is the minimum period of
9 sobriety required of drug and alcohol counselors who are under
10 daily supervision under the Oregon Administrative Rules. For a
11 resident manager who works without supervision, a longer period
12 would be essential.

13 While an exception is not permitted by MCAR 890-020-230(j),
14 the Director of the Department is able to grant a variance or
15 exception to any adult care home rule, including manager standards,
16 under 890-050-210. However, because the operator has asked for
17 immediate approval, with no intervening period of sobriety past
18 applicant's completion of her second diversion in July, 1995, the
19 Department believes that adherence to the rule specific to criminal
20 convictions, requiring a longer intervening period, is appropriate
21 in this case.

22
23 CONCLUSION

24 The issue before the Board is whether the Department correctly
25 applied its rule governing resident manager applicants who have
26 been convicted of offenses involving alcohol abuse. The Hearings

1 Officer and the record indicate that rule was properly applied.
2 There is no dispute concerning the facts in the case.

3 Appellant's exceptions in effect argue that the rule should
4 not be applied to this particular resident manager applicant
5 because she is fully recovered. The Department has neither the
6 manpower nor the ability to assess the facts underlying each
7 criminal conviction. It must be able to apply its rules
8 consistently. If an exception is granted in this case, an
9 increasing number of applications and appeals from people with
10 DUIIs can be anticipated. Consequently, the Department asks that
11 the Board affirm the Hearing Officer's Order on the record.
12

13 DATED this 27 day of October, 1995.
14

15 Respectfully submitted,

16 LAURENCE KRESSEL, COUNTY COUNSEL
17 FOR MULTNOMAH COUNTY, OREGON

18 By Katie Gaetjens
19 Katie Gaetjens, OSB #88210
20 Assistant County Counsel
21 Of Attorneys for Department of Aging
22 Services
23
24
25
26

F:\DATA\COUNSEL\WPDATA\EIGHTEEN\BURNELLA.MEM

Eli D. Stutsman

Attorney At Law

Telephone: (503) 274-4048
Facsimile: (503) 274-4059

1900 Standard Insurance Center
900 SW Fifth Avenue
Portland, Oregon 97204

December 7, 1995

Ms. Deborah Bogstad
Clerk of the Board
Multnomah County Commissioners
1120 SW Fifth Avenue, Suite 1510
Portland, Oregon 97204

Re: Writ of Review Proceeding
Multnomah County Circuit Court
Case No. 9511 8803

Dear Ms. Bogstad:


Enclosed is the original writ we discussed today.

Very truly yours,


Eli D. Stutsman

Enclosure

cc: Peter Kasting (w/encl)
Katie Gaetjens (w/encl)
Robert W. Burnell (w/encl)
Phyllis Jenkins (w/encl)

12/12/95 RETURNED ORIGINAL
WRIT AND CERTIFIED TRUE
COPIES OF THE BOARD RECORD
FROM 10/31/95, 11/9/95 &
11/21/95 MEETINGS RELATING
TO THE ROBERT W. BURNELL CASE TO
10/21/95
Circuit Court Clerk ^{SIGNED:}  BOGSTAD, BOARD CLERK

1995 DEC 11 AM 10:23
MULTNOMAH COUNTY
OREGON

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

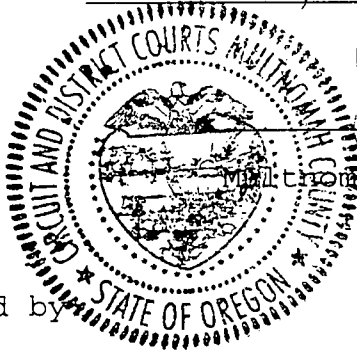
In the Matter of the)	
Disapproval of Resident)	Multnomah County Case
Manager Application for)	Number <u>9511 8803</u>
Burnell Adult Care Home.)	
)	Hearings Office Case
BURNELL ADULT CARE HOME,)	Number 1530700
)	
Petitioner,)	WRIT
)	
v.)	
)	
DEPARTMENT OF AGING SERVICES)	
)	
Respondent.)	

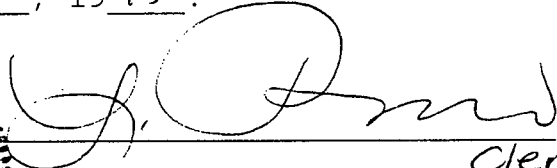
TO: Records Custodian
Multnomah County Board of Commissioners

This matter came before the court on Burnell Adult
Care Home's petition for a writ or review as allowed by MCAR
8.90.090(K) and ORS 34.010 to 34.100. Pursuant to ORS 34.060
(to whom directed; return) you are required to return this writ

to the circuit court along with a certified copy of the record
or proceedings in the above matter. Return of this writ is due
on or before the 17 day of December, 1995.

DATED: December 7, 1995.




Clerk
Multnomah County Circuit Court Judge

Submitted by



Eli D. Stutsman, OSB# 92136
Attorney for Burnell Adult
Care Home and Phyllis Jenkins

#1

PLEASE PRINT LEGIBLY!

MEETING DATE NOV. 2 1-95

NAME RAY MATILIS

ADDRESS CITIZENS CRIME COMMISSION
STREET

CITY

ZIP CODE

I WISH TO SPEAK ON AGENDA ITEM # R-3

SUPPORT ☒

OPPOSE ☐

SUBMIT TO BOARD CLERK

#2

PLEASE PRINT LEGIBLY!

MEETING DATE 11/21/95

NAME Lisa Horne

ADDRESS 420 SW College, B

STREET

Portland

CITY

97201

ZIP CODE

I WISH TO SPEAK ON AGENDA ITEM # 3

SUPPORT X

OPPOSE

SUBMIT TO BOARD CLERK

Meeting Date: **NOV 21 1995**
Agenda No. : **R-3**

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

AGENDA PLACEMENT FORM

SUBJECT: Multnomah County's Application for SB1145 Construction Funds and Public Safety Strategy

BOARD BRIEFING: Date Requested:
Amount of Time Needed:

REGULAR MEETING: Date Requested: 11/21/95
Amount of Time Needed: 5 Minutes

DEPARTMENT: Nondepartmental **DIVISION:** Chair's Office

CONTACT: Bill Farver **TELEPHONE:** 248-3958
BLDG/ROOM: 106/1515

PERSON(S) MAKING PRESENTATION: Bill Farver

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

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

RESOLUTION - Multnomah County's Application for SB1145 Construction Funds and Public Safety Strategy

11/22/95 ORIGINAL EXHIBITS to PETER OZANNE; COPIES TO BCC, ELECTEDS,
Bill Farver, Bob Nilsen, BARBARA SIMON, Bill WOOD, TAMARA HOLSEN
SIGNATURES REQUIRED: CARY HARKAWAY, DAVE WARREN & DAVE BOYER, PETER OZANNE

ELECTED OFFICIAL: Beverly Stine

OR

MANAGER: _____

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

forms\apf.doc

1995 NOV 14 PM 4:39
MULTNOMAH COUNTY
OREGON

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Multnomah County's Application)
for SB1145 Construction) R E S O L U T I O N
Funds and Public Safety Strategy)

WHEREAS SB1145, enacted into law during the 1995 Legislative session, will shift to the counties responsibility for felons currently sentenced to a year or less to state prison. The law is scheduled to go into effect January, 1997 and ;

WHEREAS the State Legislature established a construction fund of \$59,000,000 and set up a process for allocating those funds to be approved by the Governor and the Legislature during a February, 1996 special session. County applications for construction dollars are due November 22, 1995. The Governor expressed his intent to request additional construction funds from the Legislature in 1997; and

WHEREAS the State Legislature also established a funding formula which allocates operational resources to the county. Multnomah County is expected to receive \$12,900,000 annually (adjusted for inflation and population increases) once SB1145 is in effect; and

WHEREAS Multnomah County engaged a broad range of public safety stakeholders and community members in a year long public safety planning process to address the corrections needs in our County. The need for a comprehensive continuum of sanctions was identified and the need for at least 200 additional jail beds to eliminate unsupervised matrix releases from county jails was identified; and

WHEREAS all criminal justice agencies support the elimination of matrix releases and the ability of supervising authorities to return offenders to jail to provide a swift and sure sanction. The ability to sanction offenders in this manner greatly enhances the effectiveness of community corrections programs and supervision; and

WHEREAS Multnomah County currently operates a number of effective alcohol and drug residential intervention and diversion programs, work release programs, and community supervision approaches. These strategies have proven to be effective in dealing with the estimated 70% to 80% of offenders who have alcohol and drug problems; and

WHEREAS in addition to the expanded jail and residential sanctions, the "empty bed" will not be possible without the cooperation of the District Attorney and the Judiciary in recommending and applying consistent sanctions across the population; and

WHEREAS, the Local Public Safety Coordinating Council established under SB1145 will provide an opportunity for a continuation of effective cross-departmental and cross-jurisdictional planning efforts with citizen involvement; and

WHEREAS, the public safety strategy was developed with the following Multnomah County Urgent Benchmarks in mind:

- reduce violent crimes against people
- increase success of diversion programs
- reduce recidivism of felons
- increase drug treatment services
- increase mental health services
- reduce domestic abuse
- increase percentage of drug free babies; and

WHEREAS, Multnomah County supports the concept of SB1145 and believes counties are in a better position to reduce the recidivism rate by changing the criminal behavior patterns of offenders sentenced under the scope of SB1145. Swift and sure jail stays, coupled with effective residential alcohol and drug intervention and/or employment programs with continuing supervision, can be more effective in reducing recidivism than jail stays alone. The effectiveness of this type of sentence is greatly enhanced by the ability to place the offender back into jail for short stays for non-compliance with the agreed upon sanctions; and

WHEREAS, additional construction and operating resources from the State will enable the County to be more effective in dealing with this population and will benefit the state programmatically and financially in future years because of Multnomah County's ability to reduce the re-offense rate.

NOW THEREFORE IT IS RESOLVED that:

1. Multnomah County approves the attached Application to the State for 1145 Construction Funds. The attached application requests funds to construct 330 jail beds at the current Inverness Jail site and 150 secure residential beds at a site or sites to be determined.
2. Multnomah County urges the Legislature to expand the construction fund during its special session to fully fund the request of Multnomah County and the other Counties in the state. In addition, the County urges the Legislature to increase the operating funds available to the Counties.
3. Multnomah County will request that the Legislature delay implementation of SB1145 in Multnomah County for at least one year until new facilities can become operational.

4. Multnomah County endorses the attached Continuum of Sanctions (Exhibit A) for offenders as the best approach for achieving the Benchmarks listed above. The continuum provides:
 - An appropriate mix of jail beds and programs necessary to effectively manage the SB1145 offender.
 - This offender pool must start out in jail and work their way into community programs. While in jail, the offender must begin intensive alcohol and drug treatment when appropriate.
 - Time spent in residential treatment programs will help the offender acknowledge behavior changes which are necessary to reintegrate back into society.
 - Follow up supervision in the community is an important part of the continuum.
 - The continuum must provide enough jail beds to place the offender back in jail when s/he fails to comply with the conditions of non-jail sanctions.
5. Because funds from the State cannot and will not address the current corrections capacity and systems problems in Multnomah County, Multnomah County is committed to placing before the voters in May, 1996, a General Obligation Bond and a renewed and expanded Public Safety Serial Levy.
6. The Board will forward for public review a General Obligation Bond proposal which will include, but may not be limited to:
 - a new facility on an as yet unidentified property which will expand the capacity of the system by 210 beds;
 - an expansion of the new facility, funded with SB1145 construction revenue, on the current Inverness property which will expand the capacity of the system by an additional 75 beds and replace the current 45 bed Warehouse Annex temporary jail,
 - at least 150 beds providing supervised residential drug and alcohol, work release, and/or mental health services for offenders as they begin the transition back to the community and
 - debt financing for the newly constructed and expanded Multnomah County Juvenile Detention Facility.
7. To reduce the construction time on the new Inverness Facility, Multnomah County will advance the estimated \$900,000 costs for design and site preparation during this fiscal year. These funds will be repaid from 1145 Construction Funds and the General Obligation Bond.
8. The Board will forward for public review a Public Safety Serial Levy focusing on operational funding for the new jail and residential facilities; operational funding for continuing the temporary Warehouse jail, and expanding the Multnomah County Restitution Center from 120 to 160 beds.

8. The Board will develop a plan to fund operating costs of these new facilities through SB1145 operational funding and public safety serial levies. With the completion of the two jails and the residential beds, the corrections capacity in Multnomah County will be increased by 655 jail beds and 350 residential beds. If 300 jail beds are used for SB1145 offenders and 200 jail beds are needed to eliminate the matrix release problem, Multnomah County will have 155 beds available to deal with the growth in pretrial population. Growth in the SB1145 population should be addressed in future Legislative sessions.
9. Multnomah County is committed to using funds currently devoted to retirement of debt financing of the new and expanded Juvenile Facility to provide cost effective interventions earlier in the lives of potential offenders and their families. Components include:
 - child abuse treatment for victims and offenders;
 - programs to keep at risk children in schools;
 - programs and shelter space to reduce the incidence of domestic violence;
 - developing a pilot community court to resolve neighborhood quality of life crimes;
 - residential alcohol and drug services for juvenile offenders;
 - counselors to work with families of juvenile offenders to assist them in ending the criminal patterns of their children;
 - conflict resolution services.
 - short-term residential evaluation, treatment, placement planning and family reunification services for children removed from the home for their own safety
10. During the jail construction phase Multnomah County will use levy resources improve the information technology systems of the public safety agencies. These improvements will provide better information collection and more efficient use of current resources and assist in tracking offenders through the system.
11. During the jail construction phase Multnomah County will also use levy resources to enhance the system's ability to evaluate the effectiveness of different corrections sanctions in meeting the benchmarks.
12. The Board of County Commissioners commits to holding a series of public meetings in conjunction with the new Local Public Safety Coordinating Council to discuss the public safety strategy and seek additional community input; and

IT IS FURTHER RESOLVED that Multnomah County is committed to continuing to work in partnership with the City of Portland to positively impact public safety. In connection with the proposed General Obligation Bond and Public Safety Levy, Multnomah County will ask the City of Portland to jointly develop proposals for joint funding in the areas of:

- alcohol and drug free housing;
- domestic violence;
- after school activities for youth;
- community courts to more effectively address quality of life crimes;
- opening a Mental Health Triage Center; and

IT IS FURTHER RESOLVED that the Board is also committed to sharing the strategy with the Multnomah County legislative delegation and seeking their support.

IT IS FURTHER RESOLVED, that following public review, the Board of County Commissioners will approve appropriate ballot title language for the Bond and the Levy in February, 1996.

APPROVED this _____ day of _____, 1995.

MULTNOMAH COUNTY, OREGON

By _____
Beverly Stein, Chair

REVIEWED:
LAURENCE KRESSEL, COUNTY COUNSEL
for MULTNOMAH COUNTY, OREGON

By *Sandra N. Duffy*
Sandra N. Duffy, Assistant Counsel

CONSTRUCTION PROPOSAL NARRATIVE

SB1145 Population Management Strategies

1. Describe the impact of SB1145 on the County's existing incarceration capacity based on the projected share of the 1,764 additional offenders in the community.

Based upon projections by the Oregon Department of Corrections ("DOC"), SB1145 is expected to increase Multnomah County's average daily population of felony offenders in 1997 by 700. Without additional jail space and community corrections sanctions, the impact of SB1145 will overwhelm the County's current corrections resources and capacity. The County is currently forced by federal court order to release approximately 4,000 pretrial and sentenced offenders into its communities each year before the imposition or expiration of their sentences in accordance with a risk-assessment "matrix" developed by the Sheriff's Office. In order to end these "matrix releases" and restore the credibility of its criminal justice system, Multnomah County estimates the need for at least 200 additional jail beds without regard to the impact of SB1145.

According to DOC's data, from July 1994 through July 1995 Multnomah County sanctioned 1,532 felony offenders who would now be subject to SB1145. From that data, DOC projects that the County's average daily population of SB1145 offenders will be 700 by July 1997. Assuming the same growth rate for this offender population that has occurred over the past five years, and without factoring in a likely increase in its general population, Multnomah County estimates that its population of SB1145 offenders will increase to 1155 by the year 2010.

Among the 1,532 felony offenders committed from Multnomah County in 1994-95 who would now be subject to SB1145, DOC incarcerated 76 percent in minimum custody, 22 percent in medium custody, and 2 percent in close or maximum custody. Eighty nine percent of those offenders were on parole or probation at the time of their commitment to DOC. Forty-nine percent of those parolees and probationers were revoked for technical violations, such as failure of a drug detection test or to report to a probation or parole officer. Of the 51 percent of parolees and probationers revoked for new crimes, 7 percent were convicted of person crimes, 30 percent were convicted of property crimes, and 57 percent were convicted of drug crimes. Among the 11 percent of these 1,532 offenders who were not on parole or probation at the time of their commitment to DOC, 12 percent were convicted of person crimes, 24 percent were convicted of property crimes and 59 percent were convicted of drug crimes. Multnomah County's Department of Community Corrections estimates that 70 to 80 percent of this entire population has an alcohol or drug abuse problem relating to involvement in crime.

From a detailed analysis of the crimes of conviction, risk profiles and performance on supervision of this projected SB1145 offender population (set forth in Appendix A),

Multnomah County concludes that the impact of SB1145 will be felt across the County's continuum of corrections sanctions and programs. The County will need additional jail space in order to impose proportionate punishment on SB1145 offenders, and to safely manage those offenders who pose a risk to public safety by their failure under community corrections supervision or custody. In order to further protect the public, reduce the rate of recidivism of this population of offenders, and address their pervasive problems of alcohol and drug abuse, Multnomah County will also need to increase the capacity of its custodial corrections facilities and intervention programs other than jail.

2. Describe the County's strategy and continuum of local sanctions for the SB1145 offenders.

Multnomah County's primary strategy for SB1145 offenders is (a) to incarcerate those offenders for periods of time commensurate with the seriousness of their crimes and the risks they pose to the public, and (b) to further increase public safety and reduce the rate of recidivism among those offenders by intervening aggressively with programs designed to address their alcohol and drug abuse problems and their lack of job and life skills.

For nearly two decades, this same population of offenders has frustrated DOC's attempts to reduce their recidivism and protect the public, and has driven the continuing demand for more prisons in Oregon. In 1988, noting that Oregon's per capita reported crime rate and national ranking in that regard had remained relatively constant for over a decade, the Governor's Task Force on Corrections Planning observed:

A major factor contributing to the increase in [Oregon's] prison populations is that large numbers of offenders are failing on community supervision, resulting in a "recycling" of the some offenders through the system. ***. Many offenders are going from probation, to prison, to parole, and then back to prison again.

*** [O]ver 61 percent of the admissions to Oregon prisons were offenders whose probation or parole was being revoked ***. A [DOC] study of parolees released in 1980 showed that 35 percent of [these offenders] returned to correctional institutions within three years. A comparable failure rate existed during the 1970s. However, of inmates released on parole in 1984, 40.5 percent of them returned within three years. *** [A]t the current parole failure rate, at least 49 percent of parolees will be returning to prison within three years. The parole failure rate [alone] has a significant impact on future prison populations and the need for additional prison capacity. *** [T]he current parole failure rate of 49 percent will add 1,063 more offenders to the Oregon prison *** population over the next 10 years than if the parole rate were reduced to the 1980 rate of 34 percent, and 568 more than if the parole failure rate were reduced to 40 percent.

A Strategic Corrections Plan for Oregon: Restoring the Balance, pp. 9-10.

Concluding that "[t]his trend represents a failure of Oregon's corrections system, both in terms of the threat to public safety caused by increased violations of the conditions of

community supervision and the added costs to the taxpayer for incarcerating these offenders in state prison," the Governor's Task Force explained why it proposed to reverse this trend by increasing the participation of Oregon counties in the management of the state's corrections system under "Option I" of the Community Corrections Act:

"In general, Option I counties have reduced Class C felony commitments to state prison to a greater extent than Option II or III counties. They have also established a clearer sense of purpose in the delivery of community sanctions, developed a wider range of additional services and sanctions and a closer working relationship with other agencies in the criminal justice system, and generated more local funds to supplement their CCA operations. Finally, Option I counties have developed personnel practices under which staff attain higher certification levels, receive significantly more in-service training each year, and are more satisfied with their jobs.

Id. at pp. 66, 101. SB1145 represents further recognition of the capacity of Oregon's counties to provide more effective corrections sanctions and programs to successfully manage and control this offender population.

With adequate support under SB1145, Multnomah County believes it can reverse the trend identified by the Governor's Task Force as "a failure of Oregon corrections system" through an integrated continuum of custodial and programmatic sanctions, backed up by swift and certain punishment in the form of an "empty jail bed." Multnomah County also believes it can develop corrections sanctions and programs that are more responsive to the public safety concerns of its citizens, and can administer those in a manner that better reflects the ethnic, cultural and economic diversity of its local communities.

Another of the County's key strategies under SB1145 will be the prudent, cost-effective use of corrections sanctions, reserving the longest terms of incarceration for more serious, high-risk offenders, while targeting the pervasive problem alcohol and drug abuse among these offenders with aggressive program intervention supported by the backup sanction of available jail beds. The County also intends to continue a strategy of "tourniquet sanctioning," by reducing corrections sanctions and relaxing management control as offenders successfully progress through the County's continuum of sanctions, and by increasing those sanctions and tightening those controls when offenders fail to perform under community supervision and programs. These corrections strategies will require close cooperation and coordination among the County's law enforcement agencies, corrections staff and sentencing judges through their active participation on the Local Public Safety Coordinating Council.

Multnomah County recently established its Public Safety Coordinating Council, which will include over 25 public officials, interested citizens and criminal justice professionals from across the County. The County's Board of Commissioners has sought representation on the Council from all constituencies of its criminal justice system, including representatives from city governments and the diverse cultures and minority communities across the County.

Because of the critical importance of the Council's long-term effectiveness in developing and implementing Multnomah County's public safety strategies, the complexity of selecting a diverse and representative Council membership, and the short timeline for submitting this application, Multnomah County did not seek its Public Safety Council's approval of this application. The appearance of seeking the Council's "rubber stamp" approval of this application in the short time available, and undermining the long-term trust and confidence of Council members as a result, outweighed the advantages of a potentially higher evaluation of the application by the Selection Committee.

Nevertheless, Multnomah County believes this application qualifies for the same consideration it would have received with the Public Safety Coordination Council's approval. This application is the result of the close cooperation and input by the County's public safety officials, law enforcement agencies and private citizens over the past year. In January, 1995, the County formed a Public Safety Facilities Task Force to evaluate the County's need for additional corrections facilities and to develop proposals to meet those needs. (A list of the Task Force's membership is attached as Appendix B.) The integrated continuum of sanctions proposed in this application, including the mix of proposed jail beds and alcohol and drug treatment facilities, was originated from the work of that Task Force.

This construction application is based upon a "data-driven" analysis of the County's resulting construction needs under SB1145. The County first analyzed the nature of the crimes committed by the projected SB1145 offender population and the sanctions those offenders received in the past (see Appendix A, p. 1, "Target Population Detail"). The County then evaluated the appropriate continuum of sanctions applicable to these offenders—from jail and residential alcohol and drug intervention to intensive case management—assigning those sanctions to specific groups of offenders based upon the seriousness of their crimes, their risk to the community, and their expected progress under community sanctions and corrections programs (See Appendix A, pp. 2-5, "Population Flow and Cost"). This analysis highlighted the critical need for aggressive alcohol and drug program intervention, as well as additional jail beds to serve as backup sanctions for offenders who fail under community corrections sanctions. Multnomah County is convinced that without a sufficient reserve of "empty beds" the innovative and cost-effective community corrections programs it proposes under SB1145 cannot achieve the County's objectives of promoting public safety and reducing offender recidivism.

3. Describe the need for the requested additional incarceration capacity. How does it fit in the County strategy and continuum of local sanctions for the SB1145 population?

Based upon the data-driven analysis described above, Multnomah County requires the following incarcerative capacity to carry out its SB1145 strategy of community protection and defense through cost-effective sanctions designed to reduce recidivism:

- 330 jail beds through an expansion of the County's Inverness Jail to provide initial sentencing capacity and "empty beds" to backup other community corrections sanctions and programs.

4 - LOCAL CORRECTIONS FACILITY CONSTRUCTION PROPOSAL NARRATIVE

- 150 beds in two new or remodeled community corrections residential facilities to provide alcohol and drug intervention, life skills training and work programs;

Multnomah County estimates that the total cost of constructing these facilities will be \$47 million. Appendix C to this application sets forth the County's projected construction and operating costs under SB1145. Appendix C also contains the Board of Commissioner's November 21, 1995 Resolution describing the County's strategy to fund the construction and operation of additional incarcerative capacity—most notably, to address the County's "matrix release" problem—through the issuance of general obligation bonds and a serial property tax levy.

Facility Plans and Schedules

[A completed version of the following sections to follow]

1. Describe the proposed type of facility, bed space capacity, program areas and security levels.

2. Include copies of the proposed facility construction plan. These plans consist of line drawings and other documents illustrating and describing the general scope, scale and relationship of the facility components.

3. Describe the County's proposed construction project management plan including, but not limited to project staffing. Provide a schedule of when key activities will be initiated and completed. Key activities would include, but should not be limited to:

- | | |
|--|------------------------------|
| ■ Acquire Property | ■ Start construction |
| ■ Request for Proposal Architect/Engineer | ■ All Construction Completed |
| ■ Request for Proposals for Construction Management/General Contractor | ■ Shake Down Period |
| ■ Ready for Occupancy | |

4. Indicate when the new bed space will be available for the SB1145 population.

Construction and Operating Budgets

1. Complete budget documents [attached]. These documents must be reviewed and approved by the County's Finance Office.

See Appendix D.

2. If the County or group of Counties intends to use local funds to pay any portion of the cost of this construction project, describe the plan and status of voter approval. Identify the portion of funds, the estimated costs and what actions are required for the County or group of Counties to obtain legal authority to raise, if necessary, and spend those funds. Identify time lines within which the County or group of Counties expects this authorization to be completed.

Multnomah County intends to increase its incarcerative capacity and expand facilities constructed under SB1145 by issuance of general obligation bonds. (See Appendix C for details.) This funding proposal will be submitted to the County's voters in May 1996.

3. Describe proposed funding strategies for operation of the new or expanded correctional facility.

The annual cost of operating the facilities for SB1145 offenders sought by this application will be \$15,270,000. (See Appendix A at p. 5 and Appendix C, pp. 2-3.) Multnomah County intends to use SB1145 "impact funds" to cover these operating costs. The operation of additional facilities and expanded capacity through general obligation bonds will be funded by a serial property tax levy.

Siting and Property Acquisition Requirements

1. Attach a legal description of the property intended as the site for the proposed correctional facility. *[This property will be leased to the State to serve as COP financing collateral.]*

2. Does the County or group of Counties currently own the property? If not, explain the method and time line for acquisition of the property.

3. Is the County or group of Counties willing to lease the property to the State for securing the Certificates of Participation (COP's) as provided in SB1145? *[The county will retain title to the property and improvements during the term of the lease. When the COP's are fully retired, the lease will terminate.]*

4. Is the title to the property free and clear of all debt obligations?

5. Is the property zoned for use as a correctional facility? If not, describe the plan and status for obtaining proper zoning that will be required before COP financing.

6. Provide a report describing the result of a "Level One" environmental hazards study performed on the proposed correctional facility site by a qualified environmental consultant. *[If the proposed property has had a prior Level One Environmental Site Survey, conducting a new one is not necessary. In that case, the county should include a copy of the existing report. If the survey cannot be found, the Board of County Commissioners should submit certification from the Board that one was conducted by a qualified environmental engineer. A brief description of a Level One Environmental Site Survey is included in this packet.]*

PUBLIC SAFETY FACILITIES TASK FORCE

Bill Hovey
15800 Oswego Shore Ct
Lake Oswego, OR 97034
697-8773

Dan Oldham
313/Sheriff
251-2400 FAX: 253-2663

Greg Schar
314/MCIJ
248-5129 FAX: 248-5069

Barbara Simon
313/Sheriff
251-2503 FAX: 251-2428

Cameron Warren
Three Oaks Development Corp
P.O. Box 30929
Portland, OR 97230-0929

Mike Schunk
101/600
248-3162 FAX: 248-3643

Tamara Holden
Community Corrections
161/600
248-3701 FAX: 248-3990

Susan Clark
Children Family Svcs
166/6
248-6344 FAX: 248-3926

Jim Hennings
Public Defenders Office
630 SW 5th Avenue
Portland, OR 97204
225-9100 FAX: 295-0316

Doug Bray
Court Administration
101/236
248-3957 FAX: 248-3425

Bill Wood
313/Sheriff
251-2428 FAX: 253-2663

Vera Poole
313/Sheriff
251-2542 FAX: 253-2663

Tom Slyter
331/MCCF
248-5080 FAX: 248-5489

Larry Aab
313/231
251-2489 FAX 251-2439

Norm Monroe
106/1500
248-3962 FAX: 248-3093

Philip Abraham
Multnomah County Courthouse
1021 SW 4th Ave, Rm 616
Portland, OR 97204
248-3804 FAX: 248-3425

Jerry Johnson
Gresham PD
1333 NW Eastman Pkwy
Gresham, OR 97030
661-3000 FAX: 665-1639

Art Knori
Gresham PD
1333 NE Eastman Pkwy
Gresham, OR 97030
661-3000 FAX: 665-1639

Betsy Williams
Dept. Environmental Svcs
412/206
248-5012 FAX: 248-3048

Gerald McFadden
Volunteers of America
527 SE Alder
Portland, OR 97214
235-8655

Kathy Page
119/4th Floor/Medical
248-3959

Tim Moore
313/Sheriff
251-2544

Merlin Juilfs
313/104/Hansen
251-2515

Dave Williams
Portland PD
119/1526
823-0009 FAX: 823-0342

Ray Mathis
221 NW 2nd
Portland, OR 97209
228-9411 FAX 228-5126

Commander Rich Haug
313/Sheriff
251-2514 FAX: 253-2663

Dave Warren
Finance
106/1430
248-3822 FAX 248-3292

Commissioner Sharron Kelley
106/1530
248-5213 FAX: 248-5262

Elyse Clawson
Juvenile Justice Division
311/1
248-3594 FAX: 248-3218

Joanne Fuller
Juvenile Justice Division
311/1
306-5599 FAX: 248-3218

Tim Street
15790 NW St. Andrews Dr
Portland, OR 97229

Mark Weiner
106/1530
248-5137 FAX 248-5440

Bernie Guisto X
City of Gresham

FAX: 731-3031

Barbara Grider
ASAP Treatment
224-0075 FAX: 274-7642

Maria Rojo de Steffey
Multnomah County Chair's Ofc
106/1500
248-3308 FAX: 248-3093

Cary Harkaway
Community Corrections
161/600
248-3039 FAX: 248-3990

Charles Cameron
Washington County
Administrator
155 North First Avenue
Hillsboro, OR 97124
648-8685 FAX :693-4545

David Blanchard
PSU Center for Urban Studies
725-8034

Kris Olsen Rogers
US Attorney
888 SW Fifth Avenue, Suite 100
Portland, OR 97204
727-1000 FAX: 727-1117

Paul Lorenzini
Pacific Corp
464-6305 FAX: 464-6905

Bill Farver
106/1515
248-3958 FAX: 248-3093

Mayor Vera Katz
City of Portland
1220 SW Fifth
Portland, OR 97204
823-4120 FAX: 823-3588

Pat Bozanich
OSU, Extension Energy
Program
800 NE Oregon #10
Portland, OR 97232
731-4104 FAX: 731-4570

Darrell Milner
PSU, PO Box 751
Portland, OR 97207
725-3472 FAX: 725-4882

r. Annette Jolin
PSU-Public Administration
Urban Studies
PO Box 751
Portland, OR 97207
725-5199 FAX: 725-5199

Jim Emerson
Facilities Management
421/3
248-3322 FAX: 248-5082

Judi Hammerstad
Clackamas County Chair
906 Main Street
Oregon City, OR 97045
655-8581 FAX: 650-8944

Linda Hutchinson
Crime Victims United
1020 SW Taylor Street
Portland, OR 97205-2512

Reg Madsen
US Marshall
620 SW Main, Room 423
Portland, OR 97205
326-2209 FAX: 326-4176

Shayla Herzo
3084 SW Fairmont Blvd
Portland, OR 97201

Darlene Carlson
106/1500
248-5217 FAX: 248-5262

Mayor Paul Thalhoffer
City of Troutdale X
104 SE Kibling Avenue
Troutdale, OR 97060
665-3242 FAX: 667-6403

Judith Hadley
2921 SE Tibbens
Portland, OR 97202
234-9438

Jeff Kushner
Department of Corrections
945-5760 FAX: 945-5760

Elizabeth Warman
Boeing
667-8733 FAX: 667-8775

George Hanson
3823 NE View Court
Gresham, OR 97030

Barry Crook
Budget/Finance
106/1430
248-3575 FAX: 248-3292

Steven Wax
Federal Public Defender
851 SW Sixth Ave, Ste 1375
Portland, OR 97204
326-2123 FAX: 326-5524

Robert Trachtenberg
106/1530
248-5213 FAX: 248-5262

REVISED 11-14

Construction Costs and Funding

Program	SB 1145	GO Bond	Cost per Bed
Remodels of existing facilities - MCDC (cells and booking) Courthouse Jail Release Center		\$1,485,000	
Inverness Expansion	330 \$37,000,000	120 \$13,500,000 replaces Annex net 75	\$113,000
4 A & D and Work release minimum security facilities (including Residential Housing and Mental Health Triage)	150 \$10,000,000 remodeled facilities	150 \$16,000,000 new construction	
Minimum/medium Sec. Facility Potential Regional Site - Expansion possibilities		210 \$23,000,000	\$109,000
New Juvenile Detention Facility Including Recent Expansion of Beds		192 Beds (Juv) \$30,000,000	
Net Bed Increase 405 (MCIJ) + 40 (MCRC) + 210 (new site) = 655			
TOTAL	\$47,000,000	\$84,000,000	

11-14 REVISED

Operational Costs and Funding

Program	Funding Source				
	SB 1145	New Property Tax, County Share	Juvenile Facility on Go Bond	Requested Assistance from City of Portland	Cost per Offender per year
MCRC Expansion		40 Beds \$670,000			
Annex Expansion		9 Beds \$480,000 to annualize \$400,000 included in ongoing budget			
MCIJ III - Inverness Expan. including Alcohol and Drug treatment in jail	330 Beds \$9,700,000 165 with treatment 165 without	120 Beds \$2,400,000 with treatment (45 funded from Annex)			
Public Safety Information Systems Improvements Across Jurisdictions and Program Evaluation		(\$7,000,000) (from late start up)			
Minimum/Medium Security Facility- New, Expanded MCCF - potential capacity 550 beds		210 Beds \$4,200,000 (55 unfunded)			
4 A&D and work release Residential Facilities including Specialized Residential Housing and Mental Health Triage Facility	150 Beds \$2,875,000 (25 unfunded)	150 Beds \$2,300,000 (50 unfunded)		\$500,000 (Triage Center)	
Pretrial Release		300 slots \$360,000			
Post Sentence Supervision and Home Detention	25 slots \$95,000				
Day Reporting Centers	\$575,000 staffing 40 slots				

Forest Camp Expansion	\$175,000 added staffing 10 slots				
A&D and Mental Health Outpatient	\$400,000 500 slots (900 total w. insr)				\$ 1,825
Intensive Supervision	\$600,000 180 slots				\$ 2,857
Alcohol and Drug Free Housing	\$600,000 support services 500 clients/slots			\$1,500,000	
Residential Housing Coordination	\$250,000				
Domestic Violence Intervention			? slots \$500,000	\$500,000	
Sanctions: quality of life crime Community courts			? slots \$500,000	\$500,000	
Juvenile A&D			15 slots \$508,000		\$33,867
Family Preservation			? slots \$396,000		
Conflict Resolution			? slots \$125,000		
Child Abuse Treatment			50 slots \$700,000		\$14,000
Juvenile Truancy			300 slots \$825,000		\$ 2,750
After School Programs				\$500,000	

Total Need	\$15,270,000	\$10,410,000	\$3,554,000	\$3,500,000
Amount Available	\$12,900,000	\$9,300,000	\$3,000,000	?

SUMMARY OF MULTNOMAH COUNTY'S PUBLIC SAFETY ACTION PLAN

Multnomah County's Board of Commissioners and Sheriff's Office have developed a Public Safety Action Plan to address the County's critical need for additional jail space and community corrections programs. The plan has two components.

First, the County is applying for over \$43 million in state funds under Senate Bill 1145 (1995) in order to add 330 new jail spaces to its Inverness Jail facility and to construct or remodel two alcohol and drug intervention and work training facilities. These corrections facilities will be designed to handle a new population of criminal offenders who will become the responsibility of the County in 1997. Second, the County is committed to seeking voter approval in May, 1996 to expand its jail capacity by another 330 jail spaces, and to increase its alcohol and drug intervention capacity by an additional 150 beds.

1. Action Plan for SB1145 Funds.

For nearly two decades, a specific population of felony offenders, made up of mostly property and drug offenders serving less than 6 months in prison, has frustrated state government's attempts to reduce recidivism in Oregon. This population of offenders has also driven a continuing demand for more prisons, despite the state's relatively stable crime rate. Most of these offenders have been recycled in and out of state prison after failing under parole or probation supervision.

In 1988, the Governor's Task Force on Corrections Planning recognized that these offenders could be managed more effectively at the county level, based upon research showing that counties which had already assumed greater responsibility for these offenders (a) operated their corrections programs with a clearer sense of purpose, (b) provided a wider range of programs and sanctions to manage these offenders, (c) created closer working relationships with other agencies in the criminal justice system, and (d) developed more responsive approaches to the public safety concerns of local communities and individual citizens. The 1995 legislature, in further recognition of this capacity of Oregon's counties to provide more effective corrections sanctions and programs, enacted SB1145.

SB1145 shifts from the state to the counties the responsibility of managing felony offenders currently sentenced to a year or less in state prison. This legislation also strengthens the existing partnership between state and county governments in the operation of Oregon's correction system by providing \$59 million in construction funds and separate operating funds to support counties in the performance of their new public safety responsibilities.

Based upon projections of the Oregon Department of Corrections ("DOC"), SB1145 is expected to increase Multnomah County's average daily population of felony offenders by 700 in 1997. Among those offenders committed by Multnomah County in 1994-94 who would now be covered by SB1145, DOC incarcerated 76 percent in minimum custody, 22 percent in medium custody, and 2 percent in close or maximum custody. Eighty-nine percent of those offenders were on parole or probation at the time of their commitment.

Sixty-one percent of these parolees and probationers were revoked for technical violations, such as failure of a drug detection test or to report to a probation or parole officer. Of the 39 percent revoked for new crimes, 7 percent were convicted of person crimes, 30 percent were convicted of property crimes, and 57 percent were convicted of drug crimes. Among the 11 percent of 1,532 offenders who were not on parole or probation at the time of their commitment to DOC, 12 percent were convicted of person crimes, 24 percent were convicted of property crimes, and 59 percent were convicted of drug crimes. Multnomah County estimates that 70 to 80 percent of this entire population of offenders has an alcohol or drug abuse problem relating to their involvement in crime.

From a detailed analysis of this offender population, Multnomah County concludes that it will need 330 additional jail spaces in order to administer appropriate punishment to SB1145 offenders, and to safely manage those offenders who pose a risk to public safety by their repeated failure under community corrections supervision. In order to further protect the public, reduce the rate of recidivism of these SB1145 offenders, and address their pervasive alcohol and drug abuse, Multnomah County also needs to increase the capacity of its alcohol and drug intervention programs and facilities. As a result, Multnomah County is requesting over \$43 million in state funds to construct the following corrections facilities:

- 330 jail spaces through the expansion of the County's Inverness Jail to provide initial sentencing capacity and "empty beds" to back up other community correction sanctions and programs;
- 150 beds in two new or remodeled community correction residential facilities to provide alcohol and drug intervention and work training programs.

With adequate state support under SB1145, Multnomah County believes it can reverse the trend that the Governor's Task Force in 1988 considered "a failure of Oregon's correction system." The County's principle strategy under SB1145 will be to provide an integrated continuum of corrections sanctions and programs that focus on the pervasive problem of alcohol and drug abuse among SB1145 offenders -- backed up by swift and certain punishment in the form of an "empty jail bed" for those offenders who are unwilling to comply with the terms and conditions of their probation or parole supervision.

Multnomah County believes it can develop local corrections sanctions and programs under SB1145 that are more responsive to the public safety concerns of its citizens. The County can also administer those programs in a manner that more closely reflects the ethnic, cultural and economic diversity of its local communities.

2. Action Plan for Additional Jail Space and Community Corrections Capacity.

Multnomah County's Commissioners and Sheriff have placed as their highest priority the County's pre-existing need for additional jail space and community corrections programs. In addition to an expected rate of growth in its jail population of 5% per year, Multnomah County is forced by a federal court order to release approximately 2,900 pretrial and sentenced offenders into its communities each year before the imposition or expiration of their sentences under a risk-assessment "matrix" developed by the Sheriff's Office. In order

to end these "matrix releases" and restore the credibility of its criminal justice system, Multnomah County needs to construct at least 200 additional jail spaces as soon as possible.

Because state funds under SB1145 cannot be used to address this critical need for additional corrections facilities and programs, the Board of Commissioners has committed itself to placing before the voters in May 1996 a General Obligation Bond and a renewed and expanded Public Safety Serial Levy. The General Obligation Bond proposal will include, but not be limited to:

- A new facility on property yet to be identified which will expand the County's jail capacity by 210 beds;
- An expansion of the Inverness Jail by 75 beds and by replacing the facility's 45-bed Warehouse Annex currently serving as a temporary jail;
- At least 150 beds in additional Alcohol & Drug Intervention and Work Training Facilities for offenders beginning their transition from jail back to their communities; and
- Debt financing for the newly constructed and expanded Multnomah County Juvenile Detention Facility.

The May 1996 Public Safety Serial Levy will provide funding for the operation of County's new jail and community corrections facilities. It will also permit the expansion of the County's Restitution Center from 120 to 160 beds.

Multnomah County is also committed to using funds currently devoted to the retirement of debt financing for the County's Juvenile Detention Facility to address the problems and needs of potential offenders and their families by expanding juvenile prevention and intervention programs. This component of Multnomah County's Public Safety Action Plan will include:

- Child abuse treatment for victims and offenders;
- Programs to keep at-risk children in school;
- Programs and shelter space to reduce the incidence of domestic violence;
- A pilot community court project to address neighborhood "quality of life" crimes;
- Residential alcohol and drug intervention programs for juvenile offenders;
- Counselors to work with families of juvenile offenders in ending the criminal behavior patterns of their children; and
- Neighborhood conflict resolution services.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Multnomah County's Application)
for SB1145 Construction) R E S O L U T I O N
Funds and Public Safety Strategy) 95-239

WHEREAS SB1145, enacted into law during the 1995 Legislative session, will shift to the counties responsibility for felons currently sentenced to a year or less to state prison. The law is scheduled to go into effect January, 1997; and

WHEREAS the State Legislature established a construction fund of \$59,000,000 and set up a process for allocating those funds to be approved by the Governor and the Legislature during a February, 1996 special session. County applications for construction dollars are due November 22, 1995. The Governor expressed his intent to request additional construction funds from the Legislature in 1997; and

WHEREAS the State Legislature also established a funding formula which allocates operational resources to the county. Multnomah County is expected to receive \$12,900,000 annually (adjusted for inflation and population increases) once SB1145 is in effect; and

WHEREAS Multnomah County engaged a broad range of public safety stakeholders and community members in a year long public safety planning process to address the corrections needs in our County. The need for a comprehensive continuum of sanctions was identified and the need for at least 200 additional jail beds to eliminate unsupervised matrix releases from county jails was identified; and

WHEREAS all criminal justice agencies support the elimination of matrix releases and the ability of supervising authorities to return offenders to jail to provide a swift and sure sanction. The ability to sanction offenders in this manner greatly enhances the effectiveness of community corrections programs and supervision; and

WHEREAS Multnomah County currently operates a number of effective alcohol and drug residential intervention and diversion programs, work release programs, and community supervision approaches. These strategies have proven to be effective in dealing with the estimated 70% to 80% of offenders who have alcohol and drug problems; and

WHEREAS in addition to the expanded jail and residential sanctions, the "empty bed" will not be possible without the cooperation of the District Attorney and the Judiciary in recommending and applying consistent sanctions across the population; and

WHEREAS, the Local Public Safety Coordinating Council established under SB1145 will provide an opportunity for a continuation of effective cross-departmental and cross-jurisdictional planning efforts with citizen involvement; and

WHEREAS, the public safety strategy was developed with the following Multnomah County Urgent Benchmarks in mind:

- reduce violent crimes against people
- increase success of diversion programs
- reduce recidivism of felons
- increase drug treatment services
- increase mental health services
- reduce domestic abuse
- increase percentage of drug free babies; and

WHEREAS, Multnomah County supports the concept of SB1145 and believes counties are in a better position to reduce the recidivism rate by changing the criminal behavior patterns of offenders sentenced under the scope of SB1145. Swift and sure jail stays, coupled with effective residential alcohol and drug intervention and/or employment programs with continuing supervision, can be more effective in reducing recidivism than jail stays alone. The effectiveness of this type of sentence is greatly enhanced by the ability to place the offender back into jail for short stays for non-compliance with the agreed upon sanctions; and

WHEREAS, additional construction and operating resources from the State will enable the County to be more effective in dealing with this population and will benefit the state programmatically and financially in future years because of Multnomah County's ability to reduce the re-offense rate.

NOW THEREFORE IT IS RESOLVED that:

1. Multnomah County approves the attached Application to the State for 1145 Construction Funds. The attached application requests funds to construct 330 jail beds at the current Inverness Jail site and 150 secure residential beds at a site or sites to be determined.
2. Multnomah County urges the Legislature to expand the construction fund during its special session to fully fund the request of Multnomah County and the other Counties in the state. In addition, the County urges the Legislature to increase the operating funds available to the Counties.
3. Multnomah County will request that the Legislature delay implementation of SB1145 in Multnomah County for at least one year until new facilities can become operational.

4. Multnomah County endorses the attached Continuum of Sanctions (Exhibit A) for offenders as the best approach for achieving the Benchmarks listed above. The continuum provides:

- An appropriate mix of jail beds and programs necessary to effectively manage the SB1145 offender.
- An initial jail stay for the offender, followed by community sanctions and programs. While in jail, the offender must begin intensive alcohol and drug treatment when appropriate
- An opportunity for the offender in residential treatment programs to acknowledge behavior changes which are necessary to reintegrate back into society.
- Follow up supervision in the community
- Enough jail beds to place the offender back in jail when s/he fails to comply with the conditions of non-jail sanctions.

5. Because funds from the State cannot and will not address the current corrections capacity and systems problems in Multnomah County, Multnomah County is committed to placing before the voters in May, 1996, a General Obligation Bond and a renewed and expanded Public Safety Serial Levy.

6. The Board will forward for public review a General Obligation Bond proposal which will include, but may not be limited to:

- a new facility on an as yet unidentified property which will expand the capacity of the system by 210 beds;
- expand the capacity of the new Inverness facility by 75 beds and replace the current 45 bed Warehouse Annex temporary jail,
- at least 150 beds providing supervised residential drug and alcohol, work release, and/or mental health services for offenders as they begin the transition back to the community and
- debt financing for the newly constructed and expanded Multnomah County Juvenile Detention Facility.

7. To reduce the construction time on the new Inverness Facility, Multnomah County will advance the estimated \$900,000 costs for design and site preparation during this fiscal year. These funds will be repaid from 1145 Construction Funds and the General Obligation Bond.

8. The Board will forward for public review a Public Safety Serial Levy focusing on operational funding for the new jail, the additional beds at the new Inverness site, the residential facilities, the temporary Warehouse jail, and expanding the Multnomah County Restitution Center from 120 to 160 beds.

8. The Board will develop a plan to fund operating costs of these new facilities through SB1145 operational funding and public safety serial levies. With the completion of the two jails and the residential beds, the corrections capacity in Multnomah County will be increased by 655 jail beds and 300 residential beds. If 330 jail beds are used for SB1145 offenders and 200 jail beds are needed to eliminate the matrix release problem, Multnomah County will have 125 beds available to deal with the growth in pretrial population. Growth in the SB1145 population should be addressed in future Legislative sessions.
9. Multnomah County is committed to using funds currently devoted to retirement of debt financing of the new and expanded Juvenile Facility to provide cost effective interventions earlier in the lives of potential offenders and their families. Components include:
 - child abuse treatment for victims and offenders;
 - programs to keep at risk children in schools;
 - programs and shelter space to reduce the incidence of domestic violence;
 - developing a pilot community court to resolve neighborhood quality of life crimes;
 - residential alcohol and drug services for juvenile offenders;
 - counselors to work with families of juvenile offenders to assist them in ending the criminal patterns of their children;
 - conflict resolution services.
 - short-term residential evaluation, treatment, placement planning and family reunification services for children removed from the home for their own safety.
10. During the jail construction phase Multnomah County will use levy resources to improve the information technology systems of the public safety agencies. These improvements will provide better information collection and more efficient use of current resources and assist in tracking offenders through the system.
11. During the jail construction phase Multnomah County will also use levy resources to enhance the system's ability to evaluate the effectiveness of different corrections sanctions in meeting the benchmarks.
12. The Board of County Commissioners commits to holding a series of public meetings in conjunction with the new Local Public Safety Coordinating Council to discuss the public safety strategy and seek additional community input; and

IT IS FURTHER RESOLVED that Multnomah County is committed to continuing to work in partnership with the City of Portland to positively impact public safety. In connection with the proposed General Obligation Bond and Public Safety Levy, Multnomah County will ask the City of Portland to jointly develop proposals for joint funding in the areas of:

- alcohol and drug free housing;
- domestic violence;
- after school activities for youth;
- community courts to more effectively address quality of life crimes;
- opening a Mental Health Triage Center; and

IT IS FURTHER RESOLVED that the Board is also committed to sharing the strategy with the Multnomah County legislative delegation and seeking their support.

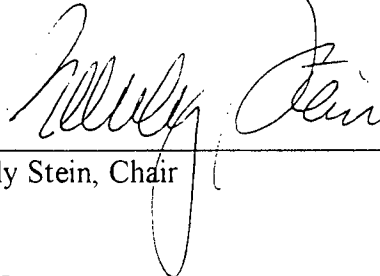
IT IS FURTHER RESOLVED, that following public review, the Board of County Commissioners will approve appropriate ballot title language for the Bond and the Levy in February, 1996.

APPROVED this 21st day of November, 1995.



MULTNOMAH COUNTY, OREGON

By


Beverly Stein, Chair

REVIEWED:

LAURENCE KRESSEL, COUNTY COUNSEL
for MULTNOMAH COUNTY, OREGON

By

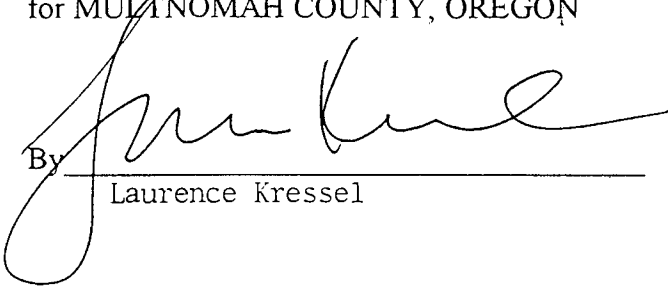

Laurence Kressel

EXHIBIT A

MULTNOMAH COUNTY'S SB1145 CONSTRUCTION APPLICATION

Construction Proposal Narrative

SB1145 Population Management Strategies

1. Describe the impact of SB1145 on the County's existing incarceration capacity based on the projected share of the 1,764 additional offenders in the community.

Based upon projections by the Oregon Department of Corrections ("DOC"), SB1145 is expected to increase Multnomah County's average daily population of felony offenders in 1997 by 700. Without additional jail space and community corrections sanctions, the impact of SB1145 will overwhelm the County's corrections resources and capacity. The County is currently forced by federal court order to release approximately 2,900 pretrial and sentenced offenders into its communities each year before the imposition or expiration of their sentences under a risk-assessment "matrix" developed by the Sheriff's Office. In order to end these "matrix releases" and restore the credibility of its criminal justice system, Multnomah County estimates the need for at least 200 additional jail beds without regard to the impact of SB1145.

According to DOC's data, from July 1994 through July 1995 Multnomah County sanctioned 1,532 felony offenders who will now be subject to SB1145. From that data, DOC projects that the County's average daily population of SB1145 offenders will be 700 by July 1997. Assuming the same growth rate for this offender population that has occurred over the past five years, and without factoring in a likely increase in its general population, Multnomah County estimates that its population of SB1145 offenders will increase to over 1150 by the year 2010.

Among the 1,532 felony offenders committed from Multnomah County in 1994-95 who would now be subject to SB1145, DOC incarcerated 76 percent in minimum custody, 22 percent in medium custody, and 2 percent in close or maximum custody. Eighty nine percent of those offenders were on parole or probation at the time of their commitment to DOC. Sixty-one percent of these parolees and probationers were revoked for technical violations, such as failure of a drug detection test or to report to a probation or parole officer. Of the 39 percent of parolees and probationers revoked for new crimes, 7 percent were convicted of person crimes, 30 percent were convicted of property crimes, and 57 percent were convicted of drug crimes. Among the 11 percent of the 1,532 offenders who were not on parole or probation at the time of their commitment to DOC, 12 percent were convicted of person crimes, 24 percent were convicted of property crimes and 59 percent were convicted of drug crimes. Multnomah County's Department of Community Corrections also estimates that 70 to 80 percent of this entire population of offenders has an alcohol or drug abuse problem relating to their involvement in crime.

From a detailed analysis of the crimes of conviction, risk profiles and history of performance on supervision of this projected SB1145 offender population (set forth in Appendix A), Multnomah County concludes that the impact of SB1145 will be felt across the County's continuum of corrections sanctions and programs. The County will need additional jail space in order to impose proportionate punishment on SB1145 offenders, and to safely manage those offenders who pose a risk to public safety by their failure under community corrections supervision or custody. In order to further protect the public, reduce the rate of recidivism of this population of offenders, and address their pervasive problems of alcohol and drug abuse, Multnomah County will also need to increase the capacity of its community corrections facilities and intervention programs.

2. Describe the County's strategy and continuum of local sanctions for the SB1145 offenders.

Multnomah County's primary strategy for SB1145 offenders is (a) to incarcerate those offenders for periods of time commensurate with the seriousness of their crimes and the risks they pose to the public, and (b) to further increase public safety and reduce the rate of recidivism among those offenders by intervening aggressively with programs designed to address their alcohol and drug abuse problems and their lack of job skills.

