MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

PAULINE ANDERSON • District 1 • 248-5220
GRETCHEN KAFOURY • District 2 • 248-5219
CAROLINE MILLER • District 3 • 248-5217
EARL BLUMENAUER • District 4 • 248-5218
GORDON SHADBURNE • District 5 • 248-5213

AGENDA OF

MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

FOR THE WEEK OF

JANUARY 6 - 10, 1986

Tuesday, January 7, 1986 - 9:30 A.M.
Multnomah County Courthouse, Room 602

Public Hearings:

C-13-85 First Reading - An Ordinance amending the Zoning Code by Adding small-scale van conversion as a Use Under Prescribed Conditions in the SC, Strip Conversion Zone (MCC 11.15.4310)

1/21

ZC 12-85 Review the Decision of the Planning Commission of November 11, 1985, denying a change in zone from THR, Transit High Density Residential District to TLR-5, Transit Low Density Residential District for property located at 119 SE 151st Avenue - Scope of Review is On the Record, Argumentation not to exceed 10 minutes per side, Notice of Review filed by applicant

DEPARTMENT OF HUMAN SERVICES

R-1 Request of the County Executive for ratification of a revenue contract between FEMA's Local Board (United Way of Columbia-Willamette) and the County whereby the County will receive $102,714 to continue to provide emergency Shelter Services for the period January 1, 1986 through September 30, 1986 (Continued from January 2)

R-2 Budget Modification DHS #36 reflecting increased revenues in the amount of $102,714 from FEMA Emergency Shelter Services to Social Services, Professional Services, for emergency shelter services in conjunction with Community Development Block Grant Funds (Continued from January 2)

Announcement of Liaison Representative Assignments to Departments, Boards and Commissions

January 6, 1985

SUPPLEMENTAL AGENDA FORMAL MEETING JANUARY 7, 1986

EXECUTIVE SESSION REGARDING ACKERLEY COMMUNICATIONS TO BE HELD FOLLOWING THE PLANNING MEETING

PRESS LIST

DATE 1/6/86

The following were called this date regarding:

a) Meeting ____________

b) Executive Session X

regarding Ackerley Communications

Signed: B Jones

KOIN ✓	Ch. 6	243-6614	Assignment Desk
KGW ✓	Ch. 8	226-5111	Assignment Desk
KATU ✓	Ch. 2	231-4260	Assignment Desk
KPTV ✓	Ch. 12	222-9921	News Desk
KEX ✓	1190 A.M.	222-1929	Newsroom/Message
~~KYXI~~ KSTO ✓	1520 A.M.	656-1441	News Desk
KXL ✓	750 A.M.	231-0750	Newsroom/Message
KGW ✓	62 A.M.	226-5095	News Desk
~~KCNR~~ K-LITE KKSN	97 F.M. left message	226-7676	Sherman Meyers
OREGONIAN		221-8195	City Desk
	left message	221-8566 ~~3362~~	~~Tom Stimmel~~ Mike Rollins
OUTLOOK ✓		665-2181	~~Tom Fluhearty~~ Steve Hunter
~~WILLAMETTE WEEK~~		~~243-2128~~	~~Mark Kirkmeier~~
SKANNER – no answer 5 X		287-3562	???????
KRDR		667-1230	

Multnomah County Oregon
Board of County Commissioners

Millers requested information on when the Board approved the Federal Emergency Management Agency contract last year.

Notice of Intent Approved by Board (R-9) on January 17.
Budget Modification (R-17) in amount of $330,983 approved February 7, 1985.
(Miller excused)
Contract was with Local Emergency Food & Shelter Board & did not go to Board for review.

Jane

10-11
J152

January 7, 1986

Ms. Lorna Stickel, Planning Director
Division of Planning & Development
2115 SE Morrison
Portland, OR

Dear Ms. Stickel:

Be it remembered, that at a meeting of the Board of County Commissioners held January 7, 1986, the following action was taken:

In the matter of the decision of the Planning)
Commission of November 11, 1985, Case ZC 12-85)
denying a change in zone from THR, Transit High)
Density Residential District to TLR-5, Transit)
Low Density Residential District for property)
at 119 SE 151st Avenue)

Peter Kasting, Assistant County Counsel, reviewed the rules of procedure for conduct of the hearing.

Commissioner Shadburne indicated that he visited the property and talked with the owner and adjacent property owners, but did not feel that his discussions would affect his vote on the matter.

Lorna Stickel, Planning Director, presented the staff report regarding the history of the transit zoning for this property and surrounding area.

Bob Hall, staff planner, then presented the staff report on this particular application, and showed slides of the property and surrounding area. He then answered questions of the Board. He also discussed the lack of sewers in this area for any high density development at the present time, and sited the Fred Glick report that was prepared during the zoning of transit related uses.

Commissioner Shadburne questioned the study that was prepared in 1982 and its applicability to the present regarding development potential of this area.

Mr. Hall said there is no demand for high density residential at this time, but the staff feels that the area should not be cut up into less dense uses now until such time as the light rail has been built in order to see if the area can be developed as zoned. The purpose of the zoning was to hold the area for potentially higher usage.

Bernie Ertel, 119 SE 151st, read a statement, and presented two maps showing the property and uses of this and surrounding properties. He indicated that on the other side of the street, a mini subdivision was approved, and is now being constructed, and he would like to do the same on his property with single family units. He also discussed the access onto Burnside from 151st, stating that all traffic has to turn right as they cannot cross the light rail tracks at the intersection. He then presented a letter from Byron and Berniece Green, 14930 E Burnside St., an adjacent property owner, indicating their support of the rezoning request.

Thomas Eyck, neighbor towards Burnside, said this is a residential area, and that is why he bought the house.

Glen Short, 124 SE 151st, said he has watched the development of 11 homes on the property in back of him by Mr. Montgomery, and he has been very impressed with the development. Mr. Montgomery is interested in Mr. Ertels property for development. He would be interested in purchasing a home on Mr. Ertel's property for his son if this is approved.

Mr. Ertel then answered questions of the Board members concerning access, sewers, etc.

Commissioner Shadburne advised the applicant to apply for a permit under the existing zoning to see what the Planning & Permits would say as he did not think they would say he could build because of the lack of sewers to the area.

Ms. Stickel answered questions regarding the notification of property owners when the transit zoning was applied to this area, and indicated that their records show that Mr. Ertel was mailed information directly to his home.

Mr. Hall indicated that if the Board reversed the decision of the Planning Commission, several conditions would need to be attached to the decision, and new findings prepared. He also responded to Commissioner Shadburne's remarks about applying for a building permit now under the existing zoning, and why the Department would not recommend changing the zone at this time, that being until the light rail is operational, it is important to maintain that zoning as proposed for the future development around the light rail corridor and station areas.

Ms. Stickel also answered Commissioner Shadburne's concerns.

Commissioner Miller indicated she would reluctantly move approval of the Planning Commission's recommendations. Commissioner Anderson then indicated she would reluctantly second the motion.

The Board members then commented on their concerns. The motion was considered, and it is

ORDERED that the decision of the Planning Commission be upheld, and that the findings and conclusions be adopted by the Board, Commissioner Shadburne voting No.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By ______________________

Jane McGarvin
Clerk of the Board

jm
cc: County Engineer
Assessment & Taxation

Bernie Ertel
119 SE 151st
97233
mailed 7/24
Copy + send to 5

MULTNOMAH COUNTY OREGON

Department of Environmental Services/Division of Planning and Development/2115 S.E. Morrison St./Portland, Oregon 97214 • 248-5270

DECISION OF THE
MULTNOMAH COUNTY PLANNING COMMISSION

Meeting of November 12, 1985

IN THE MATTER OF:

ZC 12-85, #385

TLR-5, Transit Low Density Residential District
(Future Development of Single Family Residences)

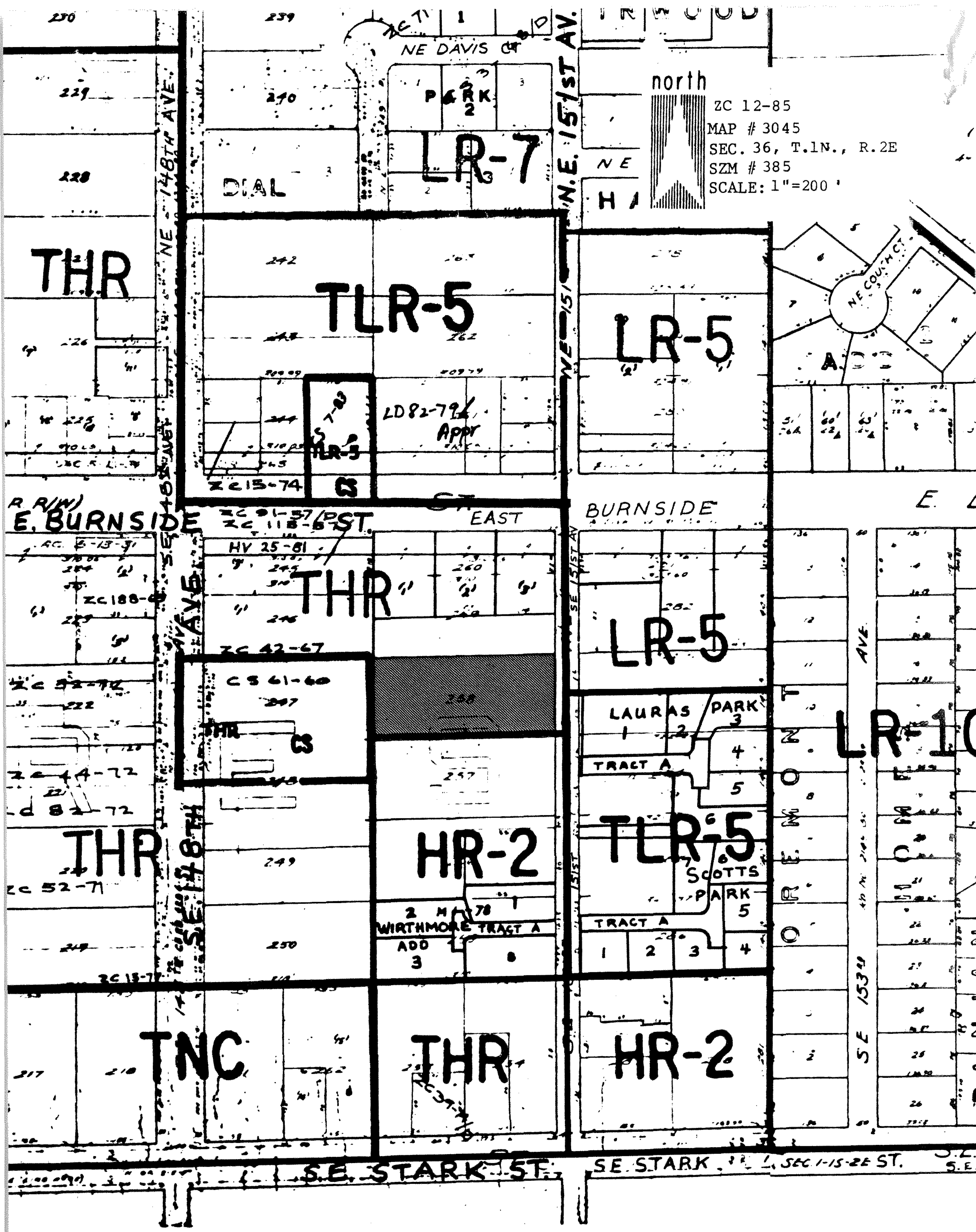
Applicant requests change in zone classification from THR, transit high density residential district to TLR-5, transit low density residential district for future development of single family residences.

Location:	119 SE 151st Avenue
Legal:	Lot 258, Ascot Acres 1984 Assessor's Map
Site Size:	310' x 140'
Size Requested:	Same
Property Owner:	BR and BJ Ertel 119 SE 151st Avenue, 97233
Applicant:	Same
Comprehensive Plan:	High Density Residential
Present Zoning:	THR, Transit High Density Residential District
Sponsor's Proposal:	TLR-5, Transit Low Density Residential District

_____ Notices
27 Decision Notices
mailed on 11-14-85
by M.B

PLANNING COMMISSION
DECISION;

Deny the request for a change in zone designation from THR, transit high density residential district to TLR-5,transit low density reesidential district, for the above described property, based on the following Findings and Conclusions.


north
ZC 12-85
MAP # 3045
SEC. 36, T.1N., R.2E
SZM # 385
SCALE: 1"=200'
NE DAVIS CT
PARK 2
LR-7
DIAL
NE 148TH AVE
N.E. 151ST AV.
THR
TLR-5
LR-5
NE COUCH CT
LD82-79 Appr
ZC15-74
CS
E. BURNSIDE ST
BURNSIDE
EAST
HV 25-81
THR
LR-5
CS 61-60
ZC 42-67
LAURAS PARK
TRACT A
LR-10
SE 148TH AVE
HR-2
TLR-5
SCOTTS PARK
WIRTHMORE ADD
TRACT A
SE 151ST AV
SE 153RD AVE
TNC
THR
HR-2
S.E. STARK ST.
SE STARK ST.
SEC 1-1S-2E

148th STATION AREA REDEVELOPABLE LAND

SUPERBLOCKS OFFER RESIDENTIAL DEVELOPMENT OPPORTUNITIES AND REQUIRE BOTH PEDESTRIAN & VEHICULAR ACCESS OPTIONS

DESIGN OPTIONS FOR HIGH DENSITY RESIDENTIAL ON SMALL LOTS

CO-EXISTENCE OF LOW DENSITY WITH NEWER HIGH DENSITY RESIDENTIAL DEVELOPMENT

DEVELOPMENT OPTIONS AT 148th & BURNSIDE WITH MIXED USE TRANSIT COMMERCIAL AND INCLUSION OF PUBLIC SPACES ESPECIALLY AT SOUTHWEST CORNER

PRESERVATION POTENTIAL OF WOODED AREAS; INTEGRATION OF NATURAL INTO NEW AREAS

FRED GLICK ASSOCIATES
PORTLAND, OREGON
(503) 242-1342

148th STATION AREA PRELIMINARY URBAN DESIGN PLAN

1 MEDIUM DENSITY RESIDENTIAL
- 881,250 # TOTAL AREA
- 623,535 # T.R.L.A.

◎ 370 UNITS POSSIBLE @ 2 STOREY

2 HIGH DENSITY RESIDENTIAL
- 646,200 # TOTAL AREA
- 333,150 # T.R.L.A.

◎ YEAR 1990
- o 100 UNITS
- o 2 STOREY

◎ 210 UNITS REMAIN AVAILABLE

3 LOW DENSITY RESIDENTIAL
- 270,000 # TOTAL AREA
- 155,305 # T.R.L.A.

◎ YEAR 1985
- o 45 UNITS

8 HIGH DENSITY RESIDENTIAL
- 614,400 # TOTAL AREA
- 366,100 # T.R.L.A.

◎ YEAR 1995
- o 100 UNITS
- o 2 STOREY

◎ 240 UNITS STILL AVAILABLE

10 NEIGHBORHOOD RETAIL
- 66,700 # TOTAL AREA
- 36,800 # T.R.L.A.

◎ 14,720 # AVAILABLE RETAIL SPACE @ 40% F.A.R.

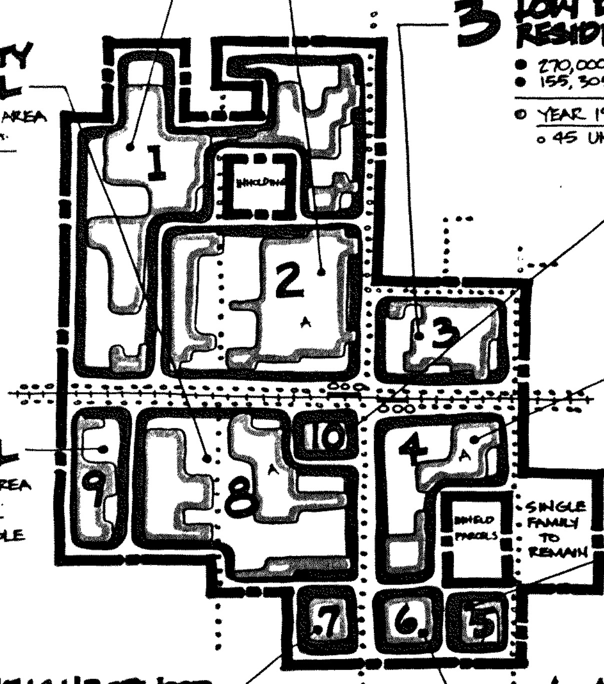
4 HIGH DENSITY RESIDENTIAL
- 340,700 # TOTAL AREA
- 189,750 # T.R.L.A.

◎ YEAR 2000
- o 105 UNITS @ 2 STOREY

◎ 70 UNITS REMAIN AVAILABLE

9 MEDIUM DENSITY RESIDENTIAL
- 207,700 # TOTAL AREA
- 102,700 # T.R.L.A.

◎ 60 UNITS AVAILABLE @ 2 STOREY



5 HIGH DENSITY RESIDENTIAL
- 86,800 # TOTAL AREA
- 53,200 # T.R.L.A.

◎ 50 UNITS AVAILABLE @ 2 STOREY

7 NEIGHBORHOOD RETAIL
- 81,200 # TOTAL AREA
- 49,305 # T.R.L.A.

◎ 19,722 # AVAILABLE RETAIL SPACE @ 40% F.A.R.

6 NEIGHBORHOOD RETAIL
- 78,300 # TOTAL AREA
- 78,300 # T.R.L.A.

◎ 31,320 # AVAILABLE RETAIL SPACE @ 40% F.A.R.

LEGEND

TRLA	TOTAL REDEVELOPABLE LAND AREA
#	SQUARE FEET
o o o o	MINOR PEDESTRIAN WAY
O O O	MAJOR PEDESTRIAN WAY
	REDEVELOPABLE LAND
	USE AREA
	STATION AREA BOUNDARY
	LIGHT RAIL TRANSIT WITH STOP

DEMAND DATA

RESIDENTIAL PROJECTION

1980-85	1985-90	1990-95	1995-2000
50 UNITS	100	100	100

OFFICE AND RETAIL PROJECTION

THERE IS NO DEMAND PROJECTED FOR OFFICE AND RETAIL SPACE AT THIS STATION DURING THE NEXT 20 YEARS.

BUILD-OUT PATTERN

YEAR	AREA	NO. UNITS	TOTAL
1980-85	3	45	45
1985-90	2 A	100	145
1990-95	8 A	100	245
1995-2000	4 A	105	350

BANFIELD LIGHT RAIL TRANSIT STATION AREA PLANNING PROGRAM

MULTNOMAH COUNTY, OREGON

FRED GLICK ASSOCIATES · SUITE 607 · CONCORD BUILDING
208 SW STARK ST., PORTLAND, OREGON 97204 (503) 242-1342
URBAN DESIGN · LANDSCAPE ARCHITECTURE · PLANNING

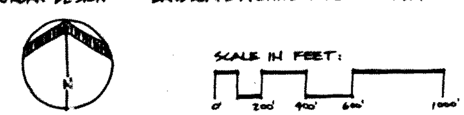
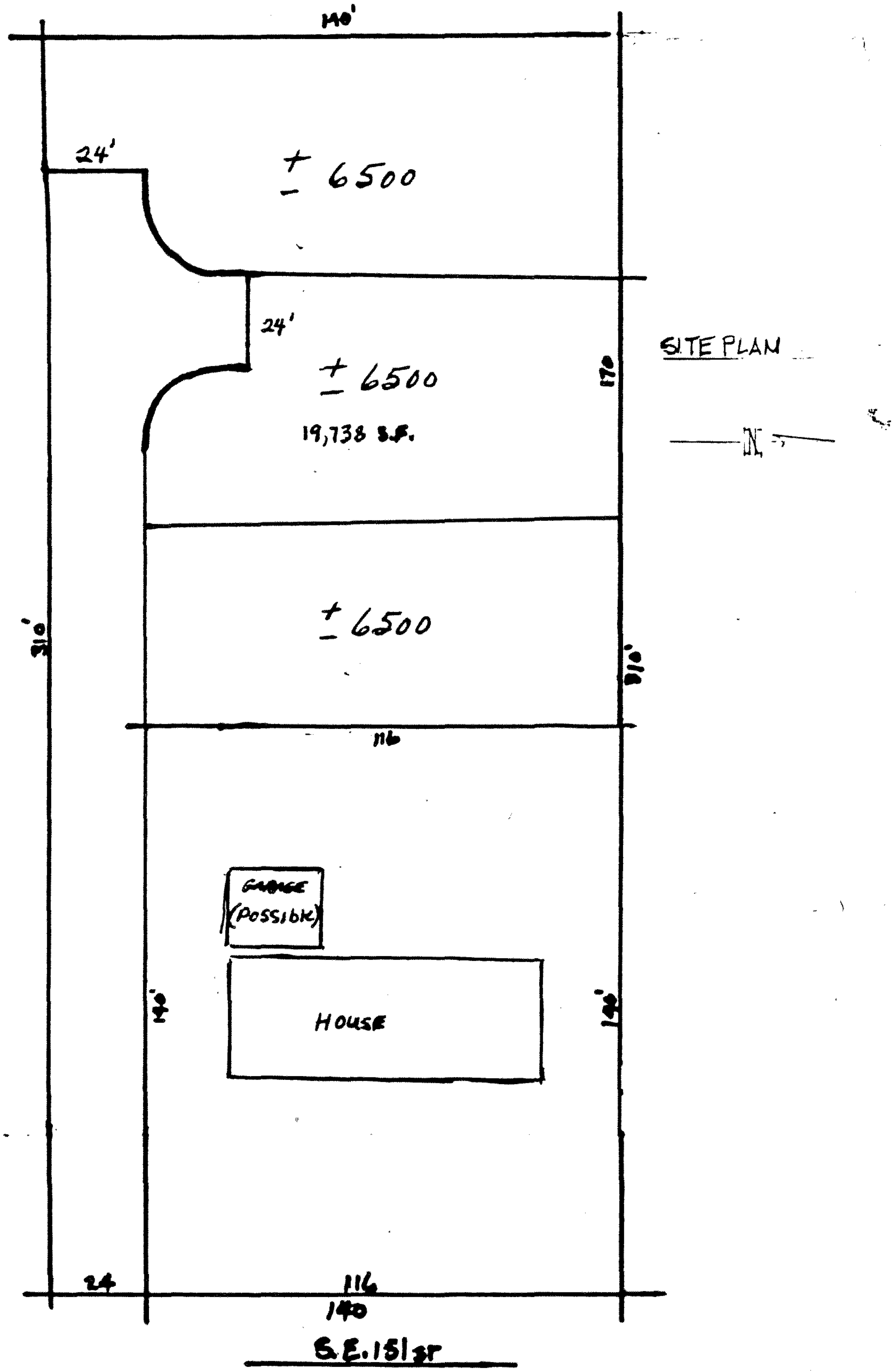


EXHIBIT "A"

SITE PLAN



ZC 12-85

FINDINGS:

1. Applicant's Proposal: Applicant requests a change in zone designation from the existing THR, transit high density residential to TLR-5, transit low density residential, on the above described property. If approved the applicant intends to subdivide the property into four lots, three of which would be developed with single family residences on 6,500 square foot lots and leaving the existing residence on a 16,200 square foot lot.

2. Site and Vicinity Information: This property is located on the west side of SE 151st Avenue, 200 feet south of East Burnside Street. It is essentially level and comprises an area of 43,400 square feet. A single family residence is located near the SE 151st Avenue frontage; the remainder of the lot is in lawn, garden and has a scattering of significant conifers.

   The area surrounding this property is within the 148th Avenue Light Rail Station Area and the Rockwood Community Planning Area. Prior to May, 1979, the zoning of this property was R-10 (single family residential). However, properties fronting East Burnside and SE 148th Avenue were designated A-2 (apartment residential).

   The Rockwood Community Plan identified a need for additional multi-family housing units within that community as required by LCDC Goal No. 10 - Housing. The area between East Burnside Street and SE Stark Street and SE 148th and SE 151st Avenues was designated as an area where increased housing needs could be satisfied through the provision of additional multiple family units. Therefore, it was designated high density residential in accordance with Policy No. 21 of the Rockwood Plan and zoned HR-2 in conformance with that designation. Those plan and zone designations were adopted by the Board of County Commissioners in May, 1979.

   During the development of Light Rail Station Areas, the area between East Burnside - Stark Streets and SE 148th and 151st Avenues was included in the 148th Avenue Station Area. The Urban Design Plan for that station area identified the rear portion of the applicant's property in combination with the rear of the property immediately north and the lot fronting East Burnside Street immediately east of the apartment development on the southeast corner of SE 148th Avenue and East Burnside as being capable of development with 50 high density residential units. Therefore, the high density plan designation and zoning was continued by designating the area as THR, transit high density residential.

   A total of twenty-three hearings were conducted during the adoption of the light rail zoning in this area. Prior to that, numerous meetings were held during the adoption of the Rockwood Community Plan. Therefore, the concept of this area being one of transition to high density residential has existed in excess of six years.

3. Ordinance Considerations: The burden is on the applicant for a change in zone designation to demonstrate to the Planning Commission that:

   Granting the request is in the public interest;

There is a public need for the requested change and that need will be best served by changing the classification of the property in question as compared with other available property;

The proposed action fully accords with the applicable elements of the Comprehensive Plan.

4. Applicant's Response to Ordinance Criteria:

The applicant provides the following responses to the zone change approval criteria:

A. Public Interest - The applicant provides no discussion as to how this request is in the public interest.

B. Public Need - The applicant indicates there is a need for additional single family dwellings in this area. That need is substantiated by an example of a thirteen-lot subdivision east of SE 151st Avenue which was developed within the last year, and in which all of the units have been sold. The referenced property is outside of the 148th Avenue Station Area and is one that has been designated by the Comprehensive Plan as single family residential since April, 1955.

C. Compliance With Rockwood Community Plan Policies:

(1) Policy 6 - Urban Area: The proposed building of single family housing is in keeping with the rest of the neighborhood. Higher density building such as apartment buildings is not logical for the area either now or in the forseeable future, mainly on account of limited access. Apartment house builders that we have contacted have not even bothered to call back. Single family dwellings on this lot and those still available in the area will generate about all the traffic flow that this street (SE 151st Avenue) can handle.

(2) Policy 13 - Air and Water Quality and Noise Level: Sanitation and water department statements are in the file. Neither air quality or noise levels will be impacted in the area by the development; the effect on air and noise levels will be less with single family units than with higher density building such as apartments.

(3) Policy 14 - Development Limitations: The slope is almost level, the soil drains well and there will be minimal soil erosion. There will be minimal impact on surrounding properties.

(4) Policy 16 - Natural Resources: Natural resources will not be affected. This is not an ecologically significant area.

(5) Policy 22 - Energy Conservation: The proposed development is consistent with future anticipated development and this type of housing is in demand and will provide the maximum desirable density for this neighborhood.

(6) Polciy 37 - Utilities: Water and disposal systems will be provided. Energy and communications are in excellent shape for the project. Cesspools will be utilized until sewers are provided. The builder will provide the required sewer lines for hookup later to sewer system.

(7) Policy 38 - Facilities: The site is within the Reynolds School District and the schools are either within walking distance or bus transportation is provided. Fire protection is provided by District No. 10 and Multnomah County provides police protection.

5. Other Considerations: The applicant has conferred with the Rockwood Community Group regarding this request. The following statements were received from that group:

A. A statement dated August 8, 1985 from the Executive Committee:

"The property the applicants, Mr. and Mrs. Bernie Ertel, are concerned with is in a station area that has all been designated high density residential. The concerns of the Rockwood Community Group are that should the applicant's request be granted, surrounding properties would be inconsistent and incompatible.

In addition, we have some concerns for the complete lack of buffering between low and high density in that area. The Ertel property and others along the street have substantial single-family residences at the front of the lots and if high density apartments are constructed to the rear there could be a situation of apartments adjoining these single family homes. The undeveloped land to the rear could be considered for an intermediate zoning designation to mitigate this.

The applicant's request, however, may be a more appropriate zoning designation, however, to current market demand; and, if the market demands are more consistent with single family residential than multiple family dwellings, then not only should the applicant's request be approved but the entire station area should be reviewed for rezoning.

Rockwood Community Group would like to request, therefore, that the Planning Commission require the staff to re-analyze the market demand."

and,

B. A letter dated August 30, 1985 from Franklin Jenkins:

"At its meeting on August 19, 1985, the Rockwood Community Group approved the attached executive committee statement regarding the above request. At the July 22, 1985 meeting, the community group had authorized the executive committee to visit the area in question and draft a statement for approval.

The Rockwood Community Group recommends approval of the request of Mr. and Mrs. Bernie Ertel and further recommends a re-analysis of market demand due to conditions described in the attached statement. Although you may wish to act on the market re-analysis, also hold this information pending receipt of the Ertel request."

The above statements refer to a market re-analysis regarding the appropriate mix of housing types in this station area. Current plans call for the commencement of operation of the light rail system in mid-1986. Appropriate re-analysis of housing demand surrounding a light rail station could not be made until after a period of operation of that system and a demonstration that the system does not generate the type of housing demand envisioned by several previous studies.

CONCLUSIONS:

1. The applicant has not satisfied the approval criteria for a zone change through a failure to demonstrate that the request is in the public interest and a lack of documentation that there is a public need for additional single family uses within the 148th Avenue Station Area.

2. The light rail system is not yet in operation. It would be premature, until after a period of operation of that system, to decrease residential densities in an area that previous studies have concluded will experience an increased demand for high density residential uses.

Signed November 12, 1985

By Dean Alterman, Ad
Dean Alterman, Chairman

November 22, 1985
Filed with the Clerk of the Board

Appeal to the Board of County Commissioners

Any party may file Notice of Review with the Planning Director within ten days of the date the Decision is filed with the Clerk of the Board..

The Decision in this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, December 3, 1985 in Room 824 of the Multnomah County Courthouse. For further information call the Multnomah County Division of Planning and Development at 248-5270.

MULTNOMAH COUNTY
DEPARTMENT OF ENVIRONMENTAL SERVICES
DIVISION OF PLANNING AND DEVELOPMENT

FILE NO. ZC 12-85, #38

NOTICE OF REVIEW
(See sheet entitled Appeal Procedure and)
(Ordinance No. 100 for more information)

1. Name: ERTEL, R., BERNIE
Last, Middle, First

2. Address: 119 SE. 151ST AVE., PORTLAND, OR 97233
Street or Box, City, State and Zip Code

3. Telephone No. 253-7866

4. (If serving as representative of other persons, list their names and addresses:

5. What is the decision you wish reviewed? (e.g., denial of variance)
DENIAL OF REQUEST FOR ZONE CHANGE FROM THR TO TLR-5

5a. The decision to be reviewed was announced by the:
(X) Planning Commission ( ) Hearings Officer
(Check One) on 11/12, 1985.

5b. Date written decision filed with Clerk of the Board 11/22 1985.

5c. Date Notice of Review received by Planning Director
December 2, 1985 [illegible] (Leave Blank).

6. On what grounds do you claim status as a party pursuant to Subsection 12.24, Ordinance No. 100?
OWNER OF PROPERTY

7. Grounds for Reversal of Decision (Use additional sheet if necessary)

NOT A FAIR HEARING - NOT DUE PROCESS - MERITS OF CASE APPARENTLY IGNORED - PRECONCEIVED JUDGEMENT. SEE ATTACHED SHEET

8. Scope of Review: (Check One):

(a) on the record ✓

(b) on the record plus additional testimony and evidence

(c) de novo (i.e., full re-hearing)

9. IF YOU CHECKED 8(b) or (c), YOU MUST USE THIS SPACE TO PRESENT THE GROUNDS ON WHICH YOU BASE YOUR REQUEST TO INTRODUCE NEW EVIDENCE. (Use additional sheet if necessary) (For further explanation, see separate handout entitled "Appeal Procedure", page 2)

10. Amount of Fee Received $255.00
(Leave Blank)

11. Date Fee Received December 2, 1985 [illegible]
(Leave Blank)

Signed Bernie Estek

Date November 11/29/85

November 29, 1985

Board of County Commissioners
Multnomah County, Oregon

Re: Decision of Planning Commission November 12, 1985 on ZC 12-85, #385

Change from Transit High Density Residential to Single Family Residential

To the Commissioners:

We cannot afford to pay for an appeal but we ask that you review our case on the record. We ask this on the basis that due process was not accomplished in the so called "hearing" by the Planning Commission.

How can anyone say that we had due process when the Planning Commission merely rubber stamped a decision already made and didn't weigh the merits of the case?

How can this be considered a fair hearing when we had little opportunity to rebut the statements made by the Planning Commission officials?

How can this be considered a fair hearing when the members cannot define "public interest" and yet that is the one criteria which is seized upon to deny our request?

It was stated by at least one member of the Commission that this was the first case in which someone had asked for down zoning in this type of situation. How typical is it then for a Body such as this to blindly reject the request without attempting to correct it?

How can "public interest" be served by leaving our backyard as a pasture full of weeds or as a brush patch instead of family dwellings? We shall be long gone before it becomes feasible, if ever, to build a 50 unit apartment on this acreage.

We respectfully request the Board of County Commissioners to review this case on the evidence so that justice may be served.

Sincerely yours,

Bernie Ertel

Bernie Ertel

Enclosure
CC: Dean Alterman

TRANSCRIPT OF A PORTION OF THE PLANNING COMMISSION

MEETING OF

November 14, 1985

ZC 12-85

COMMISSIONERS: Chairman Alterman - Karlin - Hanway - Nordquist - Liebert - Leonard - Spetter

STAFF: L. Stickel - B. Hall - J. Pettis - S. Cowley

Alterman: We have no Manager's Report tonight. We will begin with the first item on the General Planning Agenda, Zone Change 12-85. The property is located at 119 S.E. 151st Avenue. The owner and applicant are B.R. and B.J. Ertel. We'll begin with the Staff Report.

Hall: This involves property on the left side of S.E. 141st Avenue across from across from E. Burnside Street. The site is in a far portion of the surrounding area within the 148th Avenue Light Rail Transit Area. Station Area. That area extends from, roughly from, 143rd Avenue to 151st Avenue and between Stark and Glisan. Prior to 1979 this and surrounding properties were designated LR-10, Single Family Residential. However, with the adoption of the Hazelwood Plan and the need for large additional housing units in that area this was one of those areas that, excuse me, the Rockwood Plan, this was one of those areas that were identified as having a potential for supplying a portion of the increased housing demand forseen by the

County's Comprehensive Framework Plan. It was designated at that time HR-2; then, with the development of the plans for the light rail station areas the property became designated THR, Transit High Density Residential. One of the studies done in conjunction with that, with the light rail and transit rezoning, was a study by Fred Glick, which, if you refer to your site plan, designated the rear portion of this property along with the rear portion of the property immediately to the north, and

identified as one and apostrophe, if thats the appropriate term, as we inherited up to fifty additional housing units in support of 148th Avenue station. Land uses in the surrounding area range from residential uses on 141st to, single family residential uses, there is a, there are single family residential uses also from the 151st on the west side. There is a church immediately to the west of this property from the 148th thats designated on your map as THR,CS, Community Service use for the church, and the property at the southwest of the corner of the intersection at Burnside and 148th is developed with apartment complex. The two properties that, going westerly from 151st, those designated Lot 2 and Lot 3, are developed with single family residences of some significance. The reason they're put there I guess inaudible at Lot 1 was included in an area for redevelopment. It is also developed with single family residences but there was a policy in during the light rail transit zoning where there, that if the improvements of the property were less than one-third the value of the property itself, those properties were designated, or identified, as being re-developable. The residences on that Tax Lot '1' is less than one-third value of the value of the property its located on. This, the applicant has provided some argument that, in support of the requested zone change that as I pointed out to the property is high density residential. The applicant is requesting LR-, TLR-5, which is low density residential. Its unusual for that request but that is allowed, in that the zone request is less than that comtemplated by the Plan.

He argues that there is in recent residential developments immediately to the east of 151st which demonstrate a need for additional single family residential units in the area and the Staff Report contains several repetitive responses to the Comprehensive Plan Policies which people agree with. However, we find little response to fact for the central request " is in the public interest", and the owner demonstrated, demonstrated the need was what I referred to in terms of the siting of single family subdivisions in the surrounding area. A large part of the argument is contained in two letters which are referenced in the Staff Report from Rockwood Community Planning Group which side with the request for conversion of the property to single family residential but also point out that perhaps there is a need to re-evaluate the market demand for residential uses within the 148th Avenue station area. The staff would, would, the staff thinks its a bit premature prior to the operation of the light rail transit system to do a market re-analysis of the housing demand within those light rail station areas. That system should be given a period in which to operate to see if in fact it does generate a demand around the sub-station. As I pointed out, just the property in the next 200-ft. shy of Burnside and only three blocks short of 148th Avenue is within easy walking distance of that 148th station area. If someone were able to, to uh, aggregate this property with the rear portion of the property immediately to the north and that tax lot corner that identified in the Glick Study as the 148th Avenue Transit Station that access would even be closer to the . We don't exactly know what this whether or not there is a demand for either low density residential uses or high density residential uses. until the light rail operate and see that that is inaudible . The property, as I said, has been designated high density residential for a, since 1979. It has not been off of that acre so a there are points both, both arguments that we feel premature at this time.

I do have some slides. They have not been edited. They have not been sorted, since we just have received them, so .

Alterman: Well,

Hall: bear with me. This view was taken off the intersection of 148th Avenue and E. Burnside looking westerly to 151st. Looking westerly along Burnside. This being 148th Avenue where you see the signalization. The light rail system. This apartment complex is at the southwesterly corner of the intersection on 148th and Burnside. You can see there is single family residential development on the north side of Burnside, as you'll also see down 151st Avenue. Ah, this is looking southerly from the last point where the last slide was taken down 151st Avenue. This is, the property to the left, or the east of 151st is outside the transit station planning area but all the property to the west was included within it. There are single family residences lining the 151st on both sides. This is a view taken in front of the property looking back to Burnside and the light rail system. I'm not exactly sure what the fencing here is, whether its a pedestrian crossing on 151st or whether its, a, the start of the perhaps the queing line to get on to the light rail transit system .

Nordquist: Inaudible.

Hall: To the left. Immediately to the left. This is a view of the southern portion of the applicant's property; the site plan would propose to remove and relocate or rebuild a garage; removing this garage the accessway would be along the southern portion of the property as shown on the proposed site plan and there would be additional loss created off of the private accessway to the rear of the existing residence. Like I said, these have not been edited or sorted. This looks to be looking southerly on 151st. This looks directly into where the accessway would be created with the garage removed. This is a view along the northerly side of the property line; single family residence immediately to the north, and you can see the property is vegetated with a scattering of quite significant coniferous conifers. The Glick study, in addition, identifies this as being an area capable of supporting 50 high density residential units also identified as inaudible one where the vegetation should be preserved as much as possible. This is to the rear of the property. This is extremely large lot, its almost an acre in size. And the apartment units I mentioned that we would located right there. The church property would be in this area. There is, I forget the exact distance from front to rear, but there is a large developable area to the rear of this propety. This view looks southerly across the rear portion of that property. This is the residence that you, the back of the residence, that you saw. The accessway proposed would extend along here and this rear area here would be developed with single family residences. This is another view of the rear portion of the property. Inaudible. This is looking northerly toward the rear portion of that residence that I mentioned was valued at less than one/third of the value of the property on which it is located. And you're looking into the rear portion of the neighbor's property immediately north. I believe this is looking across that property immediately to the north. I believe Burnside is here. I could be wrong on that. And thats the first inaudible.

There are a couple of corrections to be made in the Staff Report: on page 6, item #5, "Other Considerations", that should be that the applicant has <u>conferred</u> with the Rockwood Community Group as the term, and under, on page 7, under Conclusion #2, the second line "until after a period of operation of that system" to <u>decrease</u> residential density rather than 'increase'. So, based upon the applicant's memo and the staff evaluation of this memo we would recommend denial of the zone change from THR to TLR-5 of this property. Based on indadequate submission by the applicant and also based on the fact that we feel the applicant, inaudible Rockwood Community Planning Group suggestion of a market re-evaluation of residential potential for the 148th Avenue would be superfluous at this time.

Hanway: What could be, what could the applicant do with that back half-acre under THR zoning without binding inaudible property?

Hall: It could be developed by itself. I would not calculate the exact number of units but I would guess probably the order of 50 total residences. On the since they own the property that three lot area.

Hanway: What specific figure ?

Hall: There is a maximum and a minimum required in the transit zoning area

Hanway: Which is?

Hall: Maximum is 55 units per acre.

Spetter: On page 5, number C. 1, there is a question of two issues: One of them having to do with limited access and therefore making multi-unit dwellings not a good idea, and I was looking at this area, whether that was your opinion or just the applicant's opinion. I guess I'd like you to comment on that part first.

