

ANNOTATED MINUTES

Tuesday, January 14, 1997 - 9:30 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

Chair Beverly Stein convened the meeting at 9:32 a.m., with Commissioners Sharron Kelley and Tanya Collier present.

LAND USE PLANNING MEETING

- P-1 MC 3-96 Report to the Board the Hearings Officer's Decision Regarding the Denial of a Building Permit for a Replacement Dwelling in an Area Zoned Exclusive Farm Use and Rural Center on Property Located at 29306 SE ORIENT DRIVE, GRESHAM

AT THE REQUEST OF CHAIR STEIN WHO ADVISED AN APPEAL WAS FILED, AND UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER KELLEY, IT WAS UNANIMOUSLY APPROVED THAT A DE NOVO HEARING BE SCHEDULED FOR 1:30 PM, TUESDAY, FEBRUARY 4, 1997, WITH TESTIMONY LIMITED TO 20 MINUTES PER SIDE.

The land use planning meeting was adjourned and the briefing convened at 9:34 a.m.

Tuesday, January 14, 1997 - 9:30 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

BOARD BRIEFING

- B-1 Discussion on Workforce Development Issues. Presented by Sharon Timko, Rey España and John Rakowitz.

Vice-Chair Gary Hansen arrived at 9:36 a.m. and Commissioner Dan Saltzman arrived at 9:37 a.m.

SHARON TIMKO, REY ESPAÑA, JOHN RAKOWITZ AND MELINDA PETERSEN PRESENTATIONS AND RESPONSE TO BOARD QUESTIONS AND

**DISCUSSION. STATE REQUIRED AND INTERNAL
WORKFORCE STUDY GROUPS TO BE
FACILITATED BY MIMI MADURA. GROUPS TO
REPORT BACK TO BOARD IN 90 TO 120 DAYS.**

*There being no further business, the meeting was adjourned at 10:40
a.m.*

Tuesday, January 14, 1997 - 1:30 PM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

*Chair Beverly Stein convened the meeting at 1:40 p.m., with
Commissioners Sharron Kelley, Tanya Collier and Dan Saltzman present, and Vice-
Chair Gary Hansen arriving at 1:42 p.m.*

BOARD POLICY DISCUSSION

- B-2 Discussion on Budget and Policy Implications of No Longer Being the
Local Mental Health Authority and of Full Integration of Mental Health
into the Oregon Health Plan; and How Should County Subsidize State
Funding in This Area. Presented by Lorenzo Poe, Howard Klink and
Floyd Martinez.

**LORENZO POE, GINA MATTIODA, FLOYD
MARTINEZ AND HOWARD KLINK
PRESENTATIONS AND RESPONSE TO BOARD
QUESTIONS AND DISCUSSION. BOARD
CONSENSUS THAT COUNTY PROCEED WITH
DESIGNATION AS THE LOCAL MENTAL HEALTH
AUTHORITY. MR. POE TO PREPARE A NON-
BINDING LETTER TO THE STATE.**

There being no further business, the meeting was adjourned at 3:00 p.m.

Thursday, January 16, 1997 - 9:30 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

*Chair Beverly Stein convened the meeting at 9:35 a.m., with Vice-Chair
Gary Hansen and Commissioners Sharron Kelley, Tanya Collier and Dan Saltzman
present.*

REGULAR MEETING

CONSENT CALENDAR

***UPON MOTION OF COMMISSIONER KELLEY,
SECONDED BY COMMISSIONER HANSEN, THE
CONSENT CALENDAR (ITEMS C-1 THROUGH C-3)
WAS UNANIMOUSLY APPROVED.***

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-1 GEC 6-96 Report to the Board the Hearings Officer's Decision Regarding an Approval, Subject to Conditions, of a Grading and Erosion Control Permit to Place Fill Material to Form a Road Bed and Level Area for Potential Future Building on Property Located at 27204 SE JEANETTE, GRESHAM

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES

- C-2 Amendment 1 to Intergovernmental Agreement 100197 with Oregon Health Sciences University, Extending Adult Outpatient Alcohol and Drug Treatment Services through February 28, 1997

DEPARTMENT OF COMMUNITY CORRECTIONS

- C-3 Budget Modification DCC 6 Increasing Fee Revenue in the Department of Community Corrections Family Court Services Division by \$42,850 to Establish a Budget for the Parent Education Program

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 Second Reading and Adoption of an ORDINANCE Amending MCC Chapter 2.30 in Order to More Efficiently Align Departmental Responsibilities; Combining the Department of Community Corrections and the Department of Juvenile Justice Services to One Department to be Known as the Department of Juvenile and Adult Community Justice

ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER KELLEY MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF SECOND READING AND ADOPTION. ORDINANCE 872 UNANIMOUSLY APPROVED.

R-3 RESOLUTION Supporting and Advocating for County Linkage to the Workforce Development System

COMMISSIONER COLLIER MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-3. MELINDA PETERSEN EXPLANATION OF R-3 AND R-4. UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER KELLEY, AN AMENDMENT TO PAGE TWO ADDING "WHEREAS THE STRATEGIC INVESTMENT PROGRAM WILL BE A MODEL STRUCTURE FOR THE COUNTY TO BUILD ON, AND IT IS AN INTEGRAL PART OF DEVELOPING THE COUNTY'S WORKFORCE POLICY DEVELOPMENT AND SYSTEM" WAS UNANIMOUSLY APPROVED. UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER KELLEY, AN AMENDMENT TO PAGE TWO ADDING "THE TASK FORCE IS CHARGED WITH DRAFTING A SET OF POLICY AND PROGRAM ADMINISTRATIVE RECOMMENDATIONS IN AN ACTION PLAN TO BE PRESENTED TO THE BOARD OF COUNTY COMMISSIONERS FOR REVIEW AND APPROVAL NO LATER THAN MAY 15, 1997" WAS UNANIMOUSLY APPROVED. RESOLUTION 97-10 UNANIMOUSLY APPROVED, AS AMENDED.

R-4 Budget Modification NOND 2 Requesting \$12,600 from Contingency to Fund an External Workforce Expert to Work with County Staff and the County's Partners in Assessing and Developing an Action Plan Linking County Services and the Community's Workforce System

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

- R-5 Budget Modification MCCF 1 Transferring Appropriations and Adding Additional Dedicated Revenue to Pay for the Operations of a Youth Advisory Board, a Committee of the Commission on Children and Families

COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-5. DIANNE IVERSON EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND COMMENTS. BOARD DISCUSSION. BUDGET MODIFICATION APPROVED, WITH COMMISSIONERS KELLEY, HANSEN, COLLIER AND STEIN VOTING AYE, AND COMMISSIONER SALTZMAN VOTING NO.

The regular meeting was adjourned at 9:50 a.m. and the briefing convened at 9:55 a.m.

Thursday, January 16, 1997 - 9:50 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

BOARD BRIEFING

- B-3 Discussion Regarding Multnomah Commission on Children and Families Draft Focused Strategic Plan for Wellness. Presented by Nan Waller, Jim Clay, Dianne Iverson, Norm Monroe and Lorenzo Poe.

JIM CLAY, NAN WALLER AND DIANNE IVERSON PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. BOARD TO RECEIVE COPIES OF FINAL DRAFT FOR ADDITIONAL BOARD INPUT AND REVIEW PRIOR TO FINAL ADOPTION ON JANUARY 30, 1997.

There being no further business, the meeting was adjourned at 10:55 a.m.

OFFICE OF THE BOARD CLERK
FOR MULTNOMAH COUNTY, OREGON

Deborah L. Bogstad

Deborah L. Bogstad



MULTNOMAH COUNTY OREGON

BOARD CLERK

OFFICE OF BEVERLY STEIN, COUNTY CHAIR
1120 SW FIFTH AVENUE, SUITE 1515
PORTLAND, OREGON 97204
TELEPHONE • 248-3277 • 248-5222
FAX • (503) 248-3013

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

MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS AGENDA

FOR THE WEEK OF

JANUARY 13, 1997 - JANUARY 17, 1997

Tuesday, January 14, 1997 - 9:30 AM - Land Use Planning.....Page 2

Tuesday, January 14, 1997 - 9:30 AM - Board Briefing..... Page 2

Tuesday, January 14, 1997 - 1:30 PM - Board Policy Discussion..... Page 2

Thursday, January 16, 1997 - 9:30 AM - Regular MeetingPage 3

Thursday, January 16, 1997 - 9:50 AM - Board Briefing..... Page 4

*Thursday Meetings of the Multnomah County Board of Commissioners are *cable-cast* 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 BOARD CLERK AT (503) 248-3277 OR MULTNOMAH COUNTY TDD PHONE (503) 248-5040 FOR INFORMATION ON AVAILABLE SERVICES AND ACCESSIBILITY.

AN EQUAL OPPORTUNITY EMPLOYER

Tuesday, January 14, 1997 - 9:30 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

LAND USE PLANNING MEETING

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-

Tuesday, January 14, 1997 - 9:30 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

BOARD BRIEFING

- B-1 Discussion on Workforce Development Issues. Presented by Sharon Timko, Rey España and John Rakowitz. ONE HOUR REQUESTED
-

Tuesday, January 14, 1997 - 1:30 PM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

BOARD POLICY DISCUSSION

- B-2 Discussion on Budget and Policy Implications of No Longer Being the Local Mental Health Authority and of Full Integration of Mental Health into the Oregon Health Plan; and How Should County Subsidize State Funding in This Area. Presented by Lorenzo Poe, Howard Klink and Floyd Martinez. TWO HOURS REQUESTED

Thursday, January 16, 1997 - 9:30 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

REGULAR MEETING

CONSENT CALENDAR

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-1 GEC 6-96 Report to the Board the Hearings Officer's Decision Regarding an Approval, Subject to Conditions, of a Grading and Erosion Control Permit to Place Fill Material to Form a Road Bed and Level Area for Potential Future Building on Property Located at 27204 SE JEANETTE, GRESHAM

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES

- C-2 Amendment 1 to Intergovernmental Agreement 100197 with Oregon Health Sciences University, Extending Adult Outpatient Alcohol and Drug Treatment Services through February 28, 1997

DEPARTMENT OF COMMUNITY CORRECTIONS

- C-3 Budget Modification DCC 6 Increasing Fee Revenue in the Department of Community Corrections Family Court Services Division by \$42,850 to Establish a Budget for the Parent Education Program

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 Second Reading and Adoption of an ORDINANCE Amending MCC Chapter 2.30 in Order to More Efficiently Align Departmental Responsibilities; Combining the Department of Community Corrections and the Department of Juvenile Justice Services to One Department to be Known as the Department of Juvenile and Adult Community Justice

- R-3 *RESOLUTION Supporting and Advocating for County Linkage to the Workforce Development System*
- R-4 *Budget Modification NOND 2 Requesting \$12,600 from Contingency to Fund an External Workforce Expert to Work with County Staff and the County's Partners in Assessing and Developing an Action Plan Linking County Services and the Community's Workforce System*
- R-5 *Budget Modification MCCF 1 Transferring Appropriations and Adding Additional Dedicated Revenue to Pay for the Operations of a Youth Advisory Board, a Committee of the Commission on Children and Families*
-

Thursday, January 16, 1997 - 9:50 AM
(OR IMMEDIATELY FOLLOWING REGULAR MEETING)
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

BOARD BRIEFING

- B-3 *Discussion Regarding Multnomah Commission on Children and Families Draft Focused Strategic Plan for Wellness. Presented by Nan Waller, Jim Clay, Dianne Iverson, Norm Monroe and Lorenzo Poe. 30 MINUTES REQUESTED.*

Meeting Date: JAN 14 1997
Agenda No: P-1
Est. Start Time: 9:30 am

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Report to the Board the Hearings Officer's decision on MC 3-96

BOARD BRIEFING Date Requested:
 Amt. of Time Needed:
 Requested By:

REGULAR MEETING Date Requested: January 14, 1997
 Amt. of Time Needed: 5 minutes

DEPARTMENT: DES **DIVISION:** Transportation & Land Use Planning
CONTACT: Chuck Beasley **TELEPHONE:** 248-3043
 BLDG/ROOM: 412 / 109

PERSON(S) MAKING PRESENTATION: Chuck Beasley

ACTION REQUESTED

☐ Informational Only ☐ Policy Direction ☒ Approval ☐ Other

SUGGESTED AGENDA TITLE

Report to the Board the Hearings Officer's decision regarding the denial of a building permit for a replacement dwelling in an area zoned Exclusive Farm Use and Rural Center.