For nearly two decades, this same population of offenders has frustrated DOC's attempts to reduce recidivism and protect the public, and has driven a continuing demand for more prisons in Oregon. In 1988, noting that Oregon's per capita reported crime rate and national ranking in that regard had remained relatively stable for over a decade, the Governor's Task Force on Corrections Planning observed:

A major factor contributing to the increase in [Oregon's] prison populations is that large numbers of offenders are failing on community supervision, resulting in a "recycling" of the some offenders through the system. ***. Many offenders are going from probation, to prison, to parole, and then back to prison again.

*** [O]ver 61 percent of the admissions to Oregon prisons were offenders whose probation or parole was being revoked ***. A [DOC] study of parolees released in 1980 showed that 35 percent of [these offenders] returned to correctional institutions within three years. A comparable failure rate existed during the 1970s. However, of inmates released on parole in 1984, 40.5 percent of them returned within three years. *** [A]t the current parole failure rate, at least 49 percent of parolees will be returning to prison within three years. The parole failure rate [alone] has a significant impact on future prison populations and the need for additional prison capacity. *** [T]he current parole failure rate of 49 percent will add 1,063 more offenders to the Oregon prison *** population over the next 10 years than if the parole rate were reduced to the 1980 rate of 34 percent, and 568 more than if the parole failure rate were reduced to 40 percent.

A Strategic Corrections Plan for Oregon: Restoring the Balance, pp. 9-10.

Concluding that "[t]his trend represents a failure of Oregon's corrections system, both in terms of the threat to public safety caused by increased violations of the conditions of community supervision and the added costs to the taxpayer for incarcerating these offenders in state prison," the Governor's Task Force explained why it proposed to reverse this trend by increasing the participation of Oregon counties in the management of the state's corrections system under "Option I" of the Community Corrections Act:

"In general, Option I counties have reduced Class C felony commitments to state prison to a greater extent than Option II or III counties. They have also established a clearer sense of purpose in the delivery of community sanctions, developed a wider range of additional services and sanctions and a closer working relationship with other agencies in the criminal justice system, and generated more local funds to supplement their CCA operations. Finally, Option I counties have developed personnel practices under which staff attain higher certification levels, receive significantly more in-service training each year, and are more satisfied with their jobs.

Id. at pp. 66, 101.

SB1145 represents further recognition of the capacity of Oregon's counties to provide more effective corrections sanctions and programs to successfully manage and control this offender population. With adequate support under SB1145, Multnomah County believes it can reverse the trend identified by the Governor's Task Force as "a failure of Oregon corrections system" through an integrated continuum of custodial and programmatic sanctions, backed up by swift and certain punishment in the form of an "empty jail bed." Multnomah County also believes it can develop corrections sanctions and programs that are more responsive to the public safety concerns of its citizens, and can administer those in a manner that better reflects the ethnic, cultural and economic diversity of its local communities.

Another of the County's key strategies under SB1145 will be the prudent and cost-effective use of its corrections sanctions, reserving the longest terms of incarceration for more serious, high-risk offenders, while targeting the pervasive problem alcohol and drug abuse among these offenders with aggressive program intervention supported by the backup sanction of available jail beds. The County also intends to continue its strategy of "tourniquet sanctioning," by reducing corrections sanctions and relaxing management control as offenders successfully progress through the County's continuum of sanctions, and by increasing those sanctions and tightening those controls when offenders fail to perform under community supervision and programs. These corrections strategies will require close cooperation and coordination among law enforcement agencies, corrections staff and sentencing judges through their active participation on the County's Local Public Safety Coordinating Council.

Multnomah County recently established a Public Safety Coordinating Council, which will include over 25 public officials, interested citizens and criminal justice professionals from across the County. (The Ordinance establishing the Council and a list of the Council's proposed membership is attached as Appendix B.) The County's Board of Commissioners has sought representation on the Council from all constituencies of its criminal justice system and communities, including representatives from local governments and minority communities across the County.

Because of the critical importance of the Council's long-term effectiveness in developing and implementing Multnomah County's public safety strategies, the complexity of selecting a diverse and representative Council membership, and the short timeline for submitting this application, Multnomah County did not seek its Public Safety Council's approval of this application. The risks of appearing to seek the Council's "rubber stamp" approval of this application in the short time available and undermining the long-term trust and confidence of Council members as a result outweighed the advantages of a potentially higher evaluation of the application by the Selection Committee.

Nevertheless, Multnomah County believes this application qualifies for the same consideration it would have received with the Public Safety Coordination Council's approval. This application is the result of the close cooperation and input by the County's public safety officials, law enforcement agencies and private citizens over the past year. In January, 1995, the County formed a Public Safety Facilities Task Force to evaluate the County's need for additional corrections facilities and to develop proposals to meet those needs. (A list of the Task Force's membership is attached as Appendix C.) The integrated continuum of sanctions proposed in this application, including the mix of proposed jail beds and alcohol and drug intervention facilities, originated with the work of that Task Force.

This construction application is based upon a "data-driven" analysis of the County's construction needs under SB1145, which is outlined in Appendix A. The County first analyzed the nature of the crimes committed by the projected SB1145 offender population and the sanctions those offenders have received in the past (see Appendix A, p. 1, "Target Population Detail"). The County then evaluated the appropriate continuum of sanctions applicable to these offenders—from jail and residential alcohol and drug intervention to intensive case management—assigning those sanctions to specific groups of offenders based upon the seriousness of their crimes, their risk to the community, and their expected progress under community sanctions and corrections programs (See Appendix A, pp. 2-5, "Population Flow and Cost"). This data-driven analysis highlighted the critical need for aggressive alcohol and drug program intervention, as well as additional jail beds to serve as backup sanctions for offenders who fail under community corrections sanctions. Multnomah County is convinced that without a sufficient reserve of "empty beds" the innovative and cost-effective community corrections programs it proposes under SB1145 cannot achieve the County's objectives of promoting public safety and reducing offender recidivism.

3. Describe the need for the requested additional incarceration capacity. How does it fit in the County strategy and continuum of local sanctions for the SB1145 population?

Based upon the data-driven analysis described above, Multnomah County requires the following incarcerative capacity to carry out its SB1145 strategy of community protection and defense through cost-effective sanctions designed to reduce recidivism:

- 330 jail beds through an expansion of the County's Inverness Jail to provide initial sentencing capacity and "empty beds" to backup other community corrections sanctions and programs.
- 150 beds in two new or remodeled community corrections residential facilities to provide alcohol and drug intervention and work programs and training;

Multnomah County estimates that the total cost of constructing these facilities will be \$43.3 million. Appendix D to this application sets forth the County's projected construction and operating costs under SB1145. Appendix D also contains the Board of Commissioner's November 21, 1995 Resolution describing the County's strategy to fund the construction and operation of additional incarcerative capacity—most notably, to address the County's "matrix release" problem—through the issuance of general obligation bonds and a serial property tax levy.

Facility Plans and Schedules

1. Describe the proposed type of facility, bed space capacity, program areas and security levels.

Inverness Jail

The Inverness Jail is a medium security jail with a current bed count of 559. Multnomah County proposes to add 330 beds to this jail complex, along with new and remodeled infrastructure to this jail complex. Program space will be incorporated into this jail addition in order to provide alcohol and drug treatment, continuing education and job and life skills training.

Alcohol & Drug Intervention and Work Training Facilities

Two community-based residential facilities of 80 beds and 70 beds will be established to provide alcohol and drug intervention and work training and programs. These two facilities will be residential in nature, with perimeter landscaping designed to minimize the impact on surrounding neighborhoods. Construction will be no more than two stories in height, with security provided by locked doors at night.

2. Include copies of the proposed facility construction plan. These plans consist of line drawings and other documents illustrating and describing the general scope, scale and relationship of the facility components.

See Appendix E.

3. Describe the County's proposed construction project management plan including, but not limited to project staffing. Provide a schedule of when key activities will be initiated and completed. Key activities would include, but should not be limited to:

- | | |
|---|------------------------------|
| ■ Acquire Property | ■ Start construction |
| ■ Request for Proposal Architect/Engineer | ■ All Construction Completed |
| ■ Request for Proposals for Construction Management/ General Contractor | ■ Shake Down Period |
| ■ Ready for Occupancy | |

These construction projects will be managed under the umbrella of Multnomah County's Facilities and Property Management, which has provided construction management services to the County for projects with budgets of up to \$40,000,000. Current County staff will be assigned to the Inverness Jail Project in a project management role using a CM/GC [?] contracting format. Two staff members will be assigned to the two Alcohol & Drug Intervention and Work Training Facilities Projects in a project management role.

4. Indicate when the new bed space will be available for the SB1145 population.

Inverness Jail Project

March 1998*

Alcohol & Drug Intervention and Work Training Facility - 80 beds

December 1997*

Alcohol & Drug/L.S./W.P./Treatment Facility - 70 beds

December 1997*

* See "Time Schedule/Matrix" attached as Appendix F).

Construction and Operating Budgets

1. Complete budget documents [attached]. These documents must be reviewed and approved by the County's Finance Office.

See Appendix G.

2. If the County or group of Counties intends to use local funds to pay any portion of the cost of this construction project, describe the plan and status of voter approval. Identify the portion of funds, the estimated costs and what actions are required for the County or group of Counties to obtain legal authority to raise, if necessary, and spend those funds. Identify time lines within which the County or group of Counties expects this authorization to be completed.

Multnomah County intends to increase its incarcerative capacity facilities by issuance of general obligation bonds. (See Appendix D for details.) This funding proposal will be submitted to the County's voters in May 1996.

3. Describe proposed funding strategies for operation of the new or expanded correctional facility.

The annual cost of operating the facilities for SB1145 offenders sought by this application will be \$15,270,000. (See Appendix A at p. 5 and Appendix D, pp. 2-3.) Multnomah County intends to use SB1145 "impact funds" to cover these operating costs. The operation of additional facilities and expanded capacity through general obligation bonds will be funded by a serial property tax levy.

Siting and Property Acquisition Requirements

1. Attach a legal description of the property intended as the site for the proposed correctional facility. *[This property will be leased to the State to serve as COP financing collateral.]*

- Inverness Jail Property

Block 991/2, Parkrose, and Tax Lots 29 & 47, Section 15, T1N, R2E

- Alcohol & Drug Intervention and Work Training Facility - 80 Beds

The location of a building or site has not yet been determined.

- Alcohol & Drug Intervention and Work Training Facility - 70 Beds

The location of a building or site has not yet been determined.

2. Does the County or group of Counties currently own the property? If not, explain the method and time line for acquisition of the property.

- Inverness Jail Property

Multnomah County owns this property.

- Alcohol & Drug Intervention and Work Training Facility - 80 Beds

The location of the building or site has not yet been determined. Several options are available. Analysis of these options is under way, but will not be completed in time for submission with this application. The process for acquisition of this facility or site would start in February of 1996.

- Alcohol & Drug Intervention and Work Training Facility - 70 Beds

The status of this facility's site is the same as the 80 bed facility above.

3. Is the County or group of Counties willing to lease the property to the State for securing the Certificates of Participation (COP's) as provided in SB1145? *[The county will retain title to the property and improvements during the term of the lease. When the COP's are fully retired, the lease will terminate.]*

Yes.

4. Is the title to the property free and clear of all debt obligations?

- Inverness Jail

Yes.

- Alcohol & Drug Intervention and Work Training Facility - 80 Beds

The location of the facility's building or site has not yet been determined.

- Alcohol & Drug Intervention and Work Training Facility - 70 Beds

The location of the facility's building or site has not yet been determined.

5. Is the property zoned for use as a correctional facility? If not, describe the plan and status for obtaining proper zoning that will be required before COP financing.

- Inverness Jail

This site is zoned IG2h (General Industrial) which allows jail usage through the "Conditional Use" process.

- Alcohol & Drug Intervention and Work Training Facility - 80 Beds

The location of this facility's building or site has not yet been determined. Zoning processes and other required processes will start in February of 1996.

- Alcohol & Drug Intervention and Work Training Facility - 70 Beds

The location of this facility's building or site has not yet been determined. Zoning processes and other required processes will start in February of 1996.

6. Provide a report describing the result of a "Level One" environmental hazards study performed on the proposed correctional facility site by a qualified environmental consultant. *[If the proposed property has had a prior Level One Environmental Site Survey, conducting a new one is not necessary. In that case, the county should include a copy of the existing report. If the survey cannot be found, the Board of County Commissioners should submit certification from the Board that one was conducted by a qualified environmental engineer. A brief description of a Level One Environmental Site Survey is included in this packet.]*

- Inverness Jail Site

A "Level One" environmental hazards study has not yet been performed on this site. This study will begin in December of 1995.

- Alcohol & Drug Intervention and Work Training Facility - 80 Beds

The location of this facility's site has not yet been determined.

- Alcohol & Drug Intervention and Work Training Facility - 70 Beds

The location of this facility's site has not yet been determined.

S.B. 1146 TARGET POPULATION DETAIL

	TOTAL AVG		MAJOR COMMITTING OFFENSE					GENDER		NEW CONVICTION				ABSC
	PER YEAR	LOS (MO)	Person # (%)	Property # (%)	Drugs # (%)	Statute # (%)	Unkn # (%)	Male # (%)	Female # (%)	Person # (%)	Property # (%)	Drugs # (%)	Statute # (%)	
NEW CONVICTIONS	169	5.5	21 (12%)	41 (24%)	100 (59%)	7 (4%)	0	148 (88%)	21 (12%)	N/A	N/A	N/A	N/A	N/A
PAR REV (TECH)	362	2.3	185 (51%)	107 (30%)	38 (10%)	12 (3%)	20 (6%)	336 (93%)	26 (7%)	N/A	N/A	N/A	N/A	133 (37%)
PAR REV (NEW CRIME)	463	4.2	125 (27%)	201 (43%)	113 (24%)	9 (2%)	15 (3%)	411 (89%)	52 (11%)	27 (6%)	151 (33%)	257 (56%)	28 (6%)	100 (22%)
ROB REV (TECH)	299	4.2	57 (19%)	109 (36%)	120 (40%)	13 (4%)	0	239 (80%)	60 (20%)	N/A	N/A	N/A	N/A	151 (51%)
ROB REV (NEW CRIME)	239	5.1	29 (12%)	85 (36%)	117 (49%)	8 (3%)	0	203 (85%)	36 (15%)	20 (8%)	59 (25%)	138 (58%)	22 (9%)	72 (30%)
TOTAL	1532	4.0	417 (27%)	543 (35%)	488 (32%)	49 (3%)	35 (2%)	1337 (87%)	195 (13%)	47 (3%)	210 (14%)	395 (26%)	50 (3%)	456 (30%)

S.B. 1145 POPULATION FLOW AND COST

			JAIL \$80	WK REL \$65	RES TX \$65	RESID CT \$55	FOR PRO \$49	DAY REP \$42	HOM DET \$10	ICM \$9	SUBTOT	TOTALS	COST/DA
NEW CONV	PERSON 21	OFF.	21						21				
169 OFFENDERS		DAYS	120						60				
LOS 165 DA		SLOT DY	2,520	0	0	0	0	0	1,260	0	3,780	3,780	
27, 885 SLOT DY		COST	201,600	0	0	0	0	0	12,600	0	214,200	\$214,200	\$57
	PROP 41	OFF.	31			31			31				
		DAYS	60			60			60				
		SLOT DY	1,860	0	0	1,860	0	0	1,860	0	5,580		
		COST	148,800	0	0	102,300	0	0	18,600	0	269,700		
		OFF.	5				5			5			
		DAYS	30				70			60			
		SLOT DY	150	0	0	0	350	0	0	300	800		
		COST	12,000	0	0	0	17,150	0	0	2,700	31,850		
		OFF.	5		5			5					
		DAYS	30		90			60					
		SLOT DY	150	0	450	0	0	300	0	0	900	7,280	
		COST	12,000	0	29,250	0	0	12,600	0	0	53,850	\$355,400	\$49
	DRUG 100	OFF.	40		40			40					
		DAYS	30		90			60					
		SLOT DY	1,200	0	3,600	0	0	2,400	0	0	7,200		
		COST	96,000	0	234,000	0	0	100,800	0	0	430,800		
		OFF.	60		60					60			
		DAYS	30		90					60			
		SLOT DY	1,800	0	5,400	0	0	0	0	3,600	10,800	18,000	
		COST	144,000	0	351,000	0	0	0	0	32,400	527,400	\$958,200	\$53
	STATUTE 7	OFF.	4			4				4			
		DAYS	30			60				60			
		SLOT DY	120	0	0	240	0	0	0	240	600		
		COST	9,600	0	0	13,200	0	0	0	2,160	24,960		
		OFF.	3				3			3			
		DAYS	30				70			60			
		SLOT DY	90	0	0	0	210	0	0	180	480	1,080	
		COST	7,200	0	0	0	10,290	0	0	1,620	19,110	\$44,070	\$41

S.B. 1145 POPULATION FLOW AND COST

		JAIL \$80	WK REL \$65	RES TX \$65	RESID CT \$55	FOR PRO \$49	DAY REP \$42	HOM DET \$10	ICM \$9	SUBTOT	TOTALS	COST/DA
PRO REV TECH	OFF.	100							100			
299 OFFENDERS	DAYS	60							90			
LOS 126 DA	SLOT DY	6,000	0	0	0	0	0	0	9,000	15,000		
37,674 SLOT DA	COST	480,000	0	0	0	0	0	0	81,000	561,000		
	OFF.	100	100						100			
	DAYS	30	30						90			
	SLOT DY	3,000	3,000	0	0	0	0	0	9,000	15,000		
	COST	240,000	195,000	0	0	0	0	0	81,000	516,000		
	OFF.	50		50			50					
	DAYS	30		90			60					
	SLOT DY	1,500	0	4,500	0	0	3,000	0	0	9,000		
	COST	120,000	0	292,500	0	0	126,000	0	0	538,500		
	OFF.	29							29			
	DAYS	30							120			
	SLOT DY	870	0	0	0	0	0	0	3,480	4,350		
	COST	69,600	0	0	0	0	0	0	31,320	100,920		
	OFF.	20				20			20			
	DAYS	30				70			60			
	SLOT DY	600	0	0	0	1,400	0	0	1,200	3,200	46,550	
	COST	48,000	0	0	0	68,600	0	0	10,800	127,400	\$1,843,820	\$40
PRO REV CRIME	OFF.	150						150				
239 OFFENDERS	DAYS	120						60				
LOS 153 DA	SLOT DY	18,000	0	0	0	0	0	9,000	0	27,000		
36,567 SLOT DA	COST	1,440,000	0	0	0	0	0	90,000	0	1,530,000		
	OFF.	50		50			50					
	DAYS	30		90			60					
	SLOT DY	1,500	0	4,500	0	0	3,000	0	0	9,000		
	COST	120,000	0	292,500	0	0	126,000	0	0	538,500		
	OFF.	25			25				25			
	DAYS	60			60				60			
	SLOT DY	1,500	0	0	1,500	0	0	0	1,500	4,500		
	COST	120,000	0	0	82,500	0	0	0	13,500	216,000		
	OFF.	14				14			14			
	DAYS	30				70			60			
	SLOT DY	420	0	0	0	980	0	0	840	2,240	42,740	
	COST	33,600	0	0	0	48,020	0	0	7,560	89,180	\$2,373,680	\$56

S.B. 1145 POPULATION FLOW AND COST

		JAIL \$80	WK REL \$65	RES TX \$65	RESID CT \$55	FOR PRO \$49	DAY REP \$42	HOM DET \$10	ICM \$9	SUBTOT	TOTALS	COST/DA
PAR REV TECH	OFF.	100			100				100			
362 OFFENDERS	DAYS	30			60				60			
LOS 70 DA	SLOT DY	3,000	0	0	6,000	0	0	0	6,000	15,000		
25,340 SLOT DA	COST	240,000	0	0	330,000	0	0	0	54,000	624,000		
	OFF.	142		142	0		142					
	DAYS	30		90	0		60					
	SLOT DY	4,260	0	12,780	0	0	8,520	0	0	25,560		
	COST	340,800	0	830,700	0	0	357,840	0	0	1,529,340		
	OFF.	20				20			20			
	DAYS	30				70			60			
	SLOT DY	600	0	0	0	1,400	0	0	1,200	3,200		
	COST	48,000	0	0	0	68,600	0	0	10,800	127,400		
	OFF.	100							100			
	DAYS	30							90			
	SLOT DY	3,000	0	0	0	0	0	0	9,000	12,000	55,760	
	COST	240,000	0	0	0	0	0	0	81,000	321,000	\$2,601,740	\$47
PAR REV CRIME	OFF.	150							150			
463 OFFENDERS	DAYS	120							60			
LOS 126 DA	SLOT DY	18,000	0	0	0	0	0	0	9,000	27,000		
58,338 SLOT DA	COST	1,440,000	0	0	0	0	0	0	81,000	1,521,000		
	OFF.	100		100					100			
	DAYS	30		90					60			
	SLOT DY	3,000	0	9,000	0	0	0	0	6,000	18,000		
	COST	240,000	0	585,000	0	0	0	0	54,000	879,000		
	OFF.	213							213			
	DAYS	90							90			
	SLOT DY	19,170	0	0	0	0	0	0	19,170	38,340	83,340	
	COST	1,533,600	0	0	0	0	0	0	172,530	1,706,130	\$4,106,130	
TOTALS												
OFF./PROG		1,532	100	447	160	62	287	202	1,043			
SLOT DAYS		92,310	3,000	40,230	9,600	4,340	17,220	12,120	79,710		258,530	
COST		7,384,800	195,000	2,614,950	528,000	212,660	723,240	121,200	717,390		\$12,497,240	\$48
SLOT NEED/YR		253	8	110	26	12	47	33	218			

APPENDIX A, p. 4

S.B. 1145 POPULATION FLOW AND COST

	JAIL \$80	WK REL \$65	RES TX \$65	RESID CT \$55	FOR PRO \$49	DAY REP \$42	HOM DET \$10	ICM \$9	SUBTOT	TOTALS	COST/DA
FAILURE ADJ											
ADJ SLOT DAYS	120,573	2,250	34,643	7,600	3,565	13,633	9,595	66,673		258,530	
ADJ COST	9,645,800	146,250	2,251,763	418,000	174,685	572,565	95,950	600,053		\$13,905,065	\$54
ADJ SLOT NEED	330	6	95	21	10	37	26	183			

EST ALLOC \$12,902,750
 ADJ COST \$13,905,065
 AVAILABLE (\$1,002,315)

OUTPAT A&D
 1145 POP
 60% OF POP 919
 NON-HLTH PLN 500
 COST/OFF. \$800
 A&D COST \$400,000
 ADJ COST \$14,305,065
 AVAILABLE (\$1,402,315)

DRG FREE HSG
 OFFENDERS 500
 COST/OFF. \$1,200
 HSG COST \$600,000
 ADJ COST \$14,905,065
 AVAILABLE (\$2,002,315)

RES COORD
 1 FTE/DIST+JAIL 5
 COST/FTE \$50,000
 COST/YR \$250,000
 ADJ COST \$15,155,065
 AVAILABLE (\$2,252,315)

**Proposed Membership of the
Public Safety Coordinating Council**

Chair

Beverly Stein

Statutory Members

Sharron Kelley
Commissioner
Multnomah County

Donald Londer
Presiding Judge
Circuit Court
Multnomah County

Dan Noelle, Sheriff
Multnomah County

Mike Schrunk
District Attorney
Multnomah County

Roger Vonderharr, Mayor
Fairview

Art Kanori
Chief of Police
Gresham

Bernie Guisto
Oregon State Police

Erik Kavarsten, City Manager
Troutdale

Elyse Clawson, Director
Department of Juvenile Justice
Multnomah County

Michael Greenlick
Defense Attorney appointed
by the Circuit Court

Tamara Holden
Director, Department of Community
Corrections, Multnomah County

Lorenzo Poe, Director
Department of Children and Families
Multnomah County

Ray Mathis
Executive Director
Citizens' Crime Commission

Discretionary Members

Vera Katz, Mayor
Portland

Charles Moose
Chief of Police
Portland Police Bureau

Avel Gordly
State Representative
District 19

Kris Olsen
US Attorney

Bill Keys
District Court Judge
Multnomah County

Mike Balter
Boys and Girls Aid Society

Judith Hadley, Chair
Community Corrections Advisory Committee

Bill Hovey
Citizens' Crime Commission

Linda Hutchinson
Crime Victims United
Attorney

Linda Jaramillo
Violence Prevention Coordinator
Multnomah County

Gary Perlstein, Chair
Administration of Justice Dept.
Portland State University

Judy-Ellen Low
Oregon Domestic Violence Council

Gerald McFadden
Volunteers of America

Steve Moskowitz
Attorney

Donna Redwing
Gay & Lesbian Alliance Against Defamation

Chiquita Rollins
Domestic Violence Coordinator
Multnomah County

Ingrid Swenson
Attorney

PUBLIC SAFETY FACILITIES TASK FORCE

Bill Hovey
15800 Oswego Shore Ct
Lake Oswego, OR 97034
697-8773

Dan Oldham
313/Sheriff
251-2400 FAX: 253-2663

Greg Schar
314/MCIJ
248-5129 FAX: 248-5069

Barbara Simon
313/Sheriff
251-2503 FAX: 251-2428

Cameron Warren
Three Oaks Development Corp
P.O. Box 30929
Portland, OR 97230-0929

Mike Schrunck
101/600
248-3162 FAX: 248-3643

Tamara Holden
Community Corrections
161/600
248-3701 FAX: 248-3990

Susan Clark
Children Family Svcs
166/6
248-6344 FAX: 248-3926

Jim Hennings
Public Defenders Office
630 SW 5th Avenue
Portland, OR 97204
225-9100 FAX: 295-0316

Doug Bray
Court Administration
101/236
248-3957 FAX: 248-3425

Bill Wood
313/Sheriff
251-2428 FAX: 253-2663

Vera Poole
313/Sheriff
251-2542 FAX: 253-2663

Tom Slyter
331/MCCF
248-5080 FAX: 248-5489

Larry Aab
313/231
251-2489 FAX 251-2439

Norm Monroe
106/1500
248-3962 FAX: 248-3093

Philip Abraham
Multnomah County Courthouse
1021 SW 4th Ave, Rm 616
Portland, OR 97204
248-3804 FAX: 248-3425

Jerry Johnson
Gresham PD
1333 NW Eastman Pkwy
Gresham, OR 97030
661-3000 FAX: 665-1639

Art Knori
Gresham PD
1333 NE Eastman Pkwy
Gresham, OR 97030
661-3000 FAX: 665-1639

Betsy Williams
Dept. Environmental Svcs
412/206
248-5012 FAX: 248-3048

Gerald McFadden
Volunteers of America
527 SE Alder
Portland, OR 97214
235-8655

Kathy Page
119/4th Floor/Medical
248-3959

Tim Moore
313/Sheriff
251-2544

Merlin Juilfs
313/104/Hansen
251-2515

Dave Williams
Portland PD
119/1526
823-0009 FAX: 823-0342

Ray Mathis
221 NW 2nd
Portland, OR 97209
228-9411 FAX 228-5126

Commander Rich Haug
313/Sheriff
251-2514 FAX: 253-2663

Dave Warren
Finance
106/1430
248-3822 FAX 248-3292

Commissioner Sharron Kelley
106/1530
248-5213 FAX: 248-5262

Elyse Clawson
Juvenile Justice Division
311/1
248-3594 FAX: 248-3218

Joanne Fuller
Juvenile Justice Division
311/1
306-5599 FAX: 248-3218

Jim Street
15790 NW St. Andrews Dr
Portland, OR 97229

Mark Weiner
106/1530
248-5137 FAX 248-5440

Bernie Guisto
City of Gresham

FAX: 731-3031

Barbara Grider
ASAP Treatment
224-0075 FAX: 274-7642

Maria Rojo de Steffey
Multnomah County Chair's Ofc
106/1500
248-3308 FAX: 248-3093

Cary Harkaway
Community Corrections
161/600
248-3039 FAX: 248-3990

Charles Cameron
Washington County
Administrator
155 North First Avenue
Hillsboro, OR 97124
648-8685 FAX :693-4545

David Blanchard
PSU Center for Urban Studies
725-8034

Kris Olsen Rogers
US Attorney
888 SW Fifth Avenue, Suite 100
Portland, OR 97204
727-1000 FAX: 727-1117

Paul Lorenzini
Pacific Corp
464-6305 FAX: 464-6305

Bill Farver
106/1515
248-3958 FAX: 248-3093

Mayor Vera Katz
City of Portland
1220 SW Fifth
Portland, OR 97204
823-4120 FAX: 823-3588

Pat Bozanich
OSU, Extension Energy
Program
800 NE Oregon #10
Portland, OR 97232
731-4104 FAX: 731-4570

Darrell Milner
PSU, PO Box 751
Portland, OR 97207
725-3472 FAX: 725-4882

Dr. Annette Jolin
PSU-Public Administration
Urban Studies
PO Box 751
Portland, OR 97207
725-5199 FAX: 725-5199

Jim Emerson
Facilities Management
421/3
248-3322 FAX: 248-5082

Judi Hammerstad
Clackamas County Chair
906 Main Street
Oregon City, OR 97045
655-8581 FAX: 650-8944

Linda Hutchinson
Crime Victims United
1020 SW Taylor Street
Portland, OR 97205-2512

Reg Madsen
US Marshall
620 SW Main, Room 423
Portland, OR 97205
326-2209 FAX: 326-4176

Shayla Herzog
3084 SW Fairmont Blvd
Portland, OR 97201

Darlene Carlson
106/1500
248-5217 FAX: 248-5262

Mayor Paul Thalhoffer
City of Troutdale
104 SE Kibling Avenue
Troutdale, OR 97060
665-3242 FAX: 667-6403

Judith Hadley
2921 SE Tibbetts
Portland, OR 97202
234-9438

Jeff Kushner
Department of Corrections
945-5760 FAX: 945-5760

Elizabeth Warman
Boeing
667-8733 FAX: 667-8775

George Hanson
3823 NE View Court
Gresham, OR 97030

Barry Crook
Budget/Finance
106/1430
248-3575 FAX: 248-3292

Steven Wax
Federal Public Defender
851 SW Sixth Ave, Ste 1375
Portland, OR 97204
326-2123 FAX: 326-5524

Robert Trachtenberg
106/1530
248-5213 FAX: 248-5262

REVISED 11-20

Construction Costs and Funding

Program	SB 1145	GO Bond	Cost per Bed
Remodels of existing facilities - MCDC (cells and booking) Courthouse Jail Release Center		\$1,485,000	
Inverness Expansion	330 \$31,775,000	120 \$11,500,000 replaces Annex net 75	\$96,300
4 A & D and Work release minimum security facilities (including Residential Housing and Mental Health Triage)	150 \$11,650,000 (assumes land acquisition for one facility and one remodeled facility)	150 \$13,150,000 (assumes land acquisition for two facilities)	
Minimum/medium Sec. Facility Potential Regional Site - Expansion possibilities		210 \$26,730,000 (assumes no land acquisition)	\$127,000
New Juvenile Detention Facility Including Recent Expansion of Beds		192 Beds (Juv) \$38,400,000 (not all collected from property taxes)	

Net Bed Increase 405 (MCIJ) + 40 (MCRC) + 210 (new site) = 655

TOTAL	\$43,425,000	\$91,265,000

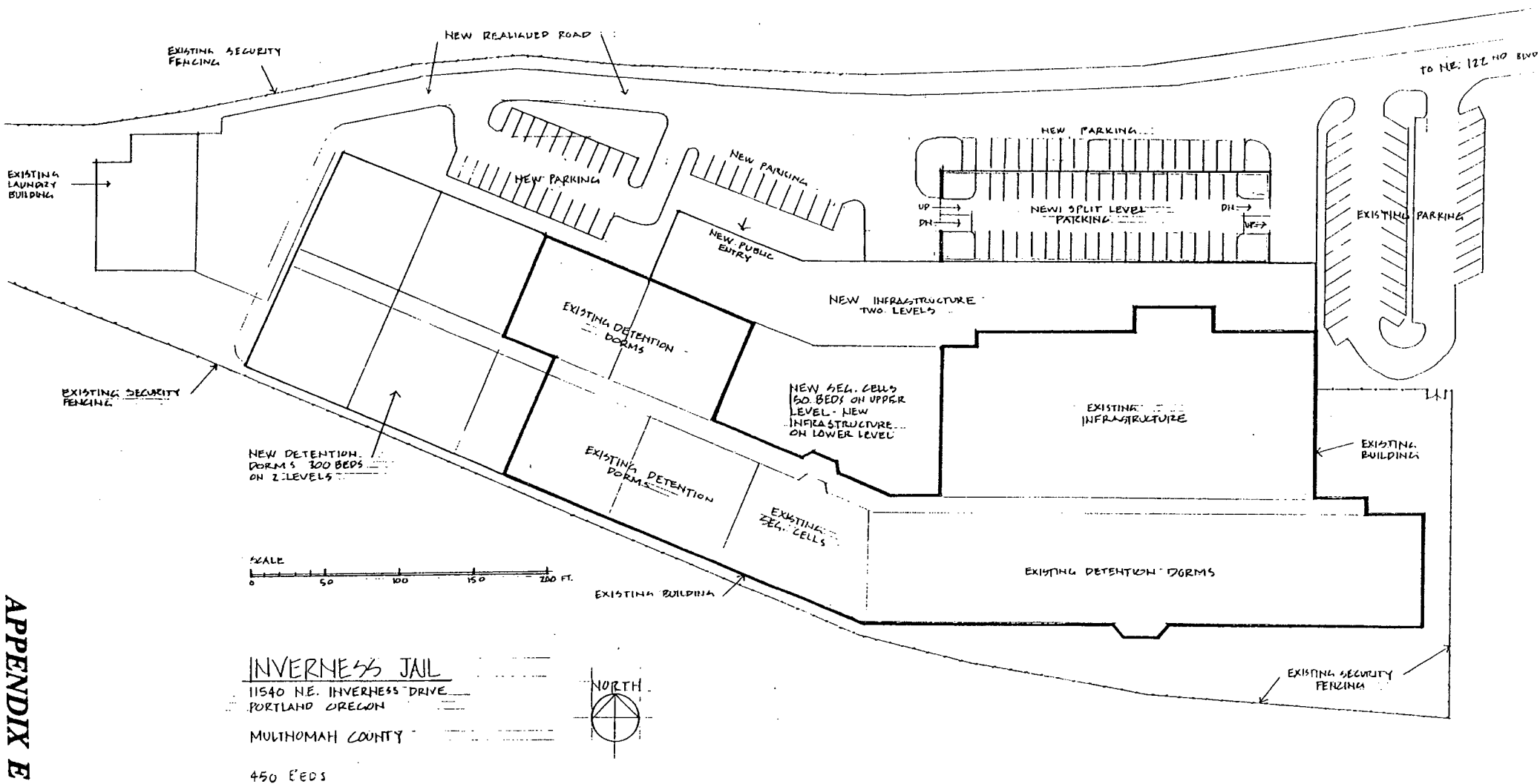
11-20 REVISED

Operational Costs and Funding

Program	Funding Source				
	SB 1145	New Property Tax, County Share	Juvenile Facility on Go Bond	Requested Assistance from City of Portland	Cost per Offender per year
MCRC Expansion		40 Beds \$670,000			
Annex Expansion		9 Beds \$480,000 to annualize \$400,000 included in ongoing budget			
MCIJ III - Inverness Expand. including Alcohol and Drug treatment in jail	330 Beds \$9,645,000 165 with treatment 165 without	120 Beds \$2,400,000 with treatment (45 funded from Annex)			
Public Safety Information Systems Improvements Across Jurisdictions and Program Evaluation		(\$7,000,000) (from late start up)			
Minimum/Medium Security Facility- New, Expanded MCCF - potential capacity 550 beds		210 Beds \$4,200,000 est. (lower with new facility design) (55 unfunded)			
4 A&D and work release Residential Facilities including Specialized Residential Housing and Mental Health Triage Facility	150 Beds \$2,815,000 (25 unfunded)	150 Beds \$2,300,000 (50 unfunded)		\$500,000 (Triage Center)	
Pretrial Release		300 slots \$360,000			
Post Sentence Supervision and	25 slots				

Home Detention	\$95,000				
Day Reporting Centers	\$575,000 staffing 40 slots				
Forest Camp Expansion	\$175,000 added staffing 10 slots				
A&D and Mental Health Outpatient	\$400,000 500 slots (900 total w. insr)				\$ 1,825
Intensive Supervision	\$600,000 180 slots				\$ 2,857
Alcohol and Drug Free Housing	\$600,000 support services 500 clients/slots			\$1,500,000	
Residential Housing Coordination	\$250,000				
Domestic Violence Intervention			? slots \$500,000	\$500,000	
Sanctions: quality of life crime Community courts			? slots \$500,000	\$500,000	
Juvenile A&D			15 slots \$508,000		\$33,867
Family Preservation			? slots \$396,000		
Conflict Resolution			? slots \$125,000		
Child Abuse Treatment			50 slots \$700,000		\$14,000
Juvenile Truancy			300 slots \$825,000		\$ 2,750
After School Programs				\$500,000	

Total Need	\$15,115,000	\$10,410,000	\$3,554,000	\$3,500,000
Amount Available	\$12,900,000	\$9,300,000	\$3,000,000	?



APPENDIX F

	1995								1996						1997							1998																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
Inverness Jail								A		B		C	D	E																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						</

- | | | |
|----------|---|--|
| A | - | Select Architect |
| B | - | Select CM/GC Contractor |
| C | - | Foundations Bid |
| D | - | Start Construction Work - Foundation Systems |
| E | - | Full Construction Bid |
| F | - | Finish Construction Work |
| G | - | Start Site Selection Process |
| H | - | Site Clear to Start Construction |
| I | - | Start Construction |

* May be effected by site availability, negotiations, and zoning and neighborhood issues.

** May be effected by weather conditions, materials availability and labor issues.

Inverness Jail (450 New Beds)

- Construction Costs	\$30,949,100.00
- Architect/Eng. Costs	2,500,000.00
- Testing & Inspection	
- Project Admin.	
- Site Dev. Costs	
- Movable Equip.	
- Start Up	5,579,600.00
- Project Contingency	<u>4,300,000.00</u>
	<u>\$43,328,700.00</u>

Square footage costs are based on costs experienced by a contractor currently building similar facilities in this area. Square footages for new construction associated with various functions (i.e. dorms, cells, and medical services) are based upon existing, corresponding functions at the Inverness Jail. Architect/Engineering costs are calculated at 8%. A 10% contingency is being carried with regard to total project costs. In addition to the state's budget category for "owner's soft costs," which includes testing and inspections, project administration, site development costs, movable equipment and start up costs, the County's relevant cost of \$5,579,600 above, also includes percent for art, jurisdictional permits and fees, temporary work and phasing of construction.

Two Alcohol & Drug Intervention and Work Training Facilities

- Construction Costs	\$6,630,000.00
- Architect/Eng. Costs	763,000.00
- Testing & Inspection	
- Project Admin.	
- Site Dev. Costs	
- Movable Equip.	
- Start Up	1,257,000.00
- Project Contingency	<u>1,500,000.00</u>
	<u>\$10,150,000.00</u>

Square footage costs are based on costs experienced by a contractor working in this area. Architect/Engineering costs are calculated at 12%. A 15% contingency is being carried with regard to total project costs. In addition to the state's budget category for "owner's soft costs," which includes testing and inspections, project administration, site development costs, movable equipment and start up costs, the County's relevant cost of \$1,257,000 also includes percent for art, jurisdictional permits and fees.

Meeting Date: NOV 21 1995

Agenda No.: R-4

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

AGENDA PLACEMENT FORM

SUBJECT: In the Matter of Approving the Comprehensive Plan of Multnomah Commission on Children and Families - County Plan Amendment, 1995-1997 Biennium

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

REGULAR MEETING: Date Requested: November 21, 1995
Amount of Time Needed: 5 minutes

DEPARTMENT: Nondepartmental

DIVISION: _____

CONTACT: CAROL WIRE
Helen Richardson

TELEPHONE: 248-3982
BLDG/ROOM: 166/500

PERSON(S) MAKING PRESENTATION: CAROL WIRE
Helen Richardson of the Multnomah Commission on Families and Children

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

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

The Multnomah Commission on Children and Families is requesting approval of the County Plan Amendment, (Exhibit B) 1995-1997 Biennium for the Family Support and Preservation funds.

11/27/95 copies & ORIGINAL EXHIBIT B to CAROL WIRE

~~Exhibit A is available at the Clerk of the Board's desk for review.~~

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Beverly Stein
OR
DEPARTMENT MANAGER: _____

1995 NOV - 9 PM 4:20
CLERK OF
COUNTY COMMISSION
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions? Call the Office of the Board Clerk at 248-3277 or 248-522

TO: BOARD OF COUNTY COMMISSIONERS

FROM: Helen Richardson

TODAY'S DATE: October 13, 1995

REQUESTED PLACEMENT DATE: November 9, 1995

RE: Approval of County Plan Amendment, 1995-1997 Biennium to the
Comprehensive Plan of Multnomah Commission on Children and Families

This memo is submitted in compliance with the requirement for agenda item briefing/staff report supplement.

I. Recommendation/Action Requested:

Approve Amendment

II. Background/Analysis:

Federal funds for Family Support and Preservation will be coming into Multnomah County for the dual purposes of:

- assisting families to increase their ability to successfully nurture their children, thereby keeping them from entering the child welfare system; and
- providing supportive services for children and families already involved in the child welfare system.

The Commission on Children and Families and the Multnomah County State Office of Services to Children and Families have convened a joint planning process to plan for the entire child welfare system which includes making specific recommendations for the Family Support and Preservation moneys. Final decisions about specific providers of specific services will be made at the conclusion of the joint planning process.

III. Financial Impact:

New funds in the amount of \$440,000 for the period of Oct. 1, 1995 through June 30, 1997 will be available to enhance existing programs and develop new services as needed.

IV. Legal Issues: None identified.

V. Controversial Issues: None identified as of the date of this memo.

VI. Link to Current County Policies:

The Multnomah Commission on Children and Families is charged with developing policy for children and families. This funding recommendation is consistent with such policy.

VII. Citizen Participation:

The MCCF is primarily a citizen body and a broad range of citizens are participating in the planning process.

VIII. Other Government Participation: N/A

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

In the Matter of Approving the)
Amended Comprehensive Plan)
of the Multnomah Commission on)
Children and Families for)
FY 1995-1997)

RESOLUTION

95-240

WHEREAS, the Omnibus Budget Reconciliation Act of 1993 established the Family Preservation and Support Services Act to promote the expansion of Family Support and Family Preservation Services and stimulate systemic reform, and

WHEREAS, the Oregon Commission on Children and Families (OCCF) is the recipient of these funds and has made an allocation of funds to the Multnomah Commission on Children and Families (MCCF), and

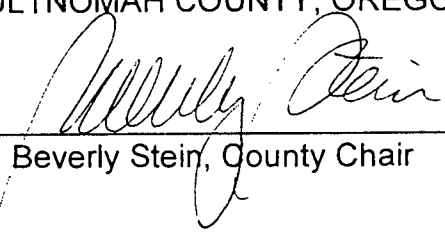
WHEREAS, this funding stream for it must be incorporated as an amendment to the MCCF's Comprehensive Plan (Exhibit A), and

WHEREAS, The MCCF has approved the Plan amendment (Exhibit B), and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Multnomah County hereby approves the Amended Comprehensive Plan for the Period of July 1, 1995 to June 30, 1997 and authorizes its official submission by the County Chair.

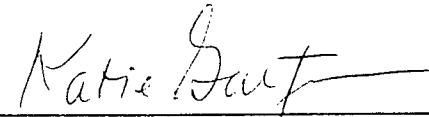
ADOPTED this 21st day of November, 1995.

MULTNOMAH COUNTY, OREGON

By 
Beverly Stein, County Chair



REVIEWED:
LAURENCE KRESSEL, COUNTY COUNSEL
for Multnomah County, Oregon

By 
Katie Gaetjens, Assistant

CREATING A CHOSEN FUTURE

CONTENTS OF ATTACHED

- I. Original Plan Without Benchmarks Charts
(see Table of Contents)
- II. Amended Plan With Benchmarks Charts
 - A. Amended Plan
 - B. Benchmarks Charts
 - C. Policy Considerations

Creating a Chosen Future



*Phase One Comprehensive Plan of the
Multnomah Commission on Children and Families*

July, 1994

*This document was approved by the
Multnomah Commission on Children and Families
on July 20, 1994.*

for more information:

*Helen Richardson/MCCF
1120 SW 5th Ave., Room 1410
Portland, OR 97204*

*voice mail: 248-3982
fax: 248-3093*

Creating a Chosen Future

Table of Contents

INTRODUCTION	1
WHAT WE BELIEVE IN (wellness, necessary conditions, core values)	2
WHERE WE'RE GOING (vision, mission, goals & benchmarks)	3
COMMUNITY STRENGTHS & NEEDS (a celebration of community strengths, what we already knew)	4
RESOURCES/SERVICES TRANSFER (strengthening families, purchased treatment services, foster care, technical assistance)	5
CASA & YCC	5
TECHNICAL NOTES (monitoring & evaluation, a word to plan reviewers)	6
COMMUNITY INVOLVEMENT	7
DIVERSITY	8
SERVICE SYSTEM	9
GLOSSARY OF ACRONYMS	10 - 11
BENCHMARK SPREAD SHEETS	charts, pages 1 - 15
SUPPLEMENTAL INFORMATION	attachments, pages 1 - 8

INTRODUCTION

When Governor Roberts signed *House Bill 2004* into law on August 18, 1993, the State of Oregon committed itself to an entirely new approach to meeting the needs of children, youth and their families. Newly established local Commissions on Children and Families were charged with planning for the implementation of a new wellness model with an emphasis on early childhood development, primary prevention for children and youth, and strengthening and supporting families while providing for comprehensive treatment services.

Based on the mandate of *HB 2004*, the Board of Multnomah County Commissioners passed the *Multnomah Commission on Children and Families Ordinance* on December 16, 1993, establishing the new commission and setting a new course.

A NEW APPROACH

These new laws reverse the historical policy that assured services only when serious problems developed, often by a young person's posing a threat to public safety. The Multnomah Commission on Children and Families (MCCF) is directed to assure wellness, to promote growth and development, and to prevent problems *before* they happen. We on the MCCF are making ourselves more accountable to taxpayers and other investors by establishing directives for measurable outcomes, including the Oregon and local benchmarks.

This new approach called upon those of us on the MCCF to begin a three part task: creating a vision, then preparing a plan, and finally taking action.

The MCCF, and other Multnomah County policy makers, funders, and community members charged with, or *charged-up about* creating a chosen future for children, youth and their families have created our vision of the future and developed values and standards (see attachments) that will guide us all. And we have begun the creation of a planning document, found on the pages that follow.

WE'RE JUST GETTING STARTED

Balancing the enthusiasm and urgency we all feel for supporting children, youth and their families in a new commitment to growth and development, we have the reality that it will take time to unite our community around a shared vision. Creating and implementing a plan of this scope is an ambitious undertaking, one that may take five or more years. *House Bill 2004*, however, mandates that a comprehensive plan for children, youth and their families be developed by the Multnomah Commission on Children and Families, reviewed by all interested community members, approved by the Board of County Commissioners, and submitted to the State Commission on Children and Families for approval consideration by July 31, 1994.

Meeting the mandate of *HB 2004* can best be understood to be a developmental process spanning several years with a few time limited milestones, the very first of which is presented on the pages that follow. MCCF members know that this is a work-in-progress, and seek the involvement of all members of the community as we further develop our community's plan.

We also seek support, encouragement, advice, constructive criticism and, where appropriate, appreciation as we work to fulfill our six key responsibilities:

- Establish policies in support of wellness, to guide and assist all community initiatives in Multnomah County which support children, youth and their families.
- Conduct a comprehensive, inclusive planning process for children, youth and their families in Multnomah County, guided by a specified set of core values.
- Make application for State of Oregon funds, and conduct an open purchasing process for services purchased with those funds in pursuit of the goals of the comprehensive plan.
- Oversee the planning and implementation of efforts designed to achieve specific state and county urgent benchmarks.
- Review and comment on all planning initiatives that affect children, youth and their families in Multnomah County, and call for planning in areas of unmet need.
- Advocate in the legislature, in local governments, in the media and through public education on behalf of children, youth and their families in Multnomah County.

If all this seems a bit overwhelming, we can simplify our understanding of the task by referring to a more concise statement of the Commission's responsibility, expressed in *HB 2004*: "The main purpose of the local commission is to promote wellness for the children and families in the county."

This "Phase One" version of the 1994 Multnomah Commission on Children and Families' Comprehensive Plan is where we *begin* to meet our responsibilities.

WHAT WE BELIEVE IN

Through the dedicated and principled efforts of an MCCF ad hoc committee, we have become clear on who we are, what we believe in and what we stand for. Since we had been called together to seek wellness for local children and families, the committee deemed it fitting to first explore what we meant by the term.

WELLNESS DEFINED

After a lot of discussion we adopted the definition of the Oregon Children's Care Team:

"Wellness is defined as the preservation of each child's potential for physical, social, emotional and cognitive and cultural development."

It follows from this definition that a wellness delivery system must have a strong prevention component as its base, as well as provision for comprehensive treatment services. Such a model needs to be based on an understanding of the stages of child development, and with an emphasis on promoting early childhood development and developmental competencies across the entire age spectrum of childhood. We expect the result of this to be children who become responsible adults and productive citizens contributing to their community.

The MCCF has further developed this definition of wellness and described what wellness looks like at each stage of development for the child, the family, the neighborhood and the community. We also have developed a narrative depicting our image of wellness and a graph representing a functional supportive community system of care (see attachments).

NECESSARY CONDITIONS

To build and maintain wellness, several things must be present for the child, the family, the neighborhood and the community at every developmental stage.

A child flourishes when he or she has a loving, competent adult in his or her life; food, clothing and stable housing; optimal physical, dental and mental health; and appropriate opportunities to develop at each stage.

The family is its best in every stage when it has access to effective and culturally appropriate systems of health and mental care, housing, child care, public safety, transportation, education, employment, recreation and social development.

The neighborhood is a supportive environment for everyone when neighbors know each other, play together, and have a sense of pride and ownership in their neighborhood; and when they respect and enrich each other by sharing cultural traditions and by valuing safety and security.

The community establishes systems which support the wellness of all children and families, and encourage the development of a safe and healthy environment. It supports and recognizes the responsibility of both parents and the community for achieving wellness.

CORE VALUES

The core values of the MCCF include an appreciation for strong families; diverse, thriving communities; and a coordinated system of services and supports promoting optimum growth and development for every child. Each value has a corresponding standard (see attachments).

- We value children, and their right to achieve their dreams.
- We value the safety and security of every child and every youth.
- We value the family unit and consider it every child's first source for growth and support.
- We value loving, skillful parenting.
- We value the community as every family's primary source for support and nurturance.
- We value the healthy growth and development of children and youth, as they progress through developmental stages in their own way and time.
- We value the inherent strengths, skills and capacities of every child, youth and family, and recognize these strengths as vital community resources.
- We value the perspectives and opinions of young people.
- We value and embrace the diversity of the children, youth and families in our community, and the cultural wealth that enriches us all.
- We value equal opportunity, equal access, social justice and support for individual freedom.
- We value a community support system that encourages coordination and collaboration, makes best use of available resources, identifies and develops new resources, and values its workers.
- We value results. We value efficiency, accountability and the ability to get the task done.
- We value community opinions and an open and accessible process.
- We value all people and recognize that among individual children, youth and families there exist varying capabilities at different times and at different developmental stages.

WHERE WE'RE GOING

The Multnomah Commission on Children and Families is clear in its conviction that our community can choose its preferred future. We worked hard to develop an in-depth understanding of this preferred future to guide us in conducting the detail oriented work ahead, and it seemed useful to also craft a brief and readily understandable statement of what it is that we're all working so hard to achieve. We want to give everyone the opportunity of investing in this same future. With that in mind the MCCF developed and approved the following statement:

OUR VISION

"Our vision for this community is a county in which each child realizes and reaches full potential with the support of a family, neighborhood and community which protects, values, nurtures and encourages the child through adulthood."

As we considered this vision we became more and more aware that behind all the philosophy, and after all the dreaming, we would discover a lot of old fashioned hard work. No one missed the realization that the financial and other costs involved would be enormous. And worth it.

In the final analysis it was clear that an investment of this magnitude can only be made within the construct of a well developed and widely accepted and coordinated plan. This led us to ask ourselves "what is our role in all this? who else needs to be involved? and how will we begin to accomplish all that needs to be done?" As part of the answer to these questions we established our mission statement.

OUR MISSION

The mission of the Multnomah Commission on Children and Families is to create and oversee the implementation of a plan which supports the development of each child and his or her family through each stage of life. The Commission through its plan:

- Establishes policies and sets values which support the healthy growth and development and sustenance of all children, youth and their families in the county.
- Identifies and prioritizes specific goals; establishes the means to achieve those goals; and ensures efficient use of resources through evaluation of results.
- Enhances resources already available and advocates for additional resources, both public and private, in cooperative efforts to reach set goals.

Our primary goal is wellness and we envision that as being composed of four subordinate goals, each one interrelated to the others, and each one an integral part of community wellness.

OUR GOALS & BENCHMARKS

GOAL #1: Our goal is to have families and communities supporting the healthy growth and development of every child from the earliest possible opportunity.

GOAL #2: Our goal is to have families and communities supporting the principle that every child deserves a family ready to parent her or him.

GOAL #3: Our goal is to have families and communities committed to the right of every child and family to develop free from harm in a safe environment.

GOAL #4: Our goal is to have an increasing number of capable, caring and stable adults within our families and communities.

To reach these goals the MCCF has set 15 objectives, most of which are tied to local and Oregon Benchmarks. (Numbers in parentheses index objectives to the goals.)

The MCCF commits itself:

1. To meet specific developmental standards by kindergarten (1, 2, 3)
2. To reduce the incidence of teen pregnancy (1, 2)
3. To reduce the incidence of child abuse/neglect (1, 2, 3, 4)
4. To reduce the incidence of domestic violence (1, 2, 3, 4)
5. To increase the incidence of adequate prenatal care (1, 3)
6. To reduce the incidence of drug affected babies (1, 2)
7. To increase the number of child care providers meeting quality standards (1, 3)
8. To increase the number of families living above the poverty line (1, 2, 3, 4)
9. To increase the number of families who are able to care for their own children (1, 2, 3, 4)
10. To increase the number of families living in safe, stable housing (1, 2, 3)
11. To reduce over-representation of minority youth in juvenile justice/child welfare systems (3)
12. To increase the number of youth graduating from high school (2, 4)
13. To reduce the incidence of violence by and against children and youth (3)
14. To reduce the incidence of juvenile crime (3)
15. To reduce the incidence of adolescents using tobacco, alcohol and other drugs (3)

COMMUNITY STRENGTHS & NEEDS

Given the MCCF's declared value of building on community strengths, and given the importance of focusing resources on the highest priority needs it made sense to assess community conditions before proposing any changes. We wanted to know what supports already existed and which critical needs required additional attention. To inform ourselves in these areas we have pursued two processes to date (July, 1994) and propose to continue our assessment work over the next several months.