Hall: Okay. Thats, this is the applicant's submittal, and that the argument he's making is that its that property was, inaudible this is my interpretation. If that property were to be developed by itself it would have to access onto 151st, which at this time is not developed to standards sufficient to accommodate the automobile traffic generated by such apartment development. We have to inaudible station area. Its a system developed to reduce the need for automobile uses. And perhaps, I guess the residential development would, in those station areas, won't generate the traffic that high density residential developments do in other areas of the County that won't have immediate access to light rail.

Spetter: Are you suggesting that people who live there wouldn't have cars?

Hall: Thats a possibility.

Spetter: How many blocks is that from light rail?

Hall: Its 200-ft. from Burnside and 400-ft., 500-ft. down to the intersection of 148th station area.

Spetter: Are there any grocery stores that you know of in walking distance?

Hall: I believe there is one on 162nd.

Spetter: Is that ten blocks away? Around that? Okay. So that your feeling is that rather than directly saying whether or not limited access is a problem your're hoping that people won't have cars.

Hall: Thats, thats if, this property were developed by itself. If the property were to be developed with the two properties to the north it would have access to Burnside.

Liebert: I hear from what you're saying that even if they had cars they might generate fewer trips. Six trips per day.

Hall: Thats true. Everybody

Spetter: Can you think off the top of your head how far one would have to travel east on Burnside before he could turn around? Inaudible.

Hall: There are U-Turns allowed on Burnside.

Spetter: Yes, but where would be the nearest one?

Hall: I've forgotten now. Is it 162nd John?

Nordquist: I would think it would be 162nd but I don't know. Is it?

Pettis: nine blocks. I mean 11 blocks.

Leonard: This Glick Report, what that was done for; what purpose that report was.

Hall: That was to recommend land usages within the light rail station area; make an evaluation of existing developments, traffic systems in the area. Its a very big volume. Very detailed.

Leonard: What's the minimum per acre in THR-2?

Pettis: I seem to recall its about 21 units per acre.

Leonard: About 21?

I was thinking 25. Inaudible its 20 something. Somewhere inaudible .

Hall: Inaudible.

Alterman: Any other questions from staff:

Spetter: Maybe I'm too dumb to have to ask this stupid question, but in the event we deny this request tonight, and, further inaudible and someone else says,"Ruth, we are re-evaluating; we will, we have further input to the County", at that point in time could these folks come back around again and re-open this issue?

Hall: In case-actions denied there is a six month period during which re-application cannot be re-opened.

Spetter: Re-application what?

Hall: Cannot be re-opened.

Spetter: Cannot be re-opened. Then after that it can be re-opened.

Hall: True. And the light rail system is not scheduled for operation until September.

Spetter: You know, I think perhaps all of these things are inaudible maybe premature.

Leonard: Yah. Clarification of the land use you mentioned that there are apartments at the southwest corner of 148th and Burnside.

Woman: Southeast.

Hall. Southeast.

Leonard: There are apartments at the southeast corner?

Hall: Yes.

Leonard: Inaudible. distance northeast of the subject property ?

Hall: Northwest.

Leonard: Northwest. Inaudible. Are there other apartments at the general vicinity of the intersection?

Hall: I'm not aware of any.

Leonard: the access onto the light rail platform inaudible.

Hall: Well, that what I was pointing out when I pointed out what could either be a pedestrian crossing. Its an odd arrangement there.

Nordquist: Inaudible.

Hall: At the pedestrian crossing?

Nordquist: Well, yes; and its, its a, yes.

Hall: Or is it the start of the que inaudible.

Nordquist: It depends on the que thing.

Hall: Que for the station?

Nordquist: Yes.

Hall: Okay. I guess there is access immediately to the

Nordquist: Inaudible.

Hanway: So a person could walk straigt up 151st and cross to the station right there?

Hall: Yes. That green arrangement that you saw in that one slide is apparently

Nordquist: You've got a crossing there in the sense that you can freely walk across from that thing. You have to go back down to 148th, 149th along

Spetter: Yes. Its just a crossing there.

Nordquist: Yes.

Spetter: You have to walk on the rails inaudible.

Nordquist: Yes. You cannot. There is not a marked pedestrian crossing there. Its just the end of that inaudible.

Hall: Inaudible ....and not everything is there that is going to be there

Nordquist: No. You have to go to 148th to actually enter the walkway inaudible.

Karlin: What do they need to show in order to satisfy this "public interest" requirement? Have we defined "public interest"?

Hall: Its been defined as a number of things.

Karlin: How does it differ from "public need"? In other words.....

Hall: That something we've had difficulty determining.

Karlin: I just hate to see a, people who have maybe, who don't go through this all the time uh, fail to supply something because they get the two confused.

Spetter: Would that or could that be developed into high density residential with that street as it exists today?

Hall: Yes.

Spetter: No curbs, no sidewalks?

Hall: There might be some development...inaudible.

Alterman: Any other questions? I'll now open the public portion of the hearing..... inaudible.

Ertel: Thank you Commission members. I'm real happy to be here to...inaudible....some inequities in this presentation.

Alterman: Just for our........tape could you identify yourself.

Ertel: Oh, I'm sorry. Bernie Ertel. And this is my wife Barbara. I don't know where to begin. I wasn't very good at jotting these down. But, well lets just, lets stretch one here. Lets us take the Glick Report:..."recommends the preservation of trees in this area". About uh, or 12 to 15 trees have to be removed. And, if I understood the gentleman who preceeded me, the Glick Report recommended preservation of the trees in this area. Let me, I have a report here, regarding the letters that were received; incidentally ....inaudible.... so I didn't have all that much time to inaudible about it. But we take issue with a couple of issues on the Staff Report that we received Friday afternoon. Would you like to have the copies I have available, here, I have five, while I'm reading it?

Hanway: Yes. You could give us one or two so we can keep one in front of us....inaudible.

Ertel: Inaudible.

Man: Lets see. Maybe you can start now again Mr. Ertel.

Ertel: We will proceed........he spoke.........in the first place its 141st. I'm sure he meant 151st when he referred to 141st and, let me read this: Regarding the Staff Report and Recommendation, under Findings, item 4.A., it is stated that applicant provides no discussion as to how this request is in the public interest. The instructions did not call for the discussion of this subject. The instructions under item 5.A. said, among other things, to describe how granting the request was in the public interest. And item 5.B., among other things, asks to describe that there is a public need. We did feel that both of these criteria in our application there was a need for single family dwellings in the area, and a single family subdivision of 13 new homes built across the street and already sold, proves this point. And incidentally, the Staff Report and Recommendation, item 4.B., makes it appear as though this development is somewhere in the east. Far removed instead of just across the street from our house.

The public interest is served by preserving the liveability of the neighborhood with single family homes as opposed to apartments without a buffer zone between them and the existing homes. We abut the church.......and not the apartments. The urban design plan referred to under the fourth paragraph under item 2 of the Staff Report is not feasible. Summarized, it states that our property and two others as capable of development with 50 residential units. We're not aware of this plan, which fails to point out that three property owners would have to agree to sell their places and a house on one would have to be removed. Also, it says an apartment were built it would be in a back yard of existing single family dwellings. It seems far more likely that existing land along the arterial such as 148th Street would be used before the above mentioned properties fall in line for construction of apartments of the size described. The gentleman before me, I.inaudible from my letters here, the gentleman before me did not mention that 148th there is all kinds of land. Down from the station area to Stark Street, there's...inaudible..... I was talking to him the other day, his land is zoned for apartments and he don't have any bidders for apartments. And this is just a short walk directly up the major arterial, 148th. Now to go on, uh, while we are on the subject of land available for apartments, uh, on arterials, how abot the lots just to the north of Burnside and on the west and east side of 151st Avenue. No one on the Planning Commission that we spoke to could give a reasonable explanation for several sizeable acres just comparable to ours in size being zoned TLR-5. Those lots were once. open to 151st Avenue and a sewage hookup would be a short distance downhill to Burnside Street. In addition, the walking or driving distance would be less and it would be a convenient right turn on Burnside down 151st a few feet right on Burnside to the light rail station. In that case the walking distance would be greater, considerably greater, you have to go up to 151st and turn left. Now, it wouldn't be that much greater walking maybe, depending on what lots were developed on the north side. However, the driving distance would be several times farther. Inaudible... you would turn right on 151st, south to Stark, a considerable distance right on Stark and a substantial distance to 148th, right on 148th and about a quarter of a mile up to the station area. Now, it was pointed out or it was mentioned earlier about people and cars. I think its totally unrealistic to assume that most people aren't going to have cars. Even if they live in apartments. It just doesn't make sense to me to think otherwise. But in conclusion we should like to thank the Commission hearing this case and we hope that you make the right decision. We feel it is unfair to require a small property owner to spend a substantial amount of money on fixed income to correct faulty zoning such as has been set up in our case. It is a faulty plan that pits property owner against property owner. We should like to see a plan that..inaudible...and fair and such a plan would definitely be in the public interest. I would like to make a one more short comment about the fact that in order to develop the back of our property, and this is basic I think, you'd have to get the property owner to the north of us to sell, and you'd have to get that place next to the apartments on Burnside to sell or to get out, and that house would have to be moved. Totally ludicrous type of situation to put us in. We can develop the place we hope, we don't know for sure, but the contractor that built the subdivision across the street from us is, thinks he is interested and we, to be entirely frank with you, we don't make a big bundle of money on it. I don't imagine the contractor does either. But we may be able to sell it for a little more than we can..inaudible... if we're able to sell it in fact to a private party. The entire property. Thank you very much.

Alterman: Any questions of Mr. Ertel from the Commission?

Leonard: Before he goes I'd like to..inaudible...a question. Previous to the rezoning of the transit what was that zoned as?

Ertel: HR-2. Its always been high density residential.

Leonard: High density residential.

Hanway: For the last?

Pettis: 1979.

Hall: Six years.

Man: Inaudble. some questions for the applicant. we just went through a rather extensive rezoning of all the property out there discussing the needs of the transit districts and the apartments.........Were you aware of that going on and participated in it?

Ertel: Well, we, first of all I don't think, the gentleman before me I think indicated, its very confusing and its a long story, but I think he kind of inadvertently indicated that one of the problems. He said "Hazelwood". Did you hear it? Do you recall him mention it and then correct himself to "Rockwood"?

Leonard: I'm asking you specifically were you aware that all of the area along the light rail was being rezoned? And did you receive notification of that?

Ertel: We possibly received notification, but, we, let me explain that our, we are, we were paying on the place from Veteran's Department, I think the VA, the State VA and I don't think we received the notices such as were sent out, and we are also received notices later after 59 and after numerous occasions when it came out to discussing the light rail from the Hazelwood, which met at 107th, 102nd and 102nd off Burnside, we never did get anything from Rockwood Community Group, or whoever as far as I know. We did not receive but we did appeal twice. I don't have the first one but in '84 we did appeal the zoning. I don't remember exactly. I can't find the properties of the first ....of '79. We did go to the meeting, but we went to Hazelwood when it came up as far as the connection of the light rail and rezoning but it did not apply to us. In the confusion there and the problems it ended up gettng,...inaudible...to say, frankly, we were not too knowledgeable about zoning either and, personally I don't, I can't speak or my wife, but I thought that we, when we did become HR-2, I think that came about in '79, I thought we could, there would be no problem if we had to sell or wanted to sell it to down--zone to build single family dwellings. I did not know that we were locked in under THR and multi-plex or duplex apartments.

Alterman: Any other questions?

Is there anyone else who wishes to speak in favor of the application? Inaudible. I'm going to close the public portion of the hearing and proceed with our discussion.

Spetter: Mr. Chairman, is it possible to ask the applicant something?

Alterman: Yes.

Spetter: When did you say that the light rail was anticipated to be in, inadudible?

Hall: Last I heard, the last I heard was sometime inaudible next year. And I believe I heard that on the radio. Inaudible.

Karlin: You have inaudible ride the light rail to work yourself?

Hall: I don't live in that direction.

Hanway: I find looking at it, the applicant's met these two to three criteria inaudible meets the relevance of the Comprehensive Plan....inaudible....shown by the sales of the property across the street. I still haven't quite managed to come around to getting "Meeting the public interest" ...inaudible. There's a rather odd distinction between public interest and public need, which I hope I'm making clear to the applicant at this point. Inaudible.

Ertel: I fail to, we can't see the.......

Woman: Inaudible.

Multiple voices.

Alterman: I can't really take testimony at this point but I do want to explain to you what we're supposed to consider, whats the difference between needs and interest.

Ertel: Well, you don't, seem to be in a fantasy land on this because I told you and I swear to you I go out there and talk to the people on 148th the arterials down from the 148th station area. There's all kinds of land for apartments. An on Burnside. Besides these other lots we're speaking of. Why then do you keep talking about higher densities if, and indicating that the apartment or higher density can be developed on our lot. It is not feasible with. How are you going to get those people to sell their property and have access to the arterial to Burnside and build a 50 unit apartment or even a 30 unit?

Alterman: I think we appreciate that point of your argument but because I closed the public hearing I really can't take further testimony on that point, but, inaudible with two different points and we have to show the need is inaudible in order to approve your application. Thats what we're required to do by law.

Nordquist: Staff. I want to clarify something for myself. Isn't it because they are within the transit station, quote "station zone", that they have utilization rather than the apartment across the street, which may not be in the station area?

Hall: Thats the reason they had to pass the zoning...inaudible.

Nordquist: Okay. So they are within the station, the proximity of the station, and that is the distinction.

Hall: Inaudible.

Nordquist: As opposed to the other acreages. Down the street further.

Liebert: I think that the issue we are wrestling with is some of the basic premises of the transit zoning district, which was to increase the densities within a certain..inaudible..we are referring to. I'm certain from that standpoint of view you start allowing low densities adjacent to station you're close by, you've essentially gone back to the basic premise of why we put the transit zoning in place. In this case I think we're beyond that. This property's always been ..inaudible..high density residential regardless of what the, from the planning standpoint thats what it is and knowing that the basic premises of the use have gone through six months of hearings to come, what was done to what pieces of property and not looking at those piece by piece basis is..inaudible.

Karlin: Inaudible. I have a question myself. I don't fully grasp the difference between public interest and public need.

Hall: Well, in...inaudible..the distinction in this particular case, as I said, we have difficulty sometimes separating them but, its in the public interest to provide residential density in the attendant uses that will be supportive or in ....together with the light rail system. Its in the public interest to help support that system. Its a public need if you're, is there a need for, in this case, lower density residential development immediately adjacent to the light rail transit station.?

Karlin: I think what you're saying is that its in the public interest to keep the same zoning that we have inaudible....thats a given in a premise in every one of these cases, that there's some public interest behind the present zoning. My question is, what kind of public interest do they have to show in order to get a change to low density?

Alterman: Inaudible. respond to that, but I think if the station had been in business for a couple of years we could show then that there is no need for it, then you..inaudible to say why is one uses start and stop...inaudible property goes in its present zoning and nothng happens the more likely there is to be able to show public interest..... At that point the public interest is being satisfied.

Karlin: Um hum. I still don't understand in general what the, what we mean by the public interest and then.....

Alterman: No, I could give you a really bizarre analogy on that but its not going to be pertinent. If you go by market value, market demand, dirty bookstores fill a public need but are not in the public interest.

Karlin: Well, public need is a subset of public interest and then there......

Liebert: No, something different. The need is for the property under the zoning that, is the property going to find a demand? Does it fill a need that the public has for use of that property? And the public interest is more like, is the public interest in general as opposed to the interest of the users of that specific property better served by having a one zoning of the other.

Spetter: It almost seems like the public interest is what creates the need and if you've got an interest in traffic and in more housing and its going to provide more housing..inaudible.

Alterman: I don't know. I think they're more different than that. Suppose we had, say a zoning request to build a new airport out on 161st and Glisan. There may be a need for the airport but its not in the public interest to put it at 161st and Glisan.

Karlin: Can you give us a definition of public interest that doesn't use the word public interest in it? And I think you

Alterman: Say that again.

Karlin: When you define public interest you use the phrase "public interest" in it. Is there some other definition? I mean, it just seems silly to me there's, there are no.....

Hanway: I think the point that you're trying to make is that the public need when you're talking about subset, perhaps the point is the public need is a subset of public interest.

Karlin: Okay

Hanway: And, if you focus only on need you are promoting a certain part of interest in the public, satisfying the need, but that there are other, there are other good public goods that are goals of the community that, that have been identified as having value and are promoted by a certain designation.

Karlin: Well, okay, what are those public goods and public values is .....question, but I mean, whenever we come, whenever we have one of these cases where we're trying to change, or somebody is trying to change from high density to low density, its always a given that the current zoning is in the public interest; that even when we make a change and we find that the change is in the public interest we start with the idea that the current zoning was in the public interest, so to say that simply this is zoned that way;.....

Hanway: Well, the thing is, you have certain competing interests that you have to balance and the decision that is been made regarding the transit stations and the area around them is that the overriding public interest, the overriding community goals that are to be protected are to guarantee that there's sufficient density of housing in close proximity to the station areas.

Karlin: Okay.

Hanway: To encourage people to take advantage of riding the light rail.

Karlin: Okay. That a public interest that applies to the area around the station but what about an area of land where its really not feasible to develop apartments?

Hanway: I have to, thats not true. They, perhaps right now the market is not making a great demand for apartment units but a piece of land 116 or 140-ft. wide by some 200-ft. is capable of being developed in apartments. This parcel by itself could be developed. The thing I find confusing in this case is the point that was brought up that the property north of Burnside and northeast of 148th and Burnside, is in, as far as I can tell, is similarly situated but its designated for low density housing and I can't say that I understand that. On the other hand.....

Karlin: Probably.....inaudible number

Alterman: That decision's been made and I think that, I'd have to go along with the staff's decision that until, I hate to, I hate to put a freeze on property and I don't think thats that we are doing but we're, we are trying to promote and protect the use of the light rail and, if we're talking about something that is five years away it might be different, but we're talking about something presumably going to happen within a year and I think it can work....inaudible.

Liebert: And, inaudible...if its five years after the light rail's gone into effect....inaudible....and we begin to get a different set of factors and

Leonard: And another thing

Liebert: We just sat through, we approved this parcel for Transit High Density Residential and then six months later we're going back and asking questions that, why didn't we answer, ask those questions when we did it the first time?

Karlin: Yeh.

Hanway: The other thing is, the other......

Liebert: It goes back to, that essentially, that the need is defined as getting the ridership in the system because if its not, the public interest, the interest is to get the ridership and density.

Hanway: The other applications that we've approved for different uses have not been for zone changes; they've been for conditional uses that are specific to one user and therefore don't freeze the property under conditions that I'm not making certain improvements that could preclude being redeveloped for higher density uses along the arterials or along the transit zone.

Liebert: There are people who want an increase too.

Hanway: I don't think that the Staff Report is inconsistent with what we've done in the pase.

Nordquist: Inaudible. .....after or as available. Inaudible.

Alterman: Is that a motion?

Nordquist: Yes.

Alterman: Are you moving to adopt the Staff Report?

Nordquist: To adopt the Staff Report.

Alterman: Commissioner Nordquist moves adoption of the Staff Report.

Leonard: I'll second that.

Alterman: Commissioner Leonard seconds.

Leonard: I'd like to make a couple comments too..inaudible...appears to a lot of different issues and...inaudible.... There do appear to be two definite public interest issues involved here. One, the light rail system; it is in the public interest that Tri Met, the public transit, work wa well as possible, and transit zoning was put in place to try to encourage the success of the light rail line by creating high density land uses around these stations so that they could get better probability of more riders riding the light rail line. It is in the public interest that the light rail line work well. We have another public interest issue here with the high density housing, that was, even before the light rail zoning was put in place there was a high density apartment zoning put in place in this area as part of the overall public interest policy of creating a lot of high density opportunities, and certainly what we've seen in the way of developments since ....in

'79, there's a lot more opportunity to develop high density housing than the market demand thats existing the last five or six years. Most of the discussion here tonight to determine "public need" has been used inter-changeably with "market demand". It does appear that there's not a market demand for apartments right at the present time but that isn't to say that there won't be a market demand at some point in the future. Our reason for designating the area for high density was to make that land available for the high density housing and, in this case its done in conjunction with the light rail line. So those are the public policy and theory reasons for designating this as a high density transit, high density residential. The other side of this is probably that if its not appropriate to have apartments on 151st, then it probably wouldn't be appropriate to what we'd change the zoning in this particular property. Inaudible. In fact, is the proper land use to have west side of 151st. Thats not what is before us either. It does appear that its appropriate to deny this request for this specific rezoning because it is a public interest--involved to stay with higher density inaudible.

Hanway: Mr. Chairman. Two other comments that the cases that are gone up over the past six or more years have been quite clear that, as least as far as the State goals and guidelines are involved, and I think that would apply to the County's Ordinance, that public need is not the same thing as market demand. And that you have to show something more than just the fact that there is a demand, that people are willing to buy this. The other comment I have is that the point of confusion I had raised before about why, why the land north of Burnside is zoned TLR-5, unfortunately, tends to negate a lot of the arguments brought by the applicant to the extent that its, if there is a demand for the type of housing that they're proposing it can be satisfied by land that is vacant on the other side of Burnside. And so there isn't a reason to change the zoning on their property.

Alterman: Any other discussion?

Ertel: I, inaudible, when you explained how the procedure would go I thougth that we would have a chance to ask questions after the, I'm not sure ..inaudible.

Alterman: Oh, oh okay, no. If someone had testified in opposition you would have an opportunity to ask questions at the end of that point.

Ertel: Oh, I see.

Alterman: But at the moment we're discussing a motion to act on your application; we don't answer questions at this point.

I find the applicant's argument no good, but persuasive enough that I'm going to vote against the motion and in favor of the application and find it doesn't meet the Plan but it does meet the need. I'm less certain that it meets the public interest standard. I'm pretty sure I wouldn't find it met the public interest standard if, say this were an application to rezone five or six acres in the area. I think there is some public interest in having the zone that will build the housing faster than slower. As I think this proposed rezoning would, I think it would result in having fewer units but faster units; going into the area that would be in the public benefit.

Nordquist: Inaudible. I believe that the information is not all in by any stretch of the imagination and the only reason I'm voting tonight is because I think that everybody needs more time to really study this issue after some facts can be gathered. So, please forgive me for that but I do believe that it has to be denied at this time. On that basis alone, just don't have the facts.

Alterman: What's odd, inaudible you're the first person who's come in with a decent property to build 25 units and wants to

Ertel: Yah. You haven't spoken, the gentleman there, Mr. Hanley, talks as though its realistic to build an apartment there now or in the future. What you gonna do, condemn that house there, on Burnside...inaudible?

Hanway: I'm talking about your site alone.

Ertel: Pardon.

Hanway: Your site alone. Without assembling other parcels.

Alterman: We really can't debate it at this point. Inaudible.

Ertel: There's all kinds of property on 148th, for apartments, to meet the public interest in the building higher densities. We're the only big lot, only one acre lot in there, and we are in a untenable position.......

Alterman: Those in favor of the motion to adlpt the Staff Report denying the application please say "aye".

Nordquist: Aye.

Leonard: Aye.

Liebert: Aye.

Leonard: Aye.

Alterman: Those opposed please say "nay".

Karlin: Nay.

Alterman: Nay.

Alterman: Motion passes. Commissioners Karlin and Alterman vote nay, and I think, Ruth, did you........that?

Spetter: No, I abstained.

Alterman: Commissioner Spetter abstained.

0425P:mb

Board of County Commissioners

Being property owners in this area since 1967, we would like to see reconsideration on the decision that has been made for the properties on S. E. 151st Avenue.

There are many nice single family homes on this street and a number of new single family homes being completed on the east side of 151 st. There were several single family homes built on the west side of this street a few years ago. These property owners should be considered.

We feel this street should remain as single family residential. There are a number of vacant pieces of ground and large lots on S.E. 148 th Avenue available for high density use now and, no doubt, more will become available on E. Burnside St. when many of the single family home owners find they are too inconvienced with no frontage for parking now.

Byron and Berniece Green

Byron - Berniece

14930 E. Burnside St.

Portland, Oregon

MULTNOMAH COUNTY OREGON

Department of Environmental Services/Division of Planning and Development/2115 S.E. Morrison St./Portland, Oregon 97214 • 248-5270

DECISION OF THE
MULTNOMAH COUNTY PLANNING COMMISSION

Meeting of November 12, 1985

IN THE MATTER OF:

ZC 12-85, #385

TLR-5, Transit Low Density Residential District
(Future Development of Single Family Residences)

Applicant requests change in zone classification from THR, transit high density residential district to TLR-5, transit low density residential district for future development of single family residences.

Location:	119 SE 151st Avenue
Legal:	Lot 258, Ascot Acres 1984 Assessor's Map
Site Size:	310' x 140'
Size Requested:	Same
Property Owner:	BR and BJ Ertel 119 SE 151st Avenue, 97233
Applicant:	Same
Comprehensive Plan:	High Density Residential
Present Zoning:	THR, Transit High Density Residential District
Sponsor's Proposal:	TLR-5, Transit Low Density Residential District

PLANNING COMMISSION DECISION;

Deny the request for a change in zone designation from THR, transit high density residential district to TLR-5,transit low density reesidential district, for the above described property, based on the following Findings and Conclusions.

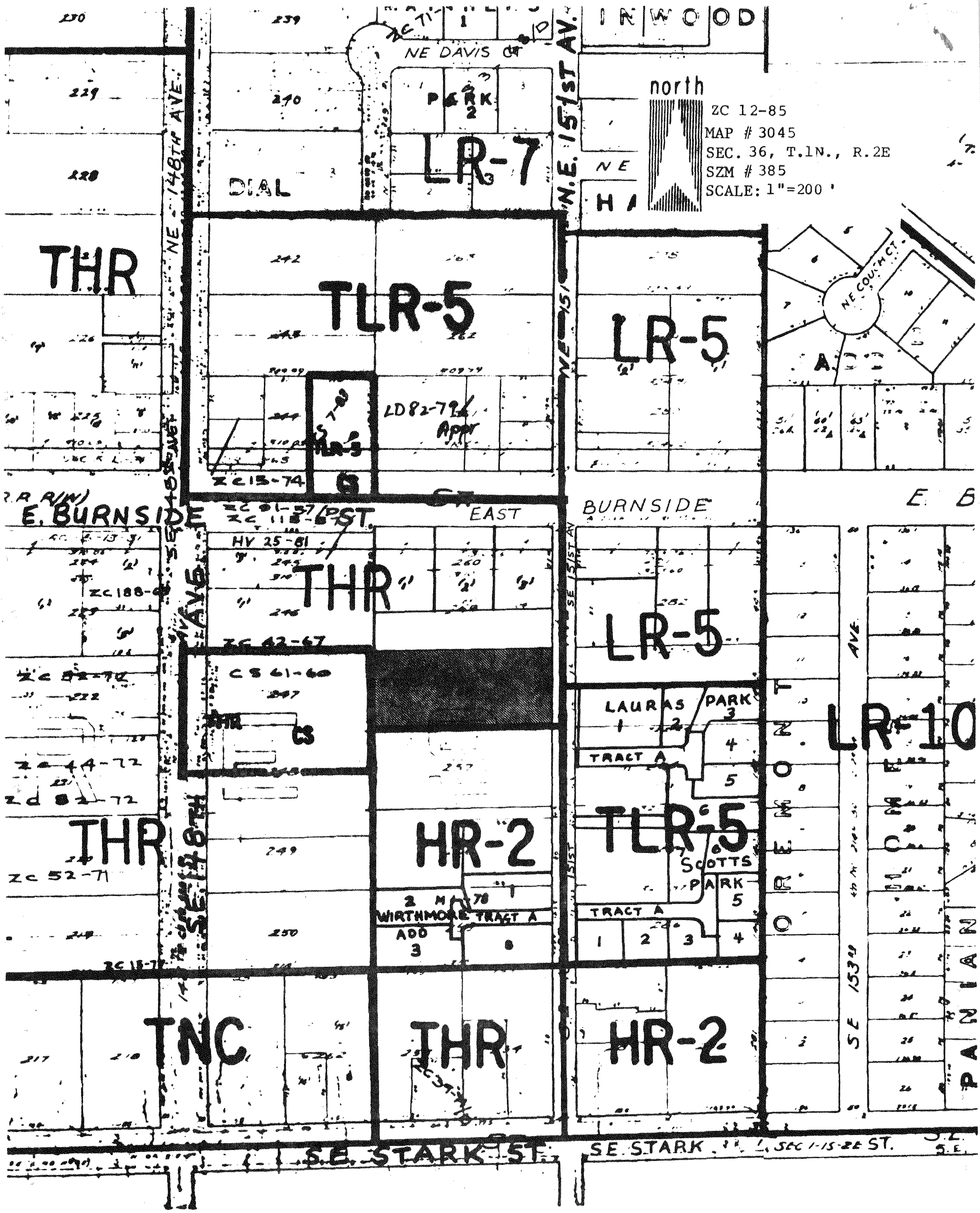
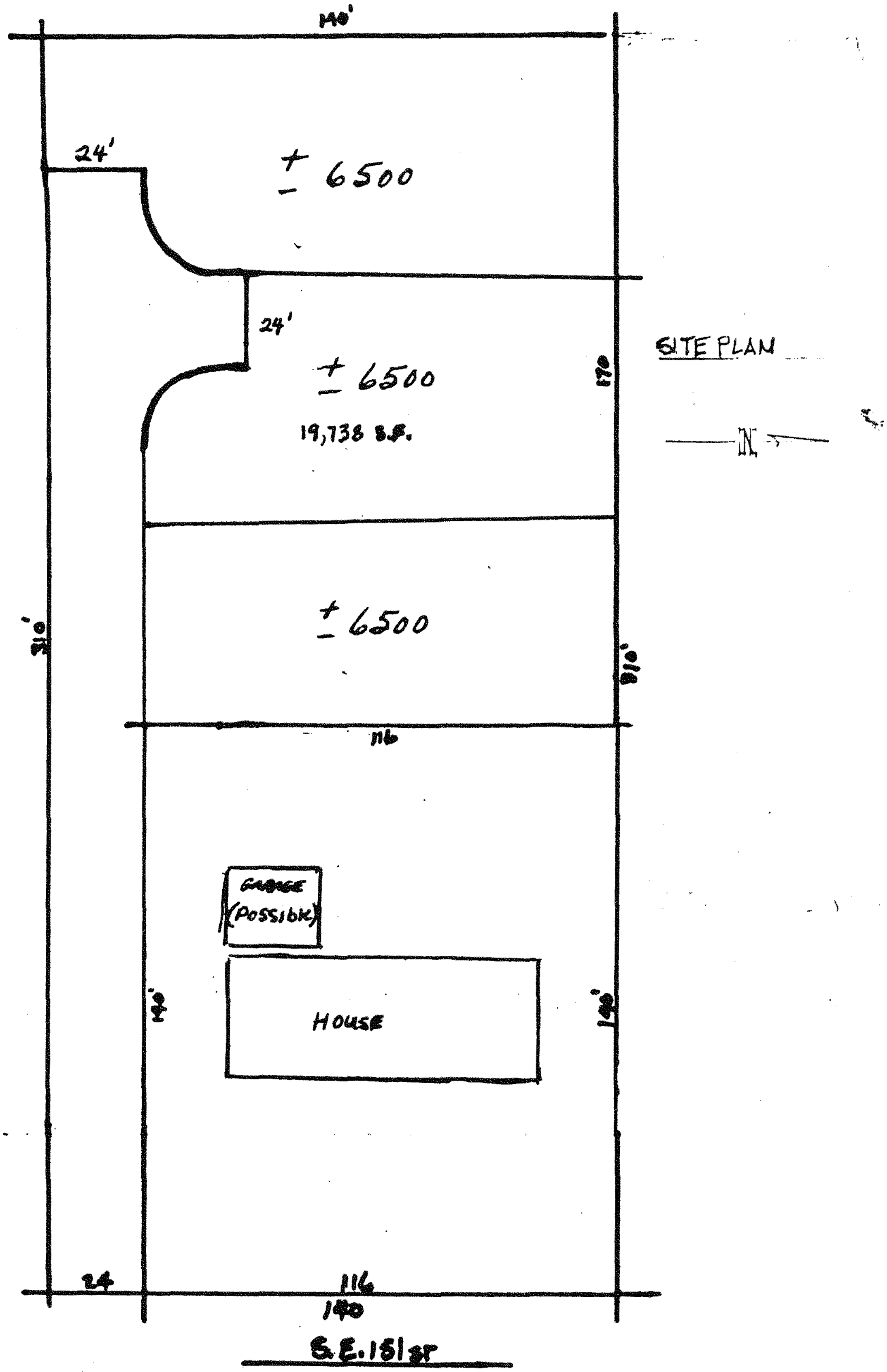

north
ZC 12-85
MAP # 3045
SEC. 36, T.1N., R.2E
SZM # 385
SCALE: 1"=200'
INWOOD
NE DAVIS CT
PARK 2
LR-7
DIAL
N.E. 151ST AV.
NE 148TH AVE.
THR
TLR-5
LR-5
NE COUCH CT
LD82-79
ZC 15-74
E. BURNSIDE
BURNSIDE
EAST
E. B
HV 25-81
THR
ZC 42-67
CS 61-60
CS
LR-5
LAURAS PARK
TRACT A
LR-10
SE 148TH AVE
ZC 52-71
HR-2
TLR-5
SCOTTS PARK
WIRTHMORE ADD
TRACT A
SE 153RD AVE
TNC
THR
HR-2
S.E. STARK ST.
SE STARK ST.
SEC 1-1S-2E

EXHIBIT "A" SITE PLAN



FINDINGS:

1. Applicant's Proposal: Applicant requests a change in zone designation from the existing THR, transit high density residential to TLR-5, transit low density residential, on the above described property. If approved the applicant intends to subdivide the property into four lots, three of which would be developed with single family residences on 6,500 square foot lots and leaving the existing residence on a 16,200 square foot lot.

2. Site and Vicinity Information: This property is located on the west side of SE 151st Avenue, 200 feet south of East Burnside Street. It is essentially level and comprises an area of 43,400 square feet. A single family residence is located near the SE 151st Avenue frontage; the remainder of the lot is in lawn, garden and has a scattering of significant conifers.

   The area surrounding this property is within the 148th Avenue Light Rail Station Area and the Rockwood Community Planning Area. Prior to May, 1979, the zoning of this property was R-10 (single family residential). However, properties fronting East Burnside and SE 148th Avenue were designated A-2 (apartment residential).

   The Rockwood Community Plan identified a need for additional multi-family housing units within that community as required by LCDC Goal No. 10 - Housing. The area between East Burnside Street and SE Stark Street and SE 148th and SE 151st Avenues was designated as an area where increased housing needs could be satisfied through the provision of additional multiple family units. Therefore, it was designated high density residential in accordance with Policy No. 21 of the Rockwood Plan and zoned HR-2 in conformance with that designation. Those plan and zone designations were adopted by the Board of County Commissioners in May, 1979.

   During the development of Light Rail Station Areas, the area between East Burnside - Stark Streets and SE 148th and 151st Avenues was included in the 148th Avenue Station Area. The Urban Design Plan for that station area identified the rear portion of the applicant's property in combination with the rear of the property immediately north and the lot fronting East Burnside Street immediately east of the apartment development on the southeast corner of SE 148th Avenue and East Burnside as being capable of development with 50 high density residential units. Therefore, the high density plan designation and zoning was continued by designating the area as THR, transit high density residential.

   A total of twenty-three hearings were conducted during the adoption of the light rail zoning in this area. Prior to that, numerous meetings were held during the adoption of the Rockwood Community Plan. Therefore, the concept of this area being one of transition to high density residential has existed in excess of six years.

3. Ordinance Considerations: The burden is on the applicant for a change in zone designation to demonstrate to the Planning Commission that:

   Granting the request is in the public interest;

There is a public need for the requested change and that need will be best served by changing the classification of the property in question as compared with other available property;

The proposed action fully accords with the applicable elements of the Comprehensive Plan.

4. Applicant's Response to Ordinance Criteria:

The applicant provides the following responses to the zone change approval criteria:

A. Public Interest - The applicant provides no discussion as to how this request is in the public interest.

B. Public Need - The applicant indicates there is a need for additional single family dwellings in this area. That need is substantiated by an example of a thirteen-lot subdivision east of SE 151st Avenue which was developed within the last year, and in which all of the units have been sold. The referenced property is outside of the 148th Avenue Station Area and is one that has been designated by the Comprehensive Plan as single family residential since April, 1955.

C. Compliance With Rockwood Community Plan Policies:

(1) Policy 6 - Urban Area: The proposed building of single family housing is in keeping with the rest of the neighborhood. Higher density building such as apartment buildings is not logical for the area either now or in the forseeable future, mainly on account of limited access. Apartment house builders that we have contacted have not even bothered to call back. Single family dwellings on this lot and those still available in the area will generate about all the traffic flow that this street (SE 151st Avenue) can handle.

(2) Policy 13 - Air and Water Quality and Noise Level: Sanitation and water department statements are in the file. Neither air quality or noise levels will be impacted in the area by the development; the effect on air and noise levels will be less with single family units than with higher density building such as apartments.

(3) Policy 14 - Development Limitations: The slope is almost level, the soil drains well and there will be minimal soil erosion. There will be minimal impact on surrounding properties.

(4) Policy 16 - Natural Resources: Natural resources will not be affected. This is not an ecologically significant area.

(5) Policy 22 - Energy Conservation: The proposed development is consistent with future anticipated development and this type of housing is in demand and will provide the maximum desirable density for this neighborhood.

(6) Polciy 37 - Utilities: Water and disposal systems will be provided. Energy and communications are in excellent shape for the project. Cesspools will be utilized until sewers are provided. The builder will provide the required sewer lines for hookup later to sewer system.

(7) Policy 38 - Facilities: The site is within the Reynolds School District and the schools are either within walking distance or bus transportation is provided. Fire protection is provided by District No. 10 and Multnomah County provides police protection.

5. Other Considerations: The applicant has conferred with the Rockwood Community Group regarding this request. The following statements were received from that group:

A. A statement dated August 8, 1985 from the Executive Committee:

"The property the applicants, Mr. and Mrs. Bernie Ertel, are concerned with is in a station area that has all been designated high density residential. The concerns of the Rockwood Community Group are that should the applicant's request be granted, surrounding properties would be inconsistent and incompatible.

In addition, we have some concerns for the complete lack of buffering between low and high density in that area. The Ertel property and others along the street have substantial single-family residences at the front of the lots and if high density apartments are constructed to the rear there could be a situation of apartments adjoining these single family homes. The undeveloped land to the rear could be considered for an intermediate zoning designation to mitigate this.

The applicant's request, however, may be a more appropriate zoning designation, however, to current market demand; and, if the market demands are more consistent with single family residential than multiple family dwellings, then not only should the applicant's request be approved but the entire station area should be reviewed for rezoning.

Rockwood Community Group would like to request, therefore, that the Planning Commission require the staff to re-analyze the market demand."

and,

B. A letter dated August 30, 1985 from Franklin Jenkins:

"At its meeting on August 19, 1985, the Rockwood Community Group approved the attached executive committee statement regarding the above request. At the July 22, 1985 meeting, the community group had authorized the executive committee to visit the area in question and draft a statement for approval.

The Rockwood Community Group recommends approval of the request of Mr. and Mrs. Bernie Ertel and further recommends a re-analysis of market demand due to conditions described in the attached statement. Although you may wish to act on the market re-analysis, also hold this information pending receipt of the Ertel request."

The above statements refer to a market re-analysis regarding the appropriate mix of housing types in this station area. Current plans call for the commencement of operation of the light rail system in mid-1986. Appropriate re-analysis of housing demand surrounding a light rail station could not be made until after a period of operation of that system and a demonstration that the system does not generate the type of housing demand envisioned by several previous studies.

CONCLUSIONS:

1. The applicant has not satisfied the approval criteria for a zone change through a failure to demonstrate that the request is in the public interest and a lack of documentation that there is a public need for additional single family uses within the 148th Avenue Station Area.

2. The light rail system is not yet in operation. It would be premature, until after a period of operation of that system, to decrease residential densities in an area that previous studies have concluded will experience an increased demand for high density residential uses.

Signed November 12, 1985

By Dean Alterman, sd
Dean Alterman, Chairman

November 22, 1985
Filed with the Clerk of the Board

Appeal to the Board of County Commissioners

Any party may file Notice of Review with the Planning Director within ten days of the date the Decision is filed with the Clerk of the Board..

The Decision in this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, December 3, 1985 in Room 824 of the Multnomah County Courthouse. For further information call the Multnomah County Division of Planning and Development at 248-5270.