SIGNATURES REQUIRED

Elected Official: _____

or

Department Manager: KB Louie K Nicholas

BOARD OF
COUNTY COMMISSIONERS
97 JAN -6 AM 11:30
MULTNOMAH COUNTY
OREGON



BOARD HEARING OF JANUARY 14, 1997

TIME 9:30am

CASE NAME: Dennis and Catherin Brown

NUMBER: MC 3-96

1. Applicant Name/Address

Dennis & Catherin Brown
29306 SE Orient Dr.
Gresham, OR 97080

2. Action Requested by Applicant

Approval of a Building Permit to replace a dwelling that exists in a rural residential zone, and to relocate it onto land in the Exclusive Farm Use zone.

3. Planning Staff Recommendation

Staff Denied Application based on the requirement in ORS 215.283(1)(t) that in order to replace a dwelling in the farm zone, it must first lawfully exist in the farm zone.

4. Hearings Officer Decision

Affirms the Planning Director's Decision.

5. If recommendation and decision are different, why?

ISSUES

(who raised them?)

6. The following issues were raised:

Neighbor testified that the applicant should not be allowed to cross the County one-foot reserve strip to gain access to SE 293rd without County approval.

Applicant argues that the County has incorrectly interpreted the ORS, and that certain County code provisions are inconsistent with other ORS provisions.

7. Do any of these issues have policy implications? Explain: None identified at this time.

Action Requested of Board

☒ Affirm Hearings Officer Dec.

☐ Hearing/Rehearing

Scope of Review

☐ On the record

☐ De Novo

☐ New information allowed

MULTNOMAH COUNTY, OREGON
DECISION OF LAND USE HEARINGS OFFICER

Case File: MC 3-96

Proposed Action(s) and Use(s): ORS 215.283(1)(t) Replacement Dwelling Building Permit Application

Matter Appealed: November 20, 1996 Decision of Planning Director Denying MC 3-96

Location of Property: 29306 SE Orient Drive, Gresham, Oregon

Zoning Designation: EFU, Exclusive Farm Use and RC, Rural Center

Applicants/Owners: Dennis and Catherin Brown
29306 SE Orient Drive
Gresham, Oregon 97080

Appellants: Dennis and Catherin Brown

Appellants' Counsel: David Hunnicut
Oregonians in Action
PO Box 230637
Portland, OR 97223
(503) 620-0258 (phone)
(503) 639-6891 (fax)

Hearings Officer: Liz Fancher

I. DECISION

The Hearings Officer hereby **AFFIRMS** the Planning Director's Decision denying the Browns' application for a building permit for an ORS 215.283(1)(t) replacement dwelling based upon the findings of fact and conclusions of law contained in that decision, except to the extent modified and supplemented by this decision.

II. EXHIBIT LIST

- | | |
|-----------|--|
| Exhibit 1 | November 25, 1996 Hunnicutt letter and November 25, 1996 Appeal Form and Exhibit "A" |
| Exhibit 2 | Exhibit A — Maps
Exhibit B — Building Permit Submittal
Exhibit C — Soils Map |
| Exhibit 3 | D. Daniel Chandler letter to Hearings Officer dated December 17, 1996 |
| Exhibit 4 | Memorandum of Law dated December 18, 1996 prepared by David J. Hunnicutt, Attorney for Applicants/Appellants |

III. FINDINGS OF FACT

The facts in this matter are not in dispute and are contained in Section I and II of the Planning Director's Decision and in the Staff Response to the Applicant's appeal. The Hearings Officer hereby adopts said findings as findings which govern this decision.

IV. APPELLANTS' LEGAL ARGUMENTS

ARGUMENT #1

Multnomah County's code regarding replacement dwellings is invalid under *Brentmar* and cannot be used to deny the Browns' application.

FINDING: The Browns' land use application is an application for a replacement dwelling under ORS 215.283 (1)(t). The Browns did not request approval of any of the uses allowed in the County's EFU zone. As a result, whether the County's code which regulates the replacement of historic dwellings is or is not legal is irrelevant to decision of this application. The Hearings Officer notes, however, that the replacement of historic dwellings is a use allowed by ORS 215.283 (1)(o), making the County's allowance of the use mandatory rather than impermissible under the holding of *Brentmar v. Jackson County*, 321 Or 481, 900 P2d 1030 (1995) which requires the County to allow all ORS 215.283(1) uses as permitted uses in EFU zones.

ARGUMENT #2

ORS 215. 283(1)(t) is directly applicable to the County's land use decisions.

FINDING: The County Planning Director determined that ORS 215.283(1)(t) is directly applicable to the Browns' dwelling permit application on page 4 of the Director's decision.

ARGUMENT #3

Two separate lots may not be created by split-zoning and application of the County's lot of record provisions, just by a subdivision (or partition) of land.

The Hearings Officer agrees with the Browns' position on this issue. To the extent that the Planning Director's decision indicates that the Browns' property may be divided without County land division review and approval under MCC Chapter 11.45 or that MCC 11.15.2662 creates two lawful lots or parcels for purposes of the State and County subdivision and partition law, it is in error. The lot of record provisions of MCC 11.15.2262 grant development rights to the RC portion of a split zoned legal parcel of land but it does not grant an exemption to the County's land division regulations found in MCC 11.45. MCC 11.45.040 specifically prohibits the division of land except in accordance with MCC Chapter 11.45. As MCC Chapter 11.15.2262 is not a part of MCC Chapter 11.45, it is not a land division regulation and land division approval must be obtained before portions of split-zoned lots or parcels may be conveyed to third parties. As such, the application of MCC 11.15.2262 to the Browns' application does not result in a division of land under MCC Chapter 11.45. Rather, it acts to define the development rights which apply to the Browns' property.

The fact that land division approval is required to divide the RC and EFU portions of the Brown property, does not prevent the County from treating a portion of the Browns' property as "lot of record" and regulating development of the Browns' property based upon that determination. The lot of record and other lot unit concepts contained in the County's zoning ordinance are less rigorous and serve a completely different legal purpose than the purpose served by the "lot" and "parcel" concepts found in the County and State subdivision and partition regulations. The "lot of record" concept is applied by the County to pieces of land, including pieces of land which are not ORS 92.010 "lots" or "parcels," to determine what areas of land are the appropriate unit of land upon which to establish land uses, including uses allowed by ORS 215.283 (1) and (2). The County's land unit definitions enable the County to determine whether lot requirements (e.g. access, frontage, minimum size, lot coverage, minimum agricultural production, minimum irrigated acreage, etc.) are satisfied by development proposals and, in some cases, to limit the number of uses that may be established on a unit of land. This concept is an integral and accepted part of the Oregon land use system. *Campbell v. Multnomah County*, 25 Or LUBA 479 (1993)(a local government's obligation to recognize lawfully created lots as separately transferrable units of land does not mean a local government must also allow each such lawfully created lot to be developed separately); *Kishpaugh v. Clackamas County*, 24 Or LUBA 164 (1992)(ORS 92.017 does not prevent County from requiring aggregation of lawful lots in order to qualify for development of the property). The "lot of record" concept allows owners of lots which were not created by governmental subdivision or partition approval to qualify for development and allows owners of property that does not meet current lot size requirements of the County code to develop their property.

ARGUMENT #4

The County may not apply the "lot of record" concept to an application which is governed by ORS 215.283 (1)(t) because ORS 215.283(1)(t) is a state statute and the state definition of a "lot" contained in ORS 92.010 applies instead.

FINDING: The definition of the term "lot" in ORS 92.010 does not apply to ORS 215.283 (1)(t) nor does the definition of the term "lot" found in ORS 92.010 prevent Multnomah County from applying a "lot of record" requirement to the Browns' land use application.

First, the term "lot" is not used in ORS 215.283(1)(t) nor in the portion of ORS 215.283 (1) which relates to ORS 215.283(1)(t). Further, the term "lot" is not synonymous with the term "lot of record." Each term serves a different function. Lots are defined by ORS 92.010 (3) as "a single unit of land that is created by a subdivision of land." The term "lot" does not include "parcels" which are units of land created by partitions of land. ORS 92.010 (5). The function of ORS Chapter 92 is to regulate the division of land and to prevent the transfer of illegally created lots and parcels. Once an area of land achieves "lot" or "parcel" status, it may be freely transferred between property owners without violating the State's subdivision control law. County defined "lots of record" are, however, lots, parcels or other properties which may be developed with uses allowed by the County's land use regulations. Multnomah County's lot of record ordinances are used to allow certain lots to be developed despite nonconformance with otherwise applicable lot requirements and to require the aggregation of lawful lots and parcels to qualify for development approval in other cases. See, *Campbell v. Multnomah County*, 25 Or LUBA 479 (1993); *Kishpaugh v. Clackamas County*, 24 Or LUBA 164 (1992).

Second, the Browns have not established that their property is an ORS 92.010(3) "lot" as they have not shown that their property was created by a subdivision of land. Further, the Tax Assessor's map support the inference that the Browns' property was not created by a subdivision as it is not included in any of the areas shown on the map as partitions and subdivisions. As the burden of proof on this issue falls upon the Browns and they have failed to meet their burden of proof, the Hearings Officer must conclude, based on the record before her, that the Browns' property is not an ORS 92.010 (3) "lot." Therefore, the Browns have not established that they are eligible for an ORS 215.283(1)(t) replacement dwelling under their own reading state law.