CELEBRATION OF COMMUNITY STRENGTHS

"Front porches." "The bicycle shop owner who always has room for one more kid." "The businessman who hired a Russian speaking clerk because Russian was the native tongue of his newest customers." These are some of the neighborhood resources that were identified in the six *Celebration of Community Strengths* meetings held throughout Multnomah County in April 1994. Sponsored by the Multnomah Commission on Children and Families (MCCF), the Board of County Commissioners, and County Chair Beverly Stein, these meetings took a different approach to the concept of needs assessments.

Inspired by the community capacity building work of John Kretzmann and John McKnight, MCCF members invited residents to come out and talk about their communities' strengths. Multnomah County is divided into six service districts, or Family Support Network areas, making one meeting per district a logical strategy.

A steering committee of MCCF members and staff, Portland Educational Network (PEN) of Portland State University staff, and city and county volunteers designed and implemented the meetings, and developed and coordinated resources. Fred Meyer and Starbucks donated refreshments and Children First, a statewide advocacy group, arranged for child care services.

Community organizations, including the Leaders Roundtable, Ecumenical Ministries of Oregon and the Rainbow Coalition, co-sponsored and promoted the event and provided over 60 volunteers to help facilitate the small groups. PEN donated the technology and personnel to create maps of each district on which to place the resources identified.

Some of the identified community strengths, of course, were well respected local human service provider agencies, many of which were well known to MCCF members and staff. Some of them, on the other hand, were less familiar although highly regarded. The organizations identified have been tabulated and staff is working to complete the list from internal data bases.

MCCF members, however, know that many resources exist in every community - resources that daily sustain and support the people who live and work there. The strengths that usually remain unreported in a more traditional needs assessments were, to some, of the greatest interest: access to transportation, an architectural legacy, cultural identity, older home neighborhoods with a sense of history, ethnic and cultural diversity, high volunteer involvement, pedestrian-friendly shopping, bridges, parks, public art, street musicians, and value driven social service programs are a few examples.

MCCF members have expressed interest in further developing our findings. (For a more extensive listing of the community strengths identified in these sessions, see attachments).

Approximately 400 people attended the meetings (from 50 to 125 at each), generating over 3,000 community strengths. PEN staff is compiling this information and designing the product that will illustrate the community strengths identified. Further use of the process will recognize that some populations were not fully represented at the meetings. Additional *Community Strengths* meetings with culturally specific communities are being considered.

WHAT WE ALREADY KNEW

Dozens of plans with comprehensive needs assessments already exist in Multnomah County dealing with child care, alcohol and other drug abuse, out-of-home care, delinquency, youth employment, diversion, and the needs of homeless youth, gay and lesbian youth, young African American male youth, south-east Asian youth, girls, infants and toddlers, and youth who are at risk for being abused or neglected. These are only a few examples.

MCCF staff have been gathering and reviewing all these data and will be providing them to planning teams that will be convened around each of the benchmarks (or benchmark clusters) in August - October.

RESOURCES/SERVICES TRANSFER

The Multnomah Commission on Children and Families recognizes that the primary responsibility for promoting and supporting healthy children and families lies at the local level. With that in mind, the Commission is interested in exploring the transfer of several of the following state services to the local level.

STRENGTHENING FAMILIES

Because strengthening all families in the county is a prime objective of the Commission, local planning and implementation for these services, currently provided by Children's Services Division (CSD) is concordant with the Commission's charge. The Commission, through its Resource Development Committee, will investigate parent training, counseling, child care and other family support services currently provided by CSD for possible development through local delivery systems.

PURCHASED TREATMENT SERVICES

The MCCF is interested in exploring local planning and implementation of purchased treatment services for children with significant treatment needs, within the constraints of House Bill 2004.

FOSTER CARE

Multnomah County houses a great deal of expertise in foster care due to the number of agencies currently providing the service in the county. The Commission has convened a foster care study group to work with the Resource Development Committee to determine the feasibility of a foster care pilot project.

TECHNICAL ASSISTANCE

The Multnomah Commission requests that the State Commission and its staff work in concert with local efforts to assure the best possible outcome for transfer of resources and/or services. Assistance with gathering data, reconciling local CSD expenditures with federal funding and assuring no loss to the community in resources would promote Commission work in this arena. This county also requests acknowledgment and real understanding, on the part of the State Commission and its staff, of the depth and breadth of services needed in this urban county and the complexity of planning for and providing those services.

CASA & YCC

The Multnomah County Court Appointed Special Advocates (CASA) program plays a leadership role in the area of providing technical advocacy for young people who have been neglected or abused. CASA's staff and extensive volunteer base is a major community strength, both in terms of the direct service provided, and the intrinsic value of having a pool of people knowledgeable about and committed to working with children who are abused and neglected. Retaining CASA services in Multnomah County is a significant support for the child abuse prevention benchmark.

The Youth Conservation Core program, although quite small in scale, provides employment and pre-employment support for youth at risk of juvenile crime, alcohol and other drug abuse, poverty and other social problems. Providing employment support is a known protective factor, and so we consider the YCC to be part of our overall benchmark strategy.

TECHNICAL NOTES

MONITORING & EVALUATION

Assuring a rigorous technical evaluation of social service programming is the essence of what distinguishes benchmark driven programming from most others. The Multnomah Commission on Children and Families' core values call for the best use of available resources, efficiency, accountability and the ability to get the task done. The most concise statement of this is the value which declares "We value results."

It's impossible to view our results, if any, if we don't apply technically and socially appropriate evaluation procedures. With this in mind we propose an evaluation framework that will allow results to be viewed and considered not only by technical program staff, but by MCCF members and general community members as well. The proposed framework is composed of four stages, each one progressively becoming more technical, more costly and more pioneering.

STAGE ONE: Compliance review

This is a simple comparison of contract requirements with contractor *performance*. In brief, did the contractor provide the services that the contract called for? This is assessed on a routine basis through data collection (client tracking reports), monthly or other required periodic reports submitted by the contractor, and through annual fiscal audits. When a potential problem is detected this level of review is conducted by means of specially required or more frequent reports and by site visits and phone interviews.

Compliance evaluation is the absolutely "bare-bones" approach to evaluation.

STAGE TWO: Process Evaluation

This assesses the *quality* of the program and the services it provides. It involves program attributes such as accessibility, philosophy/methodology, and staffing. Other areas include assessment of population(s) served, conditions under which services are offered, and the nature of proposed service effects. This is assessed through structured, formal site reviews, peer reviews, client satisfaction surveys, and client tracking data.

This level of evaluation, combined with compliance review, provides basic accountability.

STAGE THREE: Client Impact Evaluation

This is an advanced and technically difficult process, measuring the impact, if any, that the services a client received had on the client or his/her family and community. It deals with program or service *effectiveness* in achieving their pre-identified goals. Essentially we seek to answer the question "now that we know that a service of a known quality and quantity has been delivered, what difference has it made in the lives of the people served, and was that difference worth the cost of the service?"

Part of what makes this such a challenging process is that it involves developing all aspects of the program from preliminary design, to outcome identification, to evaluation analysis.

STAGE FOUR: Social Change Evaluation

This is the most advanced, most costly and most infrequently applied technology. It's possibly the most urgent. It seeks to measure community-wide *social change* within a given issue, like the proliferation of hand guns and related violence, or a reduction in institutional racism. It measures the cumulative impact of social programs, political and economic changes, and all other influences on the issue.

This is benchmark level evaluation. Keep your checkbook handy.

TO THE PLAN REVIEWERS

- A. The MCCF's core benchmarks are listed on page 3 of this document. All OCCF benchmarks have been chosen; no waivers are requested.
- B. All MCCF decisions related to defining wellness; creating the vision, values, and goals; selecting core benchmarks; and establishing a preliminary macro budget have followed the same process:
 1. MCCF staff prepares background and support information and brings it to the Planning Committee.
 2. Planning Committee reviews staff prepared information, deliberates on the issues, forms a recommendation and brings it to the MCCF at a general meeting.
 3. MCCF members receive and discuss the recommendation at a general meeting, revise as needed and vote to accept.

COMMUNITY INVOLVEMENT

To date the Multnomah Commission on Children and Families has involved the community in its planning in three ways:

1. The appointment of diverse commissioners who each represent their own community.
2. A series of Community Strengths meetings (described in greater detail on page 4).
3. A community meeting/strategy building session held on June 17.

Having adopted definitive goals and objectives for the next biennium the MCCF started to develop concrete strategies for implementing our vision in this community meeting/strategy building session.

The four objectives for the session were:

- To review the goals and objectives of the Multnomah Commission on Children and Families.
- To identify preliminary strategies for reaching those goals and objectives.
- To connect MCCF members with other community members committed to wellness.
- To identify other key players that the commission needs to connect with.

To accomplish this we provided a well facilitated and fast paced process whereby people meet in large group to begin with, and later broke into smaller groups focused on the cluster of benchmarks related to an individual goal.

Three hours of conversation and deliberation among informed and impassioned community members resulted in a wide variety of creative and meaningful program ideas for achieving the benchmarks.

Information compiled was distributed to MCCF members, and specifically considered by Planning Committee members.

People who couldn't attend were offered the opportunity to contribute their support in other ways.

- They were asked to pass their invitation on to someone else who could represent their interest in specific populations or issues.
- They were encouraged to submit their ideas to MCCF staff in writing or via voice mail.
- They were encouraged to identify specific objectives of interest to them and to seek to be part of the more thorough planning process scheduled for the next several months.

The Planning Committee has recently held a discussion centered on ways to increase community participation in the future, and some of the ideas are presented here:

- Establish MCCF liaisons to each district
- Identify other organizations to work with as partners
- Establish a youth advisory body for the MCCF
- Work with community health aides in outreach
- "Go to them"
- TV/radio/video access/PSAs
- Engage with the District Coordinating teams (DCTs)
- Engage with the local neighborhood organizations
- Conduct polling/surveys

DIVERSITY

Multnomah County Chair Beverly Stein appointed a broadly diverse group of people to the Multnomah Commission on Children and Families, including representatives, advocates and members of ethnic, cultural, sexual and linguistic minorities.

In addition the MCCF has selected core values which support diversity and multi-culturalism. The MCCF has declared that "we value and embrace the diversity of the children, youth and families in our community, and the cultural wealth that enriches us all," and "we value equal opportunity, equal access, social justice and support for individual freedom."

In June the MCCF Planning Committee considered the need to involve more cultural and ethnic minority people in the planning process, and charged staff with polling MCCF members with an expressed interest in cultural and ethnic minority children and families, and who might have suggestions for increasing the cultural competency of the MCCF. A number of ideas were generated ranging from providing more training for MCCF Commissioners, to developing a caucus addressing the needs of young people of color and their families, to having the MCCF take leadership in addressing linguistic diversity. The question of to whom the term "diversity" applies was raised; MCCF members chose to rely on language from a Portland Public Schools' policy statement that considers diversity to be within the following categories:

"actual or perceived race, national origin, cultural heritage, familial status, age, gender, sexual orientation, religion, disability, linguistic diversity or socio-economic status."

These thoughts will form the basis for serious discussions regarding the MCCF's approach to and beliefs regarding diversity as they apply both to the MCCF and its processes, including community involvement, and to system and service recommendations.

SERVICE SYSTEM

As the critical issues affecting children and families in Multnomah County are explored, benchmarks are chosen and desired strategies for making desired changes are deliberated on, an over-arching concern comes to the fore - the system that supports both the philosophy and delivery of services and supports.

In Multnomah County, as in many large urban areas, the evolution of services for children and families and the systems through which they are delivered has been driven by emerging needs, changing priorities and variations in funding. While unique and laudable efforts have been made to coordinate and collaborate on services to specific populations, the broader system has remained difficult for children and families to use, especially for those with multiple issues. As noted in The Report of the Children and Youth Work Group (2-1-91), "The County's services delivery system for children and youth is fragmented, resulting in barriers to services, inefficient administrative procedures, lack of coordinated planning and program development, and inadequate collaboration among programs."

The MCCF joins County Chair Stein in advocating for a wellness-focused system of non-stigmatized services and supports that are community-based, culturally appropriate, and easy to access. Multnomah County has begun building this system by dividing the county into six service districts, each containing a range of county and non-county services for children from 0 to 18 years and their families that will be connected with each other as a Family Support Network. The Network is an affiliation of individuals and organizations based on the MCCF's values of wellness and respect for individuals and families. Members will subscribe to a set of standards, also based on the MCCF's values, that include celebrating diversity, supporting strengths and working collaboratively. An outreach component that will support the Network's movement toward proactive, user-friendly interactions with customers is under development via a cooperative effort by County Departments and Divisions.

Every district has in it three county-funded centers that are related, each having a distinct focus: Aging, Community Action, and Family. Each Family Center is operated by a not-for-profit agency that delivers an array of services and supports to children and their families including family counseling, alcohol and drug, employment, mentorship, recreation, law-related, health and access to the entire Family Support Network. Juvenile offenders are served by a system-wide partnership that provides accountability and support. Juvenile Department staff join with diversion specialists at each Family Center to ensure that first time diverted juvenile offenders attend and make good use of restitution, counseling, alcohol/drug, anger management and other diversion opportunities or face swift and sure consequences. The intent is to intervene before young people get deeply involved in criminal behavior. Parent Child Development Centers linked to each Family Center provide community-based, family-focused, developmentally appropriate supports for families with young children. These supports include development of both child and parent, promotion of both health and mental health, and access to other services.

Within each district, a District Coordinating Team (DCT) is already working toward realizing the goal of system-wide coordination including but not limited to children and families issues. Represented on each Team are a broadening range of county programs (community action, family centers, library branches, aging programs, health, juvenile justice, etc.), schools, public safety, and other service organizations. Representatives of each DCT meet monthly as an Integrated Services Team for over-all systems communication and coordination. Identified policy issues will be referred to the MCCF which will coordinate quarterly with other county advisory bodies such as the Community Action Commission, Multnomah Commission on Chemical Dependency, Portland Multnomah Commission on Aging, etc.

The MCCF reviews all county planning efforts for children and families. To assist in communicating the MCCF's values and standards and enhancing coordination among county departments and divisions, a Youth Services Management Team composed of the county department and division heads will be chaired by the MCCF director. Both policy and advocacy issues that are identified will be forwarded to the MCCF for deliberation and action.

An important step in the development of a fully integrated system is the coordination of funding. The MCCF will bring funders together to support the Comprehensive Plan and use it to guide their decisions about and distribution of funds for children and families.

GLOSSARY

One recommendation made at one of the Commission's community planning sessions was:

"Use more inclusive language, and assume responsibility for teaching new partners 'alphabet soup' type jargon (RFP, DCT, PCDC, CDC, HCDC, BCC, MCCF, BLT, etc.)"

In response to this we present this beginning glossary to serve as an entry point for those who seek to better understand what we're all talking about.

ADAPT	<i>Alcohol Drug Abuse Prenatal Treatment</i>
ADC	<i>Aid to Dependent Children</i>
A&D	<i>Alcohol and drug</i>
A&OD	<i>Alcohol and other drugs</i>
AODA	<i>Alcohol and other drug abuse</i>
AOI	<i>Association of Oregon Industries</i>
AYOS	<i>Albina Youth Opportunity School</i>
C of C	<i>Chamber of Commerce</i>
CARES	<i>Child Abuse Response and Evaluation Services</i>
CHN	<i>Community Health Nurse</i>
CSD	<i>Children's Services Division</i>
CYSC	<i>Children & Youth Services Commission (of Multnomah County)</i>
DA	<i>District Attorney</i>
DARE	<i>Drug Abuse Resistance Education</i>
DV	<i>Domestic violence</i>
ECE	<i>Early childhood education</i>
EMO	<i>Ecumenical Ministries of Oregon</i>
GIFT	<i>Gang Influenced Female Team</i>
JJD	<i>Juvenile Justice Division</i>
LEP	<i>Limited English Proficiency</i>
MADD	<i>Mothers Against Drunk Drivers</i>
MC	<i>Multnomah County</i>
MCCF	<i>Multnomah Commission on Children and Families</i>
MYCAP	<i>Minority Youth Concerns Action Program</i>
NE	<i>Northeast</i>
OAEC	<i>Oregon Association for the Education of Young Children</i>
OBC	<i>Oregon Business Council</i>
OCF	<i>Oregon Community Foundation</i>
OCCF	<i>Oregon Commission on Children & Families</i>
ODE	<i>Oregon Department of Education</i>
OHSU	<i>Oregon Health Sciences University</i>
OMA	<i>Oregon Medical Association</i>
OSMYN	<i>Oregon Sexual Minority Youth Network</i>
PCC	<i>Portland Community College</i>
PCDC	<i>Parent Child Development Center</i>
PDC	<i>Portland Development Commission</i>
PEN	<i>Portland Educational Network</i>
PFLAG	<i>Parents and Friends of Lesbian and Gays</i>
PHN	<i>Public Health Nurse</i>
PIC	<i>Portland Industry Council</i>
PIVOT	<i>Partners in Vocational Opportunity Training</i>
POIC	<i>Portland Opportunities Industrialization Center</i>
PPB	<i>Portland Police Bureau</i>
PSR	<i>Physicians for Social Responsibility</i>
PSU	<i>Portland State University</i>
RDI	<i>Regional Drug Initiative</i>
RFP	<i>Request for proposal</i>
RWQC	<i>Regional Work Force Quality Committee</i>

GLOSSARY (cont'd.)

SD	School District
SOAR	Sponsors Organized to Assist Refugees
START	Support Treatment and Rehabilitation Teams
TCYSC	Tri-County Youth Services Consortium
VOA	Volunteers of America
WIC	Women, Infants and Children program
YEEP	Youth Employment Empowerment Program

Creating a Chosen Future

*The Comprehensive Plan of the
Multnomah Commission on Children and Families
for Achieving 15 Key Benchmarks*

amended December 1, 1994

*Multnomah Commission on Children and Families
1120 SW Fifth Avenue, Portland, Oregon 97204*

(503) 248-3981

**MULTNOMAH COMMISSION ON CHILDREN AND FAMILIES
BASE PLAN AMENDMENT, DECEMBER, 1994**

THE COMMISSION'S WORK, JULY - NOVEMBER 1994

Following submission of the Comprehensive Plan in July, the Multnomah Commission on Children and Families convened ten planning teams around four benchmarks clusters to develop more thorough plans for attaining our chosen outcomes. Those four clusters are:

EARLY CHILDHOOD

- Meet developmental standards by kindergarten
- Increase quality child care
- Reduce drug-affected babies
- Increase prenatal care

PREVENTING VIOLENCE, ABUSE AND NEGLECT

- Reduce child abuse and neglect
- Reduce domestic violence
- Reduce violence by and against children and youth
- Reduce the rate of teen pregnancy

CAPABLE ADULTS AND FAMILIES

- Reduce number of families living in poverty
- Increase safe, stable housing
- Increase number of families able to care for their own children
- Increase high school graduation

JUVENILE JUSTICE/CHILD WELFARE

- Reduce Minority over-representation
- Reduce juvenile crime
- Reduce adolescents' alcohol, drug and tobacco use

Each planning team was chaired by one or two MCCF Commissioners and staffed by county personnel donated by the Office of District Attorney, the Library Department, the Health Department, the Juvenile Justice Division and the Community and Family Services Division. The MCCF appreciates the generosity and competent work of these individuals and their department heads, without whom this work would not have been possible. Membership on the teams included service providers, service recipients, experts, business people and other interested citizens.

The planning teams identified for each benchmark the ideal spectrum of services and supports envisioned in a well community, the existing systems of services and the gaps, those services and supports that are missing. The teams recommended how best to proceed in order to achieve changes in the benchmarks, including prioritizing the gaps they identified. Their reports were forwarded to the MCCF for consideration.

As the reports were reviewed, some common themes began to emerge. Most teams were calling for us to look at:

- Relevant and appropriate services and supports for diverse populations, including ethnic, cultural and sexual minorities
- Gender specific services, and equitable distribution of resources
- The impact of alcohol and other drug abuse
- Mental health services and supports
- Systems coordination (including common information systems in most cases)
- Parent development and child development
- Evaluation of service and support effectiveness
- On-going involvement with a significant adult
- The important role of the media in creating attitudes and suggestions for change
- Individualized, wrap-around, community-based approaches
- Involving the whole family

The MCCF held six community meetings, one in each service district, at which the public was invited to provide feedback about the recommendations. A public hearing for more formalized testimony was also held.

In early November, Commissioners met for a day long planning session at which they received a summary of public input, reviewed summaries of each plan in detail and decided which recommendations they wished to accept. Because of the large number of objectives and activities to review and the shortness of the time available, Commissioners decided to set aside policy recommendations for consideration at a later date. (See Appendix: Policy Considerations.) Although they began to discuss their priorities, they did not reach a satisfactory conclusion. A subsequent meeting resulted in the acknowledgment that the MCCF needs more time to decide how they wish to go about making the paradigm shift toward wellness and what their priorities are as a group. They decided, as an interim measure, to divide their resources approximately equally among the four benchmark clusters until they had further opportunity to make more thoroughly considered decisions. And they directed staff to complete the plan amendment accordingly.

RESOURCES ALLOCATION

Using current funding as a guide, staff approximated percentages of resources that would go to each cluster and then to each benchmark (see Benchmark Spreadsheets for percentages.) Staff also generated a list of broad directions based on the accepted objectives and activities, and their sense of the MCCF's discussions. Finally, staff estimated a percentage of resources that would go to each direction. The MCCF's Executive Committee reviewed the work before it was submitted. The following listing shows the percentages per direction:

<i>Est. % of resources</i>	<i>DIRECTIONS</i>
22%	Neighborhood-based Services
18%	Comprehensive, Wrap-Around, Family-Centered Services
08%	Targeted Services
19%	Diversity-Inclusiveness
15%	Healthy Beginnings
01%	Community Development
02%	Services Improvement
15%	Systems Improvement

BLENDING COMMUNITY MAPPING RESULTS WITH SYSTEM ANALYSIS

The six Community Strengths meetings that were held in April yielded a vast amount of information that Portland State University staff analyzed and formatted. Interesting variations from district to district were discovered. In order to develop a coherent picture of all of Multnomah County's resources and gaps, the Community Strengths results should be integrated with the planning teams' findings. Furthermore, a number of efforts are underway by various groups to catalogue Multnomah County's extensive resources. We will continue to work together with Portland State University staff and those other groups to accomplish our desired results. In the meantime, the planning teams' work and the results of the Community Strengths meetings will be used to inform MCCF decisions.

DIVERSITY

The MCCF has defined diversity as applying to:

"actual or perceived race, national origin, cultural heritage, familial status, age, gender, sexual orientation, religion, disability, linguistic diversity or socio-economic status."

The MCCF has selected core values which support diversity and multi-culturalism. The MCCF has declared that "we value and embrace the diversity of the children, youth and families in our community, and the cultural wealth that enriches us all," and "we value equal opportunity, equal access, social justice and support for individual freedom."

The Commission has intensified its efforts to bring diversity into our process. As the MCCF convened benchmark planning teams, invitations to participate in the teams went to a broad segment of the population. Planning teams were instructed to ensure that all interested and affected parties were at the respective tables and were encouraged to actively seek representation from members of diverse populations. While records of the ethnicity of planning team members

were not kept, that every team integrated issues of diversity into their reports attests to some success in this arena.

In preparation for community meetings in October to request feedback on the planning teams' recommendations, the MCCF asked for help in bringing people of color to the meetings. Several organizations represent different populations of color agreed to be of assistance. The MCCF is attending to its own knowledge about diversity. An initial presentation about this topic was made at an October MCCF meeting and an MCCF committee is exploring the best use of diversity training funds in Multnomah County.

RESOURCES/SERVICE TRANSFER

The Multnomah Commission on Children and Families continues to explore the area of service and resource transfer. With the goal of lowering this county's out-of-home placement rate, Multnomah County seeks state and/or federal funding to complete the continuum of wrap-around, community-based family services to assure a comprehensive child welfare system which is directed toward family support and prevention of the entry of the child into the child welfare system.

The Commission will continue its study of transferring services geared to family support and preservation and looks favorably on the transfer of services currently contracted out by Children's Services Division. At this time, there is no request for transfer of foster care, but with adequate funding, the Commission intends to explore the following options:

- Employ cross system consultants to analyze the child welfare system in Multnomah County and counsel the county on promising directions, structure and implementation of services; and
- Utilize resources for wrap-around services intended to prevent a child's entry into substitute care.

It is the intent of the Commission to work with all parties to implement a planned, systemic program to keep families together whenever possible, to adopt creative options for foster care and to embrace funding and service strategies which keep the individual needs of children and their families at the core of the system.

BENCHMARK WAIVER

The Oregon Commission on Children and Families has asked local commissions to apply for a waiver, should they choose not to adopt all the state benchmarks. The Multnomah Commission on Children and Families requests such a waiver for the child care benchmark. Instead of adopting the statewide benchmark seeking to increase the *amount* of child care, we have adopted, and request approval for, a slightly revised benchmark seeking to *increase the number of child care providers meeting quality standards*, believing that quality supersedes quantity.

Benchmark: Early Childhood Education

BENCHMARK ALLOCATION: 20% of available funds

POTENTIAL PARTNERS:

Some of the organizations that we may work with

The organizations listed below are considered to be examples of community partners. We recognize that many more names may be added to this list.

A partial list of public partners includes the following:

- City of Portland
- Community Colleges
- Elected officials (federal, state, local)
- Employment Department
- The Child Care Division (CCD)
- Child Care Resource & Referral
- Four year colleges
- Health & Human Services
- Multnomah County ESD
- Multnomah County Health Department
- Multnomah County Libraries
- Public School systems
- State of Oregon Adult and Family Services Division
- State of Oregon Children's Services Division (CSD)
- State of Oregon Department of Education

A partial list of private partners includes the following:

- Association for Portland Progress
- Chamber of Commerce
- Corporations
- Foundations
- Hospitals
- Media - print & broadcast
- Non-profit organizations
- Professional organizations
- Service organizations
- Volunteer Center

SITUATION ANALYSIS/COMMUNITY FINDINGS:

What we know about the way things are now, and how people in the community are responding

Early childhood care and education (readiness to learn) is emerging as a national priority, being the first of six national educational goals, as a state priority under the leadership of the Oregon Commission on Children and Families, and as a local priority under the leadership of Multnomah County Chair, Beverly Stein. As our communities seek root causes for youth violence, an ill prepared workforce and family dysfunction, research clearly points to the earliest years as critically formative and predictive of success.

There is agreement, and substantive evaluation, of effective systems which support children and families from the earliest age. The Carnegie Foundation Report "Ready To learn" by Ernest Boyer cites seven conditions necessary for children to be ready to enter school:

1. A healthy start
2. A language rich environment with caring, empowered parents
3. Quality early care and education, including preschools and child care
4. A responsive, family-friendly workplace for parents
5. Responsible, nonviolent and educational TV programming on all major networks
6. Safe, supportive neighborhoods where learning can take place
7. A society where there is a web of supports for families and greater inter-generational connections

Compelling research on the long term benefits of early childhood care and education and family support, new targeted federal moneys, and the statewide reallocation of social services block grant offer rationale for prioritizing this field of service.

In striving for the achievement of this benchmark particular care must be taken to protect the rights of individuals and families. Creating a wellness philosophy within the county for every child, requires recognition of the family's strengths and belief system. Respect and support must be given to individual and cultural differences, recognizing the family's rights to choice.

The definition and interpretation of terms used in early childhood care and education often elicits controversy. Curriculum, Ready To Learn, and even the phrase care and education itself invokes differing opinions. Public perception of these terms is of even greater concern.

Controversy continues over the importance of children and the necessity of parent education and support. While public concern and interest is expressed, economic and political decisions are made that actually impede the healthy development of children and do not support the integrity of the family.

The categorization of children into specific age groups precludes the development of a comprehensive continuum of services. A full spectrum of child care and related services is needed to reach older school age children.

Benchmark: Early Childhood Education

(continued)

OBJECTIVES:

The directions we plan to take to lead us toward the benchmark

OBJECTIVE 1

Establish Multnomah County in a key leadership role in the field of early childhood development, responsible for improving communication, coordination and collaboration among all players, and increasing the visibility of children and families and the professionals who serve them

OBJECTIVE 2

Assure every child a healthy start in life by providing an array of neighborhood-based services and supports for young children and their families

OBJECTIVE 3

Assure the availability of quality parenting education for families of young children

ACTIVITIES:

The things we propose to do, and the tools we propose to use, categorized as "direct service," "system development," "policy," or "other" activities

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 1

1. Fund/evaluate the delivery of parent education and support at every possible community touch point

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 1

1. Establish a vehicle for achieving this objective, such as the Multnomah County Office of Early Childhood Care and Education, insuring collaboration and integration
2. Establish a community advisory board to the Office with members reflecting the diversity within the early childhood community
3. Coordinate continuing community awareness and education about what children need to be successful in school
4. Educate businesses on the value of a family friendly workplace

POLICY RELATED ACTIVITIES FOR OBJECTIVE 1

(see appendix titled: "Policy Considerations")

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 2

1. Implement and expand programs based on the Healthy Start model
2. Assure regular, timely screenings to evaluate the child's physical well being, cognitive, social, emotional, language, literacy, fine and gross motor development
3. Make immunizations available to all children prior to kindergarten
4. Provide direct services to parents and families in need of medical and mental health care, parent education, emotional support and economic stability

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 2

1. Establish multiple neighborhood-focused Parent Child Development Services at each Family Center
2. Establish neighborhood advisory boards to the Family Centers, to design services to meet the unique needs of children and families within that neighborhood
3. Collaborate with and support the State of Oregon's benchmark goal of 100% enrollment of children eligible for Head Start
4. Expand providers' awareness of developmentally appropriate practices

POLICY RELATED ACTIVITIES FOR OBJECTIVE 2

(see appendix titled: "Policy Considerations")

OTHER ACTIVITIES FOR OBJECTIVE 2

1. Expand parents' awareness of developmentally appropriate practices
2. Expand parents' ability to locate/evaluate quality child care services

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 3

1. Expand parent education and support services which include home visits from parent educators and community health nurses

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 3

1. Establish neighborhood-focused Parent Child Development Services at each Family Center
2. Support system changes conducive to the delivery of parent education and support at every possible community touch point

Benchmark: Increase Quality Child Care

BENCHMARK ALLOCATION: 4% of available funds

POTENTIAL PARTNERS:

Some of the organizations that we may work with

The organizations listed below are considered to be examples of community partners. We recognize that many more names may be added to this list.

A partial list of public partners includes the following:

- City of Portland
- Colleges-four year
- Community Colleges
- Elected officials (federal, state, local)
- Employment Department
- The Child Care Division-CCD Certification
- Child Care Resource & Referral
- Health & Human Services
- Multnomah County ESD
- Multnomah County Health Department
- Multnomah County Libraries
- Public School systems
- State of Oregon Adult and Family Services Division
- State of Oregon Children's Services Division (CSD)
- State of Oregon Department of Education

A partial list of private partners includes the following:

- Association for Portland Progress
- Chamber of Commerce
- Corporations
- Foundations
- Hospitals
- Media - print & broadcast
- Non-profit organizations
- Professional organizations
- Service organizations
- Volunteer Center

SITUATION ANALYSIS/COMMUNITY FINDINGS:

What we know about the way things are now, and how people in the community are responding

Developmentally appropriate child care is an economic development issues as well as a family issue.

Child care is impacted by 3 concerns:

- Accessibility
- Affordability
- Quality

Since this benchmark seeks to increase the number of child care providers meeting quality standards, it is significant to note that child care quality is impacted by:

- The setting of high and consistent standards
- Provider training and technical assistance
- Implementation of developmentally appropriate practices
- Provider compensation
- A system of monitoring compliance with established standards

Child care providers are often a child's first teacher out of the home, and play a vital role in a child's early development and education. Their capacity for providing healthy, developmentally appropriate and safe care is essential.

Child care providers are among the lowest paid workers in the chronically underpaid field of human services. Many child care workers live below the poverty line and qualify for public assistance. Few have medical insurance or other benefits.

Only recently (7/94) family (home) child care became subject to registration with the State. 80% of child care in Oregon is provided in a home.

Staff turnover, most often due to low wages and benefits, undermines efforts to achieve quality standards.

Baseline data is not available to assess issues of quality (i.e. "group size" currently existing in child care programs).

To coordinate the achievement of this benchmark with other closely related efforts, we need to recognize school age child care as separate from but related to the issues involved in early childhood care and education.

There is a growing need for additional child care slots and the availability of Head Start slots for every eligible child.

Child care resources for parents in treatment programs are not adequately developed.

State subsidy practices undermine the efforts which seek to achieve compensation for full cost of care.

Benchmark: Increase Quality Child Care

(continued)

OBJECTIVES:

The directions we plan to take to lead us toward the benchmark

OBJECTIVE 1

Implement and expand the many projects already developed in the Child Care Development block Grant Plan

OBJECTIVE 2

Establish Multnomah County in a key leadership role in the field of early childhood development, responsible for improving communication, coordination and collaboration among all players, and increasing the visibility of children and families and the professionals who serve them

ACTIVITIES:

The things we propose to do, and the tools we propose to use, categorized as "direct service," "system development," "policy," or "other" activities

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 1

1. Fund/evaluate the maintenance and expansion of the Child Care Resource and Referral Resource Team
2. Fund/evaluate the maintenance and expansion of the Resource Fund
3. Fund/evaluate the maintenance and expansion of the Loan Fund
4. Fund/evaluate the maintenance and expansion of the Child Care Center/Family Provider Network

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 2

1. Fund/evaluate the Emergency Scholarship Fund

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 2

1. Establish a vehicle for achieving this objective, such as the Multnomah County Office of Early Childhood Care and Education, insuring collaboration and integration
2. Advocate for an increase in the overall wages and benefits for workers within the child care system who are employed by providers meeting quality standards
3. Integrate Oregon Childhood Care and Education Career Development Plan into Multnomah County
4. Develop, implement and support a regulatory system within Multnomah County that establishes high and consistent standards for child care
5. Develop additional sources for child care subsidies
6. Advocate with the State for higher and more consistent standards for child care
7. Re-establish the Child Care Council as an advisory board
8. Establish a linkage between child care providers and available support systems
9. Create a comprehensive database of child care programs and support services, including information on quality indicators
10. Increase providers abilities to meet quality standards and to conduct their services in a businesslike and profitable manner
11. Expand awareness of developmentally appropriate practices among providers
12. Increase accessibility to and availability of trainings, particularly on diversity and gender issues

POLICY RELATED ACTIVITIES FOR OBJECTIVE 2

(see appendix titled: "Policy Considerations")

OTHER ACTIVITIES FOR OBJECTIVE 2

1. Expand parents' abilities to locate and evaluate quality child care services
2. Increase community awareness of child care as an economic development issue, affecting the quality and availability of the workforce in the area
3. Increase the overall supply of child care particularly in areas of school age and infant/toddler child care
4. Expand awareness of developmentally appropriate practices among parents

Benchmark: Reduce the Number of Babies Born Drug Affected

BENCHMARK ALLOCATION: 1% of available funds

POTENTIAL PARTNERS:

Some of the organizations that we may work with

- Multnomah County Alcohol and Drug Program Office, including the Target Cities program
- Current alcohol & drug treatment service providers in Multnomah County
- Current programs focusing on perinatal substance use, including:
 - Project Network
 - ADAPT
 - SAFE
- Multnomah County Health Department Field Services
- Major health care systems, including:
 - Kaiser
 - OHSU
 - Legacy
 - Multnomah County Health Department
 - Sisters of Providence
 - Portland Adventist

SITUATION ANALYSIS/COMMUNITY FINDINGS:

What we know about the way things are now, and how people in the community are responding

Drug-affected babies result from pregnancy of an alcohol and/or drug abusing or addicted women, or from use of tobacco during pregnancy. Reduction of drug-affected babies is, therefore, tied to reduction of chemical abuse among women of child-bearing age.

Within the past 8 years, educational campaigns have increased public awareness of the dangers of drug use during pregnancy. Also, advocacy for the special addiction treatment issues pertaining to pregnant women, and women with children, has resulted in increased availability of specialized treatment services.

Some child-care programs have been made available to women in treatment, with some targeted outreach to ethnic and cultural populations at increased risk.

Treatment on demand is not available.

Current reporting systems under-identify use of drugs and alcohol. A research study is under way in Oregon to determine the prevalence of drug use during pregnancy, testing for THC, barbiturate, cocaine, opiate, methamphetamine. About 24% of pregnant women report smoking during their pregnancy.

A high percent of chemically dependent women were sexually abused as children, and often have experienced other violence in their lives. This means the service system needs to have comprehensive strategies including treatment, mental health services, family treatment, parenting education, basic skills training and community support.

Benchmark: Reduce the Number of Babies Born Drug Affected

(continued)

OBJECTIVES: <i>The directions we plan to take to lead us toward the benchmark</i>	ACTIVITIES: <i>The things we propose to do, and the tools we propose to use, categorized as "direct service," "system development," "policy," or "other" activities</i>
OBJECTIVE 1 Assure that pregnant, substance using women receive early referrals to supportive services	DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 1 1. Make customer education on substance use issues and resources available to all customers at prenatal visits 2. Make smoking cessation interventions part of prenatal care SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 1 1. Develop an easy and immediate/crisis access link between provider assessment and treatment services 2. Expand prenatal outreach strategies to assure expanded early identification of pregnancies and access to care 3. Increase the number of health care providers, and others, who provide early needs assessment and early referral 4. Expand health care provider education (basic, continuing) on substance use and how to do screening/assessment OTHER ACTIVITIES FOR OBJECTIVE 1 1. Create standard of care on screening & intervention through professional organizations
OBJECTIVE 2 Increase availability of comprehensive services, tailored to needs of each client, including both residential and outpatient services, and expand recovery support services	DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 2 1. Develop more beds for children of all ages, and for longer care, for pregnant women in residential treatment 2. Develop child care and transportation assistance for pregnant women in outpatient treatment 3. Develop the Family Centers to serve as women's centers for basic life skills, exercise, health information and support 4. Fund/evaluate programs that prevent child/adolescent HIV infections and other sexually transmitted diseases, targeting populations at increased risk SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 2 1. Improve coordination between prenatal and treatment providers 2. Expand the availability of culturally appropriate treatment services 3. Sensitize alcohol/other drug treatment programs, and other programs, to the need for comprehensive services, including components such as child care, family treatment, mental health, domestic violence 4. Need to create models of 'community' of support, through natural communities that are culturally appropriate 5. Create a consistent, system-wide case management model (not agency specific) following women and children throughout treatment and recovery POLICY RELATED ACTIVITIES FOR OBJECTIVE 2 (see appendix titled: "Policy Considerations") OTHER ACTIVITIES FOR OBJECTIVE 2 1. Support efforts to expand increased affordable, safe, decent housing
OBJECTIVE 3 Build on and expand existing strategies to reduce substance use	SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 3 1. Support the recommendations of the adolescent A&D prevention plan 2. Support a comprehensive, age appropriate K-12 substance use education, including effects of substance use on pregnancy in higher grades 3. Discourage media's glamorizing the use of alcohol and tobacco POLICY RELATED ACTIVITIES FOR OBJECTIVE 3 (see appendix titled: "Policy Considerations")

POTENTIAL PARTNERS:

*Some of the organizations that we
may work with*

SITUATION ANALYSIS/COMMUNITY FINDINGS:

*What we know about the way things are now, and how people in the
community are responding*

- Oregon Health Division media campaign on need for prenatal care.
- Oregon Health Systems in Collaboration-partner with Oregon Health Division for media campaign and incentive coupon project.
- Black United Fund
- March of Dimes
- Major health care systems:
 - Kaiser
 - OHSU
 - Legacy
 - Health Department
 - Sisters of Providence
 - Portland Adventist
- Current community providers:
 - NARA/NW
 - Neighborhood Health Clinic
 - Outside-In
 - Center for Maternity & Family Support

Approximately one fourth of all pregnant women in Multnomah County in the last several years have not received adequate prenatal care. This has remained consistent over time. Three main factors limit access to adequate prenatal care:

1. Limited financial access.
Although the ability of women to access care has improved somewhat in the last 3 years due to Medicaid changes (allowing eligibility to women at 133% of federal poverty limits) and the Oregon Health Plan, there is still a gap in economic access for low income women who are "not poor enough" to be on welfare, but who don't earn enough to be able to purchase adequate service.
2. Not understanding the importance of care.
Many people don't realize how important quality prenatal care is, and why, and how and where to get it.
3. Prenatal care that doesn't meet the clients need.
Care is often not culturally appropriate. The information given or procedures done may not be understood, explained, or fit the client's situation. Additionally, people affected by alcohol and other drugs may be uncomfortable seeking care at the very time it's most important.

Benchmark: Increase Prenatal Care

(continued)

OBJECTIVES:

The directions we plan to take to lead us toward the benchmark

OBJECTIVE 1

Implement strategies which encourage the early identification of pregnancy; which promote the importance of prenatal care; and which educate on the availability of community resources

OBJECTIVE 2

Reduce existing barriers to accessing prenatal care

ACTIVITIES:

The things we propose to do, and the tools we propose to use, categorized as "direct service," "system development," "policy," or "other" activities

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 1

1. Expand outreach efforts to help pregnant women and their support systems know about the availability of care, and how that care is important to their health and to the health of their baby

2. Expand the number of and increase access to School Based Health Centers

3. Develop expanded access to care through a mobile prenatal care unit

OTHER ACTIVITIES FOR OBJECTIVE 1

1. Distribute information through home pregnancy kits and pharmacies concerning the need for prenatal care & availability of local resources

2. Disseminate simple information on pregnancy test sites & procedures, using phone book, plus churches, work sites, & other community locations

3. Conduct a visual media campaign on the need for prenatal care

4. Conduct school health education on need for prenatal care

5. Create a 'community' expectation of prenatal care, using grandmoms, aunts, curanderos, elders; use focus group of community members to define community strategies

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 2

1. Provide transportation assistance; for example, Tri-met passes, Volunteer Drivers

2. Provide on-site child care or in-home child care resources

3. Develop the concept of a mobile prenatal care van at neighborhood sites

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 2

1. Increase cultural competence among service providers and referring sources

2. Encourage more women and minorities to become health care providers, such as physicians and nurse midwives, so clients have a choice of providers to best meet their needs

3. Assure the availability of a diversity of providers within managed health care plans

POLICY RELATED ACTIVITIES FOR OBJECTIVE 2

(see appendix titled: "Policy Considerations")

Benchmark: Reduce Child Abuse and Neglect

BENCHMARK ALLOCATION: 8% of available funds

POTENTIAL PARTNERS:

Some of the organizations that we may work with

Bradley Angle House, Raphael House, West Women's and Children's Shelter, YWCA Women's Resource Center, Portland Women's Crisis Line, Community Advocates for Safety & Self Reliance, Children First, Multnomah Co. Legal Aid, Multnomah Bar Association Young Lawyers 7 Volunteer Lawyers Projects, Oregon Coalition Against Domestic & Sexual Violence, Multnomah Co. Family Violence Intervention Steering Committee, OHSU, Nursing Schools, Child Abuse Unit, Multnomah Co. Health Dept., Physicians for Social Responsibility, PPB Domestic Violence Reduction Unit, United Way, Portland Rotary, Ecumenical Ministries, Albina Ministerial Alliance, Lesbian Community Project, International Refugee Center, SOAR, Urban League, Coalition of Black Men, Emanuel Hospital's CARES Program, Imani Women's Center, School Districts (K-3 reps, ECE reps), Child care providers, Oregon Association for the Education of Young Children, OSU Extension Service, CASA, Association for Portland Progress, Schools, Morrison Center, Dr. Sudge Bud-den, Housing Authority of Portland Drug Elimination Team, Mental Health providers, public and private, CSD, MDT, Junior League of Portland, Multnomah County Libraries, Volunteers of America, Men's Resource Center, PCDC's, Multnomah County Connections Teen Parent Program, SKIP, STEPS, Even Start, Multnomah County Health Nursing Office, Head Start, Insight Teen Parent Program, Multnomah county Jail, Family court Services, William Temple House, Our Father's Ministry, Lutheran Family Services, Parents Anonymous, Peninsula Child Care Center, Metro Child Care R & R, Parent Cooperative Preschools, churches, parks and recreation programs, National council of Jewish Women; libraries, Baby's First, Pacific University, hospitals, Portland Family Calendar, United Way, Portland Office of Neighborhood Associations, Oregonian, Metro Crisis Intervention, Waverly, Mid-county Family Center, DARE, GREAT Oregon Peace Institute, Save Our Youth, the Solo Center, Tri County Youth Consortium, Eastwind, PACE, Mental Health Services West, Foster Parents Association, Morrison Center, Reach Out, Harry's Mother, Association of Retarded Citizens, Oregon Medical Association, OHSU, Kaiser, ASAP, Human Solutions, Portland Public Schools at Columbia Villa, Community Service Centers, Robert Wood Johnson, Shepard's Home, SAFAH, RASP, media, ASAP, Council for Prostitution Alternatives.

SITUATION ANALYSIS/COMMUNITY FINDINGS:

What we know about the way things are now, and how people in the community are responding

Reported child abuse in Multnomah County has varied only slightly in the last 6 years from a high of 14.3 to a low of 12.4 abused children per 1,000 young persons under 18 years. For 1993, the rate of reported abuse was 13.3 abused children per 1,000. These statistics reflect incidents reported to Children's Services Division (CSD), and most likely are lower than the actual rate of child abuse.

Who is abused, and who is the abuser and why do they abuse are important indicators of how we, as a community, need to address these problems. Infants comprise the largest single age class of child abuse and neglect victims, because they are inherently more vulnerable, family stress is high at the time of birth, and many babies are born drug affected. Female children are 57% of Oregon's victims of child sexual abuse, mental injury, and threat of harm. Many abused girls and boys experience developmental delays, since they have learned to "shut down" their emotions as a way of coping with the ever present threat of harm.

Children with disabilities are over-represented in all categories of maltreatment. In one study where information was collected from a nationally representative sample involving 35 Child Protective Services (CPS) agencies (Crosse, Kaye, and Ratnofsky, 1993), CPS case workers reported maltreatment in children with disabilities 1.7 more times than in children without disabilities. In 47% of these cases, the disabilities directly led to, or contributed to the maltreatment. Physical abuse was reported by CPS caseworkers at a rate of 2.1 times, sexual abuse 1.8 times, and physical neglect 1.6 times that of children without disabilities.

Abusers are usually family members of the victims. Parents are the perpetrators in 59% of all abuse, and familial abusers constitute 85% of all cases. Family stress from a variety of sources is correlated to reports of child abuse and neglect. These sources include alcohol and other drug problems, early, single parenting, unemployment, parental criminal involvement, major child care responsibilities, parental history of childhood abuse, and domestic violence, which itself can be considered a form of violence against children who witness it in at least 3 specific ways:

1. Children are invisible victims. Witnessing one parent beat another causes immediate and long term trauma.
2. Children are accidental victims. They are often hit trying to protect a parent or when they simply are caught in harm's way
3. Children are intentional victims. 45% to 75% of men who batter women also batter their children. Mothers in a violent relationship are among those most likely to physically discipline their children for as long as they remain in the violent relationship

The need to solve the problem of child abuse and neglect has led to extensive research. This research points to parent education and support as one way of reducing child abuse. *Parents as Teachers* and *Healthy Start* are 2 programs that have been thoroughly evaluated, and provide parent education and support. Research also indicates that parents' psychological maturity and emotional well being increases sensitive parenting.

Positive parent-child bonding, essential to a child's well being, takes place when parents are sensitive to infants and provide responsive and affectionate caregiving. Abusive parents tend to lack effective child management techniques and experience and are more harsh and negative when interacting with infants.

Benchmark: Reduce Child Abuse and Neglect

(continued)

OBJECTIVES:

The directions we plan to take to lead us toward the benchmark

OBJECTIVE 1

Promote and expand supports specifically for children, helping them to understand what abuse and neglect is, what they can do in an abuse situation, and what resources are directly available to them

OBJECTIVE 2

Promote and expand community supports for parents and other adults, helping them to understand what abuse and neglect is, what they can do to reduce abuse and neglect, and what resources are available to them

OBJECTIVE 3

Provide professional services which support families in their healthy growth and development, in avoiding becoming involved in abuse or neglect, and in becoming responsive to the incidence of abuse and neglect at the earliest possible point

OBJECTIVE 4

Assure the availability of quality parent education at every possible community touch point

ACTIVITIES:

The things we propose to do, and the tools we propose to use, categorized as "direct service," "system development," "policy," or "other" activities

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 1

1. Fund/evaluate community-based, in-school programming that teaches children about how they can safely respond to unwanted touching
2. Support the delivery of curricula on relationships, dating and violence
3. Develop programs to support young people's self-esteem, and to support them in asking for what they need ("I need a meal; I need a safe place to live; I need some shoes")

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 1

1. Develop a "safe haven" in every school where a young person can go to confide in a trustworthy, non-judgmental adult

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 2

1. Fund/evaluate a 24-hour family crisis intervention hotline
2. Fund/evaluate respite services ("time-outs") for parents in high stress
3. Support treatment programs for families that abuse
4. Expand social & support networks for parents

POLICY RELATED ACTIVITIES FOR OBJECTIVE 2

(see appendix titled: "Policy Considerations")

OTHER ACTIVITIES FOR OBJECTIVE 2

1. Conduct community conversations/education on "what is child abuse and neglect?" and advocate for a broad, community-wide understanding, using both the CSD definition, and an informal social definition
2. Advocate for improved services for offenders returning to community
3. Support extended families, including foster grand parent programs

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 3

1. Fund/evaluate these three programs: Healthy Start, Court Appointed Special Advocates (CASA), and Parents as Teachers
2. Coordinate screening and assessment with kindergarten teachers and early childhood care and education programs
3. Reduce family stress by providing basic needs through family centers
4. Reduce family stress, and provide for an early point of reporting abuse and neglect, by providing high quality family mediation programs
5. Provide home visits to all newborns
6. Expand access to stable, quality child care
7. Support parent screening and referral for alcohol and other drug abuse
8. Expand availability of developmental screening, starting at birth, for all children; offer follow-up services
9. Expand the number of relief nurseries

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 3

1. Conduct community education on the statutory responsibilities of youth and family serving professionals in reporting abuse
2. Train community providers to better recognize and respond to risk and protective factors, and to symptoms of abuse/neglect
3. Advocate for a child focused tracking system, connecting and coordinating people & services
4. Support the continuance of multi-disciplinary teams (MDTs)

POLICY RELATED ACTIVITIES FOR OBJECTIVE 3

(see appendix titled: "Policy Considerations")

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 4

1. Fund/evaluate the delivery of quality parent education based on best practices, including provider training and program evaluation
2. Support the beginning of PCDC dad's group

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 4

1. Expand the number of Parent Child Development Centers (PCDCs)
2. Explore the feasibility of child care centers as potential PCDC sites

Benchmark: Reduce Domestic Violence within Families

BENCHMARK ALLOCATION: 3% of available funds

POTENTIAL PARTNERS:

Some of the organizations that we may work with

Bradley Angle House, Raphael House, West Women's and Children's Shelter, YWCA Women's Resource Center, Portland Women's Crisis Line, Community Advocates for Safety & Self Reliance, Children First, Multnomah Co. Legal Aid, Multnomah Bar Association Young Lawyers 7 Volunteer Lawyers Projects, Oregon Coalition Against Domestic & Sexual Violence, Multnomah Co. Family Violence Intervention Steering Committee, OHSU, Nursing Schools, Child Abuse Unit, Multnomah Co. Health Dept., Physicians for Social Responsibility, PPB Domestic Violence Reduction Unit, United Way, Portland Rotary, Ecumenical Ministries, Albina Ministerial Alliance, Lesbian Community Project, International Refugee Center, SOAR, Urban League, Coalition of Black Men, Emanuel Hospital's CARES Program, Imani Women's Center, School Districts (K-3 reps, ECE reps), Child care providers, Oregon Association for the Education of Young Children, OSU Extension Service, CASA, Association for Portland Progress, Schools, Morrison Center, Dr. Sudge Bud-den, Housing Authority of Portland Drug Elimination Team, Mental Health providers, public and private, CSD, MDT, Junior League of Portland, Multnomah County Libraries, Volunteers of America, Men's Resource Center, PCDC's, Multnomah County Connections Teen Parent Program, SKIP, STEPS, Even Start, Multnomah County Health Nursing Office, Head Start, Insight Teen Parent Program, Multnomah county Jail, Family court Services, William Temple House, Our Father's Ministry, Lutheran Family Services, Parents Anonymous, Peninsula Child Care Center, Metro Child Care R & R, Parent Cooperative Preschools, churches, parks and recreation programs, National council of Jewish Women, libraries, Baby's First, Pacific University, hospitals, Portland Family Calendar, United Way, Portland Office of Neighborhood Associations, Oregonian, Metro Crisis Intervention, Waverly, Mid-county Family Center, DARE, GREAT Oregon Peace Institute, Save Our Youth, the Solo Center, Tri County Youth Consortium, Eastwind, PACE, Mental Health Services West, Foster Parents Association, Morrison Center, Reach Out, Harry's Mother, Association of Retarded Citizens, Oregon Medical Association, OHSU, Kaiser, ASAP, Human Solutions, Portland Public Schools at Columbia Villa, Community Service Centers, Robert Wood Johnson, Shepard's Home, SAFAH, RASP, media, ASAP, Council for Prostitution Alternatives.

SITUATION ANALYSIS/COMMUNITY FINDINGS:

What we know about the way things are now, and how people in the community are responding

In 1993-94, Multnomah County domestic violence programs received over 29,000 crisis calls reporting domestic violence and seeking help. Domestic violence has major consequences for medical services, police, and business. One-third of all emergency room visits by women are due to domestic violence. Local 911 emergency services received over 13,000 calls reporting domestic violence assaults. One-third of the homicides in Multnomah County involved family or domestic violence. Domestic violence is the single greatest reason women leave the workforce, and can cause absenteeism and lowered productivity by both victim and perpetrator.

More babies are born with birth defects as a result of the mother being battered during pregnancy, than from the combination of all diseases for which we immunize pregnant women. At least 8% of pregnant women are battered during pregnancy, are twice as likely to miscarry and 4 times as likely to have low birth weight infants, 40% more likely to die in the first year. 45% of female alcoholics report being battered prior to their drinking.

Who are the victims, who are the abusers and why do they abuse? Overwhelmingly, it is women who are the victims, both in Multnomah County and nationally. A 1994 U.S. Department of Justice survey of 400,000 victims, reported that 90% of the victims were women. In Multnomah County 85% of those receiving restraining orders because of domestic violence are women. And equally overwhelmingly, it is men who are the perpetrators of domestic violence. The U.S. Department of Justice survey also indicated that between 90 and 95% of all perpetrators were men, husbands, ex-husbands, boyfriends or lovers.

Witnessing domestic violence has long-term negative effects on children, and is a greater predictor of perpetrating or being the victim of domestic violence than is being abused as a child. In one study, 85% of children from violent homes admitted to a drinking problem starting as early as age 11, and over 50% had used methamphetamines or marijuana, 10% habitually. Youth reporting violence between their parents have a higher rate of violence in their dating relationships, and are more frequently involved in the juvenile justice system, or have academic or social problems.

