

ANNOTATED MINUTES

*Tuesday, March 22, 1994 - 9:30 AM
Multnomah County Courthouse, Room 602*

WORK SESSION

WS-1 Work Session and Request for Policy Direction on Disposition of Tax Foreclosed Properties and Update on Progress in Tax Title.

**BETSY WILLIAMS, JANICE DRUIAN, CECILE PITTS,
LARRY BAXTER, PATRICK JONES AND WAYNE GEORGE
PRESENTATION, DISCUSSION AND RESPONSE TO BOARD
QUESTIONS.**

*Tuesday, March 22, 1994 - 11:30 AM
Multnomah County Courthouse, Room 602*

BOARD BRIEFING

B-1 Discussion of the Working Draft of a Proposed "Neighborhood Greenspaces Ordinance" in Context of the Tax Title Reorganization. Presented by Commissioner Dan Saltzman.

**COMMISSIONER SALTZMAN, MIKE HOUCK OF URBAN
STREAMS COUNCIL & AUDUBON SOCIETY AND PAT LEE
OF METRO PARKS PRESENTATION, DISCUSSION AND
RESPONSE TO BOARD QUESTIONS.**

*Thursday, March 24, 1994 - 9:30 AM
Multnomah County Courthouse, Room 602*

REGULAR MEETING

Chair Beverly Stein convened the meeting at 9:34 a.m., with Vice-Chair Tanya Collier, Commissioners Sharron Kelley, Gary Hansen and Dan Saltzman present.

CONSENT CALENDAR

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

DEPARTMENT OF HEALTH

C-1 Ratification of Amendment #5 to Intergovernmental Agreement Contract 200724 Between Multnomah County and Oregon Health Division, Reflecting an Increase in the Tuberculosis Outreach Program Funding

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-2 *ORDER in the Matter of the Execution of Deed D940988 Upon Complete Performance of a Contract to R. Michael Dyer*

ORDER 94-55.

COMMUNITY AND FAMILY SERVICES DIVISION

- C-3 *Ratification of Intergovernmental Agreement Contract 104934 Between Multnomah County, the City of Gresham, the City of Portland and the Housing Authority of Portland, Describing Roles and Responsibilities for Homeless and Special Needs Housing and Services and Allocating Funds*

REGULAR AGENDA

NON-DEPARTMENTAL

- R-1 *Presentation of Multnomah County Employee Service Awards for Employees with Five to Thirty Years of Service*

BOARD GREETED, ACKNOWLEDGED AND PRESENTED 5 YEAR AWARDS TO MARILYN NAKONIECZNY OF THE DA'S OFFICE; PATRICK HINDS, DEANNE LOGAN, MIKE McBRIDE AND DWIGHT WALLIS OF DES; ZoANN WHITNEY OF DLS; GERALD BITLE AND NORM MONROE OF NOND; AND GLENDA GLASS, LYNNE KRIBS, CHRIS LEWIS, BETTY RICHARDSON, THUY HAI VANDERLINDE AND ROBIN WIGGIN OF DSS. 10 YEAR AWARDS TO JOELLE SELF OF THE DA'S OFFICE; WANDA SNYDER OF DLS; AND KAREN MAYFIELD AND WILLIAM THOMAS OF DSS. 15 YEAR AWARDS TO JOHN HOLMES, GLENN LANTZ AND STEPHEN POULSEN OF DES; AND MARIE BRYSON OF DLS. 20 YEAR AWARDS TO GAYLE COLTON AND KENNETH WYATT OF DES; AND MARY STEWART OF DSS. 25 YEAR AWARDS TO DOUGLAS FISCHER OF DES; AND PAUL BACK OF DSS. 30 YEAR AWARDS TO WILLIAM HALISKI AND DONNA KNUTSON OF DES.

- R-2 *Briefing Update on the Albina Community Plan. Presented by Jo Ann Allen and Commissioner Charlie Hales.*

ITEM R-2 WITHDRAWN. TO BE RESCHEDULED FOR THURSDAY, APRIL 7, 1994.

- R-3 *Budget Modification NOND 14 Requesting Authorization to Reduce Temporary Services by \$6,000 and Transfer \$3,500 to Equipment for a Computer and \$2,500 to Supplies for Related Supplies and Costs, within the Commissioner District 3 Budget*

UPON MOTION OF COMMISSIONER SALTZMAN,

SECONDED BY COMMISSIONER KELLEY, R-3 WAS UNANIMOUSLY APPROVED.