Further, if the Hearings Officer and the County were to abandon the "lot of record" concept found in the County's EFU zone and to substitute the requirement that EFU zoned property be an ORS 92.010(3) "lot" to qualify for a replacement dwelling under ORS 215.283(1)(t), owners of lawfully partitioned "parcels" and owners of units of land that were created prior to the adoption of governmental subdivision regulations would not be able to site (1)(t) replacement dwellings on their property.¹ The Hearings Officer finds that this exclusion of parcels and preexisting lots

¹This conclusion is based upon the Hearings Officer's finding that the term "subdivision" in ORS 92.010 (3) refers to divisions of land which were filed with and approved by

from the scope of ORS 215.283(1) or ORS 215.283(1)(t) is neither intended nor effectuated by the state statutes.²

ARGUMENT #5

Under the express language of ORS 215.283(1)(t) the Browns are entitled to site a replacement dwelling on the EFU zoned portion of their split-zoned property. The Planning Director's requirement that the dwelling to be replaced be located on land in an EFU zone is not supported by the language of ORS 215.283 (1)(t).

Lawful Lot of Record or Lot or Parcel Requirement

The Browns have failed to establish entitlement to an ORS 215.283(1)(5) replacement dwelling as they have failed to demonstrate that the EFU portion of their property is a part of a "lot of record," an ORS 92.010 (3) "lot," an ORS 92.010 "parcel" or other similar lawfully created tract of land. MCC 11.15.2002 - .2030. County zoning regulations impliedly require the Browns, and all applicants for land use approval, to demonstrate a lawful lot,³ lot of record, or parcel status for their property as a condition of approval of any land use application.

The County's zoning ordinance contains a number of means by which lots may qualify for development, including the lot of record code provisions, but the Browns have failed to demonstrate compliance with any of the County lot standards. The evidence on this point is that the Browns purchased all of the land that is involved in this application in 1992 or 1993, that the property is shown as a tax lot on the County Tax Assessor's maps and that the lot is one parcel "for deed purposes." This evidence does not establish a lawful lot status for the Browns' property under any definition identified by the County or the Browns as it is not known whether it was legal to create the property as a single lot by deed at the time that the property was first deeded as a single unit.

Turning to the language of ORS 215.283 (1)(t), the Hearings Officer finds that the language and purpose of ORS 215.283 (1)(t) does not preclude Multnomah County from applying the "lot of record" and other similar lawful lot qualifications to EFU lands regulated by Multnomah County. ORS 215.283 (1) describes uses which must be allowed as permitted, rather than conditional.

governmental entities as required by ORS Chapter 92 and which create 4 or more lots. Partitions create ORS 92.010(5) defined "parcels" rather than ORS 92.010(3) defined "lots."

²ORS 215.010 contains definitions of the term "parcel" and "tract" which act much like lot of record provisions. The terms "parcel" and "tract" apply where used in ORS Chapter 215. They are not, however, used in ORS 215.283(1)(t) so were not considered relevant to review of the Browns' application.

³As defined by County land use regulations or state subdivision law.

uses in EFU zones. It does not, however, dictate what area of land is the relevant unit for review of development applications. The Oregon Supreme Court decision of *Brentmar v. Jackson County* held that counties may not enact or apply legislative criteria of their own to supplement those found in ORS 215.283(1) in defining what uses are allowed in an EFU zone. *Brentmar v. Jackson County*, 321 Or 481, 900 P2d 1030 (1995). The *Brentmar* case does not, however, require the County to discontinue applying other land use regulations which are unrelated to defining allowed uses (e.g. legal lot requirements, setbacks, solar access ordinance requirements, wildlife overlay zone siting restrictions, etc.) to land use applications involving ORS 215.283(1) permitted uses in the EFU zone. The Hearings Officer finds that the County's lot of record and lot unit definition are permissible under *Brentmar* as they fill a legislative gap in the coverage of ORS 215.283 (1)(t) and do not impose conditions that "flatly contradict" what the statute permits. *Lane County v. LCDC*, 138 Or App 635, 910 P2d 414 (1996). This conclusion is supported by the fact that ORS 215.283(1) does not attempt to address legal lot or parcel or siting requirements and the fact that legal lot or parcel requirements do not affect whether a use is permitted outright on lawful lots in the EFU zone.

Scope of ORS 215.283(1)(t)

The Hearings Officer concurs with the Planning Director's interpretation of ORS 215.283(1)(t) and finds that a lawful dwelling use must first be established in an EFU zone before it may be "replaced" under the authority of ORS 215.283(1)(t). This requirement is implicit in the language of the statute and the fact ORS 215.283(1) regulates land uses in EFU zones only. ORS 215.283(1)(t) authorizes "alteration, restoration or replacement of a lawfully established dwelling" use in the EFU zone. As the Browns' lawfully established home is not located in the EFU zone, it is not governed by ORS 215.283(1)(t) and may not be "replaced" by a dwelling on EFU land. The fact that the Browns' dwelling is located on a piece of land which lies in two zoning districts does not change the fact that the dwelling that is to be replaced is not located in the EFU zone as implicitly required by ORS 215.283(1)(t). The Hearings Officer's legal conclusion is based upon the following analysis:

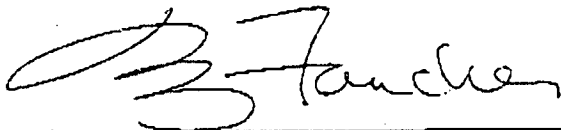
ORS 215.283(1)(t) does not authorize the alteration or restorations of dwellings located outside of the EFU zone as such actions are governed by the laws of the zones in which the dwellings are located. The only way that a dwelling from outside of the EFU zone could possibly be altered or restored in the EFU zone would be if it were moved to the EFU zone from another zone. The Hearing Officer finds that the terms "alteration" and "restoration" do not include the concept of "relocation" so that the dwelling use must, necessarily, have been lawfully established in the EFU zone. The fact that the use which is to be altered or restored must be located in the EFU zone gives support to the County's conclusion that the entire subsection (1)(t) is directed to dwellings that are "lawfully established" in an EFU zone.

The Browns claim that ORS 215.283 (1)(t) requires the County to allow new dwellings to be placed in its EFU zones in any case where any lawfully established home in any location on the planet is being "replaced." Under the provisions of subsection (1)(t), the dwelling that is being

replaced and that is located outside of the EFU zone would need to be demolished, removed or converted to a nonresidential use. This requirement makes sense when applied to prevent the existence of two residences on a single lot in the exclusive farm use zone, where residential development is discouraged. The requirement serves no legitimate planning purpose, however, when applied to zones that permit or encourage residential use or when the use which is being replaced is located on a separate lawful lot, lot of record or parcel. Further, it would be impossible for a local government to require conversion of dwellings to nonresidential use if the replaced home is located in residential zone which prohibit nonresidential uses. The requirement that a home be "removed" accomplishes nothing when the requirement is applied to a lot and dwelling located outside of the EFU zone. Removal or demolition of a home located on a legal building lot in a zone where housing is allowed or encouraged would result in creating a permanent vacant lot. If the newly vacant lot is part of a community's needed housing supply, compliance with ORS 215.283(1)(t)(E) may prevent the community from meeting its Goal 10 needed housing obligations based upon a farm dwelling approval rendered by another planning jurisdiction.

The provisions of ORS 215.283 (1)(t)(E), if read as suggested by the Browns, would require the County to dictate the use of land outside of its jurisdiction where it has no such legal authority and where planning authority has been granted to other units of government. ORS 215.283 (1)(t) would then violate the right of other governments to regulate land use within their jurisdictions. ORS 215.283 (1), as read by the Browns, would apply the restrictions of ORS 215.283 (1) to areas which are not intended to be regulated by ORS 215.283: lands which are not zoned EFU. The County and the State of Oregon do not have the legal authority to control land use outside of the State of Oregon and it seems implausible that they would have intended ORS 215.283 to have such a broad application.

Dated and signed this 2nd day of January, 1996.



Liz Fancher, Hearings Officer
Multnomah County

RECEIVED

97 JAN 13 AM 10:15

MULTNOMAH COUNTY
PLANNING SECTION

11#
ZONING 500.00
TOTAL 500.00
0000-001 1/13/97
5343 CHUCK 11:19AM

BEFORE THE BOARD OF COUNTY COMMISSIONERS

MULTNOMAH COUNTY, OREGON

DENNIS BROWN AND CATHERIN
BROWN,

Applicants.

Case File MC 3-96

NOTICE OF REVIEW

1

Applicants hereby give notice, pursuant to MCC 11.15.8260 of their intent to appeal the decision of the county's hearings officer in the above numbered matter. The hearings officers decision was signed January 2, 1997, submitted to the Board Clerk on January 3, 1997, and mailed to the parties on January 3, 1997. The applicants address is 29306 S.E. Orient Drive, Gresham, Oregon 97080. Their telephone number is 663-7693. The applicants are the owners of the subject parcel and are requesting the replacement dwelling.

2

The decision being appealed is a denial of the applicants request for a replacement dwelling building permit on their parcel, pursuant to ORS 215.283(1)(t).

3

The applicants believe that the hearings officer erred in denying their application, as ORS 215.283(1)(t) allows for the replacement of a dwelling lawfully established on the same lot or parcel as the subject parcel, regardless of the zoning for that portion of the lot or parcel upon which the dwelling sought to be replaced is sited.

///

///

1 - NOTICE OF REVIEW

BOARD OF
COUNTY COMMISSIONERS
97 JAN 13 AM 11:49
MULTNOMAH COUNTY
OREGON

The applicants request the allowance of additional testimony and evidence relating to the hearings officers finding that the applicants had not established that their property was a lawfully created unit of land. The applicant was not aware that this point was disputed, particularly since the Planning Director concluded in the Director's decision and in the staff report that the unit of land owned by the applicants was a parcel. In order to establish that the applicant has a lawfully created unit of land, the applicant will need to either 1) subpoena the County Planning Director and obtain a copy of the county zoning ordinance in effect as of the date of the creation of the unit of land purchased by applicants, or 2) conduct a title search of the subject property to determine when the unit of land owned by applicants was originally created and obtain a copy of the county zoning ordinance in effect as of the date of the creation of that unit of land. Both of these methods involve unnecessary time and expense, particularly since both the county and applicants recognize the validity of the parcel created. No party has challenged the validity of the parcel, nor will any party be surprised by the additional evidence, given that no one challenged the validity of the applicants property to begin with.

Applicants herewith submit a filing fee of \$500 for this notice, as provided by MCC 11.15.9020(B).

DATED this 13th day of January, 1997.



David J. Hunnicutt
OSB #92342
Attorney for Applicants

BOGSTAD Deborah L

To: #DISTRICT 1; #DISTRICT 2; #DISTRICT 3; #DISTRICT 4; STEIN Beverly E; ROJO Maria D
Subject: 1/14/97 Planning Item MC 3-96

It's official - the Browns have appealed their case, so after I read the decision tomorrow, Chair Stein will announce that an appeal has been filed and request a motion, second and approval to set the matter for a de novo hearing, 1:30 pm, Tuesday, February 4, 1997, testimony limited to 20 minutes per side. Thank you!