The links between child abuse, neglect and domestic violence, require that we address all three problems in order to reduce the incidence of any one. The presence of domestic violence is the single risk factor most identifiably predicting child abuse. One expert declares the linkage so close that domestic violence can be considered the primary cause of child abuse.

At least 3.3 million children in the U.S. between 3 and 17 years of age are annually at risk of exposure to parental violence. In Oregon, 41% of child fatalities and critical injuries from abuse and neglect occur in families with adult domestic violence. Adult domestic violence is a form of violence against children who witness it in at least 3 specific ways:

1. They are invisible victims: Witnessing one parent beat another causes immediate and long term trauma.
2. They are accidental victims: They are often hit trying to protect a parent or when they simply are caught in harm's way
3. They are intentional victims: 45% to 75% of men who batter women also batter their children. Mothers in a violent relationship are far more likely to physically discipline their children than after they have left it.

Benchmark: Reduce Domestic Violence within Families

(continued)

OBJECTIVES:

The directions we plan to take to lead us toward the benchmark

ACTIVITIES:

The things we propose to do, and the tools we propose to use, categorized as "direct service," "system development," "policy," or "other" activities

OBJECTIVE 1

Assure the provision of high quality parent education and other family supports

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 1

1. Provide social and support networks for parents to reduce isolation
2. Increase availability of A&D/mental health screening, individualized treatment services
3. Support qualified violence reduction/sexual abuse treatment programs
4. Fund/evaluate expanded conflict resolution skills trainings and human sexuality and partnership education addressing sexism in schools and within religious youth groups
5. Expand group treatment services for children/youth in violent homes (Hawaii model)
6. Provide universal hospital visits at birth and immediately following, for domestic violence screening and support
7. Increase quality parenting education, especially in East County
8. Provide a "Head Start" type program in all schools
9. Provide affordable, supervised visitation programs
10. Provide "time-out" programs accessible to people who speak languages other than English, are hearing impaired, or have disabilities
11. Fund/evaluate programs that prevent child/adolescent HIV infections and other sexually transmitted diseases, targeting populations at increased risk

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 1

1. Educate about domestic violence/resources at prenatal/OB/GYN visits
2. Expand knowledge of domestic violence issues among school counselors/teachers, A&D counselors, public health personnel, religious and business communities, general public
3. Ensure relevant services for all racial/ethnic communities and people with special needs
4. Support the establishment of mediation protocols on domestic violence, and train mediators to make appropriate referrals

OTHER ACTIVITIES FOR OBJECTIVE 1

1. Fund/evaluate community education on the dynamics of domestic violence, including causes, detection, effects and potential solutions; as well as education on sexism, alcohol and other drug abuse and rape
2. Create a community norm of violence free relationships.

OBJECTIVE 2

Assure adequate and appropriate institutional support in preventing and responding to domestic violence

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 2

1. Assure adequate, appropriate law enforcement intervention, as a priority, including more female officers in school police and in developing police, prosecutorial protocols
2. Provide routine safety planning by all points of community contact
3. Coordinate with the work of other violence prevention activities
4. Implement "Harassment to Homicide" and its update
5. Assure adequate record keeping of domestic violence and child abuse statistics
6. Provide more victim's support groups, some in languages other than English
7. Establish a formal link among Multnomah County Family Violence Intervention Steering Committee, Child Abuse Task Force and the MCCF

POLICY RELATED ACTIVITIES FOR OBJECTIVE 2

(see appendix titled: "Policy Considerations")

OTHER ACTIVITIES FOR OBJECTIVE 2

1. Advocate for media presenting images of healthy male-female relationships; open/honest discussions of domestic violence; women portrayed as more than sexual objects; and the dynamics of power
2. Train providers to recognize risk and protective factors

OBJECTIVE 3

Assure high quality affordable child care, including drop-in care

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 3

1. Support the recommendations of the Child Care planning team
2. Provide additional relief nursery programming in East County

OBJECTIVE 4

Assure adequate early intervention for adult and child victims of domestic violence, including safe shelter/other support services

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 4

1. Fund/evaluate a 24-hour crisis hotline and a 24-hour crisis intervention team to support domestic violence victims
2. Fund/evaluate the development of a system of centralized, accessible, computerized multi-lingual information and referral services
3. Expand available safe shelter, transitional housing, victim services as a priority

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 4

1. Expand the availability of early intervention through well-trained medical, religious and other outreach personnel.
2. Create a system of routine cross-assessment by child abuse and DV professionals

POLICY RELATED ACTIVITIES FOR OBJECTIVE 4

(see appendix titled: "Policy Considerations")

OTHER ACTIVITIES FOR OBJECTIVE 4

1. Conduct community education on domestic violence, its effect on children and cross over with child abuse

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 5

1. Identify service needs, inventory existing services, and identify gaps

OBJECTIVE 5

Assure a range of rehabilitative services including counseling and other supports for people who have been perpetrators of violence or who are at risk for violent behavior

Benchmark: Reduce Violence by and against Children and Youth

BENCHMARK ALLOCATION: 10% of available funds

POTENTIAL PARTNERS:

Some of the organizations that we may work with

SITUATION ANALYSIS/COMMUNITY FINDINGS:

What we know about the way things are now, and how people in the community are responding

A NOTE TO THE READER:

Many on this list were not at the table for this process, and the group developing this list had a lot of concern about publishing it without some explanation; there was a fear that those not listed would be offended and might choose not to participate in the future, and that some listed might feel misrepresented as having participated. This list is offered as "some of the organizations that could be valuable contributors to future work around preventing violence."

- Portland Parks Bureau
- Portland Productions
- Community Wellness Center
- Youth Outreach Program
- Portland Youth Redirection
- Multnomah County Community and Family Services Division
- Central NE Crime Prevention
- Gang Related Intervention Team
- American Friends Services Committee
- Victims/Offenders Reconciliation Program
- Southeast Uplift
- The Children's Program
- Oregon Health Sciences University
- PSU Endangered Child Program
- Self Enhancement, Incorporated
- Oregon Health Division
- Urban League (Public Health & Violence)
- Physicians for Social Responsibility (PSR)
- TCYSC Family Mediation Program
- Multnomah County Health Department
- Portland Police Bureau
- Multnomah County Sheriff's Office
- Children First
- Oregon Peace Institute
- County Commissioner Sharron Kelley
- Phoenix Rising
- Youth Service Centers
- Public/Private Schools
- OSMYN
- OMEGA/Boy's & Girls Club in N. Portland
- Student Unions
- Youth organizations
- Oregon Coalition Against Sexual and Domestic Violence
- House of Umoja
- Coalition of Black Men
- Legal community
- MC Task Force on Gay/Lesbian Youth
- A&D service providers
- Ecumenical Ministries of Oregon (EMO)
- Service organizations
- Citizen's Crime Commission
- Public Safety Council
- PFLAG
- People of Faith Against Bigotry
- United Way and their related programs

There is scientific and experiential evidence that several social factors contribute to violence by and against children and youth. These include:

- A rise in both actual experiences involving violence, and increasing positive depictions of violence in our language and all forms of communication and entertainment media.
- American culture's emphasis on competition and "polar thinking."
- Changes in family environments, including poor family bonding, repeated exposure to domestic violence and physical and sexual abuse, and a decrease in inter-generational contact.
- Economic and demographic shifts limiting young people's opportunity for a productive and secure future.
- Fragmentation of the immediate, and deterioration of the natural supports provided by the community.
- The limitations imposed by institutional racism/other forms of class devaluation.
- Abuse of alcohol and other drugs.
- The availability and acceptability of guns and other weapons to settle disputes.
- A shortage of places where young people can feel safe, and a lack of non-violent role models in many families and communities.

At the same time, there are many strengths in the community. These include:

- A variety of high-quality providers of youth services.
- Multiple organizations with expertise in conflict resolution.
- Strong and growing political leadership to address the issue of violence.
- A public health sector with growing technical expertise in the science of violence prevention.
- Strong individuals and organizations that offer role models, support, and activities for youth from our culturally diverse communities.
- A strong base of knowledge and leadership from individuals and organizations in law enforcement, health and social services, conflict resolution and mediation, and other disciplines.

There is a large body of support for addressing violence by and against children and youth, including support from the grass roots, the spiritual community, social service providers, people in education and health, and from elected officials.

Although the topic is framed in many ways, public safety is reported as one of the highest, if not the highest priority issue in most community polling. There is the potential for vast community support (including funding) if a strong leadership unites all the partners around a common agenda.

The proliferation and use of guns and other weapons among young people are among the most specific and urgent community concerns.

Violence takes several forms: physical violence; emotional violence; sexual and dating violence; self-directed violence; and hate, bias and prejudice.

The objectives dealing with domestic violence, juvenile crime, alcohol and other drugs, and others are directly related to this objective.

This community has a substantial peace and justice movement which can play a major role in planning and implementing this objective.

Many people want a quick, single method fix, but nearly everyone working in the field agrees that we waste time seeking this mythical remedy.

A few of the organizations contributing to current local efforts include:

- A Child/Family Mediation program at Tri-County Youth Services Consortium
- Local gang related organizations, which include experts on street violence
- Outside In, helping young men find alternatives to the violence of prostitution
- The Coalition of Black Men, a local resource committed to reducing violence
- Peer mediation programs, existing at local schools, and expandable
- The Metropolitan Human Rights Commission, conducting a campaign to reduce hate-directed violence and bias

Benchmark: Reduce Violence by and against Children and Youth

(continued)

OBJECTIVES:

The directions we plan to take to lead us toward the benchmark

OBJECTIVE 1

Assure that all families have access to culturally appropriate prenatal care including components emphasizing family development and parenting education

OBJECTIVE 2

Assure all families access to culturally-appropriate supports promoting optimal family/early childhood development, including components for children and parents on how to avoid violent situations and what to do when involved in one

OBJECTIVE 3

Improve the cultural appropriateness, availability and community acceptability of alcohol and other drug treatment and prevention services; and of mental health services and related services

OBJECTIVE 4

Expand the number of meaningful opportunities available to young people who wish to contribute to reducing violence, and call attention to their work

OBJECTIVE 5

Involve the whole community in owning the need to develop and participate in effective violence prevention activities

OBJECTIVE 6

Eliminate the unlawful use and possession of guns by youth

OBJECTIVE 7

Assure a range of rehabilitative services including counseling and other supports for people who have been perpetrators of violence or who are at risk for violent behavior

ACTIVITIES:

The things we propose to do, and the tools we propose to use, categorized as "direct service," "system development," "policy," or "other" activities

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 1

1. Coordinate with implementers of the Prenatal Care Plan
2. Coordinate with implementers of the Early Childhood Education Plan

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 2

1. Coordinate with implementers of the Early Childhood Education Plan
2. Coordinate with implementers of the Child Abuse Prevention Plan

OTHER ACTIVITIES FOR OBJECTIVE 2

1. Support family reading and literacy programs
2. Make universal family support a legitimate community and government goal

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 3

1. Fund/evaluate the availability of community-based mental health services for sexual minority youth, and their families when appropriate, who are increased risk of harming themselves/being harmed by their families
2. Expand the availability of a youth hotline for sexual minority youth
3. Expand school-based health centers as entry points into the health, mental health and social services system, including programs that prevent child/adolescent HIV infections and other sexually transmitted diseases

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 3

1. Coordinate with implementers of the Tobacco, Alcohol and other Drug Abuse Prevention Plan
2. Fund/evaluate a system of outreach to help sexual minority youth access resources

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 4

1. Fund/evaluate the expansion of peer delivered mediation in schools, at all grade levels, and other settings where these services could be valuable

OTHER ACTIVITIES FOR OBJECTIVE 4

1. Fund/evaluate the provision of forums for youth to speak in their own voices to policy makers, and to one another, about their concerns and solutions to societal violence
2. Give public recognition to exemplary youth efforts in reducing violence
3. Create a cultural value declaring young people to be a critical and valued community asset, worthy of protecting at any reasonable cost

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 5

1. Fund/evaluate programs providing the mentorship of safe, stable and culturally appropriate adults for all youth, but especially for those with high risk factors, in the community and in the schools

POLICY RELATED ACTIVITIES FOR OBJECTIVE 5

(see appendix titled: "Policy Considerations")

OTHER ACTIVITIES FOR OBJECTIVE 5

1. Work with local media and entertainment outlets to reduce depictions of violence in entertainment and news programming, and in movies, music, videos, and video games
2. Assure young people the opportunity to enter the legitimate job market, through youth employment programs and other mechanisms

OTHER ACTIVITIES FOR OBJECTIVE 6

1. Conduct community conversations on the proliferation and use of guns
2. Convene a planning process to create an action oriented plan

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 7

1. Identify service needs, inventory existing services, and identify gaps

Benchmark: Reduce the Rate of Teen Pregnancy

BENCHMARK ALLOCATION: 2% of available funds

POTENTIAL PARTNERS:

Some of the organizations that we may work with

1. Corporate partners (i.e., NIKE) or professional partners (i.e., Doctors)
2. Teen moms, and teens who have made other choices
3. Multnomah County Network on Teen Pregnancy & Young Parenting (including the prevention committee and the young parent caucus)
4. *Oregonian*
5. culturally specific newspapers and other publications, including school/youth oriented publications
6. Portland Parks & Recreation
7. Multnomah County Health Department
8. School-based health clinics
9. Schools
10. Oregon Teen Pregnancy Task Force
11. HIV prevention outreach services
12. Tri-county Youth Services Consortium
13. Planned Parenthood
14. Boys and Girls Clubs
15. Salvation Army
16. Self Enhancement
17. Employment programs (PIC, Steps to Success, Job Corps)
18. Child Care Council
19. Gang related community-based organizations
20. GIFT program
21. Boys & Girls Aid Society
22. Multnomah County Libraries
23. youth and youth groups
24. families
25. religious organizations

SITUATION ANALYSIS/COMMUNITY FINDINGS:

What we know about the way things are now, and how people in the community are responding

Multnomah County's teen pregnancy rate is among the highest of 36 other counties in Oregon. Since 1989 teen pregnancy in Multnomah County has remained relatively stable, both rising and falling only moderately, from a high of 30.1 pregnancies per 1,000 females aged 10-17 to a low of 26.3 per 1,000. This range is substantially far from the statewide benchmark of 9.8 per 1,000.

Year	Mult. County	Oregon
1989	28.9	19.6
1990	28.4	19.7
1991	30.1	19.3
1992	26.3	17.9
1993	27.4	18.2

In 1992 there were 1,069 births to Multnomah County teens under 20 years. In 23.2% of these cases it was the mother's second or more child.

Many of the fathers of teen births are over age 20. For 1,751 births in 1989-1992 among teenage girls under 20 between 1989-1992 in Multnomah County for which the father's age was known (41% of the cases) 56% of the male partners were over 20, and 17% were over 25.

According to The Alan Guttmacher Institute's *Sex and America's Teenagers*, 1994, a larger percent of teens are having sex than in previous decades.

Age % Sexually Active		Age % Sexually Active	
12	9%	16	42%
13	16%	17	59%
14	23%	18	71%
15	30%	19	82%

A study by Debra Boyer, Ph.D., University of Washington, has correlated teen pregnancy with sexual/physical abuse, other trauma. In her research Dr. Boyer determined that 62% of 535 pregnant teens had been sexually molested or raped prior to the pregnancy. Other unranked high risk factors for teenage pregnancy include:

1. Leaving middle/high school before completion
2. Unstructured, unsupervised time
3. Low or no access to contraception
4. Sibling or parent who was a teen parent
5. Early initiation of sexual activity
6. Homelessness
7. Severe Poverty
8. Substance abuse
9. Low self-esteem
10. Gang affiliation

Of 1,857 1992 Multnomah Co. teen pregnancies, 60% were to mothers 18/19 years old. Of the mothers 17 and under, 65% were Caucasian, 22% African-American, 7% Hispanic, and 1% Native American. 57% of those pregnancies resulted in live births, 75% of which were to first time mothers of whom 54% were 18/19 years old. Teen mothers already parenting comprised the other 25%, the vast majority (80%) age 18 or 19. Only 5% of the teen births occurring in 1992 were to mothers in this benchmark's target age (10 - 17 years) who had previously given birth.

Geographically, teen birth rates differ markedly from area to area in the county. For mothers ages 15-17, the north and northeast integrated service districts had rates almost double the rate in southeast; while southeast's rate of teen births (33.9/1,000) was over 80% more than southwest's.

A few local peer-to-peer programs include Planned Parenthood's "Teens & Company," Youth Unlimited's various video productions, and Project Action's social marketing campaign and teen-to-teen skills building workshops.

Prevention programs must have clarity of goals and objectives, particularly if the program has some of the following purposes, but hasn't clearly stated them:

- Prevent young women from becoming pregnant
- Prevent young women from having babies
- Prevent young people from having sex
- Prevent young women from having abortions
- Supply young people with birth control
- Promote religious values, or community values, or create new values

Benchmark: Reduce the Rate of Teen Pregnancy

(continued)

OBJECTIVES:

The directions we plan to take to lead us toward the benchmark

OBJECTIVE 1

Further the development of an equitable health and social services system by creating increased coordination and communication among providers, planners, funders and consumers; by reducing duplication and competition through increased collaboration, inclusiveness and teamwork; and by efficiently and appropriately collecting and sharing information

OBJECTIVE 2

Assure an expanded range of opportunities for young females and males to grow-up and develop in a world that values and supports them with culturally and age appropriate health and social services and supports

OBJECTIVE 3

Respond to the growing base of knowledge correlating childhood sexual abuse and other forms of victimization in girls and young women to adolescent pregnancies

OBJECTIVE 4

Promote the belief that, for males as well as females, parenting is both a joy and a responsibility, requiring substantial preparation and a commitment shared equally by two parents

OBJECTIVE 5

Conduct both community-wide and individualized education on relevant issues

ACTIVITIES:

The things we propose to do, and the tools we propose to use, categorized as "direct service," "system development," "policy," or "other" activities

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 1

1. Create a better understanding of best practices by supporting existing, promising local programs that have a rigorous evaluation component
2. Establish a small programs funding pool to provide support for promising grass roots efforts that wouldn't traditionally respond to RFPs
3. Allow contracts with local agencies to include a larger than customary portion of funds to support program design and rigorous evaluation
4. Conduct community conversation around the need to distinguish between strategies proven to be effective, strategies proven to be ineffective, and strategies which have not been evaluated
5. Support the coordination of and cooperation among service providers working in the field of teen pregnancy prevention

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 2

1. Fund/evaluate school/non-school peer education/primary prevention
2. Fund/evaluate structured, no/low-cost, social opportunities for teens
3. Fund/evaluate programs that prevent child/adolescent HIV infections, other sexually transmitted diseases, targeting highest risk populations
4. Fund/evaluate community teen mentorship (peer to peer) programs
5. Fund/evaluate community service/employment opportunities for young women/men who have personally experienced teen pregnancy
6. Assure pre-employment/employment programs and other opportunities, for young women as an alternative to "pregnancy as a way out"

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 2

1. Support and expand school based health centers

OTHER ACTIVITIES FOR OBJECTIVE 2

1. Fund/evaluate programs assisting young people in influencing news and entertainment media in ways related to preventing teen pregnancy

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 3

1. Fund/evaluate expanded child abuse intervention, including early ID of victims, and the provision of mental health and other services
2. Fund/evaluate occupational therapy support for remedial developmental growth of young women who have been the victims of abuse
3. Fund/evaluate child abuse prevention programming

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 4

1. Fund/evaluate programs for boys/young men to support them in becoming sexually responsible and aware, and, when ready, in becoming fathers who are emotionally connected with their children and spouse

POLICY RELATED ACTIVITIES FOR OBJECTIVE 4

(see appendix titled: "Policy Considerations")

OTHER ACTIVITIES FOR OBJECTIVE 4

1. Conduct community discussion on the role of men as parents.

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 5

1. Educate men and boys, and girls and young women, on social responsibility, sexuality, parenting, and relationships

POLICY RELATED ACTIVITIES FOR OBJECTIVE 5

(see appendix titled: "Policy Considerations")

OTHER ACTIVITIES FOR OBJECTIVE 5

1. Fund/evaluate a public education and social marketing campaign promoting the belief that parenting is both a joy and a responsibility, requiring preparation and commitment
2. Conduct community conversation and education around the need to talk openly and constructively about sensitive/controversial issues, like youth sexual activity, incest, child abuse, contraception, domestic violence, alcohol/other drug abuse, values, morality, and parent's rights

Benchmark: Reduce the Number of Families Living in Poverty

BENCHMARK ALLOCATION: 2% of available funds

POTENTIAL PARTNERS:

Some of the organizations that we may work with

SITUATION ANALYSIS/COMMUNITY FINDINGS:

What we know about the way things are now, and how people in the community are responding

1. National/local Public Policy Makers who will work for a unified national agenda that affirms:
 - Communities in poverty are unhealthy for the entire country, diminishing the quality of life and availability of opportunities for all residents. A community that must compete internationally can not do so if vast numbers of residents are left behind.
 - Business has a vital role in ending poverty. Involvement in the process of education is necessary, as is acknowledging the value of health care, child care and an adequate minimum wage and providing continuing education. Some businesses are deeply committed in their practices to these ends; others need encouragement.
 - Government is responsible to set and enforce policies to ensure that profit is not the only bottom-line outcome for business practice.
2. Local coordinating bodies need to make eradication of poverty a top priority. Extensive coordination among policy makers in the fields of income supports, education, employment and social services is needed to achieve this goal.
 - The Multnomah County Community Action Commission (MCCAC) is a lead policy body addressing poverty issues.
 - The Multnomah Commission on Children and Families (MCCF) must develop a formal relationship with MCCAC, becoming partners in moving families out of poverty.
3. Funding bodies need to make eradication of poverty a top priority.
 - Oregon Adult and Family Services
 - Multnomah Co. Community and Family Services Division, particularly Community Action Program
 - Portland Bureau of Housing and Community Development
 - Portland Development Commission
 - Multnomah County Health Dept.
 - Specific federally funded programs

Every child deserves to have a family and community committed to that child's well-being. The foundation for a child's healthy development is three nutritious meals a day, stable housing, access to health care, positive school experience, and a safe nurturing, family-centered environment.

Poverty limits a child's ability to reach full potential in every aspect of life. Too many Multnomah County children are living in conditions that are in sharp contrast to the basic goal of achieving wellness. Studies consistently show that child poverty negatively affects health, mental health, cognitive and behavioral development, and other problems.

More children and families in Multnomah County are living in poverty today; in 1990, 16% of those in poverty were children, compared to 11% in 1970. Poverty limits a family's ability to afford basic school supplies or quality child care, impedes a parent's ability to put nutritious food on the table each day, and can limit access to health care.

Frustration and despair is the result of the daily struggle to attempt to meet basic needs with inadequate resources. The lack of options associated with poverty makes poor families vulnerable to a variety of problems at higher rates than the general population; including mental and physical health concerns, developmental delays and teen pregnancy.

Poverty and hunger, the daily lot of many Multnomah County children, are in sharp contrast to achieving the basic goals of wellness for every child, the overall goal of the Multnomah Commission on Children and Families, defined as "*the preservation of each child's potential for physical, social, emotional and cognitive and cultural development.*" Children in poverty are, by default, denied the opportunity to reach their potential in virtually every aspect of their lives.

Although subsidized public support is available for some poor families, the poverty guidelines are unrealistically low compared to what is needed to achieve a minimum standard of living. Persons receiving Aid to Dependent Children assistance and food stamps receive only approximately two-thirds of the federal poverty guidelines.

Who lives in poverty? Nearly one-fifth (19%) of Multnomah County's children live in poverty, further concentrated in certain demographics:

- Nearly one-quarter (24%) of children under 5 live in poverty.
- Nearly one-third (31%) of the female-headed households with children live in poverty.
- Ethnic minority families are poor in significantly higher proportions than the population as a whole. More than one-third (35%) of African-American families in Multnomah County live in poverty.
- Among homeless families, 606 children were counted on 11/17/93, an increase of more than one third from the previous year.
- 95 homeless youth, unaccompanied by an adult, were counted on 11/17/93, an increase of more than one half from the previous year.

Domestic Violence forces many women to become single heads of households, and are placed at risk of poverty and homelessness. Over three-fourths (77%) of the women in the local Community Action Program's Homeless Families Program have experienced three or more types of violent acts in domestic relationships. Reducing domestic violence in our society will also reduce the needs of many families living in poverty.

Benchmark: Reduce the Number of Families Living in Poverty

(continued)

OBJECTIVES:

The directions we plan to take to lead us toward the benchmark

ACTIVITIES:

The things we propose to do, and the tools we propose to use, categorized as "direct service," "system development," "policy," or "other" activities

OBJECTIVE 1

Support meaningful reforms within the current system of welfare and other forms of public assistance

POLICY RELATED ACTIVITIES FOR OBJECTIVE 1

(see appendix titled: "Policy Considerations")

OBJECTIVE 2

Increase entrepreneurial and employment opportunities for families living in poverty

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 2

1. Provide services and other supports needed by families trying to become independent of public assistance

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 2

1. Fund/evaluate neighborhood economic development projects in neighborhoods with high rates of child poverty

OBJECTIVE 3

Assist teen mothers in continuing their education and in gaining employment that pays living wages

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 3

1. Fund/evaluate through contracts with community-based organizations the expansion of teen parent programs, including services that increase young parents' ability to earn an income sufficient to become non-dependent on public assistance
2. Fund/evaluate programs for student retention and retrieval, to support teen parents in completing their high school education

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 3

1. Advocate for and collaborate with the Community Action Commission to focus on the needs of low-income teen parents

OBJECTIVE 4

Increase the opportunities for a quality early education for infants and toddlers living in poverty

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 4

1. Fund/evaluate child care and other early childhood education programs which meet quality standards
2. Expand Head Start programs to include earlier ages

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 4

1. Coordinate with implementers of the Early Childhood Education Plan
2. Coordinate with implementers of the Quality Childcare Plan
3. Provide expanded training opportunities to home caregivers serving low income families, concerning early childhood growth and development and education

Benchmark: Increase Safe, Stable Housing

BENCHMARK ALLOCATION: 1% of available funds

POTENTIAL PARTNERS:

Some of the organizations that we may work with

The Housing and Community Development Commission (HCDC) is the policy-making body charged with implementing the County-wide Housing Affordability Strategy (CHAS). The HCDC has representation from the Cities of Gresham and Portland, and Multnomah County.

Other public entities involved in funding or developing housing or funding related services are:

- Housing Authority of Portland
- Portland Bureau of Housing and Community Development
- Portland Development Commission
- Gresham Community Development
- Multnomah County Community and Family Services Division (CFSD), Community Development Program
- Multnomah County CFSD Community Action Program

Other partners could include housing developers for low-income and special needs populations, such as community development corporations.

SITUATION ANALYSIS/COMMUNITY FINDINGS:

What we know about the way things are now, and how people in the community are responding

Every child deserves to have a family and community committed to that child's well-being. Unstable, unsafe housing is not compatible with achieving wellness, the goal of the Multnomah Commission on Children and Families, defined as "the preservation of each child's potential for physical, social, emotional and cognitive and cultural development."

Children in unsafe, unstable, sometimes overcrowded housing are severely hampered in their opportunities to reach their potential. Housing instability or lack of safety is closely associated with poverty (addressed in a separate benchmark).

Housing is becoming less affordable and less available in Multnomah County at the same time that poverty has increased:

- Fewer than one-half (42%) of renters pay under 30% of income for housing, the standard percentage for housing affordability.
- Poverty among families with children has increased. In 1990, 19% of children lived in poverty. Yet, public housing waiting lists are full and are closed.
- For 10 years, rental vacancy rates have been extremely low, indicating a tight housing market, particularly in close-in neighborhoods.
- Homelessness among families with children is increasing. On November 17, 1993, 606 children were homeless.

Home is unsafe for many women and children:

- Domestic violence shelters in Multnomah County turned away 87% of the women and children requesting shelter in 1990.
- Many unaccompanied youth report becoming homeless because of abuse or alcohol or drug use of parents.
- There is an absence of neighborhood safety in some areas.

Rent Burden issues are an increasing problem:

- 58% of renters pay over 30% of income for housing, the standard percentage for housing affordability. In other words, most renters are carrying a high rent burden compared to their income.
- The Housing Authority of Portland has nearly 10,000 households on its Public Housing/Section 8 waiting lists. Some lists are closed.
- Data gathered through 1990 shows the Portland metro area enjoyed a relatively high degree of housing affordability, but housing prices have increased dramatically since. There has been a general decline in housing affordability and in the available housing stock for sale.
- Many families with children are at-risk of homelessness.

Homelessness is an increasing risk for many:

- Federal, state and local housing policies, a decrease in affordable, private market housing, and changes in family life, result in many families being headed by economically vulnerable, single mothers.
- Four factors on the pathway to homelessness are: (1) lack affordable housing, precipitating the loss of permanent housing (2) residential mobility, destabilizing families (3) discrimination in the housing market, constraining housing choices, and (4) multiple stressors demoralizing fragile family systems

Half of all "severely distressed" Oregon neighborhoods are in Multnomah County, mostly in North and Northeast Portland. A severely distressed neighborhood is defined as including high rates of poverty, female-headed households, high school dropouts, unemployed males and families receiving public assistance (Children First, 1994).

Other major issues impacting the goal of safe stable housing include domestic violence, and a sharply increasing number of homeless youth, unaccompanied by an adult (see poverty benchmark for more information).

Benchmark: Increase Safe, Stable Housing

(continued)

OBJECTIVES:

The directions we plan to take to lead us toward the benchmark

ACTIVITIES:

The things we propose to do, and the tools we propose to use, categorized as "direct service," "system development," "policy," or "other" activities

OBJECTIVE 1

Increase the availability of affordable housing for families

POLICY RELATED ACTIVITIES FOR OBJECTIVE 1

(see appendix titled: "Policy Considerations")

OTHER ACTIVITIES FOR OBJECTIVE 1

1. Expand housing options that keep families together (for example: "granny flats," group living arrangements, etc.)

OBJECTIVE 2

Increase the stability of housing for families

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 2

1. Fund/evaluate through contracts with community-based organizations the expansion of teen parent programs, including services that support the development of independent living skills

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 2

1. Provide Family Center access to the Landlord-Tenant Mediation Program in Multnomah County
2. Fund entrepreneurial community development activities that ultimately will provide income to afford housing

OBJECTIVE 3

Increase safety of housing for families

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 3

1. Fund/evaluate the cost of immediate safe housing options for women and children fleeing violence

OTHER ACTIVITIES FOR OBJECTIVE 3

1. Support community policing efforts and crime watch foot patrols

OBJECTIVE 4

Assure safe, stable housing options for children and youth who are without families able to care for them

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 4

1. Fund/evaluate through contracts with community-based organizations permanent housing options for unaccompanied homeless youth for whom returning home is not an option

Benchmark: Increase Families Caring for their Children (Part 1: All families)

BENCHMARK ALLOCATION: 12% of available funds

POTENTIAL PARTNERS:

Some of the organizations that we may work with

- Oregon Health Sciences University
- Regional Research Institute, Portland State University
- National Resource Center for Family Support Programs
- National Resource Center on Family-Based Services
- National Resource Center for Crisis Nursery and Respite care programs
- Birth to Three, National Center for Clinical Infant Programs
- National Committee For the Prevention of Child Abuse Program models which have proven to be successful include:
 - The Healthy Start Program
 - Intensive Family Preservation Services (Homebuilders)
 - Relief Nursery Program (The Family Nursery)
 - Intensive Family Services
 - Parent Training Services
 - Family Centers (Parent Child Development Services and Youth and Family Services)
- Multnomah County Health Department Connections program
- Mentoring Programs (Big Brother/Sister, Rotary etc.)
- Respite programs
- Helplines (Parents Anonymous)
- Substance abuse and A.A. program
- news, entertainment and advertising media
- government organizations
- business organizations
- religious organizations
- community service
- non-profit organizations

SITUATION ANALYSIS/COMMUNITY FINDINGS:

What we know about the way things are now, and how people in the community are responding

The objective of this benchmark is to increase the number of families who are able to care for their own children reducing the need to place children in substitute care and reducing the need for intensive crisis intervention services.

Changing demographics and a dramatic increase in the demand for substitute care, nationally and in Oregon, serve as major obstacles in identifying reliable indicators to measure progress towards achieving this benchmark. While the rate of children from Multnomah County in foster care is high compared to other Oregon counties, the rate is lower than the national rate. Further, the demand for foster care in the Portland metropolitan area is growing slower than in other regions of the state, although the demand for out-of-home placements at mass shelters is increasing. Since the demands for substitute care vary widely, several indicators should be considered to form a reliable basis for evaluating progress.

One reasonable indicator that we are progressing towards achieving this benchmark would be a reduction in the average daily population (ADP) of children in foster care for Multnomah County as compared to the national average. (Similar indicators could measure progress in reducing the need for mass shelters. Currently, the ADP of children in paid foster care in Multnomah County is 80 percent of the national average. A reasonable goal would be a decrease in the ADP for Multnomah County to 75 percent of the national rate within five years.

Another indication of progress would be a drop in the ranking of Multnomah County compared to other counties in the rate substitute care placement. Currently, we rank second among Oregon's 36 counties. A reasonable goal would be a drop in the ranking to the lower two thirds of Oregon counties.

Thirdly, a 10 percent reduction in the length of time that children stay in substitute care over the next five years would be another goal.

A fourth indicator of progress would be a reduction in the disparity in the rates of placement of minority and non-minority children.

Finally, to assure that child safety is not sacrificed in the name of reducing placements, there should be no increase in the number of founded cases of child abuse.

Several underlying principles, based in part on the Principles of Family Support developed by the National Family Resource Coalition, create a solid foundation:

- Services are family-centered, addressing the needs of the child within the context of the family.
- Services are built upon the strengths of the families involved in the program with a focus on wellness and prevention and designed to foster resiliency.
- Central to the core of each program is the commitment to empower parents and support them as the best advocates for their children.
- The relationship between program and family is one of equality and respect.
- Participants are the program's most vital resource. Parents' ability to serve as resources to each other and to participate in program governance are recognized through the establishment of community networks, support groups and advisory boards and committees.
- Programs are voluntary, neighborhood based and accessible to families using the service, and when appropriate, should be provided in the home.
- Programs are inclusive and non-stigmatizing.
- Programs are designed to be to be culturally and socially relevant to the families they serve. When possible, staff and volunteers working in the program should reflect the ethnic and cultural makeup of the families served.
- Parent education, information about human growth and development and skill building for parents are essential elements for programs.
- Programs that are non-custodial should be voluntary. Seeking help and support is viewed as a sign of strength, not an indicator of deficits and problems.
- Programs offer safe environments, especially to the most vulnerable.

Benchmark: Increase Families Caring for their Children (Part 1: All families)

(continued)

OBJECTIVES: <i>The directions we plan to take to lead us toward the benchmark</i>	ACTIVITIES: <i>The things we propose to do, and the tools we propose to use, categorized as "direct service," "system development," "policy," or "other" activities</i>
OBJECTIVE 1 Reduce Teen Pregnancy	DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 1 1. Expand human sexuality education 2. Replicate and expand programs known to be effective in reducing teen pregnancy OTHER ACTIVITIES FOR OBJECTIVE 1 1. Produce a public education campaign on the challenges and virtues of parenting
OBJECTIVE 2 Establish the services and supports that will assist people in understanding that becoming a parent involves assuming a big responsibility, and that this should be the result of a considered decision	DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 2 1. Support teen parents with hospital visits and case management 2. Provide non-stigmatizing parent education at every critical stage of a child's development 3. Provide a full range of options related to pregnancy, including birth control, abortion, sterilization and adoption 4. Offer parent education as a part of the regular school curriculum POLICY RELATED ACTIVITIES FOR OBJECTIVE 2 (see appendix titled: "Policy Considerations") OTHER ACTIVITIES FOR OBJECTIVE 2 1. Produce a public education campaign on the challenges and virtues of parenting
OBJECTIVE 3 Create an interdependent, non-stigmatizing service delivery system with services available at a neighborhood level	SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 3 1. Establish Family Centers in every neighborhood 2. Support multi-service Family Centers that specifically focus on the needs of cultural and ethnic minority children, youth and families 3. Require collaboration for contracted services, including those dealing with mental health, alcohol/other drugs, respite care, and supportive services for families with children with disabilities

Benchmark: Increase Families Caring for their Children (Part 2: Families with emerging problems)
(continued)

POTENTIAL PARTNERS:
*Some of the organizations that we
may work with*

- Multi-disciplinary Team
- Juvenile Rights Project
- Portland State University
- Portland police
- School police
- Children's Services Division
- Juvenile Court
- CASA
- Harry's Mother/Garfield House Shelter
- Foster Parents Assn.
- Foster Grandparents Assn.
- Mental health providers
- Health providers
- CARES program
- School counselors
- Family Centers
- Family Crisis Nursery
- Casey Family Program
- Substitute Care Agencies

SITUATION ANALYSIS/COMMUNITY FINDINGS:
*What we know about the way things are now, and how people in the
community are responding*

There appears to be a strong community value in Multnomah County that it is usually in the best interests of children to live with their families. The safety of the child must be balanced with attachment to family and, when, necessary the child placed in substitute care. By far, the majority of substitute care placements are made to foster family homes.

An escalating number of infants and young children (under 5 years) are being placed in substitute care.

In 1993, 2,342 families in Multnomah County received out-of-home placements of children aged birth-17 years through Children's Services Division. Based on a 1993 child population (birth-17) of over 143,000, children in Multnomah County were placed in foster care at a rate of 16.29 per thousand, the 2nd highest rate among 36 Oregon counties.

Multnomah County CSD worker caseloads average, significantly above national averages. Majority of families whose children enter out of home placements are previously known to CSD through Hotline calls. No one has responsibility for serving these families known to be at risk.

A single child welfare worker, rather than a team, is often asked to make decisions about the future of the child regarding removal, transition, treatment and permanency. Child welfare workers are not available 24 hours a day to respond with law enforcement to crises.

There are not adequate coordinated, accessible "front end" or treatment resources (including needs assessment, family mediation, parenting help, family and individual counseling and respite care).

In addition to the needs of younger children and their families, there remains a serious need to be responsive to the families of adolescents and pre-adolescents that are at increased risk for having a youth run away from home due to family problems including

- poverty, unemployment
- lack affordable housing, precipitating the loss of permanent housing
- residential mobility, destabilized families
- mental health concerns
- lack of parenting skills, lack of communication skills, lack of conflict resolution skills
- multiple stressors demoralizing fragile family systems

More than half the families of adolescents seeking family crisis intervention services are turned away or placed on a waiting list.

Emergency shelter beds have declined the last few years for youth who have run away from home and need safety before social workers can evaluate the youth's family's ability to become reunited.

Male and female youth as young as 14 or 15 who have run away from home are often left with three primary options:

- sleeping and eating at an age-inappropriate, night-time only homeless shelter, unaccompanied by an adult (if any beds are available)
- sleeping on the streets, under bridges, or in abandoned buildings
- working in prostitution or other sex industry jobs

Benchmark: Increase Families Caring for their Children (Part 2: Families with emerging problems)
(continued)

OBJECTIVES:

The directions we plan to take to lead us toward the benchmark

ACTIVITIES:

The things we propose to do, and the tools we propose to use, categorized as "direct service," "system development," "policy," or "other" activities

OBJECTIVE 1

Maintain foster care as a state service at this time. Evaluate the child welfare system in Multnomah County, especially the advantages and disadvantages of localizing child welfare and some or all of foster care.

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 1

1. Fund/evaluate the services of consultants to work with a task force to bring national perspective and insight to the complex issues of child welfare in Multnomah County. Coordinate with Juvenile Rights Project and Multi-disciplinary Team (MDT) consultants

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 1

1. Commission/evaluate a multi-disciplinary task force to work with consultants to assure coordination, common values and direction in child welfare issues and a systematic and planned prevention program.

OBJECTIVE 2

Expand services for families at risk of having their children removed from the home, or at risk for having their children running away from home, using Hotlines as significant referral points.

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 2

1. Fund/evaluate a Family Team at each Family Center to respond to and assist families at risk particularly, those who call the Hotline but do not fall within CSD's jurisdiction. Include the family as a decision maker, an advocate for the family, a child welfare worker, mental health and health specialists, a school counselor, Family Center personnel and a community police person at a minimum. Include a resource fund which the team could access for discretionary client services.
2. Fund/evaluate Family Relief Nurseries
3. Fund/evaluate the provision of access, needs assessments, family mediation, family/individual counseling, case management, respite care
4. Implement Healthy Start
5. Fund/evaluate school-based child abuse prevention programs with adequate follow through and parent services.

POLICY RELATED ACTIVITIES FOR OBJECTIVE 2

(see appendix titled: "Policy Considerations")

OBJECTIVE 3

Assure the responsiveness of the child welfare system to the family

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 3

1. Work with CSD to develop and expand a continuum of individualize services coordinated by three child welfare system-related teams: one for preventing entry into the system, one for treatment while in it, and one for transition out of it into the community. Strive for continuity in teams and assure that the child's needs receive first priority. Assure that the family is an integral part of the decision making process.

POLICY RELATED ACTIVITIES FOR OBJECTIVE 3

(see appendix titled: "Policy Considerations")

OBJECTIVE 4:

Expand family crisis intervention services to provide support and options for families near the "breaking point"

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 4:

1. Fund/evaluate the provision of a package of services, for children and families who are not CSD involved, including hotline access, needs assessment, family/individual crisis counseling, case management, family mediation, respite care/emergency shelter, and basic needs

OBJECTIVE 5:

Assure continuing support and implementation for the existing plan for services and supports for children and youth classified as CSD Level 7

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 5:

1. Refer to existing Level 7 plan for activities; support all activities

Benchmark: Increase Youth Graduating from High School

BENCHMARK ALLOCATION: 8% of available funds

POTENTIAL PARTNERS:

Some of the organizations that we may work with

- Multnomah Education Service District (MESD)
- Portland Public Schools (PPS)
- Barlow/Gresham Schools
- Bonneville School District (SD)
- Centennial SD
- Corbet SD
- David Douglas SD
- Gresham Grade SD
- Orient SD
- Parkrose SD
- Reynolds SD
- Riverdale SD
- Sauvie Island SD
- Portland Leaders Roundtable Caring Communities
- Youth Gang Task Force
- The PEN (Portland Education Network)
- Multnomah County Health Department
- Multnomah County Libraries
- Committed Partners for Youth
- PSU Project PLUS
- Portland Public Schools' Teen Parent Program
- Private Industry Council
- Pacific University & PSU Upward Bound Programs
- Portland Impact
- RWQC Council
- Job Corps
- Business Youth Exchange (Chamber of Commerce)
- Business/industry organizations, and associations
- Multnomah County
- I Have a Dream Foundation
- Mott Foundation
- Neil Goldschmidt Foundation

SITUATION ANALYSIS/COMMUNITY FINDINGS:

What we know about the way things are now, and how people in the community are responding

Increasing the percentage of youth graduating from high school and its inverse - decreasing the percentage of students dropping out - is a popular issue at the present time. Starting with the 1988-89 school year, the Oregon Department of Education (ODE) began requiring regular dropout reports from every school district in the state. This was the first time a uniform reporting system had been required. The ODE's analysis provides annual, one-year statistics as well as a synthetic four-year rate. For 1992-93, the dropout rate statewide was 5.7% and the four year rate was calculated to be 21.4%.

The Portland School Board adopted it as one of its major goals in 1990. PPS staff responded by creating a wide variety of "dropout retrieval programs." PPS staff also initiated the "Dropout Monitoring Study" which tracks the Class of 1994 from the end of 8th grade through the senior year. By the end of year 3 (grade 11) 31.5% of all students in the study had dropped out and not reentered another PPS school or program.

Implementation of the Katz Plan will require new ways of analyzing graduation and dropout rates as well as an increase in "relevancy" in the curriculum. It also requires alternative learning centers for dropouts and those at risk for failure.

Research points out the following reasons for students dropping out of school:

1. Lack of self-respect, respect from family and community.
2. Language and cultural issues; inability to adapt to mainstream culture and maintain first culture at the same time (Oregon Department of Education statistics say Hispanic students drop out at more than twice the average rate statewide; Am. Indian students are close behind)
3. Mobility (Oregon Department of Education statistics say a high proportion of dropouts were enrolled in the school district 1 year or less; mobility was also cited in Portland Public Schools' *Dropout Monitoring Study*)
4. Teen pregnancy, parenting, independent living burdens
5. Disrupted/dysfunctioning nuclear families
6. Alcohol/other drug abuse
7. Discipline problems
8. Gang involvement
9. Poor achievement
10. Homelessness
11. Inability to adapt to school setting (Oregon Department of Education statistics say students in large schools are more likely to drop out)
12. Inability of the school to provide a program leading to success for that student
13. Limited ability of schools to provide a bilingual program to meet the needs of non-English speaking students

Benchmark: Increase Youth Graduating from High School

(continued)

OBJECTIVES:

The directions we plan to take to lead us toward the benchmark

ACTIVITIES:

The things we propose to do, and the tools we propose to use, categorized as "direct service," "system development," "policy," or "other" activities

OBJECTIVE 1

Involve and assist the parents and family of the students at risk of leaving school before graduating

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 1

1. Provide direct assistance to families experiencing disruption

OTHER ACTIVITIES FOR OBJECTIVE 1

1. Promote an appreciation for parental involvement with schools, within the school system and the community
2. Cooperate with community efforts and community colleges in relocating the programs that teach English to LEP adults into the neighborhood schools

OBJECTIVE 2

Coordinate and collaborate with other community efforts having similar goals, including both public and private interests

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 2

1. Continue supporting in-school sited integrated service centers
2. Continue supporting in-school sited Teen Health Centers
3. Fund/evaluate programs that prevent child/adolescent HIV infections and other sexually transmitted diseases, targeting populations at increased risk

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 2

1. Support and cooperate with community efforts to reduce teen pregnancy, gang involvement, and alcohol/other drug abuse among students and their families

OTHER ACTIVITIES FOR OBJECTIVE 2

1. Support "service learning/community-based teaching" component of the Urban Svcs Grant, (The PEN) program at PSU; Caring Community Clusters
2. Support school-to-work transition activities in public/private sectors, in both the profit and non-profit arenas
3. Increase the number of public/private partnerships
4. Promote the business community's involvement with students, including both large and mid-size corporations as well as small, family run businesses

OBJECTIVE 3

Develop and expand programs that specifically address the unique needs of individual students at risk of leaving school before graduating

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 3

1. Support "Counteract," a drug and alcohol program initiated by PPS
2. Support and expand Emanuel Hospital's "Save Our Youth" program
3. Increase programs aimed at LEP populations with high dropout rates
4. Advocate for the creation of in-school programs and supports to address risk factors affecting dropout rates among sexual minority youth
5. Fund/evaluate the availability of community-based mental health services for sexual minority youth, and their families when appropriate, who are increased risk of harming themselves/being harmed by their families
6. Expand the availability of a youth hotline for sexual minority youth
7. Promote the maintenance of home languages that are not English

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 3

1. Support Dropout Retrieval Programs/alternative programs sponsored by SDs
2. Promote staff development to increase multicultural awareness and implement curriculum already developed

3. Fund/evaluate outreach to sexual minority youth; help them access resources

POLICY RELATED ACTIVITIES FOR OBJECTIVE 3

(see appendix titled: "Policy Considerations")

OTHER ACTIVITIES FOR OBJECTIVE 3

1. Promote the idea of an "individual learning plan" for every student at risk; recognize the ability of some students to graduate from high school in spite of many barriers (i.e. some pregnant teens, gang members, and drug abusers manage to graduate from high school)
2. Promote school programs shown to be successful at helping students with poor achievement to do well; promote objective evaluation of experience programs
3. Support meaningful work opportunities for low-income students
4. Support the interests and needs of all students and their families through an appreciation for diversity

OBJECTIVE 4

Promote the values of personal respect and safety, and reduce in-school conflict and violence

OTHER ACTIVITIES FOR OBJECTIVE 4

1. Support County efforts at violence abatement in schools/community
2. Develop a plan to reduce physical and emotional violence based on cultural and ethnic minority status, gender, and any other bias
3. Reduce the number of weapons in schools, creating a safer overall environment
4. Promote respect for students and education in general

Benchmark: Reduce Minority Over-Representation in Juvenile Justice /Child Welfare Systems

BENCHMARK ALLOCATION: 10% of available funds

POTENTIAL PARTNERS:

Some of the organizations that we may work with

- Multnomah County Juvenile Justice Division
- Multnomah County Community & Family Services Division
- Multnomah County Adolescent Mental Health/Youth Program Office
- Multnomah County Alcohol and Drug Program Office
- Multnomah County Health Department
- other Multnomah County divisions and programs
- Intervention Committee of the former Multnomah County Children and Youth Services Commission
- Detention Reform Committee
- Oregon Children's Services Division (CSD), child welfare & juvenile corrections
- Oregon Commission on Children and Families
- Alternative schools
- Tutoring services
- Employment programs
- Gang resources - juvenile justice, law enforcement and community-based
- Church programming, including mentoring services
- Alcohol and other drug treatment programs, in-patient and out-patient
- Residential treatment programs
- Transitional housing programs
- Shelter care facilities
- Mental health agencies
- city, county & state law enforcement, including the school police
- Child Welfare
- school district supported services
- Family Service Centers
- Juvenile Parole

SITUATION ANALYSIS/COMMUNITY FINDINGS:

What we know about the way things are now, and how people in the community are responding

Social justice for minority youth is an issue for both the juvenile justice and the child welfare systems.

Most planning has involved the juvenile justice system. The Multnomah County Juvenile Justice Division has concentrated on reducing the over-representation of African-American youth in the juvenile justice system through a variety of programs funded with state, federal and county money.

The MCCF is committed to these efforts and to similar future efforts related to the child welfare system. The MCCF's predecessor funded programs targeting minority youth in the state training schools, and funded a SE Asian youth needs assessment.

There has been a decrease in minority overrepresentation in the juvenile justice system in the past three years, especially for African American youth, but the reasons for this have not been fully examined.

For many years, the juvenile justice system has been the focus of research on the perception of bias toward minority youth. Studies of Multnomah County include the ongoing Office of Juvenile Justice & Delinquency Prevention study, begun in 1992 by the State Commission on Children and Families, and the more recent research of the Oregon Supreme Court Task Force on Racial/Ethnic Issues in the Judicial System.

The Supreme Court Task Force's report called for:

- A comprehensive statewide plan to reduce minority over-representation and disproportionate confinement in the juvenile justice system
- More skilled interpreters to assist non-English speaking parents/care-givers
- More trained and culturally-sensitive experts available to juvenile court staff and practitioners

No comparable research of similar issues within the child welfare system has been undertaken since 1982.

Although it is phrased more generally, this initiative deals nearly entirely with young, African American males.

Over-representation for young African American males becomes more acute as system penetration increases from early warnings, to diversion, to early detention, to commitment to state training schools, to remand to the adult system.

While the nature of reasons for over-representation are not fully addressed, the research to date indicates a need for further and more refined analysis of the system data, controlling for the influence of the number of prior referrals, crime severity, and selection factors. All of these can affect the accumulation of cases at certain decision points in juvenile justice processing.

Qualitative data analysis suggest the need for additional research on the availability of client resources and services.

Benchmark: Reduce Minority Over-Representation in Juvenile Justice /Child Welfare Systems
(continued)

OBJECTIVES:

The directions we plan to take to lead us toward the benchmark

OBJECTIVE 1

Increase the availability of a sufficient array of community-based services that are ethnically, culturally, linguistically and gender appropriate and that are available throughout the system from first contact to post-commitment placement

OBJECTIVE 2

Support system-wide improvements which allow for the best and most current information to be shared by all partners, and which allow all practices to be of maximum effectiveness, and culturally, linguistically and gender appropriate

ACTIVITIES:

The things we propose to do, and the tools we propose to use, categorized as "direct service," "system development," "policy," or "other" activities

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 1

1. Advocate with Oregon Children Services Division (CSD) for residential placements that are accessible and available to minority youth
2. Advocate for continued funding of community-based alternatives to secure confinement
3. Continue to advocate for and fund post-commitment transitional and community-based placement for minority youth
4. Increase the availability and improve the quality of diversion programs
5. Provide after-care programs to facilitate the reintegration of minority youth from state/county facilities back into their home communities
6. Advocate for an increased level of mental health services
7. Provide interpreters as needed for non-English-speaking children, parents and care-givers in all juvenile proceedings, including informal proceedings

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 1

1. Study the need and effectiveness of current programming
2. Develop processes to ensure that all services and supports are relevant, gender specific, and appropriate for diverse populations including ethnic, cultural, sexual and linguistic minorities; and to ensure an equitable distribution of resources and services

OTHER ACTIVITIES FOR OBJECTIVE 1

1. Develop alternatives to secure confinement for minority youth

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 2

1. Cooperate and collaborate with both local, state and federal efforts to identify and address the problems of over-representation and develop community-based alternatives
2. Develop a resource listing of interpreters
3. Advocate for a system of cross-cultural training for juvenile justice personnel and other care-givers
4. Continue to cooperate and collaborate with the state Commission on Children and Families, the JJJD, and CSD on the pilot study of over-representation of minority youth in the juvenile justice system
5. Coordinate services on a broader scale, involving state, county, school and community-based organizations
6. Support cross-cultural diversity training and education for juvenile justice personnel, practitioners, elected officials, the general public and the at-risk populations
7. Develop processes to ensure that all services and supports are relevant, gender specific, and appropriate for diverse populations, including ethnic, cultural and sexual minorities

OTHER ACTIVITIES FOR OBJECTIVE 2

1. Encourage further study of over-representation of minority youth in the child welfare system
2. Develop a systematic ongoing monitoring procedure to determine at regular intervals the percent of minority youth being processed through each stage of the juvenile justice system, in order to target more specifically the decision points at which major disparities occur

(Based on the recommendations of the Oregon Supreme Court Task Force on Racial and Ethnic Issues in the Judicial System)

POTENTIAL PARTNERS:

Some of the organizations that we may work with

- Multnomah County Juvenile Justice Division
- Multnomah County Community & Family Services Division
- Multnomah County Adolescent Mental Health/Youth Program Office
- Multnomah County Alcohol and Drug Program Office
- Multnomah County Youth Employment and Empowerment Program
- Multnomah County Health Department
- other Multnomah County divisions and programs
- Juvenile Court
- Youth Service Center diversion programs
- Mall security businesses
- African-American churches
- Crime prevention units of neighborhood associations
- Law enforcement: Portland Police, Multnomah County Sheriff, Oregon State Police, school police
- Alcohol and drug prevention programs
- Hispanic youth programs
- Casey Foundation
- Alternative schools
- Tutoring services
- Employment programs
- Gang Resources - Juvenile Justice, law enforcement and community-based
- Church programming, including mentoring services
- Alcohol and other drug treatment programs, in-patient and out-patient
- Residential treatment programs
- Transitional housing programs
- Shelter care facilities
- Mental health agencies
- Child Welfare
- School district supported services
- Family Service Centers
- Juvenile Parole
- organizations accessing the federal crime bill appropriations

SITUATION ANALYSIS/COMMUNITY FINDINGS:

What we know about the way things are now, and how people in the community are responding

The increase in violent crime by juveniles, including the increased use of weapons is a serious problem in Multnomah County. The rates have increased far in excess of population growth.