R-4 *RESOLUTION in the Matter of Establishing Procedures to Simplify Appeals in Quasi-Judicial Land Use Cases and Evaluating the Effectiveness of the Procedures After a Trial Period*

COMMISSIONER KELLEY MOVED AND COMMISSIONER SALTZMAN SECONDED, APPROVAL OF R-4. SCOTT PEMBLE EXPLANATION. RESOLUTION 94-56 UNANIMOUSLY APPROVED.

R-5 *Consideration of a RESOLUTION in the Matter of Approving the Consolidated Cable Communications Commission's Proposed Fiscal Year 1994-95 Budget. Presented by Jack Adams and David Olson or Sally Kimsey.*

ITEM R-5 WITHDRAWN. TO BE RESCHEDULED FOR THURSDAY, APRIL 7, 1994.

SHERIFF'S DEPARTMENT

R-6 *Budget Modification MCSO 13 Requesting Approval of the Reclassification of a Sheriff's Operations Administrator to a Corrections Program Administrator, Effective 6/18/92, and the Reclassification of a Data Processing Specialist to a Data Analyst, Effective 3/1/94*

UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER KELLEY, R-6 WAS UNANIMOUSLY APPROVED.

DEPARTMENT OF HEALTH

R-7 *Ratification of Intergovernmental Agreement Contract 202124 Between the Regents of the University of Minnesota and Multnomah County, Providing Reimbursement for Conducting a Street Based Study of the Incidence of Tuberculosis Among Individuals Injecting Drugs, for the Period September 30, 1993 through August 31, 1994*

COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-7. TOM FRONK EXPLANATION. AGREEMENT UNANIMOUSLY APPROVED.

DEPARTMENT OF ENVIRONMENTAL SERVICES

R-8 *Ratification of Intergovernmental Agreement Contract 301534 Between the City of Portland and Multnomah County, Wherein the City Will Install a Traffic Signal at North Marine Drive and North Force Avenue at County Expense, for the Safety and Convenience of the Public Travelling to and From the Portland Exposition Center*

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, R-8 WAS UNANIMOUSLY

APPROVED.

PUBLIC COMMENT

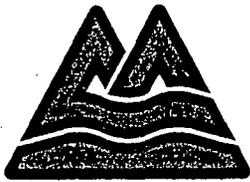
R-9 *Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.*

There being no further business, the meeting was adjourned at 9:54 a.m.

**OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON**



Deborah L. Bogstad



MULTNOMAH COUNTY OREGON

OFFICE OF THE BOARD CLERK
SUITE 1510, PORTLAND BUILDING
1120 S.W. FIFTH AVENUE
PORTLAND, OREGON 97204

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

AGENDA

MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

FOR THE WEEK OF

March 21, 1994 - March 25, 1994

- Tuesday, March 22, 1994 - 9:30 AM - Work Session Page 2*
- Tuesday, March 22, 1994 - 11:30 AM - Board Briefing Page 2*
- Thursday, March 24, 1994 - 9:30 AM - Regular Meeting Page 2*

Thursday Meetings of the Multnomah County Board of Commissioners are taped and can be seen at the following times:

- Thursday, 10:00 PM, Channel 11 for East and West side subscribers*
- Thursday, 10:00 PM, Channel 49 for Columbia Cable (Vancouver) subscribers*
- Friday, 6:00 PM, Channel 22 for Paragon Cable (Multnomah East) subscribers*
- Saturday 12:00 Noon, Channel 21 for East Portland and East County subscribers*

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

Tuesday, March 22, 1994 - 9:30 AM

Multnomah County Courthouse, Room 602

WORK SESSION

- WS-1 *Work Session and Request for Policy Direction on Disposition of Tax Foreclosed Properties and Update on Progress in Tax Title. Presented by Betsy Williams. 9:30 AM TIME CERTAIN, 2 HOURS REQUESTED.*
-

Tuesday, March 22, 1994 - 11:30 AM

Multnomah County Courthouse, Room 602

BOARD BRIEFING

- B-1 *Discussion of the Working Draft of a Proposed "Neighborhood Greenspaces Ordinance" in Context of the Tax Title Reorganization. Presented by Commissioner Dan Saltzman. 11:30 AM TIME CERTAIN, 30 MINUTES REQUESTED.*
-