MEETING DATE: January 14, 1997
AGENDA #: B-1
ESTIMATED START TIME: 9:30 am

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Briefing on Workforce Development Issues

BOARD BRIEFING:

DATE REQUESTED: Tuesday, January 14, 1997

REQUESTED BY: Chair Beverly Stein

AMOUNT OF TIME NEEDED: One Hour

REGULAR MEETING:

DATE REQUESTED: _____

AMOUNT OF TIME NEEDED: _____

DEPARTMENT: Non-Departmental

DIVISION: Chair Beverly Stein

CONTACT: Sharon Timko

TELEPHONE #: 248-3960

BLDG/ROOM #: 106/1515

PERSON(S) MAKING PRESENTATION: Sharon Timko, Rey España and John Rakowitz

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☒ POLICY DIRECTION ☐ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

Briefing to Discuss Workforce Development Issues

SIGNATURES REQUIRED:

ELECTED
OFFICIAL: _____
(OR)
DEPARTMENT
MANAGER: _____

Beverly Stein

BOARD OF
COUNTY COMMISSIONERS
97 JAN - 7 AM 10:24
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions? Call the Board Clerk @ 248-3277



Beverly Stein, Multnomah County Chair

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

Phone: (503) 248-3308
FAX: (503) 248-3093
E-Mail: mult.chair@co.multnomah.or.us

January 2, 1997

TO: Board of County Commissioners

FROM: Melinda Petersen, Chair's Office

REQUESTED PLACEMENT DATE: January 16, 1997

RE: RESOLUTION ON SUPPORTING AND ADVOCATING FOR COUNTY
LINKAGE TO THE WORKFORCE DEVELOPMENT SYSTEM

I. Recommendation/Action Requested:

To identify the characteristics of a successful workforce development system and to develop an action plan to provide County policy on the linkage between County services and the community's workforce system.

II. Background/Analysis:

This Resolution was developed to clarify the County's role and policy in workforce development. The current broad context is that the Governor has proposed that workforce boards be appointed at the local level. Multnomah County has become more involved in workforce training and development as a long term solution to problems of family self-sufficiency. The Board of County Commissioners adopted a Strategic Investment Program (SIP) policy supporting property tax abatements to companies who target a portion of their employment hiring to the unemployed and under-employed. The County is involved in building the social services capacity of areas with high numbers of residents in or at risk of poverty and is collaborating in developing one-stop career centers to address the needs of the community. The Resolution creates a county workforce policy development task force to draft a set of policy and program administrative recommendations in an action plan to be presented to the Board of County Commissioners for review and approval.

III. Financial Impact:

\$12,600 for consultant services in assessing and developing a policy on the appropriate linkage between county services and workforce development.

IV. Legal Issues

None



V. Controversial Issues

None; the Resolution states the Board's interest in workforce development and its linkage to County services.

VI. Link to Current County Policies

A stronger linkage between county services and workforce development has a particularly strong tie with the County's Vision Statement of Increasing a Sense of Personal Opportunity and Success. There is also a strong linkage to the Long Term Benchmarks of Reducing Children Living in Poverty. The County has a strong commitment to fostering economic self-sufficiency among the clients it serves.

VII. Citizen Participation

Involvement of workforce experts and other interested parties will be part of the development of the action plan called for by the Resolution.

VIII. Other Government Participation

The Resolution states the County's desire to work collaboratively with our partners, including but not limited to: City of Portland, Mount Hood Community College, Portland Community College, Private Industry Council, Washington County, Clackamas County, and the State of Oregon.

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

**Supporting and Advocating for County)
Linkage to the Workforce Development)
System)** **R E S O L U T I O N**

WHEREAS significant federal, state and local changes are proposed for the planning and delivery of workforce development and training; and

WHEREAS the Oregon Workforce Quality Act sunsets at the end of the 1995-1997 biennium; and

WHEREAS state and local stakeholders support efforts to plan for the future of Oregon's workforce; and

WHEREAS the Governor proposes, based on a recommendation from the Workforce Quality Council, that appointment of local workforce boards be by county commissioners (and in Portland with the mayor); and

WHEREAS Multnomah County has become more involved in workforce training and development as a long term solution to problems of family self-sufficiency. The Board of Commissioners adopted a Strategic Investment Program (SIP) policy supporting property tax abatements to companies who target a portion of their employment hiring to the unemployed and under-employed. The County is involved in building the social services capacity of areas with high numbers of residents in or at risk of poverty and is collaborating in developing one-stop career centers to address the needs of the unemployed and under-employed; and

WHEREAS as a provider and funder of social and correctional services, Multnomah County is a key workforce stakeholder and has a substantial stake in workforce development and training. Multnomah County provides and funds a broad array of social services to the unemployed and under-employed which are currently not effectively integrated into the workforce system; and

WHEREAS a recent Multnomah County Community Action Program report states that the number of people at 100 percent of the federal poverty level increased in Multnomah County from 1980 to 1994 by 2 percent. Women, families headed by women, and racial/ethnic minorities are more likely to be living in poverty; and

WHEREAS the new federal welfare legislation may increase the numbers of people needing County services; and

WHEREAS the Welfare Reform efforts under the Oregon Option have adopted an aggressive "Labor Attachment" Model to move welfare recipients and

potential welfare recipients into jobs as quickly as possible, which would benefit from linkage with social services; and

WHEREAS the best route out of poverty or low wage jobs is a living wage. For the unemployed and under-employed, workforce training and placement is key to securing living wage employment opportunities; and

WHEREAS employment increases the likelihood of successful parole and probation for ex-offenders; and

WHEREAS the Multnomah County Board of Commissioners recognizes the critical link between the social service and workforce development systems. When successfully linked, social service and workforce development systems provide a continuum of services that promote economic self-sufficiency; and

WHEREAS linking workforce and social service systems will assist the County in reaching its Benchmarks for supporting children and families and assuring public safety; and

WHEREAS businesses, social service providers and communities benefit from a successful connection between social services and workforce development. Employers gain a qualified workforce. Social service providers are able to help clients become more economically self-sufficient and less reliant on public resources; and

WHEREAS it is the desire of the Board of County Commissioners to work collaboratively with our partners, including but not limited to, City of Portland, Mount Hood Community College, Portland Community College, Private Industry Council, Washington County, Clackamas County, and the State of Oregon; now therefore

IT IS HEREBY RESOLVED that the Multnomah County Board of Commissioners supports and will advocate for a workforce system that links with the social service and corrections systems with the educational and workforce training systems; and

IT IS FURTHER RESOLVED that the Board of Commissioners finds that a successful workforce development system includes the following characteristics:

- Community representation on local workforce boards and on relevant and decision making state level boards or task forces. Communities gain control by being able to work with representatives from various agencies and programs rather than having policies centrally implemented. Community-based models allow those closest to the clients to assess their needs and design corresponding programs.

- Focus on stakeholders' needs not program needs. Stakeholders include job seekers, their families and employers.

Funding decisions based on a clear understanding of the gap between existing programs and the needs identified by stakeholders and on strategies to implement promising practices.

State and local workforce efforts linked with the needs of special populations including but not limited to ex-offenders, people with disabilities and people with other special needs that make it difficult for them to obtain or hold jobs.

IT IS FURTHER RESOLVED that a Multnomah County Workforce Policy Development task force is created to better understand the challenges and opportunities within the County social service and corrections systems for enhancing the link to the workforce development system. The task force is charged with drafting a set of policy and program administrative recommendations in an action plan to be presented to the Board of County Commissioners for review and approval. The plan will focus on four County service areas: the Department of Juvenile and Adult Community Justice, the Health Department, the Community and Family Services' Community Action Program, and the Strategic Investment Program. The County Chair will appoint staff involved with workforce issues and other advisors.

APPROVED this 16th day of January, 1997.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

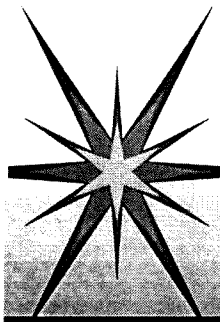
Beverly Stein, Chair

REVIEWED:

LAURENCE KRESSEL, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

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

dlb:1/10/97



Strategic Investment Program

Workforce Development Status Report

to the

Multnomah County

Board of Commissioners

by

John Rakowitz

SIP Program Manager



SIP : A Comprehensive Economic Development Program

4 Key Benefits:

Creating Permanent Jobs

> 159 jobs in 1996

Protecting the Environment

> Pollution Plan approved by DEQ

Buying locally (LSI Oregon)

> \$70.7 million total Oregon purchases

Cash Contributions

> \$1.6 million



SIP: Economic Development + Social Services = Jobs for People

Creating Job Opportunities:

- > career paths to family wages

Insuring Individual Success:

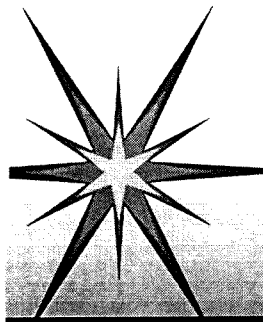
- > child care, transportation and housing

Reaching Out to Targeted Populations:

- > reaching those who need and want the jobs

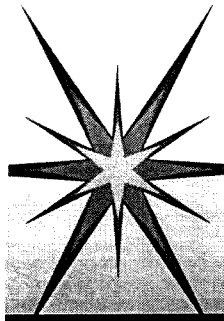
Preparing People:

- > to qualify for and succeed in these jobs

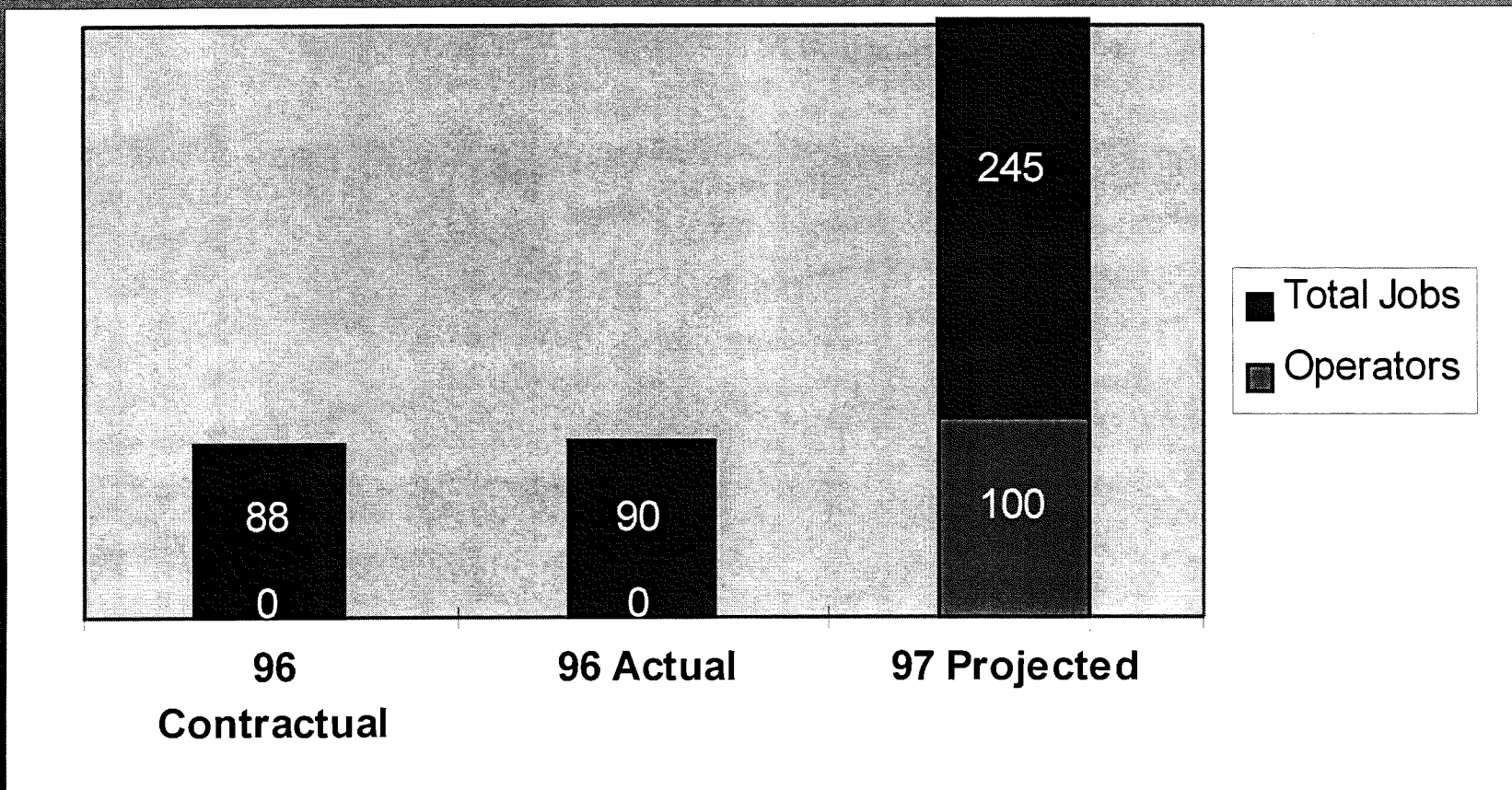


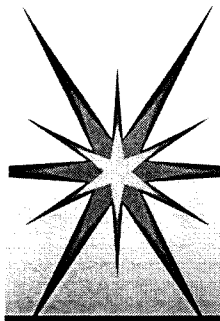
Partners

- Multnomah County and City of Gresham
- Fujitsu Microelectronics and LSI Logic
- Portland Development Commission
- Mount Hood Community College
- Community Based Organizations:
(Steps to Success, Outer Southeast
Workforce Development Center, East
County One - Stop Center, etc...)

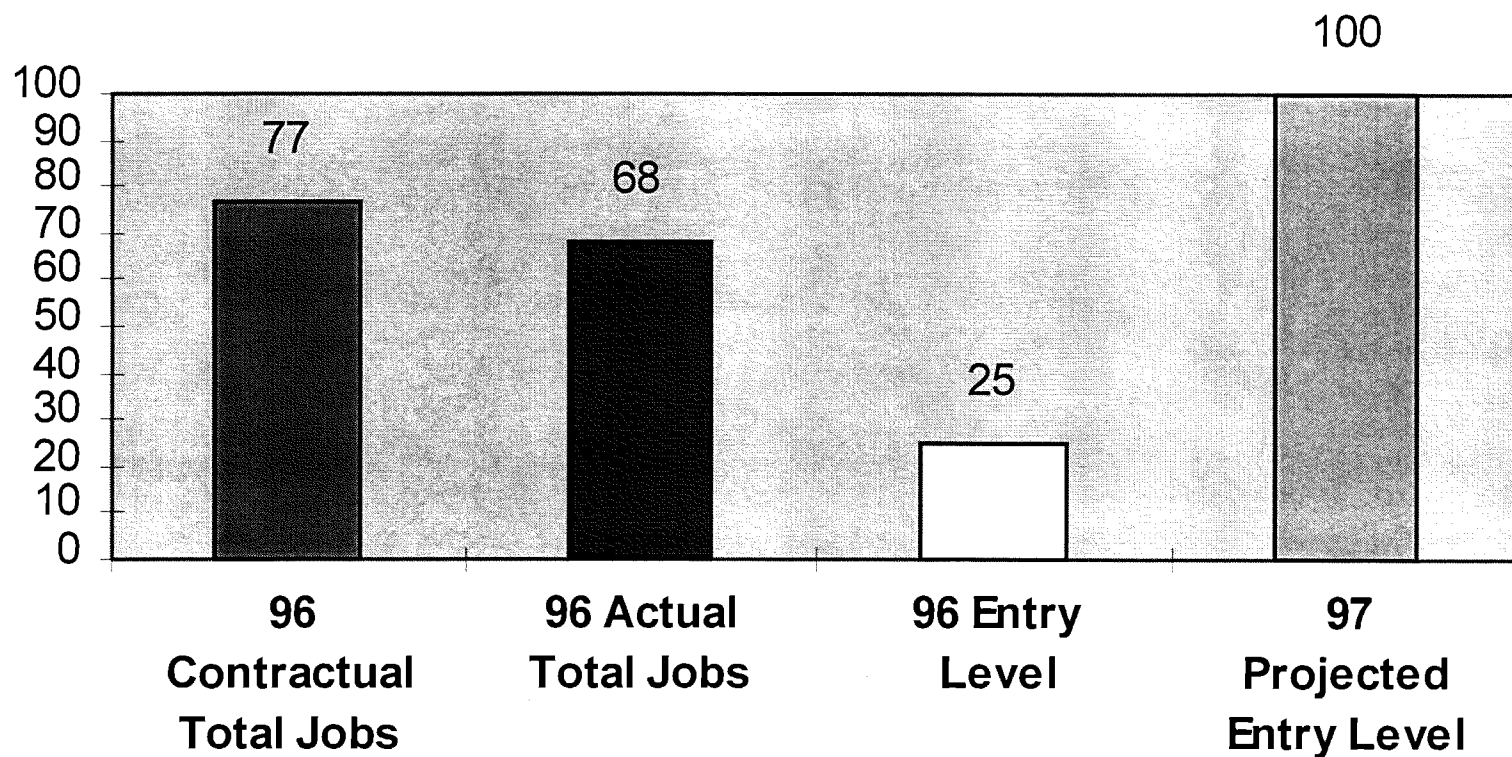


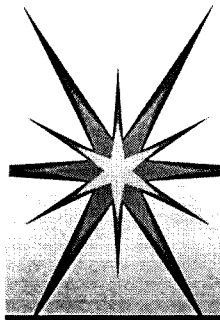
LSI Jobs (Contractual vs. Actual)



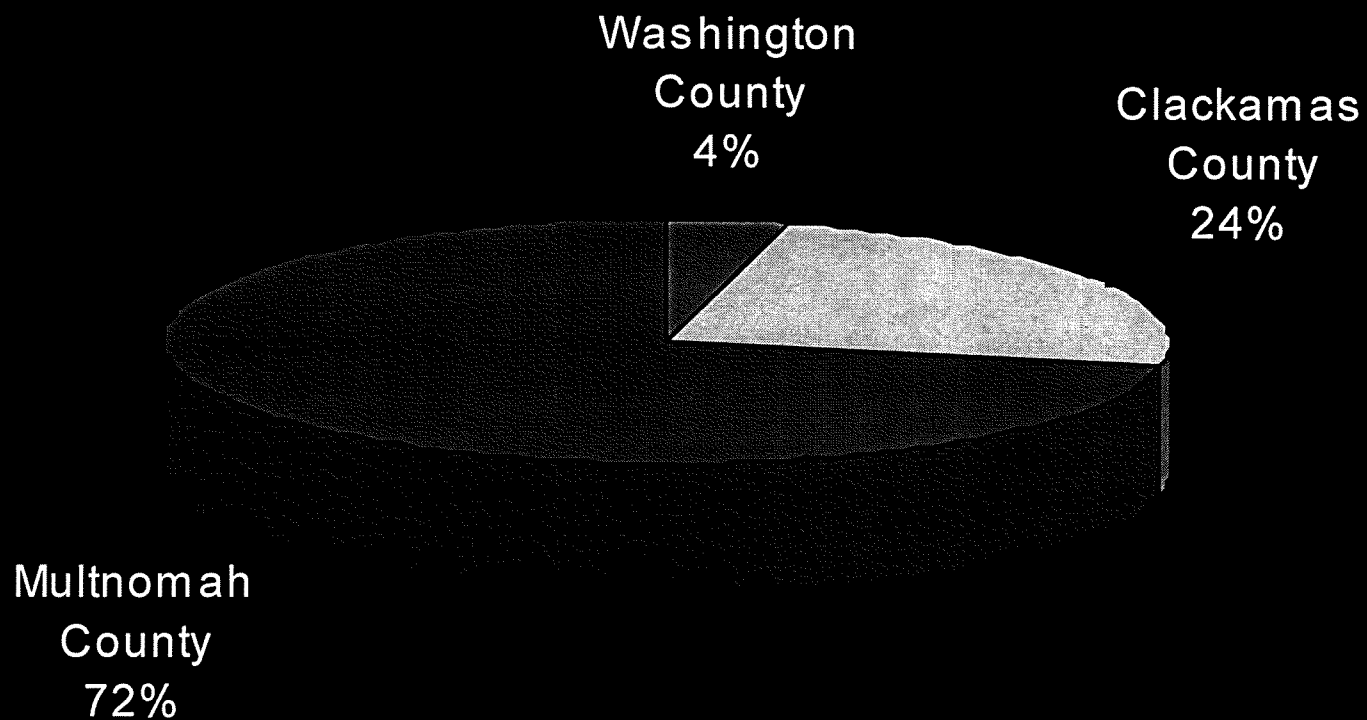


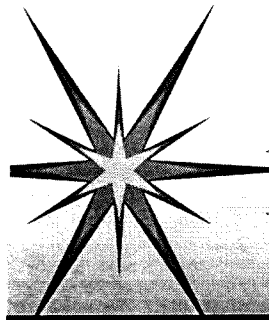
Fujitsu Jobs (Contractual vs. Actual)