Increase in violent crime continues to put great pressure on the number of available close custody beds to Multnomah County.

The county has experienced growth in referrals for sexually assaulted behavior by juveniles, and a greater number of adjudicated juvenile sex offenders.

Citizens are frightened and are demanding "quick fixes."

The gang phenomenon is not going away. Attention has been focused on North/Northeast Portland, but serious problems in Southeast Portland and East County have not been addressed.

We are seeing an increase in multi-cultural gangs, Hispanic gangs, skinheads, SE Asian youth, involvement of girls in gangs.

Although Multnomah County has a new Detention facility, only 60 beds are dedicated to Multnomah County youth requiring pre-dispositional, secure confinement. The remaining beds are dedicated to Regional Detention, treatment and assessment programs, or are currently undesignated pending state wide planning efforts.

The Juvenile Justice Division is involved with the Annie E. Casey Foundation to implement program and policy changes to increase the use of detention alternative programs while still assuring public safety.

Juvenile justice is in the midst of tremendous change at all levels, much of which is a result of public pressure, pending legislation regarding waivers to adult court, and proposals to strengthen juvenile justice while allowing the system resources to rehabilitate youth.

Programming for female offenders and for minority youth, and community-based options are still lacking. With changes in policy, very few young women will be eligible for confinement in secure detention.

There is a tremendous push for "quick fix" methods, including recently approved ballot measures, seeking to remand all youth who commit felonies to adult court and to be served in the adult system.

A strong commitment is needed in this county to both assist in and advocate for adequate services at all levels in the juvenile system, and to educate the public as to what is being done and can be done to reduce juvenile crime without putting all of our resources into an adult prison system that is too expensive and is not working.

Benchmark: Reduce Juvenile Crime

(continued)

OBJECTIVES:

The directions we plan to take to lead us toward the benchmark

ACTIVITIES:

The things we propose to do, and the tools we propose to use, categorized as "direct service," "system development," "policy," or "other" activities

OBJECTIVE 1

Increase the availability of a sufficient array of community-based services that are ethnically, culturally and gender appropriate, that are available for all children and families at increased risk of becoming involved or becoming further involved with juvenile criminal behavior, and that incorporate an individualized family-preservation model

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 1

1. Fund/evaluate and implement these recommended pilot programs:
 - Multi-systemic, family preservation, home-based, intensive wrap-around service model, based on the South Carolina model for serious, chronic and violent offenders
 - PACE (Practical And Cultural Education), non-residential model for girls, based on the philosophy/components of the PACE Program of Florida, emphasizing unconditional advocacy, academics, life skills, community service, and individualized follow-up
2. Increase treatment services/supports to youth facing loss, grief, and post traumatic stress, since these are often the precursors to violent acts. (violence is a cycle to be ended)
3. Fund/evaluate community mentorship programs linking a safe, stable adult with each high risk factor youth, requiring training for mentors, mechanisms for coordination and established program standards
4. Expand A&D treatment programs for youth and their families
5. Continue support for existing diversion programs, and implementing the Alternatives to Detention project
6. Fund/evaluate structured recreation for youth at high risk of juvenile crime
7. Provide meaningful pre-employment/employment services for youth
8. Expand school health clinic services into Middle Schools
9. Assure housing and basic needs for African-American girls
10. Provide multi-disciplinary screening for alcohol and other drugs and mental health needs prior to placement
11. Provide aftercare and transition programs for 18-21 year olds coming out of the state institutions and returning to the community
12. Provide a pot of flexible funding to meet the individualized needs of youth and families

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 1

1. Develop outcome measures for evaluating current programs/for developing new ones
2. Evaluate current resources; develop new ones as necessary
3. Increase training for direct client service staff regarding the development of strong client/service provider relationships
4. Provide resources to intervene at the first offense, including diversion
5. Seek funding to develop a plan for a continuum of services for girls and young women

OBJECTIVE 2

Improve the child welfare and juvenile justice systems to better respond to the needs of children and families

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 2

1. Improve tracking and data collection for the child welfare system
2. Develop a link between child welfare/juvenile justice tracking systems
3. Seek funding to conduct research into child welfare and juvenile justice involvement so that estimations and trends can be developed regarding reducing minority overrepresentation and juvenile crime

OBJECTIVE 3

Assure the special consideration of specific, targeted populations of children and families

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 3

1. Provide gang involved youth expanded social support programs, requiring specific, measurable outcomes and rigorous evaluation
2. Provide adjudicated youth expanded services, including A&D, mental health, that are culturally/gender appropriate
3. Provide street youth, and other youth, without the support of a family, basic needs and developmental opportunities
4. Support existing diversion programs for male/female youth working in prostitution, to offer youth safe, legal options for self-support
5. Develop programs for enhanced response to sexual offenders

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 3

1. Develop processes ensuring all services/supports are culturally relevant, gender specific, and appropriate for diverse populations, including ethnic, cultural sexual minorities
2. Support existing programs and develop programs for enhanced response to sexual offenders as needed
3. Convene a task force to examine issues related to sexual offenders and other offenders with severe mental health problems

POLICY RELATED ACTIVITIES FOR OBJECTIVE 3

(see appendix titled: "Policy Considerations")

OBJECTIVE 4

Assure that the ideas and voices of young people, as well as other community members, are included in the development and implementation of efforts to reduce juvenile crime

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 4

1. Fund/evaluate peer delivered mediation services in schools, and in culturally specific community organizations

OTHER ACTIVITIES FOR OBJECTIVE 4

1. Fund/evaluate school and general public forums for youth to speak in their own voices about their concerns and solutions to violence
2. Continue to utilize the juvenile justice planning team and other interested persons in an advisory capacity on an on-going basis for the MCCF's planning and advocacy work

Benchmark: Reduce Adolescents' Use of Tobacco, Alcohol, other Drugs

BENCHMARK ALLOCATION: 6% of available funds

POTENTIAL PARTNERS:

- Some of the organizations that we may work with

- Youth
- Families
- Schools
- Businesses
- Religious Community
- Community Groups
- Health Care Providers
- A&D Providers
- Media
- Criminal Justice System
- Local, State, and Federal Government

SITUATION ANALYSIS/COMMUNITY FINDINGS:

What we know about the way things are now, and how people in the community are responding

Adolescent use of tobacco products, alcohol, and other drugs is a significant concern in Multnomah County. Available data points to the conclusion that, in spite of steady declines in drug use among juveniles in years past, more recent information nationally and locally, signals a change in this pattern with strong indications of increase in use.

It should be noted that available statistics only reflect data regarding students in school even though use of tobacco, alcohol, and other drugs is believed highest among out-of-school youth, a substantial population.

Foremost among the findings of this report is the need for new funding patterns that encourage collaboration and integration of services. Our service delivery system aims at providing a broad-based, integrated, full continuum of services for youth and families, but relies on categorical funding methods which create inappropriate competition among services areas as well as between service providers. This is a major systems barrier, which not only doesn't reward, but actually inhibits collaboration and integration of services.

It should also be recognized that though there are substantial state and federal resources for alcohol and drug treatment programs, the adolescent population is the recipient of only a small portion of these resources and require specialized services so that resource service dollars available may not go as far with the adolescent population as with the adult population.

Volunteer members of the county's Regional Drug Initiative Youth Coalition served as a focus group to provide input to this planning effort. Their recommendations regarding drug prevention included the following:

- Use peers as educators on topics pertaining to youth.
- Provide in-school drug education programs beginning at the earliest possible age.
- Assure interactive learning situations for youth.
- Designate school counselors who are available to help.
- Make choices and consequences clear for adolescents.

In a 1992 research project among middle and high school students, Seattle-based Comprehensive Health Education Foundation in determined that "the issue of greatest reported personal significance to students was drugs" although there was "only limited recognition that alcohol products and cigarettes are drugs, with some students reporting that to be 'a drug' a substance must be illegal. Students explained their concerns by identifying how drugs affected "nearly all aspects of their lives: sex, sexually transmitted diseases, violence (and sexual violence in particular), safety, abuse, fitness and exercise, communication, personal relationships with family and friends, entertainment and news media, peer pressure, law enforcement personnel, and their plans for the future."

Portland 11th graders who were asked in 1992 if they had used alcohol and/or other drugs in the preceding month reported 23% illegal drug use, 43% alcohol use, and 22% tobacco use; 8th graders reported slightly lower usage.

Multnomah County Alcohol & Drug Program Office estimates that 10% of Multnomah County's 23,000 high school students have "serious problems with alcohol and/or other drugs."

Benchmark: Reduce Adolescents' Use of Tobacco, Alcohol, other Drugs
(continued)

OBJECTIVES:

The directions we plan to take to lead us toward the benchmark

ACTIVITIES:

The things we propose to do, and the tools we propose to use, categorized as "direct service," "system development," "policy," or "other" activities

OBJECTIVE 1

Adopt consistent public policy positions that support the recommendations of this report

POLICY RELATED ACTIVITIES FOR OBJECTIVE 1

(see appendix titled: "Policy Considerations")

OBJECTIVE 2

Advocate for program concepts based on community involvement, capacity building, risk and resiliency factors, and wellness

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 2

1. Advocate for more youth oriented recreation activities at times and locations that will support the non-use of alcohol and other drugs

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 2

1. Train service providers to better address risk and protective factors
2. Collaborate with County Health Department's anti-smoking program

POLICY RELATED ACTIVITIES FOR OBJECTIVE 2

(see appendix titled: "Policy Considerations")

OTHER ACTIVITIES FOR OBJECTIVE 2

1. Advocate with news/entertainment media for images of responsible behavior; down-play images portraying alcohol as central to having fun
2. Appoint task force to identify exemplary local practices and programs
3. Advocate for *Oregonian* to reconsider its current and substantial donated anti-drug ads to include ad messages developed by local youth
4. Give meaningful recognition to young people who are contributing time and talent to effective drug prevention activities

OBJECTIVE 3

Assure a continuum of services supporting growth, education, prevention, intervention, treatment, and sanctions

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 3

1. Fund/evaluate, through contracts with community-based organizations, services consistent with the activities above in Objective 2
2. Fund/evaluate programs that prevent child/adolescent HIV infections and other sexually transmitted diseases, targeting populations at increased risk

OTHER ACTIVITIES FOR OBJECTIVE 3

1. Work with employers of youth to develop access to EAP programs for their young employees as an employment benefit

OBJECTIVE 4

Assure culturally competent and culturally specific direct services

DIRECT SERVICE ACTIVITIES FOR OBJECTIVE 4

1. Fund/evaluate social activities for sexual minority youth in environments that are safe and free from alcohol and other drugs
2. Fund/evaluate the availability of community-based mental health services for sexual minority youth, and their families when appropriate, who are increased risk of harming themselves/being harmed by their families
3. Expand the availability of a youth hotline for sexual minority youth

SYSTEM DEVELOPMENT ACTIVITIES FOR OBJECTIVE 4

1. Fund/evaluate a youth caucus to deliberate on ways to include youth views in prevention programming
2. Increase the skill and educational level and the number of minority service providers to ensure culturally competent services
3. Fund/evaluate a system of outreach to help sexual minority youth access resources

OBJECTIVE 5

Work to eliminate artificial barriers to funding a full range of services

POLICY RELATED ACTIVITIES FOR OBJECTIVE 5

(see appendix titled: "Policy Considerations")

A P P E N D I X
POLICY CONSIDERATIONS
by benchmark

*Proposed to the Multnomah Commission on Children and Families
by Planning Teams, October 1994*

BENCHMARK: EARLY CHILDHOOD EDUCATION

1. Consider policy requiring all new businesses and programs to provide a child and family impact study
2. Consider policy which supports the development and implementation of a transition plan for every child as she/he moves from home to child care or preschool to school
3. Consider stricter regulation and higher standards for child care providers along with adequate compensation
4. Consider a policy calling for universal screening at birth and throughout early childhood
5. Consider a policy requiring all individuals who provide care to children with the support of public funding, to complete child safety and development training

BENCHMARK: INCREASE QUALITY CHILD CARE

1. Consider dedicating a portion of the county business tax to constructing new, or remodeling existing, child care environments

BENCHMARK: REDUCE THE NUMBER OF BABIES BORN DRUG AFFECTED

1. Consider a policy calling for smoke free treatment services
2. Consider a policy which eliminates categorical funding, allowing alcohol/other drug funds to buy child care and other family supports
3. Address confidentiality issues that serve as barriers to coordinated care
4. Consider policies to improve the transition between treatment phases
5. Consider a policy banning TV alcohol advertising.
6. Consider supporting laws restricting teens' access to tobacco products
7. Consider a policy calling on health care providers to include smoking cessation interventions as part of primary health care

BENCHMARK: INCREASE PRENATAL CARE

1. Consider advocating for the state to increase Medicaid eligibility for pregnant women to 185%, maximum allowed by federal law
2. Consider expanding Medicaid outreach efforts, including returning to use of outstationed, community based eligibility process
3. Consider encouraging employer policies which allow women to use paid sick time to attend prenatal visits

BENCHMARK: REDUCE CHILD ABUSE AND NEGLECT

1. Consider a policy defining the circumstance of a child living in a home experiencing domestic violence as being child abuse
2. Consider advocating for adequate legal protection for children
3. Consider advocating for children's rights and safety in domestic relations and in custody cases in family court proceedings
4. Consider policy supporting universal hospitals' screening

BENCHMARK: REDUCE DOMESTIC VIOLENCE WITHIN FAMILIES

1. Consider policies strengthening restraining orders
2. Consider recommending legislation to increase the severity of repeated Domestic Violence Assault IV offenses
3. Consider policy of removing the abuser, not the abused, from the home

BENCHMARK: REDUCE VIOLENCE BY AND AGAINST CHILDREN AND YOUTH

1. Consider policy around balancing intervention and prevention services, and recognize the importance of rehabilitating individuals with severe problems while recognizing that rehabilitation is not always possible; and that it is often more expensive than prevention in terms of net improvement in the community's quality of life.
2. Consider creating a policy focus on the problem of violence and provide clear political, technical, grass-roots leadership to reduce violence
3. Consider policy calling for a balance between investing in appropriate community/economic development and providing social/intervention services
4. Consider a policy of encouraging cooperation and collaboration among service providers by providing increased funding as an incentive

BENCHMARK: REDUCE THE RATE OF TEEN PREGNANCY

1. Consider policy calling for increased social, economic and legal responsibility for males who impregnate
2. Consider advocating for a quality, comprehensive sex education curriculum in K-12

BENCHMARK: REDUCE THE NUMBER OF FAMILIES LIVING IN POVERTY

1. Consider advocating for welfare reform policies through participation on the Welfare Reform Study Group
2. Consider meeting with Oregon's congressional delegation to secure support for constructive Welfare reform policies

BENCHMARK: INCREASE SAFE, STABLE HOUSING

1. Consider joining regional advocacy efforts aimed at influencing Metro's 2040 planning process to include affordable housing for families
2. Consider supporting the Housing and Community Development Commission's (HCDC) policy on family housing

BENCHMARK: INCREASE FAMILIES CARING FOR THEIR OWN CHILDREN

1. Consider developing a priority system in service delivery for families which assures highest priority to children in substitute care or at risk of entering out of home placement.
2. Consider developing a system of decategorized funding to provide individualized services to the families seen by the Family Teams.
3. Consider advocating in schools to assure the retention of school counselors.
4. Consider advocating for policy requiring and funding extended hour availability of child welfare staff to respond with law enforcement to family crises.
5. Consider advocating for support which will assure that CSD caseloads meet Child Welfare League of America standards.
6. Consider establishing and building community support for a policy which assures that decisions about a child's placement are made by a skilled team committed to shared decision-making
7. Consider advocating for laws which create incentives for self sufficiency

BENCHMARK: INCREASE YOUTH GRADUATING FROM HIGH SCHOOL

1. Consider advocating for legislation counting GED recipients as graduates, not dropouts
2. Consider supporting legislation that addresses 2nd language learning
3. Consider the teaching of content areas in home languages

BENCHMARK: REDUCE MINORITY OVER-REPRESENTATION IN JUVENILE JUSTICE/CHILD WELFARE SYSTEMS

1. none

BENCHMARK: REDUCE JUVENILE CRIME

1. Consider writing a policy specifically requiring all services and supports to be culturally relevant, gender specific, and appropriate for diverse populations, including ethnic, cultural and sexual minorities
2. Study the establishment at the county or state level of a Juvenile Psychiatric Security Review Board to oversee the placement and monitor the activities of youth who are serious offenders and who have serious mental health issues, but who do not fit into the programs available through the Juvenile Justice System

BENCHMARK: REDUCE ADOLESCENTS' USE-OF TOBACCO, ALCOHOL, OTHER DRUGS

1. Consider the MCCF and Board of County Commissioners adopting a resolution strongly opposing the legalization of drugs
2. Consider working with employers of youth to develop and implement drug and alcohol free work place policies
3. Consider MCCF recommending to Board of County Commissioners:
 - More resources for enforcing laws related to the sale of tobacco products to minors, paid for with additional taxes on tobacco sales
 - County policy prohibiting alcohol/tobacco products advertisements on County owned property
 - County Public Health Officer to declare tobacco, alcohol, other drugs a public health hazard for pregnant women, minors, others
4. Consider a policy in county school districts requiring parent education on alcohol and other drug use, prior to students' enrollment
5. Consider asking County Public Health Officer to recommend implementation of programs proven effective in reducing tobacco use among adolescents after reviewing strategies, policies, outcomes in other areas
6. Consider revising current funding policies; allow programs to offer services for the immediate, on-demand needs of teens, and preteens
7. Consider eliminating or reducing the restrictions created by categorical funding, by focusing on outcomes rather than just service areas



County Plan Amendment, 1995-1997 Biennium

County Name: Multnomah

Please complete a separate form for each amendment. For each portion being amended, please explain what is changing by bolding or underlining anything that is added or changed.
For program fiscal changes, please follow instructions 1 through 6 below signature lines.

Date 9/15/95

BENCHMARK	DIRECTION	TOOL	PARTNERS	NEW						COMMENTS
Identify the core benchmark addressed	Include desired outcome	Implementation	Please indicate which program is being addressed. ¹	Check if new program. ²	Indicate % of FP & FS	Indicate grant stream. ³	Current budget amount. ⁴	Amended amount. ⁵	Revised budget amount. ⁶	Please explain what community changes or conditions drive this plan amendment.
Child Abuse Benchmark	Increase opportunity for reducing family tension, increasing parenting skill development, expand existing network.	Family Relief Nursery	Volunteers of America Crisis Relief Nursery		10%		- \$0 -	\$33,000	\$33,000	New funding source to enhance existing services and implement additional elements of Comprehensive Plan.
		Respite Care for families in crisis	Contract with existing or new providers	✓	8%		- \$0 -	\$26,400	\$26,400	
		Parent-Child Development Services (Healthy Start type model)	Family Centers, other providers		32%		1.44 mill	\$105,000	\$1,545,600	
		Crisis response teams for families in danger of entering child welfare system	Family Centers, SOSCF, other providers - under development	✓	40%		- \$0 -	\$132,000	\$132,000	
		Flexible client services fund	SOSCF	✓	10%		- \$0 -	\$33,000	\$33,000	

Local CCF Chair Approval

Barbara Stein

Date November 21, 1995

County Board Approval* (*May submit this signature after 9/15/95.)

Date

Regional Coordinator Approval

Date

- List only programs (budget line items) which are changing.
- For new programs, update Program Directory electronically.
- Indicate funds for this program: FPSP - FY 1996/97.
- Indicate amount shown for this program in your most recently revised budget.
- Enter the change from Current Budget Amount to Revised Budget Amount.
- Indicate new amount for this program.

K:\COSHARE FPSP FPSPZPLN.MLT

Meeting Date: NOV 21 1995

Agenda No: R-5

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Exempt employee job title and salary range revisions

BOARD BRIEFING

Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING:

Date Requested: November 16, 1995

Amount of Time Needed: 10 minutes

DEPARTMENT: Nondepartmental

DIVISION: Employee Services

CONTACT: Curtis Smith

TELEPHONE #: x5015

BLDG/ROOM #: 106/1430

PERSON(S) MAKING PRESENTATION: Curtis Smith

ACTION REQUESTED:

☐ INFORMATIONAL ONLY

☐ POLICY DIRECTION

☒ APPROVAL

☐ OTHER

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

This proposed Ordinance amends Ordinance No. 822 and reflects routine updating of the exempt employee compensation system to: (1) Delete classifications no longer needed; (2) Create new classifications; (3) Correct salary ranges; and (4) Describe the effect on employees. As detailed in the briefing memo, the fiscal impact is less than \$2,000 annually.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Beverly Heintz

OR

DEPARTMENT MANAGER: Curtis Smith

11:30 AM
1995 NOV -3 PM 4:20
MULTI-COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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



MULTNOMAH COUNTY OREGON

BEVERLY STEIN
COUNTY CHAIR

EMPLOYEE SERVICES
FINANCE
LABOR RELATIONS
PLANNING & BUDGET
RISK MANAGEMENT

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

(503) 248-5170 TDD

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

PURCHASING, CONTRACTS
& CENTRAL STORES

(503) 248-5111

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

TO: BOARD OF COUNTY COMMISSIONERS

FROM: Curtis Smith, Employee Services Manager

DATE: November 6, 1995

REQUESTED PLACEMENT DATE: November 16, 1995

RE: Ordinance amending Ordinance No. 822, in order to add, delete and correct exempt pay ranges and job titles.

I. Recommendation/Action Requested: Adoption of Ordinance amending Ordinance No. 822.

II. Background/Analysis: The Board adopted a new exempt employee compensation system, effective July 1, 1991. Since that time, the Personnel Section has kept the system up to date by bringing periodic changes to the Board to adopt. This is the most recent update.

Section II deletes 4 classifications that are no longer needed, due to departmental reorganization of responsibilities. The new Sheriff redefined the command staff; these four ranks were deleted and replaced with one new rank, Commander.

Section III adds 6 new classifications. "Background Investigator" is a new classification for work formerly performed by sworn officers in the Sheriff's Office. "Commander" is a new Sheriff's Office command staff title that replaces the former Chief Deputy, Major, and Undersheriff titles. "MCSO Corrections Program Administrator" is a new classification to recognize the increased program responsibilities of the counseling supervisors in the Inmate Programs section of the Sheriff's Office.

Two previous classifications, "Engineering Services Manager" and "DES Deputy Director," are being reinstated to address changed responsibilities due to some reorganization in the Department of Environmental Services. The "Planning and Program Development Manager" is being added to manage the new section in Transportation that will include the former Planning Division.

The last part of this section adds the ability to pay a Pharmacist up to 10% over base pay when he/she is given extra administrative responsibilities.

Section IV corrects an error that arose in one of the salary ranges as shown in Exhibit A to Ordinance 822. The error affected five different classifications and each is shown correctly in this Ordinance.

Section V. specifies that employees in classifications at the time they are created are reclassified and are not eligible for a salary increase, except as necessary to reach the minimum of the approved salary range. When employees are reclassified to different positions, they may be eligible for pay increases within the limits of Ordinance 778, Section IX (A).

III. Financial Impact: The financial impact of this Ordinance is less than \$2,000 on an annual basis or about \$1,000 for the remainder of the fiscal year. The only cost specifically created by the Ordinance is the new premium pay for Pharmacist. The plan is to pay this premium to one position only and for just one day a week; thus the cost is minimal.

IV. Legal Issues: None.

V. Controversial Issues: None

VI. Link to Current County Policies: Ordinance No. 778 requires that the exempt compensation plan be kept current.

VII. Citizen Participation: None

VIII. Other Government Participation: None

ORDINANCE FACT SHEET

Ordinance Title: Exempt employee job title and salary range revisions

Give a brief statement of the purpose of the ordinance (include the rationale for adoption of ordinance, description of persons benefitted, other alternatives explored):

This proposed Ordinance amends Ordinance No. 822 and reflects routine updating of the exempt employee compensation system to: (1) Delete classifications no longer needed; (2) Create new classifications; (3) Correct salary ranges; and (4) Describe the effect on employees. As detailed in the briefing memo, the fiscal impact is less than \$2,000 annually.

What other local jurisdictions in the metropolitan area have enacted similar legislation?

Other jurisdictions establish and maintain exempt compensation plans.

What has been the experience in other areas with this type of legislation?

Not applicable.

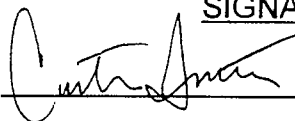
What is the fiscal impact, if any?

Less than \$2,000 annually.

(If space is inadequate, please use other side)

SIGNATURES:

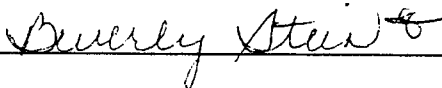
Person Filling Out Form:



Planning & Budget Division (if fiscal impact):



Department Manager/Elected Official:



BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY OREGON

ORDINANCE NO. _____

An ordinance amending Ordinance No. 822, in order to add, delete and revise exempt pay ranges and titles.

MULTNOMAH COUNTY ORDAINS AS FOLLOWS:

Section I. Findings.

(A) Multnomah County, Oregon employs a variety of individuals excluded from any collective bargaining agreement referred to as "exempt" employees.

(B) It is the County's policy to establish an exempt compensation plan that provides such pay as necessary for the County to recruit, select, and retain qualified management, supervisory, administrative, and professional employees; that recognizes employee performance, growth, and development; that maintains an appropriate internal relationship among classifications and employees based on job responsibilities, qualifications, and authority; and that maintains parity between equivalent exempt and non-exempt positions.

(C) The Personnel officer is responsible for developing and recommending compensation plan adjustments to the Multnomah County Board of Commissioners.

Section II. Deletion of Job Titles.

The following job titles established in Exhibit A of Ordinance No. 822 are deleted, effective July 1, 1995:

Chief Deputy/Sheriff's Office

Major/Corrections

Major

Undersheriff

1 Section III. Addition of Job Titles and Ranges:

2 (1) The following job titles and pay ranges are added to Exhibit A of Ordinance
3 No. 822, effective July 1, 1995:

4 <u>Job Title</u>	<u>Min</u>	<u>Mid</u>	<u>Max</u>
5 Background Investigator	\$28,438	\$34,126	\$39,814
6 Commander *	\$65,629	\$72,190	\$78,752
7 DES Deputy Director *	\$51,049	\$61,259	\$71,469
8 Engineering Services Manager *	\$48,605	\$58,326	\$68,046
9 MCSO Corrections Program Admin	\$41,987	\$50,385	\$58,782
10 Planning & Program Dev Manager *	\$48,605	\$58,326	\$68,046

11 *Unclassified, non-Civil Service position pursuant to MCC 3.10.100.

12 (2) The following footnote is added to the Pharmacist classification:

13 Premium pay up to 10% over base pay for each day when Pharmacist
14 assigned extra administrative responsibilities.

15 Section IV. Corrections to Ranges.

16 The following salary ranges, established in error in Exhibit A of Ordinance No.
17 822, are revised as shown below, effective July 1, 1995:

18 Asst County Counsel/Chief *	\$56,270	\$67,524	\$78,777
19 Budget & Quality Manager *	\$56,270	\$67,524	\$78,777
20 Co-Principal Investigator	\$56,270	\$67,524	\$78,777
21 Facilities Manager/Senior *	\$56,270	\$67,524	\$78,777
22 Information Serv Manager/Sr *	\$56,270	\$67,524	\$78,777

23 Section V. Effect on Employees.


24 No exempt employee shall receive a salary adjustment as a result of this
25 Ordinance, unless an increase is necessary to meet the requirement of Ordinance 778,
26 Section IX.(A) to pay each exempt employee no less than the minimum rate of the salary
27

1 range for his/her classification. Such increases shall be limited to the amount necessary
2 to bring an employee to the minimum rate of his/her salary range.

3 ADOPTED the _____ day of _____, 1995, being the date of
4 its second reading before the Board of County Commissioners of Multnomah County,
5 Oregon.

6
7 By _____
8 Beverly Stein, Chair
9 MULTNOMAH COUNTY, OREGON
10

11
12
13 REVIEWED:

14
15 
16 Laurence Kressel, County Counsel
of Multnomah County, Oregon

17 N:\DATA\EMP\SERI\WPDATA\ISJA142
18
19
20
21
22
23
24
25
26
27

MEETING DATE: NOV 21 1995

AGENDA NO: R-6

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: ORDINANCE Amending MCC Chapter 2.30

BOARD BRIEFING: DATE REQUESTED: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: Tuesday, November 21, 1995

AMOUNT OF TIME NEEDED: 5 minutes

DEPARTMENT: Non-Departmental DIVISION: Chair Beverly Stein

CONTACT: Maria Rojo de Steffey TELEPHONE #: 248-3955
BLDG/ROOM #: 106/1515

PERSON(S) MAKING PRESENTATION: Chair Beverly Stein

ACTION REQUESTED:

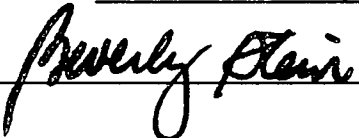
☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

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

An Ordinance Amending MCC Chapter 2.30 (County Administrative Departments) in Order to More Efficiently Align Departmental Responsibilities; Creating the Department of Management Support Services

1995 NOV 14 PM 4:28
CLERK OF COUNTY BOARD
MULTI-COUNTY
OREGON

SIGNATURES REQUIRED:

ELECTED OFFICIAL: 
(OR)
DEPARTMENT
MANAGER: _____

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

TO: BOARD OF COUNTY COMMISSIONERS

FROM: Beverly Stein

TODAY'S DATE: November 13, 1995

REQUESTED PLACEMENT DATE November 21, 1995

RE: Ordinance amending MCC Chapter 2.30 (County Administrative Departments) creating the Department of Management Support Services and realigning the Department of Environmental Services. Budget Modification (DES 4) transferring funds for creation of Management Support Services Director and support staff.

I. Recommendation/Action Requested:

Approve Ordinance and associated Budget Modification.

II. Background/Analysis:

Management Support Services (each division) now reports directly to the Chair. This move is recommended to provide a focus point for coordination and more efficient service to county departments. This Ordinance creates the Department of Management Support Services and delineates the divisions within that department. Included are Budget and Quality, Employee Services, Finance and Purchasing, Risk Management, Labor Relations, Information Technology, Emergency Management and Affirmative Action. The Budget Modification moves funds from the Department of Environmental Services to Management Support Services from current and future vacancies - department director, management assistant and secretary for a new department director and support staff for MSS.

The Strategic Planning Information Technology Committee recommended the creation of the position of Director of Information Technology who will provide leadership and direction in achieving the County's strategic vision and will be responsible for the central information services organization. The budget modification submitted creates that position using current funds. No new funds will be needed for this position.

III. Financial Impact:

The Budget Modification outlines the transfer of funds from the Department of Environmental Services to the newly created Department of Management Support Services. As described above, the

Director of Information Technology will be funded through existing dollars from an unfilled position.

IV. Legal Issues:

An Ordinance creating an administrative department requires four votes of the Board.

V. Controversial Issues:

None

VI. Link to Current County Policies:

This action is consistent with the Board's interest in providing more efficient and effective services.

VII. Citizen Participation:

No citizen participation.

VIII. Other Government Participation:

Has no effect on any other government.

ORDINANCE FACT SHEET

Ordinance Title:

An ordinance amending MCC Chapter 2.30 (County Administrative Departments) in order to more efficiently align departmental responsibilities; creating the Department of Management Support Services.

Give a brief statement of the purpose of the ordinance including rationale for adoption, description of persons benefited, alternatives explored:

In order to promote service effectiveness, the County needs to have a focus point for coordination of Management Support Services. This ordinance establishes that focus and realigns divisions to promote efficiency.

What other local jurisdictions have enacted similar legislation?

n/a

What has been the experience in other areas with this type of legislation?

n/a

What is the fiscal impact, if any?

n/a - [see Bud Mod DES 4]

SIGNATURES

Person Filling Out Form

Marina Rojo de Steffey

Planning & Budget (if fiscal impact)

David C. Sharron

Department Manager/Elected Official

Pamela Davis

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON
ORDINANCE NO. _____

An ordinance amending MCC Chapter 2.30 (County Administrative Departments) in order to more efficiently align departmental responsibilities; creating the Department of Management Support Services.

Multnomah County Ordains as Follows:

Section 1. Purpose

In order to promote service effectiveness, the County needs to have a focus point for coordination of Management Support Services. This ordinance establishes that focus and realigns divisions to promote efficiency.

Section 2. New Provision

The following shall be made a part of MCC Chapter 2.30:

Department of Management Support Services

The Department of Management Support Services is hereby created. It shall:

- (A) Plan, prepare and monitor the county budget in accordance with law;
- (B) Promote a quality-oriented workforce;
- (C) Provide employee services to the county government;
- (D) Operate the county's accounting system and perform treasurer functions as prescribed by law; prepare necessary financial reports, record the receipt,

11/14/95:1

MULTNOMAH COUNTY COUNSEL
1120 S.W. Fifth Avenue, Suite 1530
P.O. Box 849
Portland, Oregon 97207-0849
(503) 248-3138

investment and expenditure of county funds, purchase material and supplies necessary for the operation of the county government and administer contracts in accordance with law;

(E) Direct and manage all risk management and insurance programs for the county government;

(F) Advise and represent the county government in collective bargaining matters;

(G) Provide information technology services to the county government;

(H) Provide emergency management services;

(I) Manage the county government's affirmative action program;

Section 3. Amendment

MCC 2.30.200 is amended to read:

2.30.200. Department of environmental services.

The department of environmental services is established. It shall:

(A) Provide land use planning recommendations and services to the planning commission and the board in matters of planning, zoning, subdivisions, sales and leases of non-county real property, and related matters;

(B) Provide services and perform duties imposed by state law relating to the construction, maintenance and operation of county roads and bridges, sewerage and solid waste disposal facilities and other public works facilities;

(C) Provide required surveys, examinations, inspections, and issuance of permits relating to construction and occupancy of buildings and other facilities;

11/14/95:1

MULTNOMAH COUNTY COUNSEL
1120 S.W. Fifth Avenue, Suite 1530
P.O. Box 849
Portland, Oregon 97207-0849
(503) 248-3138

(D) Operate and maintain county parks, memorials and recreational facilities;

(E) Operate and maintain the county exposition center and fair;

(F) (D) Provide animal control programs and facilities;

(G) (E) Provide county services relating to county service districts and to state, local or private agencies relating to the physical environment;

(H) (F) Operate and maintain county facilities, and manage and maintain county lands;

(I) Manage and maintain county lands;

(J) (G) Plan, implement and coordinate the county's recycling program;

(K) Provide data processing services to the county government;

(L) Regulate the county's cable franchising system;

(M) (H) Perform the duties prescribed by state law for the assessor and tax collector;

(N) (I) Perform the duties prescribed by state law for county elections;

(O) (J) Provide records storage services to the county government;

(P) (K) Provide mail services to the county government; and

(Q) (L) Except as otherwise provided by the board, perform the duties prescribed by state law for county clerks. The director may delegate any such duty, but a delegation shall be in writing and filed with the clerk of the board.

Section 4. Relationship to FY 95-96 Budget Format

The organizational changes made by Sections 2 and 3 of this ordinance shall not require changes to be made to the accounting

11/14/95:1

MULTNOMAH COUNTY COUNSEL
1120 S.W. Fifth Avenue, Suite 1530
P.O. Box 849
Portland, Oregon 97207-0849
(503) 248-3138

1 structure in the adopted FY 95-96 budget.

2 This Ordinance, being necessary for the health, safety, and
3 general welfare of the people of Multnomah County, shall take
4 effect on the thirtieth (30th) day after its adoption, pursuant to
5 Section 5.50 of the Charter of Multnomah County.

6 ADOPTED this _____ day of _____, 1995, being
7 the date of its _____ reading before the Board of County
8 Commissioners of Multnomah County, Oregon.

9 (SEAL)

10
11 _____
12 Beverly Stein, Chair
13 Multnomah County, Oregon

14 REVIEWED:

15 By 

16 Laurence Kressel, County Counsel
17 For Multnomah County, Oregon

18 F:\DATA\COUNSEL\WPDATA\NINE\REORG\mw
19
20
21
22
23
24
25
26

11/14/95:1

MULTNOMAH COUNTY COUNSEL
1120 S.W. Fifth Avenue, Suite 1530
P.O. Box 849
Portland, Oregon 97207-0849
(503) 248-3138

BUDGET MODIFICATION NO.

DES 4

(For Clerk's Use) Meeting Date

NOV 21 1995

Agenda No.

R-7

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR

(Date)

DEPARTMENT

Non-Departmental

CONTACT

Maria Rojo de Steffey

* NAME(S) OF PERSON MAKING PRESENTATION TO BOARD

DIVISION

TELEPHONE

248-3955

Beverly Stein

SUGGESTED

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

(Estimated Time Needed on the Agenda)

2. DESCRIPTION OF MODIFICATION

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

X

Personnel changes are shown in detail on the attached sheet

Creates positions of Manager of Information Technology and MSS Department Director, Moves a Management Assistant and an Administrative Secretary from DES to MSS. Uses salary savings to pay for all new positions, and position changes in FY 95-96. Also uses salary savings to fund \$10,000 for computers and other materials and services in new MSS department. Further position changes in ISD, MSS and DES will be determined when the new positions are filled.

3. REVENUE IMPACT

(Explain revenues being changed and reason for the change)

None.

BOARD OF
COUNTY COMMISSIONERS
1995 NOV 15 AM 8:36
MULTNOMAH COUNTY
OREGON

4. CONTINGENCY STATUS

(to be completed by Budget & Planning)

N/A

Fund Contingency before this modification (as of

Date

After this modification

\$

\$

Originated By

Date

Maria Rojo de Steffey 11/14/95

Department Director

Date

Beverly Stein (M) 11/14/95

Plan/Budget Analyst

Date

Tom McDermott 11/14/95

Employee Services

Date

Donald W. Winkley 11/15/95

Board Approval

Date

Wendy L. Coarista 11/21/95

PERSONNEL DETAIL FOR BUDGET MODIFICATION NO.

DES 4

5. ANNUALIZED PERSONNEL CHANGES

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

		ANNUALIZED			
FTE Increase (Decrease)	POSITION TITLE	BASE PAY Increase (Decrease)	Increase/(Decrease		TOTAL Increase (Decrease)
			Fringe	Ins.	
1.0	Department Director, Management Support Services	81,730	13,085	7,607	102,423
1.0	Management Assistant (MSS)	52,898	9,293	6,523	68,714
(1.0)	Management Assistant (DES)	(53,565)	(9,410)	(8,557)	(71,532)
1.0	Administrative Secretary (MSS)	27,228	4,783	5,468	37,479
(1.0)	Administrative Secretary (DES)	(31,408)	(5,518)	(5,882)	(42,808)
1.0	Manager of Information Technology	70,899	11,854	7,200	89,953
0	TOTAL CHANGE (ANNUALIZED)	147,782	24,087	12,359	184,228

6. CURRENT YEAR PERSONNEL DOLLAR CHANGES

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

Permanent Positions, Temporary, Overtime, or Premium	Explanation of Change	BASE PAY Increase (Decrease)	CURRENT FY		TOTAL Increase (Decrease)
			Increase/(Decrease)		
			Fringe	Ins.	
.5	Department Director, MSS	40,865	6,543	3,804	51,211
.5	Management Assistant (MSS)	26,449	4,647	3,262	34,357
(.5)	Management Assistant (DES)	(26,783)	(4,705)	(4,279)	(35,766)
.5	Administrative Secretary (MSS)	13,614	2,392	2,734	18,739
(.5)	Administrative Secretary (DES)	(15,704)	(2,759)	(2,941)	(21,404)
.5	Manager of Information Technology	35,450	5,927	3,600	44,976.5
					0
					0
					0
TOTAL CURRENT FISCAL YEAR CHANGES		73,891	12,044	6,180	92,114

DES 4

Transaction E []

TRANSACTION DA

ACCOUNTING PERIOD: _____

BUDGET FY: 96

(0) Total Expenditure Change	
------------------------------	--

Transaction R []

TRANSACTION DA

ACCOUNTING PERIOD: _____

BUDGET FY: _____

0	Total Revenue Change
---	----------------------

TO: BOARD OF COUNTY COMMISSIONERS

FROM: Beverly Stein

TODAY'S DATE: November 13, 1995

REQUESTED PLACEMENT DATE November 21, 1995

RE: Ordinance amending MCC Chapter 2.30 (County Administrative Departments) creating the Department of Management Support Services and realigning the Department of Environmental Services. Budget Modification (DES 4) transferring funds for creation of Management Support Services Director and support staff.

I. Recommendation/Action Requested:

Approve Ordinance and associated Budget Modification.

II. Background/Analysis:

Management Support Services (each division) now reports directly to the Chair. This move is recommended to provide a focus point for coordination and more efficient service to county departments. This Ordinance creates the Department of Management Support Services and delineates the divisions within that department. Included are Budget and Quality, Employee Services, Finance and Purchasing, Risk Management, Labor Relations, Information Technology, Emergency Management and Affirmative Action. The Budget Modification moves funds from the Department of Environmental Services to Management Support Services from current and future vacancies - department director, management assistant and secretary for a new department director and support staff for MSS.

The Strategic Planning Information Technology Committee recommended the creation of the position of Director of Information Technology who will provide leadership and direction in achieving the County's strategic vision and will be responsible for the central information services organization. The budget modification submitted creates that position using current funds. No new funds will be needed for this position.

III. Financial Impact:

The Budget Modification outlines the transfer of funds from the Department of Environmental Services to the newly created Department of Management Support Services. As described above, the

Director of Information Technology will be funded through existing dollars from an unfilled position.

IV. Legal Issues:

An Ordinance creating an administrative department requires four votes of the Board.

V. Controversial Issues:

None

VI. Link to Current County Policies:

This action is consistent with the Board's interest in providing more efficient and effective services.

VII. Citizen Participation:

No citizen participation.

VIII. Other Government Participation:

Has no effect on any other government.

MEETING DATE: NOV 21 1995

AGENDA NO: R-8

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Request for Order Authorizing the Transportation Division to Carry Out a Single Project to Conduct Maintenance Work on Several Local Access Roads in the Dunthorpe-Riverdale Area

BOARD BRIEFING

Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING:

Date Requested: November 9, 1995 November 21, 1995

Amount of Time Needed: 5 minutes

DEPARTMENT: Environmental Services

DIVISION: Transportation

CONTACT: Chuck Henley

TELEPHONE #: x 3191

BLDG/ROOM #: #425/Yeon

PERSON(S) MAKING PRESENTATION: Larry Nicholas or Chuck Henley

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

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

Request for a Board Order authorizing the Transportation Division to conduct restorative and preventative maintenance work on several local access roads in the Dunthorpe-Riverdale area of unincorporated Multnomah County. Recommendation for Board approval of an expenditure of county road funds in the estimated amount of \$11,200 for that purpose. The work is necessary to correct drainage problems on the local access roads that cause recurring flooding and erosion damage to public roads and private property.

11/27/95 copies to Chuck Henley

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

OR

DEPARTMENT MANAGER: Betsy Williams

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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




MULTNOMAH COUNTY OREGON

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

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

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS

FROM: Larry F. Nicholas, P.E. 

TODAY'S DATE: October 30, 1995

REQUESTED PLACEMENT DATE: November 9, 1995

RE: Request for Order Authorizing the Transportation Division to Carry Out a Single Project to Conduct Maintenance Work on Several Local Access Roads in the Dunthorpe-Riverdale Area

I. Recommendation/Action Requested:

Following the procedural requirements of state law, I request that the Board enact an order authorizing the Transportation Division to conduct restorative and preventative maintenance work on several local access roads in the Dunthorpe-Riverdale area of unincorporated Multnomah County. The work is necessary to correct drainage problems on the local access roads that cause recurring flooding and erosion damage to public roads and private property. Therefore, I recommend that the Board approve the expenditure of county road funds in the estimated amount of \$11,200 on the following roads for the purpose described herein.

The local access roads requiring maintenance are: SW Collina Avenue at SW Carey Lane and SW Radcliffe Road, and SW Hedlund Avenue between SW Carey Lane and SW Riverdale Road.

II. Background/Analysis:

For maintenance purposes, jurisdiction over roads consists of two classifications. Roads on the county road system, that is, roads accepted for maintenance by the county, and roads that are not. The former are called "county roads." The latter are called "local access roads." The Dunthorpe-Riverdale area has a mixture of both.

Deficiencies in the drainage systems of local access roads are often the source of flooding and erosion problems. By contract with the county, the city of Portland maintains only the county roads in the area. City crews have repeatedly responded to complaints about flooding and erosion problems on county roads and abutting properties that originate on local access roads. However, city policy does not allow work to be done on local access roads.

Drainage systems on the local access roads are not adequate to handle runoff during periods of heavy rain. A failed drainage pipe on SW Collina Avenue at SW Carey Lane causes persistent flooding to public roads and private property. Continual erosion on SW Hedlund Avenue causes debris to cover public and private property. On SW Collina Avenue at SW Radcliffe Road a damaged drainage pipe needs replacement.

Authority is requested to correct the problems. Although the source of the problems are outside the limits of the county road system, it will be more cost effective to correct the causes of the problems rather than to continue to expend resources to respond to the effects. Therefore, the public use of maintained and non-maintained roads in the area justifies the expenditure to correct the problem, irrespective of its location.

III. Financial Impact:

Attached is a detailed cost estimate for the proposed work. There is no long-term financial impact caused by the scope of the order requested. The expenditure will finance a single maintenance project to correct only the specific problems described herein.

IV. Legal Issues:

According to ORS Chapter 368.031, county funds may be spent on a local access road only for work recommended by the county road official, justified by public use, and authorized by the county governing body. Furthermore, work authorized shall be designated as part of a continuing program or as limited to a single occurrence.

V. Controversial Issues:

By the county undertaking the work, some residents may expect more action to alleviate future problems on some or all of the local access roads in the area. Nevertheless, by law maintenance work must be limited to county roads unless it is an emergency or the steps required by state law are followed. Here the compelling reason to act is to avoid further damage to county roads and private property and to protect public safety. Therefore, maintenance actions under the present circumstances do not obligate the county to a continuing program of work on local access roads.

Memo to Board
October 24, 1995
Page 3

Repair and replacement of the drainage systems on the local access roads will take place according to generally accepted maintenance principles and practices.

VI. Link to Current County Policies:

Under Board order, the Transportation Division has in the past undertaken similar work to correct problems existing on local access roads in other areas of the county.

VII. Citizen Participation:

Complaints and concerns have been voiced by area residents. Division staff has involved area residents in reviewing maintenance work to mitigate flooding and erosion on county roads. Before undertaking the project on local access roads, staff will meet with affected property owners to explain the purpose of the project and its limitations.

VIII. Other Government Participation:

As mentioned above, by agreement with the county, the city of Portland maintains county roads in the area.

c: Don Hauskins, Trans. Div.

Enclosure

CHRJ1363.ORD



OFFICE MEMORANDUM . . . DEPARTMENT OF ENVIRONMENTAL SERVICES

TO: Larry Nicholas

FROM: Gregory Kirby *G.K.*

DATE: October 30, 1995

RE: Maintenance Project in the Dunthorpe Neighborhood Area

The Dunthorpe area is composed of a network of local access roads. The only County rights-of-way consist of SW Radcliff Road and SW Riverdale Road. In this area there are a series of runoff channels that pass through culverts under both the local access roads and the County's rights-of-way, conveying water from the West Hills to the Willamette River. Of particular concern to us are two culverts that cross under SW Collina Avenue, a local access road.

The first one, at the intersection of SW Collina Avenue and SW Carey Lane, has been repaired once by the City of Portland. Since that repair, another section of the culvert has collapsed and is in need of repair. When this culvert fails to function, the water conveyed by this culvert travels east along SW Carey Lane to SW Hedlund Avenue, and then north to the intersection of SW Radcliff Road and SW Riverdale Road. When this happens, gravel from SW Hedlund Avenue is washed into the intersection of SW Radcliff Rd. and SW Riverdale Rd., and travels north on SW Radcliff Rd. Since the County has a culvert at this intersection and another culvert north of the intersection under SW Radcliff Rd., we run a high risk of having these culverts become plugged, and the water traveling on the surface may threaten to flood roadside property owners. This event occurred last year and will probably be repeated if the culvert at SW Collina Ave. and Carey Lane is not repaired. The culvert needs to be replaced and lowered to provide more cover over the culvert than the current amount of cover.

The second culvert crosses under SW Collina Avenue south of and parallel to SW Radcliff Rd. This culvert is a concrete pipe that has lost nearly all cover on the top of the pipe. Portions of the pipe are now exposed to the traffic driving directly on the pipe. Some cracks in the pipe have already appeared. If this condition is not corrected, it is only a matter of time before a truck or some other vehicle will crush this pipe, and we will have the water conveyed by this culvert traveling east on SW Radcliff Rd. Damage from this would be heavy erosion of the shoulders, and possible plugging of the culvert under SW Radcliff Rd. between SW Collina Ave. and SW Riverdale Rd. This culvert needs to be lowered to provide cover to the pipe.

SW Hedlund Ave., between SW Radcliff Rd. and SW Carey Lane, is a gravel road. Because of previous erosion, it is in need of being graded. The current condition encourages any water traveling on the surface to be concentrated which causes more erosion. By grading the

Memo/L. Nicholas

Page 2

surface, we encourage the water to drain off the road, reducing the amount of erosion. Any material that erodes ends up on SW Radcliff Rd, where we have to clean up the material.

Enclosures:

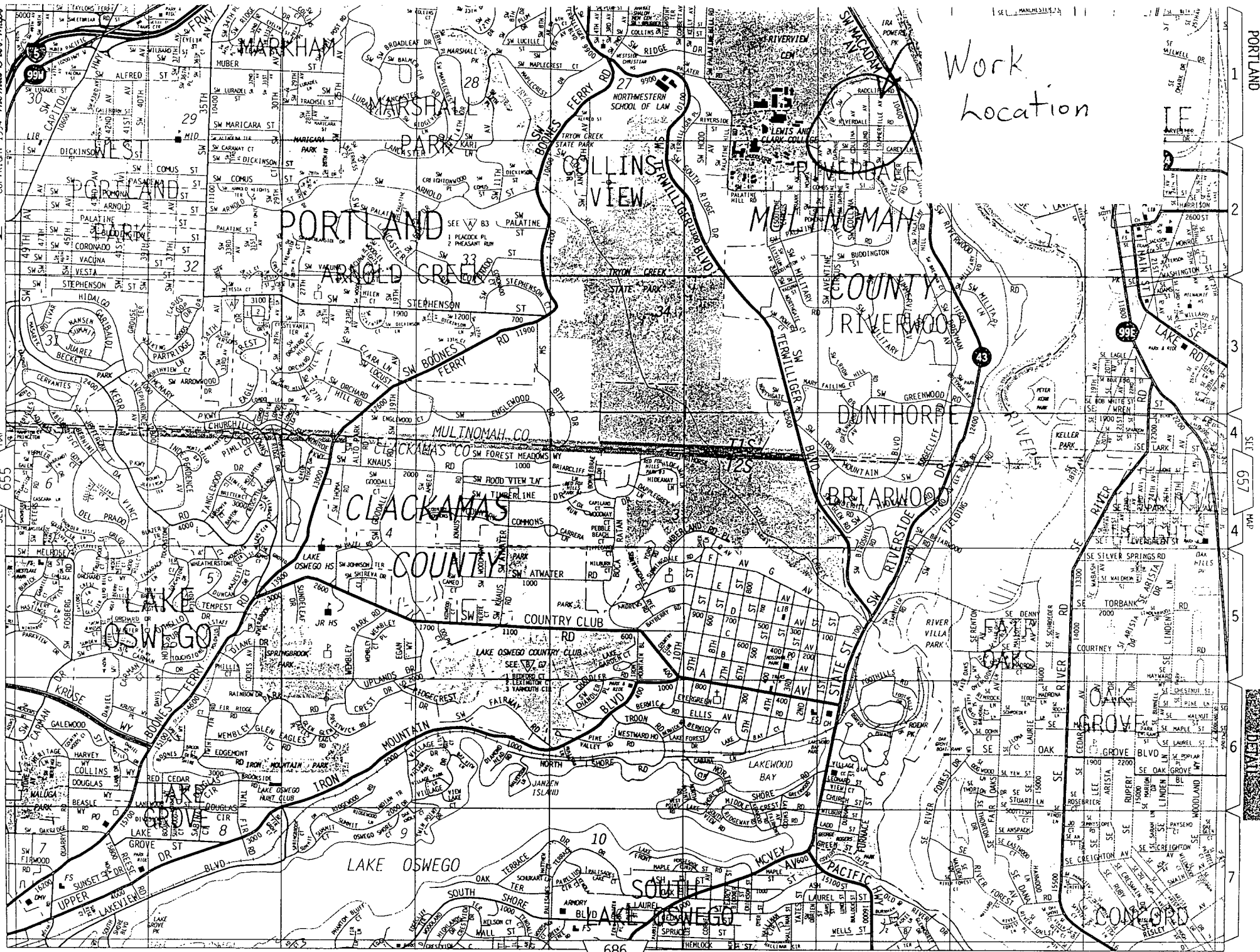
Work Site #1 - Intersection of SW Collina Ave. and SW Carey Lane
Repair and lower existing 12 inch culvert.