MULTNOMAH COUNTY OREGON

Department of Environmental Services/Division of Planning and Development/2115 S.E. Morrison St./Portland, Oregon 97214 • 248-5270

DECISION OF THE
MULTNOMAH COUNTY PLANNING COMMISSION

Meeting of November 12, 1985

IN THE MATTER OF:

ZC 12-85, #385 — TLR-5, Transit Low Density Residential District (Future Development of Single Family Residences)

Applicant requests change in zone classification from THR, transit high density residential district to TLR-5, transit low density residential district for future development of single family residences.

Location: 119 SE 151st Avenue

Legal: Lot 258, Ascot Acres
1984 Assessor's Map

Site Size: 310' x 140'

Size Requested: Same

Property Owner: BR and BJ Ertel
119 SE 151st Avenue, 97233

Applicant: Same

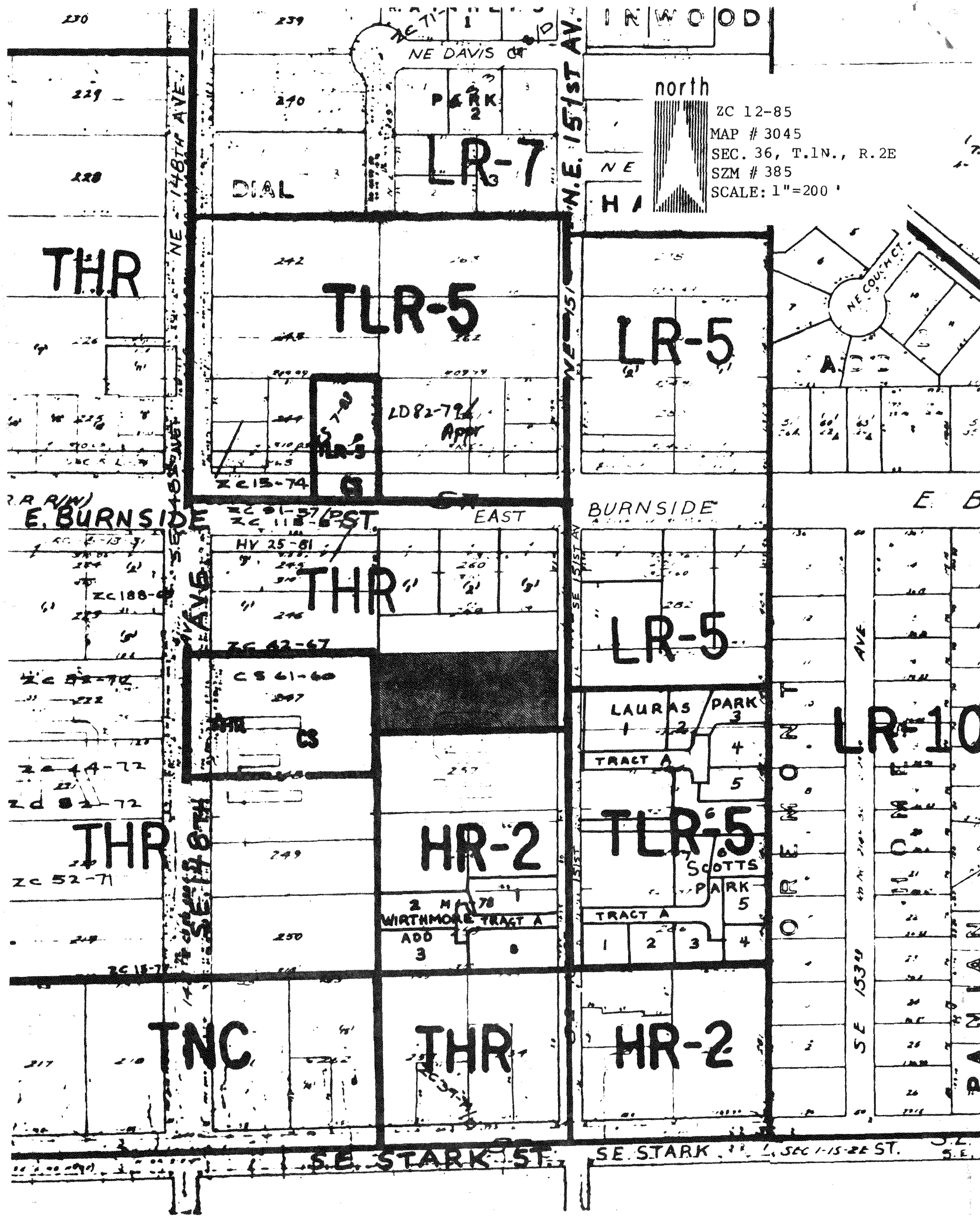
Comprehensive Plan: High Density Residential

Present Zoning: THR, Transit High Density Residential District

Sponsor's Proposal: TLR-5, Transit Low Density Residential District

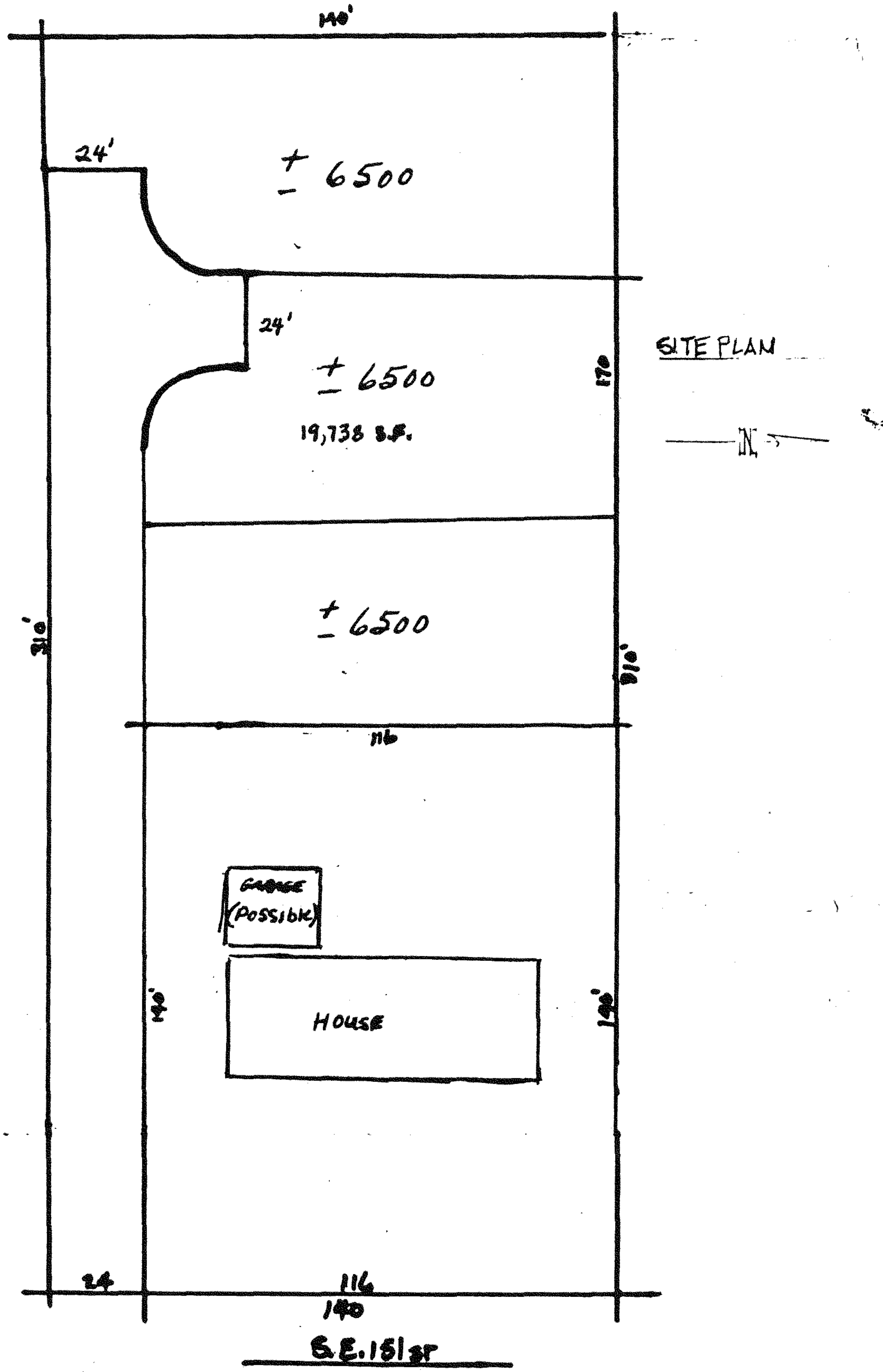
PLANNING COMMISSION DECISION;

Deny the request for a change in zone designation from THR, transit high density residential district to TLR-5,transit low density reesidential district, for the above described property, based on the following Findings and Conclusions.



north
ZC 12-85
MAP # 3045
SEC. 36, T.1N., R.2E
SZM # 385
SCALE: 1"=200'
INWOOD
NE DAVIS CT
PARK 2
LR-7
DIAL
N.E. 151st AV.
NE 148TH AVE
THR
TLR-5
LR-5
NE COUCH CT
LD82-79
Appr
ZC 15-74
E. BURNSIDE
EAST
BURNSIDE
HV 25-81
ZC 188-69
SE 148TH AVE
SE 151ST AV
CS 61-60
CS
ZC 44-72
ZC 52-71
LAURAS PARK
TRACT A
SCOTTS PARK
LR-10
HR-2
WIRTHMORE ADD
TNC
SE 153rd AVE
S.E. STARK ST.
SE STARK ST.
SEC 1-1S-2E

EXHIBIT "A" SITE PLAN



ZC 12-85

FINDINGS:

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   The area surrounding this property is within the 148th Avenue Light Rail Station Area and the Rockwood Community Planning Area. Prior to May, 1979, the zoning of this property was R-10 (single family residential). However, properties fronting East Burnside and SE 148th Avenue were designated A-2 (apartment residential).

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CONCLUSIONS:

1. The applicant has not satisfied the approval criteria for a zone change through a failure to demonstrate that the request is in the public interest and a lack of documentation that there is a public need for additional single family uses within the 148th Avenue Station Area.

2. The light rail system is not yet in operation. It would be premature, until after a period of operation of that system, to decrease residential densities in an area that previous studies have concluded will experience an increased demand for high density residential uses.

Signed November 12, 1985

By Dean Alterman, /s/
Dean Alterman, Chairman

November 22, 1985
Filed with the Clerk of the Board

Appeal to the Board of County Commissioners

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BEFORE THE BOARD OF COUNTY COMMISISONERS

OF MULTNOMAH COUNTY, OREGON

ORDINANCE No. 487

An Ordinance amending the Zoning Code by adding Transit Commercial Uses around Platform Areas to the Transit Office Zone (MCC 11.15.3126) and adding Use Limitations to those uses allowed in Transit Office within the Code Section (MCC 11.15.3162-.3170) or transit-related commercial use.

SECTION 1. Findings.

A. The Planning Commission is authorized by the Multnomah County Code, Chapter 11.05 and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of ordinances intended to carry out part or all of the Multnomah County Comprehensive Plan.

B. The purpose of the Transit Office Zoning District is to "Create business centers which provide employment opportunties in close proximity to the transit system and higher density residential areas to locate offices to support other retail commercial uses; and to reduce peak-hour traffic levels and to use land efficiently by requiring a minimum building lot coverage and building height."

C. Currently certain commercial uses are allowed within the Transit Office District but only after a hearing, when a market analysis has been done showing a market area within 660 feet, and when the use is lo- cated in an office building.

D. The medium and high density transit residential zones have a provision to allow transit-related commercial uses as Administrative Uses Under Prescribed Conditions (11.15.3162). So long as these uses have a primary pedestrian access with 300 feet of the center line of the street separating the transit stop platforms, then there is an assumed market need for these uses. Also, the uses are limited and must occur in a residential structure.

E. The same market demand case can be made for properties that are in the Transit Office Zoning Districts. There are four station stops (102nd Avenue, 122nd Avenue, 181st Avenue and 197th Avenue) where the transit office zoning category is present with 300 feet of the station platforms. The same rationale applies to these properties as to the residential properties which occur on all the station stops.

F. To require hearings on each commercial use in the case of the transit office and not to for the medium and high density residential areas around station platforms is an inequitable process that does not accomplish the objectives of an efficient Transit Ordinance.

G. The impact of commercial uses in conjunction with office uses when limited in their size, location and required to locate in an office building is in fact less than allowing them in residential zones.

H. All the same commercial uses are allowed in Transit Office with hearings and market demand, yet the current Ordinance anticipates an assumed market demand for the uses if they are close to station stop areas. The amendment would require that the same conditions exist for these transit-related commercial uses as currently exist for the residential properties.

I. Transit commercial uses allowed in Transit Office must be located in buildings that are primarily used for office purposes (at least 50% of the gross floor area must be in office uses) and cannot total more than 10,000 square feet in any one building which is the break point in Policy No. 27 of the Comprehensive Plan for defining commercial developments if less than neighborhood scale.

J. Comprehensive Plan Policies.

1. Policy No. 29, Office Location Policy, does not restrict the development of commercial uses within the Office Zoning District, neither does it encourage uses that are ancillary to office uses. An intent of the Office Location Policy, however, is to encourage the reduction of automobile trips. This may be achieved by locating a use or activity that is customarily associated with a primary trip such as the "journey to work" or that can be associated with a primary trip. Small easy to carry specialty items can be placed in this category and could be considered as an appropriate ancillary use to an office use.

2. Policy No. 35, Public Transportation, supports public transportation systems by increasing overall density levels in the urban area, particularly at light rail stations, reducing air pollution and conserving energy by reducing automobile trips".

   By combining uses that are condusive to public transit ridership such as "journey to work" and small package or goods sales of services, the number of overall trips can be reduced and the integrity of the transportation system can be maintained.

SECTION 2. Amendments.

The Sections in [parenthesis] are to be deleted and those underlined are to be added.

MCC 11.15.3126 is amended by adding the following Section:

[M]. A Transit Commercial Use as provided by MCC .3162-.3170.

MCC 11.15.3162 Purpose is amended to read as follows:

The purpose for providing for Transit Commercial Uses Under Prescribed Conditions is to allow for commercial and service uses within medium and high density residential zones and transit office zones that are within close proximity to the transit stop platform area.

MCC 11.15.3170 is amended by adding the following Section:

(3). In the TO zone no more than 50% of the gross floor area shall be in transit commercial uses or 10,000 square feet, whichever is the lesser.

Adopted this 17th day of December, 1985, being the date of its second reading before the Board of County Commissioners of Multnomah County, Oregon.

BOARD OF COUNTY COMMISSIONERS

By Pauline Anderson
Presiding Officer

(SEAL)

Authenticated by the County Executive on this 20th day of December, 19 85.

Dennis Buchanan, County Executive

APPROVED AS TO FORM

John B. Leahy
County Counsel for
Multnomah County, Oregon

By Peter Kasting
Peter Kasting,
Assistant County Counsel

C 12-85/0407P/1-4

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 486

An ordinance amending the Zoning Ordinance of Multnomah County, Oregon (MCC 11.15) by amending Section .8225 "Parties."

Multnomah County ordains as follows:

SECTION 1. FINDINGS.

1. MCC 11.15.8225 defines the term 'parties' for purposes of the Multnomah County Zoning Ordinance. Only parties are entitled either themselves or through their representatives to make an appearance of record at a hearing before the approval authority and to seek review by the Board and the courts.

2. In order for the Planning Commission or any other approval authority to perform its function effectively, it is necessary that all relevant information be presented for consideration at the time of the hearing on each application. It is a waste of staff resources and the Planning Commission's time to allow persons to appeal Planning Commission decisions to the Board without having first presented their evidence and arguments to the Planning Commission for consideration.

3. MCC 11.15.8225 is defective in that a literal reading of this section would allow appeals to the Board to be filed by those persons entitled to notice under MCC .8220(C), even if those persons failed to make an appearance of record at the time of the approval authority's hearing on an application.

4. To promote the effective and efficient functioning of the Planning Commission, MCC 11.15.8225 should be amended so that it clearly requires that a person appear before the approval authority in order to have standing to appeal a decision to the Board.

SECTION 2. AMENDMENT.

MCC 11.15.8225 is hereby amended to add and revise:

11.15.8225 Parties.

(A) The following persons only are 'parties,' and shall be entitled either themselves or through their representatives or counsel, to make an appearance of record at a hearing before the approval authority and to seek review by the Board and the courts:

(1) Those persons entitled to notice under MCC .8220(C) who also make an appearance of record before the approval authority; or

(2) Other persons who demonstrate to the approval authority at its hearing, under the Rules of Procedure, that [the action may affect some substantial right of those persons] they could be aggrieved or have interests adversely affected by the decision.

(B) 'Appearance of Record' shall mean either:

(1) Testimony at the approval authority hearing by a party or the party's representative or counsel; or

(2) A written statement giving the name and address of the person making the appearance, and setting forth in detail the person's evidence and argument either for or against the application being reviewed, signed by the person or the person's counsel and filed with the Planning Director, at or prior to the hearing. The written statement must also contain facts showing in what manner the interests of the person would be adversely affected or in what manner the person would be aggrieved by a decision contrary to that person's position on an application.

(C) As used in this section, the term 'approval authority' has the meaning specified in MCC .0010.

ADOPTED this 17th day of December, 1985, being the date of its second reading before the Board of County Commissioners of Multnomah County.

BOARD OF COUNTY COMMISSIONERS
OF MULTNOMAH COUNTY, OREGON

(SEAL)

By Pauline Anderson
Presiding Officer

Authenticated by the County Executive on the 20th day of December, 1985.

Dennis Buchanan
Dennis Buchanan
County Executive

APPROVED AS TO FORM:

JOHN B. LEAHY, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By Peter Kasting
Peter Kasting
Assistant County Counsel

1051C/jdm

(Underlined sections are new or replacements; [bracketed] sections are deleted.)

BEFORE THE BOARD OF COMMISSIONERS

FOR THE COUNTY OF MULTNOMAH

ORDINANCE NO. 488

An Ordinance relating to the transient lodgings tax; amending M.C.C. 5.50.050.

Multnomah County ordains as follows:

SECTION 1. AMENDMENT.

M.C.C. 5.50.050 is amended to read as follows:

5.50.050 **Tax imposed.** For the privilege of occupancy in any hotel in Multnomah County, Oregon, on and after July 15, 1972, each transient shall pay a tax in the amount of [five] eight percent of the rent charged by the operator. The tax constitutes a debt owed by the transient to the county which is extinguished only by payment by the operator to the county. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. The operator shall enter the tax on his records when rent is collected if the operator keeps records on the cash accounting basis and when earned if the operator keeps records on the accrual accounting basis. If rent is paid in installments, a proportionate share of the tax shall be paid by the transient to the operator with each installment. In all cases the rent paid or charged for occupancy shall exclude the sale of any goods, services and commodities, other than the furnishing of rooms, accommodations and space occupancy in mobile home parks or trailer parks. Proceeds of the tax shall be allocated as provided for in subsections (A) and (B) of this section.

(A) Five-eighths of the proceeds of the eight percent tax imposed by this section of the Multnomah County Code shall be allocated to the Multnomah County General Fund, and shall be available for any purposes for which expenditures from the General Fund are authorized.

(B) Three-eighths of the proceeds of the eight percent tax imposed by this section of the Multnomah County Code shall be allocated to the Convention and Trade Show Center Special Fund, which is hereby created. The Convention Center Special Fund is subject to the following limitations:

(1) As used in this section of the Multnomah County Code:

(a) "Convention and Trade Show Center" means a new or improved facility, located in Multnomah County, capable of attracting and accommodating mid-size convention and trade shows from international, national and regional markets requiring 125,000-250,000 square feet of pillar-free, high ceiling exhibition space and 35,000-70,000 square feet of meeting rooms plus associated space including but not limited to banquet facilities, loading areas, lobby and registration areas.

(b) "Operating expenses" means the total cost of all labor, benefits, overhead, maintenance, materials and services incurred by the operator of the convention center in administering and operating events held in the Convention and Trade Show Center and in obtaining events to be held there.

(c) "Voters" means the qualified electors of the county or district requesting authorization to issue general obligation bonds to finance or partially finance construction of the Convention and Trade Show Center.

(2) Before voters approve issuance of general obligation bonds to finance or partially finance construction of the Convention and Trade Show Center or before financing for construction has been obtained by some other means, funds deposited in the Convention and Trade Show Center Special Fund

may be used for activities necessary for development of the Convention and Trade Show Center including:

(a) Obtaining soils test borings;

(b) Obtaining topographic and boundary surveys;

(c) Obtaining Architectural/ Engineering Designs;

(d) Finalizing project program and budget;

(e) Performing preliminary design studies;

(f) Performing final design studies;

(g) Obtaining site and landscape planning;

(h) Preparing bid and construction documents;

(i) Preparing detailed cost estimates;

(j) Preparing special design/engineering evaluations, including evaluation of:

(i) Alternate construction methods and materials,

(ii) Electrical and Mechanical systems,

(iii) Structural,

(iv) Equipment;

(k) Preparation of a cash flow statement;

(l) Preparation of a marketing and operations plan and cost estimate;

(m) Preparation of an engineering design of off-site facilities, including:

(i) An evaluation of road relocations and right-of-way work,

(ii) Evaluation of utility relocations,

(iii) Evaluation of traffic and transportation systems;

(n) Preparation of technical backup for grant applications and taxing districts (LID);

(o) Obtaining governmental reviews and approvals, including:

(i) Land-use,

(ii) Design review,

(iii) Building Code (fire, exiting, electrical, etc.);

(p) Site acquisition;

(3) After voters have approved issuance of general obligation bonds to finance or partially finance construction of the Convention and Trade Show Center or financing for construction has been obtained by some other means, funds deposited in the Convention and Trade Show Center Special Fund shall be used for the following purposes:

(a) first, to pay any expenses incurred on activities identified under M.C.C. 5.50.050(B)(2);

(b) second, if all expenses identified in subsection (a) above have been satisfied, to pay any unfunded annual operating expenses that may have been incurred by the Convention and Trade Show Center;

(c) third, if all expenses identified in subsection (a) above have been satisfied and if no otherwise unfunded annual operating expenses exist or if funds remain after the otherwise unfunded annual operating expenses have been paid, to provide for the promotion, solicitation, procurement, and service of convention business at the Convention and Trade Show Center to the extent necessary to fully implement the annual marketing program adopted by the operating county or district;

(d) fourth, if the needs identified in the foregoing subsections (a) through (c) have been fully satisfied, to pay ancillary costs associated with the development, construction and operation of the Convention and Trade Show Center, including but not limited to site acquisition costs and construction costs including financing of those costs.

(4) Earnings on proceeds allocated to the Convention and Trade Show Center Special Fund shall be credited to the Convention and Trade Show Center Special Fund.

(5) If the voters have not approved the issuance of general obligation bonds to finance or partially finance construction of the Convention and Trade Show Center by December 31, 1990, and if funding for construction has not been obtained by some other means by December 31, 1990, the following changes shall automatically occur:

(a) All funds in the Convention and Trade Show Center Special Fund shall be used exclusively for providing for the promotion, solicitation, procurement, and service of convention business or tourism in the county.

(b) The tax levied pursuant to M.C.C. 5.50.050 shall be automatically reduced from eight percent of the rent charged by the operator to five percent of the rent charged by the operator. All of the proceeds of the five percent tax shall be allocated to the Multnomah County General Fund and may be used for any purposes for which expenditures from the General Fund are authorized.

(6) The tax imposed by M.C.C. 5.50.050 is separate and independent of the tax imposed by M.C.C. 5.50.055. Nothing in M.C.C. 5.50.050 is intended or should be construed as modifying the one percent tax provided for by M.C.C. 5.50.055.

(7) Notwithstanding M.C.C. 5.50.575, no person subject to the tax imposed under M.C.C. 5.50.050 shall be entitled to a credit against the payment of that portion of the tax allocated to the Convention Center and Trade Show Center Special Fund. The three-eighths of the eight percent tax imposed by M.C.C. 5.50.050 that is allocated to the Convention Center and Trade Show Center Special Fund shall be due and payable in accordance with this chapter regardless of the amount due any incorporated city or town within Multnomah County for a Transient Lodgings Tax for the same occupancy made taxable under this chapter.

SECTION 2. ADOPTION.
This Ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, shall take effect on April 1, 1986, pursuant to Section 5.50(1)(a) of the Charter of Multnomah County.

ADOPTED this 19th day of December, 1985, being the date of its second reading before the Board of County Commissioners of Multnomah County.

BOARD OF COUNTY COMMISSIONERS

By Earl Blumenauer/bd
Earl Blumenauer
Presiding Officer

AUTHENTICATED this 23rd day of December, 1985.

By Dennis Buchanan
Dennis Buchanan
County Executive

APPROVED AS TO FORM:

JOHN B. LEAHY, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By Peter Kasting
Peter Kasting
Assistant County Counsel

2276C/jdm

Tuesday, January 7, 1986

The Board of Commissioners of Multnomah County met at the Courthouse at 9:30 A.M. this date.

Present: Commissioner Kafoury, Presiding Officer; Commissioner Anderson; Commissioner Miller; Commissioner Shadburne. Excused: Commissioner Blumenauer.

The following proceedings were had:

First Reading - An Ordinance amending the Zoning)
Code by adding Automobile Customizing as a Use)
Under Prescribed Conditions in a Strip Conversion)
zoning district C 13-85)

Copies of the above-entitled Ordinance were available to all persons wishing a copy. Ordinance was read by title only.

A hearing was held; no one wished to testify.

Upon motion of Commissioner Miller, duly seconded by Commissioner Shadburne, it is unanimously

ORDERED that the first reading of the above-entitled Ordinance be approved, and that the second reading be held on Tuesday, January 21, 1986 at 9:30 A.M.

In the matter of the decision of the Planning)
Commission of November 11, 1985, Case ZC 12-85)
denying a change in zone from THR, Transit High)
Density Residential District to TLR-5, Transit)
Low Density Residential District for property)
at 119 SE 151st Avenue)

Peter Kasting, Assistant County Counsel, reviewed the rules of procedure for conduct of the hearing.

Commissioner Shadburne indicated that he visited the property and talked with the owner and adjacent property owners, but did not feel that his discussions would affect his vote on the matter.

Lorna Stickel, Planning Director, presented the staff report regarding the history of the transit zoning for this property and surrounding area.

Bob Hall, staff planner, then presented the staff report on this particular application, and showed slides of the property and surrounding area. He then answered questions of the Board. He also discussed the lack of sewers in this area for any high density development at the present time, and sited the Fred Glick report that was prepared during the zoning of transit related uses.

Commissioner Shadburne questioned the study that was prepared in 1982 and its applicability to the present regarding development potential of this area.

Mr. Hall said there is no demand for high density residential at this time, but the staff feels that the area should not be cut up into less dense uses now until such time as the light rail has been built in order to see if the area can be developed as zoned. The purpose of the zoning was to hold the area for potentially higher usage.

Bernie Ertel, 119 SE 151st, read a statement, and presented two maps showing the property and uses of this and surrounding properties. He indicated that on the other side of the street, a mini subdivision was approved, and is now being constructed, and he would like to do the same on his property with single family units. He also discussed the access onto Burnside from 151st, stating that all traffic has to turn right as they cannot cross the light rail tracks at the intersection. He then presented a letter from Byron and Berniece Green, 14930 E Burnside St., an adjacent property owner, indicating their support of the rezoning request.

ick
Thomas Eica, neighbor towards Burnside, said this is a residential area, and that is why he bought the house.

Glen Short, 124 SE 151st, said he has watched the development of 11 homes on the property in back of him by Mr. Montgomery, and he has been very impressed with the development. Mr. Montgomery is interested in Mr. Ertels property for development.
He would like to buy one of the houses on Mr Ertels property for his son.

Mr. Ertel then answered questions of the Board members concerning access, sewers, etc.

Commissioner Shadburne advised the applicant to apply for a permit under the existing zoning to see what the Planning & Permits would say as he did not think they would say he could build because of the lack of sewers to the area.

Ms. Stickel answered questions regarding the notification of property owners when the transit zoning was applied to this area, and indicated that their records show that Mr. Ertel was mailed information directly to his home.

Mr. Hall indicated that if the Board reversed the decision of the Planning Commission, several conditions would need to be attached to the decision, and new findings prepared. He also responded to Commissioner Shadburne's remarks about applying for a building permit now under the existing zoning, and why the Department would not recommend changing the zone at this time, that being until the light rail is operational, it is important to maintain that zoning as proposed for the future development around the light rail corridor and station areas.

Ms. Stickel also answered Commissioner Shadburne's concerns.

Commissioner Miller indicated she would reluctantly move approval of the Planning Commission's recommendations. Commissioner Anderson then indicated she would reluctantly second the motion.

The Board members then commented on their concerns. The motion was considered, and it is

ORDERED that the decision of the Planning Commission be upheld, and that the findings and conclusions be adopted by the Board., Shad vote no

Request of the County Executive for ratification)
of a revenue contract between FEMA's Local Board)
(United Way of Columbia-Willamette) and the)
County whereby the County will receive $102,714)
to continue to provide emergency Shelter Services)
for the period January 1, 1986 through September)
30, 1986 (Continued from January 2) R-9)

Request of the Director of Human Services for)
approval of Budget Modification DHS #36 reflect-)
ing increased revenues in the amount of $102,714)
from FEMA Emergency Shelter Services to Social)
Services, Professional Services, for emergency)
shelter services in conjunction with Community)
Development Block Grant Funds (Continued from)
January 2) R-2)

Susan Clark, Social Services Division, reviewed the status of this request and answered the questions that were asked by the Board on January 2 regarding the relationship between the County, the Local Emergency Food and Shelter Board, United Way, Federal Emergency Management Agency, including the Community Development Block Grant funds.

Commissioner Miller then relayed to the Board the process followed by the Board a year ago in approving the Notice of Intent and budget modification. She indicated she continued to have problems with the contract itself.

Following additional discussion, Commissioner Miller moved, duly seconded by Commissioner Anderson, that the above-entitled matter be approved.

Commissioner Miller then reviewed additional concerns she had with the program.

Peter Kasting, Assistant County Counsel responded to concerns raised by Commissioner Miller about the contract and process.

Following further discussion by the Board, the motion was considered, and it is unanimously

ORDERED that said agreement be ratified, and budget Modification be approved and implemented.

Commissioner Miller requested that County Counsel look into the possibility for more in depth review of agreements before signing off on them.

There being no further business to come before the Board at this time, the meeting was adjourned until next Thursday morning at 9:30 A.M.

jm

0055C. 11-

Thursday, January 9, 1986

The Board of Commissioners of Multnomah County met at the Courthouse at 9:30 A.M. this date.

Present: Commissioner Kafoury, Presiding Officer; Commissioner Anderson; Commissioner Miller; Commissioner Shadburne. Excused: Commissioner Blumenauer.

The following proceedings were had:

10/J152

January 7, 1986

Ms. Lorna Stickel, Planning Director
Division of Planning & Development
2115 SE Morrison
Portland, OR

Dear Ms. Stickel:

Be it remembered, that at a meeting of the Board of County Commissioners held January 7, 1986, the following action was taken:

First Reading - An Ordinance amending the Zoning)
Code by adding Automobile Customizing as a Use)
Under Prescribed Conditions in a Strip Conversion)
zoning district C 13-85)

Copies of the above-entitled Ordinance were available to all persons wishing a copy. Ordinance was read by title only.

A hearing was held; no one wished to testify.

Upon motion of Commissioner Miller, duly seconded by Commissioner Shadburne, it is unanimously

ORDERED that the first reading of the above-entitled Ordinance be approved, and that the second reading be held on Tuesday, January 21, 1986 at 9:30 A.M.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By ______________________
Jane McGarvin
Clerk of the Board

jm
cc: County Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. ____________

An Ordinance amending the Zoning Code by adding Automobile Customizing as a Use Under Prescribed Conditions in a Strip Conversion zoning district.

Multnomah County ordains as follows:

Section 1. Findings.

A. The purpose of the Strip Conversion zoning district as stated in the Ordinance is to provide for the vitalization of existing Strip Commercial areas along arterial streets having high traffic volumes and limited capacities; to contain the location of additional Strip Commercial uses; to designate a range of uses which supply local shopping and service needs, offer new employment and investment opportunities and contribute to the satisfaction of area housing needs and to establish improvement standards designed to reduce the frequency of vehicular turning movements;

B. Automobile customizing is similar in nature to those uses which are presently Uses Under Prescribed Conditions in the SC zone (such as custom cabinet shop, office or store fixture manufacturing or repair, sign painting, appliance repair, janitorial or building maintenance and reproduction service) in that these uses are closely related to manufacturing or industrial uses, but, because of characteristics of size or low impact on surrounding uses, they are permitted in the SC zone with conditions.

C. Inclusion of automobile customizing as a Use Under Prescribed Conditions in a Strip Conversion and General Commercial zones will comply with the following Comprehensive Plan policies:

1. Goal 5, Economic Development: The amendment will encourage new employment opportunities by making available areas that under present zoning are unable to be developed for this use. It will encourage a diversified economy.

2. Goal 19, Community Design: Locate and develop proposals in terms of scale and related community impacts with the overall purpose being a complementary land use pattern. The low traffic volume characteristic of an auto customizing use is appropriate for the SC zoning district, which is directed toward reducing conflicts between land use generated traffic and roadway traffic.

3. Goal 34, Trafficways Policy: Make improvements to the existing system which maximizes its capacity rather than construct new facilities. The placement of low traffic volume generators in areas where traffic circulation is a concern, as in the SC zone, so fewer turning movements occur, maximizing existing street capacity.

D. The automobile customizing use is a low traffic generating use, less than many of the outright permitted uses, and the same as the other light manfacturing uses already allowed (6.98 trips/1,000 square feet of gross floor area). The use is intented to allow modifications to small and medium size passenger vehicles which customize them for personal uses. The use is conditioned so as to not allow any outside fabrication or storage and does not include engine repair or customizing or auto body work other than the installation of selected preformed body parts such as skylights, windows, running boards, and wheels. Standard auto repair is not included in this use.

E. The manufacture and fabrication of recreation vehicles is provided for in the general and heavy manufacturing zones.

Section 2. Amendment.

A. MCC 11.15.4310[A] is amended as follows:

1. Subsection 15 is added, which shall state:

"15. The installation of specialty parts and upholstery in or on the body of small to medium sized passenger vehicles (8,000 lbs. GVW) not to include engines or engine parts, auto body repairs, full body painting or outside storage of parts or vehicles".

ADOPTION.

This Ordinance being necessary for the health, safety and general welfare of the people of Multnomah County, shall take effect on ____________________, 1986, according to Section 5.50 of the Charter of Multnomah County.

Adopted this ________ day of January, 1986, being the date of its second reading before the Board of County Commissiners of Multnomah County, Oregon.

BOARD OF COUNTY COMMISSIONERS
OF MULTNOMAH COUNTY, OREGON

By ________________________
Presiding Officer

(SEAL)

Authenticated by the County Executive on the _______ day of ______________, 1986.

____
Dennis Buchanan, County Executive

APPROVED AS TO FORM

John B. Leahy
County Cousnel for
Multnomah County, Oregon

By ______________________
Peter Kasting,
Assistant County Counsel

C 13-85/0424P/P3-5

12
152

January 7, 1986

Ms. Betsy Skloot, Director
Department of Human Services
426 SW Stark
Portland, OR

Dear Ms. Skloot:

Be it remembered, that at a meeting of the Board of County Commissioners held January 7, 1986, the following action was taken:

Request of the County Executive for ratification)
of a revenue contract between FEMA's Local Board)
(United Way of Columbia-Willamette) and the)
County whereby the County will receive $102,714)
to continue to provide emergency Shelter Services)
for the period January 1, 1986 through September)
30, 1986 (Continued from January 2) R-9)

Request of the Director of Human Services for)
approval of Budget Modification DHS #36 reflect-)
ing increased revenues in the amount of $102,714)
from FEMA Emergency Shelter Services to Social)
Services, Professional Services, for emergency)
shelter services in conjunction with Community)
Development Block Grant Funds (Continued from)
January 2) R-2)

Susan Clark, Social Services Division, reviewed the status of this request and answered the questions that were asked by the Board on January 2 regarding the relationship between the County, the Local Emergency Food and Shelter Board, United Way, Federal Emergency Management Agency, including the Community Development Block Grant funds.

Commissioner Miller then relayed to the Board the process followed by the Board a year ago in approving the Notice of Intent and budget modification. She indicated she continued to have problems with the contract itself.

Following additional discussion, Commissioner Miller moved, duly seconded by Commissioner Anderson, that the above-entitled matter be approved.

Commissioner Miller then reviewed additional concerns she had with the program.

Peter Kasting, Assistant County Counsel responded to concerns raised by Commissioner Miller about the contract and process.

Following further discussion by the Board, the motion was considered, and it is unanimously

ORDERED that said agreement be ratified, and Budget Modification be approved and implemented.

Commissioner Miller requested that County Counsel look into the possibility for more in depth review of agreements before signing off on them.

Very truly yours,

BOARD OF COUNTY COMMISSIONERS

By ______________________
Jane McGarvin
Clerk of the Board

jm
cc: Budget
Finance
Purchasing
County Counsel
County Executive
Casey LaGuardia
Social Services

DHS #268
85-86

BUDGET MODIFICATION NO. DHS 36

(For Clerk's Use) Meeting Date 1/2/86
Agenda No. R-14

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR January 2, 1986 1-7-86 R-2
(Date)

DEPARTMENT Human Services DIVISION Social Services
CONTACT Susan Clark TELEPHONE 3691
*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Susan Clark

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

F.E.M.A. Emergency Shelter Services

(Estimated Time Needed on the Agenda)

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

[ ] PERSONNEL CHANGES ARE SHOWN IN DETAIL ON THE ATTACHED SHEET

This Budget Modification increases Org 1540 by $102,714 to continue DHS management of Federal Emergency Management Agency (FEMA) funds for emergency shelter services in conjunction with Community Development Block Grant (CDBG) funds, at the request of the Local Emergency Food and Shelter Board. These funds will be used for emergency housing vouchers and emergency rent assistance in the County area through subcontracts with the Northwest Pilot Project and American Red Cross, respectively. On August 19, the Board approved award of CDBG funds for staff support of the Clearinghouses at these agencies, contingent upon award of FEMA funds to the tri-County area and continued DHS management of FEMA and CDBG funds. Indirect costs are not an allowable FEMA expenditure.

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

Increase approved program budget by $102,714 in FEMA revenue to provide additional emergency shelter services.

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

_______ Contingency before this modification (as of _______) $_______
(Specify Fund) (Date)
After this modification $_______

Originated By	Date	Department Director	Date
Susan Clark	12/20/85	Betsy Skloot DB	23 Dec 85
Finance/Budget	**Date**	**Employee Relations**	**Date**
David C. Warren	12/23/85		

Board Approval Jane McGarvin Date 1-7-86

0543B/7-85

EXPENDITURE
TRANSACTION EB [ ]   GM [ ] TRANSACTION DATE________ ACCOUNTING PERIOD ________ BUDGET FY_____

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Sub-Total	Description
		156	010	1550		1542	6110			$100,862.58		Professional Services
		156	010	1550		1547	6110			$ 1,851.42		Professional Services (admin)
TOTAL EXPENDITURE CHANGE										$102,714.00		TOTAL EXPENDITURE CHANGE

REVENUE
TRANSACTION RB [ ]   GM [ ] TRANSACTION DATE________ ACCOUNTING PERIOD ________ BUDGET FY_____

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Revenue Source	Current Amount	Revised Amount	Change Increase (Decrease)	Sub-Total	Description
		156	010	1540		1542	2074			$100,862.58		FEMA Services
		156	010	1540		1547	2074			$ 1,851.42		FEMA Administration
TOTAL REVENUE CHANGE										$102,714.00		TOTAL REVENUE CHANGE

0543B/7-85

DATE SUBMITTED ____________

(For Clerk's Use)
Meeting Date 1/2/86
Agenda No. R-9

1-7-86 R-1

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Ratification of Intergovermental Agreement

Informal Only* ____________ (Date)

Formal Only January 2, 1986 (Date)

DEPARTMENT DEPARTMENT OF HUMAN SERVICES/ Office of County Executive

DIVISION Social Services Division

CONTACT Susan Clark

TELEPHONE 248-3691

*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD ____________

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

Ratification of revenue agreement between FEMA's Local Board (United Way of Columbia-Willamette) and Multnomah County whereby the County will receive $102,714 to continue to provide emergency Shelter Services for the period of January 1, 1986 through September 30, 1986.