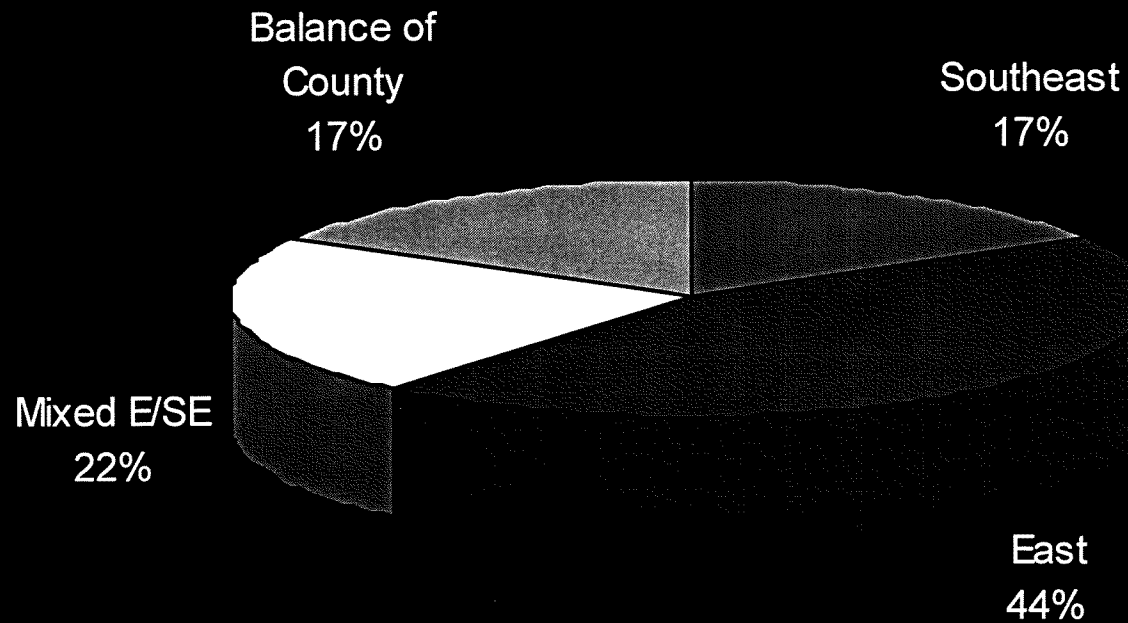


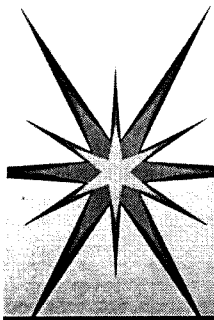
Fujitsu Entry Level Hires by Residence



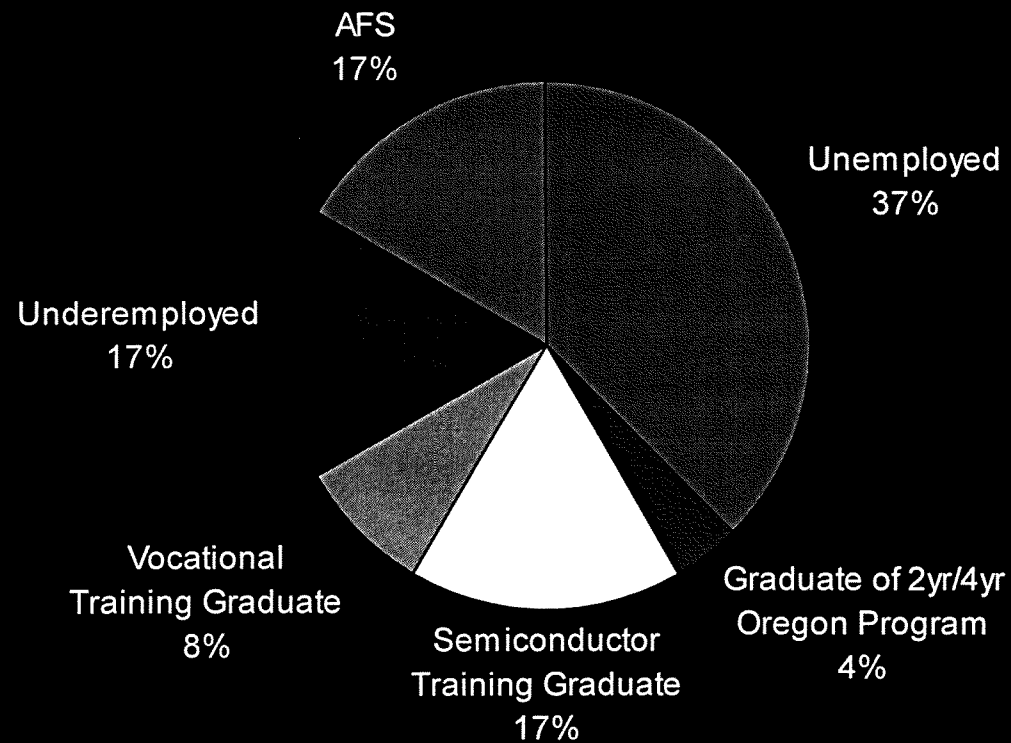


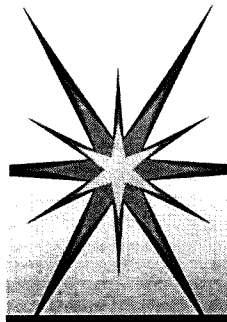
Multnomah Entry Level Hires By Area





Entry Level Hires by Targeted Population





Challenges / Lessons to Consider

- working with unpredictable market forces
 - recognizing demands of entry level jobs
 - identifying barriers to targeted populations
 - implementing complex partnerships
- creating flexible, responsive systems

**LSI LOGIC CORPORATION GRESHAM CAMPUS
PROJECT UPDATE
JANUARY 1997**

- LSI Logic Corporation plans to accept the delivery of semiconductor manufacturing equipment later this year for the first phase of its Gresham Campus.
- Eight-inch wafer production, using the company's G10™ and later G11™ technologies for trendsetting customers in the consumer electronics, communications and computer markets, will begin in 1998.
- The first phase of LSI Logic Corporation's Gresham Campus will require a \$700 million investment and the hiring of 467 workers.
- Ninety engineers, technicians and other professionals were hired by the end of 1996. By the end of 1997, the Gresham Campus will employ approximately 335, including 100 operators.
- The \$4 billion LSI Logic Gresham Campus will employ approximately 2,000 workers when all phases are completed.
- LSI Logic is expected to complete construction of the fabrication facility, office building and energy center in the spring of 1997. The company utilized more than 450 construction workers.
- For the first time, LSI Logic will hold its annual meeting for shareholders and investors at the Gresham Campus. The public meeting will be held in May.
- LSI Logic Corporation will meet its obligations under the provisions of the Strategic Investment Program, including payments to Multnomah County service providers and the hiring of individuals from targeted populations.
- LSI Logic has already made payments to the following Portland area service providers:

A.) \$500,000 to Multnomah County for low-income housing.

- B.) \$150,000 to Multnomah County for social service programs.
- C.) \$100,000 for the East County Microelectronics Training Facility at Mt. Hood Community College.
- D.) \$100,000 (equipment) for the East County Microelectronics Training Facility at Mt. Hood Community College.
- E.) \$150,000 to Multnomah County in community resource fees.
- F.) \$100,000 to Southeast Portland community college and school districts for training development.

• LSI Logic has made the following Gresham area infrastructure improvements:

- A.) \$2.1 million to widen Glisan Street.
- B.) \$6.4 million to upgrade process waste water and sewer lines.
- C.) \$823,000 for a detention pond to mitigate storm-water runoff.
- D.) \$205,000 for erosion control on 223rd. Avenue.
- E.) \$85,000 for underground power and new light poles on Glisan Street.

• Despite the equipment delivery delay caused by adverse business conditions in 1996, LSI Logic Corporation remains committed to the construction of a major semiconductor manufacturing complex in Gresham, and the provision of career-path jobs.

**LSI Logic Corporation Quarterly Report
Q4 1996**

Classification	Salary Range	Ending Q4 Headcount	1996 Target Headcount
Administrative	\$17,000 to \$34,000	3	3
Technician	20,000 to 50,400	13	7
Manufacturing	13,600 to 33,600	6	48
Professional	26,000 to 62,000	29	14
Engineering	33,000 to 85,000	39	16
Total		90	88


Turnover

During the fourth quarter of 1996 there was no turnover as defined in the SIP agreement.
Turnover for 1996 was 0%.

MEMO

December 10, 1996

TO: John Rakowitz

FROM: Dick Romano 

SUBJECT: Tentative Schedule for FAB II Ramp-Up

As you know the continued volatility of the Semiconductor Industry is significantly impacting our ability to solidify plans for the Gresham facility expansion. However, per our agreement, this memo describes the current schedule expected to occur next year.

*	Equipment carry-in start	May 15, 1997
*	First Trial lot input	August 5, 1997
*	Mass production start	October 1, 1997

Each of these dates are subject to re-evaluation and may slide forward or backward depending on a variety of circumstances including as primary, vendor equipment delivery dates.

Assuming the above dates stay intact we anticipate Special Temps will be recruited for each of the following start dates at the Microelectronics Training Center:

*	March 3, 1997	25 Hires
*	March 31, 1997	25 Hires
*	April 28, 1997	25 Hires
*	May 26, 1997	25 Hires

J. Rakowitz

Memo

December 10, 1996

Again John, at the risk of being over conservative, please be advised this schedule is really tentative. Vendors have been directed to deliver equipment based upon this schedule but it is uncertain how many will indeed be able to do so. These are ongoing negotiations that must be settled before a firm schedule can be established.

John, I hope this helps. It's the best I can do under the circumstances.

FAB II JOBS

Jobs Created Because of FAB II Expansion		
Regular and Special Temporary Positions Created and Retained		
Classification	FAB II - Job Title	Total Jobs
Operator	Fab Maintenance Operator	4
	Test Operator	4
	Wafer Fab Operator	1
	Wafer Fab Operator Trainee	1
Technician	Eng. Cad. Tech.	1
	Failure Analysis Tech.	1
	Test Equip. Tech.	2
	Facilities Maintenance Tech.	12
	Process Engineering Tech.	2
	Yield Enhancement Tech.	2
	Equipment Maintenance Tech.	5
	Equip Mtc. Tech. Intern	8
Engineer	Facilities Engineer	1
	Equipment Automation Engineer	1
	Process Engineer	11
	Yield Enhancement Engineer	1
	Chemist	1
	Computer Engineer	1
	Test Engineer	1
	Factory Auto Engineer	1
Administrative	Buyer	1
	Facilities Mto. Planner	1
	Program Compliance Admin.	1
	Specifications Editor	1
Supervisors	Wafer Fab Supervisor	1
	Test Supervisors	2
Total Fab II Jobs Created:		68

JobNet Demographics Report

FUJITSU

PERIOD: 1/1/96 to 12/31/96

	APPLICANTS	JOBNET REFERRALS	HIRES
Total	157	112	25

SEX	Male	89 (57%)	65 (58%)	12 (48%)
	Female	68 (43%)	47 (42%)	13 (52%)

RACE	White, Not Hispanic	96 (61%)	73 (65%)	19 (76%)
	African American	19 (12%)	16 (14%)	5 (20%)
	American Indian/Alaska Native	3 (2%)	3 (3%)	0 (0%)
	Hispanic	4 (3%)	3 (3%)	0 (0%)
	Asian/Pacific Islands	33 (21%)	16 (14%)	1 (4%)
	Not Reporting	2 (1%)	1 (1%)	0 (0%)

INCOME*:	Low (<50% of Median Income)	84 (54%)	57 (51%)	13 (52%)
	Moderate (between 50% and 80% of M.I.)	36 (23%)	27 (24%)	9 (36%)
	Moderate + (more than 80% of Median Inco	26 (17%)	19 (17%)	3 (12%)
	Not Reporting	11 (7%)	9 (8%)	0 (0%)

* Based on HUD Portland Area Median Income.