Work Site #2 - SW Collina Ave. just south of SW Radcliff Road
Lower existing 18 inch culvert

Work Site #3 - SW Hedlund Ave. between SW Riverdale Road and SW Carey Lane
Grade

GKCK1111.MEM

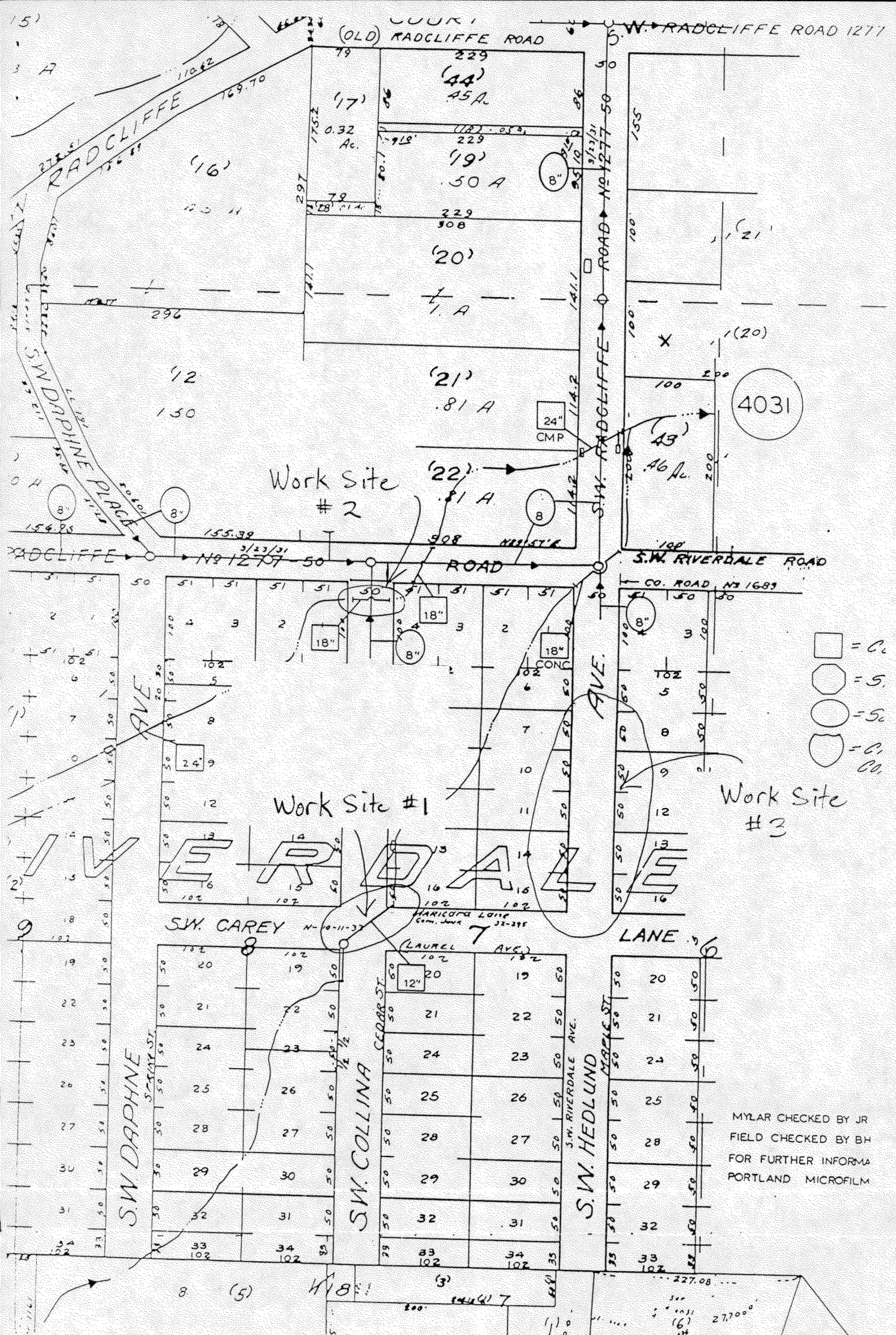
Work
Location



PORTLAND

SEE 657 MAP

DETAIL



Work Site #1 Intersection of SW Collina Ave and SW Carey Lane
Repair and lower existing 12 inch culvert.

Work Site #2 SW Collina Ave just south of SW Radcliff Road
Lower existing 18 inch culvert

Work Site #3 SW Hedlund Ave between SW Riverdale Road and SW Carey Lane
Grade.

8.110 STATUTES ON ROAD CLASSIFICATION

Chapter 368

County Roads

368.001 Definitions. As used in this chapter:

(1) "County road" means a public road under the jurisdiction of a county that has been designated as a county road under ORS 368.016.

(2) "County road official" means the roadmaster, engineer, road supervisor, public works director or other administrative officer designated by the county governing body as being responsible for administration of the road activities of the county.

(3) "Local access road" means a public road that is not a county road, state highway or federal road.

(4) "Owner" means a vendee under a recorded land sale contract or, if there is no recorded land sale contract, the holder of the record title of land if the vendee or holder has a present interest equal to or greater than a life estate.

(5) "Public road" means a road over which the public has a right of use that is a matter of public record.

(6) "Road" means the entire right of way of any public or private way that provides ingress to or egress from property by means of vehicles or other means or that provides travel between places by means of vehicles. "Road" includes, but is not limited to:

(a) Ways described as streets, highways, throughways or alleys;

(b) Road related structures that are in the right of way such as tunnels, culverts or similar structures; and

(c) Structures that provide for continuity of the right of way such as bridges. [1981 c.153 §2]

368.005 [Amended by 1971 c.135 §1; repealed by 1981 c.153 §79]

368.010 [Amended by 1963 c.501 §1; repealed by 1981 c.153 §79]

368.011 County authority to supersede statutes; limitations. (1) Except as otherwise provided in this section, a county may supersede any provision in this chapter by enacting an ordinance pursuant to the charter of the county or under powers granted the county in ORS 203.030 to 203.075.

(2) A county shall not enact an ordinance to supersede any of the following provisions: This section and ORS 368.001, 368.016, 368.021, 368.026, 368.031, 368.051, 368.705, 368.707, 368.710, 368.720 and 368.722. [1982 c.153 §3]

368.016 County authority over roads; limitations. (1) Except as provided in this section or as otherwise specifically provided by law, the exercise of governmental powers relating to a road within a county is a matter of county concern.

(2) A county governing body:

(a) Does not have jurisdiction over any public road that is a state highway.

(b) Shall only take action involving a local access road within a city if the city governing body consents to the action.

(c) May by resolution or order make any public road within its jurisdiction a county road.

(3) Any road that has a classification as a county road on November 1, 1981, shall retain that classification unless the classification is changed under ORS 368.026 or as otherwise provided by law.

(4) A county governing body may seek assistance from the State Highway Engineer as provided under ORS 366.155. [1981 c.153 §4]

368.021 County authority over trails. (1) A county governing body has the same jurisdiction over trails as it has over local access roads.

(2) This section applies to trails that:

(a) Are easements over land or by water course that are not part of a road right of way;

(b) Provide certain forms of ingress to or egress from land or water or permit travel between places;

(c) Do not provide vehicle access of the type provided by a road; and

(d) Are not under the jurisdiction of a state or federal agency. [1981 c.153 §5]

368.026 Withdrawal of county road status; report; notice; hearing. (1) A county governing body shall use the following procedure to withdraw county road status from a portion of a county road that is outside a city:

(a) The county governing body may initiate proceedings by having the county road official prepare a report stating reasons for the proposed withdrawal and the effects the proposed withdrawal

may have on land abutting the county road proposed to be withdrawn.

(b) The county governing body shall fix a date for a hearing on the withdrawal.

(c) The county governing body shall provide for notice of the hearing on the proposed withdrawal to be served on owners of land abutting the portion of county road proposed to be withdrawn. Notice shall be served in the manner provided under ORS 368.401 to 368.426.

(d) Any interested person shall have access to the report prepared by the county road official under this section from a day not less than 20 days prior to the date of hearing.

(e) At the hearing, the county governing body shall accept the report of the county road official prepared under this section and shall accept testimony from persons favoring or objecting to the proposed withdrawal.

(f) After completion of the procedures under this section, the county governing body may retain the portion of county road as a county road or may by order or resolution declare county road status withdrawn from all or part of the portion of the road under consideration.

(2) The withdrawal of county road status from any county road that is within a city is subject to ORS 373.270.

(3) If a county governing body withdraws county road status from a portion of a county road, the road shall continue to be a public road. [1981 c.153 §6]

368.031 County jurisdiction over local access roads. A local access road that is outside a city is subject to the exercise of jurisdiction by a county governing body in the same manner as a county road except as follows:

(1) A county and its officers, employees or agents are not liable for failure to improve the local access road or keep it in repair.

(2) A county governing body shall spend county moneys on the local access road only if it determines that the work is an emergency or it:

(a) The county road official recommends the expenditure;

(b) The public use of the road justifies the expenditure proposed; and

(c) The county governing body enacts an order or resolution authorizing the work and designating the work to be either a single project or a continuing program. [1981 c.153 §7]

368.036 Standards for county roads and road work. (1) County roads and work performed on county roads shall comply with specifications and standards, including standards for width, adopted by the county governing body. If the county governing body does not have specifications for work performed on county roads, the work shall comply with standards and specifications adopted by the Department of Transportation.

(2) If a county governing body provides for work to be performed on a local access road, the standards for the road or specifications for work performed on the road may differ from standards and specifications for county roads, but the county governing body shall provide for the work to be performed in the same manner as it provides for work to be performed on county roads. [1981 c.153 §8]

368.041 Widths of county roads; maintenance of designated roads as county roads. (1) Unless otherwise provided under ORS 368.036, a public road that is designated as a county road after August 2, 1951, shall be 50 feet or any greater width the county governing body establishes. The proposed width shall be stated in all petitions or notices that initiate consideration of the designation of a road as a county road. The width established for a road shall be stated in orders or resolutions accepting the road as a county road under ORS 368.016.

(2) After a resolution or order designating a public road as a county road is final, the county shall maintain the public road as a county road. [Formerly 368.415]

Chapter 373

Roads and Highways Through Cities

373.270 Transferring jurisdiction over county roads within cities. (1) Jurisdiction over a county road within a city may be transferred under this section whenever:

(a) The county governing body deems it necessary, expedient or for the best interest of the county to surrender jurisdiction over any county road or portion thereof within the corporate limits of any city; and

(b) The governing body of the city deems it necessary or expedient and for the best interests of the city to acquire jurisdiction over the county road

Proposed Drainage Improvements on SW Cary Ln & SW Collina Av
and Grading of SW Hedland Av

Total \$11,192.64

Code	Amount	Unit	Description	Rate	Adjust	Adj. Rate	Sub-Total
2	29	hour	Maintenance Crew Leader	\$30.10	* 117.2%	\$35.28	\$1,023.12
4	25	hour	Heavy Equipment Operator	\$30.92	* 117.2%	\$36.24	\$906.00
3	48	hour	Truck Driver	\$28.65	* 117.2%	\$33.58	\$1,611.84
1	109	hour	Maintenance Worker	\$24.76	* 117.2%	\$29.02	\$3,163.18
6	24	hour	RM Supervisor	\$41.13	* 117.2%	\$48.20	\$1,156.80
102	77	hour	Pickup or Van	\$2.00			\$154.00
157	16	hour	Backhoe-Tractor	\$19.00			\$304.00
127	5	hour	Grader	\$28.00			\$140.00
105	8	hour	Dump Truck, 5-Yard	\$11.00			\$88.00
107	32	hour	Dump Truck, 10-Yard	\$15.00			\$480.00
160	2	hour	Tar Pots	\$6.00			\$12.00
134	2	hour	Roller, Patch/Vibrating	\$5.00			\$10.00
115	4	hour	Truck, w/Semi-Trailer	\$25.00			\$100.00
173	4	hour	Gas Tamper	\$1.50			\$6.00
321	15	yard	1" - 0" Crushed rock from VP-VP	\$5.00	+ \$0.50	\$5.50	\$82.50
312	5	yard	3/4" - OAC -RAP -VP	\$3.70	+ \$0.50	\$4.20	\$21.00
300	3	ton	Asphalt - B or C mix (OAP)	\$22.00			\$66.00
	8	hour	Striper	\$29.86	* 117.5%	\$35.09	\$280.68
	60	lin ft	12" ADS	\$4.53	* 120%	\$5.44	\$326.16
	30	lin ft	16" ADS	\$7.26	* 120%	\$8.71	\$261.36
	1	each	Double Catch Basin	\$1,000.00			\$1,000.00

Proposed Drainage Improvements on SW Cary Ln & SW Collina Av
and Grading of SW Hedland Av

Total \$11,192.64

Code	Amount	Unit	Description	Rate	Adjust	Adj Rate	Sub-Total
2	29	hour	Maintenance Crew Leader	\$30.10	* 117.2%	\$35.28	\$1,023.12
4	25	hour	Heavy Equipment Operator	\$30.92	* 117.2%	\$36.24	\$906.00
3	48	hour	Truck Driver	\$28.65	* 117.2%	\$33.58	\$1,611.84
1	109	hour	Maintenance Worker	\$24.76	* 117.2%	\$29.02	\$3,163.18
6	24	hour	RM Supervisor	\$41.13	* 117.2%	\$48.20	\$1,156.80
102	77	hour	Pickup or Van	\$2.00			\$154.00
157	16	hour	Backhoe-Tractor	\$19.00			\$304.00
127	5	hour	Grader	\$28.00			\$140.00
105	8	hour	Dump Truck, 5-Yard	\$11.00			\$88.00
107	32	hour	Dump Truck, 10-Yard	\$15.00			\$480.00
160	2	hour	Tar Pots	\$6.00			\$12.00
134	2	hour	Roller, Patch/Vibrating	\$5.00			\$10.00
115	4	hour	Truck, w/Semi-Trailer	\$25.00			\$100.00
173	4	hour	Gas Tamper	\$1.50			\$6.00
321	15	yard	1" - 0" Crushed rock from VP-VP	\$5.00	+ \$0.50	\$5.50	\$82.50
312	5	yard	3/4" - OAC -RAP -VP	\$3.70	+ \$0.50	\$4.20	\$21.00
300	3	ton	Asphalt - B or C mix (OAP)	\$22.00			\$66.00
	8	hour	Striper	\$29.86	* 117.5%	\$35.09	\$280.68
	60	lin ft	12" ADS	\$4.53	* 120%	\$5.44	\$326.16
	30	lin ft	16" ADS	\$7.26	* 120%	\$8.71	\$261.36
	1	each	Double Catch Basin	\$1,000.00			\$1,000.00

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

In the Matter of Road Drainage Maintenance of)	
SW Collina Avenue at SW Carey Lane and SW)	
Radcliffe Road, and SW Hedlund Avenue between)	ORDER
SW Carey Lane and SW Riverdale Road, Local Access)	95-241
Roads in Unincorporated Multnomah County)	
_____)	

It appearing that the Director of the Department of Environmental Services has requested to maintain drainage systems on SW Collina Avenue at SW Carey Lane and SW Radcliffe Road, and SW Hedlund Avenue between SW Carey Lane and SW Riverdale Road, local access roads in unincorporated Multnomah County; and

It further appearing that the Board of County Commissioners is granted authority under O.R.S. 368.031 to expend monies on a local access road outside a city, if the public use of the road justifies the expenditure proposed, and the county road official recommends the expenditures; and

It further appearing that proposed maintenance will enhance public safety, reduce flooding and erosion damage to private and public property and the recurring costs to repair county roads.

It further appearing that the estimated cost to perform these maintenance functions is \$11,200.00; and

It further appearing that the County Engineer as the county road official recommends this expenditure.


Therefore, the Board of County Commissioners being fully advised in the matter, it is

ORDERED, that the Department of Environmental Services is authorized to maintain the drainage systems on the aforementioned local access roads on a one-time only basis.

DATED this 21st day of November, 1995.



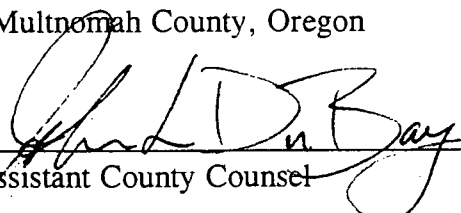
**BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**



Beverly Stein, Chair

REVIEWED: 7/28

LAURENCE KRESSEL, County Counsel
for Multnomah County, Oregon

By 

Assistant County Counsel




MULTNOMAH COUNTY OREGON

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

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

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS

FROM: Larry F. Nicholas, P.E. 

TODAY'S DATE: October 30, 1995

REQUESTED PLACEMENT DATE: November 9, 1995

RE: Request for Order Authorizing the Transportation Division to Carry Out a Single Project to Conduct Maintenance Work on Several Local Access Roads in the Dunthorpe-Riverdale Area

I. Recommendation/Action Requested:

Following the procedural requirements of state law, I request that the Board enact an order authorizing the Transportation Division to conduct restorative and preventative maintenance work on several local access roads in the Dunthorpe-Riverdale area of unincorporated Multnomah County. The work is necessary to correct drainage problems on the local access roads that cause recurring flooding and erosion damage to public roads and private property. Therefore, I recommend that the Board approve the expenditure of county road funds in the estimated amount of \$11,200 on the following roads for the purpose described herein.

The local access roads requiring maintenance are: SW Collina Avenue at SW Carey Lane and SW Radcliffe Road, and SW Hedlund Avenue between SW Carey Lane and SW Riverdale Road.

II. Background/Analysis:

For maintenance purposes, jurisdiction over roads consists of two classifications. Roads on the county road system, that is, roads accepted for maintenance by the county, and roads that are not. The former are called "county roads." The latter are called "local access roads." The Dunthorpe-Riverdale area has a mixture of both.

Deficiencies in the drainage systems of local access roads are often the source of flooding and erosion problems. By contract with the county, the city of Portland maintains only the county roads in the area. City crews have repeatedly responded to complaints about flooding and erosion problems on county roads and abutting properties that originate on local access roads. However, city policy does not allow work to be done on local access roads.

Drainage systems on the local access roads are not adequate to handle runoff during periods of heavy rain. A failed drainage pipe on SW Collina Avenue at SW Carey Lane causes persistent flooding to public roads and private property. Continual erosion on SW Hedlund Avenue causes debris to cover public and private property. On SW Collina Avenue at SW Radcliffe Road a damaged drainage pipe needs replacement.

Authority is requested to correct the problems. Although the source of the problems are outside the limits of the county road system, it will be more cost effective to correct the causes of the problems rather than to continue to expend resources to respond to the effects. Therefore, the public use of maintained and non-maintained roads in the area justifies the expenditure to correct the problem, irrespective of its location.

III. Financial Impact:

Attached is a detailed cost estimate for the proposed work. There is no long-term financial impact caused by the scope of the order requested. The expenditure will finance a single maintenance project to correct only the specific problems described herein.

IV. Legal Issues:

According to ORS Chapter 368.031, county funds may be spent on a local access road only for work recommended by the county road official, justified by public use, and authorized by the county governing body. Furthermore, work authorized shall be designated as part of a continuing program or as limited to a single occurrence.

V. Controversial Issues:

By the county undertaking the work, some residents may expect more action to alleviate future problems on some or all of the local access roads in the area. Nevertheless, by law maintenance work must be limited to county roads unless it is an emergency or the steps required by state law are followed. Here the compelling reason to act is to avoid further damage to county roads and private property and to protect public safety. Therefore, maintenance actions under the present circumstances do not obligate the county to a continuing program of work on local access roads.

Repair and replacement of the drainage systems on the local access roads will take place according to generally accepted maintenance principles and practices.

VI. Link to Current County Policies:

Under Board order, the Transportation Division has in the past undertaken similar work to correct problems existing on local access roads in other areas of the county.

VII. Citizen Participation:

Complaints and concerns have been voiced by area residents. Division staff has involved area residents in reviewing maintenance work to mitigate flooding and erosion on county roads. Before undertaking the project on local access roads, staff will meet with affected property owners to explain the purpose of the project and its limitations.

VIII. Other Government Participation:

As mentioned above, by agreement with the county, the city of Portland maintains county roads in the area.

c: Don Hauskins, Trans. Div.

Enclosure

CHRJ1363.ORD

MEETING DATE: NOV 21 1995

AGENDA NO: R-9

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: NE Blue Lake Road/Item #95-10, Deed for Road Purposes and NE 223rd Avenue/Item #95-13, Easement for Storm Drainage Facilities and Order Accepting Deed and Easement

BOARD BRIEFING: Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING: Date Requested: November 16, 1995

Amount of Time Needed: 5 minutes

DEPARTMENT: Environmental Services

DIVISION: Transportation

CONTACT: John Dorst 

TELEPHONE #: Ext. 3599

BLDG/ROOM #: 425

PERSON(S) MAKING PRESENTATION: John Dorst

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

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

Board approval/execution is requested for the dedication of County held property adjacent to NE Blue Lake Road and NE 223rd Avenue to the public for road purposes; also for the easement near the same for storm drainage facilities.

11/21/95 CERTIFIED COPY OF ORDER & ORIGINAL DEED & EASEMENT TO RECORDING; 11/21/95 COPY TO JOHN DORST

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

OR

DEPARTMENT MANAGER:  _____

CLERK OF
COUNTY CLERK
1995 NOV - 2 PM 4:49
MULTI-NOMINAL COUNTY
OFFICIAL

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Office of the Board Clerk 248-3277/248-5222
AGEN.PL (6/93) JDJS0507.BO




MULTNOMAH COUNTY OREGON

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

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

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS

FROM:  Larry Nicholas, Director/Transportation Division

TODAY'S DATE: October 26, 1995

REQUESTED PLACEMENT DATE: November 16, 1995

SUBJECT: NE Blue Lake Road/Item #95-10, Deed for Road Purposes and NE 223rd Avenue/Item #95-13, Easement for Storm Drainage Facilities and Order Authorizing Execution and Acceptance of Deed and Easement

- I. Recommendation/Action Requested: Board execution and approval is requested for the dedication of a small portion of County property at Blue Lake Park to the public for road purposes, along with an easement for storm drainage facilities.

- II. Background/Analysis: The intersection of NE 223rd Avenue and Blue Lake Road has been realigned to create a safer intersection near Blue Lake Park in cooperation with new development in the area. Charles Ciecko and Dan Kromer from Metro Parks have been involved with the realignment decision and have given their approval for the location and realignment of the intersection. Adjacent land developers, as part of their development conditions, have participated in a Project Agreement with Multnomah County and have built the adjacent streets to Multnomah County Standards, realigning Blue Lake Road as specified by the County Engineer. The preferred realignment layout includes a portion of Blue Lake Park property adjacent to Blue Lake Road. Because this realignment benefits the park and its patrons, as well as improving the overall transportation system in the area, the Transportation Division has been pleased to move this project forward.

- III. Financial Impact: Through Multnomah County Transportation Division Project Agreement No. 5457, the developers of the adjacent 80 lot subdivision, Fairview Lake Estates, have constructed the realignment of Blue Lake Road.

- IV. Legal Issues: It is required that the dedication of County property be authorized by the Board of County Commissioners. The office of Multnomah County Counsel has reviewed and approved this request.
- V. Controversial Issues: There are no controversial issues related to this request.
- VI. Link to Current County Policies: It is Multnomah County policy to cooperate with private business and neighboring jurisdictions. This project represents an effort of cooperation involving private business, Metro Parks and Regional Greenspaces, the City of Fairview, as well as the Multnomah County Transportation Division, working together to create a positive improvement for the public and all parties involved.
- VII. Citizen Participation: Multnomah County Transportation Division and the City of Fairview gave citizens opportunity for a public hearing at the beginning of the process, and remain open to comment throughout the project.
- VIII. Other Government Participation: The City of Fairview and Metro Parks and Regional Greenspaces have been involved with the entire development procedure and approve of this cooperative action.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of Execution and
Acceptance of Deed of Dedication
and Easement from Multnomah
County to the Public Certain Real
Property for County Road Purposes

) ORDER AUTHORIZING EXECUTION
) AND ACCEPTANCE OF
) DEED AND EASEMENT
) FOR COUNTY ROAD PURPOSES
)
) N.E. BLUE LAKE ROAD,
) ITEM NO. 95-10 and
) N.E. 223RD AVENUE,
) ITEM NO. 95-13
)
) BOARD ORDER NO. 95-242

WHEREAS the above entitled matter is before the Board of County Commissioners for the execution and acceptance of a Deed of Dedication conveying certain real property to the public for road purposes and an Easement for the construction and maintenance of storm drainage facilities on real property; and

WHEREAS Multnomah County is the owner of said properties, and based on the recommendation of the Director of the Department of Environmental Services, the properties as described in said documents are necessary for use as part of the county road system;

WHEREAS Charles Ciecko, Director of Metro Regional Parks and Greenspaces, also recommends, via letter to the Board of County Commissioners, the execution and acceptance of said deed and easement because the properties described therein are necessary to improve road and drainage conditions near Blue Lake Park, which results in improved conditions for the Metro Regional Parks and Greenspaces, (said letter of recommendation to the Board being attached to this Board Order);

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. That the real properties as described in the attached Deed of Dedication (Item No. 95-10) and Easement (Item No. 95-13), are to be conveyed to the public, and that the deed and easement documents shall be executed by the Chair and accepted by the Board of County Commissioners, and the properties therein described are to be used as part of the county road system.
2. That the real property as described in the Deed of Dedication be included as a portion of N.E. Blue Lake Road, County Road No. 1272 (West of N.E. 223rd Avenue) and the real property as described in the Easement be included as a portion of N.E. 223rd Avenue, County Road No. 3404 (North of N.E. Blue Lake Road).

ORDER AUTHORIZING DEED OF
DEDICATION and EASEMENT
N.E. Blue Lake Road,
Item No. 95-10 and
N.E. 223rd Avenue,
Item No. 95-13
Page 2

3. That the executed Deed of Dedication and Easement, along with this executed Board Order, shall be forwarded to the Multnomah County Recording Office for recording purposes.

DATED this 21st day of November, 19 95.



REVIEWED:

LAURENCE KRESSEL
County Counsel
for Multnomah County, Oregon

By John L. DuBay
JOHN L. DuBAY
Chief Asst. County Counsel

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

By Beverly Stein
BEVERLY STEIN/Chair



METRO

October 16, 1995

Board of County Commissioners
Multnomah County Courthouse
1120 SW Fifth Avenue/Room 1515
Portland, Oregon 97204

RE: NE 223rd Avenue and NE Blue Lake Road Property Transfer

Dear Commissioners:

I have reviewed and approve the attached original drainage easement document (said easement area located East of NE 223rd Avenue), and the deed of dedication document (said dedication area realigns NE Blue Lake Road).

This property is Multnomah County property which is a portion of Blue Lake Park. The dedication and easement transfer property to public road use and as drainage facility use for improved traffic safety and drainage consideration.

The dedication and easement also improve conditions for the Metro Regional Parks and Greenspaces, as well as the Transportation Division, by improving public road and drainage conditions near Blue Lake Park.

Metro supports this cooperative action which is creating a positive improvement for all parties involved.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Charles Ciecko'. The signature is fluid and cursive, with a large initial 'C'.

Charles Ciecko
Director, Regional Parks and Greenspaces

CC/mb
proptran.let

N.E. BLUE LAKE ROAD
West of N.E. 223rd Avenue
Item No. 95-10
October 11, 1995

DEED OF DEDICATION

MULTNOMAH COUNTY conveys to MULTNOMAH COUNTY, a political subdivision of the State of Oregon, for road purposes, the following described property:

A tract of land situated in the Southeast One-quarter of Section 21, T1S, R3E, W.M., Multnomah County, Oregon, more particularly described as follows:

Beginning at an iron rod at the intersection of the North right-of-way line of N.E. Blue Lake Road, County Road No. 1272, said iron rod being northerly 20.00 feet when measured at right angles to the centerline thereof, and the West right-of-way line of N.E. 223rd Avenue, County Road No. 3404, said iron rod also being 40.00 feet westerly when measured at right angles to the centerline thereof; thence N 19°44'30" E along the West right-of-way line of said N.E. 223rd Avenue, a distance of 254.39 feet to a point; thence southwesterly along the arc of a 30.00 foot radius curve to the right, the chord of which bears S 30°21'37" W, 46.03 feet, an arc length of 52.48 feet to a point being 30.00 feet northerly, when measured at right angles to the centerline of the New N.E. Blue Lake Road; thence westerly along the North line of said New N.E. Blue Lake Road along an arc of a 220 foot radius curve to the right, the chord of which bears N 85°06'49" W, 109.60 feet, an arc length of 110.77 feet to a point; thence N 70°41'22" W, a distance of 15.53 feet to a point of curvature; thence westerly along an arc of a 430 foot

AFTER RECORDING, RETURN TO:
Pat Hinds/Bldg. #425

FOR TAX STATEMENTS:
Multnomah County
Transportation Division
1620 SE 190th Avenue
Portland OR 97233

N.E. Blue Lake Road
West of N.E. 223rd Avenue
Item No. 95-10
October 11, 1995
Page 2

radius curve to the left, the chord of which bears N 84°52'31" W, 210.76 feet, an arc length of 212.93 feet to a point; thence S 80°56'20" W, a distance of 17.16 feet to a point being 30.00 feet northerly when measured at right angles to the centerline of both said New N.E. Blue Lake Road and said N.E. Blue Lake Road; thence continuing S 80°56'20" W, along a line parallel to and 30.00 feet northerly of the centerline of the existing N.E. Blue Lake Road, a distance of 222.62 feet to a point; thence S 9°03'40" E, a distance of 10.00 feet to a point being 20.00 feet northerly when measured at right angles to the centerline of said N.E. Blue Lake Road; thence N 80°56'20" E along the existing North right-of-way line of said N.E. Blue Lake Road, a distance of 222.62 feet to a point; thence southeasterly along an arc of a 306.48 foot curve to the right, the chord of which bears S 76°37'40" E, 233.91 feet, an arc length of 239.99 feet to a point; thence S 54°13'01" E, a distance of 284.47 feet to the point of beginning.

Containing 27,700 square feet, more or less.

As shown on EXHIBIT "A", attached hereto and made a part of this document.

The true and actual consideration for this conveyance is \$0.00.

DATED this 21st day of November, 1995.



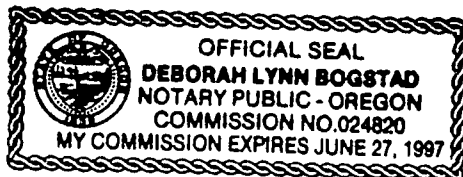
MULTNOMAH COUNTY, OREGON

By

Beverly Stein
BEVERLY STEIN, Chair
Board of County Commissioners
for Multnomah County, Oregon

STATE OF OREGON County of Multnomah

SIGNED BEFORE ME November 21, 1995, personally appeared
Beverly Stein, who, being sworn, stated that she is the
Chair of the Board of County Commissioners of Multnomah County, Oregon, and that
this instrument was voluntarily signed in behalf of said county by authority of its
Board of County Commissioners.



Deborah Lynn Bogstad
Notary Public for said State

My Commission expires June 27, 1997

REVIEWED:

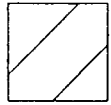
LAURENCE KRESSEL
County Counsel
for Multnomah County, Oregon

By

John L. DuBay
JOHN L. DuBAY
Chief Asst. County Counsel

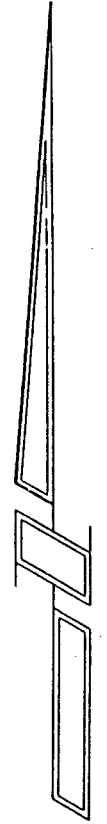
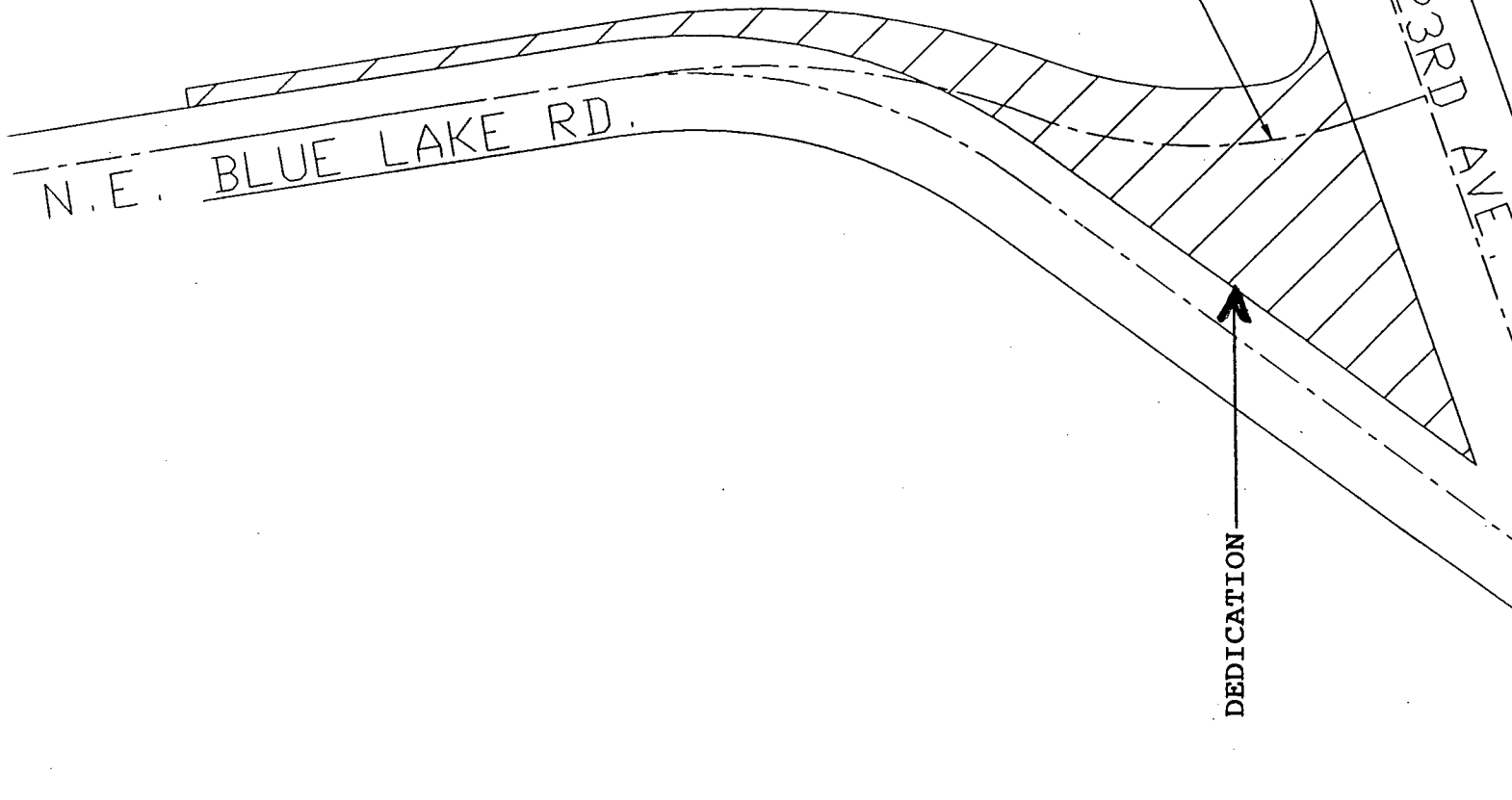
EXHIBIT "A"

----- CENTERLINE



RIGHT-OF-WAY DEDICATION

NEW N.E. BLUE LAKE RD.
CENTERLINE



NO SCALE

N.E. 223RD AVENUE
North of N.E. Blue Lake Road
Item No. 95-13
October 11, 1995

EASEMENT

MULTNOMAH COUNTY conveys to MULTNOMAH COUNTY, a political subdivision of the State of Oregon, a perpetual easement for the construction and maintenance of storm drainage facilities through, over, under, along and within the following described parcel of land:

A strip of land situated in the Southeast One-quarter of Section 21, T1S, R3E, W.M., Multnomah County, Oregon, more particularly described as follows:

Beginning at Engineers Centerline Station 48+32.5 of N.E. 223rd Avenue, County Road No. 3404; thence N 70°15'30" E at right angles to the centerline of said N.E. 223rd Avenue, a distance of 150.00 feet to a point; thence N 19°44'30" W, a distance of 15.00 feet to a point; thence S 70°15'30" W, a distance of 150.00 feet to a point on the centerline of said N.E. 223rd Avenue, said point being N 19°44'30" W, 15.00 feet from the point of beginning; thence S 19°44'30" E, a distance of 15.00 feet to the point of beginning.

Containing 2,250 square feet, more or less.

As shown on attached map marked EXHIBIT "A", and hereby made a part of this document.

It is understood and agreed that no buildings shall be erected upon said easement without the written consent of the Board of County Commissioners.

AFTER RECORDING, RETURN TO:
Pat Hinds/Bldg. #425

FOR TAX STATEMENTS:
Multnomah County
Transportation Division
1620 SE 190th Avenue
Portland OR 97233

N.E. 223RD AVENUE
North of N.E. Blue Lake Road
Item No. 95-13
October 11, 1995
Page 2

The true and actual consideration for this conveyance is \$0.00.

DATED this 21st day of November, 1995.



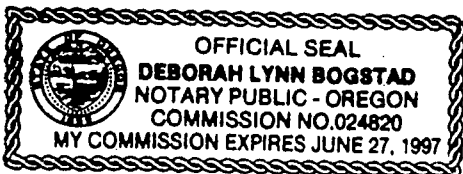
MULTNOMAH COUNTY, OREGON

By

Beverly Stein
BEVERLY STEIN/Chair
Board of County Commissioners
for Multnomah County, Oregon

STATE OF OREGON County of Multnomah

SIGNED BEFORE ME November 21, 1995, personally appeared Beverly Stein, who, being sworn, stated that she is the Chair of the Board of County Commissioners of Multnomah County, Oregon, and that this instrument was voluntarily signed in behalf of said county by authority of its Board of County Commissioners. Before me:



Deborah Lynn Bogstad
Notary Public for said State

My Commission expires June 27, 1997

REVIEWED:

LAURENCE KRESSEL
County Counsel
for Multnomah County, Oregon

By

John L. DuBay
JOHN L. DuBAY
Chief Asst. County Counsel

EXHIBIT "A"

400

DRAINAGE EASEMENT

2. E. Z.

2
501

502

223RD

RD. 340A

80' AVE.

NO SCALE

W/L CHARLES FEZETT

D.L.C. 47



PLEASE PRINT LEGIBLY!

MEETING DATE 11/21/95

NAME JUDY STRAALSUND

ADDRESS 8159 SW 41st

STREET

PORTLAND OR 97219

CITY **ZIP**

I WISH TO SPEAK ON AGENDA ITEM NO. R-10

SUPPORT ☒ **OPPOSE** ☐

SUBMIT TO BOARD CLERK

NOV 21 1995

MEETING DATE: _____

AGENDA NO.: R-10

0081995

(Above space for Board Clerk's Use ONLY)

MULTNOMAH COUNTY BOARD

AGENDA PLACEMENT FORM

SUBJECT: NOI - STARS/PSI TRAINING AND EVALUATION PROJECT

BOARD BRIEFING Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING: Date Requested: NOVEMBER 21, 1995

Amount of Time Needed: 5 to 10 minutes

DEPARTMENT: HEALTH DIVISION: SPEC & FIELD SERVICES

CONTACT: KAY CARLISLE TELEPHONE #: 248-3663 X8020
BLDG/ROOM #: 160/7

PERSON(S) MAKING PRESENTATION: BARBARA GLICK AND TOM FRONK

ACTION REQUESTED:

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

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

The Health Department is requesting approval to submit a request for funding to local corporations for the STARS (Students Today Aren't Ready for Sex)/PSI (Postponing Sexual Involvement) Statewide Training and Evaluation Project.

The proposed project would allow Multnomah County Health Department's STARS/PSI staff and staff of the Oregon Health Division to provide training and evaluation services to community based projects throughout the state of Oregon who are implementing the STARS/PSI Project.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

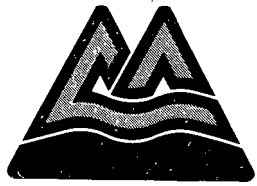
Or

DEPARTMENT MANAGER: Billi Odgaard

(ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES)

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

1995 NOV -9 PM 4:20
MULTNOMAH COUNTY
OREGON
CLERK OF BOARD OF
COUNTY COMMISSIONERS



MULTNOMAH COUNTY OREGON



HEALTH DEPARTMENT
426 S.W. STARK STREET, 8TH FLOOR
PORTLAND, OREGON 97204-2394
(503) 248-3674
FAX (503) 248-3676
TDD (503) 248-3816

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

MEMORANDUM

TO: Beverly Stein, Chair

FROM: Jeanne Gould, Manager, Planning & Development Unit

THROUGH: Bill Odegaard, Director

SUBJECT: Notice of Intent to Request Corporate Funding for the STARS/PSI
Statewide Training and Evaluation Project

DATE: November 7, 1995

The Multnomah County Health Department (MCHD) is requesting approval to submit requests to local corporations to fund parts of the STARS (Students Today Aren't Ready for Sex)/PSI (Postponing Sexual Involvement) Statewide Training and Evaluation Project.

Description of Proposed Project and Project Objectives:

The proposed project would allow Multnomah County Health Division's STARS/PSI staff and staff of the Oregon Health Division (OHD) to provide training and evaluation services to community based projects throughout the state of Oregon who are implementing the STARS/PSI Project. The OHD will provide implementation funding to 12 sites per year through monies allocated through the Oregon State Legislature. Sites not funded through the OHD who wish to initiate the STARS/PSI program in their community will also be eligible for training and evaluation. The additional corporate funding will allow consistent training for all sites based on the successful experience of MCHD's STARS/PSI project. Corporate funding will also fund formal evaluation of each of the 12 statewide sites. MCHD's STARS/PSI Program will benefit from the evaluation services and in-kind donations.

Funding Amount

The Health Department anticipates requesting approximately \$647,081 for years 1 and 2 of the STARS/PSI Statewide Training and Evaluation Project. County match is not required.

MEETING DATE: NOV 21 1995

AGENDA NO.: R-11

(Above space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Intergovernmental agreement with the City of Portland (Contract #201196)

BOARD BRIEFING Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING Date Requested: _____

Amount of Time Needed: 5 minutes or less

DEPARTMENT: Health

DIVISION: EMS

CONTACT: Bill Collins

TELEPHONE #: 248-3220

BLDG/ROOM #: 160/10th

PERSON(S) MAKING PRESENTATION: Matt Ryan, Office of County Counsel

ACTION REQUESTED:

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

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

The ambulance/EMS agreement is being resubmitted to correct an error in the indemnification language. The agreement, first approved by the Board on October 12, 1995, allows the County to enforce Ordinance #816 in the City of Portland.

11/27/95 ORIGINALS TO KAREN GARDNER

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

Or

DEPARTMENT MANAGER: Billi Odegaard

(ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES)

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

BOARD OF
COUNTY COMMISSIONERS
CLATSOP COUNTY
OREGON
1995 NOV 14 AM 10:07



MULTNOMAH COUNTY OREGON




HEALTH DEPARTMENT
426 S.W. STARK STREET, 8TH FLOOR
PORTLAND, OREGON 97204-2394
(503) 248-3674
FAX (503) 248-3676
TDD (503) 248-3816

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

MEMORANDUM

DATE: November 1, 1995

TO: Board of County Commissioners

FROM:  Odegaard, Director, Health Department

SUBJECT: Intergovernmental agreement with the City of Portland regarding ambulance/EMS services

- I. Recommendation/Action Requested: The Health Department recommends Board ratification of Contract #201196 with the City of Portland. The agreement is retroactive to September 1, 1995, and will be effective perpetually via automatic one-year renewals. It may be terminated by either party with 30 days written notice.
- II. Background/Analysis: This agreement allows the County to enforce the ambulance ordinance in the City of Portland. It establishes the conditions for EMS first response, provides for payment to the County for medical direction, and authorizes reimbursement to the City for expendable medical supplies used on emergency calls.

This agreement was originally approved by the Board on October 12, 1995, but contained an error in the indemnification language. On the advice of County Counsel, the agreement has been corrected and is being resubmitted for Board approval. The correction may be found on Page 3, Paragraph 8, Line 5: "...arising from *either* party's work..." has been replaced by "...arising from *that* party's work..."

- III. Financial Impact: The City will reimburse the County \$60,446 for medical direction. The County will reimburse the City for supplies on a requirements basis. The expenditures, estimated to be \$160,000 for 1995-96, will be recovered from American Medical Response Northwest, the ambulance provider.
- IV. Legal Issues: None
- V. Controversial Issues: None

- VI. Link to Current County Policies: This agreement will implement the conditions of the ambulance service plan and the ambulance service contract with American Medical Responses Northwest.
- VII. Citizen Participation: None
- VIII. Other Government Participation: None

MULTNOMAH COUNTY CONTRACT APPROVAL FORM

(See Administrative Procedures CON-1)

Contract # 201196

Amendment # _____

<p style="text-align: center;">CLASS I</p> <p><input type="checkbox"/> Professional Services under \$25,000</p>	<p style="text-align: center;">CLASS II</p> <p><input type="checkbox"/> Professional Services over \$25,000 (RFP, Exemption)</p> <p><input type="checkbox"/> PCRB Contract</p> <p><input type="checkbox"/> Maintenance Agreement</p> <p><input type="checkbox"/> Licensing Agreement</p> <p><input type="checkbox"/> Construction</p> <p><input type="checkbox"/> Grant</p> <p><input type="checkbox"/> Revenue</p>	<p style="text-align: center;">CLASS III</p> <p><input checked="" type="checkbox"/> Intergovernmental Agreement</p> <p style="text-align: center;">APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</p> <p>AGENDA # <u>R-11</u> DATE <u>11/21/95</u></p> <p style="text-align: center;">DEB BOGSTAD</p> <p style="text-align: center;">BOARD CLERK</p>
--	--	--

Department: Health Division: EMS Date: 11/1/95

Contract Originator: Bill Collins Phone: x3220 Bldg/Room: 160/10

Administrative Contact: Karen Garber Phone: x6207 Bldg/Room: 160/7

Description of Contract: An agreement to allow the County to enforce Ordinance 816 (MCC 6.33) regarding ambulance/emergency medical service within the City of Portland. The City will reimburse the County \$60,446 for the provision of medical direction. The County will reimburse the City for supplies (estimated at \$160,000).

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

ORS/AR # _____ Contractor is ☐ MBE ☐ WBE ☐ QRF

<p>Contractor Name: <u>City of Portland</u></p> <p>Mailing Address: <u>Fire Bureau</u></p> <p><u>55 SW Ash Street, Portland, OR 97204</u></p> <p>Phone: <u>823-3700</u></p> <p>Employer ID# or SS#: _____</p> <p>Effective Date: <u>September 1, 1995</u></p> <p>Termination Date: <u>September 1, 1996 with</u></p> <p style="text-align: center;"><u>automatic one-year renewals</u></p> <p>Original Contract Amount: <u>\$ 60,446 / Requirements*</u></p> <p>Total Amt of Previous Amendments: \$ _____</p> <p>Amount of Amendment: \$ _____</p> <p>Total Amount of Agreement: \$ _____</p>	<p>Remittance Address (if different) _____</p> <p>_____</p> <p>_____</p> <p>Payment Schedule Terms</p> <p><input type="checkbox"/> Lump Sum \$ _____ <input type="checkbox"/> Due on Receipt</p> <p><input type="checkbox"/> Monthly \$ _____ <input type="checkbox"/> Net 30</p> <p><input checked="" type="checkbox"/> Other \$ <u>Semi-annually</u> <input type="checkbox"/> Other</p> <p><input type="checkbox"/> Requirements contract - Requisition Required</p> <p>Purchase Order No. _____</p> <p><input type="checkbox"/> Requirements Not to Exceed \$ _____</p> <p>Encumber: Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>*Revenue: \$60,446 for 95-96</p> <p>*Expenditures: Requirements</p>
--	---

REQUIRED SIGNATURES:

Department Manager: Billi Odgaard Date: 11/7/95

Purchasing Director: _____ Date: _____

(Class II Contracts Only)

County Counsel: Matthew J. Ryan Date: 11/14/95

County Chair/Sheriff: Reuben Dean Date: November 21, 1995

Contract Administration: _____ Date: _____

(Class I, Class II Contracts Only)

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

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

DISTRIBUTION: Contract Administration, Finance, HD Contracts Unit, HD Payables/Receivables, HD Program Manager

**AGREEMENT BETWEEN THE CITY OF PORTLAND AND MULTNOMAH COUNTY
FOR EMERGENCY MEDICAL SERVICES**

This AGREEMENT, entered into this _____ day of _____, 1995, by and between MULTNOMAH COUNTY, a political subdivision of the State of Oregon, hereinafter referred to as "County" and the CITY OF PORTLAND, an incorporated city within Multnomah County, hereinafter referred to as "City",

WITNESSETH:

WHEREAS, County has adopted Ordinance No. 816 regulating the provision of emergency medical services and ambulance services; and

WHEREAS, County desires that private ambulance services operating within the City limits be regulated and made subject to County Ordinance No. 816;

NOW THEREFORE, the parties agree as follows:

1. County Ordinance No. 816, attached hereto as Attachment "A" and fully incorporated herein by this reference, shall be enforced within City as it applies to private ambulance services.
2. The term of this agreement shall be from September 1, 1995 to September 1, 1996 unless terminated by either party by written notice on the other, thirty (30) days prior to the date of termination.
3. This agreement shall be automatically renewed for a successive one year term unless such notice is given.
4. Duties of City:
 - a. City shall provide emergency medical first response service through the City Bureau of Fire, Rescue and Emergency Services as per City code 31.20.040.
 - b. City agrees to obtain the State of Oregon required physician supervision for EMTs employed by City from the EMS Medical Director employed by County and to

compensate County for such service in accordance with the formula attached hereto as Attachment "B". Such compensation shall be paid to County every six months starting September 1, 1995.

c. City will participate in County-wide quality improvement activities and provide patient care data to County for its performance of this activity as deemed appropriate and necessary by the City.

d. City will provide to County an invoice for the cost of disposable supplies and medications used to provide patient care to persons receiving such care as a result of an dispatch of City resources by emergency medical or fire dispatchers. City will make available at County's request, copies of supply and medication purchase documents.

5. Duties of County:

a. County shall enforce Ordinance No. 816 as it applies to private ambulance services.

b. County shall provide medical direction and EMT supervision to EMTs employed by City. Such supervision shall include, but not be limited to:

- (1) Field supervision (ride-along)- 2 x month
- (2) Case review - 1 x month
- (3) Quality Improvement meet - 2 x month
- (4) Coordinated certification training
- (5) Medical consultation for specialty teams
e.g. Haz-Mat, Urban search and rescue
- (6) Annual inservice on protocol changes
- (7) Education conferences - six per year
- (8) Individual supervision - as needed
- (9) Medical consult for disaster planning

c. County shall reimburse City for the supplies and medications documented by City in accordance with paragraph 4,d above and subject to the limitations of the contract between County and the exclusive emergency ambulance service provider for the County ambulance service area. County will reimburse City every six months starting September 1, 1995

d. County shall provide City with an annual report identifying services provided under this agreement.

6. City may choose to change their level, call response, or area of coverage for emergency medical first response service at any time. City agrees to inform County of any changes in the response of City.

7. If City discontinues emergency medical first response, this agreement will no longer be in force.

8. Each Party shall hold harmless, defend and indemnify for public liability and property damage the other and its officers, agents, and employees against all claims, demands, actions and suits (including attorney's fees and costs) brought against any of them arising from that party's work under this agreement.

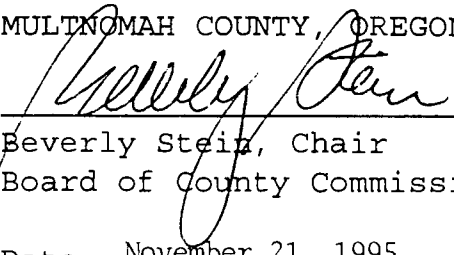
9. This agreement contains the entire agreement between the parties and supersedes all prior written or oral agreements, discussions, or understandings.

PORTLAND, OREGON

By _____
Charlie Hales
Commissioner of Public Safety

Date _____

MULTNOMAH COUNTY, OREGON

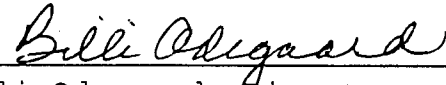

Beverly Stein, Chair
Board of County Commissioners

Date November 21, 1995


By _____
Robert Wall, Chief
Bureau of Fire Rescue and
Emergency Services

Date _____

HEALTH DEPARTMENT

By 
Billi Odegaard, Director

Date 11/7/95

By 
Bill Collins, Program Manager

Date 11-6-95

REVIEWED:
City Counsel

By _____

Date _____

REVIEWED:
County Counsel

By 
Matthew O. Ryan

Date 11/14/95

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-11 DATE 11/21/95
DEB BOGSTAD
BOARD CLERK

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 816

An ordinance repealing MCC Chapter 6.32 and adopting MCC Chapter 6.33, Emergency Medical Service and Ambulance Code, in order to implement the ambulance service plan for Multnomah County.

Multnomah County ordains as follows:

Section I. Findings.

1. On June 9, 1994 Multnomah County adopted an ambulance service plan in conformance with ORS 823.180. (Ordinance 789)

2. MCC 6.32 currently regulates the provision of emergency medical services within Multnomah County. However, MCC 6.32 predates the ambulance service plan and is not adequate to fully implement the plan.

3. In order to fully implement the plan it is necessary to repeal MCC 6.32, and replace it with a new Emergency Medical Service and Ambulance Code, MCC 6.33.

Section II. Adoption of Code.

The Emergency Medical Service and Ambulance Code, attached hereto as Exhibit A is adopted. The code shall become Chapter 6.33 of the Multnomah County Code.

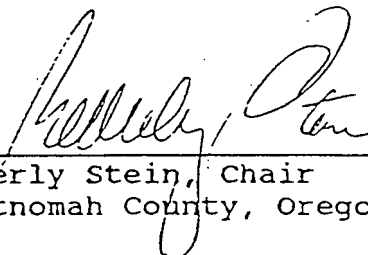
03/21/95:1

Section III. Repeal.

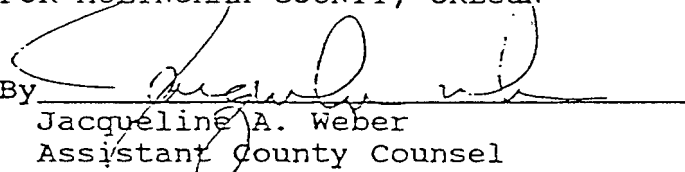
MCC Chapter 6.32 is repealed.

ADOPTED this 6th day of April, 1995, being
the date of its Second reading before the Board of County
Commissioners of Multnomah County, Oregon.




Beverly Stein, Chair
Multnomah County, Oregon

LAURENCE KRESSEL, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By 
Jacqueline A. Weber
Assistant County Counsel

F:\DATA\COUNSEL\WPDATA\SEVEN\1000\JAW.ORD\jaw

03/21/95:1

EXHIBIT A

EMERGENCY MEDICAL SERVICE AND AMBULANCE CODE

MULTNOMAH COUNTY CODE 6.33

CONTENTS

6.33.005	TITLE
6.33.010	PURPOSE
6.33.015	REPLACEMENT
6.33.020	DEFINITIONS
6.33.030	LICENSE REQUIRED
6.33.035	EXEMPTIONS
6.33.040	LICENSE TYPE
6.33.043	AMBULANCE STAFFING
6.33.045	LICENSE REQUIREMENTS
6.33.050	APPLICATION FOR LICENSE
6.33.055	INSPECTION
6.33.060	ISSUANCE OF LICENSE
6.33.065	DENIAL, REVOCATION
6.33.070	LICENSE TERM
6.33.075	RENEWAL
6.33.080	NOTIFICATION OF CHANGE
6.33.085	AMBULANCE IDENTIFICATION
6.33.090	PROHIBITED ACTIVITIES
6.33.095	VIOLATIONS
6.33.096	PENALTY, ADDITIONAL REMEDIES
6.33.098	APPEALS
6.33.099	EFFECT OF HEARING
6.33.100	MEDICAL DIRECTION
6.33.105	ON-LINE MEDICAL DIRECTION
6.33.110	MEDICAL ADVISORY BOARD
6.33.115	TRAINING AND EDUCATION
6.33.200	EMS ADMINISTRATION
6.33.300	QUALITY MANAGEMENT/IMPROVE
6.33.400	EMS FIRST RESPONSE
6.33.450	AMBULANCE SERVICE AREA
6.33.455	AMBULANCE SERVICE CONTRACT
6.33.460	REASSIGNMENT
6.33.500	CHARGES FOR SERVICE
6.33.505	RATE ADJUSTMENT DEFINITIONS
6.33.510	CONTRACT/RATE COMMITTEE
6.33.515	RATE ADJUSTMENT PROCEDURE
6.33.520	ORDERS
6.33.525	CRC RATE REVIEW PROCEDURES
6.33.530	APPEALS TO BOARD
6.33.535	CRC CONTRACT REVIEW
6.33.600	AMBULANCE DISPATCH
6.33.625	CODE-3 RESPONSE
6.33.650	COMMUNICATIONS
6.33.655	HOSPITAL AVAILABILITY
6.33.700	MASS CASUALTY INCIDENTS
6.33.750	SPECIAL RESPONSE

6.33.005. Title.

This chapter may be cited as the "Multnomah County Emergency Medical Services and Ambulance Code" and may be so referred to.