These FEMA funds were not identified in the FY 85/86 Adopted Budget. Budget Modification DHS #36 is being processed simultaneously. No County General Funds are required.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

☐ INFORMATION ONLY ☐ PRELIMINARY APPROVAL ☐ POLICY DIRECTION ☒ RATIFICATION

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA ____________

IMPACT:

PERSONNEL

☐ FISCAL/BUDGETARY

☐ General Fund

Other ____________

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: Dennis Buchanan/cl

BUDGET / PERSONNEL ____________ / ____________

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) ____________

OTHER ____________
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

1984

CONTRACT FOR EMERGENCY SHELTER SERVICES

SECTION I PARTIES

LOCAL EMERGENCY FOOD AND SHELTER BOARD ("LOCAL BOARD"), c/o. United Way, 718 West Burnside, Portland, Oregon 97209.

COUNTY OF MULTNOMAH ("COUNTY"), Department of Human Services, Social Services Division, 6th floor, 426 Southwest Stark, Portland, Oregon 97204.

SECTION II RECITALS

1. WHEREAS, the Congress of the United States has passed Public Law 99-88 to continue the provision of Emergency Food and Shelter services to needy individuals through local private voluntary organizations as well as local units of government, which are now permitted to receive grant awards from this program; and

2. WHEREAS, a duly constituted Local Emergency Food and Shelter Board has developed an approved Local Plan allocating $102,714 for emergency shelter services and related administration, to be expended in the Tri-County area before July 31, 1986; and

3. WHEREAS, the COUNTY has approved the expenditure of County Community Development Block Grant funds for certain emergency shelter services, including emergency housing vouchers, a voucher clearinghouse, and a rent assistance clearinghouse; and

4. WHEREAS, the parties find that it is desirable to coordinate the responsibility for administration of Federal funds allocated for expenditure on emergency shelter services through public agency management and private non-profit agency distribution, in order to minimize duplication and maximize effective use of limited resources; and

WHEREAS, LOCAL BOARD and COUNTY are agreeable to the terms and conditions hereinafter set forth governing the provision of specified emergency shelter services;

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, and payment to COUNTY by LOCAL BOARD, and/or the National Board or United Way on behalf of LOCAL BOARD in the amount specified for the period of this contract, it is mutually agreed as follows:

SECTION III BOTH PARTIES AGREE:

AMOUNT AND TERM OF CONTRACT

A. This contract for a total of $102,714 will be in effect from January 1, 1986, through September 30, 1986, unless terminated or amended as provided herein. Notwithstanding the termination date of this contract, COUNTY agrees that all funds will be expended before July 31, 1986, pursuant to Section II (2), and agrees that all required reports and audits will be completed by the dates specified herein.

GENERAL

B. That the 1985-86 Emergency Food and Shelter National Board Program and the approved LOCAL BOARD Plan, and any amendments are made part of this contract by reference. (Attachment A)

C. To comply with all applicable federal and state statutes, rules, and regulations as provided by LOCAL BOARD governing operation of Emergency Food and Shelter Programs, and all subsequent changes or amendments to the above. Said statutes, rules, and regulations cited in this section shall govern in any area not specifically governed in this contract. Where a subsequent amendment to a federal or state statute, rule, or regulation, significantly changes, in the opinion of either party, the nature or scope of the contract, the parties agree to negotiate any necessary contract modifications.

D. That LOCAL BOARD and COUNTY have joint responsibility for monitoring expenditures under this contract and ensuring compliance with eligible cost provisions of the National Board Plan.

MODIFICATION, EXTENSION, AND TERMINATION

E. That any alternations, amendments or modifications of this contract shall be valid only when they have been submitted in writing and approved by COUNTY and LOCAL BOARD.

F. That LOCAL BOARD may also modify part of this contract by certified mail as specified below:

1. With 30-days' notice for cause, including gross negligence or fraud, or if COUNTY defaults or fails to use funds for purposes intended, or fails to provide services, as specified in this contract, or for violations of the National Board Plan.

2. With 30-days' notice if LOCAL BOARD reallocates funds during the program period between food and shelter services, local recipient organizations, or rent assistance and housing vouchers.

G. That upon written agreement between LOCAL BOARD and COUNTY this contract may be extended through the modification procedures described in this contract, subject to the limits of available funding.

H. That all or part of this contract may be terminated by either party upon notice in writing, delivered by certified mail not less than sixty (60) calendar days prior to the date of termination. Termination shall be without prejudice to any obligation or liabilities either party incurred prior to such termination.

II. COUNTY AGREES:

PERFORMANCE OF SERVICES

A. To perform or cause to be performed specified services and programs upon payment of funds allocated for emergency shelter services and related administration, in accordance with applicable guidelines determined by LOCAL BOARD. Said services are to include the following:

1. When so authorized by the LOCAL BOARD and subject to the release of funds, managing a contract for administration of a Tri-County Clearinghouse for distribution of once-only, limited emergency rent assistance (one-month maximum) to avoid immediate eviction when no other resources or assistance exist; and

2. Managing a contract for administration of a Tri-county Clearinghouse for distribution of emergency housing vouchers to provide short-term lodging or shelter in hotels, motels, and other facilities when no other resources or assistance exist; and

3. Coordinating relationships with State and local agencies and participating in mechanisms to facilitate interagency coordination and conflict resolution.

SUBCONTRACTS

B. That subcontractor is defined as an individual, public or private community agency or organization that provides, under subcontract with COUNTY, any of the service elements under this contract.

C. That county will monitor the implementation of Local Board guidelines and the fiscal and service performance of subcontractors under this contract.

D. That notwithstanding any other payment provision of this contract, failure of a COUNTY subcontractor to submit any reports required by County, or failure to perform or document the performance of subcontracted services, may result in the withholding of payments under the subcontract by COUNTY. COUNTY will notify LOCAL BOARD when payments are withheld.

E. That COUNTY shall have a written contract with each subcontractor which specifies the authorities and responsibilities of COUNTY and subcontractor. COUNTY agrees to furnish a copy of the subcontract to LOCAL BOARD for review prior to enactment. Each subcontract shall specify:

1. That subcontractor shall comply with all applicable provisions of the contract between COUNTY and LOCAL BOARD:

2. That subcontractor shall comply with all applicable federal and state statutes, rules, and regulations;

3. That subcontractor agrees that it is an independent contractor and not an agent of COUNTY or LOCAL BOARD. COUNTY or LOCAL BOARD shall not be responsible for any claims, demands, and causes of action of any kind or character arising in favor of any person, on account of personal injuries, or death, or damage to property occurring, growing out of, incident to, or resulting directly or indirectly from the operations or activities of the subcontractor. The subcontractor agrees to indemnify COUNTY and LOCAL BOARD for any liability or expanse incurred as a result thereof;

4. That subcontractor shall obtain and at all times keep in effect, comprehensive liability insurance and property damage insurance covering activities and operations of the subcontractor. Such liability insurance, whatever the form, shall not be less than the following:

   a) $50,000 to any claimant for any number of claims for damage to or destruction of property, including consequential damages, arising out of a single accident or occurrence;

   b) $100,000 to any claimant for all other claims arising out of a single accident or occurrence;

   c) $300,000 for any number of claims arising out of a single accident or occurrence.

   In the event of unilateral cancellation or restriction by the insurance company of any insurance policy referred to in this paragraph, the subcontractor shall immediately notify COUNTY and LOCAL BARD verbally and in writing;

5. That subcontractor shall obtain, and maintain at all times during the term of the subcontract, worker's compensation insurance covering injuries to employes while carrying out employe duties under the subcontract.

6. That subcontractor shall deposit subcontracted funds in a bank account which will be segregated from all other accounts which the organization maintains.

7. That subcontractor shall maintain a fiscal management system and a program reporting system which ensures accurate, current, and complete disclosures and records necessary for effective control over and accountability for all subcontracted funds and all services delivered under subcontract.

8. That subcontractor shall provide monthly summaries to COUNTY of program operations, documenting the rate of expenditure, the number of nights lodging, and the services provided by population categories and geography, for FEMA and other sources of shelter funds. Such summaries shall be provided in timely manner in order for the COUNTY to submit reports to the LOCAL BOARD prior to the third Monday of each month, and prior to other reporting dates specified in this contract.

F. That COUNTY will provide reasonable notice to LOCAL BOARD prior to enactment when subcontracts for service elements are established, modified or terminated, and provide written copies within 30 days to the LOCAL BOARD.

AUDITS AND INSPECTIONS

G. That COUNTY shall ensure access for authorized representatives of LOCAL BOARD, or the applicable audit agencies of the U.S. Government to review the records of COUNTY and any of its subcontractors in order to satisfy audit or program evaluation purposes deemed necessary by LOCAL BOARD and permitted under law, and shall ensure access for authorized representatives of LOCAL BOARD to perform site reviews of all service elements covered by this contract.

FINANCIAL AND PAYMENT PROCEDURES

H. That financial records, supporting documents, statistical records, and all other records pertinent to this contract or subcontract shall be retained for a minimum of three years after the close of the contract period. If there are unresolved audit questions at the end of the three-year period, the records must be maintained until the questions are resolved.

I. That COUNTY shall submit cumulative quarterly expenditure reports on forms provided by LOCAL BOARD according to the following schedule:

	Through:	Due by:
Report 1	February 28	March 14
Report 2	April 30	May 16
Report 3	July 31	September 15

J. That COUNTY at the direction of the LOCAL BOARD, shall perform or cause to be performed an audit of the expenditure records of subcontractors under this contract and shall provide an original and two copies of this audit to LOCAL BOARD with the final quarterly report or shall provide all required financial documentation certified by a Certified Public Accountant with said report. Such expenses are eligible administration costs and shall be paid out of administration funds provided to COUNTY under this contract.

RECOVERY OF FUNDS

K. That any LOCAL BOARD funds spent for purposes not authorized by this contract shall be deducted from payments or refunded after notification in writing by LOCAL BOARD. Repayment shall be made in a manner negotiated with LOCAL BOARD. COUNTY shall be responsible to take all appropriate management and legal action necessary for repayment of any funds owed to LOCAL BOARD by its subcontractors.

L. In the event of termination of all or part of this contract, COUNTY shall submit a report of total expenditures for the revised contract period. Any LOCAL BOARD funds not obligated at the date of termination or cancellation shall revert to LOCAL BOARD in a manner specified by LOCAL BOARD.

REPORTING REQUIREMENTS

M. That COUNTY agrees to prepare and furnish the following data and information:

1. In accordance with the schedule for expenditure reporting, the number of nights lodging delivered through provision of emergency rent assistance and emergency housing vouchers.

2. Other reports, data, recommendations for resource reallocation, and program evaluations as may reasonably be requested by LOCAL BOARD.

   By signature of this contract, COUNTY grants LOCAL BOARD, except where expressly prohibited by law, the right to reproduce, use, and disclose for LOCAL BOARD'S purposes, all or any part of athe reports, data, and technical information furnished to LOCAL BOARD under this contract.

SPECIAL FEDERAL REQUIREMENTS

N. That COUNTY shall comply with the following Special Federal Requirements:

1. Unless exempted under the rules, regulations, and relevant orders of the Secretary of Labor, 41 CFR, CH. 60, COUNTY agrees to comply with all provisions of Executive Order No. 11246 as amended by Executive Order No. 11375 of the President of the United States dated September 24, 1965, Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 as implemented by 45 CFR 84.4, which states, "No qualified person shall, on the basis of handicap, be excluded from participation in, be denied benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal financial assistance." COUNTY will also comply with all applicable rules, regulations, and orders of the Secretary of Labor concerning equal opportunity in employment and the provisions of ORS Chapter 659.

2. Federal funds administered by COUNTY shall be audited by an independent Certified Public Accountant in accordance with the Office of Management and Budget Cricular A-102 "Uniform Requirements for Grants to State and Local Governments," Attachment P, "Audit Requirements." Federal funds administered by subcontractors shall be audited by an independent CPA in accordance with the OMB Circular A-110 "Uniform Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals, and other Non-Profit Organizations."

SECTION IV LOCAL BOARD AGREES:

PAYMENTS

A. That LOCAL BOARD, or National Board or United Way acting on authorization of Local Board, will provide seven payments to COUNTY for a total of $102,714, of which two payments of $23,881.29 for a total of $47,762.58, are allocated to emergency rent assistance and one payment of $1,851.42 is allocated to related rent assistance clearinghouse administrative costs, and two payments of $22,500 for a total of $45,000 are allocated to emergency housing vouchers for the Tri-County area, and two payments of $4,050 for a total of $8,100 are allocated for long term emergency housing vouchers in Clackamas County. COUNTY agrees to use allotments by LOCAL BOARD solely for the purpose of making allotments for eligible costs to its subcontractors and for payment of eligible related administrative costs or eligible costs for service elements it operates under this contract.

PERFORMANCE STANDARDS AND REQUIREMENTS

B. That LOCAL BOARD as appropriate shall establish guidelines, standards, and performance requirements relative to the quantity and quality of service, and administrative and fiscal standards, shall assure COUNTY compliance with said standards and with all obligations and conditions stated in this contract and in its incorporated references and shall be responsible to work cooperatively with COUNTY to correct performance problems.

TECHNICAL ASSISTANCE

C. LOCAL BOARD will provide technical assistance, ~~with~~in available resources, when requested by COUNTY.

County of Multnomah

BY: Dennis Buchanan Date 12/23/85
County Executive

BY: Daryl Smith 12/20/85
Director Date
Social Services Division

Local Emergency Food and Shelter Board

BY: [signature] 12-18-85
Chair Date

APPROVED AS TO FORM:
John B. Leahy
Multnomah County Counsel

BY: [signature] 12/23/85
Deputy County Counsel Date

[MW-1848V-p]

PUBLIC LA. 99-88
EMERGENCY FOOD AND SHELTER NATIONAL BOARD PROGRAM
** LOCAL BOARD PLAN **

Jurisdiction: Portland, Clackamas, Multnomah & Washington/Oregon

I.D.#: 4-0687-00

NAME Local Board Chair: Al Jamison

C/O STAFF: Marty Boegel

ADDRESS: United way of the Columbia-Willamette
718 W. Burnside
Portland, Oregon (zip) 97209

DAY PHONE: (503) 248-4682 /STAFF: 226-9355

To be submitted 25 working days after notice of award to the:
EMERGENCY FOOD AND SHELTER NATIONAL BOARD
300 North Washington Street
Alexandria, Virginia 22314-2530
Telephone: (703) 683-1166

Photocopy additional copies if more than three (3) Local Recipient Organizations will participate.

[X] Check here if you wish the Staff person to be the contact for administrative matters.

NAME OF AGENCY/PAYEE	A. FOOD	B. SHELTER	C. REHABILITATION	D. ENERGY ASSISTANCE	E. ADMINISTRATION	TOTAL AWARD AMOUNT
EXECUTIVE/RESPONSIBLE OFFICER Organization Mailing Address (City/State, Zip) Day Phone (area code)	Allocation	Allocation	Allocation	Allocation	Total Est. Admin. Cost (limited to 1.25%).	A+B+C+D+E
	* no. of Meals served	* no. of Nights lodging	* Est. no. meals served and/ or no. nights lodging			
Gary Smith Mult. Cty Social & Aging Svc Div 426 SW Stark, 6th floor Portland, OR 97204(503)248-3000		$45,000 13,636				$45,000
David Paradine United Way-Columbia Willamette 718 W. Burnside Portland, OR 97209(503)228-9131		$55,862.58 16,928			1,851.42	$57,714 (contingency fund)
June Tanoue Inter-Agency Food Bank 3939 SE 26th Portland, OR 97202(503)239-5437	$16,478 41,195					$16,478

*Estimate number of meals per grocery order or voucher if not served directly. For example, a voucher for a grocery order to feed a family of 4 for 3 days would be estimated as 36 meals (4 people x 3 meals each day = 36). For shelter, multiply the number of people in a family times the number of nights in the assistance period. (A family of 5 receiving one month only mortgage assistance would be 150 nights lodging (5 people x 30 nights = 150.)

Attachment A

12
J152

January 7, 1986

In the matter of the appointment of Liaison)
Assignments of the Board of Commissioners to)
various Boards & Commissions)

Commissioner Kafoury indicated that she had distributed the list of liaison appointments of the Board of Commissioners to the various Boards & Commissions.

GRETCHEN KAFOURY
Multnomah County Commissioner
District 2

605 County Courthouse
Portland, Oregon 97204
(503) 248-5219

January 7, 1986

TO: Board of County Commissioners

FROM: Gretchen Kafoury

RE: Liaison Assignments

The following liaison and representative assignments are made persuant to Section 2 of the Board Rules. At least for the time being, I've decided not to designate co-liaison assignments to the County departments.

Pauline Anderson

Liaison: Department of Justice Services

Citizen Involvement Committee
Juvenile Services Commission
Library Board
Metropolitan Service District

Earl Blumenauer

Liaison: Department of Human Services

Cable TV Office
Commission on Aging
Library Board
Metropolitan Arts Commission
Metropolitan Human Relations Commission

Gretchen Kafoury

Liaison: Nondepartmental

Adult and Family Services Review Board
Board of Equalization
Community Health Council
Mental Health Advisory Board
Municipal Services Transition

Caroline Miller

Liaison: Department of General Services

Gordon Shadburne

Liaison: Department of Environmental Services

Association of Oregon Counties
County Farm Advisory Committee
East County Cities
East County Transportation Commission
Expo Advisory Commission
NACO
Parks Commission

I am also recommending the County Executive make the following appointments:

County Corrections Advisory Committee - Pauline Anderson

Economic Development Advisory Commission - Gordon Shadburne

JPACT - Earl Blumenauer

Justice Coordinating Council - Pauline Anderson

MCCAA - Gordon Shadburne

Mult/Wash Private Industry Council - Gretchen Kafoury

GRETCHEN KAFOURY
Multnomah County Commissioner
District 2

MULTNOMAH COUNTY OREGON 1854

605 County Courthouse
Portland, Oregon 97204
(503) 248-5219

Copies mailed To the following 1/8/86

January 7, 1986

TO: Board of County Commissioners

FROM: Gretchen Kafoury

RE: Liaison Assignments

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Juvenile Services Commission
Library Board
Metropolitan Service District

Earl Blumenauer

Liaison: Department of Human Services

Cable TV Office
Commission on Aging
Library Board
Metropolitan Arts Commission
Metropolitan Human Relations Commission

Gretchen Kafoury

Liaison: Nondepartmental

Adult and Family Services Review Board
Board of Equalization
Community Health Council
Mental Health Advisory Board
Municipal Services Transition

Not nec

Caroline Miller

Liaison: Department of General Services

Gordon Shadburne

Liaison: Department of Environmental Services

- Association of Oregon Counties
- County Farm Advisory Committee
- East County Cities
- East County Transportation Commission
- Expo Advisory Commission
- NACO
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JPACT - Earl Blumenauer

Justice Coordinating Council - Pauline Anderson

MCCAA - Gordon Shadburne

Mult/Wash Private Industry Council - Gretchen Kafoury

January 6, 1985

SUPPLEMENTAL AGENDA FORMAL MEETING JANUARY 7, 1986

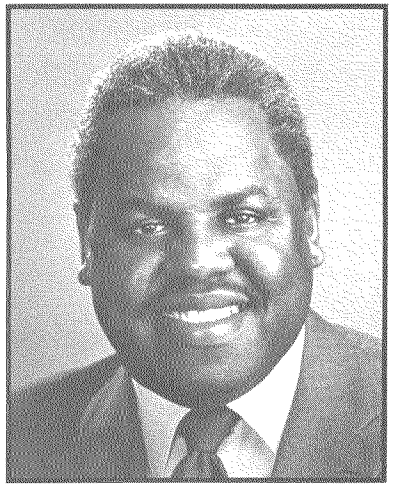
EXECUTIVE SESSION REGARDING ACKERLEY COMMUNICATIONS TO BE HELD FOLLOWING THE PLANNING MEETING

Our management team represents over a half century of knowledge and experience installing and servicing generators, pumps, boilers, total heating/cooling systems and plumbing/piping systems. Our working crews are fully certified pipefitters and plumbers.

But that's not enough. With the emphasis these days on energy efficiency, increased processing capability and space utilization, all of us at Pen-Nor are staying abreast of product technology and improved work methods to provide you with the expertise and quality service you require.

A PROFESSIONAL CORPORATION ORGANIZED TO MEET THE NEEDS OF THE BUSINESS COMMUNITY

PLUMBING
CONSTRUCTION
STEAMFITTING
HEATING & COOLING
ROAD SIGNS
CEMENT WORK
GENERAL CONTRACTING

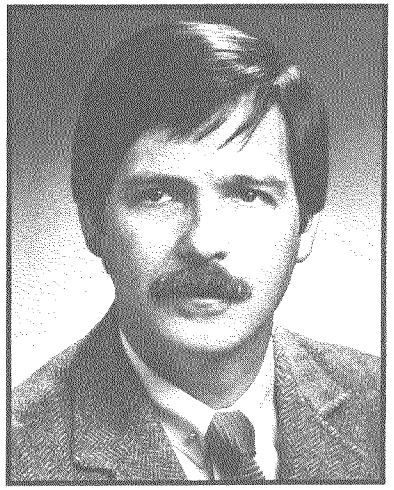


HAROLD WILLIAMS

Founder and President of Pen-Nor, Harold's professional background is extensive.

- Oregon's first Affirmative Action Director
- Labor Relations Manager for the Executive Department, State of Oregon
- Professor at several Oregon college's
- President of CH2A & Associates, a consulting firm

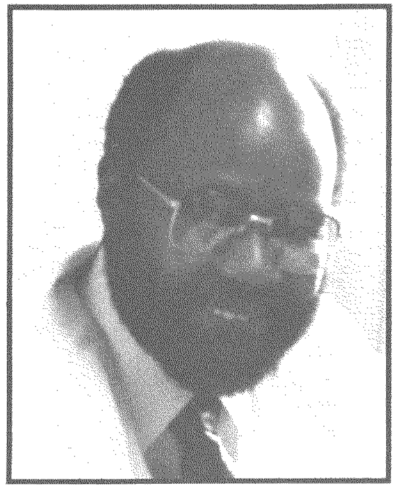
Harold Williams has also been active in community support and has earned recognition for his efforts. In 1973, Harold was presented with the "Man of the Year" award by the Portland Jaycees. The following year, he was noted in a national publication for Outstanding Achievement in Human Services. In 1975, Harold was nominated for White House Fellow.



GARY NEIBERT

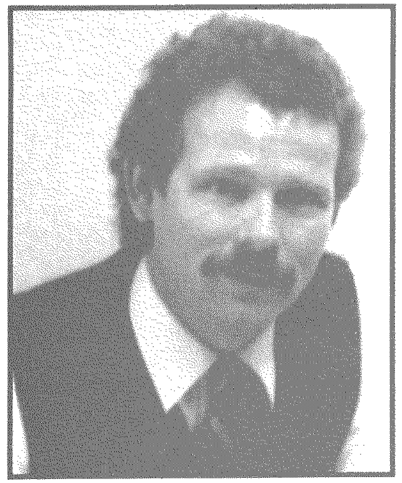
Gary brings to Pen-Nor a variety of skills and knowledge.

- Steamfitter on various phases of Commercial and Industrial construction projects.
- Installation and servicing Pneumatic Control systems, Industrial and Commercial application
- Foreman of crew for large and small Bore Piping at Trojan Nuclear Power Plant
- General foreman over start up crew of 60 men
- Supervised start up of all mechanical equipment and appurtenance for entire project.



JAMES CASON

With over 14 years contracting experience in all phases of plumbing installation, service and repair, James' other functions include estimating, purchasing and sales. With several years of experience in commercial high purity soldering work and Solar energy applications for commercial and industrial use he is considered among the best. Past experience includes one of the first large commercial applications of Solar panels installed on the 18 story Clay Towers Building in Portland and high technology soldering for both Tektronix and Wacker.



JOHN ROBERT MILLER

John's experience in the designing and installing of commercial and industrial projects makes him an invaluable asset to Pen-Nor. His administrative duties include job costing and estimating. He has served as Mechanical Contractor foreman on several projects: Installation of Waste Recovery Heating System, Boise Cascade Sawmill, Yakima, WA., Installation of Experimental Solar Heating System, Portland General Electric, Renovation of U.S. Government Customs House. John worked as General Superintendent at Kaiser Sunnyside Medical Center, Clackamas, Oregon.

50
YEARS
COMBINED
EXPERIENCE

PEN-NOR

WORKING
TOGETHER
WITH
YOU

PEN-NOR

GETTING
THE
JOB
DONE

PEN-NOR

PEN-NOR

P.O. Box 11129, Portland, OR 97211
Phone (503) 286-2231

CONTRACTING
& THEN SOME

MULTNOMAH COUNTY OREGON

OFFICE OF THE COUNTY EXECUTIVE
ROOM 1500 THE PORTLAND BUILDING
PORTLAND, OREGON 97204
(503) 248-3308

DENNIS BUCHANAN
COUNTY EXECUTIVE

December 31, 1985

TO: Board of County Commissioners
Clerk of the Board

FROM: Sherri Holman,
Office of the County Executive

SUBJECT: REQUEST FOR PLACEMENT OF ITEMS ON THE BOARD'S INFORMAL AGENDA FOR TUESDAY, JANUARY 7, 1986

There are no requests.

cc: County Counsel

MULTNOMAH COUNTY OREGON

DEPARTMENT OF GENERAL SERVICES
PURCHASING SECTION
2505 S.E. 11TH AVENUE
PORTLAND, OREGON 97202
(503) 248-5111

DENNIS BUCHANAN
COUNTY EXECUTIVE

MEMORANDUM

TO: Jane McGarvin, Clerk of the Board

FROM: Don Eichman, Director, Purchasing Division

DATE: January 2, 1986

SUBJECT: FORMAL BIDS AND REQUESTS FOR PROPOSALS SCHEDULED FOR INFORMAL BOARD

The following Formal Bids and/or Professional Services Request for Proposals (RFPs) are being presented for Board review at the Informal Board on Tuesday, 1-7-86.

Bid/RFP No.	Description/Buyer	Initiating Department
RFP#P-6P0225	ANNUAL AUDIT FOR 85/86 FISCAL YEAR Buyer: Ex. 5111	DGS/FINANCE Contact: M. Marglowski Phone: 248-3312
	Buyer: Ex. 5111	Contact: Phone:
	Buyer: Ex. 5111	Contact: Phone:

cc: Dennis Buchanan, County Executive
Board of County Commissioners
Jim Wilcox, Director, DGS
Duane Kline, Director, Finance
Anne Kelly Feeney, Auditor
Casey LaGuardia

Copies of the bids and RFPs are available from the Clerk of the Board.

MULTNOMAH COUNTY OREGON

DEPARTMENT OF GENERAL SERVICES
PORTLAND BUILDING
1120 S.W. FIFTH, 14TH FLOOR
PORTLAND, OR 97204-1976

DENNIS BUCHANAN
COUNTY EXECUTIVE

OFFICE OF THE DIRECTOR (503) 248-3303
BUDGET & MANAGEMENT ANALYSIS (503) 248-3883
COUNTY COUNSEL (503) 248-3138
EMPLOYEE RELATIONS (503) 248-5015
FINANCE DIVISION (503) 248-3067

MULTNOMAH COUNTY, OREGON
REQUEST FOR PROPOSAL
ANNUAL AUDIT
RFP# P-6P0225

You are invited to submit a proposal to perform the annual financial and compliance audit of the financial records of Multnomah County and its four Service Districts for the fiscal year ended June 30, 1986. A separate audit report must be issued for the Service Districts to meet statutory requirements.

Sealed bids will be accepted by the Purchasing Director at 2502 SE 11th Avenue, Portland, Oregon 97202 until 2:00 PM, February 13, 1986. All proposals should be identified as "Annual Audit", RFP# P-6P0225.

The proposal should contain two sections. One section should contain the "Technical Proposal", the other section the "Fee Proposal". The "Fee Proposal" should show a detailed break-down of the charges for each of the audited entities. Please submit five (5) copies of the proposal.

Copies of the most recent financial reports of the County and County Service Districts accompany this request for proposal. A copy of the budget document will be provided on request.

The contract will be for the fiscal year ended June 30, 1986 subject to an annual renewal option for up to 5 years.

Any questions should be directed to Martin Marglowski, Accounting Manager at The Portland Building, 1120 SW Fifth Avenue, Suite 1430, Portland, Oregon 97204, phone 248-3312, ext. 2300.

Scope of Audit and General Information

Multnomah County is a Home Rule County with an annual budget in excess of $250,000,000. The audit is to cover all thirty funds, of which eighteen are governmental type funds, eight are proprietary funds and four are agency funds. The Service Districts for which separate reports are to be issued are: Dunthorpe-Riverdale, West Hills, Central County and Mid-County. These funds are presently included in the Comprehensive Annual Financial Report. The audit shall be in compliance with generally accepted auditing standards and the procedures for Oregon Municipal Corporations ORS 297.405 through 297.555. The audit shall also comply with all applicable Federal, State and local laws and regulations.

Assistance Available

The financial records are primarily computerized and copies will be provided. A draft of each audit report and the appropriate workpapers will be provided. The report will be typed and printed by the County. Letters of representation on inventory, contingent liabilities, etc. will be issued as requested. Data processing support will be available for program audits and tests.

Technical Proposal

Your technical proposal should address the specific information as it relates to your local office. The technical proposal must contain the following:

1. Firm name, address, names of local partners/principals and the number of personnel on the Oregon Municipal Roster maintained by Secretary of State.

2. The names of the partner(s) and manager(s) who will be assigned to the Multnomah County engagement. Provide resumes and indicate their experience in auditing governmental jurisdictions.

3. The staffing level that will be assigned to the Multnomah County audit fieldwork. Provide resumes of key staff including experience in local governmental engagements, grants auditing and automated accounting systems.

4. Name of Oregon local government jurisdictions that you presently audit or have audited within the past two years. Indicate if these activities have received the Certificate of Conformance for financial reporting.

5. Submit one sample of a recent audit report of a municipality in the State of Oregon audited by your firm.

6. Submit a sample of management reports that you have lately issued covering an audit, preferably for an Oregon municipality.

7. Provide a brief description of the audit procedures to be followed, presented in a form which will best aid the County in evaluating your proposal.

8. Confirm that your audit will incorporate all pronouncements of the Governmental Accounting Standard Board and will include the Single Audit requirements as defined in OMB Circular A-128.

9. Indicate, in your best estimate, when the fieldwork will be completed. The County desires to have the fieldwork completed by October 15, 1986 and the reports issued by no later than November 15, 1986. In judging the proposals, consideration will be given for timely completion of the audits and reports.

Fee Proposal

Your fee proposal should contain the following information:

1. The rate per hour for each of the staff classification to be assigned to the Multnomah County engagement.

2. Your estimate of the number of hours that each of the staff in Item #1 will spend in the entire County engagement.

3. The maximum fee/cost that your firm will charge Multnomah County for the entire audit.

4. Please indicate whether your maximum fee includes out-of-pocket expenses. If not, please estimate out-of-pocket expenses.

5. Indicate the proposed fee for the regular County audit, the County Service Districts audit and the single audit.

General Requirements

1. The proposal shall contain provisions that in the event circumstances disclosed by the audit indicate that more intensive and detailed examination is required in addition to that which would be sufficient under normal circumstances, the firm shall provide all pertinent facts relative to the extraordinary circumstances together with the firm's estimate of the additional services to the County. Any fees relating to such extensions of examination procedures are to be considered as additional fees subject to negotiation and are not included within the scope of services to be performed under the original contract.

2. Reports on examination for the fiscal year covered within the scope of the executed contract shall be prepared in long form and shall contain the Auditor's opinion, the Auditor's comments on significant items in the financial statements, and such other comments on operations, procedures, methods and systems used by the County which the Auditor deems appropriate.

3. The audit shall satisfy the requirements of the Minimum Standards of Audit Reports, Certificates, and Procedures for Oregon Municipal Corporations. The audit shall also be in compliance with all other applicable Federal, State and local laws and regulations.

4. The firm shall provide in the contract proposal that observations, opinions, and comments concerning inadequacies of internal control or other weaknesses and resulting recommendations as to corrections of these problems will be included in a separate management letter. Such observations, opinions, or comments are not to be construed as special or additional studies, but will be limited to those resulting from the examination.

5. The County reserves the right to reject any and all proposals submitted and to request additional information from the respondents. The proposals will be reviewed by a selection committee and the award will be made to the firm which in the committee's opinion is the best qualified. The final decision will be made no later than March 7, 1986 with notifications sent to all respondents.

Evaluation Criteria

The submitted proposals will be evaluated by a committee appointed by the Finance Director. The criteria will be applied as follows:

Points	
20	Method and Procedure
25	Experience in Municipal Audits
15	Staff Commitment
20	Staff Training and Experience
20	Proposed Cost
100	

The CPA firms with the three highest scoring proposals will be invited to make an oral presentation. The County reserves the right to eliminate firms from further consideration at this point and proceed with those firms which, in the opinion of the selection committee, best responds to the County's requirements. The oral presentations will have impact on the final evaluation and selection.

0470F/MM/js

DATE SUBMITTED 12/27/85

(For Clerk's Use)
Meeting Date 1/7/86
Agenda No. #2

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: 1985 federal legislative and administrative actions affecting state and local gov.

Informal Only* 1/7/86 (Date)

Formal Only ______ (Date)

DEPARTMENT BCC

DIVISION Blumenauer

CONTACT Barbara Donin

TELEPHONE 248-5247

*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Bob Van Brocklin

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

Mr. Van Brocklin will brief the BCC on the impact of 1985 federal legislative and administrative actions on state and local government.

REQUEST TIME CERTAIN AT 1:30

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

[X] INFORMATION ONLY [ ] PRELIMINARY APPROVAL [ ] POLICY DIRECTION [ ] APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 45 minutes

IMPACT:

[ ] PERSONNEL

[ ] FISCAL/BUDGETARY

[ ] General Fund

[ ] Other ______

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: ______

BUDGET / PERSONNEL ______ / ______

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) ______

OTHER ______
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

(S/S4)

CITY OF
PORTLAND, OREGON
INTERGOVERNMENTAL AFFAIRS

Robert D. Van Brocklin
Director
1220 S.W. 5th
Room 400
Portland, Oregon 97204
(503) 248-4130

January 2, 1986

MEMORANDUM

TO: MAYOR BUD CLARK
COMMISSIONER DICK BOGLE
COMMISSIONER MIKE LINDBERG
COMMISSIONER MILDRED SCHWAB
COMMISSIONER MARGARET STRACHAN
AUDITOR JEWEL LANSING

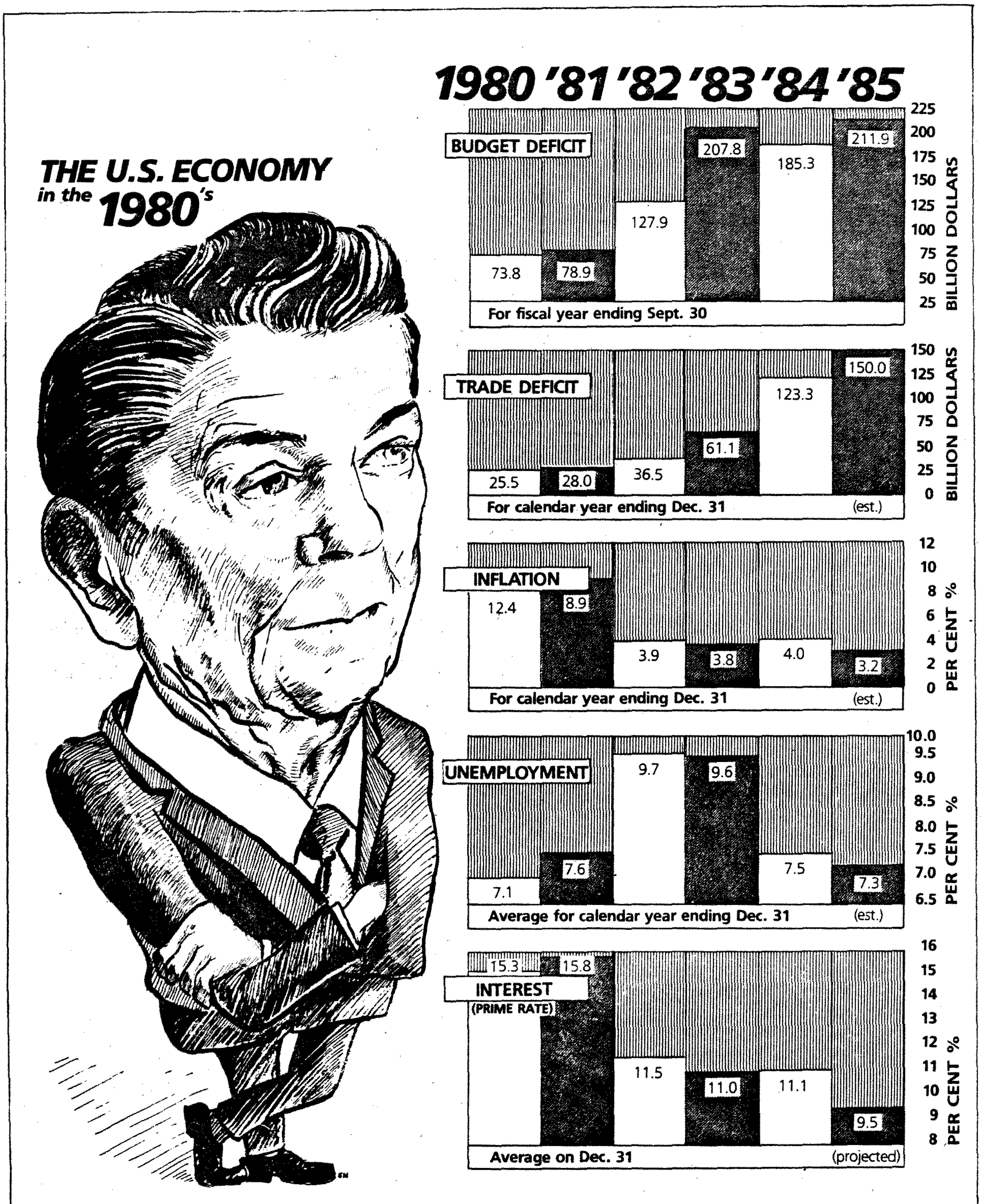
FROM: BOB VAN BROCKLIN

SUBJECT: SUMMARY OF 1985 FEDERAL LEGISLATIVE AND ADMINISTRATIVE ACTIONS AFFECTING THE CITY

Please find attached a compilation of materials I will review with you during Council Informal, Tuesday, January 7, at 9:30 a.m. in Council Chambers.

Please contact me if you have any questions concerning these materials.

BVB/jn:h3



Newhouse News Service

FEDERAL BUDGET DEFICITS

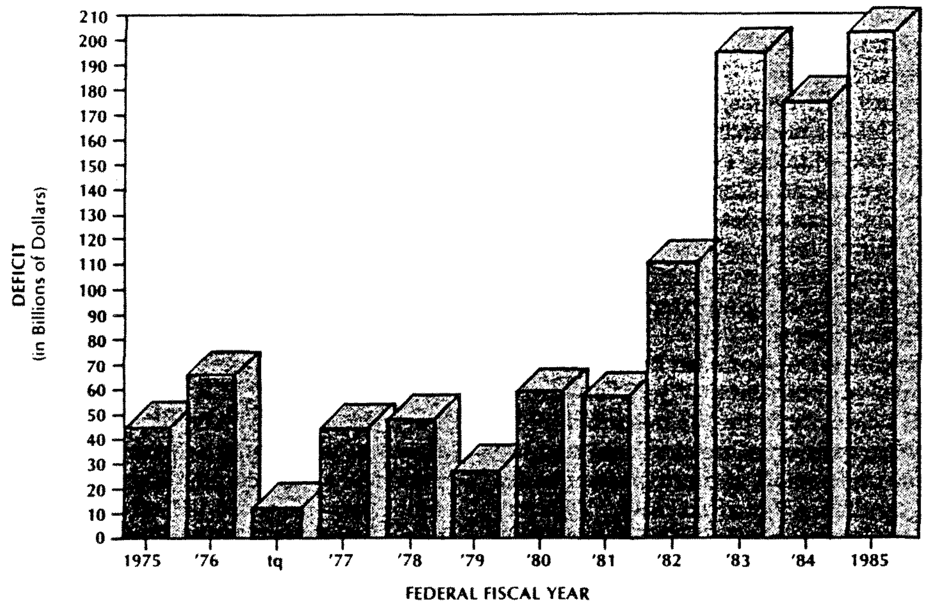
1980	$73.8 billion
1981	$78.9 billion
1982	$127.9 billion
1983	$207.8 billion
1984	$185.3 billion
1985 (record deficit)	$211.9 billion
1986 (projected)	$200 billion

FEDERAL BUDGET SURPLUSES

1956 (record surplus)	$4 billion
1969 (last surplus)	$3 billion

It's official—deficit tops $200 billion

ON BUDGET ITEMS CURRENT LAW



Note:TQ is the three month Transition Quarter when the Federal government converted to a fiscal year beginning October 1st rather than July 1st.