RESIDENCE	Multnomah County Total	127 (81%)	89 (79%)	18 (72%)
	North/Northeast (97211, 97212, 97217, 97227, 97232)	16 (10%)	12 (11%)	0 (0%)
	Outer Southeast (97206, 97213, 97215, 97216, 97220, 97266)	27 (17%)	17 (15%)	3 (12%)
	East Multnomah County (97009, 97010, 97014, 97019, 97030, 97055, 97060, 97080)	35 (22%)	26 (23%)	8 (32%)
	Combined (97230, 97233, 97236)	30 (19%)	19 (17%)	4 (16%)
	Washington County	8 (5%)	6 (4%)	1 (4%)
	Clackamas County	15 (10%)	11 (24%)	6 (24%)
	Other	7 (4%)	6 (0%)	0 (0%)
	Not Reporting	0 (0%)	0 (0%)	0 (0%)

TARGETED POPULATION*:	Unemployed	75 (48%)	59 (53%)	9 (36%)
	Under-employed	45 (29%)	27 (24%)	4 (16%)
	Receiving Support AES	19 (12%)	18 (16%)	4 (16%)
	School-to-Work Program	6 (4%)	6 (5%)	0 (0%)
	Grad. of Local Vocational Training	16 (10%)	10 (9%)	2 (8%)
	Grad. of Local Semiconductor Training	11 (7%)	10 (9%)	4 (16%)
	Grad. of 2 Yr./4 Yr. Oregon Program	10 (6%)	8 (7%)	1 (4%)
	Not Reportin	7 (4%)	7 (6%)	1 (4%)

* Because the targeted population groups overlap, one applicant may fall into several categories in this section. Consequently the vertical addition of the percentages will not equal 100%. Instead, each targeted group should be analyzed separately.

MULTNOMAH COUNTY SIP REPORT
Quarterly Report
August 1996 - December 1996

This report summarizes activities completed by Portland Development Commission (PDC) under the PDC/Multnomah County Intergovernmental Agreement. During this reporting period, the majority of activity was directed at expanding and educating the affiliate network and residents of the targeted communities about future semiconductor jobs at Fujitsu and LSI. Efforts were also devoted to coordinating with and referring candidates to Steps To Success for assessment and referral services.

IDENTIFICATION OF POTENTIAL JOB APPLICANTS

Efforts to identify and maintain a pool of potential job applicants from the targeted population for future positions at LSI and Fujitsu included the following activities:

- PDC maintained and publicized a semiconductor hotline which offers callers more information about semiconductor jobs and training opportunities in the industry. This quarter 65 hotline callers were interested in Fujitsu, 56 callers were interested in LSI.
- PDC reviewed and revised the information packet it sends to people who express an interest in the semiconductor industry, making the information more appealing to and more easily understood by targeted populations.
- Through correspondence and telephone contacts, PDC has kept approximately 868 people, who are in the pool of applicants, informed of changes in the company's hiring timelines.
- PDC has been active in the development of the OSE Workforce Program and the E. Mult. Co. One Stop planning process to identify recruiting opportunities for SIP positions and to assist in the development of community infrastructure.
- PDC has met individually with representatives from a variety of community agencies in OSE and E. Mult. Co., including Human Solutions, Steps to Success, Dislocated Workers, the Marshall Caring Community, the Outer Southeast Workforce program, and Mt. Hood Community College. These meetings were held to explain the requirements for Operator jobs and discuss the skills their clients need to qualify for operator jobs, and to familiarize representatives with the recruiting process.
- JobNet performed job development with large companies in OSE and E. Mult. Co., including U.S. Bank and Toyo Tanso, to identify job opportunities for people in the applicant pool. JobNet also provided job announcements to SIP affiliates for positions with Standard Appliance, Silver Eagle, Direct Marketing Services, and Nabisco. JobNet notified qualified applicants about openings by mail.

- In response to the companies' announcement of hiring delays, JobNet prepared a presentation for the Steptronics class to familiarize them with other high tech employers in the local labor market.

SCREENING ACTIVITIES

PDC, in cooperation with Fujitsu, LSI and community agencies have performed the following screening activities in anticipation of the companies' future hiring needs:

- PDC met with LSI to discuss a means of evaluating the impact of their screening instrument on candidates from the targeted population. PDC is coordinating the involvement of affiliate agencies and their clients in the evaluation of this screening tool.
- PDC organized a tour of Fujitsu's Fab facility for 8 key affiliates from targeted neighborhoods, including Steps to Success, Oregon Employment Department, Dislocated Worker Program, OSE Workforce Program and Human Solutions. The tour provided affiliates with a better understanding of the semiconductor work environment and job requirements.
- PDC planned and organized four 2-hour semiconductor information sessions that were held in OSE at the Brentwood Darlington Community Center and in E. Mult. Co. at the Gresham Library and Gresham City Hall. These sessions were designed for people who expressed an interest in jobs at Fujitsu and/or LSI. The companies provided information about qualifications for the job, the work environment and projected hiring timelines. Steps To Success discussed the opportunity for assessment and referral services. JobNet representatives informed attendees of other job openings. A semiconductor display, including pictures of a fab, a wafer, bunny suit, etc., were displayed at the sessions. Approximately 58 people attended the two afternoon sessions, 33 have signed up for the evening sessions (to be held in January).

REFERRAL

PDC performed the following activities to facilitate the referral to and successful hiring of targeted populations by Fujitsu:

- PDC reviewed and forwarded 31 applicant information forms to Fujitsu and LSI for individuals who qualify for technician or engineer positions.

WORKFORCE DEVELOPMENT

PDC participated in the following activities to develop community awareness of the semiconductor industry, and training and job opportunities that are available:

- PDC coordinated a meeting of affiliates representing non-native speakers, including STS-NET, Dislocated Worker Program, the Chinese Service Center, with Fujitsu to discuss

minimum English proficiency levels for Operator positions.

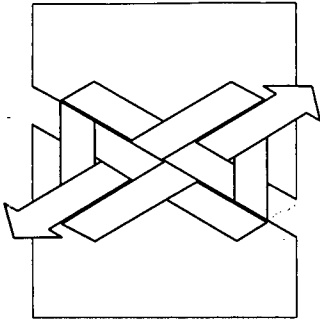
- PDC facilitated planning for semiconductor workplace ESL training.
- PDC facilitated an agreement between Mt. Hood Community College and Portland Community College to share non-proprietary resources for education and training related to the semiconductor industry. The colleges will share faculty, facilities, and curriculum to increase access to programs to residents of Multnomah County.
- PDC continues to attend relevant Microelectronics Training Center Board meetings to keep all partners connected with regional workforce development efforts.
- PDC, working with partners on the Semiconductor Workforce Consortium, is preparing an update to the 1995 *Building and Strengthening the Workforce* report. Industry hiring projections, college program information, and the success of workforce development activities in meeting challenges will be discussed.
- PDC is the contractor responsible for implementing the Multiregion Regional Strategies Grant, *Connecting Oregonians with Jobs and Training in the Semiconductor Industry*. The project is producing collateral materials, school/community presentations, and participation in targeted job fairs to increase awareness of the industry and its education and training programs. Multnomah County, through the Multnomah/Washington Counties Regional Strategies Board, is the lead region supporting the project.

OTHER PDC ACTIVITIES

PDC performed the following activities related to coordination, tracking and follow-up:

- When hiring delays were announced, PDC worked with the County to assess the impact of delays on the targeted communities and developed a mitigation plan designed to off-set any negative effects on future hiring.
- PDC coordinated with Steps To Success (STS) to provide assessment and referral activities to people in the pool of applicants. This activity included:
 - Attended meetings with STS contract representatives to maximize the number of people referred to STS and refine the referral process.
 - Informed people in the applicant pool about STS services, including securing a Release of Information from interested individuals.
 - Provided STS with copies of application materials for 264 people who signed a Release of Information.
- PDC identified and informed Washington State applicants of resources in their local area for accessing job information.

- PDC summarized outcomes experienced by Steptronics graduates who applied for jobs during the initial Fujitsu recruitment. The summary was designed to refine the JobNet screening process and was shared with Steps To Success and the Microelectronics Training Center for feedback.
- PDC participated with the County in developing a comprehensive, integrated database system.
- PDC coordinated with Fujitsu to obtain their quarterly hiring reports. PDC has analyzed Fujitsu hiring reports and monitored the companies' compliance with the workforce aspects of the SIP contract and the First Source Agreement.
- PDC met with LSI to discuss the progress toward opening their facility and the status of their hiring plans.



Mimi M. Maduro
Workforce Strategies

November 29, 1996

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1996

1266 SE 47th Avenue
Portland, Oregon
97215

Ms. Sharon Timko
Staff Assistant
Multnomah County Chair's Office
1120 SW Fifth Avenue, Room 1515
Portland, Oregon 97204

Dear Sharon,

Thank you for the opportunity to submit the enclosed proposal for workforce development policy and program action planning with Multnomah County. My proposal includes a work plan with timeline, background information about my workforce development and action planning experience as well a resume, list of references, and summary of services provided by Workforce Strategies.

As indicated in your Request for Proposal, I am available on Wednesday afternoon, December 4, between 2 p.m. and 5 p.m. I hope to hear from you soon.

Best wishes,

Mimi Maduro

Phone

503-235-4646

Fax

503-235-9175

**Workforce Development Policy and Program
Action Planning for Multnomah County**

A Proposal

Submitted by:

**Mimi Maduro
Workforce Strategies
1266 SE 47th Avenue
Portland, Oregon 97215
(503) 235-8223**

November 29, 1996

Background & Experience

Over the past six years my professional work has focused on workforce development and community economic development. I've worked both at the statewide policy level producing an employer survey, environmental scans, curriculum development plans, and strategic plans. I've also worked on the ground building workforce development initiatives at the local level, primarily in rural Oregon. My consulting projects have including working with the Oregon Economic Development Department, the Workforce Quality Council, the Oregon Advanced Technology Consortium, and Portland State University. Although my work has been primarily in Oregon, I have provided services to the National Economic Development & Law Center in California and Women Opportunities Resources Development, Inc. in Montana. My resume and references is included with this proposal.

On many of my consulting projects I have been responsible for organizing the membership of a committee or taskforce and building a team effort focused on policy or program objectives through a series of work sessions which I have facilitated. Key to my approach is:

- identifying clear incentives and expectations for participation at the onset;
- designing work session processes aimed at building both trust and a product;
- providing consistent and timely follow-up including session summaries, debrief meetings and one-on-one interventions;
- being flexible about my role and the workplan. Throughout the various stages of project I continue to reframe the questions we are asking and to make changes based on what we are learning together.