6.33.010. Purpose.

(A) The Board has determined that it is necessary to regulate providers of emergency medical services and ambulance services to assure that the citizens of Multnomah County receive prompt, effective, efficient, coordinated, and consistently high levels of pre-hospital care before and during transport to a medical facility.

(B) Ordinance 789 (June 9, 1994) adopts the ambulance service plan for Multnomah County. This chapter provides for the implementation of that plan.

6.33.015. Replacement.

This chapter replaces Multnomah County Code Chapter 6.32.

6.33.020. Definitions.

As used in this chapter, unless the context requires otherwise.

"Administrator" means the administrator of the office of Emergency Medical Services of the Health Department of Multnomah County, Oregon.

"Advanced Life Support" (ALS) means those medical services that may be provided within the scope of practice of a person certified as an EMT-Paramedic as defined in ORS Chapter 823.

"Ambulance" means any privately or publicly owned motor vehicle, aircraft, or water craft that is regularly provided or offered to be provided for the timely or emergency transportation of persons suffering from illness, injury, or disability. All vehicles capable of providing transportation to the sick or injured and staffed with personnel trained to care for such individuals and equipped with supplies and equipment necessary for the care of the sick or injured shall be considered an ambulance.

"Ambulance Services" means the transportation of an ill, injured, or disabled individual in an ambulance and, in connection therewith, the administration of pre hospital medical or emergency care, if necessary.

"Ambulance Service Area" (ASA) means a geographic area that is served by one ambulance service provider and may include all or a portion of County, or all or portions of two or more contiguous counties.

"Ambulance Service Plan" means a written document that outlines a process for establishing a County emergency medical services system. A plan addresses the need for and coordination of ambulance services by establishing ambulance service areas for the entire County and by meeting the other requirements of the Oregon Administrative Rules (OAR).

"Appeals Hearing Officer" or "Hearings Officer" means the person or persons designated to conduct contested case hearings concerning actions in licensing and rate regulation under this chapter.

"Board" means the Board of County Commissioners of Multnomah County, Oregon.

"Basic Life Support" (BLS) means those medical services that may be provided within the scope of practice of a person certified as an EMT-Basic as defined in ORS Chapter 823.

"Bureau of Emergency Communications" (BOEC) means the Bureau within the City of Portland that maintains the 9-1-1 telephone answering system and the dispatch service for police, fire and EMS for the County.

"Contract Compliance and Rate Regulation Committee" (CRC) means the committee appointed by the Board to review contract compliance and to review and recommend rate adjustments.

"CHORAL" means the on-line computer link among all the receiving hospitals within Multnomah County that provides information on the status of those hospitals for receiving ambulance transports.

"Critical Care Transport" (CCT) means an ambulance providing transport between medical care facilities and providing care at the level of a hospital critical care unit.

"County" means Multnomah County, Oregon.

"Division" or "State" means the EMS Section, Oregon Health Division, Department of Human Resources.

"Do business in Multnomah County" means to provide emergency ambulance service, non-emergency ambulance service, or other emergency medical service in Multnomah County, provided however, that transporting patients from

outside the County to a destination within the County only shall not be considered doing business within the County.

"Effective provision of ambulance services" means ambulance services provided in compliance with the County ambulance service plan provisions for boundaries, coordination, and system elements.

"Efficient provision of ambulance services" means effective ambulance services provided in compliance with the County ambulance service plan provisions for provider selection.

"Eight Hundred MHz (800 MHz)" means a radio system used for emergency communications throughout the County.

"Emergency Medical Dispatcher" (EMD) means a person who is certified as an EMD by the Board on Public Safety Standards and Training as defined in ORS 401.735.

"Emergency" means a non-hospital occurrence or situation involving illness, injury, or disability requiring immediate medical services, wherein delay of such services is likely to aggravate the condition and endanger personal health or safety.

"Emergency Medical Services" (EMS) means those pre-hospital functions and services whose purpose is to prepare for and respond to medical emergencies, including rescue, first responder services, ambulance services, patient care, communications, system evaluation, and public education.

"Emergency Medical Services Medical Director" (EMSMD) means a physician employed by the County to provide medical direction to the EMS system and medical supervision to EMTs providing emergency medical services within the County.

"Emergency Medical Technician" (EMT) means a person certified at one of the levels defined in ORS Chapter 823.

"Employee" means an employee, agent, or EMT employed by a licensee.

"First Responder" means an organization that provides fast response to emergency medical calls by EMTs before the arrival of an ambulance. These organizations are currently fire departments throughout the County.

"HEAR" means an identified radio frequency used for ambulance to hospital and hospital to hospital radio communications.

"License" means a non-transferable, non-assignable permit, personal to the person or corporation to whom it is

issued, issued by the administrator, authorizing the person or corporation to do business in Multnomah County.

"Licensee" means a person or corporation possessing a valid license under this chapter.

"Mass Casualty Incident" (MCI) means an emergency medical incident with enough injured or ill persons to meet the requirements for scene and medical management as defined in the EMS Administrative Rules, MCI Plan.

"Medical Advisory Board" (MAB) means the advisory committee appointed by the Multnomah County Board of Commissioners as defined in this chapter.

"Medical Resource Hospital" (MRH) means that hospital, contracted to MCEMS, to provide on-line medical control to EMTs.

"Multnomah County EMS (MCEMS)" means that organizational division within the Health Department responsible for the administration and coordination of the EMS system in the County.

"Non-Emergency Ambulance" means an ambulance, licensed by the County under this chapter, that provides routine medical transportation to patients who do not require emergency response.

"On-line Medical Control" means medical direction and advice given to an EMT, by a physician, through radio or telephone as a supplement to the written patient care protocols.

"Provider" means any public, private, or volunteer entity providing emergency ambulance or first response to medical emergencies.

"Provider Selection Process" means the process established by the County for selection of an exclusive emergency ambulance service provider.

"Public Safety Answering Point" (PSAP) or "9-1-1" means the organization that answers calls for police, fire, and emergency medical assistance that are received from persons dialing 9-1-1. This service is provided by BOEC.

"Urban Growth Boundary" (UGB) means the planning boundary developed by METRO that delineates the areas considered "urban" and "rural" for purposes of this chapter.

"User Fees", EMSMD Fees, or "Franchise Fees" means the fees established under Multnomah County Code, payable by the

provider to the County, for system administration, regulation, and medical supervision.

6.33.030. License required.

It shall be unlawful for any person to do business in Multnomah County without a license issued under this chapter.

6.33.035. Exemptions.

This chapter shall not apply to:

(A) Vehicles owned or operated by the Federal government.

(B) Vehicles being used to render temporary assistance in the case of public catastrophe or emergency with which the licensees and other defined units are unable to cope.

(C) Vehicles operated solely on private property, the incidental crossing of public streets or roads notwithstanding.

(D) Persons operating vehicles under subsections (A) through (C) of this section.

6.33.040. License Types

(A) There shall be three types of ambulance licenses available in the County:

(1) Advanced Life Support (ALS).

(2) Basic Life Support (BLS).

(3) Air Ambulance.

(B) Marine Ambulances shall be considered as either (1) or (2) above.

(C) In addition, the EMSMD may designate a license type for Critical Care Transport (CCT).

(D) MCEMS shall promulgate rules for each type of ambulance that specify staffing, equipment, supplies, use, operating policies, and other pertinent requirements for doing business in the County.

(E) The authorization to respond to emergency medical calls is not a condition of license and such authorization must be separately obtained under Section 6.33.455 of this chapter.

6.33.043. Ambulance Staffing.

(1) ALS ambulances responding to emergency calls shall be staffed with two(2) EMT-Paramedics.

(2) ALS ambulances transferring patients from hospitals to other facilities may be staffed at the minimum with one(1) EMT-Paramedic and one(1) EMT-Basic.

(3) The EMSMD shall specify staffing requirements for critical care ambulances if such a license is required under this chapter.

(4) All other ambulances will be staffed with EMT-Basic or EMT-Intermediates whose orders and level of service will be specified by the EMSMD and which will allow for the medically appropriate transportation of patients with the most cost effective staffing.

6.33.045. License Requirements

To obtain a license and remain a licensee, each applicant must:

(A) Meet all Federal, State, and County requirements for the operation of an ambulance.

(B) Comply with the application and license renewal requirements under this chapter.

(C) Maintain vehicles and equipment in accordance with standards, requirements and provisions of state statutes and rules and in accordance with the provisions of this chapter.

(D) Maintain, and make available as requested by MCEMS, a patient care record for each ambulance call, dispatch records, both written and recorded, for all calls and requests for service, and other information pursuant to this chapter.

(E) Prohibit from practice, any EMT or EMT trainee who suffers suspension, revocation, or termination of certificate by the state health division, or who is not currently approved for practice by the EMSMD.

(F) Identify and mark ambulances in accordance with this chapter.

(G) Meet all other applicable requirements under this chapter.

(H) Pay to County all fees required under this chapter.

6.33.050 Application for License.

(A) Application for a license issued under this chapter shall be made on forms provided by MCEMS and containing information found necessary to achieve the purposes of this chapter. This will include a schedule of rates to be charged by the licensee.

(B) A license fee of \$250.00 for each ambulance operated by the applicant shall accompany the license application. No application will be considered without the accompanying fee.

(C) No additional fee shall be charged for an ambulance that is replacing a currently licensed ambulance during the license period.

(D) The fee shall cover the annual license period and shall not be prorated for less than the period.

(E) Fees under this section shall not apply to governmental providers of EMS (unless under contract to the County), rural fire protection districts, or volunteer ambulance companies.

6.33.055. Inspection.

(A) Within thirty (30) days of the receipt of an application for a new license, MCEMS shall inspect and test each ambulance for which a license is requested.

(B) Subsequent inspections of licensed ambulances may be made from time to time to determine continued compliance with this chapter.

6.33.060. Issuance of License.

The administrator shall issue a license upon finding that:

(A) An accurate and complete application has been submitted and all fees, if required, have been paid;

(B) Insurance policies as required by State and County are in force;

(C) Ambulances, equipment and personnel meet all requirements of state law and this chapter;

(D) Personnel staffing the ambulance are approved for practice by the EMSMD;

(E) All County rules and regulations governing the operation of an ambulance service and other applicable rules and regulations have been met;

(F) A schedule of charges for service have been filed with MCEMS.

6.33.065. Denial of Application; License Revocation.

(A) In the event that an applicant's request for a license is denied, or revoked or suspended, the administrator shall provide the applicant or licensee with a written notice of the action, clearly stating the facts and conclusions and ordinance or rule provision upon which the action is based. This applicant must be advised of the right to appeal and the time within which such appeal must be filed. The applicant may then appeal under Section 6.33.098 of this chapter or file an amended application without an additional fee.

(B) Fees submitted with an application that is denied are not refundable.

(C) Any person whose license has been denied or revoked may, after one year from the date of denial or revocation, reapply for a license upon submittal of a new application and the required fees under Section 6.33.050 of this chapter.

6.33.070. License Term

The initial license shall be for a period to terminate with the conclusion of the fiscal year of the County. Renewed licenses shall be for a period of twelve (12) months.

6.33.075. Renewal

(A) Renewal applications shall be made no later than thirty (30) days prior to the license expiration date.

(B) Fees for the renewal of a license shall be the same as the fees for an initial license and shall be paid at the time of the renewal application.

(C) Where a licensee has made a timely application for renewal, such license shall not be deemed to expire, despite any stated expiration date on the license, until a formal order granting or denying the license has been issued.

6.33.080. Notification of Change in Circumstances.

If the status of a licensee under this chapter changes in regard to the number of ambulances owned or operated, the sale or discontinuance of the business, or anything substantially changing the information contained in the initial application, the licensee must immediately inform MCEMS of such changes.

6.33.085. Ambulance Identification; Advertisement.

(A) All ambulances shall meet all identification requirements specified in state and federal statute.

(B) Ambulances under contract to the County for emergency medical response shall be identified as specified in the contract and shall not display any telephone number other than "9-1-1"

(C) Ambulances not under contract for emergency medical response may not display words such as "paramedic unit", "medic unit", "advanced life support", "emergency", or other words indicating a level or type of medical care provided.

(D) Ambulances not under contract to the County may not advertise on the ambulance or in any other way that they provide emergency medical response. They may not display "9-1-1" on the ambulance.

6.33.090. Prohibited Activities.

No applicant or licensee, applicant or licensee's employee, or any other person doing business under this chapter shall:

(A) Make a false statement of a material fact, or omit disclosure of a material fact, in an application for a license;

(B) Monitor or intercept police, fire, medical, or other radio dispatch or transmission with the intent of providing service or for profit or gain;

(C) Solicit information as to accident locations by payment of any form of gratuity;

(D) Charge for services not performed, make duplicate charges for the same service, or charge rates exceeding those on file with MCEMS;

(E) Perform the services of an EMT unless authorized by state law, this chapter, and the requirements adopted thereunder;

(F) Respond by ambulance to an emergency call unless so authorized by BOEC or under a provision of this chapter;

(G) Falsify, deface, or obliterate a license or certificate required under this chapter;

(H) Transport an emergency patient in any other vehicle other than a licensed ambulance and to any other facility other than a hospital emergency department unless otherwise allowed for in this chapter.

(I) Receive on-line medical advice from any other source other than Medical Resource Hospital (MRH) unless communications with MRH are unavailable.

6.33.095. Violations

(A) The administrator shall, upon finding that a violation of this chapter or applicable federal, state, municipal, or County laws, ordinances, rules, or standards and requirements affecting emergency medical services has occurred, provide written notice to the licensee, and shall demand that if correctable, the violation be corrected within not more than thirty (30) days from the date of notice, and/or, subject to the authority of the administrator, to immediately suspend or revoke a license under Section 6.33.099 of this chapter.

(B) In the event of a notice under subsection (A) of this section:

(1) The licensee shall notify MCEMS when corrective action, if required, has been taken.

(2) If a licensee fails to take required corrective action in the time required, the licensee may be fined or the license may be revoked or suspended, subject to appeal under Section 6.33.098 of this chapter.

(3) Notice shall be in writing. Mailed notices shall be given to the last known address of the licensee and shall be considered given at the date of mailing.

6.33.096. Penalty; Additional Remedies.

(A) Violation of this chapter shall be a County offense and may be punished by a civil penalty of not more than \$10,000.

(B) A schedule of fines to be levied for violations of this chapter shall be found in EMS administrative rule.

(C) Additional penalties for contract violations are found in the contract for exclusive emergency ambulance service.

(D) The provisions of this section are in addition to and not in lieu of other procedures and remedies provided by law.

6.33.098. Appeals. .

(A) A person receiving a notice of denial, refusal to renew, suspension, or revocation of license, or a violation as provided in this chapter, may request a hearing by an appeals hearing officer by filing a written request with the administrator within ten (10) days of the date of the notice, setting forth reasons for the hearing and the issues to be heard.

(B) The administrator shall, upon receipt of a timely request, notify the hearings officer who will set a time and place for the hearing not more than thirty (30) days from the date of the receipt of the request for a hearing and notify the parties.

(C) The hearing shall be conducted by the hearings officer in accordance with the most recently published Attorney General's Model Rules of Procedure.

(D) The hearings officer shall issue a final order within thirty (30) days of the termination of the hearing.

(E) An appeal of the final order, may be filed within ten (10) days of the date of the order, with the clerk of the Board, who shall schedule a hearing before the Board and notify the parties.

(F) The Board may confirm, alter, or revoke the order of the hearing officer and the action of the Board shall be considered final.

(F) A licensee who is unsuccessful in an appeal to a hearings officer or in any subsequent appeal to the Board, shall reimburse the County for the fee paid to the hearings officer.

6.33.099. Effect of Filing a Hearing Request.

Filing of a hearing request shall abate any further proceedings by the administrator, provided however, that in any case where the EMS Medical Director or the County Health Officer finds a serious danger to the public health or safety, the administrator may suspend or refuse to renew a license without a hearing. The effected licensee receiving such a notice may request a hearing with the Board of

Commissioners, within thirty (30) days of the notice, without a hearing under Section 6.33.098 of this chapter, and the initial notice may be confirmed, altered or revoked by the Board of Commissioners.

6.33.100. Medical Direction and Supervision.

(A) There shall be established, as an employee of the Health Department, appointed by the Health Officer, the position of Emergency Medical Service Medical Director (EMSMD).

(B) The EMSMD shall serve as the physician supervisor for all EMTs in the employ of licensed ambulance services within the County and working within the County. In addition, the EMSMD may serve as the physician supervisor for EMTs employed by EMS first responder agencies, by agreement with the County.

(C) Duties of the EMSMD include, but are not limited to:

(1) Approval for practice for all EMTs. Approval shall be provided to each EMT and his/her employer, in writing, and a record kept by MCEMS;

(2) Creation of policies for limiting the practice of EMTs when necessary, including adequate due process protections for the effected EMT;

(3) Setting the standards for training and continuing education for EMTs and EMDs;

(4) Implementation of a quality management program designed to provide for the continuous improvement of patient care and other aspects of the EMS system;

(5) Promulgation of standards of patient care, consistent with the Ambulance Service Area plan and including, but not limited to:

(a) Dispatch and pre-arrival protocols;

(b) Transport triage criteria and protocols;

(c) Specific requirements for EMTs working within the County;

(d) Approved equipment, supplies, and drugs;

(e) Patient care protocols;

(f) Medical criteria for response times;

(g) Patient transfer criteria; and

(h) Critical care inter-facility transport criteria.

(D) Assistants to the medical director.

(1) The EMSMD may appoint assistants to help carry out the duties assigned to the Medical Director. The EMSMD retains the sole responsibility for all assigned duties.

(2) Funding for assistants to the EMSMD, if any, shall be recommended by the administrator.

(E) The EMSMD may appoint committees or individuals as deemed necessary, to provide advice regarding the duties of the medical director.

(F) The EMSMD may not implement protocols nor take other actions that would change the patient care standards specifically identified in the Ambulance Service Area Plan or in this chapter without approval by the Board of County Commissioners.

(G) The administrator is authorized to collect fees from employers of EMTs to off-set the cost to County for the EMSMD and any assistants. These fees shall be limited to the salary and benefits of the EMSMD and agents. Fees will change only with compensation changes.

6.33.105. On-line Medical Control.

(A) On-line medical control shall be provided by a Medical Resource Hospital (MRH).

(B) Standards for the MRH shall be determined by the EMSMD and implemented through a performance agreement between MRH and MCEMS.

(C) Compensation for MRH services shall be recommended by the administrator and approved by the Board of County Commissioners.

6.33.110. EMS Medical Advisory Board.

(A) There is created an EMS Medical Advisory Board (MAB) which shall consist of the following persons:

(1) Three physicians, interested and involved in pre-hospital emergency care, one each recommended from the following organizations: the Multnomah County Medical Society, the American College of Emergency Physicians, and MRH;

(2) One physician, recommended by the County Health Officer as a member-at-large;

(3) One nurse, specializing in emergency care, and recommended by the Emergency Nurses Association;

(4) Two paramedics recommended by organizations representing paramedics.

(B) Members shall be appointed by the Board for terms of three years.

(C) Responsibilities shall include:

(1) Provision of advice to the EMSMD and MCEMS;

(2) An annual report to the Board of County Commissioners on the effectiveness of pre-hospital medical care provided by the EMS system to the citizens of Multnomah County.

(D) The chair of the MAB shall be appointed by the EMS Medical Director.

(E) Members shall be reimbursed for expenses authorized by the administrator .

6.33.115. Training and Education.

(A) All training and continuing education for EMTs will be provided through a coordinated educational program approved by the EMSMD.

(B) The program will offer education and training opportunities which include state recertification requirements, issues identified as a result of the quality improvement process, new, "state-of-the-art" information, changes in patient care protocols, and other pertinent topics.

(C) Current and additional training and education resources from the public and private sectors will be used to provide these activities to EMTs. They will be coordinated to insure their maximum use and availability.

(D) Particular attention will be paid to the training needs of the volunteer rural first responders and system resources will be made available to assist in meeting these needs.

(E) Training and education standards, EMT attendance requirements, and County specific education and training requirements shall be the responsibility of the EMSMD.

(F) There may be appointed, an "education coordinator" to assist the EMSMD. This position may be employed by the County or provided under contract to the County. This position may be funded from EMS system revenues as specified by the administrator.

6.33.200. EMS Program Office, Administration.

(A) There shall be within the County Health Department an EMS program office (MCEMS) which is responsible for the implementation, regulation, coordination, and enforcement of this chapter, the ambulance service plan and other EMS planning, and the administration of the emergency ambulance service contract.

(B) The responsibilities in (A) above may be accomplished through the promulgation of administrative rules, by the administrator, in accordance with the County's administrative rule process. All such rules that pertain to patient care, EMT practice, ambulance equipment and supplies, and other medical matters shall be approved by the EMSMD prior to implementation.

(C) The administrator is delegated the authority for the enforcement of this chapter including the requirement for the production of relevant records, documents, and recordings. The administrator shall have the authority to subpoena such records when necessary to insure their production.

(D) The administrator may hold hearings on matters of compliance with this chapter and subpoena and require attendance of witnesses at such hearings.

(E) The administrator may appoint committees or individuals, as deemed necessary, to provide advice to the administrator.

6.33.300. System Quality Management and Improvement.

(A) All licensees are required as a condition of license, and all other EMS providers are encouraged, to participate in the quality management program for the EMS system. Participation includes:

(1) Providing patient care data, dispatch and call determination data, EMT training and education information, vehicle maintenance information, EMT rosters, patient or other complaints, and other data and information determined by MCEMS to be necessary for the quality management process. This data is to be provided in a form and frequency to be determined by MCEMS;

(2) Serving on review bodies, committees, problem solving groups, as may be required;

(3) Implementing system changes and modifications in a timely manner;

(4) Maintaining an internal quality improvement process and providing information on the problems and outcomes to the system program;

(B) All data, information, and proceedings associated with the quality management program that could identify patients, specific events, patient medical conditions, locations, or other possible identifiers shall be considered confidential and protected from discovery in accordance with ORS Chapter 1079.

(C) There shall be a quality management committee, chaired by the EMSMD, and responsible for the development, implementation, and on-going monitoring of the quality management and improvement process.

6.33.400. EMS First Response

(A) MCEMS shall enter into agreements with all agencies providing medical first response. These agencies are fire departments and districts, police or sheriff, or other public emergency responders. These agreements shall include, but are not limited to:

- (1) Types of call response and dispatch protocols,
- (2) Response time goals,
- (3) Level of personnel training and staffing,
- (4) Educational and training support provided by MCEMS,
- (5) Equipment, supply, or other support from MCEMS,
- (6) Quality management participation,
- (7) Medical supervision through the EMSMD.

6.33.450. Emergency Ambulance Service Area.

(A) All of Multnomah County comprises a single ambulance service area served by a provider selected by the board and operating under contract or intergovernmental agreement with the County which specifies the conditions of service.

(B) In order to insure the most effective medical response with the resources available MCEMS will:

(1) Enter into an exclusive emergency ambulance service contract with a qualified ambulance service provider.

(2) Designate response time zones within the ambulance service area. Each zone will have a response time requirement for each level of service.

(3) The zones designated in (1) above will be incorporated into the contract for emergency ambulance service.

(4) Through intergovernmental agreements specifying the details of service, allow EMS agencies from other jurisdictions to provide service into Multnomah County when such an action will allow for better service to the citizens in the identified areas of the County. MCEMS may likewise allow contracted agencies to serve similar areas in other jurisdictions.

6.33.455. Exclusive Emergency Ambulance Service Contract

(A) The exclusive provider of emergency ambulance service for the single ASA in the County shall be selected through a competitive proposal process by the Board of County Commissioners.

(B) MCEMS shall prepare the necessary request for proposals specifying all criteria necessary for the preparation of a proposal and the selection of a provider.

(C) The contract for emergency ambulance service shall specify all performance and operational criteria not otherwise stated in this chapter. The selected emergency ambulance provider shall enter into an agreement with the County that includes, but is not limited to, the following:

(1) The qualifications required to provide service under the agreement;

(2) Performance criteria such as response time requirements, area coverage, staffing;

(3) Charges for service;

(4) Information and data reporting requirements;

(5) The relationship between the parties to the agreement;

(6) Specifics of participation in the EMS system quality improvement program;

(7) Medical supervision requirements;

(8) Remedies for failure to meet the tenants of the agreement; and

(9) Fee requirements for medical supervision and program management and support.

(3) The contract shall have specific requirements that insure appropriate policies effecting the employees of the provider. These requirements include:

(1) A workforce diversity plan that meets all federal, state, and local standards. The plan must include a specific process for the recruitment and retention of women and minority EMTs.

(2) Agreement to provide employment consideration and priority to paramedics displaced from employment with the providers in Multnomah County prior to the contract implementation to the extent that positions are available.

(3) Providing an Employee Assistance Program (EAP) to all EMTs. The EAP programs in force by the County and the city of Portland shall serve as the standard for evaluation of offered programs.

6.33.460. Reassignment

(A) Should the contracted provider resign its interest in the ASA or should the County terminate the agreement, the County shall then select a replacement provider(s) by a method recommended by the administrator and approved by the Board.

(B) At the end of the term of the contract the Board may exercise its option of renewing the contract or seeking a replacement provider.

6.33.500. Ambulance Charges for Service.

(A) All licensees under this chapter shall provide MCEMS with a schedule of the charges (fees) for services they provide. This schedule must be current at all times.

(B) No charge for service may exceed that which is listed on the most recent schedule on file at MCEMS.

(C) Charges for services provided under contract to the County shall be limited to those specified in the contract and may not be changed, adjusted or modified except through the rate adjustment proceeding.

6.33.505 Rate Adjustment Definitions.

"Applicant" means a provider whose rates are regulated pursuant to this chapter and who requests or applies for a rate adjustment.

"Intervenor" means a person whom the Contract Review Committee (CRC) or the hearings officer has allowed to participate in a proceeding subject to the rights provided by these Rules.

"Officer" means a hearings officer to whom the County has delegated authority to conduct hearings pursuant to these rules.

"Operating expenses" or "allowable costs" means those costs attributed to the provision of emergency medical services provided under the exclusive provider agreements required by this chapter.

"Party" means a provider whose rates are regulated pursuant to this chapter and any person admitted as an intervenor pursuant to these Rules.

6.33.510. Contract Compliance and Rate Regulation Committee (CRC).

(A) There shall be a Contract Compliance and Rate Regulation Committee (CRC), appointed by the Board of County Commissioners, upon the recommendation of MCEMS.

(B) The CRC shall be comprised of the following members:

- (1) A person with expertise in ambulance operations;
- (2) An attorney with health care expertise;
- (3) A person in the business of health care administration or health care financing;
- (4) An accountant;
- (5) An EMS provider not regulated by this chapter;
- (6) A citizen residing within Multnomah County.

(C) The CRC will meet and review the response times and other performance requirements of the ambulance service contract and make recommendations to the EMS Administrator. The CRC will review all requests for rate adjustments and make recommendations to the EMS Administrator.

(D) The initial rates incorporated in the exclusive ambulance service contract shall be verified and recommended

to the Board by the RFP evaluation committee, acting as the Contract Compliance and Rate Regulation Committee for purposes of this initial review.

(E) The CRC shall develop criteria to be used for rate adjustment decisions; to be approved by the Board.

6.33.515. Rate Adjustment Procedure.

(A) A request for a rate adjustment may be made by a licensee whose rates are regulated by this chapter or by MCEMS. This process is for contested rate increases or unusual rate increase requests. The exclusive ambulance contract rate adjustment formula is not subject to this section.

(B) The rate adjustment procedure is a contested hearings process with an appointed hearing officer that allows all interested, qualified parties to participate. The order of the hearing officer is forwarded to the CRC for final determination of the rates to be charged.

(C) There are a variety of persons who may participate in rate proceedings conducted by the County. They include the contracted provider of emergency ambulance service, other providers of ambulance service, third party payers for ambulance service, MCEMS, employees of ambulance companies, and users of emergency ambulance service.

(D) The regulated provider shall submit to the rate hearing a reviewed financial statement prepared by a certified public accountant or, if a public provider, by the appropriate financial officer.

(E) Financial statements shall be in a form and include accounts as required by MCEMS. The statements shall show only allowable costs as specified in the ambulance service contract and also shall show total costs for all accounts that require an allocation to determine allowable costs including the application of the allocation methodology to the total costs.

(F) Any person who resides or does business in Multnomah County may petition to intervene in any proceeding conducted under this section. The petition to intervene shall contain the following information:

(1) The name and address of the petitioner;

(2) The name and address of the attorney, if any, representing the petitioner;

(3) If the petitioner is an organization, the number of members in and the purposes of the organization;

(4) The nature and extent of the petitioner's interest in the proceeding;

(5) The issues the petitioner intends to raise at the proceeding; and

(6) Any special knowledge or expertise of the petitioner which would assist the County in resolving the issues in the proceeding.

(G) If the hearings officer finds the petitioner has sufficient interest not otherwise represented in the proceeding and the petitioner's appearance and participation will not unreasonably broaden the issues, burden the record, or unreasonably delay the proceeding, the hearings officer shall grant the petition.

(H) The hearings officer shall set the time and place for a hearing on the proposals for a rate adjustment. The hearing shall be held within 15 days of the time fixed by the administrator for receipt of the schedules of proposed rates. Notice shall be served on all parties at least 30 days prior to the date of the hearing, in person, by mail, or by any other reasonable means of delivery.

(I) MCEMS may request of any party the production of documents relevant to the determination of any issue currently a part of a rate setting proceeding under this chapter. The request shall set forth the general relevance and reasonable scope of the documents sought. A party may return with any requested documents a form protective order providing for the confidentiality of those documents. The form protective order shall be provided by MCEMS with each and every request for documents. Should a party refuse to produce the requested documents, the administrator may issue a subpoena for the documents.

6.33.520. Orders.

(A) The hearings officer shall issue a written recommended order, no later than 30 days after the date on which the hearing was closed, which shall be based solely on the record made at the hearing and shall forward that order to the CRC.

6.33.525. CRC Rate Review Procedures.

(A) The CRC shall schedule a review of the recommended order, which shall be held no more than 30 days after service of the recommended order.

(B) CRC review of final recommended orders shall be confined to the record of the proceeding below, which shall include:

(1) All materials, submitted by any party and received by the hearings officer;

(2) All materials submitted by staff to the hearings officer;

(3) The transcript of the hearing below;

(4) The findings and conclusions of the hearings officer.

(C) The CRC may allow oral or written argument by the parties.

(D) Parties shall limit their argument to the CRC to issues regarding an error of law or fact in the order which is essential to the decision and which the party raised in exceptions filed under these Rules.

(E) The CRC may affirm, reverse, remand, or modify the decision of the hearings officer.

(F) The CRC shall prepare a decision which shall include written findings of fact and conclusions, based upon the record. The CRC shall serve the decision upon all parties to the hearing.

(G) Unless appealed to the Board within the time specified, the decision of the CRC shall be final and non-appealable.

6.33.530. Appeals to Board of Commissioners.

(A) Within 10 days from the date a decision of the CRC is served, a party may file an appeal with the Board.

(B) The appeal to the Board shall specify:

(1) The portion of the challenged order which the appellant contends is erroneous or incomplete;

(2) The portion of the record, laws, or rules relied upon to support the appeal;

(3) The change in the order which the Board is requested to make;

(C) The Board may grant an application for an appeal if the applicant shows that there is an error of law or fact in the order which is essential to the decision and which the

party appealing raised in exceptions filed under these Rules.

(D) The Board may affirm, reverse, remand, or modify the decision of the CRC.

(E) The Board's decision shall become final at the close of business on the 10th day after service of the decision on the parties.

6.33.535. CRC Contract Compliance Review Procedures.

(A) The CRC shall meet, at least annually, to review the performance, as specified in the contract, of the contractor for emergency ambulance service.

(B) Data and information necessary for this review shall be provided by the contractor, BOEC, MCEMS, and others, as requested by the CRC.

(C) The CRC will review the performance of the contractor and make recommendations to the EMS Administrator as to the contract compliance of the contractor.

6.33.600. Ambulance Dispatch.

(A) Dispatch for contracted ambulances shall be provided by the City of Portland, Bureau of Emergency Communications (BOEC).

(B) Dispatch requirements and performance standards, medical triage protocols, medical information requirements (pre-arrival instructions), and data requirements shall be specified in an intergovernmental agreement between BOEC and the County. The medical protocols and medical information requirements specified in that agreement shall be promulgated by the EMSMD.

(C) MCEMS, in conjunction with BOEC and the ambulance contractor, shall determine the necessary information to be supplied by the contractor to insure the optimal operation of the ambulance dispatch and require the provider to supply this information in the form and manner designated. This information shall include ambulance deployment schedules and "move up" criteria and locations (system status plan).

(D) All licensees receiving requests for ambulance services through their business telephone or by any other means other than BOEC, shall, using the triage guide, approved by MCEMS and employed at BOEC, determine if the call meets the emergency dispatch requirements. If the call meets these requirements, that call information is to be transferred to 911 for dispatch. Licensees are prohibited

from dispatching an ambulance to a call that meets emergency dispatch criteria.

(E) Ambulances, when responding to emergency calls, shall inform BOEC of their status for response; immediately notifying BOEC of any change from a previous status. The record of this information, along with the time of each notification, shall be kept at BOEC and shall comprise the official record for purposes of contract monitoring and compliance.

6.33.625 Code-3, (Priority 1, Lights and Sirens).

(A) "Code-3" or "Priority 1" means driving an emergency vehicle with the aid of warning lights and sirens.

(B) Ambulances may respond to a call Code-3 only when dispatched by BOEC.

(C) Ambulances are prohibited from responding to a hospital or other facility, for the purpose of initiating a non-patient call (e.g. pick up of a transport team), code-3.

(D) Any ambulance use of code-3 driving other than to respond to an emergency call dispatched by BOEC, deliver a patient to a hospital, or to deliver a transplant organ to a hospital shall be reviewed by MCEMS for appropriate use of code-3 driving. "Appropriate" is defined as responding to save the life of a patient.

6.33.650. Communications.

(A) Each ambulance shall be equipped with radios and/or other communication equipment as specified by MCEMS.

(B) All ambulances will be equipped, at a minimum, with a radio that allows communication with their dispatch center and the receiving hospitals.

(C) Each receiving hospital and MRH will communicate with ambulances on radio equipment specified by MCEMS.

(D) It shall be the responsibility of each licensee to purchase, install and maintain such equipment. The County shall not be responsible for any cost associated with this equipment.

(E) The policies for the use of such equipment, the security of the equipment, and system access requirements shall be promulgated by MCEMS in conjunction with the City of Portland and other parties involved in radio system operations.

6.33.655. Hospital Availability, Ambulance Diversion.

(A) Information regarding the ability of hospitals to receive ambulance transported patients shall be provided to ambulance units, by BOEC, using the CHORAL system.

(1) Each receiving hospital wishing to change its receiving status from time to time shall be equipped with the necessary computer and other requirements for participation in the CHORAL system. Hospitals not participating in the CHORAL system shall be considered available for ambulance transports at all times.

(2) Ambulance companies may have CHORAL equipment for purposes of monitoring the system. The BOEC CHORAL computer information shall be the official information for the CHORAL system.

(B) Ambulances may be diverted from an intended hospital destination based only on the information provided by the CHORAL system. In the event of a failure of the CHORAL system, other means of communication, as authorized by the administrator, may be used to convey the hospital status.

(C) Nothing in this chapter is intended to supersede any state or federal laws or regulations regarding ambulance diversion or patient destination.

6.33.700. Mass Casualty Incidents (MCI)

(A) The MCI plan, as attached to the EMS administrative rules, shall serve as the guide for the response of first responders and ambulances and the care and transportation of persons, when the number of persons meets the criteria for implementation of the plan. This plan shall be reviewed from time to time by the EMSMD and modified when necessary to insure that current standards of care are being met.

(B) It is the intent that the MCI plan will be developed and maintained on a regional basis.

(C) Any licensed ambulance may be required to respond to a mass casualty incident. Those ambulances not under contract to the County will be used only at the request of the EMS administrator or by EMS approved protocol.

6.33.750. Special responses.

(A) Emergency medical response to certain calls may require specialized equipment and specially trained personnel. These calls include, but are not limited to, hazardous material calls, search and rescue, extrication, trench, dive, and high angle rescue, and support for law enforcement response teams. These specialized responses are

the responsibility of the fire first responders, and in the case of search and rescue, the sheriff.

(B) Response by specialized units of the ambulance providers shall be only at the direction of the responding provider in (A) above, through BOEC dispatch.

ATTACHMENT B

MEDICAL DIRECTOR COST WORK SHEET

PRE-HOSPITAL PERSONNEL AND ALLOCATION OF EMSMD COST

JULY/JUNE 1995-96

	FIRST RESPONDER		AMB EMT		PARAMEDICS		TOTAL EMT		
AMR			20	\$9,200	105	\$77,282	125	\$86,482	
CARE			20	\$9,200	8	\$5,888	28	\$15,088	
PFB	657	\$60,446					657	\$60,446	
GFD	81	\$7,452					81	\$7,452	
PDX	25	\$2,300					25	\$2,300	
COMM			12	\$5,520			12	\$5,520	
ASSIST			6	\$2,760			6	\$2,760	
STANDBY			6	\$2,760			6	\$2,760	
CORBETT								\$0	VOLUNTEERS
SAV. IS								\$0	VOLUNTEERS
TOTAL	763	\$70,198	64	\$29,441	113	\$83,170	940	\$182,809	
								\$182,809	
MD COMPENSATION	SALARY	TAX/BENEFIT	TOTAL						
EMSMD	\$113,550	\$25,179	\$138,729						
AGENTS	\$40,000	\$4,080	\$44,080						
	TOTAL COST		\$182,809						
COST ALLOCATION PER EMT	VALUE	UNITS	EACH						
PARA	8	904	\$736						
AMB EMT	5	320	\$460						
FIRST RESP	1	763	\$92						
	PER UNIT COST								
	JULY/JUNE 1995-96		1987				\$92		

MEETING DATE: NOV 21 1995

AGENDA NO: R-12

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: PCRB Exemption Request

BOARD BRIEFING Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING: Date Requested: November 21, 1995

Amount of Time Needed: 5 - 10 minutes

DEPARTMENT DCFS DIVISION Community Action Program

CONTACT Rey Espana/Franna Hathaway TELEPHONE # 248-5464 / 248-5111

BLDG/ROOM# B166/7th

PERSON (S) MAKING PRESENTATION: Rey Espana

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

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

Request from Community and Family Services, Community Action Program for an exemption to the PCRB competitive procurement process to contract with Metro Community Development Corporation (CDC), to fund weatherization activities at two multi-unit housing complexes through September 30, 1996.

11/15/95 NOTICE OF HEARING & Application to PCRB list,
DAVE BOWER, FRANNA HATHAWAY & REY ESPANA
SIGNATURE REQUIRED:

11/22/95 NOTICE OF APPROVAL & ORDER TO PCRB list, DAVE BOWER,
ELECTED OFFICIAL: FRANNA HATHAWAY & REY ESPANA


OR
DEPARTMENT MANAGER: *Paul Boyer*

BOARD OF
COUNTY COMMISSIONERS
CLATSOP COUNTY
OREGON
NOV 15 PM 12:06

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES
Any questions: Call the Office of the Board Clerk 248-3277/248-5222

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

TO: BOARD OF COUNTY COMMISSIONERS

FROM:  Franna Hathaway, Purchasing Section Manager

TODAY'S DATE: November 15, 1995

REQUESTED PLACEMENT DATE: November 21, 1995

SUBJECT: Exemption request to contract with Metro Community Development Center (CDC), to fund weatherization activities at two multi-unit housing complexes which are to be converted to low income housing.

I. Recommendation/Action Requested:

The Department of Community and Family Services, Community Action Program is requesting an exemption from the formal competitive procurement process to contract with Metro Community Development Center (CDC), to fund weatherization activities at two multi-unit housing complexes which are to be converted to low income housing.

II. Background/Analysis:

The Community Action Program has been working with Community Development Corporations and other property owners to develop low income housing. Metro CDC owns two multi-unit facilities and is interested in renting the units to low income households. Under the intended contract, the Department will pay approximately \$30,000 for weatherization activities in exchange for a two-year commitment by Metro CDC to maintain the units as low income housing and rent to low income households.

III. Financial Impact:

None.

IV. Legal Issues:

This request is supported by ORS 279.015 (2) and other than the signing of the contracts, there are no legal issues anticipated.

Page Two
Procedure for Staff Report

V. Controversial Issues:

N/A

VI. Link to Current County Policies:

Current County policies require formal competitive bidding for the purchase of equipment, materials, supplies and non-professional services that exceed \$25,000.00.

VII. Citizen Participation

N/A

VIII. Other Government Participation:

N/A



MULTNOMAH COUNTY OREGON

rec'd 11/3
jnt

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

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

TO: Franna Hathaway, Purchasing Manager

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

DATE: October 24, 1995

SUBJECT: PCRB Exemption Request: Metro Community Development Corporation

Request for Exemption: This is to request a one year exemption to the PCRB competitive process for Metro Community Development Corporation (CDC), to fund weatherization activities at two multi-unit housing complexes which are to be converted to low income housing. The contract with Metro CDC is for approximately \$30,000, for the period October 1, 1995 through September 30, 1996.

Basis for Exemption: This PCRB exemption is requested on the basis that:

- The Department's Community Action Program has the authority to allocate federal weatherization funds to pay for weatherization of low income housing;
- The Community Action Program plans to use some of these funds as leverage to encourage the development of low income housing;
- The Community Action Program has paid for similar activities through Portland Development Commission or through other arrangements that used the Program's weatherization contractors under bid for the weatherization work;
- The provider, Metro CDC, will competitively bid the weatherization work;
- The Community Action Program will consider allocating weatherization funds to any project that meets the program criteria for low income housing, within funding limits.

Background: The Community Action Program has been working with Community Development Corporations and other property owners to develop low income housing. Metro CDC owns two multi-unit facilities and is interested in renting the units to low income households. Under the intended contract, the Department will pay approximately \$30,000 for weatherization activities in exchange for a two-year commitment by Metro CDC to maintain the units as low income housing and to rent to low income households.

Typically, the Community Action Program has paid for these types of activities through a contract with Portland Development Commission (which, as a public agency, is exempt from competitive procurement) or through the designation of a weatherization contractor for the job, using contractors already under contract with the County.

RECEIVED
PURCHASING SECTION

95 OCT 27 PM 1:28

MULTNOMAH COUNTY



MULTNOMAH COUNTY OREGON

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

BOARD OF COUNTY COMMISSIONERS

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

NOTICE OF HEARING

The Multnomah County Board of Commissioners, sitting as the Public Contract Review Board, will consider an application on Tuesday, November 21, 1995, at 9:30 a.m. in Room 602 of the Multnomah County Courthouse, 1021 SW Fourth, Portland, Oregon, in the Matter of an Exemption to Contract with Metro Community Development Corporation to Fund Weatherization Activities at Two Multi-Unit Housing Complexes.

A copy of the application is attached.

For additional information, please contact Franna Hathaway, Multnomah County Purchasing Section, 248-5111.

**BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON
PUBLIC CONTRACT REVIEW BOARD**

Deborah L. Bogstad
Office of the Board Clerk

enclosure

cc: Dave Boyer
Franna Hathaway
Rey España

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON
ACTING AS THE PUBLIC CONTRACT REVIEW BOARD

In the Matter of an Exemption to)
contract with Metro Community)
Development Corporation to fund)
weatherization activities at two)
multi-unit housing complexes)

A P P L I C A T I O N

Application to the Public Contract Review Board on behalf of a request from the Department of Community and Family Services, Community Action Program, is hereby made pursuant to the Board's Administrative Rule AR 10.140 adopted under the provisions of ORS 279.015 for an order of exemption to contract with Metro Community Development Center (CDC), to fund weatherization activities at two multi-unit housing complexes which are to be converted to low income housing. The contract with Metro CDC is for approximately \$30,000, for the period through September 30, 1996.

This exemption Request is due to the following facts:

1. The Department's Community Action Program has the authority to allocate federal weatherization funds to pay for weatherization of low income housing;
2. The Community Action Program plans to use some of these funds as leverage to encourage the development of low income housing;
3. The Community Action Program has paid for similar activities through Portland Development Commission or through other arrangements that used the Program's weatherization contractors under bid for weatherization work;
4. Metro CDC will issue formal competitive bids on all of the weatherization work.
5. The Community Action Program will consider allocating weatherization funds to any project that meets the program criteria for low income housing, within funding limits.

This exemption is not likely to encourage favoritism or substantially diminish competition and will result in cost savings.

Purchasing, recommends approval of the exemption to contract with Metro Community Development Center (CDC), to fund weatherization activities at two multi-unit housing complexes which are to be converted to low income housing and that Metro CDC will issue formal competitive bids for the weatherization work.



Franna Hathaway, CPPB, Manager
Purchasing Section



MULTNOMAH COUNTY OREGON

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

BOARD OF COUNTY COMMISSIONERS

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

NOTICE OF APPROVAL

The Multnomah County Board of Commissioners, sitting as the Public Contract Review Board, considered an application on Tuesday, November 21, 1995, at 9:30 a.m. in Room 602 of the Multnomah County Courthouse, 1021 SW Fourth, Portland, Oregon, and approved Order 95-243 in the Matter of an Exemption to Contract with Metro Community Development Corporation to Fund Weatherization Activities at Two Multi-Unit Housing Complexes.

A copy of the Order is attached.

**BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON
PUBLIC CONTRACT REVIEW BOARD**

*Deborah L. Bogstad
Office of the Board Clerk*

enclosure

*cc: Franna Hathaway
Dave Boyer
Rey España*

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON
ACTING AS THE PUBLIC CONTRACT REVIEW BOARD

In the Matter of an Exemption to)
contract with Metro Community)
Development Corporation to fund)
weatherization activities at two)
multi-unit housing complexes)

ORDER
95-243

The above entitled matter is before the Board of County Commissioners, acting in its capacity as the Multnomah County Public Contract Review Board, to consider a request from the Department of Community and Family Services, Community Action Program under Multnomah County PCRB Rule AR 10.140 to contract with Metro Community Development Corporation (CDC).

It appearing to the Board that the request for exemption, as it appears in the application, is based upon the fact that the Community Action Program has been actively working with Community Development Corporations and other property owners to develop low income housing. And that this contract will fund weatherization activities at two multi-unit housing complexes which are to be converted to low income housing. Metro CDC will issue formal competitive bids on all of the weatherization work.

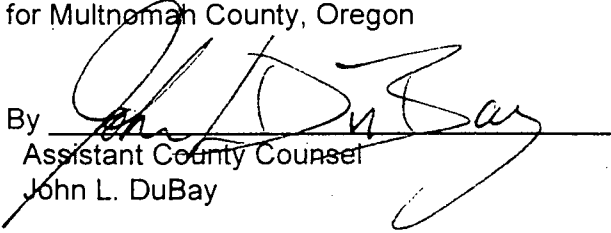
It appearing to the Board that this request for exemption is in accord with the requirements of the Multnomah County Public Contract Review Board Administrative Rule AR 10.140, it is therefore

ORDERED that the exemption is hereby approved as it represents

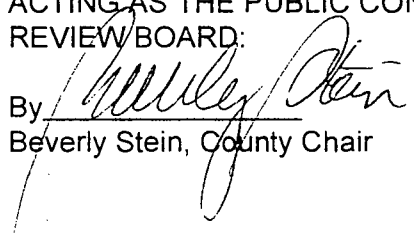
Dated this 21st day of November, 1995.



LAURENCE KRESSEL, County Counsel
for Multnomah County, Oregon

By 
Assistant County Counsel
John L. DuBay

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON
ACTING AS THE PUBLIC CONTRACT
REVIEW BOARD:

By 
Beverly Stein, County Chair

MEETING DATE NOV 21 1995

AGENDA NUMBER R-13

AGENDA PLACEMENT FORM

SUBJECT: Approving the Supplemental Budget

BOARD BRIEFING: Date Requested: _____

Amount of Time Needed: _____

UNUSUAL MEETING: Date Requested: November 21, 1995

Amount of Time Needed: 15 minutes

DEPARTMENT: Nondepartmental DIVISION Budget Office

CONTACT: Dave Warren TELEPHONE : 248-3822

BLDG/ROOM: 106/1400

PERSON(S) MAKING PRESENTATION: Ginnie Cooper, Dave Boyer and Budget Staff

ACTION REQUESTED

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

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

The supplemental budget is to authorize the financing of a mainframe computer system for the County Library (\$330,500), appropriation of energy conservation proceeds (\$687,000), creation of a fund to record revenues from the strategic investment program (\$270,000), creation of a fund to account for revenue bonds associated with the Edgefield Children's Center (\$2,148,000), and creation of a sinking fund to retire those bonds (\$552,000).

Because these items require full supplemental budget process, the Board must sit as the Budget Committee, approve the Supplemental Budget, and forward it to Tax Supervising for a hearing.

11/27/95 certified true copies & copies x 4 to Dave Warren

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Dorothy Steiner

OR

DEPARTMENT MANAGER: _____

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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



MULTNOMAH COUNTY, OREGON

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

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

TO: Board of County Commissioners

FROM: Dave Warren, Principal Budget Analyst *DCW*

DATE: November 15, 1995

SUBJECT: Supplemental Budget -- Additional Information

The Supplemental Budget submitted for your review on November 21 includes a number of items. I have tried to summarize those items in the document itself. However, there is additional information available in the attached staff report memoranda that may be more useful than the summarized document.

The attachments are:

1. Library staff report memorandum about the replacement of the Dynix mainframe system
2. Facilities Management staff report memorandum about replacing Courthouse chillers using a State Energy Loan
3. Draft resolution authorizing borrowing the loan. [This resolution will be put in final form and brought to the Board for approval on November 30]
4. Supporting documentation for the loan application itself.
5. Finance staff report memorandum about the creation of the Strategic Investment Program Fund, the Edgefield Children's Center Fund, and the Revenue Bond Sinking Fund.



MEMORANDUM

TO: Board of County Commissioners
FROM: Ginnie Cooper, Director of Libraries
TODAY'S DATE: November 15, 1995
REQUESTED PLACEMENT DATE: November 21, 1995
SUBJECT: Replacement of Library Main System Hardware

I. Recommendation/Action Requested:

The Library is requesting approval to enter into a lease/purchase agreement with Dynix, the Public Library Division of Ameritech, to upgrade our current computer hardware and operating system which runs our computerized card catalog and circulation system.

II. Background/Analysis:

The Library's current main system hardware and operating system, a Sequoia 300 installed in 1988, is two release levels out of date and can no longer be maintained in its present configuration. Dynix, the Library's vendor, has proposed a new set of hardware to replace the current equipment: a Hewlett Packard 9000 Model K200 series computer.

All performance levels included in the original contract with Dynix will be maintained. All system capabilities will be sized for the present requirements and the new system will be installed with an upgrade pathway to the year 2000.

It is highly advantageous for the Library to perform this upgrade this fiscal year. It coincides with network upgrades currently being installed by the Library, so it maximizes our investment in our new network. It saves networking costs of \$30,000 per year for the next year, costs that would be required if we kept the old system.

To make the transition to the newly remodeled Central Library as smooth as possible, the Library should complete a conversion to a new system this year. The proposed new system replaces the current system with one better suited to the new computer room facility at the remodeled Central Library. The new Central is being built with a modern cable plant for the transfer of data to and from this system. The current system uses an old data wiring system that will need to be upgraded, at considerable expense, if we use that old system in the new building.

The conversion from the old hardware to the new hardware will require a short downtime, preferred this fiscal year so that it does not contribute to extensive downtime when Central is relocated next year. Any problems with the two major projects will reinforce themselves if the projects are done simultaneously, causing even more downtime.

III. Financial Background:

Dynix has estimated the price of the new system to be \$410,777 but would reduce the cost to us to \$330,132 if we accept this offer this calendar year. The system would be paid for through a 5-year lease/purchase agreement with Dynix, at a very attractive interest rate of 5%. The lease/purchase will be paid for with funds budgeted for the present system maintenance. We are required to keep the system maintenance funding level constant over the next 5 years (for the term of the lease agreement).

Alternative funding strategies for the replacement of the current automated system involve either adding the cost of a similar system to the library levy, raising the funding in a general obligation bond issue, or procuring private, donated funding. Each of these alternatives have costs associated with them that the current proposal avoids.

Both David Boyer, county Finance Director, and Dave Warren, Sr. Budget Analyst, have reviewed the Dynix proposal and have found it to be a sound, financially beneficial plan.

IV. Legal Issues:

All the agreements have met the necessary legal and contractual requirements.

V. Controversial Issues:

There are no controversial issues.

VI. Link to Current County Policies:

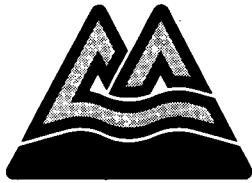
This is an excellent opportunity for the Library to partner with our primary vendor, Dynix, and achieve an outcome that is beneficial to both partners.

VII. Citizen Participation:

None.

VIII. Other Government Participation:

None.



MULTNOMAH COUNTY OREGON

DEPARTMENT OF ENVIRONMENTAL SERVICES
DIVISION OF FACILITIES AND
PROPERTY MANAGEMENT
2505 S.E. 11TH AVENUE
PORTLAND, OREGON 97202
(503) 248-3322

BEVERLY STEIN
MULTNOMAH COUNTY CHAIR

Staff Report Supplement

To: Board of County Commissioners

cc: Larry Nicholas, Interim DES Director
F. Wayne George, Facilities and Property Management Director
Amy Joslin, Energy Conservation Specialist
Dave Boyer, Finance Director
Keri Hardwick, Budget Analyst

From: Craig Calkins, Operations and Maintenance Manager
Facilities and Property Management Division

Date: November 13, 1995

Subject: SUPPLEMENTAL BUDGET: STATE ENERGY LOAN PROGRAM

I. Recommendation/Action Requested

Approve a supplemental budget item to accept a State Energy Loan in the amount of \$680,774.