Official figures announced last week show that the federal budget deficit reached $202.8 billion for the 1985 fiscal year which ended Sept. 30. This is a 15 percent increase over the $175.3 billion deficit reported for fiscal 1984 and marks the first time it has exceeded $200 billion. The total deficit increase of $27.5 billion is accounted for almost completely by the $25.1 billion increase in the amount required to service the rising national debt. Federal receipts for 1985 were up 10 percent to a total of $734.0 billion, while outlays increased 11 percent to $936.8 billion. The chart shows the recent history of the federal deficit. The deficit figures cited here and shown in the chart are for items currently included by law in the federal budget. There are proposals to make the budget more inclusive—if this new standard were used the 1985 deficit would be recorded at $211.9 billion. □

THE FEDERAL BUDGET PROCESS

UNDER GRAMM-RUDMAN-HOLLINGS

The bill designed to mandate a balanced budget by 1991 sets up a budget process each fiscal year that allows time for Congress and the White House to reach an agreement on a deficit reduction package. If there is no agreement or if the package does not reduce the deficit enough, automatic spending cuts are imposed. Even after these cuts are announced, the Congress and the White House have time to pass an alternative before the spending reductions become final. For fiscal year 1986 the process is accelerated because the fiscal year, which began October 1, is almost one-third over.

Highlights of Budget Plan

- Requires federal budgets with deficits not exceeding $171.9 billion in fiscal 1986, $144 billion in fiscal 1987, $108 billion in fiscal 1988, $72 billion in fiscal 1989, $36 billion in fiscal 1990, zero in fiscal 1991.
- Requires across-the-board cuts of non-exempt programs by a uniform percentage to achieve deficit targets if regular budget and appropriations actions fail to reach deficit goals. Divides automatic cuts equally between defense and non-defense accounts.
- Establishes special rules for fiscal 1986 automatic cuts, which would go into effect March 1 and would be limited to $11.7 billion.
- Exempts from automatic cuts: Social Security, interest on the federal debt, veterans' compensation, veterans' pensions, Medicaid, Aid to Families with Dependent Children, WIC (a food program for women and children) Supplemental Security Income, food stamps and child nutrition. Limit cuts in five health programs, including Medicare.
- Provides that if courts invalidate the mechanism triggering automatic cuts, the order making those cuts would have to be approved by both houses of Congress and the president.
- Authorizes suspension of automatic cuts in a recession or war.
- Establishes accelerated budget timetables and new procedures to prevent action on over-budget legislation.

GRAMM-RUDMAN-HOLLINGS

LEGAL DEFICIT TARGETS: FFY 1986-1991

FFY '86 (began October 1, 1985)	$171.9 billion
FFY '87 (begins October 1, 1986)	$144 billion
FFY '88 (begins October 1, 1987)	$108 billion
FFY '89 (begins October 1, 1988)	$72 billion
FFY '90 (begins October 1, 1989)	$36 billion
FFY '91 (begins October 1, 1990)	zero

GRAMM-RUDMAN-HOLLINGS

EXEMPTIONS

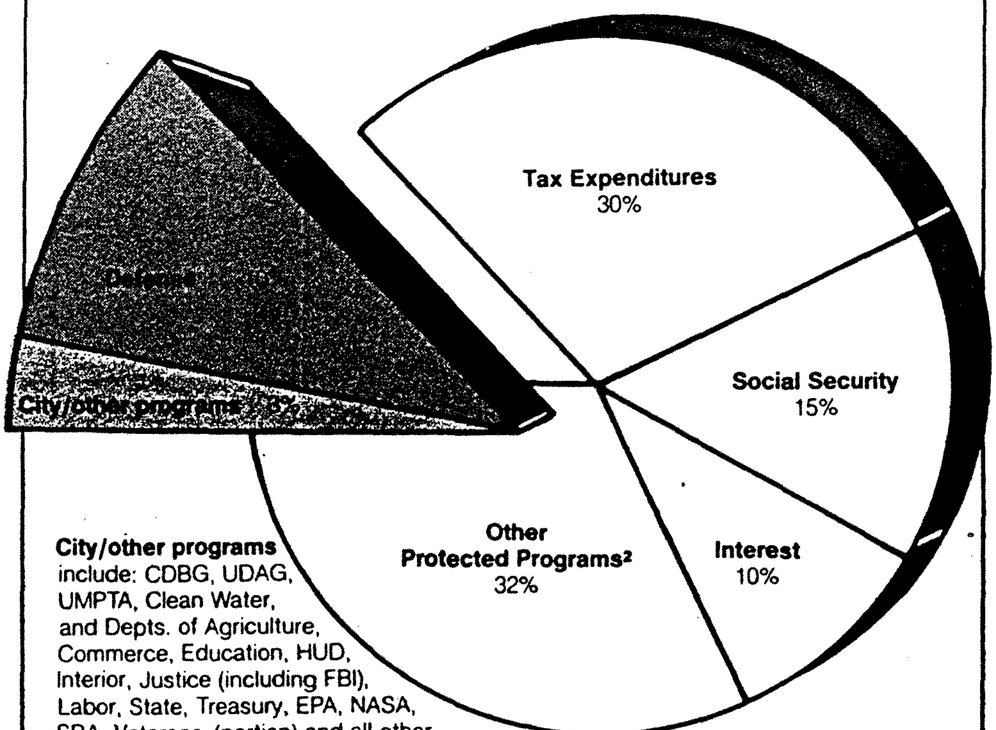
- Social Security
- Interest on the Federal Debt
- Veterans' Compensation
- Veterans' Pensions
- Medicaid
- Aid to Families with Dependent Children (AFDC)
- Women and Infant Care (WIC)
- Supplemental Security Income (SSI)
- Food Stamps
- Child Nutrition

LIMITED CUTS
(1% in FFY 1986; 2% in FFY 1987)

- Medicare
- Veterans' Health
- Indian Health
- Community Health
- Migrant Health

Q: What's subject to automatic cuts under Gramm-Rudman-Hollings?

A: Only 13% of the total Federal budget[1], but that includes all city programs.



City/other programs include: CDBG, UDAG, UMPTA, Clean Water, and Depts. of Agriculture, Commerce, Education, HUD, Interior, Justice (including FBI), Labor, State, Treasury, EPA, NASA, SBA, Veterans (portion) and all other federal agencies

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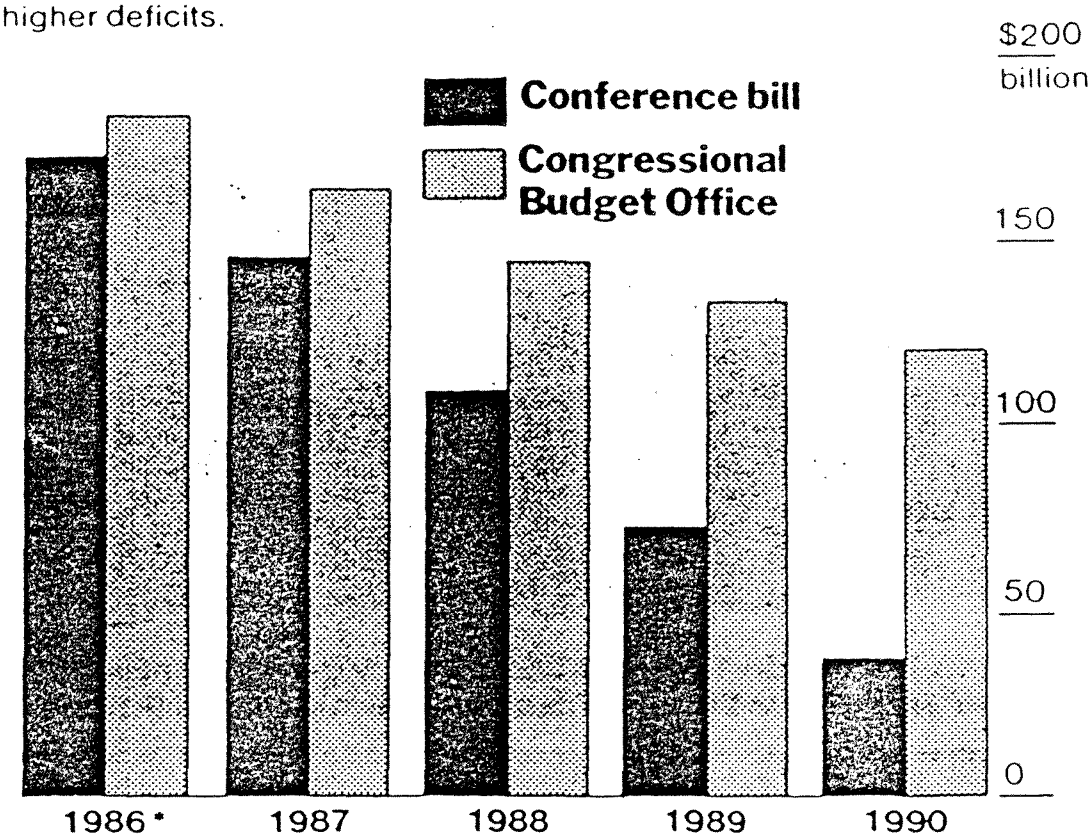
[1] Total Federal Budget is $1.4 trillion including $400 billion in tax expenditures

[2] Other protected programs (32%) include:

- 10%—Programs such as retirement in which only cost of living allowances may be cut
- 13%—Prior Year Contracts (Defense Dept. 8%, all others 5%)
- 5%—Medicare—protected in House version
- 4%—Low income programs protected in House version—food stamps, SSI, child nutrition, community health centers, migrant health, WIC program, veterans compensation and veterans pensions

The Deficit: Two Projections

The Congressional Budget Office, after making some assumptions about the economy, has projected what Federal deficits would be over the next five years if present Government programs continue unchanged. Under the Congressional deficit-reducing bill, the Government, either by Congressional action or by Presidential spending cuts, will be required to force the deficit down to the levels the bill specifies for each year, with a balance reached in 1991. However, the bill caps spending cuts in the fiscal year 1986, even if that means a deficit higher than the specified level. In addition, Congress could always repeal, suspend or amend the bill to permit higher deficits.



* Unofficial estimate for Congressional Budget Office includes latest House and Senate versions of the budget reconciliation bill and the catchall appropriation.

Sources: Conference report, Congressional Budget Office

The New York Times / Dec. 12, 1985

BUDGET PROCESS: GRAMM-RUDMAN-HOLLINGS

1986

January 1	Scheduled cost-of-living increases for military and civilian retirees are deferred in anticipation of an automatic spending cut.
January 10	The Administration's Office of Management and Budget (O.M.B.) and the Congressional Budget Office (C.B.O.) do their deficit estimates based on completed budget action to date.
January 15	The O.M.B. and C.B.O. analysis goes to the General Accounting Office. If the projected deficit is over the 1986 ceiling, the G.A.O. prepares the order for the automatic spending cut.
January 20	The automatic spending cut order is sent to the President.
January 21	Congress convenes.
February 1	The President tentatively imposes the automatic spending cuts, with 50 percent coming from the military budget and the rest from non-military programs, excluding Social Security, interest on the national debt, veterans' pensions and programs for the poor, which include Medicaid, Aid to Families With Dependent Children (AFDC), the Women, Infants and Children (WIC) nutrition program, the Supplemental Security Income (SSI) Program, food stamps, child nutrition and veterans' compensation. Cuts in several health programs, including Medicare, are limited. For 1986, the ceiling on the automatic cut is $11.7 billion, even if this leaves the deficit over $171.9 billion.
February 5	The President submits his budget to Congress for fiscal year 1987, which begins October 1.
March 1	The automatic spending cuts for fiscal year 1986 are made final if Congress and the White House have not taken action in the interim to approve their own package to reduce the deficit.

BUDGET PROCESS: GRAMM-RUDMAN-HOLLINGS

1987 to 1991

January — The first Monday after January 3, the President submits his budget for the next fiscal year, which begins October 1, to Congress. (The date for the 1987 budget submission is February 5.) Any automatic cost-of-living increase scheduled to take effect on January 1 would be deferred until it is determined that the automatic spending cuts are not necessary. If that is the case, the cost of living increases would be restored retroactive to January 1.

April 15 — Congress is supposed to complete action on the budget resolution of the next fiscal year.

June 15 — Congress is supposed to approve the deficit reduction bill needed to impose much of the savings proposed in the budget resolution.

June 30 — The House is to have finished all its 13 appropriations bills, where additional savings to reduce the deficit would be made. There is no deadline for the Senate.

August 15 — The O.M.B. and the C.B.O. do their deficit estimates based on completed budget action to date.

August 20 — O.M.B. and C.B.O. send report to General Accounting Office.

August 25 — The automatic spending cut order, if the deficit ceiling is breached, is sent to the President.

September 1 — The President issues the automatic spending cut order, with 50 percent of the total in the military budget and 50 percent in nonmilitary programs, except for the excluded programs.

October 1 — The fiscal year begins and the automatic spending cuts take effect.

October 5 — O.M.B. and C.B.O. issue final deficit projection report to reflect final congressional action to reduce the deficit. The report goes to the G.A.O.

October 10 — The G.A.O. revised report goes to the President.

October 15 — The final order for automatic spending cuts, based on the revisions, goes into effect.

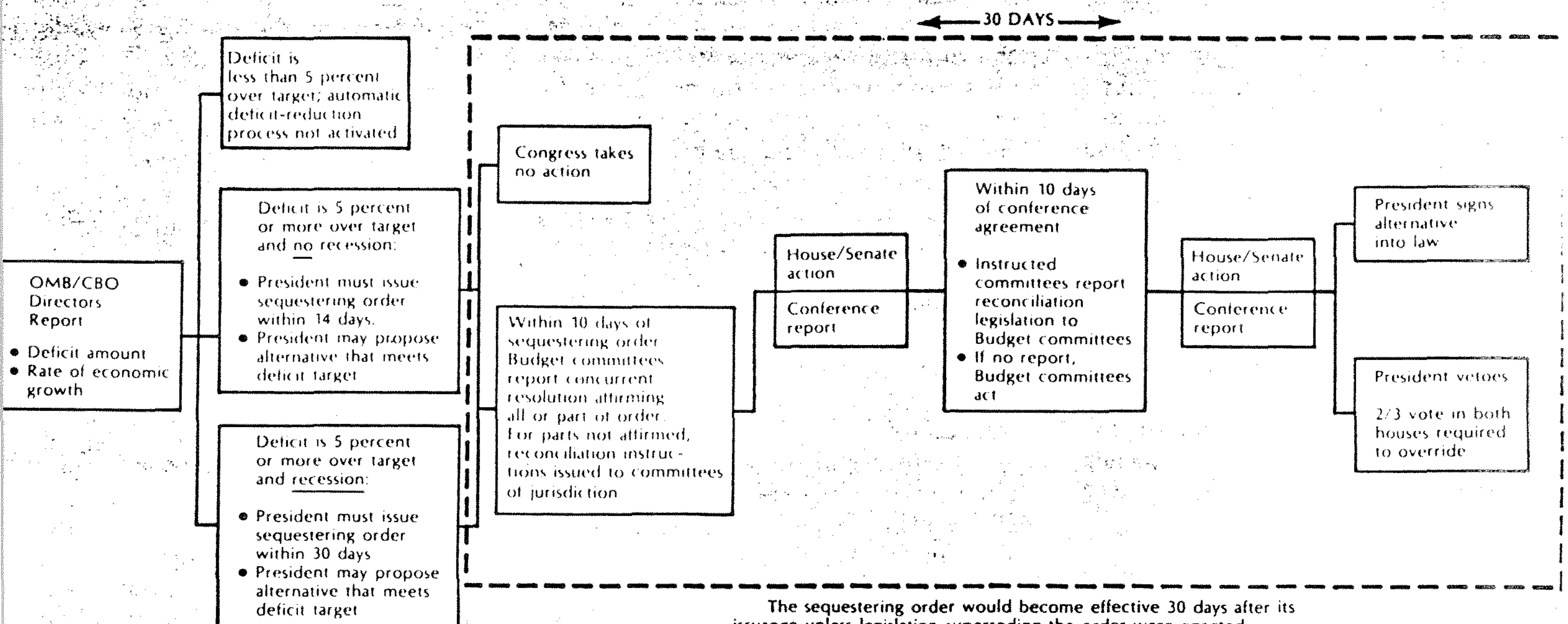
Revisions to Budget Process Timetable

(For Fiscal Years 1987-1991)

Action	Prior Law	PL 99-177
President submits budget request	End of January	First Monday after January 3 [1]
Congressional Budget Office (CBO) reports to Budget committees on fiscal policy and budget priorities	April 1	February 15
Committees submit reports and estimates to Budget committees	March 15	February 25
Senate Budget Committee reports budget resolution to floor	April 15 [2]	April 1
Congress completes action on budget resolution	May 15 [3], September 15 [4]	April 15
House Appropriations Committee reports last regular appropriations bill	—	June 10
Congress completes action on reconciliation bill	September 25	June 15
House completes action on regular appropriations bills	Seventh day after Labor Day [5]	June 30
"Snapshot" of economic indicators, laws affecting spending and revenues and projected deficit taken by CBO and Office of Management and Budget (OMB)	—	August 15
CBO and OMB report to General Accounting Office (GAO) on deficit and content of the so-called sequester order making automatic spending cuts to achieve deficit targets	—	August 20
GAO forwards deficit and sequester report to president	—	August 25
President issues sequester order based on GAO report	—	September 1
Sequester order takes effect	—	October 1
Fiscal year begins	October 1	October 1
CBO and OMB issue revised reports reflecting additional congressional action after earlier reports	—	October 5
GAO issues revised report to the president	—	October 10
Final sequester order, based on revised report, becomes effective	—	October 15
GAO issues compliance report on sequester order	—	November 15

[1] President's budget for fiscal 1987 is due February 5, 1986
[2] Prior law deadline for Budget committees in both houses to report budget resolutions
[3] Prior law deadline for first budget resolution
[4] Prior law deadline for second, binding budget resolution
[5] Prior law deadline for Congress to complete regular appropriations bills

Gramm-Hollings-Rudman Automatic Deficit-Reduction Process



SOURCE: House Ways and Means Committee

The sequestering order would become effective 30 days after its issuance unless legislation superseding the order were enacted. During the 30-day period, the president must withhold from obligation any funds that would be sequestered under the order.

FISCAL PLANNING SERVICES STUDY
SHOWS STATE AND LOCAL GOVERNMENTS WOULD LOSE
$3.6 BILLION UNDER GRAMM-RUDMAN-HOLLINGS

A private Washington-based consulting firm, using formulas for automatic reductions of programs contained in the Senate's Gramm-Rudman-Hollings deficit reduction proposal, has shown that state and local governments would probably lose $3.6 billion in federal grants in fiscal year 1987 if the proposal goes forward and if no other deficit-cutting action is taken this year. Fiscal Planning Services examined the impact of Gramm-Rudman-Hollings on state and local government as well as Medicare, food stamps, student aid and Supplemental Security Income programs. Under the "sequestering" or automatic reduction provision of the proposal, the analysis shows cuts of:

- $132.7 million out of the Community Development Block Grant;
- $7.2 million out of the Economic Development Administration;
- $45.7 million from airport safety and facility improvement;
- $106 million from grants for wastewater treatment;
- $15 million from Urban Development Action Grants;
- $143.6 million from urban mass transit grants;
- $572.4 million out of highway safety and construction;
- $30.7 million from programs for the aging;
- $1.15 billion from the Medicaid program;
- $49.6 million from child nutrition programs;
- $441.5 million out of AFDC and child support enforcement;
- $121.2 million out of the Social Services Block Grant;
- $126.2 million from job training, summer youth and dislocated worker programs

The FPS study indicated that if Gramm-Rudman were applied to a likely Presidential budget proposal for fiscal '87, $7.7 billion could be cut from the state and local level envisioned in this year's budget resolution. If it were applied to a likely congressional budget for '87, with lighter cuts for state and local governments, the loss would be about $2 billion.

The FPS study contains a state-by-state breakdown of the impact of Gramm-Rudman under the Presidential, congressional and "sequestering" scenarios.

FINANCIAL PLANNING SERVICES STUDY

SELECTED 1987 OREGON BUDGET REDUCTIONS
UNDER "AUTOMATIC" REDUCTION PROVISION
OF GRAMM-RUDMAN-HOLLINGS

Child Care	$989,000
Job Training Partnership Act (JPTA)	$1.15 million
Summer Youth Employment Program	$368,000
Medicaid	$8 million
WIC	$736,000
AFDC	$2.9 million
Low Income Energy Assistance	$1.1 million
Community Services Mock Grant (CSBG)	$400,000
CDBG (Entitlement)	$700,000
CDBG (State)	$400,000
EDA	$103,000
EPA/Wastewater Construction	$1.2 million
Interstate Transfer Highway	$812,000
Interstate 4-R	$1.7 million
Interstate	$1.4 million
Safety Construction	$275,000
Urban/Mass Transit	$1.7 million

Evolution of the Ways and Means Tax Bill

The chart below compares the provisions of current tax law, the tax overhaul proposal announced May 28 by President Reagan and the version given to House Ways and Means Committee members Sept. 26 by Chairman Dan Rostenkowski, D-Ill., with the version approved by the committee Nov. 23.

	Current Law	Reagan Plan	Rostenkowski Plan	Committee Bill
Individual tax rates	11-50 percent (14 brackets)	15, 25 and 35 percent	15, 25 and 35 percent	15, 25, 35 and 38 percent
Personal exemption	$1,040 (1985)	$2,000	$1,500; plus increase standard deduction of $500	$2,000 for non-itemizers; $1,500 for itemizers
Business tax rates	15-40 percent on first $100,000; 46 percent thereafter	33 percent, with lower rates for income below $75,000	15-30 percent up to $75,000 and 35 percent over $75,000	15-30 percent up to $75,000 and 36 percent over $75,000
Interest payments	Deductions for home mortgage and non-business interest	Unlimited deduction for primary residences; additional interest deductions capped at $5,000	Deduction limited by the greater of $20,000 or the mortgage value of a taxpayer's primary residence, plus the value of a taxpayer's investment income	Unlimited deduction for mortgages on first and second residences; additional deduction of $20,000 plus the value of a taxpayer's investment income
Health benefits	Employer-paid health premiums not taxed; medical expenses deductible if more than 5 percent of adjusted gross income	First $10 a month in employer-paid premiums for individuals ($25 for families) taxed as income; retain current law for medical deductions	Tax as income health benefits above $120 a month for individuals ($300 for families); retain current law for medical deductions	Retain current law on taxation of health benefits and medical deductions
Charitable donations	Deductible	Unlimited deductions for itemizers, none for non-itemizers	Unlimited deductions for itemizers, none for non-itemizers	No change for itemizers; non-itemizers can deduct amount above $100
State and local taxes	Deductible	Deduction eliminated	No deduction for sales and personal property taxes; taxpayers may deduct the greater of $500 or the amount of income and real property taxes in excess of 5 percent of adjusted gross income	No change from current law
Depreciation	3-19-year recovery periods with accelerated write-off	More generous write-off over 4-28 years; value adjusted for inflation	3-30-year recovery periods; not indexed for inflation	3-30-year recovery periods; partially indexed
Capital gains	60 percent exclusion; top effective rate of 20 percent	Top effective rate of 17.5 percent, but assets eligible would be limited.	Top effective rate of 21 percent	42 percent exclusion; top effective rate of 22 percent
Investment tax credit	6-10 percent	Repealed	Repealed	Repealed
Oil and gas	Allows percentage depletion, and expensing of intangible drilling costs	Repeal oil depletion allowance for all but small wells; keep "intangible" drilling breaks, but subject to minimum tax	Repeal percentage depletion allowance; retain one-year expensing of intangible drilling costs for non-producing wells; three-year write-off for producing wells	Repeal percentage depletion allowance for all but small wells; allow expensing of intangible drilling costs for non-producing wells; 26-month write-off for producing wells
Business expenses	Deductible	Deduction for entertainment repealed; limit on meals	Deduction of 75 percent of business meals and 50 percent of entertainment costs	Deduction of 80 percent of business meals and 80 percent of entertainment costs

SOURCES: Treasury Department, House Ways and Means Committee

Highlights of House Tax Revision Plan

Following are main provisions of the House of Representatives tax bill.

Individual Tax Rates
Replace current system of rates, ranging from 11 to 50 percent, with four brackets of 15, 25, 35 and 38 percent. For married couples, the 15 percent rate applies to the first $22,500 of taxable income; the 25 percent rate applies to taxable income between $22,500 and $43,000, the 35 percent rate between $43,000 and $100,000 and the 38 percent rate to taxable income over $100,000. For single individuals, the 25 percent rate applies to taxable income above $12,500, 35 percent above $30,000 and 38 percent above $60,000. For heads of households, 25 percent applies above $16,000, 35 percent above $34,000 and 38 percent above $75,000.

Corporate Rates
Reduce top corporate rate to 36 percent from 46 percent. Smaller businesses would be able to take advantage of graduated rates of 15 percent on income up to $50,000 and 25 percent for income between $50,000 and $75,000. The 36 percent rate would apply to income above $75,000.

Capital Gains
Allow individuals to exclude 42 percent of profits from the sale of assets, making a top effective rate on long-term capital gains of 22 percent, compared with 20 percent under present law. The corporate capital gains rate would be 36 percent, up from 28 percent now.

Personal Exemptions
Increase to $2,000 for non-itemizers and $1,500 for those who itemize their deductions. That compares with $1,080 for all taxpayers under current law. The additional personal exemption now allowed for the elderly or blind would be repealed. Instead, the elderly and blind would be entitled to an extra standard deduction of $600.

Standard Deduction
Raise to $4,800 for joint returns, $4,200 for heads of households, and $2,950 for single individuals. Under present law, the deduction is $3,670 for joint returns and $2,480 for heads of households and single individuals.

Earned Income Credit
Increase and expand eligibility of credit for low-income parents to a maximum of $700 from $550 now.

Interest Deductions
Fully retain mortgage deductions for principal residences and second homes. Other interest expense deductions would be limited to $20,000 in excess of an individual's investment income.

State and Local Tax Deduction
Retain fully.

Fringe Benefits
Retain tax-free status for fringe benefits, including employer-paid health insurance premiums.

Life Insurance
Retain tax-deferred status of cash-value life insurance policies.

Two-Earner Deduction
To be repealed. The deduction is now equal to 10 percent of the lower-earning spouse's income, or a maximum $3,000. The so-called marriage penalty, which the deduction was intended to ease, is to be mitigated through the new tax rate schedule.

Business Meals and Entertainment Deductions
Allow deduction of 80 percent of expenses, versus fully deductible adjusted for inflation. The adjustment would be half the amount that inflation exceeds 5 percent a year.

Investment Tax Credit
To be repealed.

Corporate Dividends
Phase in over 10 years a new deduction that would allow companies to deduct 10 percent of dividends paid to stockholders.

Research and Development Credit
Reduce to 20 percent from 25 percent.

Historic Rehabilitation Credit
Reduce credits for renovation of older buildings to a rate of 20 percent for certified historic structures and 10 percent for buildings constructed before 1935.

Energy Credits
Allow the 15 percent credit for residential energy conservation expenses and the 40 percent credit for wind and geothermal devices to expire at the end of this year. The credit for installation of solar-energy equipment, also scheduled to expire this year, would be phased out over three years.

Tax-Exempt Bonds
Eliminate Federal income tax exemption for new issues of certain private-purpose municipal bonds, including those to finance sports and convention centers and pollution-control facilities. Place state-by-state limits on the amount of other private-purpose bonds that can be issued by states and municipalities.

Financial Institutions
Retain the special bad debt reserve deduction for commercial banks only for banks with assets under $500 million. Larger banks could claim a deduction only when actual losses are incurred. Repeal the current deduction that banks can now claim for 80 percent of the debt used to carry tax-exempt bonds.

Oil and Gas
Impose new restrictions on the type of so-called intangible drilling costs, such as labor and fuel, that can be written off immediately. Costs associated with drilling once wells near producing phase would have to be written off over 26 months. The change would affect about 25 percent of intangible drilling costs.

Mining
Phase down to 5 percent the depletion allowance for most hard minerals. The allowance now ranges up to 22 percent.

Foreign Provisions
Reduce to $75,000, from $80,000, the amount of income that Americans working overseas can exclude from United States tax. Other complex provisions are aimed at preventing multinational companies from using tax-haven countries to shelter income from United States taxes.

Military Contractors
Eliminate the preferential "completed contract" method of accounting, which has allowed many military contractors to sharply reduce their tax bills by waiting until the project is completed before paying taxes on the income.

Timber
Repeal special capital gains tax treatment for timber companies. Capital gains treatment would be retained only for individuals.

under current law. Disallow deduction for travel taken for educational purposes.

Child and Dependent Care Credit
Retain fully.

Non-Itemizer Charitable Deduction
Retain but only for contributions in excess of $100.

Income Averaging
To be repealed.

401(k) Employee Retirement Plans
Limit annual contributions to a maximum of $7,000, compared with $30,000 now. The amount contributed would reduce the amount that individuals can contribute to their personal Individual Retirement Account.

Employee Business Expenses
Retain the deduction but only to the extent the expenses exceed 1 percent of the taxpayer's adjusted gross income.

Scholarships
Retain tax-exempt status only for amounts spent on tuition and equipment.

Prizes and Awards
Repeal their tax-exempt status.

Worker's Compensation and Black Lung Disability Benefits
Retain tax exclusion.

Unemployment Compensation
Repeal partial tax exclusion for unemployment compensation. Present law taxes part of it only if an individual's adjusted gross income exceeds $12,000 ($18,000 on joint returns).

Special Dividend Exclusion
Eliminate the exclusion from tax of the first $100 ($200 on joint returns) of dividends earned each year.

Custodial Accounts
Tax earnings in the accounts of children under the age of 14 at the parent's tax rate instead of the child's. Accounts would still be taxed at the child's tax rate if the money was given by someone other than a parent or if the child is at least 14 years old.

Clifford Trusts
Eliminate tax advantages of income-shifting trusts.

Minimum Tax
Raise rate to 25 percent for individuals and corporations and add new preferences to the calculation so that the tax will be more potent and apply to a larger number of upper-income taxpayers and profitable corporations that make substantial use of tax benefits to sharply reduce their tax bills. Among the new preferences would be tax shelter losses in excess of the amount of cash invested in the venture, interest from newly issued tax-exempt non-governmental bonds and certain deductions for the appreciated value of artwork and other property donated to charity.

Business Depreciation
Lengthen the time over which investments in plant, machinery, equipment and income-producing real estate can be written off. The longest write-off period would be 30 years for buildings, versus 19 years now. Beginning in 1988, the value of depreciated assets could be partly

TAX-EXEMPT BONDS

Under present law, the interest on state and local government bonds used to finance government operations is tax-exempt. Interest on state and local bonds is taxable (1) if more than 25 percent of the bond proceeds is used in a trade or business of a non-exempt person and repayment is secured by income from property used in such trade or business (IDBS), or (2) 5 percent or more of bond proceeds is used to finance (directly or indirectly) loans to persons other than state or local governments or 501 (C) (3) organizations (private loan bonds).

The Ways and Means Committee bill defines bonds in three general categories:

- Governmental: Lesser of 10% or $10 million used in a trade or business other than a governmental organization;
- Non-governmental eligible to be financed with tax-exempt bonds under the statewide volume cap (greater of $200 million or $175 per capita with $25 reserved for section 501 (C)(3) organizations):
  - Multi-Family Rental Housing
  - Airports
  - Ports
  - Mass Commuting Facilities
  - Sewage and Solid Waste Disposal Facilities
  - Facilities for the Furnishing of Water
  - Small Issue IDBS
  - Qualified Student Loan Bonds
  - Qualified Mortgage Bonds
  - Qualified Veterans' Mortgage Bonds
  - Veterans' Land Bonds
  - Section 501 (C)(3) Charitable Organizations

- Non-governmental Activities Ineligible to be Financed with Tax-Exempt Bonds:
    - Sports Facilities;
    - Convention or Trade Show Facilities;
    - Parking Facilities (except airport public parking);
    - Facilities for Local Furnishing of Gas and Electricity by Investor-Owned Utilities;
    - District Heating or Cooling Facilities;
    - Air or Water Pollution Control Facilties;
    - Industrial Parks

BVB/jn:h3

ROSTY II: VOLUME CAP ON NON-GOVERNMENTAL BONDS
(in millions)

	Student Loan Bonds	Exempt Entity Bonds	Small Issue and Industrial Park	Sewage Disposal and Waste	Total MRBs, Vets and MF IFBs Issued in State CY 1984	Total	$175 per Capita With $200 Million Floor	1984 Activity as % of Cap
Total	$1,680	$10,055	$16,951	$6,561	$20,361	$55,608	$42,111	132%
Alabama	—	338	365	55	202	960	702	137%
Alaska	—	—	89	—	1,467	1,556	200	778%
Arizona	—	319	318	402	224	1,263	512	247%
Arkansas	—	44	102	29	110	285	410	70%
California	426	783	492	552	4,214	6,467	4,424	146%
Colorado	—	246	218	20	333	817	545	150%
Connecticut	—	79	203	35	306	623	564	111%
Delaware	—	8	134	—	53	195	200	98%
Florida	12	748	541	1,002	944	3,247	1,864	174%
Georgia	—	31	745	524	325	1,625	1,009	161%
Hawaii	—	82	—	—	100	182	200	91%
Idaho	37	5	18	—	56	116	200	58%
Illinois	132	477	728	38	519	1,894	2,048	93%
Indiana	—	315	357	87	203	962	979	98%
Iowa	11	4	186	—	215	416	520	80%
Kansas	—	38	178	100	207	523	431	121%
Kentucky	41	113	218	61	209	642	656	98%
Louisiana	196	195	406	198	315	1,310	781	168%
Maine	—	—	60	—	108	168	203	83%
Maryland	14	164	561	—	653	1,392	763	182%
Massachusetts	122	506	503	112	316	1,559	1,034	151%
Michigan	—	248	631	426	186	1,491	1,630	92%
Minnesota	60	78	585	172	395	1,290	740	174%
Mississippi	—	42	111	149	203	505	456	111%
Missouri	—	357	383	61	336	1,137	886	128%
Montana	68	26	59	13	75	241	200	121%
Nebraska	—	116	110	—	235	461	284	162%
Nevada	—	9	21	—	222	252	200	126%
New Hampshire	5	45	90	15	72	227	200	114%
New Jersey	—	252	1,009	293	366	1,920	1,331	144%
New Mexico	—	13	59	—	115	187	243	77%
New York	—	1,004	1,149	174	679	3,006	3,160	95%
North Carolina	—	38	349	9	163	559	1,077	52%
North Dakota	128	27	20	19	75	269	200	135%
Ohio	—	271	661	42	456	1,430	1,931	74%
Oklahoma	—	3	116	128	288	535	569	94%
Oregon	—	105	78	57	273	513	474	108%
Pennsylvania	200	782	1,480	606	377	3,445	2,123	162%
Rhode Island	—	86	60	210	225	581	200	291%
South Carolina	—	18	301	261	112	692	573	121%
South Dakota	49	23	42	—	200	314	200	157%
Tennessee	—	146	679	—	248	1,073	832	129%
Texas	25	1,447	769	334	2,346	4,921	2,734	180%
Utah	—	—	165	90	251	506	278	182%
Vermont	—	32	72	1	48	153	200	77%
Virginia	88	129	996	234	578	2,025	983	206%
Washington	46	50	100	50	175	421	760	55%
West Virginia	—	61	80	—	209	350	349	100%
Wisconsin	20	152	309	2	300	783	853	92%
Wyoming	—	—	45	—	74	119	200	60%

NOTE: This chart does not include the portion of governmental bonds (for any amount in excess of $1 million to any non-governmental user) nor those portions of airport or port bonds which would be under the volume cap.

Sources: U.S. Treasury; NLC

Major Provisions of Ways and Means Tax Bill

In closed-door deliberations between Sept. 26 and Nov. 23 the House Ways and Means Committee agreed to the following major provisions as part of a bill to overhaul the income tax code. Following submission of a tax overhaul plan by President Reagan, the committee worked from a separate proposal endorsed by Chairman Dan Rostenkowski, D-Ill. Most provisions would be effective Jan. 1, 1986, unless otherwise noted. *(President's tax plan, Weekly Report p. 1035; Rostenkowski plan, p. 1912)*

Individuals

- **Rates.** Replace individual income tax rates of 11-50 percent with rates of 15, 25, 35 and 38 percent.

  For married couples, taxable income of up to $22,500 would be taxed at the 15 percent rate, income from $22,500 to $43,000 would be taxed at 25 percent, income from $43,000 to $100,000 would be taxed at 35 percent and income in excess of $100,000 would be taxed at 38 percent.

  For a single head of household, taxable income up to $16,000 would be taxed at 15 percent, income from $16,000 to $34,000 would be taxed at 25 percent, income from $34,000 to $75,000 would be taxed at 35 percent and income of more than $75,000 would be taxed at 38 percent.

  For individuals, income up to $12,500 would be taxed at 15 percent, income from $12,500 to $30,000 would be taxed at 25 percent, income from $30,000 to $60,000 would be taxed at 35 percent and income in excess of $60,000 would be taxed at 38 percent.

  The rate cuts would go into effect July 1, 1986.

- **Personal Exemption.** Raise the personal exemption for taxpayers and their dependents from the current $1,040 (scheduled to rise to $1,080 in 1986) to $2,000 for taxpayers who do not itemize their deductions. Taxpayers who do itemize would have their personal exemptions effectively reduced to $1,500 by a new provision disallowing the first $500 of their itemized deductions for each exemption claimed.

  The increase in the personal exemption would be effective Jan. 1, 1986.

- **Standard Deduction.** Replace the existing zero bracket amount, or the amount below which no taxes are imposed, and replace it with a standard deduction for those who do not itemize their returns. The deduction would be $4,800 for joint returns, $4,200 for single heads of households and $2,950 for individuals. The zero bracket amount in 1986 is expected to be $3,670 for joint returns and $2,480 for single taxpayers.

  Under the committee's plan, the standard deduction would be raised an additional $600 for the elderly and the blind, but there would be no increase for each dependent as Rostenkowski had proposed.

  The increase in the standard deduction would be effective Jan. 1, 1987, except the proposed increase for the elderly and the blind would be effective Jan. 1, 1986.

- **Earned Income Credit.** Expand the earned income tax credit for working poor families from a current maximum of $550 to $700. The committee also agreed to raise the income level at which the credit would be phased out from $11,000 to $16,000.

- **Marriage Penalty.** Eliminate the deduction for two-earner couples but make changes in the standard deduction and rate schedules that would provide similar relief for married taxpayers. The deduction is designed to lower taxes for two-earner couples, who otherwise would end up paying higher taxes than if they were filing separately as single taxpayers.

- **Child and Dependent Care.** Retain the current child care tax credit of up to $720 a year for one dependent and up to $1,440 for two dependents.

- **Income Averaging.** Repeal income averaging, which allows taxpayers with dramatic fluctuations in income to reduce their tax liabilities.

- **Elderly and Disabled.** Retain current law providing a 15 percent tax credit for elderly taxpayers and those who have retired because of permanent and total disability.

- **Unemployment Compensation.** Tax as income all unemployment compensation benefits. Currently, such benefits are taxed only for individuals with incomes in excess of $12,000 and couples with incomes in excess of $18,000. The committee agreed to retain current law excluding from taxable income workers' compensation, black lung benefits and certain employer-provided disability benefits.

- **Adoption Expense.** Abolish an existing tax deduction for up to $1,500 in expenses related to the adoption of hard-to-place children and to expand a direct spending program to compensate for the change.

- **Scholarships.** Tax as income scholarships and fellowships that are not used for tuition or equipment required for courses, or are received by students who are not degree candidates. The change would be effective for awards granted after Sept. 25, 1985. All other prizes and awards would be subject to tax.

- **State and Local Taxes.** Retain the deduction for state and local sales, property and income taxes. State and local governments would be required to report to the federal government payments they receive from individuals for income and property taxes, beginning Jan. 1, 1987.

- **Charitable Deductions.** Allow those who do not itemize to deduct charitable contributions, but only in excess of $100 a year. Such taxpayers now can deduct half of all contributions this year and 100 percent next year, but the deduction is due to expire at the end of next year. Taxpayers who itemize would still be allowed to deduct all of their contributions.

- **Travel and Entertainment.** Allow taxpayers to deduct up to 80 percent of their business-related meals and entertainment expenses. Expenses such as hotel and transportation would remain deductible, as would tickets for certain charitable events. The committee also agreed to disallow all deductions for business expenses related to "skyboxes" at such facilities as convention centers or sports arenas.