Examples of projects where I have played such a role include: working with a taskforce of private and public partners to develop a strategic action plan for a total quality curriculum for Oregon's community colleges; working with an advisory board of community development leaders and practitioners to conduct a market feasibility study and first year action plan for a training institute; convening an advisory team of business and labor associations to guide the design of the first Oregon Employer Survey on Training and Work Organization, and providing technical assistance to five steering committees throughout rural Oregon in developing action plans for initiatives to increase business and labor involvement in workforce development in their respective region.

Workplan

The Request for Proposal outlines a scope of work and three specific products/services to be provided. My proposed workplan outlines four phases of the project to achieve the scope of work and desired products: start-up, assessment, action planning, and wrap-up & recommendations.

Start-Up Phase Activities

Conduct briefing with Chair staff on project history, background, objectives *Stanza Time*
Discuss how project objectives fit with other workforce efforts (PDC, PIC, etc.)
Conduct streamlined SWOT analysis with staff regarding scope and objectives
Develop strategic framing questions for project (both policy and program)
Finalize workplan (additions, changes, etc.) with Chair staff
Identify project timeline based on actual start date, strategic dates for County
Gather and review relevant written background information
Provide workforce development training for staff (if needed)
Establish process for ongoing communication with Chair staff
Develop short overview piece for with participants/stakeholders & distribute
Compile list of task force participants and key stakeholders
Identify date for first action planning session & notify participants & stakeholders
Identify incentives and possible obstacles for participation
Coordinate with SIP Technical Assistance project

Assessment Phase Activities

Compile draft interview questions and report format for assessment meetings
Compile draft interview questions for stakeholder meetings
Revise interview questions for report format based on input from Chair staff
Conduct assessment interviews with up to 15 participants and stakeholders
Schedule second action planning session
Conduct follow-up to interviews (if needed)
Prepare draft findings for staff review
Conduct briefing session with Chair staff to discuss findings and next steps
Complete assessment document
Coordinate distribution of assessment document

Action Planning Phase Activities

Outline purpose/objectives and design process for first two action planning sessions
Review purpose/objective and design process for first two sessions with Chair staff
Prepare agenda and session materials for first action planning session
Coordinate distribution of agenda and session materials for first session
Facilitate first session
Debrief first session with Chair staff and revise process based on what we've learned
Develop and distribute summary of first session
Conduct one-on-one meetings between first and second session (if needed)
Prepare agenda and session materials for second session
Coordinate distribution of agenda and session materials for second session
Facilitate second session
Develop and distribute summary of second session
Debrief second session with Chair staff including discussion of next steps
(plan third and possible fourth session) based on what we've learned and
discussion of implications for policy and program implementation
Complete action planning with participants and stakeholders

Wrap-Up & Recommendations Phase Activities

Compile draft of action plan and recommendations
Identify staff and stakeholders to review draft of action plan/recommendations

Review draft with Chair staff and discuss implications and next steps
Complete action plan document
Present action plan and recommendations to Chair staff and key stakeholders
Develop strategy for distribution and dissemination

Deliverables:

Two written products will be produced:

Assessment of Multnomah County Workforce Development and Training programs
Workforce Development Policy and Program Action Plan and Recommendations

Timeline & Availability

Once a contract is established between Workforce Strategies and Multnomah County, I am available to begin the start-up phase of the on December 11 and could work up to 12 hours during December on the start-up phase activities. I will be on vacation from December 23 through January 1, 1997. I am available up to 20 - 25 hours a week (depending on the phase of the project) between January 2 and April 15, 1997. I anticipate that most of the project momentum will begin after January 2 and anticipate completing the project around April 15, 1996. During this period I am not available between February 13 - 25.

Projected Timelines for each phase of the project (can be expanded or tightened based on further discussion and contract negotiation):

Start-Up & Assessment	December - January 24
Work Session Action Planning	January 27 - March 21
Wrap-Up & Recommendations	March 21 - April 15

Budget & Resources

The estimated budget for each phase of the project:

Start-Up	20 hours
Assessment	50 hours
Work Session Action Planning	80 hours
Wrap-Up & Recommendations	30 hours
Total Project Hours	180 hours

Services would be billed at \$70.00 per hour which includes all project expenses incurred by Workforce Strategies. The County would be billed only for hours expended on the scope of work as outlined in this proposal, not to exceed the total amount below.

Total Workforce Strategies services:	\$12,600.00
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Anticipated additional expenses to be incurred by the county include meeting refreshments, printing and distribution of written materials, and administrative assistance to help plan meetings.

Mimi Maduro
Workforce Strategies
1266 SE 47th Ave.
Portland, Oregon 97215
503-235-8223

REPRESENTATIVE CONSULTING PROJECTS (1990-96)

Neighborhood Pride Team. Provide technical assistance to this emerging community development corporation focusing on organizational capacity building: financial systems development, personnel policy and structure, and program and service development. (1996-present)

Neighborhood Partnership Fund. Consulted with NPF and Shorebank Advisory Services study on workforce intermediary roles and gaps, obstacles, and opportunities for building community-based workforce development efforts in Portland neighborhoods. Also developed three-year project proposal based on the study. (1996)

Oregon's Opportunity. Served as Project Manager for three-year capacity-building initiative to increase the involvement of business and labor in workforce development in five rural regions of Oregon. Worked to build collaborative partnerships and strengthen linkages between workforce and economic development. Provided technical assistance to pilot efforts including a training initiative for entrepreneurs and microbusinesses, a business-education compact, a countywide labor education and training initiative, and workforce needs assessments. Joint project of the Workforce Quality Council and Oregon Economic Development Department. (1993-1996)

Oregon Economic Development Department. Served as Project Coordinator for the Oregon Employer Survey on Worker Training and Work Organization. Responsibilities included coordinating survey design team, coordinating inter-organizational efforts and data analysis, and producing final report, *Oregon Works*. (1992) Other contracts: Researched and wrote environmental scans on worker training and high performance work organization. (1991)

Chemeketa Community College. Served as Project Coordinator to develop a statewide plan for a total quality training curriculum to build the capacity of Oregon's community colleges. Organized and facilitated taskforce of private and public sector representatives to develop strategic plan. (1993) Worked with management team on long-term planning and marketing. (1996)

Oregon Advanced Technology Consortium. Facilitate quarterly meetings of project coordinators representing 13 Oregon community colleges (1993-present). Additional contracts: Facilitated sessions to develop workplans and communications strategy. Provided technical assistance in developing the Consortium's business plan.

Portland State University, School of Extended Studies. Conducted feasibility study for proposed community development training institute including environmental scan, curriculum and budget development. Organized advisory board. (1993-94) Conducted training on collaboration and workforce development (1996)

Oregon Progress Board and Portland State University. Developed program organizing documents and proposals for Partners for Human Investment and worked with Executive Committee. Served as Project Coordinator for pilot project overseeing contractors, deliverables and timelines, and staffed the Technical Advisory Board. (1992)

National Economic Development & Law Center. Conducted skills assessment study for three trade occupations. (1993)

American Gas Association. Researched and wrote white paper on business-education partnerships for the Education 2000 program. (1991)

PROFESSIONAL EXPERIENCE (1978-90)

Kaiser Foundation Health Plan, InterRegional Common Systems, Lake Oswego, Oregon. Manager, Publications & Training. Created and managed publications and training department for an information systems development effort spanning five Kaiser Permanente service regions. Responsibilities included: developing training programs and materials, user guides, reports, surveys, evaluations, and newsletters; communications program for all development projects; chaired special project committees; managed department contracts, budgets, and staff (1988-1990).

Automatic Data Processing, Inc., Portland, Oregon. Publications Manager. Managed hardware and communications software writing group, served as team leader for three software development projects; provided lead writing responsibilities for five software products and three systems/hardware projects; developed and implemented audience analysis research and publication standards; served as managing editor of employee newsletter (1980-85).

Groupware Systems. Planned and managed learning systems during research and development for computer conferencing software startup company (1985-86).

Northwest Regional Educational Laboratory. Wrote two adult basic education books and catalog of educational materials. (1978-80)

Information & Referral Services, Portland, Oregon. Publications Editor. Produced database of non-profit and government agencies in four-country area; compiled through interviews and questionnaires a 320-page directory; supervised publishing team (1977-78).

EDUCATION

B.A. English, Pennsylvania State University, University Park, Pa., 1976

M.S. Management, Marylhurst College, 1992

Thesis: *Success Factors and Guiding Principles for Business-Education Partnerships*

Continuing education: group facilitation, mediation, conflict management, presentation skills, total quality management, community development, project management.

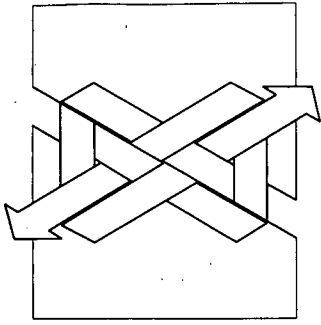
REPRESENTATIVE COMMUNITY PROJECTS

- Board member, Soapstone—A Writing Retreat for Women (current)
- Board member, Our House of Portland (nursing facility for AIDS patients) (current)
- Member, Institute for Cultural Affairs (current)
- Member, PSU Community Development Training Institute Advisory Board (1994-95)
- Member, Multnomah County RESULTS Taskforce (1994-95)
- Board member and contributor, RAIN magazine and community resource center (1980-85).
- Principal fundraiser and organizer of "Women & Technology: Changes in the Workplace," conference held in Portland, sponsored by Portland YWCA (1985).

AWARDS

Distinguished Technical Communication, 1st place, and 2nd place "best of show". Society for Technical Communication Publications Competition.

Business Journalism, honorable mention. Sigma Delta Chi Regional Journalism Competition.



Mimi M. Maduro
Workforce Strategies

1266 SE 47th Avenue
Portland, Oregon
97215

Workforce Strategies

- Provides project management, organizing, and technical assistance for workforce development and community economic development efforts aimed at building capacity and collaboration across organizations and sectors. Expertise in program and curriculum development, team building, meeting facilitation, budget development and monitoring, task analysis, planning, and staffing functions for committees and taskforces.
- Develops products such as market and feasibility studies, environmental scans, training and curriculum materials, surveys and questionnaires, needs assessments, action plans, database designs, and proposals. Expertise in researching issues, defining scope, identifying resource requirements, conducting informational interviews, translating technical and complex information, incorporating data and responses from a variety of sources, writing, editing, and publishing.

Phone

503-235-4646

Fax

503-235-9175

References for Mimi Maduro

Claire Berger
Manager, Competitiveness Group
Oregon Employment Development Department
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Salem OR 97310
(503) 986-0207

Cam Preus-Braly
Administrator, Workforce Quality Council
255 Capitol St. NE Suite 126
Salem OR 97310-1338
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Sherwin Davidson
Vice Provost, Portland State University
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Portland OR 97207
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University of Oregon
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