II. Background/Analysis

This project will replace the existing chillers and cooling towers in the Courthouse with 2 new 300 ton screw chillers and 1 600 ton metal tower. This project also includes installation of a new waterside economizer. The existing chillers are at the end of their useful life and operate at below maximum efficiency. The two new chillers have greatly increased efficiency levels that combined with DDC controls will allow for enhanced operation. The plate heat exchanger will run in parallel with the chillers to provide free cooling when outside temperatures are less than 60 degrees.

On the 8th floor all heat pumps are being removed and replaced with a VAV system. Variable speed drive motor controls and DDC will be included.

III. Financial Impact

Energy savings as a result of these improvements are estimated at \$103,031 per year. Debt service on the principal and interest will be \$97,825 per year, paid over ten years. These figures do not include the savings on costs of repair to the current system.

IV. Legal Issues

This action requires a supplemental budget since this project was not included in the Adopted Budget.

V. Controversial Issues

The current chiller uses R-11 refrigerant. Replacement will reduce air pollution and chlorofluorocarbon emissions that have contributed to reductions in the ozone layer and increased greenhouse gases. Noise pollution from screw type chillers will be increased, but the overall conservation of scarce fossil fuels far outweigh this effect.

VI. Link to Current County Policy

Current policy supports the replacement of outdated, inefficient equipment with newer equipment, particularly when the replacement generates enough energy savings to pay for the replacement costs.

VII Citizen Participation

None anticipated.

VIII Other Government Participation.

The funds are being loaned to the County via the State Energy Loan Program .



MULTNOMAH COUNTY, OREGON

FINANCE DIVISION

BEVERLY STEIN
COUNTY CHAIR

DIRECTORS OFFICE
ACCOUNTS PAYABLE
GENERAL LEDGER
PAYROLL
TREASURY


PORTLAND BUILDING
1120 SW FIFTH AVENUE, STE 1430
P.O. BOX 14700
PORTLAND, OR 97214-0700
PHONE (503)248-3312
FAX (503) 248-3292

CENTRAL STORES
CONTRACTS
PURCHASING

FORD BUILDING
2502 S.E. 11TH 1ST FLOOR
PORTLAND, OR 97202
PHONE (503) 248-5111
FAX (503)248-3252

MEMORANDUM

TO: Amy Joslin

FROM: Dave Boyer, Finance Director 

DATE: November 9, 1995

SUBJECT: Courthouse Energy Loan

I have reviewed the energy loan data for the Courthouse chillers. The costs for financing this project with the State's Energy Loan Program will offer an annual savings of about \$5,200. Attached is the estimated amortization schedule for the \$680,774 Courthouse chiller project. Also attached is a draft Board Resolution. You will need to work with budget to make any needed budget modifications. The Board resolution must be approved by County Counsel, this is my first draft. If you have any questions please call me at 3903.

c: Harry Morton
Craig Calkins
Jean Uzelac
Keri Hardwick
Shaun Coldwell ✓

BEFORE THE BOARD OF COUNTY COMMISSIONERS

MULTNOMAH COUNTY, OREGON

In the matter of approval)
for a Loan from the Small)
Scale Energy Loan Program)

RESOLUTION NO.

WHEREAS, the Board of County Commissioners for Multnomah County, Oregon would like to improve energy efficiency in its heating and cooling systems at the Courthouse and has estimated that it would cost approximately \$680,775 to make the desired improvements; and

WHEREAS, funds are available for such purposes from the Small Scale Energy Loan Program (SELP) administered by the Oregon Department of Energy; and

WHEREAS, the Board has determined that it would be cost-effective to borrow funds from SELP in order to make the desired improvements; and

WHEREAS, the Financial and Budget Policies authorize the County to apply for a loan from SELP;

THEREFORE BE IT RESOLVED:

1. Multnomah County is authorized to borrow up to \$680,775 from, the Small Scale Energy Loan Program.
2. Facilities and Property Maintenance Division is directed to work with the Budget and Quality Office to include the SELP loan as a resource and the necessary repayments as expenditures in the budget.
3. The Finance Director, is authorized to sign any and all loan documents relating to the heating and cooling systems for the Courthouse on behalf of Multnomah County.

DATED this _____ day of _____, 1995

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

By: _____
Beverly Stein

Reviewed by:

By: _____
County Counsel

MULTNOMAH COUNTY, OREGON

Small Scale Energy Loans

INTEREST RATE	7.20%
PRINCIPLE AMOUNT	\$680,774
NUMBER OF YEARS	10
ANNUAL PAYMENT	\$97,825

		Begin Balance	Payment	Interest	Principal	Ending Balance
Year	1995	\$680,774	\$97,825	\$49,016	\$48,809	\$631,965
Year	1996	631,965	97,825	45,501	52,323	579,641
Year	1997	579,641	97,825	41,734	56,091	523,551
Year	1998	523,551	97,825	37,696	60,129	463,421
Year	1999	463,421	97,825	33,366	64,459	398,963
Year	2000	398,963	97,825	28,725	69,100	329,863
Year	2001	329,863	97,825	23,750	74,075	255,788
Year	2002	255,788	97,825	18,417	79,408	176,380
Year	2003	176,380	97,825	12,699	85,126	91,255
Year	2004	91,255	97,825	6,570	91,255	(0)
			<u>\$978,249</u>	<u>\$297,475</u>	<u>\$680,774</u>	

Prepared By: Finance 09-Nov-95

Annual Energy Savings	103,031
Debt Payment	(97,825)
Net savings	<u>5,206</u>

SMALL SCALE ENERGY LOAN PROGRAM

APPLICATION INSTRUCTIONS FOR:

CITY, COUNTY AND SPECIAL DISTRICTS

Use this application if you are a city, county, or special district.

1. Please discuss your project with us before you complete this form. Contact:

SMALL SCALE ENERGY LOAN PROGRAM (SELP)

625 Marion Street NE

Salem, OR 97310

373-1033 or 1-800-221-8035

2. This form must be used. (No substitutions, please.)
3. Enter N/A if a question does not apply to your project. If the information does not fit in the space provided, enter it as an attachment. Do not write in shaded areas.
4. Projects eligible for federal funds or other state funds may also be eligible for a SELP loan. SELP loan funds can usually count as part of any "local match" required by other programs.
5. Feel free to include additional project information.
6. All costs of operation SELP are paid by borrowers. Tax dollars are not used. You can expect to pay the following:
 - a. Application Fee: One-tenth of one percent of the amount applied for (maximum fee \$2,500) must be submitted with application. The fee may not be refunded.
 - b. Underwriting Fee: \$500 or one-half of one percent of the loan request, whichever is greater, not to exceed \$5,000 must accompany the application. All but \$500 of the underwriting fee may be applied toward the loan fee upon completion of the loan. The fee may not be refunded.
 - c. Loan Fee: One percent of the loan amount required at loan closing for all loans. This cost may be included in your loan.

SMALL SCALE ENERGY LOAN PROGRAM

City, County, Special District Application

Applicant:

Multnomah County Courthouse Chiller and Cooling Tower Replacement

~~Combined with: 8th floor Heat Pump Replacement~~

Applicant Information

Type:	City:		County:	X	Special Dist.:	
Address:	2505 SE 11th, 3rd flr		City/State/Zip:	Portland, OR 97202		
County:	Multnomah County		Employer Federal I.D. #:	936002309		

Project Information

Address:	1021 SW First Ave		City/State/Zip:	Portland, OR 97204	
Project Coordinator:	Amy Joslin	Title:	Energy Conservation	Telephone #:	248-3322
County:	Multnomah	Legislative Senate District:	6	Legislative House District:	12

Project Cost:	\$645,516/28,450		
Total Loan Request: *	\$680,774		
* You may include the loan fee of 1% in your loan request. Have you done this?	Yes	X	No
* A contingency of 5% to 20% may be added to you loan request if you are dealing with pre-bid project cost estimates. (If necessary, call to see which is the appropriate amount of contingency.) Have you done this?	Yes	X	No
Have you bid the project yet?	Yes		No
Submit any bid documents you have already obtained.			

Has any equipment been ordered or purchased?	Yes:	X	No:		If yes, when:	10/05/95
--	------	---	-----	--	---------------	----------

When will you start construction?	January 01, 1996
-----------------------------------	------------------

When is construction expected to be completed?	April 01, 1996
--	----------------

When would you like to begin payments?	May 01, 1996
--	--------------

Will you need money during construction?

Yes:

X

No:

Attach your intended construction and/or installation start-up schedule, including your expected needs for money during construction. Construction schedule not available at this time.

Briefly describe your project. What will it do? How will it do it? Confine your answer to the space below.

Replacement of existing chillers and cooling tower with (2) new 300 ton screw chillers and (1) 600 ton metal tower. This project also includes installation of a new waterside economizer. The existing chillers are at the end of their useful life and operate at below maximum efficiency. The two new chillers have greatly increased efficiency levels that combined with DDC controls will allow for enhanced operation. The plate heat exchanger will run in parallel with the chillers to provide free cooling when outside temperatures are less than 60 degrees.

On the 8th floor all heat pumps are being removed and replaced with a VAV system. Variable speed drive motor controls and DDC will included.

Describe either good or bad environmental impacts of your energy project. (Do not enter "none". Example: "Replacement of an obsolete, inefficient boiler would reduce air pollution.")

Replacement of inefficient chiller, using R-11 refrigerant will reduce air pollution and CFC emissions that have contributed to reductions in the ozone layer, and increased Greenhouse gases. Noise pollution from screw type chillers will be increased, but the overall conservation of scarce fossil fuels far outweighs this effect.

How much money do you expect to save on energy each year by doing this project? Remember, SELP will consider all sources of savings. For example, you may reduce constant repair bills. List any non-energy savings below:

\$ 99,002/4029

List all permits and licenses required for your project.

Electrical permit required for installation of DDC controls, however the electrical subcontractor has not been selected at this time.

Enclose a copy of any permit or license for this project that you have already obtained. For those that you don't have, attach a copy of the application.

Engineer:	CBGKL	Telephone:	620-3232
Address:	6650 SW Redwood Lane, STE 355	City/State/Zip:	Portland, OR 97224
Architect:	N/A	Telephone:	
Address:		City/State/Zip:	
Contractor:	Not bid yet	Telephone:	
Address:		City/State/Zip:	
Legal Counsel:	Dave Boyer	Telephone:	248-3903
Address:	1120 SW 5th	City/State/Zip:	Portland, OR 97204

Name of your utility(ies)?	Portland General Electric, NW Natural, City of Portland
----------------------------	---

How did you hear about this opportunity?	Existing Contact
--	------------------

Applicant authorizes SELP to use their name, address, project information, and project photos to explain or promote the loan program.	Yes:	<input checked="" type="checkbox"/>	No:	<input type="checkbox"/>
---	------	-------------------------------------	-----	--------------------------

Please provide the following:	
a.	A copy of a Resolution from your governing body that authorizes: <ul style="list-style-type: none"> • Applying for this loan; • Borrowing money from SELP; • Budgeting the loan payment; and • Who may sign loan documents on behalf of the borrower.
b.	Energy study or data that clearly supports the project energy savings. Skip this item if your project was found through our Public Energy Package (PEP).
c.	Audited Financial statements for the last three years and your current operating budget.

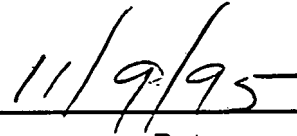
IMPORTANT – READ CAREFULLY

APPLICANT CERTIFIES AS FOLLOWS: We will use Small Scale Energy Loan Program (SELP) funds only to construct the energy project described. We will comply with all applicable rules and laws intended to preserve or enhance environmental quality. We will obtain all applicable local, state, and federal permits, approvals, and licenses and comply with their terms and conditions. The undersigned is duly authorized to request this loan on behalf of the Applicant. Applicant declares under penalty of law that all facts given and information attached are true and correct. Applicant authorizes SELP to verify information necessary for loan analysis.

REMEMBER to enclose an application fee of 1/10 of 1 percent of the loan request.



Authorized Signature



Date

Dave Boyer

Please print name of authorized
signatory

Finance Director

Title

ACCOUNTS PAYABLE

PAYMENT VOUCHER ✕ Check available 11/15

PAGE _____ OF _____

TRANSACTION CODE	P V	AGENCY (3)	D30	VOUCHER NUMBER (11)	5620960010	VOUCHER DATE	m m d d y y	ACCOUNTING PERIOD	m m y y	BUDGET FY	y y
<input type="checkbox"/> MISC. VENDOR		<input checked="" type="checkbox"/> SINGLE CHECK		SCHEDULED PAYMENT DATE	m m d d y y	CHECK DISTRIBUTION					
VENDOR CODE		VENDOR NAME				<input type="checkbox"/> U.S. MAIL <input type="checkbox"/> HOLD FOR PICKUP <input checked="" type="checkbox"/> RETURN TO <u>Flm</u> CALL _____ BLDG <u>421</u> EXT _____ ROOM <u>3rd Fl</u>					
		REMITTANCE ADDRESS									

LINE NO.	DOCUMENT REFERENCE			VENDOR INVOICE NO.	(12)	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT	SUB OBJ	REV SOURCE	SUB REV	REPT CATEG	BS ACCT	D T	AMOUNT	INC DEC	P F	
	CODE	NUMBER	LINE																		
01						410	030	5620			6110										
	DESCRIPTION (30) MB55796.																				
	DESCRIPTION (30)																				
	DESCRIPTION (30)																				
	DESCRIPTION (30)																				
	DESCRIPTION (30)																				
	DESCRIPTION (30)																				
	DESCRIPTION (30)																				
	DESCRIPTION (30)																				
	DESCRIPTION (30)																				

4084.77.

A/P

COMMENTS: _____

PAYMENT CERTIFICATION

I, the undersigned do hereby certify that the materials have been furnished, the services rendered or the labor performed as described herein or contracted for, and that the claim is just, due and unpaid obligation against Multnomah County and that I am authorized to authenticate and certify to said claim.

SIGNATURE

QAT

PERSON PREPARING VOUCHER:

TELEPHON

MULTNOMAH COUNTY COURTHOUSE CHILLER PLANT REPLACEMENT

Design and construction schedule:

- 9 June—pre-design meeting with owner
- 14 June—as-built drawing review and initial building walk thru.
- 15 June—start CD phase of design/energy analysis
- 21 June—Building block loads complete
- 28 June—Conceptual presentation/chiller selection/cost estimate
- 10 July—mid point CD owner review/cost estimate presentation
—pre-purchase chiller specification to owner
- 13 July—Owner advertise for pre-purchase of chillers
- 29 August—final CD to owner for final review
—Revised energy analysis results
—Owner receive pre-purchase submittals
- 22 September—Owner pre-purchase chillers
- 1 November—final stamped drawings and specifications to owner
- 17 November—Advertise for bids.
- Dec 8 30 November—Open bids
- Dec 29 8 December—Award contract
- Jan 8 (?) 26 December—Construction begins, submittal review
- 4 March—Construction complete
- 2 April—Final acceptance by owner



MULTNOMAH COUNTY OREGON

BEVERLY STEIN
COUNTY CHAIR

EMPLOYEE SERVICES
FINANCE
LABOR RELATIONS
PLANNING & BUDGET
RISK MANAGEMENT

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

(503) 248-5170 TDD

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

PURCHASING, CONTRACTS
& CENTRAL STORES

(503) 248-5111

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

MEMORANDUM

To: Board of County Commissioners

From: Dave Boyer, Finance Director *DB*

Date: November 14, 1995

Requested Placement Date: November 21, 1995

RE: Supplemental Budget

I. Recommendation/Action Requested:

Approve supplemental budget establishing the Strategic Investment Program Fund, Edgefield Childrens Center capital projects fund and Revenue Bond Sinking Fund to repay revenue bonds issued for Edgefield Children Center..

II. Background/Analysis:

On October 5, 1995, the Board passed Resolution 95-219 authorizing staff to proceed with the preparation of documents for issuing revenue bonds in accordance with State law. As part of this process we need to create the Edgefield Childrens Center (ECC) capital projects fund to record the proceeds of the revenue bonds and expenditures related to the construction of the campus. We also need to create a Revenue Bond Sinking Fund to record the dedicated revenue stream and debt repayment. This supplemental budget will allow the County to issue the debt once we have prepared all the necessary documents and ECC has raised the necessary private funds. The authorizing Revenue Bond Resolution will be presented to the Board for approval at a later date.

The Strategic Investment Program Fund is being established to account for the revenues and expenditures related to the agreements we have with LSI and Fujitsu.

III. Financial Impact:

ECC will be responsible for the debt payments on the Revenue Bond issue. Revenues received from LSI and Fujitsu under our SIP agreements will cover the expenditures related to the SIP Fund.

IV. Legal Issues: Bond Counsel and County Counsel have reviewed or will review all legal documents required with the revenue bonds. No legal issues with the creation of the SIP Fund.

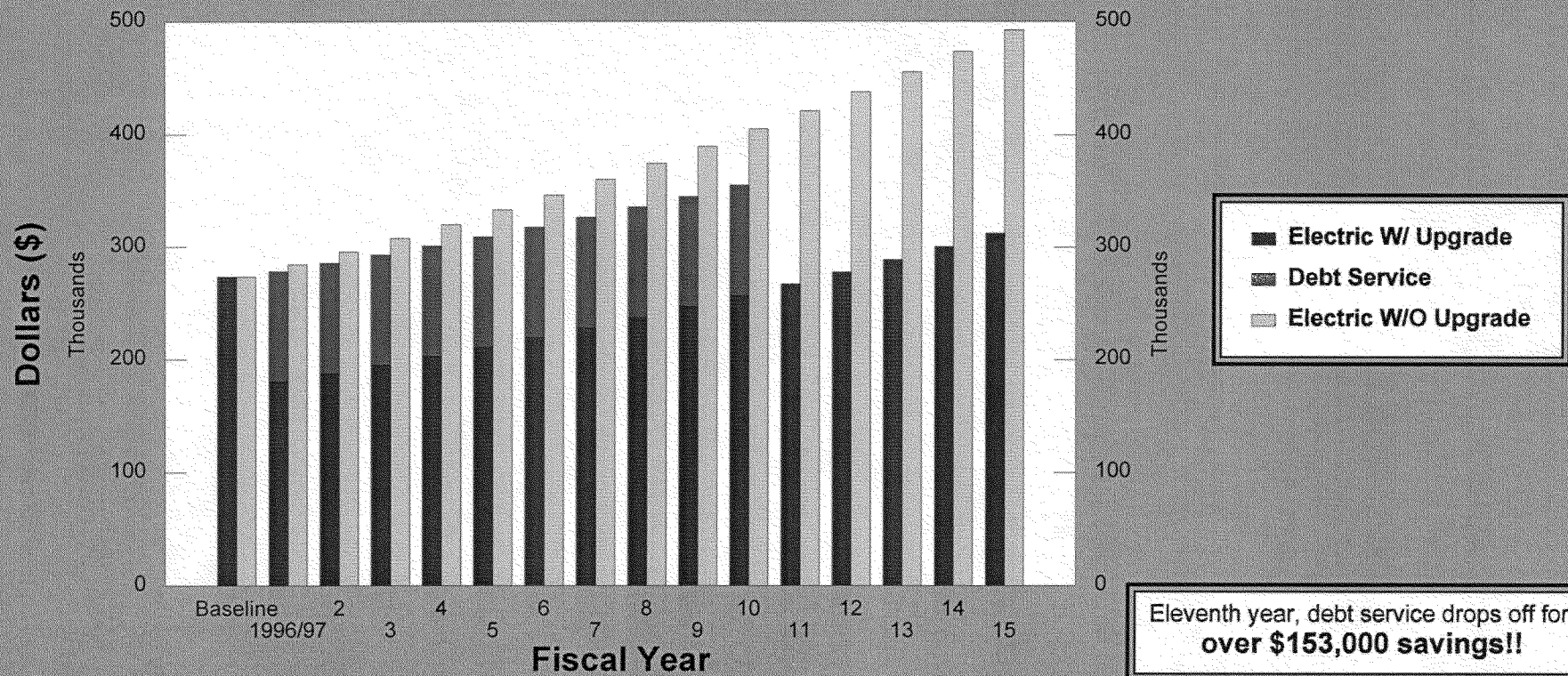
V. Controversial Issues: None that I am aware of.

VI. Link to Current County Policies: Is consistent with County policy.

VII. Citizen participation: None needed for the creation of the Funds but citizens have been or will be involved with the policy issues.

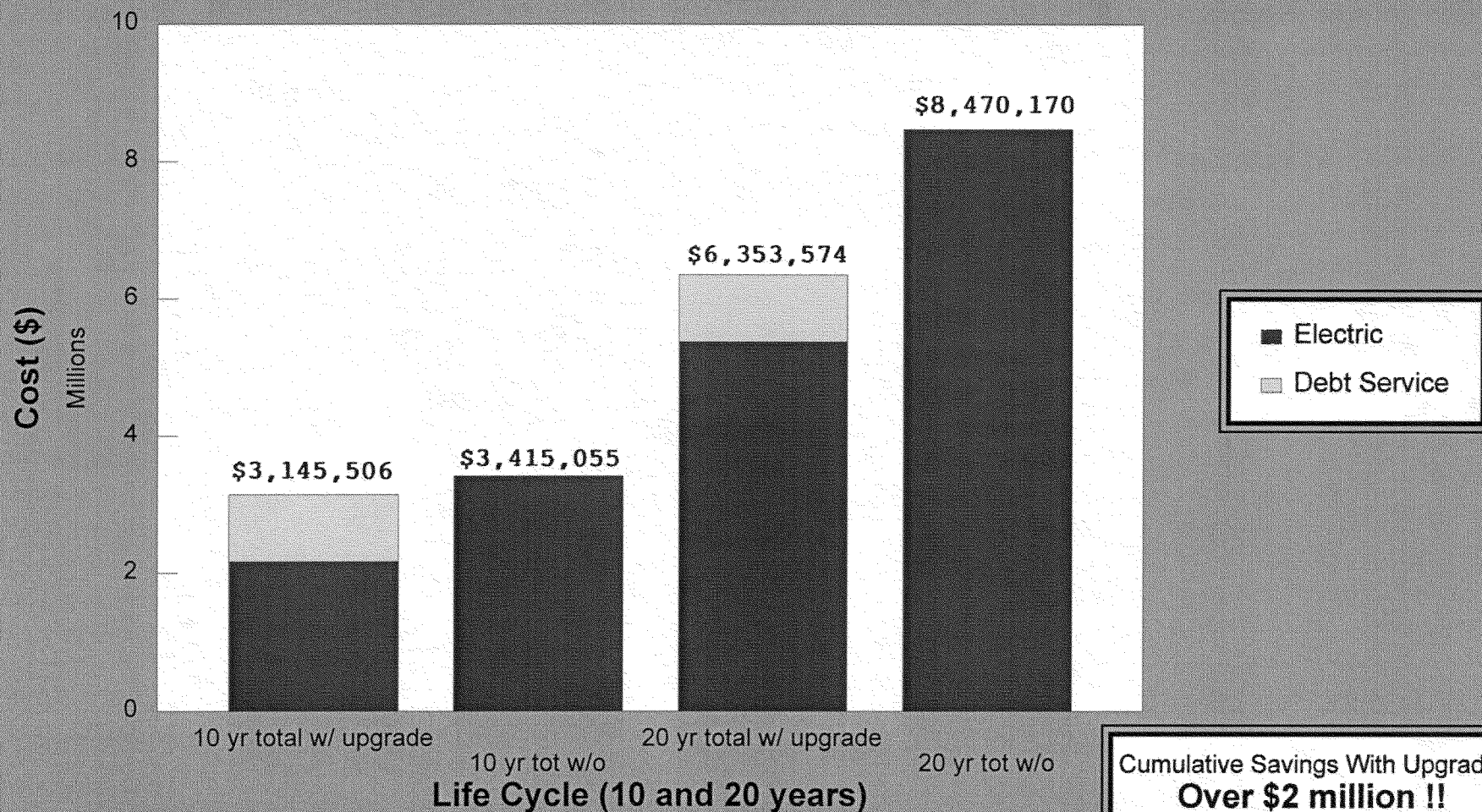
VIII. Other Government Participation: None

Courthouse Cooling System Upgrade



Utility Costs Chiller & Tower

With vs. Without Upgrade



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

In the matter of accepting the Supplemental
1995-96 Budget and preparing the Approved
Supplemental Budget for submittal to the
Tax Supervising and Conservation Commission

)
)
)
)
RESOLUTION
95-244

WHEREAS, the above-entitled matter is before the Board sitting as the Budget Committee under ORS 294 to consider approval of the Multnomah County Supplemental Budget for the fiscal year July 1, 1995 to June 30, 1996; and

WHEREAS, on , November 21, 1995, the Board of County Commissioners, sitting as the Budget Committee, received the proposed supplemental budget document in compliance with ORS 294.480; and


WHEREAS, this supplemental budget is required to account for the financing of a mainframe computer system for the County Library (\$330,500), to appropriate energy conservation proceeds (\$687,000), to create a fund to record revenues from the strategic investment program (\$270,000), to create a fund to account for revenue bonds associated with the Edgefield Children's Center (\$2,148,000), and to create a bond sinking fund to retire those bonds (\$552,000);

THEREFORE BE IT RESOLVED, that the 1995-96 Supplemental Budget is approved and the Budget & Quality Division shall forward the approved 1995-96 Supplemental Budget to the Tax Supervising and Conservation Commission.

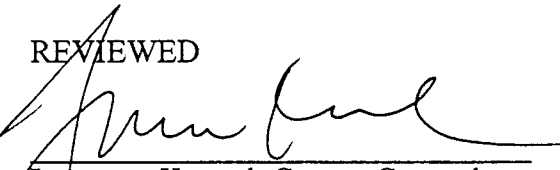


Adopted this 21st day of November, 1995

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

REVIEWED


Laurence Kressel, County Counsel
of Multnomah County, Oregon

1995-96

SUPPLEMENTAL BUDGET

SUPPLEMENTAL BUDGET

TABLE OF CONTENTS

Supplemental Budget Message	I
-----------------------------------	---

Detailed Estimate Sheets

Library.....	1
• Library Fund	2
• Equipment Lease Purchase Fund	3
Facilities Management	4
• CIP Fund	5
• Facilities Fund.....	6
Edgefield Children's Center	7
• Edgefield Children's Center Fund	8
• Revenue Bond Sinking Fund	9
Strategic Investment Program.....	10
• SIP Fund	11
Capital Lease Retirement Fund.....	12
• Capital Lease Retirement Fund.....	13
Financial Summary	14

SUPPLEMENTAL BUDGET

Supplemental Budget Message

SUPPLEMENTAL BUDGET MESSAGE

SUPPLEMENTAL BUDGET

Supplemental Budget Message

THE DOCUMENT

The document consists of three sections:

1. The budget message explaining the reasons for the changes proposed,
2. A section of detailed estimate sheets and descriptions for those actions resulting in changes in expenditures,
3. A financial summary showing the resources and requirements being changed by fund.

REASONS FOR CHANGES

A Supplemental Budget is the vehicle allowed by ORS 294. for the Board to deal with changes in financial conditions not determined at the time the budget was adopted. In cases where no fund's expenditures are increased by more than 10 percent of the adopted budget figure, the law allows the Board to make additional appropriations after advertising a hearing on the Supplemental Budget. However, this supplemental budget creates two funds and increases a third more than 10 percent of the adopted budget. As a result, the process for the supplemental budget action is to:

1. convene as the budget committee and approve the supplemental budget,
2. submit the approved supplemental budget to Tax Supervising,
3. attend a Tax Supervising hearing on the supplemental budget,
4. adopt the supplemental budget after Tax Supervising has certified that it is legal.

This 1995-96 Supplemental Budget is proposed to account for the financing of a mainframe computer system for the County Library (\$330,500), appropriate energy conservation proceeds (\$680,774), create a fund to record revenues from the strategic investment program (\$270,000), and create funds to account for revenue bonds associated with the Edgefield Children's Center (\$2,148,000);

One of the actions proposed is to record the proceeds from a third party financing arrangement in the Equipment Lease Purchase Fund (Fund 234) for the purpose of replacing the Library's mainframe computer used for the Dynix system. The Library proposes to replace the system now, rather than wait until a new levy is approved, because the vendor offers a replacement financing mechanism that fits within the cost of maintenance of the existing computer and software. Other transactions to cover the principal and interest payments due in 1995-96 are included here for the sake of completeness. They alter the budget in the Library Fund (Fund 162) and the Capital Lease Retirement Fund (Fund 225).

The second action records \$680,774 of proceeds from the State Energy Loan Program to replace the chillers and cooling tower on the Courthouse. The replacement project will be budgeted in the CIP Fund. A partial interest payment on the loan will be budgeted in the Capital Lease Retirement Fund (\$16,304), and the Facilities Fund will be adjusted to reimburse the Capital Lease Retirement Fund for the sake of completeness.

Each of the other two actions creates a fund or funds not contemplated when the 1995-96 Budget was adopted.

The Strategic Investment Program will bring in \$270,000 in Community Resources from LSI and in First Source Funding from both LSI and Fujitsu. These revenues are recorded in a new fund, the Strategic Investment Program Fund (Fund 140). The Supplemental Budget authorizes expenditure of a portion of these revenues on a staff position to support job training functions which the companies are required by contract to underwrite, and to perform other management activities associated with the program. It also authorizes pass through of some of the estimated receipts to Portland Development Commission First Source Agreement.

The other two new funds created in this Supplemental Budget are generated by the anticipated agreement with the Edgefield Children's Center. A new fund, the Edgefield Children's Center Fund (Fund 231) is created to finance the construction of an expanded facility using \$2,148,000 of revenue bonds as the funding source. The other new fund, the Revenue Bond Sinking Fund (Fund 224), will record payments by Edgefield Children's Center to retire the bonds in future years, and for the current year shows the payment of interest expense on the bonds.

SUPPLEMENTAL BUDGET

SUPPLEMENTAL BUDGET

Detailed Estimate Sheets

SUPPLEMENTAL BUDGET

Library

**Library Fund
Equipment Lease Purchase Fund**

This action upgrades the current computer hardware and operating system used for the Dynix system at the Library.

The Library's current hardware and operating system was installed in 1988. It is no longer supported by the vendor, which has proposed a new hardware system to replace it. The annual cost of the lease/purchase arrangement with the vendor plus system maintenance funding will be less than the current maintenance cost on the existing system.

The hardware upgrade has been proposed as an item for inclusion in the Library levy for the 1996-99 period. Doing it now will allow the transition back to the Central Library to be smoother, will save some costs associated with networking the current system if it continues to operate, and takes advantage of a vendor price that is expected to increase during 1996.

SUPPLEMENTAL BUDGET

Library

Library Fund Equipment Lease Purchase Fund

Library Fund	1995-6 Current Budget	This Action	1995-96 Revised
5100 Permanent	9,648,415	0	9,648,415
5200 Temporary	249,290	0	249,290
5300 Overtime	33,564	0	33,564
5400 Premium	1,683	0	1,683
5500 Salary Related	1,728,048	0	1,728,048
Total External	11,661,000	0	11,661,000
5550 Insurance	1,375,668	0	1,375,668
Total Personal Services	13,036,668	0	13,036,668
6050 County Supplements	98,602	0	98,602
6060 Pass-through Payments	0	0	0
6110 Professional Svcs	423,503	0	423,503
6120 Printing	76,986	0	76,986
6130 Utilities	0	0	0
6140 Communications	77,056	0	77,056
6170 Rentals	37,034	0	37,034
6180 Repairs and Mtce	27,825	0	27,825
6190 Maintenance Contracts	192,922	(44,600)	148,322
6200 Postage	150,880	0	150,880
6230 Supplies	603,178	0	603,178
6270 Food	0	0	0
6310 Education and Training	49,705	0	49,705
6330 Local Travel and Mileage	18,717	0	18,717
6520 Insurance	0	0	0
6530 External Data Processing	0	0	0
6550 Drugs	0	0	0
6650 Library Special Programs	80,235	0	80,235
6610 Awards/Premiums	19,677	0	19,677
6620 Dues and Subscriptions	5,300	0	5,300
6700 Library Materials	3,042,596	0	3,042,596
7810 Principal	0	0	0
7820 Interest	0	0	0
Total External	4,904,216	(44,600)	4,859,616
7100 Indirect Costs	1,488,438	0	1,488,438
7150 Telephone	105,174	0	105,174
7200 Data Processing	0	0	0
7300 Motor Pool	25,061	0	25,061
7400 Building Management	1,531,219	0	1,531,219
7500 Other Internal	69,572	0	69,572
7550 Capital Lease Retirement	0	44,600	44,600
7560 Distribution / Postage	2,325	0	2,325
Total Internal	3,221,789	44,600	3,266,389
Total Materials and Services	8,126,005	0	8,126,005
8100 Land	0	0	0
8200 Buildings	0	0	0
8300 Other Improvements	0	0	0
8400 Equipment	184,850	0	184,850
Total Capital	184,850	0	184,850
Direct Budget	16,750,066	(44,600)	16,705,466
Total Budget	21,347,523	0	21,347,523

SUPPLEMENTAL BUDGET

Library

**Library Fund
Equipment Lease Purchase Fund**

Equipment Lease Purchase	1995-6 Current Budget	This Action	1995-96 Revised
5100 Permanent	0	0	0
5200 Temporary	0	0	0
5300 Overtime	0	0	0
5400 Premium	0	0	0
5500 Salary Related	0	0	0
Total External	0	0	0
5550 Insurance	0	0	0
Total Personal Services	0	0	0
6050 County Supplements	0	0	0
6060 Pass-through Payments	0	0	0
6110 Professional Svcs	65,000	0	65,000
6120 Printing	0	0	0
6130 Utilities	0	0	0
6140 Communications	0	0	0
6170 Rentals	0	0	0
6180 Repairs and Mtce	0	0	0
6190 Maintenance Contracts	0	0	0
6200 Postage	0	0	0
6230 Supplies	0	0	0
6270 Food	0	0	0
6310 Education and Training	0	0	0
6330 Local Travel and Mileage	0	0	0
6520 Insurance	0	0	0
6530 External Data Processing	0	0	0
6550 Drugs	0	0	0
6580 Claims Paid	0	0	0
6610 Awards and Premiums	0	0	0
6620 Dues and Subscriptions	0	0	0
6700 Library Materials	0	0	0
7810 Principal	0	0	0
7820 Interest	0	0	0
Total External	65,000	0	65,000
7100 Indirect Costs	0	0	0
7150 Telephone	0	0	0
7200 Data Processing	0	0	0
7300 Motor Pool	0	0	0
7400 Building Management	0	0	0
7500 Other Internal	0	0	0
7550 Capital Lease Retirement	0	0	0
7560 Distribution / Postage	0	0	0
Total Internal	0	0	0
Total Materials and Services	65,000	0	65,000
8100 Land	0	0	0
8200 Buildings	0	0	0
8300 Other Improvements	0	0	0
8400 Equipment	1,668,317	330,500	1,998,817
Total Capital	1,668,317	330,500	1,998,817
Direct Budget	1,733,317	330,500	2,063,817
Total Budget	1,733,317	330,500	2,063,817

SUPPLEMENTAL BUDGET

Facilities Management

CIP Fund Facilities Fund

This action authorizes replacement of the chillers and cooling towers on the Courthouse with two 300 ton screw chillers and 600 ton metal tower. The existing chillers are at the end of their useful life and operate at below maximum efficiency. Annual energy savings are expected to be approximately \$103,000 per year. Principal and interest payments on the State of Oregon Energy Loan will be \$97,825. The loan is for a ten year period. Additional savings are possible because the new equipment is unlikely to cost as much to repair in the next decade as the cost of maintaining the existing system.

SUPPLEMENTAL BUDGET

Facilities Management

CIP Fund Facilities Fund

CIP Fund	1995-6 Current		
	Budget	This Action	1995-96 Revised
5100 Permanent	443,958	0	443,958
5200 Temporary	8,842	0	8,842
5300 Overtime	19,990	0	19,990
5400 Premium	0	0	0
5500 Salary Related	82,913	0	82,913
Total External	555,703	0	555,703
5550 Insurance	67,863	0	67,863
Total Personal Services	623,566	0	623,566
6050 County Supplements	20,000	0	20,000
6060 Pass-through Payment	0	0	0
6110 Professional Svcs	530,000	11,808	541,808
6120 Printing	7,500	0	7,500
6130 Utilities	0	0	0
6140 Communications	0	0	0
6170 Rentals	0	0	0
6180 Repairs and Mtce	0	0	0
6190 Maintenance Contracts	0	0	0
6200 Postage	0	0	0
6230 Supplies	4,000	0	4,000
6270 Food	0	0	0
6310 Education and Training	3,948	0	3,948
6330 Local Travel and Milea	60	0	60
6520 Insurance	0	0	0
6530 External Data Processi	50,000	0	50,000
6550 Drugs	0	0	0
6580 Claims Paid	0	0	0
6610 Awards and Premiums	0	0	0
6620 Dues and Subscription	160	0	160
6700 Library Materials	0	0	0
7810 Principal	0	0	0
7820 Interest	0	0	0
Total External	615,668	11,808	627,476
7100 Indirect Costs	0	0	0
7150 Telephone	6,219	0	6,219
7200 Data Processing	0	0	0
7300 Motor Pool	13,785	0	13,785
7400 Building Management	71,590	0	71,590
7500 Other Internal	0	0	0
7550 Capital Lease Retirem	420,000	0	420,000
7560 Distribution / Postage	0	0	0
Total Internal	511,594	0	511,594
Total Materials and Services	1,127,262	11,808	1,139,070
8100 Land	0	0	0
8200 Buildings	4,440,317	668,966	5,109,283
8300 Other Improvements	0	0	0
8400 Equipment	0	0	0
Total Capital	4,440,317	668,966	5,109,283
Direct Budget	5,611,688	680,774	6,292,462
Total Budget	6,191,145	680,774	6,871,919

SUPPLEMENTAL BUDGET

Facilities Management

CIP Fund Facilities Fund

Facilities Fund	1995-6 Current Budget	This Action	1995-96 Revised
5100 Permanent	2,528,964	0	2,528,964
5200 Temporary	123,629	0	123,629
5300 Overtime	27,793	0	27,793
5400 Premium	27,367	0	27,367
5500 Salary Related	472,832	0	472,832
Total External	3,180,585	0	3,180,585
5550 Insurance	456,826	0	456,826
Total Personal Services	3,637,411	0	3,637,411
6050 County Supplements	0	0	0
6060 Pass-through Payment	36,835	0	36,835
6110 Professional Svcs	1,785,846	0	1,785,846
6120 Printing	10,000	0	10,000
6130 Utilities	3,405,989	(16,304)	3,389,685
6140 Communications	3,000	0	3,000
6170 Rentals	2,677,256	0	2,677,256
6180 Repairs and Mtce	650,998	0	650,998
6190 Maintenance Contracts	215,779	0	215,779
6200 Postage	0	0	0
6230 Supplies	1,117,257	0	1,117,257
6270 Food	0	0	0
6310 Education and Training	31,246	0	31,246
6330 Local Travel and Milea	3,000	0	3,000
6520 Insurance	50,000	0	50,000
6530 External Data Processi	0	0	0
6550 Drugs	0	0	0
6580 Claims Paid	0	0	0
6610 Awards and Premiums	0	0	0
6620 Dues and Subscription	1,800	0	1,800
6700 Library Materials	0	0	0
7810 Principal	0	0	0
7820 Interest	0	0	0
Total External	9,989,006	(16,304)	9,972,702
7100 Indirect Costs	0	0	0
7150 Telephone	56,534	0	56,534
7200 Data Processing	45,235	0	45,235
7300 Motor Pool	189,042	0	189,042
7400 Building Management	0	0	0
7500 Other Internal	0	0	0
7550 Capital Lease Retirem	5,365,082	16,304	5,381,386
7560 Distribution / Postage	9,104	0	9,104
Total Internal	5,664,997	16,304	5,681,301
Total Materials and Services	15,654,003	0	15,654,003
8100 Land	0	0	0
8200 Buildings	586,331	0	586,331
8300 Other Improvements	28,000	0	28,000
8400 Equipment	0	0	0
Total Capital	614,331	0	614,331
Direct Budget	13,783,922	(16,304)	13,767,618
Total Budget	19,905,745	0	19,905,745

SUPPLEMENTAL BUDGET
Edgefield Children's Center Fund
Edgefield Children's Center Revenue Bond Sinking Fund

This action creates two funds to account for the Edgefield Children's Center project:

1. The Edgefield Children's Center capital projects fund which will account for the proceeds from sale of revenue bonds to construct an expanded center at the Edgefield site. The estimated cost is \$2,148,000.
2. The Revenue Bond Sinking Fund which will be used to retire the bonds, using revenues generated by the Edgefield Children Center after its expansion. Depending on when the bonds are issued, interest payments could be \$287,000. In addition, an unappropriated reserve is contemplated in the fund of \$720,000.

This action is taken to permit the project to move rapidly once the Edgefield Children's Center has raised the necessary private funds and the County decides to issue the revenue bonds. The decision to proceed will not be made until the final documents have been prepared and brought before the Board.

SUPPLEMENTAL BUDGET

Edgefield Children's Center Fund Edgefield Children's Center Revenue Bond Sinking Fund

Edgefield Children's Center	1995-6 Current Budget	This Action	1995-96 Revised
5100 Permanent	0	0	0
5200 Temporary	0	0	0
5300 Overtime	0	0	0
5400 Premium	0	0	0
5500 Salary Related	0	0	0
Total External	0	0	0
5550 Insurance	0	0	0
Total Personal Services	0	0	0
6050 County Supplements	0	0	0
6060 Pass-through Payment	0	0	0
6110 Professional Svcs	0	107,000	107,000
6120 Printing	0	0	0
6130 Utilities	0	0	0
6140 Communications	0	0	0
6170 Rentals	0	0	0
6180 Repairs and Mtce	0	0	0
6190 Maintenance Contracts	0	0	0
6200 Postage	0	0	0
6230 Supplies	0	0	0
6270 Food	0	0	0
6310 Education and Training	0	0	0
6330 Local Travel and Milea	0	0	0
6520 Insurance	0	0	0
6530 External Data Processi	0	0	0
6550 Drugs	0	0	0
6580 Claims Paid	0	0	0
6610 Awards and Premiums	0	0	0
6620 Dues and Subscription	0	0	0
6700 Library Materials	0	0	0
7810 Principal	0	0	0
7820 Interest	0	0	0
Total External	0	107,000	107,000
7100 Indirect Costs	0	0	0
7150 Telephone	0	0	0
7200 Data Processing	0	0	0
7300 Motor Pool	0	0	0
7400 Building Management	0	0	0
7500 Other Internal	0	0	0
7550 Capital Lease Retirem	0	0	0
7560 Distribution / Postage	0	0	0
Total Internal	0	0	0
Total Materials and Services	0	107,000	107,000
8100 Land	0	0	0
8200 Buildings	0	2,041,000	2,041,000
8300 Other Improvements	0	0	0
8400 Equipment	0	0	0
Total Capital	0	2,041,000	2,041,000
Direct Budget	0	2,148,000	2,148,000
Total Budget	0	2,148,000	2,148,000

SUPPLEMENTAL BUDGET

Edgefield Children's Center Fund Edgefield Children's Center Revenue Bond Sinking Fund

Revenue Bond Sinking Fund	1995-6 Current Budget	This Action	1995-96 Revised
5100 Permanent	0	0	0
5200 Temporary	0	0	0
5300 Overtime	0	0	0
5400 Premium	0	0	0
5500 Salary Related	0	0	0
Total External	0	0	0
5550 Insurance	0	0	0
Total Personal Services	0	0	0
6050 County Supplements	0	0	0
6060 Pass-through Payment	0	0	0
6110 Professional Svcs	0	0	0
6120 Printing	0	0	0
6130 Utilities	0	0	0
6140 Communications	0	0	0
6170 Rentals	0	0	0
6180 Repairs and Mtce	0	0	0
6190 Maintenance Contracts	0	0	0
6200 Postage	0	0	0
6230 Supplies	0	0	0
6270 Food	0	0	0
6310 Education and Training	0	0	0
6330 Local Travel and Milea	0	0	0
6520 Insurance	0	0	0
6530 External Data Processi	0	0	0
6550 Drugs	0	0	0
6580 Claims Paid	0	0	0
6610 Awards and Premiums	0	0	0
6620 Dues and Subscription	0	0	0
6700 Library Materials	0	0	0
7810 Principal	0	0	0
7820 Interest	0	287,000	287,000
Total External	0	287,000	287,000
7100 Indirect Costs	0	0	0
7150 Telephone	0	0	0
7200 Data Processing	0	0	0
7300 Motor Pool	0	0	0
7400 Building Management	0	0	0
7500 Other Internal	0	0	0
7550 Capital Lease Retirem	0	0	0
7560 Distribution / Postage	0	0	0
Total Internal	0	0	0
Total Materials and Services	0	287,000	287,000
8100 Land	0	0	0
8200 Buildings	0	0	0
8300 Other Improvements	0	0	0
8400 Equipment	0	0	0
Total Capital	0	0	0
Direct Budget	0	287,000	287,000
Total Budget	0	287,000	287,000

SUPPLEMENTAL BUDGET

Strategic Investment Program

SIP Fund

The County agreed to abate the taxes of two high technology manufacturing companies, Fujitsu and LSI, who will make capital plant investments in excess of three billion dollars during the next five years. In return for this tax break, the County and the companies have agreed to a number of conditions by which the companies will fund or encourage programs benefiting the public, including aggressively training and hiring local residents into the new jobs created by the plant investment, public housing contributions, and benefit packages for employees, including day care.

The agreements into which the County entered with Fujitsu and LSI provide the County with income during 1995-96 that was not anticipated at the time the budget was adopted. A portion of this revenue -- \$150,000 -- is dedicated by the terms of the agreement to be passed through to the Portland Development Commission, with the purpose of providing training to County residents so that they will meet the qualifications required to be employed by the two companies.

A second revenue source is \$120,000 anticipated to be received from the community service fee paid by the two companies. This revenue is allocated to a Staff Assistant who will work with the Portland Development Commission and monitor the Strategic Investment Program contracts.

SUPPLEMENTAL BUDGET

Strategic Investment Program

SIP Fund

SIP Fund	1995-6 Current Budget	This Action	1995-96 Revised
5100 Permanent	0	37,500	37,500
5200 Temporary	0	26,968	26,968
5300 Overtime	0	0	0
5400 Premium	0	0	0
5500 Salary Related	0	7,589	7,589
Total External	0	72,057	72,057
5550 Insurance	0	4,943	4,943
Total Personal Services	0	77,000	77,000
6050 County Supplements	0	0	0
6060 Pass-through Payment	0	150,000	150,000
6110 Professional Svcs	0	32,000	32,000
6120 Printing	0	0	0
6130 Utilities	0	0	0
6140 Communications	0	0	0
6170 Rentals	0	0	0
6180 Repairs and Mtce	0	0	0
6190 Maintenance Contracts	0	0	0
6200 Postage	0	0	0
6230 Supplies	0	8,000	8,000
6270 Food	0	0	0
6310 Education and Training	0	0	0
6330 Local Travel and Milea	0	0	0
6520 Insurance	0	0	0
6530 External Data Processi	0	0	0
6550 Drugs	0	0	0
6580 Claims Paid	0	0	0
6610 Awards and Premiums	0	0	0
6620 Dues and Subscription	0	0	0
6700 Library Materials	0	0	0
7810 Principal	0	0	0
7820 Interest	0	0	0
Total External	0	190,000	190,000
7100 Indirect Costs	0	0	0
7150 Telephone	0	0	0
7200 Data Processing	0	0	0
7300 Motor Pool	0	0	0
7400 Building Management	0	0	0
7500 Other Internal	0	0	0
7550 Capital Lease Retirem	0	0	0
7560 Distribution / Postage	0	0	0
Total Internal	0	0	0
Total Materials and Services	0	190,000	190,000
8100 Land	0	0	0
8200 Buildings	0	0	0
8300 Other Improvements	0	0	0
8400 Equipment	0	3,000	3,000
Total Capital	0	3,000	3,000
Direct Budget	0	265,057	265,057
Total Budget	0	270,000	270,000

SUPPLEMENTAL BUDGET

Capital Lease Retirement Fund

This section shows the combined principal and interest payments resulting from the other actions in this document.

	Principal	Interest
Library Mainframe Replacement \$	35,400	\$ 9,200
Facilities Chiller Replacement	<u>0</u>	<u>16,304</u>
Total \$	35,400	\$ 25,504

SUPPLEMENTAL BUDGET

Capital Lease Retirement Fund

Capital Lease Retirement Fund	1995-6 Current		
	Budget	This Action	1995-96 Revised
5100 Permanent	0	0	0
5200 Temporary	0	0	0
5300 Overtime	0	0	0
5400 Premium	0	0	0
5500 Salary Related	0	0	0
Total External	0	0	0
5550 Insurance	0	0	0
Total Personal Services	0	0	0
6050 County Supplements	0	0	0
6060 Pass-through Payment	0	0	0
6110 Professional Svcs	37,600	0	37,600
6120 Printing	0	0	0
6130 Utilities	0	0	0
6140 Communications	0	0	0
6170 Rentals	0	0	0
6180 Repairs and Mtce	0	0	0
6190 Maintenance Contracts	0	0	0
6200 Postage	0	0	0
6230 Supplies	0	0	0
6270 Food	0	0	0
6310 Education and Training	0	0	0
6330 Local Travel and Milea	0	0	0
6520 Insurance	0	0	0
6530 External Data Processi	0	0	0
6550 Drugs	0	0	0
6580 Claims Paid	0	0	0
6610 Awards and Premiums	0	0	0
6620 Dues and Subscription	0	0	0
6700 Library Materials	0	0	0
7810 Principal	2,866,552	35,400	2,901,952
7820 Interest	3,635,467	25,504	3,660,971
Total External	6,539,619	60,904	6,600,523
7100 Indirect Costs	0	0	0
7150 Telephone	0	0	0
7200 Data Processing	0	0	0
7300 Motor Pool	0	0	0
7400 Building Management	0	0	0
7500 Other Internal	0	0	0
7550 Capital Lease Retirem	0	0	0
7560 Distribution / Postage	0	0	0
Total Internal	0	0	0
Total Materials and Services	6,539,619	60,904	6,600,523
8100 Land	0	0	0
8200 Buildings	0	0	0
8300 Other Improvements	0	0	0
8400 Equipment	0	0	0
Total Capital	0	0	0
Direct Budget	6,539,619	60,904	6,600,523
Total Budget	6,539,619	60,904	6,600,523

SUPPLEMENTAL BUDGET

Financial Summary

Strategic Investment Fund (Fund 140)

	Revenue Code	1995-96 Current Budget	This Action	Revised Budget
<u>Resources</u>				
LSI Revenue	4992	0	210,000	210,000
Fujitsu Revenue	4991	<u>0</u>	<u>60,000</u>	<u>60,000</u>
<u>Total Resources</u>		<u>0</u>	<u>270,000</u>	<u>270,000</u>
<u>Requirements</u>				
Nondepartmental				
Personal Services		0	77,000	77,000
Materials & Services		0	190,000	190,000
Capital Outlay		<u>0</u>	<u>3,000</u>	<u>3,000</u>
<u>Total Requirements</u>		<u>0</u>	<u>270,000</u>	<u>270,000</u>

Revenue Bond Sinking Fund (Fund 224)

	Revenue Code	1995-96 Current Budget	This Action	Revised Budget
<u>Resources</u>				
Revenue Bond Sales	7710	<u>0</u>	<u>1,007,000</u>	<u>1,007,000</u>
<u>Total Resources</u>		<u>0</u>	<u>1,007,000</u>	<u>1,007,000</u>
<u>Requirements</u>				
Nondepartmental				
Interest Expense		<u>0</u>	<u>287,000</u>	<u>287,000</u>
<u>Total Expenditures</u>		<u>0</u>	<u>287,000</u>	<u>287,000</u>
Unappropriated Balance (reserve)		0	720,000	720,000
<u>Total Requirements</u>		<u>0</u>	<u>1,007,000</u>	<u>1,007,000</u>

SUPPLEMENTAL BUDGET

Financial Summary

Capital Lease Retirement Fund (Fund 225)

	Revenue Code	1995-96 Current Budget	This Action	Revised Budget
<u>Resources</u>				
Service Reimbursements				
Library Fund	6635	0	44,600	44,600
Facilities Fund	6646	5,635,082	16,304	5,651,386
All other Service Reimbursements		1,279,486	0	1,279,486
All Other Fund Revenue		<u>5,104,990</u>	<u>0</u>	<u>5,104,990</u>
<u>Total Resources</u>		<u>12,019,558</u>	<u>60,904</u>	<u>12,080,462</u>
<u>Requirements</u>				
Nondepartmental				
Materials and Services		6,539,619	60,904	<u>6,600,523</u>
<u>Total Expenditures</u>		<u>6,539,619</u>	<u>60,904</u>	<u>6,600,523</u>
Contingency		5,479,939	0	5,479,939
<u>Total Requirements</u>		<u>12,019,558</u>	<u>60,904</u>	<u>12,080,462</u>

Edgefield Children's Center Fund (Fund 231)

	Revenue Code	1995-96 Current Budget	This Action	Revised Budget
<u>Resources</u>				
Revenue Bond Sales	7710	0	2,148,000	2,148,000
<u>Total Resources</u>		<u>0</u>	<u>2,148,000</u>	<u>2,148,000</u>
<u>Requirements</u>				
Nondepartmental				
Materials & Services		0	107,000	107,000
Capital Outlay		0	2,041,000	<u>2,041,000</u>
<u>Total Requirements</u>		<u>0</u>	<u>2,148,000</u>	<u>2,148,000</u>

SUPPLEMENTAL BUDGET

Financial Summary

Equipment Lease Purchase Fund (Fund 234)

	Revenue Code	1995-96 Current Budget	This Action	Revised Budget
<u>Resources</u>				
Beginning Working Capital	0500	55,000	0	55,000
Certificate Proceeds	7140	1,678,317	330,500	2,008,817
<u>Total Resources</u>		<u>1,733,317</u>	<u>330,500</u>	<u>2,063,817</u>

Requirements

Nondepartmental

Materials and Services		65,000	0	65,000
Capital Outlay		1,668,317	330,500	1,998,817
<u>Total Requirements</u>		<u>1,733,317</u>	<u>330,500</u>	<u>2,063,817</u>

CIP Fund (Fund 240)

	Revenue Code	1995-96 Current Budget	This Action	Revised Budget
<u>Resources</u>				
Service Reimbursements				
State Energy Loan	new	0	680,774	680,774
All Other Fund Revenue		<u>6,191,145</u>	<u>0</u>	<u>6,191,145</u>
<u>Total Resources</u>		<u>6,191,145</u>	<u>680,774</u>	<u>6,871,919</u>

Requirements

Environmental Services

Personal Services		623,566	0	623,566
Materials and Services		1,127,262	11,808	1,139,070
Capital Outlay		4,440,317	668,966	5,109,283
<u>Total Requirements</u>		<u>6,191,145</u>	<u>680,774</u>	<u>6,871,919</u>