  It also would limit deductions for business travel on luxury cruise ships and disallow deductions for travel taken for educational purposes.

- **Employee Business Expenses.** Allow deductions for certain employee business expenses and several miscellaneous itemized deductions, such as those related to the preparation of tax returns, to the extent they exceed 1 percent of a taxpayer's adjusted gross income.

- **Home Offices.** Limit deductions for home office expenses to a taxpayer's net income from the business. Now, the deductions cannot exceed gross income. However, members agreed that excess deductions could be carried forward and taken against income in future years. The deduction limits would apply to cases, now exempt from any limitations, in which a taxpayer leases his home office to his employer.

- **Hobbies.** Expand the definition of "hobbies," for which expense deductions are more limited than for regular businesses. Under the new definition, an activity would be a hobby if it is not profitable in at least three out of five consecutive years, instead of two out of five years as under current law. The committee agreed to exempt horse breeding and racing from the tighter restrictions.

- **Political Contributions.** Repeal a $50 maximum tax credit ($100 for joint returns) allowed for half of a taxpayer's political contributions.
- **Presidential 'Checkoff.'** Allow taxpayers to continue allocating $1 of their income tax liability to the Presidential Election Campaign Fund.

Fringe Benefits

- Retain current law allowing the exclusion from income of employer-provided health insurance premiums, the cost of up to $5,000 in death benefits, and the cost of up to $50,000 of group-term life insurance. Limits proposed by Reagan and Rostenkowski on tax-free employee benefits had been strongly opposed by labor groups.
- Extend for two years the current exclusion from income of employer-provided prepaid legal services and up to $5,000 in education assistance. The exclusions are scheduled to expire at the end of 1985.
- Allow the exclusion for employer-provided van pooling to expire at the end of 1985, as provided by current law.
- Limit to $5,000 a year the exclusion allowed for employer-provided child care assistance.

Capital Gains

- Raise the top effective individual income tax rate on long-term capital gains (proceeds from the sale of assets held for more than six months) from the existing 20 percent to 22 percent. The change would be effective Jan. 1, 1986.
- Raise the top effective tax rate on capital gains for corporations from 28 percent to 36 percent, effective Jan. 1, 1986.

Depreciation

- Repeal the 10 percent investment tax credit now allowed for investment in certain business assets. Both Rostenkowski and Reagan had proposed elimination of the credit, which has been repealed and reinstated several times since it was first enacted during the Kennedy administration.
- Replace current law allowing accelerated depreciation of business assets with a less generous method that would generally lengthen the period of time over which an investment could be written off.

  The committee agreed to require that assets be depreciated over periods ranging from three to 30 years, compared with the current three to 19 years, depending on the type of asset. However, the committee also agreed in most cases to allow more of an asset's cost to be written off in the earlier years than under current law.

  Real estate would be among the areas hardest hit by the changes, with a depreciation life of 30 years compared with the current 19 years. Real estate investments also would be written off at a slower pace than under current law.

  Cars and trucks that can now be depreciated over three years would have to be written off over five years.
- Allow the value of depreciated assets to be indexed, beginning in 1988, to offset some of the impact of inflation. The provision would kick into effect only if inflation exceeded 5 percent and, even then, an asset would be indexed to reflect only 50 percent of the increase in inflation above 5 percent.

  The administration had proposed that assets be fully indexed.
- Rejected the administration's controversial proposal to impose a tax retroactively on businesses to recapture some of the "windfall" benefits firms would receive from the combined effect of generous depreciation benefits allowed under current law and a lower corporate tax rate provided by the bill.
- Allow firms with unused investment and other business tax credits to use them to offset their corporate minimum tax liability if they had net operating losses in any two of the last three taxable years prior to 1986.
- Allow firms to continue to write off in one year the costs of removing architectural and transportation barriers for the elderly and handicapped. This provision would expire after two years.

Corporate Taxes

- Lower the maximum corporate rate from 46 percent to 36 percent, effective July 1, 1986.

  To help small businesses, corporate income up to $50,000 would be taxed at a rate of 15 percent, income from $50,000 to $75,000 would be taxed at 25 percent, and income above that amount would be taxed at 36 percent. The graduated rates would be phased out so that corporations with taxable income above $350,000 would pay a flat rate of 36 percent.
- Phase in over a 10-year period — beginning in 1987 — a deduction for up to 10 percent of the dividends paid out by a corporation. The deduction would increase by 1 percentage point each year until 1997, when it would be fully in effect. The administration called for the full 10 percent deduction to begin in 1987.
- Repeal the current exclusion from income of up to $100 in dividends received by an individual ($200 for married couples).
- Make it more difficult for those who acquire a corporation with net operating losses to use those losses to help reduce their tax liability. The committee agreed to delay, and therefore lessen, the tax benefits from such takeovers.
- Repeal, as of Dec. 31, 1988, several tax incentives enacted in the Deficit Reduction Act of 1984 (PL 98-369) to encourage the financing of employee stock ownership plans. A payroll-based tax credit for employers would be repealed at the end of 1985. It is now due to expire at the end of 1987.

Research and Development

- Extend for three years a tax credit for new research and development expenses at a rate of 20 percent. The current 25 percent tax credit is scheduled to expire at the end of this year. The committee agreed to include language in the bill report to clarify what type of expenses would be eligible for the credit.
- Allow a new 20 percent tax credit for three years for corporate contributions to or contracts with universities or non-profit organizations to conduct new research and development.

The committee rejected a proposal by Rostenkowski that would no longer have allowed firms to write off in one year, rather than over a longer period of time, the amount of new research and development expenses equal to the tax credit taken that year.

Historic Rehabilitation

- Replace existing tax credits of 15 percent for the rehabilitation of buildings at least 30 years old and 20 percent for buildings at least 40 years old with a 10 percent credit that could be used only for buildings constructed before 1935.
- Reduce from 25 percent to 20 percent the tax credit allowed for rehabilitation of certified historic buildings.

Oil, Gas, Hard Minerals

- Retain the so-called percentage depletion allowance for small, or "stripper," wells owned by independent producers and royalty owners. The allowance would be phased out over three years for other oil and gas properties.

Percentage depletion, one of the key tax breaks for independent producers, allows taxpayers to deduct up to 15 percent of their gross income each year to cover the cost of depletion of their wells. However, taxpayers can continue to claim the deduction even after they have recovered all expenses related to developing and acquiring the property.

Rostenkowski had proposed phasing out the allowance over three years, but his plan was rejected after intense lobbying from oil-state members and Treasury Secretary James A. Baker III, who comes from Texas.

Reagan would have retained the break for stripper wells, defined as wells that produce 10 barrels or less a day.

- Allow oil, gas and geothermal property operators to write off in one year so-called "intangible drilling costs," such as labor and fuel, before the property becomes productive. Once wells begin producing, intangible drilling costs would have to be amortized over 26 months. Under current law, all intangible costs can be written off in one year. Committee aides estimate that the change applies to about one-fourth of all intangible drilling costs.
- Retain current law allowing a deduction for special injectants used to enhance oil and gas production.
- Reduce to 5 percent by 1988 the depletion allowance for minerals, such as coal and iron ore, from rates now ranging up to 22 percent. Rostenkowski and Reagan had both proposed that the allowance be phased out.

  The committee agreed to retain current law for stone such as marble and granite and for agricultural minerals such as sulfur and phosphate.
- Phase out over three years special capital gains tax treatment for royalties from coal and domestic iron ore.

Corporate Liquidations

- Tax corporations for the gains from liquidation of their assets, which are now only taxed when distributed as dividends to shareholders. The current law provision often figures as an incentive for corporate mergers and acquisitions, according to committee aides.

  The change, which would raise $4.8 billion over the next five years, was made to help pay for modifications to Rostenkowski's oil and gas tax proposals. About $500 million of that amount was expected to come from the oil and gas industry.

  The change would not apply to closely held corporations.

Energy Credits

- Allow a 15 percent tax credit for residential energy conservation expenses to expire at the end of 1985, as provided by current law. The credit now applies to installation of property, such as storm windows or insulation, in a taxpayer's primary residence.
- Allow a 40 percent credit for installation of wind and geothermal energy property in a primary residence to expire at the end of 1985, as provided by current law. The current 40 percent credit for installation of solar energy equipment would be extended for three years at a rate of 30 percent in 1986 and 20 percent in 1987 and 1988.
- Allow a number of business energy credits, including those for wind, ocean thermal, intercity buses and small-scale hydroelectric projects, to expire at the end of 1985, as provided by current law. However, the committee agreed to extend a 15 percent business solar energy tax credit for three years at a rate of 15 percent in 1986, 12 percent in 1987 and 8 percent in 1988.

  It also agreed to extend the 15 percent credit for business geothermal energy expense for three years at a rate of 15 percent in 1986, and 10 percent in 1987 and 1988.
- Limit a 60-cents-per-gallon credit for alcohol fuels to those produced at plants completed before Jan. 1, 1986, and sold before Jan. 1, 1993.
- Reduce a 9-cents-per-gallon exemption from gasoline excise taxes for alcohol fuels to 6 cents per gallon. The committee agreed to retain a 6-cents-per-gallon exemption for alcohol fuel mixtures.

Real Estate, Interest

- Allow taxpayers to take an unlimited mortgage interest deduction for first and second residences. Reagan and Rostenkowski both would have limited such deductions.

  The committee also agreed that interest on loans that pay for up to six weeks of time sharing for residential resort property would be deductible as if the time-share were a first or second residence.
- Allow individuals to deduct additional interest payments of up to $20,000 ($10,000 for married taxpayers filing separately) plus the amount of net income from their investments. This provision would be phased in over 10 years. For example, only 10 percent of interest — with the exception of certain investment interest now subject to deduction limits — would be subject to the limit in the first year.
- Apply to some real estate transactions existing rules preventing investors from deducting losses greater than the amount actually invested. Critics charge that the current exemption for real estate from so-called "at-risk" rules has provided a major incentive for the proliferation of real estate tax shelters in recent years.

  The committee agreed, however, to exempt real estate transactions involving financing by third parties, such as banks, from the at-risk rules.

Minimum Tax

- Impose a 25 percent minimum tax on individuals and corporations who otherwise would be able to reduce dramatically their tax liabilities through the use of tax breaks retained in the law.

  Minimum taxes are already imposed on both individuals (20 percent) and corporations (15 percent), but there are so many loopholes that many taxpayers can still escape paying taxes. Under the new alternative minimum tax, taxpayers would be required to pay the higher of their normal tax liability or 25 percent of taxable income, plus the value of certain tax advantages they have claimed.

  The committee agreed to expand the number of tax breaks, called "preference items," whose value would be added to taxable income. Among the new preference items would be certain deductions for the appreciated value of charitable donations of such items as artwork, deductions investors in tax shelters can take for losses in excess of the amount of cash they have invested, excludable income earned abroad and interest from tax-exempt non-governmental bonds.

Foreign Income

- Revise a complex system of tax credits allowed U.S. corporations to reduce their U.S. tax liability by the amount of foreign taxes they pay on income earned overseas. The changes were designed to prevent companies from investing in low-tax countries to reduce dramatically their U.S. tax liability. The panel rejected a proposal by Reagan to impose per-country caps on the amount of foreign tax credits firms could claim.

- Retain, with some restrictions, a credit used by firms to eliminate virtually all of their U.S. tax on income earned in Puerto Rico, the Virgin Islands and other U.S. possessions.

  Reagan would have repealed the credit and replaced it with a less generous one based on wages, which was designed to encourage employment of island residents.

  Rostenkowski would have retained the credit with tighter restrictions than those finally imposed by the committee.
- Reduce from $85,000 to $75,000 the amount of income Americans working overseas can earn tax-free. Rostenkowski had proposed that the exclusion be lowered to $50,000 a year.

Industrial Development Bonds

- Limit the amount of non-governmental bonds that could be issued annually within a state to the greater of $200 million or $175 per resident ($125 after 1987). No more than $150 of the per-resident cap could be used for profitable organizations, in effect reserving at least $25 of the cap for non-profit projects such as hospitals and universities.

  A $150 per-resident cap now exists, but applies only to limited kinds of tax-exempt bonds. The bonds can be issued by state or local governments, or their agents, to finance a wide range of private and public projects. Because interest earned on such debt is not subject to federal taxes, developers can pay lower interest rates on such loans and trim their costs. In effect, the federal government helps to subsidize projects through the tax break.
- Expand the type of bond-financed projects subject to the cap to include multifamily rental housing, mass commuting facilities, sewage disposal facilities, solid-waste disposal facilities, facilities for the furnishing of water, qualified mortgage bonds, qualified veterans' mortgage bonds, veterans' land bonds, qualified student loan bonds, small-issue industrial development bonds and bonds for non-profit organizations. Bonds for airports and port facilities would not be subject to the cap.

  Tax-exempt financing could no longer be used for such projects as sports facilities, convention centers, air or water pollution control activities, or the hotels and shops attached to airports.

  Reagan had asked for elimination of the tax exemption for all but purely governmental projects, such as schools and roads. Rostenkowski would have allowed tax-exempt bonds for private uses, but would have restricted the kinds of projects eligible for tax-exempt status.
- Define as non-governmental bonds those in which more than 10 percent, or $10 million, whichever is less, is used by a trade or business or more than 5 percent, or $5 million, is used by an individual.

Financial Institutions

- Limit the deduction commercial banks with assets of $500 million or more — about 450 of the nation's largest banks — can take to cover bad loans. Under the plan, the banks could take deductions only when actual losses are incurred.

  Banks with assets of less than $500 million would be able to take the more generous deduction allowed under current law, which is based on a percentage of the bank's outstanding loans or on its past record of bad debts.

  Reagan and Rostenkowski had proposed that the deduction be limited for all banks.
- Allow thrift institutions to take bad-debt deductions equal to 5 percent of their taxable income or an amount based on their past experience with bad loans. The deduction would be less generous than what is now allowed, but Rostenkowski and Reagan had proposed that the deductions be limited even further.
- Eliminate a deduction financial institutions can now take for 80 percent of the interest payments they make on debt used to invest in tax-exempt obligations.

  However, the committee agreed to allow banks that invest in tax-exempt bonds issued by small jurisdictions for governmental purposes to continue to deduct the interest they pay on money used to purchase the bonds. The banks would have to be located within the jurisdiction and the bond issue could not exceed $3 million.
- Repeal special tax advantages for the reorganization of troubled thrift institutions, including a provision that now allows troubled savings and loans to be acquired tax free.
- Make it easier for individuals to claim losses when their financial institution becomes bankrupt or insolvent.
- Repeal special rules allowing commercial banks and thrift institutions to deduct their net operating losses in a particular year against income from the preceding 10 taxable years or the succeeding five taxable years. Instead, they would be allowed the less-generous deductions for losses that apply under current law to other taxpayers.
- Retain current law exempting credit unions from federal income tax. Rostenkowski and Reagan wanted to repeal the exemption for credit unions with assets of $5 million or more.

Accounting Rules

- Eliminate a special accounting method that allows defense and building contractors to delay tax payments until work on a project has been completed, and often to reduce dramatically or eliminate their tax liability.

  The committee decided instead that such contractors would be required to take a percentage of their deductions and to declare a similar percentage of their income during the course of contracts.

  The committee would provide a special exception for small contractors working on contracts of less than two years' duration.
- Prevent the use of the so-called cash method of accounting for businesses with gross receipts exceeding $5 million a year. But the panel exempted from the requirement professionals, such as lawyers and accountants.

  The administration has argued that cash accounting — where income is declared at the time cash is received and deductions are taken when an expense is actually paid — does not accurately reflect a company's economic circumstances and allows some firms to delay tax payments.

  Instead, companies exceeding the $5 million limit would be required to use accrual accounting, where income and expenses are reported at the time they are earned or incurred, but not necessarily paid.
- Eliminate an accounting scheme that allows home builders and retailers to borrow against the anticipated proceeds from installment sales of property. They in effect can defer paying tax on the gain from such sales, while currently enjoying the benefits of the loans.
- Agreed to treat payments customers make to utilities for construction of special access lines or other equipment as taxable income to the utility. Now, such payments are not taxed.

Insurance

- Continue the existing treatment of the increased value of life insurance policies, called "inside buildup."

  Current law does not consider inside buildup to be income; Reagan had proposed to tax it. The committee abandoned the controversial proposal under heavy lobbying pressure from the insurance industry.

- Repeal the tax exemption for Blue Cross and Blue Shield. Some members argued that the exemption gives the insurance company an unfair advantage over its competitors. The panel retained tax-exempt status for several fraternal organizations, including the Knights of Columbus, which provide insurance benefits to their members.
- Require property and casualty insurance firms to reduce deductions for loss reserves by 10 percent of the interest income they receive from new investments in tax-exempt securities. The amount would rise to 15 percent in 1988.
- Impose a stiff new minimum tax on property and casualty insurance firms, beginning in 1988. Rep. Fortney H. "Pete" Stark, D-Calif., described the provision as a "hammer" over the industry to encourage it to cooperate with the committee on a rewrite of property and casualty insurance taxation within the next two years. Stark, who headed a committee task force on insurance, said there was insufficient time to revamp such a complex area of tax law in this bill.
- Require property and casualty firms to count as income 20 percent of any increases in the value of special reserves used for soliciting premium income in advance of providing insurance coverage.
- Repeal a deduction life insurance firms now use to cap their top tax rate at 36.8 percent, instead of the 46 percent top rate now paid by other corporations.
- Repeal a $1,000 exclusion survivors now can claim for interest they receive on the unpaid proceeds of their spouses' life insurance policies.

Low-Income Housing

- Allow tax-exempt bonds to be issued under the state volume cap for low-income housing if 25 percent or more of the units are rented to families whose incomes are 80 percent of the area median income or below; or if 20 percent or more of the units are rented to families whose incomes are 70 percent of the area median income or below.

  Such projects would be depreciated over 30 years, but a larger share of the write-off could be taken in the earlier years than for other real estate projects.
- Allow tax-exempt bond financing for projects where 40 percent or more of the units are rented to families whose incomes are 60 percent of the area median income or below.

  Such projects would be depreciated over 20 years, compared with 30 years for other real estate investments.
- Apply the above income requirements to families of four. The requirements would be adjusted to account for family size, which is not done under current law.
- Require annual certification that projects continue to meet the low-income requirements.
- Allow 20-year depreciation for housing projects too small to qualify for tax-exempt financing, which have 40 percent or more of their units rented to families whose incomes are 60 percent of the area median income or below.
- Allow a five-year write-off for the costs of rehabilitating low-income housing with a maximum amount of new investment per unit of $30,000. The current limit is $20,000.

Pensions

- Retain the popular "401(k)" tax-deferred savings plan — named after a section in the Internal Revenue Code — that Reagan had proposed to eliminate.

  The committee decided to reduce maximum annual contributions to the plans from the lesser of $30,000 or 25 percent of an individual's compensation to $7,000 or 25 percent of compensation.

  Currently, 401(k) plans are available to more than 20 million workers. They allow employees to have their employers set aside earnings, tax-free, in a savings plan until they withdraw the money upon retirement or for an emergency. Often, employee contributions are matched by an employer contribution to the plan.
- Continue allowing withdrawals from 401(k) plans in cases of hardship, such as a medical emergency. Both Rostenkowski and Reagan would have restricted the availability of such withdrawals, which are a major attraction of the savings plans.
- Prevent state and local governments and tax-exempt groups from offering 401(k)s, unless they have already received preliminary approval to begin such plans.
- Rejected a Reagan proposal to raise from $2,250 to $4,000 the amount that a worker can contribute to IRAs for himself or herself and a non-working spouse.

  Currently, a two-income couple can contribute up to $2,000 each to an IRA every year. Reagan and others have argued that it is unfair to penalize non-working spouses by limiting their contributions.
- Increase the tax penalty on early IRA withdrawals from 10 to 15 percent. Reagan had proposed a 20 percent penalty tax. Currently, savings in an IRA cannot be withdrawn prior to age 59½, death or disability.
- Combine limits on contributions to IRAs and 401(k) plans so that an individual with both kinds of plans can contribute no more than a total of $2,000 — the ceiling on IRA contributions — to the two plans. The change was made to encourage the use of 401(k) plans, to which up to $7,000 could be contributed each year.
- Reduced from $30,000 to $25,000 the ceiling on the combined employer-employee payments that can be made each year to a defined contribution plan, to which an employer contributes a set amount.
- Reduced from $90,000 to $77,000 the maximum amount of annual benefits an individual can receive from an employer-provided defined benefit plan, a plan to which sufficient contributions are made to produce a specified level of benefits upon retirement.

Trusts, Estates

- Eliminate tax advantages that parents can receive when they pass assets on to a child so that any proceeds, such as interest, would be taxed at the child's lower tax rate. Under the proposal, any unearned income received by a child under age 14 would be taxed at the parents' marginal tax rate to the extent the income is attributable to property received from the parents. Many parents set up custodial accounts for their children to help pay for college educations or other child-rearing expenses.
- Restrict the tax benefits of setting up trusts used to avoid tax payments. The changes would mean the end of so-called Clifford Trusts, in which parents turn over assets to a child for at least 10 years.
- Revise the so-called "generation-skipping tax" imposed on those who try to avoid paying estate taxes by passing wealth on to their grandchildren, instead of to their children. The changes would make the tax more lenient and allow an exemption for transfers of up to $1 million for each donor with an additional $2 million exemption for each donee. As a result, a couple could pass on $4 million to a grandchild without paying the generation-skipping tax.

  Committee aides noted that while the current tax is more stringent it is considered so complex that few taxpayers have complied and the Internal Revenue Service has never enforced it. However, some wealthy families, including the Gallo wine family in California, will benefit greatly from the change.

The new tax would apply to transfers after Sept. 25, 1985. The existing tax would be repealed retroactively for earlier transfers, which would still be subject to estate taxes.

Timber

- Repeal special capital gains tax treatment for corporations on the proceeds from timber sales. It would allow individuals to continue treating gains from timber as capital gains, which are taxed at a lower rate than ordinary income.

  Reagan and Rostenkowski would have repealed special capital gains tax treatment for both individuals and corporations.
- Require small timber producers (those with 50,000 acres or less of land) to write off certain "pre-productive expenses," over a period of five years, instead of one year, as under current law. Such expenses would include fertilizer, fire retardants and interest payments.
- Repeal a seven-year write-off and 10 percent tax credit allowed for up to $10,000 a year in reforestation costs.
- Exempt producers of nursery stock and Christmas trees from proposed restrictions on deductions for so-called "pre-productive" costs.

Agriculture

- Retain current-law accounting rules for farmers. Farmers had complained about a Reagan proposal that businesses with annual gross receipts of more than $5 million could no longer use the cash method of accounting.
- Repeal a one-year write-off now allowed for expenses of clearing land for farming. A special one-year write-off for soil and water conservation costs would be retained but would be limited to conservation activities approved by conservation authorities.

Targeted Jobs

- Extend for two years a tax credit now allowed employers who hire disadvantaged or disabled workers, at a cost of $1 billion.

  The committee agreed, however, to reduce the so-called targeted jobs tax credit from the current level of 50 percent of the first $6,000 of wages in the first year and 25 percent in the second year to 40 percent in the first year only. The credit would not be available in cases where employment lasts less than 14 days.

  A credit of up to 85 percent of the first $3,000 of wages for disadvantaged summer youth employees would also be retained.

  Rostenkowski and Reagan would have allowed the credit to expire at the end of this year, as provided by current law.

Other

- Repeal rapid write-offs of certain expenditures related to trademarks or trade names, pollution control facilities and land improvements along railroad rights of way.
- Reduce from 85 percent to 75 percent the amount by which businesses can use business tax credits to reduce their tax liability above $25,000. Firms would still be allowed to use business tax credits to reduce all of their tax liability up to $25,000.
- Retain a deduction for funds set aside by shipowners for construction of commercial ships. Rostenkowski and Reagan had both called for elimination of the special tax treatment for these so-called capital construction funds. The committee agreed, however, to a number of restrictions on the funds, including a requirement that a contract to build a ship be signed within 10 years of the time money is set aside.

Tax Liability by Income Class

Income Class	Percentage Change In Income Tax Liability: Administration Proposal	Percentage Change In Income Tax Liability: Committee Bill
Less than $10,000	−72.4%	−76.1%
$10,000-$20,000	−18.0	−23.4
$20,000-$30,000	−9.3	−9.9
$30,000-$40,000	−6.6	−8.9
$40,000-$50,000	−7.3	−8.4
$50,000-$75,000	−5.9	−7.2
$75,000-$100,000	−8.9	−5.6
$100,000-$200,000	−10.1	−7.2
$200,000 and above	−15.2	−5.8
TOTAL	−10.5	−9.0

NOTE: These figures do not take into account certain proposals affecting individuals. Thus, the total tax reductions under both the administration proposal and the committee bill could be slightly different from what is indicated in this table.

SOURCE: Joint Committee on Taxation

- Extend through 1988 a 50 percent tax credit now available for clinical testing of certain drugs, called "orphan" drugs, for rare diseases and conditions. The credit is due to expire at the end of 1987.
- Increase estimated tax payments individuals must make if they do not have enough withheld from their wages. Payments would have to equal at least the lesser of 100 percent of a taxpayer's prior-year tax liability or 90 percent of the current-year liability. Currently; such payments must equal at least the lesser of 100 percent of last year's tax liability or 80 percent of the current year's liability.
- Raise the interest rate taxpayers would have to pay the Treasury Department for late tax payments by 3 percentage points and raise the interest rate on Treasury payments to taxpayers by 2 percentage points.
- Increase penalties for failure to pay taxes and failure to file proper tax information returns.
- Extend for four years a law awarding attorneys' fees of up to $25,000 to taxpayers who win tax cases against the government and can prove the government's position was unreasonable. The provision also would authorize funding for the awards program, which is now set to expire at the end of 1985.
- Require a report from the Internal Revenue Service (IRS) within six months of enactment on how it would implement a return-free tax system.
- Require most taxpayers to go through the IRS administrative appeals process before taking a dispute with the agency to tax court.
- Prohibit the awarding of a federal contract or license to any taxpayer who has failed to make tax payments to the IRS after exhausting all appeals procedures.
- Impose a new excise tax on the proceeds television networks receive from broadcasting the Olympic games to help support the U.S. Olympic team.

Fiscal 1986
Status of Appropriations
99th Congress, First Session

Appropriation Bills	House	Senate	Final	Weekly Report Page
Agriculture and related agencies (HR 3037)	Passed 7/24/85	Passed 10/16/85	Included in PL 99-190	2753
Commerce, Justice, State, Judiciary (HR 2965)	Passed 7/17/85	Passed 11/1/85	PL 99-180 signed 12/13/85	2653
Defense (HR 3629)	Passed 10/30/85	Committee reported 11/6/85	Included in PL 99-190	2748
District of Columbia (HR 3067)	Passed 7/30/85	Passed 11/7/85	Included in PL 99-190	2589
Energy and Water Development (HR 2959)	Passed 7/16/85	Passed 8/1/85	PL 99-141 signed 11/1/85	2122
Foreign Operations (HR 3228, S 1816)	Committee reported 8/1/85	Committee reported 10/31/85	Included in PL 99-190	2688
Housing and Urban Development, Independent Agencies (HR 3038)	Passed 7/25/85	Passed 10/18/85	PL 99-160 signed 11/25/85	2361
Interior and related agencies (HR 3011)	Passed 7/31/85	Floor debate began 10/31/85	Included in PL 99-190	2751
Labor, Health and Human Services, Education (HR 3424)	Passed 10/2/85	Passed 10/22/85	PL 99-178 signed 12/12/85	2171
Legislative Branch (HR 2942)	Passed 7/18/85	Passed 7/31/85	PL 99-151 signed 11/13/85	2249
Military Construction (HR 3327)	Passed 10/17/85	Passed 11/7/85	PL 99-173 signed 12/10/85	2469
Transportation and related agencies (HR 3244)	Passed 9/12/85	Passed 10/23/85	Included in PL 99-190	2172
Treasury, Postal Service, General Government (HR 3036)	Passed 7/30/85	Passed 9/26/85	Included in PL 99-190	2363
Interim Continuing Resolutions (H J Res 388) (H J Res 441) (H J Res 476) (H J Res 491)	 Passed 9/18/85 Passed 11/12/85 Passed 12/12/85 Passed 12/17/85	 Passed 9/25/85 Passed 11/13/85 Passed 12/12/85 Passed 12/17/85	 PL 99-103 PL 99-154 PL 99-179 PL 99-184	 1951 2361 2649 2665
Continuing Resolution (H J Res 465)	Passed 12/4/85	Passed 12/10/85	PL 99-190 signed 12/19/85	2665

Highlights of Funding Bill

Following are the fiscal 1986 funding levels and other major provisions of H J Res 465, the $368.2 billion continuing appropriations resolution cleared by Congress Dec. 19:

Agriculture — $36.76 billion

Provided $9.2 billion for the Commodity Credit Corporation, which makes crop loans and income-support payments to farmers. Another $400 million is available if the administration requests it.
Provided $11.9 billion for food stamps, about the fiscal 1985 level.
Authorized $2.1 billion for rural housing. *(p. 2117)*

Defense — $281.16 billion

Approved $2.75 billion for the "strategic defense initiative."
Allowed $27.1 million for production of a new type of nerve gas artillery shell.
Banned further tests of anti-satellite missiles (ASATs) as long as the Soviet Union does not test any.
Barred defense contractors from billing the Pentagon for entertainment, lobbying and legal fees.
Earmarked $6.3 billion in Pentagon carry-over funds from fiscal 1985 largely for military pay and retirement. *(p. 2713)*

Foreign Aid — $15.03 billion

Cut or held to fiscal 1985 levels funding for most economic, military and development aid programs.
Set a $55 million limit on aid to the Philippines. *(p. 2688)*

Interior — $8.1 billion.

Deleted funding for the Synthetic Fuels Corporation, except for $10 million in shut-down costs.
Added $400 million for a "clean coal" technology program. *(p. 2258)*

Transportation — $10.46 billion

Continued funding for mass transit and Amtrak at close to 1985 levels.
Restored funds for air safety and the Coast Guard. *(p. 2697)*

District of Columbia — $546.8 million. *(p. 2589)*

Treasury/Postal Service — $13.15 billion

Cut $45 million from funding for the Internal Revenue Service and $72 million from the federal postal subsidy to overcome objections that led to a veto of the regular funding bill. *(p. 2363)*

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Although regular fiscal 1986 spending bills have been enacted for the other departments of the government, some additional provisions affecting them were included in H J Res 465:

Commerce/Justice/State: Added $42.9 million, including $12 million for the Bicentennial of the Constitution Commission, $24 million for Economic Development Administration projects and $2.5 million for the U.S. Information Agency. *(p. 2653)*

Housing and Urban Development: Added $2.4 billion for Environmental Protection Agency sewer construction grants. *(p. 2362)*

Labor/Health and Human Services/Education: Added $616.2 million, including $142.5 million for family-planning services and $428 million for refugee assistance. *(p. 2592)*

Legislative Branch: Increased senators' honoraria limit to $30,000 a year, from $22,500.
Added $150,000 for a biomedical ethics board and biomedical ethics advisory committee. *(p. 2249)*

(Detailed provisions of the Agriculture, Defense and Interior sections of the bill will be published in a subsequent Weekly Report.)

Fiscal 1986 HUD/Agency Funds

Following is the new budget authority for fiscal 1986 for the Department of Housing and Urban Development and independent agencies requested by President Reagan, and included in HR 3038 as passed by the House July 25 and by the Senate Oct. 18, and as cleared by Congress Nov. 13. Because of new economic assumptions and calculations by congressional staff, some of the numbers in the table differ from those originally reported. *(Weekly Report pp. 1503, 1602, 2120, 2332)*

	President's Request	House-Passed	Senate-Passed	Final Amount
Department of Housing and Urban Development				
Housing Programs	$ 698,916,000	$ 10,188,722,781	$ 9,253,985,618	$ 10,952,859,581
Community Development	3,136,800,000	3,466,800,000	3,353,501,200	3,466,668,000
Policy Development and Research	18,900,000	16,900,000	18,692,100	16,900,000
Fair Housing Assistance	5,000,000	6,700,000	6,626,300	6,626,300
Management and Administration	324,027,000	341,427,000	318,774,480	336,427,000
Solar Energy Bank	--	20,000,000	--	--
TOTAL, HUD	$ 4,183,643,000	$ 14,040,549,781	$ 12,951,529,698	$ 14,779,480,881
Independent Agencies				
American Battle Monuments Commission	11,004,000	10,954,000	10,833,506	10,833,506
Consumer Product Safety Commission	34,575,000	37,000,000	34,516,100	36,000,000
Cemeterial Expenses, Army	14,932,000	7,759,000	14,615,442	14,615,442
Environmental Protection Agency	4,683,316,000	1,496,176,000	2,645,304,014	2,390,176,000
Council on Environmental Quality	732,000	700,000	723,948	700,000
Office of Science and Technology Policy	2,153,000	2,343,000	2,317,227	2,317,227
Federal Emergency Management Agency	545,393,000	631,656,000	571,821,998	533,656,000
GSA Consumer Information Center	1,249,000	1,249,000	1,235,261	1,235,261
HHS Office of Consumer Affairs	1,988,000	1,988,000	2,005,692	1,988,000
National Aeronautics and Space Administration	7,928,000,000	7,666,000,000	7,570,795,000	7,656,000,000
National Science Foundation	1,571,243,000	1,523,855,000	1,508,867,850	1,523,855,000
Neighborhood Reinvestment Corporation	14,669,000	17,669,000	16,485,641	17,669,000
Selective Service System	27,664,000	27,780,000	27,780,000	27,474,420
Treasury Department				
General Revenue Sharing	4,566,700,000	3,425,025,000	4,237,897,600	4,185,000,000
Salaries and Expenses	8,000,000	8,000,000	7,714,200	7,714,200
Veterans Administration	26,548,969,000	26,503,810,000	25,989,170,395	26,101,426,553
GRAND TOTAL	**$ 50,144,230,000**	**$ 55,402,513,781**	**$ 55,593,663,572**	**$ 57,290,141,490**

SOURCE: House Appropriations Committee

Fiscal 1986 Transportation Funds

Following are the amounts of fiscal 1986 budget authority for the Transportation Department and related agencies requested by President Reagan, approved by the House and Senate in passing their versions of the continuing resolution (H J Res 465) and appropriated in the final version of the resolution cleared by Congress:

	Budget Request	House-Passed Bill	Senate-Passed Bill	Final Amount
Department of Transportation				
Office of the Secretary	$ 57,553,000	$ 89,500,000	$ 83,300,000	$ 82,800,000
Coast Guard	2,548,793,000	2,503,622,000	2,459,802,000	2,300,802,000
Federal Aviation Administration	4,210,048,000	4,040,400,000	4,004,900,000	3,983,100,000
Federal Highway Administration	36,493,000	105,100,000	68,662,000	79,400,000
National Highway Traffic Safety Administration	81,101,000	89,365,000	78,851,000	83,851,000
Federal Railroad Administration	54,715,000	702,520,000	684,988,000	702,184,000
Urban Mass Transportation Administration	277,405,000	2,744,103,000	2,534,900,000	2,624,400,000
Research and Special Programs Administration	19,353,000	19,400,000	19,200,000	19,300,000
Office of the Inspector General	27,692,000	27,950,000	27,250,000	27,600,000
Subtotal	7,313,153,000	10,321,960,000	9,961,853,000	9,903,437,000
Related Agencies				
Architectural and Transportation Barriers Compliance Board	1,975,000	2,000,000	1,975,000	1,975,000
National Transportation Safety Board	22,087,000	22,400,000	22,200,000	22,300,000
Civil Aeronautics Board	0	0	0	0
Interstate Commerce Commission	52,557,000	48,180,000	47,000,000	48,180,000
Panama Canal Commission	446,784,000	427,784,000	425,784,000	425,784,000
U.S. Railway Association	0	2,100,000	2,400,000	2,400,000
Washington Metropolitan Area Transit Authority	51,663,569	51,663,569	51,663,569	51,663,569
Subtotal	575,066,569	554,127,569	551,022,569	552,302,569
General reduction			-147,606,281	
GRAND TOTAL	$7,888,219,569	$10,876,087,569	$10,365,269,288	$10,455,739,569

Fiscal 1986 Labor-HHS-Education Funding

	Budget Request	House Bill	Senate Bill	Final Amount
Labor Department	$ 5,828,673,000	$ 6,676,633,000	$ 6,509,299,000	$ 6,516,745,000
Health and Human Services	67,835,693,000	68,440,788,000	69,739,318,000	69,203,058,000
(Fiscal 1987 advance)	(11,473,754,000)	(11,473,754,000)	(11,473,754,000)	(11,473,754,000)
Education Department	15,472,151,000	17,526,805,000	18,273,115,000	18,372,201,000
Related agencies	755,005,000	767,666,000	766,421,000	769,855,000
(Fiscal 1988 advance)	(214,000,000)	—	(214,000,000)	(214,000,000)
Total	**$ 89,891,522,000**	**$ 93,411,892,000**	**$ 95,288,153,000**	**$ 94,861,859,000**
(Fiscal 1987 advance)	(11,473,754,000)	(11,473,754,000)	(11,473,754,000)	(11,473,754,000)
(Fiscal 1988 advance)	(214,000,000)	—	(214,000,000)	(214,000,000)
***GRAND TOTAL**	**$101,579,276,000**	**$104,885,646,000**	**$106,975,907,000**	**$106,549,613,000**

**The House and Senate deferred consideration of funding for certain programs that had not been authorized. In the House bill $1,236,828,000 in requested funds for fiscal 1986 and $214,000,000 in advance funding for fiscal 1988 were not considered. In the Senate bill and the final bills, $478,991,000 in requested funds were not considered. Funding for those unauthorized programs was provided under a continuing resolution (H J Res 441 — PL 99-154), the stopgap measure for agencies that have not received their regular fiscal 1986 appropriations.*

Labor, Health and Human Services:

	Budget Request	Final Amount
Labor Department		
Employment and Training Administration		
Program administration	$ 62,914,000	$ 68,155,000
Training and employment services	2,805,521,000	3,461,045,000
Community service employment for older Americans	326,000,000	326,000,000
Federal unemployment benefits	10,000,000	10,000,000
Grants to states for unemployment insurance and employment services	23,600,000	23,600,000
Advances to unemployment trust fund	465,000,000	465,000,000
Labor-Management Services Administration	57,505,000	57,505,000
Employment Standards Administration	1,428,259,000	1,438,996,000
Occupational Safety and Health Administration	217,208,000	218,045,000
Mine Safety and Health Administration	148,911,000	151,679,000
Bureau of Labor Statistics	151,853,000	158,640,000
Departmental Management	131,902,000	138,080,000
Total, Labor Department	$5,828,673,000	$6,516,745,000
Health and Human Services		
Health resources and services	1,012,957,000	1,355,434,000
Medical facilities guarantee and loan fund	25,000,000	25,000,000
Centers for Disease Control	420,434,000	471,861,000
National Institutes of Health		
Cancer	1,131,479,000	1,258,159,000
Heart, Lung and Blood	774,147,000	859,572,000
Dental Research	94,678,000	103,377,000
Arthritis, Diabetes, and Digestive and Kidney Diseases	521,616,000	569,597,000
Neurological and Communicative Disorders and Stroke	375,515,000	433,595,000
Allergy and Infectious Diseases	358,813,000	383,717,000
General Medical Sciences	458,854,000	514,814,000
Child Health and Human Development	294,282,000	321,972,000
Eye	161,669,000	195,168,000
Environmental Health Sciences	183,679,000	197,686,000
Aging	135,376,000	156,592,000
Research resources	263,224,000	305,696,000
John E. Fogarty Center	11,464,000	11,568,000
National Library of Medicine	54,124,000	57,956,000
Director	36,591,000	117,085,000
Buildings and facilities	5,000,000	14,900,000
(NIH administrative reductions)	——	(-3,000,000)
Alcohol, Drug Abuse and Mental Health Administration	888,585,000	968,860,000
St. Elizabeths Hospital	43,696,000	43,696,000
Assistant secretary for health	189,209,000	170,482,000
Health Care Financing Administration	37,453,727,000	36,861,533,000
(Fiscal 1987 advance)	(6,500,000,000)	(6,500,000,000)
Social Security Administration		
Payments to Social Security trust funds	497,008,000	497,008,000
Black lung payments	715,519,000	715,519,000
(Fiscal 1987 advance)	(270,000,000)	(270,000,000)
Supplemental Security Income	7,535,221,000	7,535,221,000
(Fiscal 1987 advance)	(2,339,250,000)	(2,339,250,000)
Assistance payments	6,059,262,000	6,239,262,000
(Fiscal 1987 advance)	(2,193,754,000)	(2,193,754,000)

Labor, Health and Human Services:

	Budget Request	Final Amount
Child support enforcement	432,601,000	432,601,000
(Fiscal 1987 advance)	(170,750,000)	(170,750,000)
Low-income energy assistance	2,100,075,000	2,100,000,000
Assistant secretary for human development	5,410,161,000	5,713,159,000
Community services	3,923,000	370,300,000
Departmental management	187,804,000	204,668,000
Total, HHS	$67,835,693,000	$69,203,058,000
(Fiscal 1987 advance)	(11,473,754,000)	(11,473,754,000)
Education Department		
Compensatory education	3,646,615,000	3,695,663,000
Special programs	647,909,000	705,109,000
Impact aid	543,000,000	692,500,000
Bilingual education	142,951,000	172,951,000
Handicapped education	1,306,100,000	1,411,000,000
Rehabilitation services	1,216,400,000	1,362,000,000
Vocational and adult education	831,314,000	940,777,000
College student assistance	3,569,000,000	4,887,000,000
Guaranteed student loans	2,714,482,000	3,300,000,000
Higher and continuing education	247,078,000	450,238,000
Higher education facilities loans	17,996,000	17,996,000
Education research and statistics	59,978,000	59,978,000
Libraries	——	127,500,000
Special institutions	245,709,000	263,730,000
Departmental management	283,619,000	285,759,000
Total, Education Department	$15,472,151,000	$18,372,201,000

	Budget Request	Final Amount
Related agencies		
ACTION	148,199,000	151,287,000
Corporation for Public Broadcasting		
(Fiscal 1988 advance)	(214,000,000)	(214,000,000)
Federal Mediation and Conciliation Service	23,394,000	23,394,000
Federal Mine Safety and Health Review Commission	3,815,000	3,815,000
National Commission on Libraries and Information Science	——	690,000
National Council on the Handicapped	704,000	765,000
National Labor Relations Board	134,854,000	134,854,000
National Mediation Board	6,432,000	6,358,000
Occupational Safety and Health Review Commission	5,901,000	5,901,000
Railroad Retirement Board	394,200,000	394,200,000
Soldiers' and Airmen's Home	37,506,000	48,391,000
National Center for the Study of Afro-American History and Culture	——	200,000
Total, related agencies	$755,005,000	$769,855,000
(Fiscal 1988 advance)	(214,000,000)	(214,000,000)
Total, Fiscal 1986	$89,891,522,000	$94,861,859,000
(Fiscal 1987 advance)	(11,473,754,000)	(11,473,754,000)
(Fiscal 1988 advance)	(214,000,000)	(214,000,000)
GRAND TOTAL	$101,579,276,000	$106,549,613,000

Commerce/Justice/State Funding Bill

	Final Budget Request	Final Appropriation
	(in thousands of dollars)	
Commerce Department		
General Administration	$ 36,227	$ 32,300
Bureau of the Census	199,162	196,000
Economic and Statistical Analysis	30,331	30,500
Economic Development Administration	15,467	201,000
International Trade Administration	175,824	192,000
Minority Business Development Agency	45,163	45,000
U.S. Travel and Tourism Administration	4,011	12,000
National Oceanic and Atmospheric Administration	999,955	1,169,949
Patent and Trademark Office	89,484	84,700
National Bureau of Standards	122,415	123,985
National Telecommunitions and Information Administration	13,527	37,400
Subtotal	**$ 1,731,566**	**$ 2,124,834**
Related Agencies		
Federal Communications Commission	94,904	94,400
Federal Maritime Commission	11,940	11,870
Federal Trade Commission	65,626	65,500
International Trade Commission	28,901	28,600
Marine Mammal Commission	800	900
Maritime Administration	70,367	79,600
Office of the U.S. Trade Representative	11,510	13,158
Securities and Exchange Commission	110,974	111,100
Small Business Administration	300,900	385,500
Subtotal	**$ 695,922**	**$ 790,628**
Justice Department		
General Administration	72,364	70,800
U.S. Parole Commission	9,609	9,800
Legal Activities	902,086	876,500
Interagency Law Enforcement	1,000	1,000
Federal Bureau of Investigation	1,207,182	1,209,000
Drug Enforcement Administration	351,349	380,000
Immigration and Naturalization Service	591,540	593,800
Federal Prison System	615,283	613,963
Office of Justice Programs	140,015	203,982
Subtotal	**$ 3,890,428**	**$ 3,958,845**

	Final Budget Request	Final Appropriation
	(in thousands of dollars)	
Related Agencies		
Christopher Columbus Quincentenary Jubilee Commission	220	——
Civil Rights Commission	12,386	12,300
Commission on the Bicentennial of the Constitution	775	775
Equal Employment Opportunity Commission	163,094	165,000
Legal Services Corporation	305,000[1]	305,500
U.S. Sentencing Commission	——	1,100
State Justice Institute	8,883	8,000
Subtotal	**$ 490,358**	**$ 492,675**
State Department		
Administration of Foreign Affairs	1,976,134	1,940,274
International Organizations and Conferences	553,574	498,400
International Commissions	28,233	28,612
U.S. Bilateral Science and Technology Agreements	2,000	2,000
The Asia Foundation	9,785	10,000
Soviet-East European Research and Training	5,000	4,800
Subtotal	**$ 2,574,726**	**$ 2,484,086**
Related Agencies		
Arms Control and Disarmament Agency	26,243	25,850
Board for International Broadcasting	142,149	102,700
Commission on Security and Cooperation in Europe	550	550
Commission on the Ukraine Famine	——	400
Japan-United States Friendship Commission	1,550	775
U.S. Information Agency	982,762	872,450
Subtotal	**$ 1,153,254**	**$ 1,002,725**
The Judiciary		
Supreme Court	17,602	17,275
U.S. Court of Appeals for the Federal Circuit	5,720	5,500
U.S. Court of International Trade	6,538	6,400
Court of Appeals, District Courts, other judicial services	1,067,051	997,850
Administrative Office of the U.S. Courts	32,217	29,200
Federal Judicial Center	9,923	9,600
Subtotal	**$ 1,139,051[1]**	**$ 1,065,825**
Grand Total	**$11,675,305**	**$11,919,618**

Fiscal 1986 Energy/Water Funds

Following are estimated net new budget authority totals in HR 2959, the fiscal 1986 appropriations bill for energy and water development. *(Figures in thousands of dollars)*

	Reagan Request*	House Bill	Senate Bill	Conference
Corps of Engineers				
Construction	$ 848,530	$ 952,438	$ 829,581	$ 919,345
Mississippi River System	271,440	321,685	285,735	314,760
Operation & Maintenance	976,560	1,325,195	1,302,800	1,319,973
Other	263,210	272,189	244,697	267,972
Subtotal	$ 2,359,740	$ 2,871,507	$ 2,662,813	$ 2,822,050
Bureau of Reclamation				
Construction	536,114	541,074	512,730	521,700
Operation & Maintenance	135,159	132,665	132,665	132,665
Other	125,353	126,800	121,665	123,550
Subtotal	$ 796,626	$ 800,539	$ 767,060	$ 777,915
Energy Department				
Energy Supply R&D	1,971,013	1,730,436	1,879,721	1,772,271
Uranium Supply & Enrichment	(1,612,700)	(1,612,700)	(1,612,700)	(1,612,700)
General Science & Research	685,479	685,400	679,400	685,400
Nuclear Waste Disposal Fund	571,460	521,460	552,460	521,460
Atomic Energy Defense	8,032,900	7,593,415	7,647,800	7,604,615
Administration	175,839	166,138	166,138	166,138
Power Marketing Administrations	241,159	229,391	229,391	229,391
Federal Energy Regulatory Commission	32,775	26,991	29,491	29,491
Geothermal Resources Fund	76	72	72	72
Subtotal	$ 11,710,701	$ 10,953,303	$ 11,184,473	$ 11,008,838
Independent Agencies				
Appalachian Regional Commission	0	134,000	71,800	120,000
Nuclear Regulatory Commission	437,600	403,671	429,000	418,000
Tennessee Valley Authority	38,605	109,000	90,861	104,000
Others	846	915	915	915
Subtotal	$ 477,051	$ 647,586	$ 592,576	$ 642,915
TOTAL	**$ 15,344,118**	**$ 15,272,935**	**$ 15,206,922**	**$ 15,251,718**

*As amended.

Agriculture Spending Included in Catchall Bill

The $36.3 billion agriculture appropriation included in the continuing resolution (H J Res 465 — PL 99-190) was pared by .6 percent across the board from the amount agreed to by conferees on the regular agriculture appropriations bill (HR 3037 — H Rept 99-439). The result was a reduction of $200 million to meet spending limits in the fiscal 1986 budget resolution (S Con Res 32). *(Weekly Report pp. 2665, 2117)*

The across-the-board cuts affected all programs except child nutrition and special milk.

A major issue in conference was the Commodity Credit Corporation (CCC), which makes crop loans to farmers and pays them income subsidies. The president had requested a permanent, indefinite appropriation for the CCC, which requires annual, multibillion-dollar supplemental appropriations to cover its losses.

The Senate had voted for an annual, indefinite appropriation, but conferees retained a definite appropriation of $9.2 billion, with an additional $4 billion available if the administration requests it.

	Fiscal 1985 Appropriation	Final Amount
Agriculture Programs		
Office of the Secretary	$ 1,732,000	$ 1,739,000
Assistant Secretary for Administration	479,000	481,000
Standard Level User Charges	66,754,000	70,826,000
Advisory Committees	1,385,000	1,315,000
Departmental Administration	24,868,000	24,979,000
Assistant Secretary for Governmental and Public Affairs	375,000	335,000
Governmental and Public Affairs	7,615,000	7,673,000
Inspector General	30,142,000	30,571,000
General Counsel	14,929,000	14,987,000
Assistant Secretary for Economics	413,000	415,000
Economic Research Service	47,098,000	46,027,000
Statistical Reporting Service	58,287,000	58,725,000
World Agricultural Outlook Board	1,676,000	1,670,000
Assistant Secretary for Science and Education	367,000	369,000
Agricultural Research Service	523,156,000	509,319,000
Cooperative State Research Service	290,776,000	288,680,000
Extension Service	343,727,000	304,120,000
National Agricultural Library	11,464,000	11,272,000
Assistant Secretary for Marketing and Inspection Services	343,000	345,000
Animal and Plant Health Inspection Service	300,918,000	318,624,000
Food Safety and Inspection Service	364,635,000	362,079,000 [1]
Federal Grain Inspection Service	6,994,000	7,003,000
Agricultural Cooperative Service	4,675,000	4,685,000
Agricultural Marketing Service	34,537,000	35,450,000
Packers and Stockyards Administration	9,035,000	9,146,000
Under Secretary for International Affairs and Commodity Programs	501,000	499,000
Agricultural Stabilization & Conservation Service	50,957,000	99,000
Federal Crop Insurance Corporation	473,502,000	353,216,000
Commodity Credit Corporation	12,285,790,000	9,140,069,000 [2]
Subtotal	$14,957,630,000	$11,604,718,000
Rural Development Programs		
Under Secretary for Small Community and Rural Development	410,000	785,000
Office of Rural Development Policy	2,345,000	0
Farmers Home Administration	4,043,172,000	3,994,558,000
Rural Electrification Administration	31,505,000	32,000,000
Assistant Secretary for Natural Resources and Environment	381,000	384,000
Soil Conservation Service	620,082,000	617,256,000
Agricultural Stabilization & Conservation Service	211,300,000	210,032,000
Subtotal	$ 4,909,195,000	$ 4,855,015,000

	Fiscal 1985 Appropriation	Final Amount
Domestic Food Programs		
Assistant Secretary for Food and Consumer Services	$ 346,000	$ 348,000
Child Nutrition Programs	1,474,861,000	177,533,000 [3]
Special Milk Program	17,600,000	11,500,000
Women, Infants & Children (WIC) Program	1,500,000,000	1,560,580,000
Commodity Supplemental Food Program	24,918,000	36,777,000
Food Stamps	11,768,856,000	11,820,221,000
Nutrition Assistance for Puerto Rico	825,000,000	820,050,000
Food Donations Programs	139,546,000	193,405,000
Temporary Emergency Food Assistance	57,000,000	49,700,000
Food Program Administration	84,187,000	82,007,000
Nutrition Information	7,533,000	13,481,000
Subtotal	$15,899,847,000	$14,765,602,000
International Programs		
Foreign Agricultural Service	83,622,000	83,046,000
Food for Peace (PL 480)	1,964,000,000	1,299,158,000
Office of International Cooperation & Development	5,038,000	5,384,000
Subtotal	$ 2,052,660,000	$ 1,387,588,000
Related Agencies		
Food and Drug Administration	414,679,000	421,747,000
Commodity Futures Trading Commission	27,564,000	29,240,000
Subtotal	$ 442,243,000	$ 450,987,000
TOTAL (New Budget Authority)	$38,261,575,000	$33,063,910,000
Section 32 Transfers	2,335,964,000	3,277,785,000
Total Obligational Authority	$40,597,539,000	$36,341,695,000

Loan Authorization: The bill also provides the following loan authorizations:
- $7,608,000,000 in direct and insured loans (fiscal 1985 authorization: $8,473,000,000).
- $3,031,000,000 in guaranteed loans (fiscal 1985 authorization: $2,031,000,000).

[1] *An additional $5,735,000 would be available upon submission of a budget request from the administration.*
[2] *An additional $4,000,000,000 would be available upon submission of a budget request from the administration. (The president had requested a permanent, indefinite appropropriation for the Commodity Credit Corporation, which in recent years has required multibillion-dollar supplemental appropriations. The Senate voted for an annual, indefinite appropriation for the agency, but conferees agreed to a definite appropriation.)*
[3] *An additional $665,015,000 would be available upon submission of a budget request from the administration.*

Final Fiscal 1986 Interior Appropriations

Following are funding totals for the Interior Department and related agencies in the fiscal 1986 continuing appropriations bill (H J Res 465 — PL 99-190) as cleared by Congress. Not shown are offsetting revenues and the deficit-reduction effect of rescinding approximately $7.3 billion from the U.S. Synthetic Fuels Corporation. *(Amounts in thousands of dollars, net new budget authority.)*

	Reagan Request*	House Bill	Senate Committee Bill	Final
Department of the Interior				
Bureau of Land Management	$ 495,301	$ 567,026	$ 579,014	$ 574,149
Fish and Wildlife Service	362,087	397,026	376,770	381,530
National Park Service	684,186	896,628	822,526	876,160
U.S. Geological Survey	415,348	428,098	437,655	429,369
Minerals Management Service	161,918	165,118	171,067	167,010
Bureau of Mines	107,060	122,298	131,445	133,449
Office of Surface Mining	331,606	319,123	276,333	290,783
Bureau of Indian Affairs	950,889	909,493	1,039,121	1,006,403
Territorial Affairs	83,567	182,724	158,538	159,784
Departmental Offices	76,229	164,129	83,619	81,293
Subtotal	$ 3,668,191	$ 4,151,663	$ 4,076,088	$ 4,099,930
Related Agencies				
Forest Service	1,495,215	1,444,698	1,493,869	1,486,970
Energy Department	633,509	1,069,939	1,047,585	974,444
Clean Coal**				
(Fiscal 1986)	(0)	(100,000)	(100,000)	(99,400)
(1987 advance)	(0)	(200,000)	(175,000)	(149,100)
(1988 advance)	(0)	(200,000)	(300,000)	(149,100)
(1989 advance)	(0)	(0)	(175,000)	(0)
Indian Health	766,583	897,966	838,572	864,859
Smithsonian	211,816	205,025	200,644	199,983
National Endowment for the Arts	144,800	166,660	162,900	165,661
National Endowment for Humanities	126,330	139,478	139,478	138,641
Other Agencies	318,877	162,668	159,998	166,633
Subtotal	$ 3,697,130	$ 4,086,434	$ 4,043,046	$ 3,997,191
Grand Total	$ 7,365,321	$ 8,238,097	$ 8,119,134	$ 8,097,121

*As amended

**Energy Security Reserve or Clean Coal Technology Reserve.

Fiscal 1986 Appropriations for Defense

	Reagan Request	House-Passed	Senate-Passed	Final Appropriation
		(in millions of dollars)*		
Military personnel	$ 73,425.1	$ 70,139.8	$ 67,783.6	$ 67,906.3
Operations and maintenance	82,450.2	77,222.4	78,835.6	78,664.5
Procurement	106,813.3	86,597.2	98,064.6	97,393.1
(Transfer from other accounts)		(6,827.6)	(3,940.0)	
Research and development	39,280.1	33,152.8	35,984.1	35,337.5
(Transfer from other accounts)		(920.1)	(775.0)	
Special foreign currency program	2.1	2.1	2.1	2.1
Revolving and management funds	1,859.6	1,612.8	1,809.6	1,734.8
Related agencies	123.7	123.5	123.7	123.5
Total, new budget authority	$ 303,954.0	$ 268,850.6	$ 282,703.4	$ 281,161.8
(Transfer from other accounts)		(7,747.7)	(5,547.1)	
Total funding available	$ 303,954.0	$ 276,598.3	$ 288,250.5	$ 281,161.9

* *Totals may not add because of rounding.*

SOURCE: *Congressional Record*

Foreign Aid Appropriations, Fiscal 1986

The following chart shows President Reagan's request, the House- and Senate-approved amounts, and the final amounts, in new budget authority, for foreign aid appropriations in fiscal 1986. Foreign aid programs were included in a continuing resolution (H J Res 465).

(Figures in parentheses show program limitations that do not count as new budget authority. The figures for individual development banks include only paid-in capital.)

Program	Request	House-Passed Amount	Senate-Passed Amount	Final Amount
Inter-American Development Bank	$ 130,500,983	$ 130,500,983	$ 78,000,983	$ 78,000,983
Inter-American Investment Corporation	13,000,000	11,700,000	13,000,000	11,700,000
World Bank	182,870,597	151,782,596	109,720,549	109,720,549
International Development Association	750,000,000	750,000,000	375,000,000	700,000,000
Special Facility for Sub-Saharan Africa	0	0	0	75,000,000
International Finance Corporation	35,033,000	29,077,390	35,033,000	29,077,390
Asian Development Bank and Fund	143,232,676	141,909,408	113,232,676	111,909,408
African Development Fund	75,000,000	62,250,000	75,000,000	62,250,000
African Development Bank	17,986,678	16,188,910	17,986,678	16,188,910
Total callable capital for development banks	(3,641,746,678)	(3,253,286,650)	(2,889,512,056)	(2,884,116,052)
International Organizations and Programs	196,211,000	298,364,800	287,360,000	277,922,475
Subtotal, multilateral aid	**$ 1,543,834,934**	**$ 1,591,774,087**	**$ 1,104,333,886**	**$ 1,471,769,715**
Agriculture aid	792,352,000	679,995,900	760,000,000	699,995,900
Population aid	250,017,000	261,000,000	250,000,000	250,000,000
Health aid	146,427,000	200,824,200	205,000,000	200,824,200
Child survival fund	0	22,500,000	25,000,000	25,000,000
Education, human resources aid	183,533,000	169,949,700	180,000,000	169,949,700
Energy, selected development aid	210,071,000	174,358,930	190,000,000	174,358,930
Science and technology aid	13,000,000	10,790,000	13,000,000	10,790,000
Private sector revolving fund	(20,000,000)	(18,000,000)	(18,000,000)	(18,000,000)
American schools and hospitals abroad	10,000,000	27,000,000	35,000,000	35,000,000
International disaster aid	25,000,000	22,500,000	25,000,000	22,500,000
Sahel development	80,500,000	87,750,000	80,500,000	80,500,000
Foreign service retirement and disability fund	43,122,000	43,122,000	43,122,000	43,122,000
Rescind Syrian aid account	0	-26,200,000	0	0
Economic Support Fund	4,024,000,000	3,689,286,666	3,745,000,000	3,700,000,000
Agency for International Development (AID) operating expenses	393,700,000	387,000,000	372,200,000	376,350,000
AID reappropriation	0	5,000,000	5,000,000	5,000,000
AID inspector general	0	0	25,200,000	21,050,000
Trade credit insurance program	(200,000,000)	(200,000,000)	(300,000,000)	(250,000,000)
Trade and development program	20,034,000	18,900,000	20,034,000	18,900,000
African Development Foundation	1,012,000	4,000,000	1,012,000	3,872,000
Inter-American Foundation	8,800,000	10,792,800	11,969,000	11,969,000
Peace Corps	125,200,000	128,600,000	130,000,000	130,000,000
International narcotics control	57,709,000	57,529,000	57,529,000	57,529,000
Migration and refugee aid	337,930,000	337,930,000	344,730,000	338,930,000
Anti-terrorism aid	32,000,000	5,000,000	9,840,000	7,420,000
Peace-keeping operations	37,000,000	34,000,000	34,000,000	34,000,000
Subtotal, bilateral aid	**$ 6,791,407,000**	**$ 6,351,629,196**	**$ 6,563,136,000**	**$ 6,417,060,730**
Military Assistance Program grants	976,350,000	764,648,000	805,100,000	782,000,000
International military education and training	65,650,000	54,489,500	56,221,000	54,489,500
Foreign military sales: forgiven loans and direct credits	5,655,000,000	5,058,983,333	5,371,000,000	5,190,000,000
Defense acquisition fund	(345,000,000)	(325,000,000)	(345,000,000)	(325,000,000)
Guarantee Reserve Fund				
Subtotal, military aid	**$ 6,697,000,000**	**$ 5,878,120,833**	**$ 6,282,321,000**	**$ 6,026,489,500**
Housing guaranty program	(45,000,000)	(144,000,000)	(160,000,000)	(152,000,000)
Overseas Private Investment Corporation	(165,000,000)	(148,500,000)	(165,000,000)	(156,750,000)
Export-Import Bank total limitation	(12,018,357,000)	(12,801,879,167)	(13,818,000,000)	(13,128,357,000)
Export-Import Bank direct loans	0	783,879,167	1,800,000,000	1,110,000,000
GRAND TOTAL	**$15,032,241,934**	**$14,605,403,283**	**$15,749,790,886**	**$15,025,319,945**

SUMMARY

MAJOR CONGRESSIONAL ISSUES AFFECTING
PORTLAND AND THE PACIFIC NORTHWEST

OREGON APPROPRIATIONS

- $10.5 million EDA grant to remodel portions of the OHSU's University Hospital;
- $5.0 million HHS grant to build a national hearing center at the OHSU;
- $8.5 million first installment on a $32 million federal commitment to build an advanced science center at the University of Oregon;
- $830,000 in research funds for the Oregon Graduate Center;
- $750,000 for a joint research project of the Oregon Graduate Center with the U. S. Geological Survey;
- $650,000 to modernize the University of Oregon Institute of Marine Biology at Charleston;
- $500,000 in design funds as a first installment in $6.8 million to construct an EPA laboratory in Newport;
- $1 million to the Bureau of Land Management to buy the Clemens estate within the Steens Mountain Recreation Area;
- The following transportation funds:

• Interstate Transfer Highway	$25.1 million
• Section 3 New Start	$ 8.95 million
• Section 3 Capital Bus	$12.0 million
• Burlington Northern Bridge	$ 4.2 million

- $1.05 million in forestry research to increase timber yields;
- $1.8 million for the National Oceanic and Atmospheric Administration research laboratory at Newport, which is studying mineral deposits in the offshore Gorda Ridge;
- $1.25 million for operation of the Oregon Coastal Resources and Research Institute in Newport;

PRESIDENT REAGAN'S

PRELIMINARY FFY 1987 BUDGET

Gramm-Rudman-Hollings 1987 Deficit Target:	$144 billion
Administration Estimate of 1987 Deficit under President Reagan's Preliminary FFY 1987 Budget:	$145 billion

President Reagan's positions on major budgetary issues used in preparing the 1987 budget:

1. Substantially raise defense spending in order to continue the military build-up (increase over 1986 level from $290 billion to $314 billion, a $24 billion increase).

2. Hold the line against any tax increase by promising to veto any new taxes that increase federal revenues.

3. Protect Social Security exempt entitlement programs, especially Social Security, from scrutiny for budgetary reductions.

4. Meet the FFY 1987 deficit target of $144 billion prescribed in Gramm-Rudman-Hollings by eliminating or making substantial cuts in discretionary domestic programs.

Result: Approximately $50 billion in budget cuts taken from 40% of the federal budget. Essentially, these cuts will come from discretionary domestic programs in human services, education, transportation, energy, environmental, community development, housing, business assistance, economic development, public health and public works programs.

ELIMINATION
(more than 20 domestic programs)

Amtrak
Interstate Commerce Commission (ICC)
Small Business Administration (SBA)
Economic Development Administration (EDA)
Mass Transit Subsidies
Urban Development Action Grants (UDAG)
Wastewater Construction Treatment Grants (Sewer Grants)
Rural Development Loans and Grants
Appalachian Regional Commission
Urban Park Grants
Energy Conservation Grants
Community Services Block Grants
Legal Services Corporation
Federal General Revenue Sharing
Land Acquisition for National Parks and Recreation Areas

SEVERE CUTBACKS

Job Corps (25% Cut)
Public Health Service
Centers for Disease Control
National Institutes of Health
Veterans Administration Hospitals and Nursing Homes
Space and Other Non-Military Technological Research
Reduce Manpower for Environmental Protection Programs
Dams, Locks and Irrigation Projects
Federal Subsidies to the Arts

STRETCH-OUTS/ELIGIBILITY LIMITS

Aid to Families with Dependent Children (AFDC)
Child Nutrition
Women and Infant Care (WIC)
Supplemental Security Income (SSI) for the Aged, Blind and Lame
School Lunch Program
Medicare
Medicaid
Pell Grants to Low-Income College Students
Guaranteed Student Loans
Highway Construct Programs
Transit Construction Programs

SALE OF FEDERAL ASSETS

Conrail (rail freighthauling system)
Farmers Home Administration Rural Housing Loan Program
Federal Housing Administration (FHA)
FHA Home Mortgage Program
Bonneville Power Administration (BPA)
Southeastern Power Administration
Southwestern Power Administration
Western Area Power Administration
Naval Petroleum Reserve

- $1 million in research money for the OSU Center for Excellence in Forestry Research;
- $279,000 for water quality monitoring in the Bull Rull watershed;
- Funding for acquisition of land in the Columbia River Gorge; implementation of the U. S.-Canadian Salmon Treaty; and for acquisition of timber rights in the Willapa Bay National Wildlife Refuge;
- Funding for a retention dam to collect volcanic debris washing off Mt. St. Helens; and
- A federal commitment of approximately $6 million as a first installment in the construction of a replacement navigation lock at Bonneville Dam. The federal share of this project is estimated at $192 million.

OTHER MAJOR ACTIONS

- Fair Labor Standards Act Amendments of 1985, substantially limiting the application of the FLSA to states and local government employers;
- Retention of the deduction for state and local taxes in the House tax reform bill;
- Improving the Administration's proposal to significantly limit tax-exempt bonds during House consideration;
- Maintained favorable tax treatment for the Morrison Street Project (Pioneer Place) by retaining current law regarding depreciation and construction period interest deductions;
- Reauthorization of the Interstate Cost Estimate (ICE) and Interstate Substitute Cost Estimate (ISCE), thereby releasing millions of dollars in appropriations for Oregon road and transit improvements, including major highway projects in Portland and Multnomah, Washington and Clackamas Counties;
- Blocked Congressional action mandating that state and localities, and their employees, participate in medicare;
- Portland designated by the National Institute of Mental Health as one of 8 cities nationally to receive technical assistance to improve service delivery to the mentally ill homeless.

1986 Congressional Schedule

HOUSE		SENATE
	Congress Reconvenes	
Noon, Tuesday, January 21		Noon, Tuesday, January 21
	Lincoln's Birthday	
Close of Business, Friday, Feb 7		Close of Business, Friday, Feb 7
Noon, Tuesday, February 18		Noon, Monday, February 17
	Easter	
Close of Business, Tuesday, March 25		Close of Business, Thursday, March 27
Noon, Monday, April 7		Noon, Tuesday, April 8
	Memorial Day	
Close of Business, Thursday, May 22		Close of Business, Wednesday, May 21
Noon, Wednesday, May 28		Noon, Thursday, May 29
	Fourth of July	
Close of Business, Friday, June 27		Close of Business, Friday, June 27
Noon, Monday, July 7		Noon, Monday, July 14
	Labor Day	
Close of Business, Friday, August 15		Close of Business, Friday, August 15
Noon, Monday, September 8		Noon, Monday, September 8
	Adjournment Target	
Close of Business, Friday, October 3		Close of Business, Friday, October 3

HOW THE TAX PLANS COMPARE

	CURRENT LAW (1986)	NOVEMBER 1984 TREASURY PROPOSAL FOR 1986	PRESIDENT'S PROPOSAL FOR 1986	ROSTY I 1986	ROSTY II 1986
Muncipal Bonds					
"Governmental"	Tax-exempt	1% rule	1% rule	5% rule	10% or $10 million rule
"Nongovernmental"					
Multifamily rental housing bonds	Tax-exempt	Taxable	Taxable	Tax-exempt, capped targeted	Tax-exempt, capped targeted
Single family mortgage revenue bonds	Tax-exempt	Taxable	Taxable	Tax-exempt, capped expire 1987 targeted	Tax-exempt, capped expire 1987 targeted
Small issue idbs	Expire 1986 except for manufacturing	Taxable	Taxable	Taxable	Tax-exempt, capped
Tax increment financing bonds	Tax-exempt	Taxable	Taxable	Taxable	Partially exempted, capped
Airport, docks, wharves	Tax-exempt	Taxable	Taxable	Tax-exempt, capped	Tax-exempt
Water, sewer, solid waste	Tax-exempt	Taxable	Taxable	Tax-exempt, capped	Tax-exempt, capped
Pollution control bonds	Tax-exempt	Taxable	Taxable	Taxable	Taxable
Deductibility of Individual					
Property taxes	Yes	No	No	Yes/modified	Yes
Sales taxes	Yes	No	No	No	Yes
Income taxes	Yes	No	No	Yes/modified	Yes
Personal property taxes	Yes	No	No	No	Yes
Housing Rehabilitation Tax Credit	Yes	No	No	Yes/modified	Yes/modified
Historic Tax Credit	Yes	No	No	Yes/modified	Yes/modified
Targetted Jobs Tax Credit	Yes	No	No	No	Yes/modified
Energy Renewal Conservation Tax Credit	Yes	No	No	No	No
Individual Tax Rates	14 rate brackets from 11 to 50% indexed	3 rate brackets 15, 25, & 35%, indexed	3 rate brackets 15, 25, & 35% indexed	3 rate brackets 15, 15, & 35% indexed	4 rate brackets 15, 15, 35 & 38% indexed
Exemptions					
Self, Spouse	$1,080, indexed	$2,000, indexed	$2,000, indexed	$1,500 for each, indexed,	Non-itemizers $2,000, indexed; itemizers, $1,500 indexed
Dependents	$1,080, indexed	$2,000, indexed	$2,000, indexed	$1,500, indexed	Non-itemizers $2,000, indexed; itemizers, $1,500 indexed
Standard Deductions					
Single	$2,480, indexed	$2,800, indexed	$2,900, indexed	Indexed	$2,950, indexed
Joint	$3,670, indexed	$3,800, indexed	$4,000, indexed	Indexed	$4,800, indexed
Heads of Household	$2,480, indexed	$3,500, indexed	$3,600, indexed	$3,000, not indexed	$4,200, indexed
Earned income credit	Yes, ($540 maximum)	Yes, indexed	Yes, indexed	Yes, indexed	Yes, indexed
Fringe benefits					
Employee provided health insurance	Not taxed	Taxed above a cap, $300 for family	Taxed up to $120 for individual	Taxed	Not taxed
Itemized deduction					
Charitable contributions	Deductible by itemizers and non-itemizers	Deductible (above 2% of Adjusted Gross Income) for itemizers, but no deduction for non-itemizers or for unrealized gains on contributed property	Deductible for itemizers, but no deduction for non-itemizers	Deductible for itemizers, but not deduction for non-itemizers	Deductible, non-itemizers permitted deduction for contributions in excess of $100
Mortgage interest	Deductible	Deductible, for principal residences	Deductible, for principal residences	Deductible for principal residences	Deductible, for principal and second homes
Capital and Business Income					
Corporate tax rates	Graduated, up to 46%	33% flat rate	Graduated, up to 33%	33%	Graduated, up to 36%
Investment tax credit	6%–10%	No	No	No	No
Capital gains	60% excluded	Indexed, taxed as ordinary income in 1991)	50% excluded (optional indexing)	No exclusion; taxed as ordinary income	42% excluded
Financial Institutions					
Deduction for interest to carry tax exempts	Yes	No	No	No	No, except for small cities
Minimum Tax on Individuals and Corporations	Yes	Not necessary	Retain and tighten	Yes, including interest on "non-governmental bonds"	25%, including on "non-governmental bonds"

SOURCES: Office of the Secretary of the Treasury; Sen. Bradley; Rep. Kemp; Ways and Means Committee; NLC.

DATE SUBMITTED Jan. 2, 1986

(For Clerk's Use)
Meeting Date 1/7/86
Agenda No. #3

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Monthly presentation on the Library

Informal Only* Jan. 7, 1986 (Date)

Formal Only ____ (Date)

DEPARTMENT BCC

DIVISION Blumenauer

CONTACT Delores Rooney

TELEPHONE 248-5218

*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Sara Long

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

Ms. Long will brief the BCC on relevant library issues

Time Certain - 2:15 p.m.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

☐ INFORMATION ONLY ☐ PRELIMINARY APPROVAL ☐ POLICY DIRECTION ☐ APPROVAL

1985 DEC 33 AM 9 03
BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA ____

IMPACT:

☐ PERSONNEL

☐ FISCAL/BUDGETARY

☐ General Fund

☐ Other ____

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: Earl Blumenauer /bd

BUDGET / PERSONNEL ____ / ____

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) ____

OTHER ____
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

(S/S4)

Date Jan 9, 1986

Name: James Casar

Portland Or 97217
City Zip

I wish to speak on Agenda Item ______________

_____ FOR _____ AGAINST

Date: 1-9-86

Name: JAMES GREENE

PORTLAND 97211

City Zip

I wish to speak on Agenda Item R-10

X FOR ____ AGAINST

Date 1·9·86

Name: MICHAEL HILL

310 S.W. 4th. Portland, Oregon 97207

City Zip

I wish to speak on Agenda Item R 10

_____ FOR _____ AGENDA

_____ FOR _____ AGAINST

1-9-85

Date: Gloria McMurtry

Name:

Portland, OR 97207

City Zip

I wish to speak on Agenda Item R-10

X FOR ____ AGAINST

Date 1/9/86

NAME O.B. Hill

ADDRESS 310 S.W. 4th
Street
PORTLAND, OR 97204
City Zip

I wish to speak on Agenda Item # R-10
Subject APPEAL

____ FOR ____ AGAINST

Date Jan 9, 1986

Name: Harold C. Williams

Portland 97211

City Zip

I wish to speak on Agenda Item R-10

_____ FOR _____ AGAINST

Date: ~~Jess M. Glaeser~~ 1/9/86

Name: Jess M. Glaeser

Portland, Ore 97205

City Zip

I wish to speak on Agenda Item R-10

____ FOR

✓ AGAINST

AUTHOR SERIES

CENTRAL POPULAR LIBRARY. WEDNESDAY, JAN. 22, 7:30 pm. Speaker is Mary Catherine Bateson, author of "With a Daughter's Eye". The series is sponsored by the Friends of the Multnomah County Library.

BOOK DISCUSSION GROUPS

SOUTHWEST HILLS. THURSDAY, JAN. 2 and JAN. 16, 7:30 pm. Topic is History and Historical Perspectives.

MIDLAND. WEDNESDAY, JAN. 8, 7:30 pm. Topic is Russia Through Books.

CHILDREN'S EVENTS

ALBINA. WEDNESDAY, Jan. 15, 4:00 pm. Martin Luther King, Jr. Birthday Party with games, stories, and fun.

MIDLAND. THURSDAYS, 4:00-4:30 pm, beginning Jan. 16. Thursday Ticklers for grades 1 through 5 (Kindergarten children must be accompanied by parent). Activities, arts and crafts, games, foods, stories. Registration is required for each week.

MIDLAND. SATURDAY, JAN. 18, 10:30-11:00 am. Reading Roundup - Young Reader's Choice for children in grades 3-6.

ST. JOHNS. WEDNESDAY, JAN. 15, 4:00-5:00 pm. Bim the Clown entertains with juggling, magic and balloons.

GENEALOGY SEMINAR

CENTRAL Library Auditorium. THURSDAY, JAN. 23, 6-9 pm. Genealogy Seminar offered by Richard Bremer, author of Compendium of Historical Sources: The How and Where of American Genealogy.

SUNDAY CINEMA

CENTRAL Library Auditorium, 2:00 pm.
Sunday, JAN. 5: Amazing Animals. "The Year of the Wildebeest"; "The Nile Crocodile"; "Song Dog"
Sunday, JAN. 19: Fascinating People. "Old Believers"; "Ruth Stout's Garden"; "Man of Wheat".

THURSDAY MATINEES

CENTRAL Library Auditorium, 1:00 pm.
Thursday, JAN. 9: Feathered Friends. "Osprey"; "King Fisher"; "The American Bald Eagle"; "Spirits on the Wing"
Thursday, JAN. 16: The American Indian Past. "Hopi - Songs of the Fourth World"; "A Search for Vanished People"
Thursday, JAN. 23: Exotic India. "The Taj Mahal"; "Land of the Tiger"

FAMILY & CHILDREN'S FILMS

CENTRAL Library, 2:30 pm.
THURSDAY, JAN. 2: "Corduroy"; "Curious George"; "Dragon-castle"; "The Gingerbread Man"; "The Band Concert"
FRIDAY, JAN. 3: "Morris's Disappearing Bag"; "Frog Goes to Dinner"; "Nate the Great and the Sticky Case"; "Doctor DeSoto"; "The Giving Tree"
SATURDAY, JAN. 4: "The Prince and the Pauper"; "The Red Balloon"

CENTRAL Library. SATURDAY, JAN. 25, 10:30 am; 1:00 pm and 3:30 pm. "The Jungle Book", a feature length film. Admission is by ticket only. Tickets are FREE and may be picked up at the Central Library Children's Library after January 6, 1986.

BELMONT. SATURDAYS, 3:00 pm beginning January 18.
JAN. 18: "The Red Balloon"; "Curious George"; "Mole and the Lollipop"
JAN. 25: "Ben and Me"; "Ira Sleeps Over";"The Remarkable Riderless Runaway Tricycle"

CAPITOL HILL. SATURDAYS, 2:00 pm beginning January 11.
JAN. 11: "The Winged Colt"
JAN. 18: "Little Dog Lost"
JAN. 25: "On the Run"

GREGORY HEIGHTS. SATURDAYS, 10:30 am.
JAN. 4: "Strange Bird"; "The Hound That Thought He Was a Raccoon"
JAN. 11: "Winnie the Pooh & the Honey Tree"; "Ben and Me"; "The Remarkable Riderless Runaway Tricycle"
JAN. 18: "Dragon Stew"; "New Friends"
JAN. 25: "Paddle to the Sea"; "Once Upon a Time There Was a Point"

GRESHAM. SATURDAY, JAN. 18, 10:30 am. Come see the movie "A Boy, a Dog, and a Frog", and then make a dog and frog puppet with Melody Mello. Please sign up for this project by calling the Gresham Branch at 665-2222.

HOLGATE. SATURDAYS, 10:45 am for ages 3-8.
JAN. 4: "The Incredible Journey"
JAN. 11: "Make Way for Ducklings"; "Mike Mulligan and His Steam Shovel"; "Anatole"
JAN. 18: "Hardware Wars"; "Gabrielle & Selena"
JAN. 25: "Snowy Day"; "Charlie Needs a Cloak"; "Anansi the Spider"

HOLLYWOOD. THURSDAYS, 10:30 & 11:15 am for preschool age 3-5, beginning January 16.

MIDLAND. 2:00 pm.
THURSDAY, JAN. 2: "Oliver" (part 3), "Charlie Needs a Cloak"; "Frederick"
FRIDAY, JAN. 3: "Oliver" (part 4), "The Frog King"
Note: Part 1 and 2 of Oliver is shown the previous week on Thursday and Friday.

ROCKWOOD. WEDNESDAY, Jan. 22, 3:30 pm. "J.T." (52 min.)
SATURDAY, JAN. 11, 3:30 pm. "One Wish Too Many"

ST. JOHNS. WEDNESDAY, JAN. 15, 7:00-7:30 pm. "The Giving Tree"; "Corduroy"
SATURDAY, JAN. 25, 11:00-12:00 noon. "Winnie the Pooh & the Blustery Day"; "Winnie the Pooh and the Honey Tree"

SOUTHWEST HILLS. SATURDAYS, 2:30 pm.
JAN. 4: "The Amazing Cosmic Awareness of Duffy Moon"; "Strega Nonna"
JAN. 11: "A Story, A Story"; "Rikki Tikki Tavi"
JAN. 18: "Rapunzel"; "In Search of Bigfoot"; "The Battle of the Century Pie Fight"
JAN. 25: "The Boy and the Ball"; "The Band Concert"; "A Shopping Expedition"

WOODSTOCK. THURSDAYS, 4:00 pm. JAN. 2: "The Lorax"
JAN. 9: "Winnie the Pooh & the Blustery Day"
JAN 16: "Dr. Seuss on the Loose"
JAN 23: "Red Room Riddle"
JAN 30: "County Hospital"

PRESCHOOL STORYTIME

CENTRAL. Mondays and Tuesdays at 10:30 am for 3-5 year olds. Tuesdays at 11:00 am for toddlers age 2 accompanied by a parent. PLEASE REGISTER.

ALBINA. Saturdays at 10:30 am for ages 3-5 beginning January 11.

BELMONT. Saturdays at 10:30 am for ages 3-5 beginning January 18.

CAPITOL HILL. Thursdays at 7:15 pm beginning January 9 and Fridays at 10:30 am beginning January 10, both for ages 3-6.

GREGORY HEIGHTS. Thursdays at 7:00 pm and Fridays at 10:30 am for ages 3-5.
Fridays at 11:10 am for toddlers age 2 accompanied by a parent. PLEASE REGISTER.

GRESHAM. Thursdays at 7:00 pm and Fridays at 10:15 am for ages 3-5.

HOLGATE. Thursdays at 7:00 pm, Fridays at 10:30 am, and Saturdays at 11:15 am for ages 3-6.
Saturdays at 10:15 am for toddlers age 2 accompanied by a parent. PLEASE REGISTER.

HOLLYWOOD. Wednesdays at 10:30 am beginning January 15 and Thursdays at 6:30 pm beginning January 16 for ages 3-5.

MIDLAND. Tuesdays at 9:30 am for toddlers age 2 accompanied by a parent beginning January 14. PLEASE REGISTER.
Fridays, 10:15 am for age 3; 10:45 am for ages 4 and 5; and 1:30 pm for ages 3-5 beginning January 17. PLEASE REGISTER.

NORTH PORTLAND. Thursdays at 7:00 pm and Fridays at 10:30 am for ages 3-5.

ROCKWOOD. Fridays at 10:15 and 11:00 am for ages 3-5.

ST. JOHNS. Wednesdays at 7:00 pm and Fridays at 11:00 am for ages 3-5.

SELLWOOD. Thursdays at 10:00 am for ages 3-5 beginning January 23.

SOUTHWEST HILLS. Thursdays at 10:30 am for ages 3-5 beginning January 9.

WOODSTOCK. Tuesdays at 7:00 pm beginning January 7 and Fridays at 10:30 am beginning January 3 for ages 3-5.

Please return to:
Multnomah County Library
801 S.W. Tenth Avenue
Portland, OR 97205

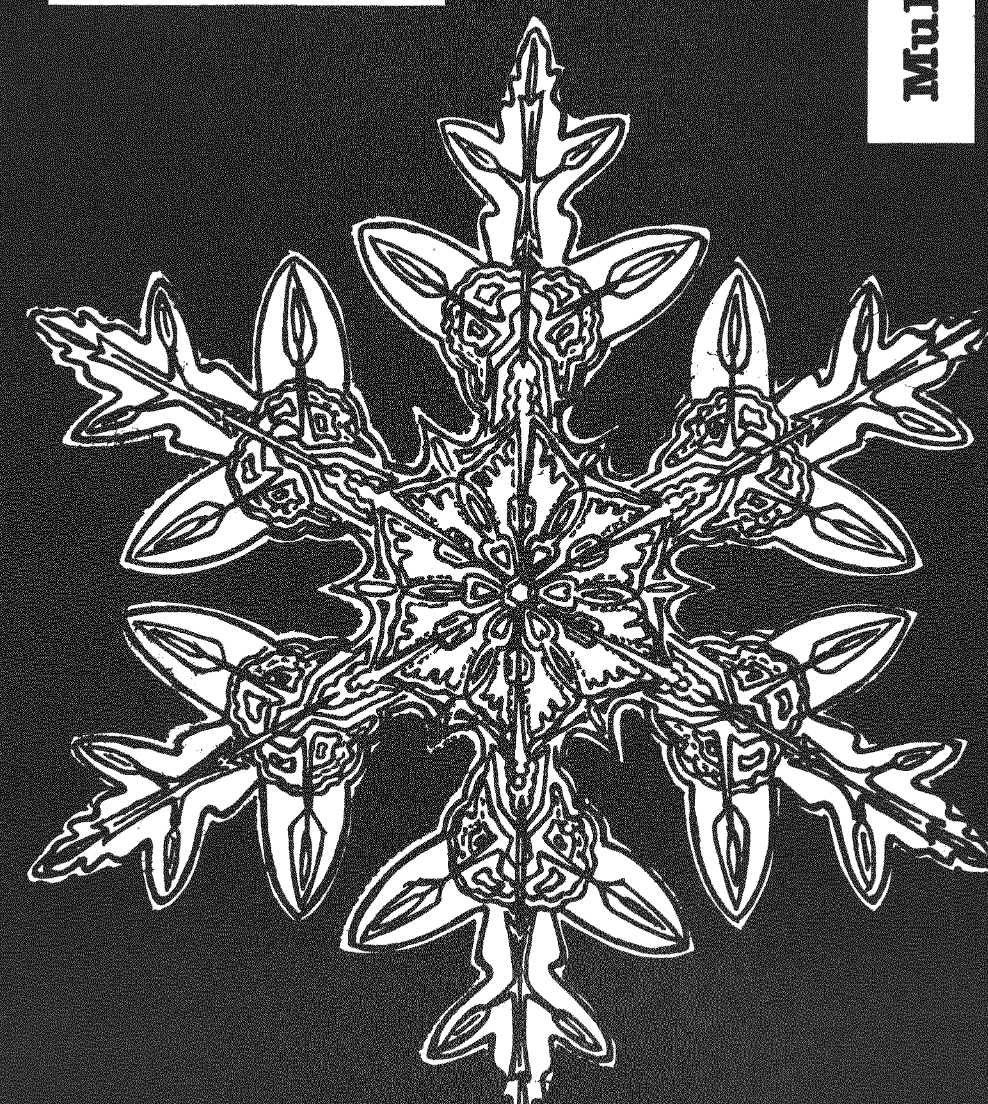
All Multnomah County Libraries are closed on January 1, 1985, New Year's Day

Happy New Year

Calendar of Events

JANUARY 1986

Multnomah County Library



THE LIBRARY: OUR FUTURE TOGETHER

* January 22	Wednesday 7:30 p.m.	Hollywood Branch	3930 N.E. Hancock 281-0826
* January 25	Saturday 3:00 p.m.	St. Johns Branch	7510 N. Charleston 286-0562
* January 30	Thursday 7:30 p.m.	Southwest HIlls Branch	1550 S.W. Dewitt 246-2944
* February 1	Saturday 2:30 p.m.	Midland Branch	805 S.E. 122nd 252-1164
* February 4	Tuesday 7:15 p.m.	Woodstock Branch	6008 S.E. 49th Ave. 771-3538
* February 5	Wednesday 7:30 p.m.	Gregory Heights Branch	7921 S.E. Sandy Blvd. 284-1611
* February 8	Saturday 2:30 p.m.	Albina Branch	3605 N.E. 15th 287-7147
* February 11	Tuesday 7:30 p.m.	Capitol Hill Branch	10723 S.W. Capitol Highway 244-9620
* February 12	Wednesday 7:30 p.m.	Rockwood Branch	17917 S.E. Stark 665-9440
* February 15	Saturday 2:30 p.m.	North Portland Branch	512 N. Killingsworth 284-5622
* February 19	Wednesday 7:30 p.m.	Belmont Branch	1038 S.E. 39th 232-3581
* February 22	Saturday 2:30 p.m.	Sellwood Branch	7904 S.E. Milwaukie 236-4014
* February 25	Tuesday 7:30 p.m.	Holgate Branch	7905 S.E. Holgate 771-3475
* February 27	Thursday 7:00 p.m.	Gresham Branch	410 N. Main - Gresham 665-2222
* February 13	Thursday 7:30 p.m.	Central Library	801 S.W. 10th Avenue 223-7201

MULTNOMAH COUNTY LIBRARY

MEMORANDUM

TO: Multnomah County Commissioners

FROM: Sarah Long

DATE: 7 January, 1986

RE: Library Activities

Bindery Equipment
At the last meeting of the library board, a bid of $11,000+ was accepted for the sale of the library's bindery equipment. The transaction has now been completed and we are planning to spend the proceeds on much needed equipment — typewriters, computer equipment, photocopiers, etc.

Friends of the Library TV Public Service Announcement
The Friends of the Library arranged for author Jean Auel to visit the library between snowstorms during Thanksgiving week to tape two public service announcements on library service. The spots, one 20 seconds and one 30 seconds, debut on Channel 2 in late January or February.

Jean Auel is the author of the library's currently most requested book, The Mammoth Hunters. One hundred fifty library copies are currently in circulation, and the reserve list for the book now totals four hundred seventy.

Grants
Last month, the library prepared a joint letter-of-intent with Portland State University library for funds from the State Library for retrospective conversion of the library's card catalog as well as membership in a national computer catalog consortium. The grant would be the first of five one-year grants of approximately $100,000 per year. This preliminary request was approved and we will be writing a full grant proposal for submission in several weeks.

Other grant requests have been submitted to the Oregon Committee on the Humanities and the H.W. Wilson Company. The Humanities proposal was for $1,200 for a series of lunchtime lectures at the central library. The Wilson proposal was for $5,000 for in-service training and video tape equipment. I feel confident that we will receive the Humanities award. The Wilson one is more of a long shot.

Reciprocal Borrowing - Access '86
Our six-county arrangement to provide open access to all public libraries as an experiment in this calendar year is going very well. We've had good publicity and library patrons seem to be benefiting.

Reorganization

As a new administrator, I have been working on a reorganization of library staff. I feel that a new structure is needed to accomplish our goals - - especially since we must live within our budget. For example, interlibrary loan, the library process that enables us to borrow a book from another library to satisfy our patron needs, is a higher priority than it had been formerly. As a result, staff has been realigned to make this higher priority a reality. In this process, every possible personnel transaction is happening: promotions, demotions, reclassification, termination and bumping. Needless to say, this process has engendered turmoil among the staff. My plan is to complete the reorganization by June and to quickly move on to other projects.

Trees

We have received word from Tri-Met that our new American Elms will be planted along the Yamhill side of the Central Library late this week or early next week.

Date Submitted

DECEMBER 19, 1985

(For Clerk's Use)
Meeting Date 1/7/86

Agenda No. #4

REQUEST FOR PLACEMENT ON THE AGENDA

SUBJECT: AGING SERVICES DIVISION AUDIT

☒ Informal Only JANUARY 7, 1986
(date)

☐ Formal Only ______________
(date)

Department NON-DEPARTMENTAL Division AUDITOR'S OFFICE

Contact ANNE KELLY FEENEY Telephone 248-3320

(If informal, name of person making presentation)

Brief Summary (should include other alternatives explored, if applicable, and clear statement of rationale for the action requested):

TO PRESENT THE INTERNAL AUDIT REPORT #3-85 AGING SERVICES DIVISION TO THE BOARD OF COUNTY COMMISSIONERS.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

☒ Information Only
☐ Policy direction
☐ Preliminary approval
☐ Approval

1985 DEC 20 AM 7:34
BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY OREGON

IMPACT:

☐ Personnel

☐ Fiscal/Budgetary
General Fund
Other ______________

SIGNATURES:

Department Head or County Commissioner Anne K Feeney

Office of County Management ______________

Office of County Counsel ______________
(Ordinances, resolutions, agreements, contracts)

Department of Administrative Services ______________
(Leases, surplus property, space, purchasing, etc.)

Department of Intergovernmental Relations ______________
(Items with impact on other jurisdictions)

MULTNOMAH COUNTY OREGON

Office of the County Auditor

Anne Kelly Feeney
County Auditor

INTERNAL AUDIT REPORT #3-85

AGING SERVICES DIVISION

DEPARTMENT OF HUMAN SERVICES

DECEMBER 1985

Report issued by:

ANNE KELLY FEENEY
MULTNOMAH COUNTY AUDITOR

County Courthouse, Room 136
Portland, Oregon 97204
(503) 248-3320

PRESS RELEASE BY: Anne Kelly Feeney
Multnomah County Auditor

FOR RELEASE: Thursday, December 19, 1985

RE: AGING SERVICES DIVISION

CONTACT: Anne Kelly Feeney
-or-
Wendy Haynes
PHONE: 248-3320

Today Multnomah County Auditor Anne Kelly Feeney released an audit report recommending that the County's policy on aging services be updated to include clear criteria for program development.

"In FY 85-86, the County will expend or authorize expenditure of over $27 million for services to the elderly and disabled. That's a substantial sum - and impacts many lives in this community."

"We conducted this audit as part of our regularly scheduled annual audit plan," Feeney said. "Aging services has undergone considerable change since the County took over the Area Agency on Aging from the City in January 1984."

"County managers have done well but it's time for the Board, the City Council and the citizens to take a close look at where the senior service programs are going. A plan is needed to outline how they intend to get there on time and within budget."

The audit report recommends that a long-range plan for senior services be developed to guide the future of senior services programs.

# # # #

ANNE KELLY FEENEY
COUNTY AUDITOR
ROOM 136, COUNTY COURTHOUSE
PORTLAND, OREGON 97204
(503) 248-3320

MULTNOMAH COUNTY OREGON

December 19, 1985

TO: Earl Blumenauer, Presiding Officer
Pauline Anderson, Commissioner
Gretchen Kafoury, Commissioner
Caroline Miller, Commissioner
Gordon Shadburne, Commissioner
Dennis Buchanan, County Executive

RE: Aging Services Division
Department of Human Services

The attached Internal Audit Report #3-85 concerns our evaluation of the Aging Services Division. Because this audit also involved systems and organizational issues which can be addressed within the Department, we will issue a companion Report to Management.

The Summary and Conclusions section provides an overview of the audit recommendations. A more detailed discussion of specific recommendations is contained in the Recommendations section.

The content of this report has been discussed with appropriate County and City personnel as well as members of the Portland Multnomah Commission on Aging. Responses to the report are included in the Appendix.

We would appreciate receiving a written status report from the County Executive, or his designee, within six months, indicating what progress has been made concerning matters discussed in this report. Circulation of the status report should include all County Commissioners and the County Auditor.

We will expect a quarterly status report for any issues not fully addressed within six months.

We appreciate the cooperation and assistance given us by Department of Human Services staff, City of Portland staff and members of the Portland Multnomah Commission on Aging. Aging Services Division personnel deserve special acknowledgement for their efforts during a difficult period of transition.

Sincerely

Anne K. Feeney

Anne Kelly Feeney
Multnomah County Auditor

AKF:bj

Enclosure

Audit Team: Wendy Haynes, Auditor-In-Charge
Darryl Love
Bobbie White
Hank Miggins, CIA

IAR #3-85
AGING SERVICES DIVISION
December 1985

TABLE OF CONTENTS

IAR #3-85
"AGING SERVICES DIVISION"
DECEMBER 1985

INTRODUCTION

This audit was conducted as part of our regularly scheduled audit plan. During the audit the Division was integrating new program responsibilities and adjusting to new status as a division. For FY 85-86, it was estimated that the Aging Services Division would expend or authorize the expenditure of over $27 million in local and federal/state funds. The substantial number of lives affected by ASD efforts and the large public investment in aging programs contributed to our decision to audit this area.

Our overall audit objective was to evaluate the efficiency and effectiveness of the Aging Services Division's efforts to implement County policy. The policy issues discussed in this report were intended to provide the Board and the Department of Human Services with suggestions for accelerating the development of a more effective senior services delivery system for Multnomah County citizens.

SUMMARY & CONCLUSIONS

Three years of significant legislative, programmatic and organizational change were culminating at the close of FY 84-85. Discussion in this report should be viewed in the context of the demands of that change. The recommendations in this report are intended to enhance managements' ongoing efforts to improve aging services programs and systems.

The 1982 Aging Policy for Portland and Multnomah County needs to be updated. We believe that clear measurable criteria for future program development would facilitate the long-range planning of senior service programs. We suggest that a long-range plan be developed to insure that services are outlined, funded and developed according to priorities established in the policy.

We urge management to develop a detailed work plan to insure that all mandated services in the County's Protective Services program are provided to elderly citizens of Multnomah County. An accurate data base, procedures to evaluate program activities and an improved system for insuring that services are delivered and reported are needed to assist management in determining staffing needs and necessary service levels.

The Board of County Commissioners needs to insure that the terms of the intergovernmental agreement with the City of Portland reflect actual program requirements. The Board should consider increasing the Portland Multnomah Commission on Aging's involvement in major policy issues concerning senior service delivery.

The recommendations contained in this report, if adopted, will provide the Board of County Commissioners and Human Services management with additional tools and procedures for developing a more effective service delivery system for seniors.

BACKGROUND

HISTORY OF AREA AGENCY ON AGING

The Portland/Multnomah Area Agency on Aging (AAA) was formed in 1974. The AAA was to plan and develop services needed by older people having difficulties with daily living. The City and County agreed that the AAA would reside in the City.

In September 1980 an Aging Policy Committee was appointed representing the City, the County and the private sector. The Board of County Commissioners adopted the Aging Policy for Portland and Multnomah County in February 1982. Resolutions adopted by the City and County assigned responsibility to the AAA for directing the implementation of the Aging Policy.

The AAA assumed supervisory responsibility from the State for administering the long-term care (LTC/Medicaid) program in July 1983. The AAA was transferred to the County in January 1984, at which time the County assumed supervisory responsibility for the State employees who administered the LTC programs. These State employees officially became County employees on July 1, 1985.

The AAA Relocation Implementation Committee reported that "the intent of this transfer is to improve the AAA's ability to provide a full range of health and social services for older people and disabled adults." The Committee's recommendations formed the basis for the intergovernmental agreement (IGA) between the City and the County which was renewed for FY 84-85 and FY 85-86.

The IGA which transferred the AAA to the County specified that the AAA would be a major program in the County's Department of Human Services. The Portland Multnomah Commission On Aging was to remain with the City of Portland.

PORTLAND/MULTNOMAH COMMISSION ON AGING

The PMCOA, a twenty-five member unpaid commission, served as the AAA/ASD Advisory Council. The Commission, established in accordance with the Older Americans Act, was housed in the City of Portland's Bureau of Human Resources.

Under an intergovernmental agreement (IGA) between the City and the County, the PMCOA was to "provide leadership to improve the quality of living for aging persons, as well as disabled persons as set forth in SB 955 [ORS 410]...." To carry out that purpose, the Commission was to provide ongoing advice and guidance on policy decisions and program development, in both the planning and implementation phases, to the AAA, the City and County governments.

The Commission represented the views of older citizens in the development of a long-range plan for a coordinated and comprehensive system of services and served in an advocacy role on behalf of older persons.

AGING SERVICES DIVISION*

The Board of County Commissioners ratified the annual intergovernmental agreements (IGA) between the State's Senior Services Division (SSD) and Multnomah County. The agreements were based on the Annual Area Plan. The Annual Area Plan summarized the activities which were planned to implement the policies and guidelines of the IGA, the State, and the City/County Aging Policy. The plan was drafted by the Aging Services Division (ASD), reviewed by the PMCOA, commented on in public hearings and approved by the PMCOA.

The ASD contracted with local providers for some of the services and provided others through County staff. The ASD had the responsibility for insuring that the local providers conformed to the requirements outlined in the intergovernmental agreement with the SSD.

The 85-86 Area Plan established major goals to be accomplished or started during the fiscal year:

* The Aging Services Division was officially created July 1, 1985. Prior to that time these programs were part of the Social and Aging Services Division, Department of Human Services.

- To make services accessible to seniors and disabled persons at neighborhood level

- To assure quality of services provided through the ASD

- To expand the number and types of services available to elderly and disabled

- To provide sound management of the ASD programs

The Aging Services Division included Community Services, Long Term Care and the Public Guardian programs. For FY 85-86, ASD had 5.28 full-time equivalent employees (Public Guardian) which were general fund and 99.5 positions which were federal/state funded. Approximately eight percent of the $6.58 million FY 85-86 budget was County general fund. The balance was comprised of federal/state funds, local grants, and operational revenue. Federal/state funds included Oregon Project Independence (OPI), Older Americans Act (Title III) and Title XIX/Social Service Block Grant (SSBG) dollars.

The Title III and OPI services (Community Services) were provided through contracts with providers. The County contracted with eight senior centers to provide community focal points for service delivery. Services included case management, information and referral, outreach, counseling, and shopping assistance, among others.

Community Services also included contracts for home delivery of meals and congregate meal sites for the elderly. Legal assistance, transportation and in-home services were offered through separate contracts.

The four Long Term Care branch units, staffed by County employees, provided services primarily to persons eligible under Title XIX. These services included nursing facility placement and supervised community living arrangements as well as services similar to those offered by the Senior Centers.

At least one person in each branch unit was assigned to the protective services program. These persons dealt with reports of suspected elderly abuse, alleged abuse in nursing facilities and arrangements for protective support services. Persons receiving these services did not need to be Title XIX eligible.

The Public Guardian program was established in the County in 1972 and was transferred to the Aging Services Division on July 1, 1985. The program provided conservatorships to handle client finances and/or guardianships to make decisions on behalf of clients in matters concerning their daily welfare.

SCOPE

We reviewed relevant federal and State laws and County policies to determine the parameters of County responsibilities for providing services to the elderly.

We interviewed personnel in the County, the State, the City and the Portland Multnomah Commission on Aging, and reviewed relevent documents and policy to evaluate the effectiveness of ASD's planning and monitoring efforts.

Annual plans and management information system reports, planning documents and minutes of meetings were reviewed to determine the extent to which policy had been implemented.

Selected management and administrative systems were evaluated to determine whether support services were adequate to insure that services were effectively and efficiently delivered to the elderly.

We reviewed selected goals and objectives for 1984-85 to determine whether they had been achieved.

Selected service delivery systems for the elderly were evaluated to determine whether they were in compliance with relevant State statutes and terms of contractual agreements.

We interviewed contractors, private citizens, State employees, ASD staff and appropriate County management personnel to identify concerns about the management and delivery of services.

Due professional care was exercised in examining records and verifying to a reasonable extent the findings contained in this report. This audit was conducted in accordance with generally accepted governmental audit standards.

RECOMMENDATIONS

RECOMMENDATION #1: UPDATE THE CITY/COUNTY AGING POLICY TO CLARIFY THE CRITERIA FOR PROGRAM DEVELOPMENT.

Our review of the Aging Policy for Portland and Multnomah County disclosed that the policy did not provide adequate direction and criteria for prioritizing program development activities or focusing the efforts of the PMCOA and the ASD. The 1982 Policy document contained no provisions for weighing one type of program or need against another.

Without clear policy direction the agencies responsible for developing aging programs could become subject to the pressures of special interests. This condition could result in programs being developed which do not provide mandated service or do not meet the greatest needs of the community.

Protective Services was identified as a high priority for FY 85-86. Under State law, the County had latitude for providing some of these services while others were mandated. Without clear policy direction which insures that funding decisions reflect County priorities, available funds and staff time could be devoted to social enrichment programs rather than these high priority services. Abused elderly and disabled persons identified in the statutes may be among the least likely to be able to advocate for services on their own behalf. Failure to support these high priority programs when funds become available could result in continuation of abuse and neglect of the population the County was charged with protecting.

We found that the Aging Policy provided conflicting guidelines on who was to be served. The policy stated that the City and County would be the "service provider of last resort" in one paragraph and "promote efforts to improve the quality of service for all older people independent of their level or source of income" in another paragraph in the same section (Health and Well-being). Such conflict created the potential for confusion in designing and carrying out the programs.

The Aging Policy contained four major goal statements, 14 subgoals and 107 guidelines. In our opinion some of the guidelines interfered with managements' prerogative to determine how policy would be implemented.

The Aging Policy had not been updated since it was adopted in 1982. Certain organizational and legislative changes since then created a need for criteria to prioritize and develop programs for seniors. Clearer policy was needed to provide guidance to ASD in their efforts. The Board also needed a clearer policy basis for holding the Department of Human Services accountable for delivering appropriate services to those in need.

Aging Policy for Portland and Multnomah County should be evaluated and updated. The Board of County Commissioners should take action necessary to involve the Portland Multnomah Commission on Aging in completing the review and revision of the policy.

We urge the Board of County Commissioners, in cooperation with the City of Portland, to consider at a minimum:

1. The long term goal of the City/County in terms of providing services to the elderly;

2. The measurable criteria to be used in determining which services are to be provided by the County;

3. The priority of services to be offered by the County; consider, among other services:

    - statutorily mandated services
    - services focusing on prevention
    - services for protection from physical abuse or neglect
    - non-mandated service needs identified but not provided by other agencies; and,

4. The specific responsibilities the Department and the PMCOA have for planning, implementing and reporting on work to support the City/County Policy.

RECOMMENDATION #2: DEVELOP A LONG-RANGE PLAN FOR THE DELIVERY OF SERVICES TO SENIORS.

The Multnomah County Aging Services Division (ASD) did not have a comprehensive long-range plan for future program development, funding and management of aging programs. Our review and examination of the 1982 City/County Aging Policy showed that some elements of the policy had not been included as part of the Aging Services Division's plans.

Management efforts had not focused on defining or planning for the long-term future of the senior services system. For instance, we found no written plans for how or when age discrimination, public education, neighborhood planning and other issues included in the Aging Policy would be addressed. ASD management stated that these issues were generally addressed through their advocacy efforts.

Some activities and objectives were planned to extend beyond a single fiscal year including increased responsibility for long-term care and improving case management standards. Management had identified integrating service delivery systems and stabilizing the organization by developing needed administrative systems as high priorities for the 85-87 biennium.

We recommend that management develop a long-range plan based on Aging Policy to provide a basis for decision making each year on the Annual Area Plan. With a clear program direction already established, shorter-term decisions would be more likely to promote the long-term programmatic goals. Long-range planning could assist management in integrating ASD programs with other County programs for the elderly in Social Services (housing, mental health, alcohol and drug abuse) and Health Services.

A locally developed comprehensive long-range plan could assist in insuring that the County's programs reflect and meet local rather than State priorities. For instance, the 1985-86 Area Plan identified protective services as a high priority, yet the State allocation system provided only 1.0 FTE for delivering those services. An ongoing long-range planning capability could develop a basis for funding and supporting this priority.

The County has anticipated a shortfall by 1987-88 due to termination of Revenue Sharing. A long-term plan based on local needs would help insure that budget reductions occur without reducing or eliminating high priority local programs. A long-range plan would provide a basis for identifying and developing management information systems needs.

Management should be commended for action taken during the audit to develop longer term planning with ASD staff. We encourage ASD to work closely with the PMCOA in long-range planning to ensure plans reflect the needs identified through the PMCOA and to avoid duplication of planning efforts. The long-range plan should be updated each year and should, at a minimum, cover a five-year timeframe. Careful consideration should be given to funding strategies and insuring that all elements of the Aging Policy are addressed.

RECOMMENDATION #3: INTENSIFY EFFORTS TO DEVELOP THE PROTECTIVE SERVICES SYSTEM, TO COMPLY WITH STATUTORY REQUIREMENTS AND TO IMPROVE REPORTING.

The protective services function of the Aging Services Division had not been developed to comply with all Oregon Administrative Rule requirements. Provisions for accepting reports of suspected elderly abuse or neglect after normal business hours were not adequate. Overall the 1984-85 reporting on protective services activities to the State Senior Services Division was weak.

We found that the County had not established a method for accepting reports of suspected elderly abuse or neglect after normal working hours. We were told that the SSD or "911" would investigate allegations received after hours. The County was not a signator to the 1983 agreement between the local regional SSD Administrator and the Oregon State Police. That agreement had not been updated to reflect the County's role as the service provider or subsequent legislative changes.

The local telephone number published as the central point for reporting suspected abuse during working hours was ASD's central office number. Sometimes the nature of the call was not determined before the caller was put on hold.

The level of service to be provided by the protective service program had not been clearly defined and communicated to staff personnel and contract service providers. We found that not all staff personnel and contract providers were familiar with the various components of the County protective services system described in the Area Plan.

Reports submitted to SSD did not always accurately reflect the level of protective service activity in Multnomah County. Correspondence on file in ASD showed that some suspected elderly abuse or neglect cases investigated during 1984-85 were not reported to SSD. We were told that staff personnel had not recorded all the hours expended to investigate the alleged abuse/neglect cases. Without accurate and complete data ASD cannot effectively identify program and staff needs for providing protective services to the community as required by law.

The potential exists for abuse to elderly persons to continue when allegations are not immediately investigated, documented and followed-up as appropriate. Multnomah County could be exposed to liabilities for not providing mandated services.

We recommend that the Oregon Statutes and related Oregon Administrative Rules be reviewed to determine the County's responsibilities relative to Protective Services. Based upon the results of the review, clear and updated agreements and procedures should be developed for providing and reporting the mandated services.

Staff personnel and contractors should be instructed on how these services are to be furnished and reported. Management should take necessary action to insure that reports are monitored to continue improvements in thoroughness, accuracy and timeliness. We encourage management to use the improved data for evaluating staff and program development needs.

Some actions had been taken to address these issues. During the audit, training was offered to branch unit staff concerning nursing facility abuse reporting and investigations. SSD staff said nursing facility abuse reporting had improved as a result of that training. Staff also planned to train senior center personnel later in FY 85-86. Management said that program development required more staff hours than had been allocated by the State Senior Services Division.

The 85-86 Area Plan identified Protective Services as an area for improvement. We urge management to develop and take action on specific workplans for achieving that objective.

We suggest that the County determine the extent of risk and liability which may be incurred before actually accepting responsibility for new programs. Evaluation should also include ascertaining the impact on the County's financial and management resources. Attention to identified risks to the County allows program managers to prepare operating procedures to avoid such risks.

RECOMMENDATION #4: COMPLY WITH THE INTERGOVERNMENTAL AGREEMENT OR REVISE THE AGREEMENT TO REFLECT THE TRUE NATURE OF THE CITY/COUNTY CONTRACTUAL ARRANGEMENTS.

Evaluation of requirements in the City/County intergovernmental agreement (IGA) showed that not all terms of the 1984-85 agreement had been met. The Portland/Multnomah Commission on Aging (PMCOA) was not directly involved in advising the Board on policy issues as described in the IGA. We did not find that all reporting requirements in the IGA were necessary.

The PMCOA's involvement in policy decisions and implementation of ASD programs was not as extensive as the role described in the IGA. In at least one case, the PMCOA's involvement was at a technical rather than a policy level. The Area Plans were not provided to the PMCOA in sufficient time for full review and input before submission to the Board and State for approval.

Management acknowledged that there were shortcomings in processing the Area Plan. Some of these difficulties are expected to be resolved with the timely receipt of State budget information and the completed transfer of State employees to the County.

Insufficient involvement of the PMCOA at the policy level may deprive the Board of valuable input regarding the needs of seniors and the impact of current or proposed programs on the senior community. As a result, State priorities rather than locally identified needs could drive the senior services system.

We recommend that the IGA be reviewed and revised to insure that the 1986-87 agreement contains only those activities necessary to carry out the aging policy. Reporting and other requirements should be evaluated for usefulness in light of the two years of experience.

We suggest that the Board of County Commissioners increase the involvement of the PMCOA in aging policy issues. A more direct relationship with the PMCOA affords the County greater opportunity to consider the PMCOA's concerns and input when making policy decisions as required by the Older Americans Act.

ASD should institute procedures in cooperation with the PMCOA which insure that the planning process includes the PMCOA on major policy issues in a timely manner. County staff should be assigned responsibility for insuring that terms of the IGA are met.

MULTNOMAH COUNTY OREGON

DEPARTMENT OF HUMAN SERVICES
7th FLOOR J. K. GILL BUILDING
426 S.W. STARK STREET
PORTLAND, OREGON 97204
(503) 248-3782

DENNIS BUCHANAN
COUNTY EXECUTIVE

MEMORANDUM

RECEIVED
DEC 18 1985
Multnomah County Auditor

TO: ANNE KELLY FEENEY
MULTNOMAH COUNTY AUDITOR

FROM: BETSY SKLOOT, DIRECTOR
DEPARTMENT OF HUMAN SERVICES BS

DATE: DECEMBER 18, 1985

SUBJECT: RESPONSE TO FINAL DRAFT OF 1AR#3-85 AGING SERVICES DIVISION, DEPARTMENT OF HUMAN SERVICES

Thank you for the opportunity to respond to the draft report. As noted, the County's Aging Services Division is in a transition year. We are incorporating the former State-run Long Term Care program (medicaid) and the County's Public Guardian services with the Area Agency on Agency program.

These are very significant program changes to accomplish. They represent the final steps in a four year strategic planning effort undertaken by the local Aging Services system. The desired outcome is the establishment of a single entry system featuring improved service coordination and integrated case management. Elderly citizens needing services will find the coordinated and locally managed service system much more responsive to their needs than the previous multiplicity of programs which faced them. Over the past few years one of the top priorities of the Department, our Aging Services staff and the Portland/Multnomah Commission on Aging has been implementing this transfer of responsibilities, commonly referred to as the "Type B" transfer.

The audit report recommendations are consistent with the future directions of the Division. In general, they focus on some areas we've also identified as needing attention as we assume the increased responsibilities from the State.

Long Range Planning (Audit Recommendation #2) has been and will continue to be a priority for Aging Services. Aging Services Division Management staff have begun a planning process that will be carried on through 1986. ASD will add update of the City/County Aging Policy (Audit Recommendation #1) to the long range planning process.

The Audit recommendation #3 coincides with the plans of the Department and the Division to improve Protective Services for the elderly. Since July 1985, significant changes have been made to improve Protective Services. Staffing has been increased. Improvements have been made in responding to and reporting of complaints. Formal training has been provided to staff. Further improvements are planned for the future.

The Aging Services Division has substantially complied with the requirements in the Intergovernmental Agreement between the City of Portland and Multnomah County. In compliance with Audit recommendation #4, revisions to the Agreement will be recommended by ASD for inclusion in the Fiscal Year 86-87 Agreement.

The identification of issues at the front end - as we are building the new programs - is helpful from a program development perspective. It represents a dramatic departure from the traditional historical audit approach which comments on program operation only after a number of years experience has occurred.

The Department will keep you informed of changes in Aging Services made in response to the Audit Recommendations.

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BS:JM:bb
[0472U]

cc: Jim McConnell, Aging Services Division

APPENDIX
IAR #3-85
"AGING SERVICES DIVISION"
DECEMBER 1985

GRETCHEN KAFOURY
Multnomah County Commissioner
District 2

605 County Courthouse
Portland, Oregon 97204
(503) 248-5219

December 16, 1985

Anne Kelly Feeney
County Auditor
Room 136, County Courthouse
Portland, Oregon 97204

Dear Anne:

Once again, I am pleased to receive the helpful information provided in the Auditor's report.

The audit of Aging Services is particularly useful as it is a new program for the County, and sometimes deficiences are more easily remedied in their early stages rather than years later after fully institutionalized.

My previous position with the City of Portland Bureau of Human Resources and my current liaison responsibility to the County Department of Human Resources have helped me understand the role of the various players in Aging Services. A clearer policy role for PMCoA should be consistent with the City's policy of advocacy for these citizen commissions.

Additionally, with the recent transfer of services from the City to the County an update of the Aging policy would seen to be appropriate.

Thank you again for your very helpful suggestions. We will look forward to improving Aging Services for the citizens of our County.

Sincerely,

Gretchen Kafoury

Gretchen Kafoury
Multnomah County Commissioner

GK:vb

RECEIVED
DEC 16 1985
Multnomah County Auditor

PORTLAND
MULTNOMAH
COMMISSION
ON AGING

Aging

1120 S.W. 5th AVE., 4th FLOOR
PORTLAND, OR 97204-1978
(503) 796-5269

December 17, 1985

Ms. Anne Kelly Feeney
County Auditor
Multnomah County Court House
Room 136
1021 SW 4th Avenue
Portland, Oregon 97204

Dear Ms. Feeney:

We recently received a copy of the Final Draft of the Internal Audit Report of the Aging Services Division. We would like to commend your office, and in particular, Wendy Haynes, for the professional manner in which the audit was conducted and for the quality of the performance audit. We greatly appreciated the on-going involvement we had in the process.

In our view, the recommendations contained in the audit raise valid issues and deserve careful consideration by the Board of County Commissioners. We believe implementation of many of the recommendations will result in better service provision for the elderly and increased effectiveness of citizen participation in the planning process.

We will be requesting that Ms. Haynes attend our January 15th meeting to present the audit report to the full Commission on Aging. After our formal review, we will look forward to sharing the Commission's views directly with the Board of County Commissioners.

Again, congratulations on a job well done.

Sincerely,

Vivian Grubb

Vivian Grubb,
Chair

Becky Wehrli

Becky Wehrli
Director

VG:BW/en

RECEIVED
DEC 17 1985
Multnomah County Auditor

The City of Portland

MULTNOMAH COUNTY

REPORTS ISSUED BY MULTNOMAH COUNTY AUDITOR, BY DEPARTMENT
1979 through 1984 to-date

DEPARTMENT	REPORT NUMBER*	ISSUE DATE
ENVIRONMENTAL SERVICES		
Animal Control Shelter:		
Cash Shortages	#3-79	12/05/79
Engineering:		
Bldg.Permits Func.	#2/79	09/19/79
Engineering Division	#4-83	11/22/83
Fair & Exposition Center	#3-83	09/30/83
Fair & Exposition Center	#B-83	10/83
Operations & Maintenance:		
Fleet Mgmt. & Maint.	#2-82	04/14/82
Veh.Rec.& Work Order	#A-82	04/21/82
Road Maintenance	#4-82	07/15/82
Special Report-Parks	#1-84	04/09/84
Blue Lake Park	#A-83	08/10/83
Cnty-Wide Grants Mgmt/CDBG	#A-85	03/21/85
HUMAN SERVICES		
Medical Access	#2-80	12/30/80
Payroll Timekeeping	#C-82	08/31/82
MED/Residential Svcs	#3-84	10/24/84
Cnty-Wide Grants Mgmt/LIEP	#B-85	03/21/85
GENERAL SUPPORT SERVICES		
Asset Control Sys.	#3-78	06/28/79
Data Proc.Svcs./ISD	#2-84	06/14/84
Finance:		
Non-Central Bank Accts.	#D-81	10/12/81
Cash Fund Survey	#A-80	06/27/80
Budget:		
Budget Process	#AA-79	11/21/79
Purchasing:		
Contracting & Cen.Stores	#5-82	12/01/82
Facilities & Property Mgmt.		
Construction Projects	#2-81	09/03/81
Work Orders Proc.	#C-81	09/04/81
JUSTICE SERVICES		
Circuit Court:		
Indigent Defense	#1-81	02/18/81
Unreported Rec.& Expend.	#3-82	05/20/82
JUSTICE SERVICES (CONT):		
District Court:		
Parking Fine Collection	#1-79	06/12/79
Parking Fine Contr.Sys.	#E-79	06/12/79
Parking Fine Coll. F/U	#1-82	01/06/82
Civil Process	#C-80	12/30/80
Community Corrections	#1-80	04/29/80
District Attorney:		
Petty Cash Fund	#A-81	05/04/81
Training Fund	#B-81	07/16/81
Juvenile Services:		
Court Trust Fund	#E-81	11/09/81
Medical Examiner:		
Property Control, Finding Fund & Imprest Funds	#2-83	05/04/83
Sheriff's Office:		
Spec.Investigation Fund	#A-79	01/31/79
Law Enforcement Function	#6-82	12/17/82
Commissary Operation	#B-79	02/14/79
Institutional Commissary	#1-83	06/09/83
NON-DEPARTMENTAL		
Reapportionment Plan	#AA-81	04/19/81
Charter Review	#BB-81	10/28/81
Assessment & Taxation:		
Appraisal Assistance	#D-79	05/16/79
Internal Controls	#B-80	08/13/80
County-Wide Grants Mgmt. All Departments	#4-84	12/19/84
Board of Equalization	#1-85	02/01/85
Elected Officials Reimbursable Expenses	#2-85	06/19/85

*Key to Report Numbers:

#2-80 = Internal Audit Report (IAR): Shown by numerical sequence and year of issue.
#C-79 = Report to Management (RTM): Shown by single alphabet sequence and year of issue.
#BB-81 = Special Report (SR): Shown by double alphabet sequence and year of issue.