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Multnomah County Courthouse, Room 602

REGULAR MEETING

CONSENT CALENDAR

DEPARTMENT OF HEALTH

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DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-2 *ORDER in the Matter of the Execution of Deed D940988 Upon Complete Performance of a Contract to R. Michael Dyer*

COMMUNITY AND FAMILY SERVICES DIVISION

- C-3 *Ratification of Intergovernmental Agreement Contract 104934 Between Multnomah County, the City of Gresham, the City of Portland and the Housing Authority of Portland, Describing Roles and Responsibilities for Homeless and Special Needs Housing and Services and Allocating Funds*

REGULAR AGENDA

NON-DEPARTMENTAL

- R-1 *Presentation of Multnomah County Employee Service Awards for Employees with Five to Thirty Years of Service*
- R-2 *Briefing Update on the Albina Community Plan. Presented by Jo Ann Allen and Commissioner Charlie Hales. 9:45 AM TIME CERTAIN, 15 MINUTES REQUESTED.*
- R-3 *Budget Modification NOND 14 Requesting Authorization to Reduce Temporary Services by \$6,000 and Transfer \$3,500 to Equipment for a Computer and \$2,500 to Supplies for Related Supplies and Costs, within the Commissioner District 3 Budget*
- R-4 *RESOLUTION in the Matter of Establishing Procedures to Simplify Appeals in Quasi-Judicial Land Use Cases and Evaluating the Effectiveness of the Procedures After a Trial Period*
- R-5 *Consideration of a RESOLUTION in the Matter of Approving the Consolidated Cable Communications Commission's Proposed Fiscal Year 1994-95 Budget. Presented by Jack Adams and David Olson or Sally Kimsey. 20 MINUTES REQUESTED.*

SHERIFF'S DEPARTMENT

- R-6 *Budget Modification MCSO 13 Requesting Approval of the Reclassification of a Sheriff's Operations Administrator to a Corrections Program Administrator, Effective 6/18/92, and the Reclassification of a Data Processing Specialist to a Data Analyst, Effective 3/1/94*

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- R-8 *Ratification of Intergovernmental Agreement Contract 301534 Between the City of Portland and Multnomah County, Wherein the City Will Install a Traffic Signal at North Marine Drive and North Force Avenue at County Expense, for the Safety and Convenience of the Public Travelling to and From the Portland Exposition Center*

PUBLIC COMMENT

R-9 *Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.*

MEETING DATE: MAR 22 1994

AGENDA NO: WS-1

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: POLICY DIRECTION FOR DISPOSITION OF PROPERTIES (TAX FORECLOSED PROPERTIES)
AND UPDATE ON PROGRESS IN TAX TITLE

BOARD BRIEFING: Date Requested: March 22, 1994

Amount of Time Needed: 2 Hours

REGULAR MEETING: Date Requested: _____

Amount of Time Needed: _____

DEPARTMENT: Environmental Services **DIVISION:** Assessment & Taxation

CONTACT: Janice Druian **TELEPHONE #:** 248-3090

BLDG/ROOM #: 166/515

PERSON(S) MAKING PRESENTATION: Betsy Williams

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

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

This is the second problem solving meeting to get board direction in order to consolidate ordinances into one comprehensive ordinance for Tax Title. This session will focus on disposition of Tax Foreclosed properties.

No personnel, fiscal/budgetary impacts to be covered at this presentation.

SEAL OF
CLINT COUNTY
1994 MAR 15 PM 2:23
MULTNOMAH COUNTY
OREGON

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

OR

DEPARTMENT MANAGER: *[Signature]* Betsy H. Welch

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

EXECUTIVE SUMMARY

Issues.

This paper explores the issues surrounding disposition of tax foreclosed property:

- Who should be entitled to donated property
- What priority should there be among contenders for donated property
- What obligation does the County have to taxing districts (for reimbursement)? To the Tax Title Fund?

Sequence & Hierarchy of Disposition.

This position paper proposes a hierarchy of disposition with governments seeking property for government uses (excluding housing) receiving first priority. A second priority would be given to organizations seeking property for low income/affordable housing or special needs housing. Non government, not for profit agencies, seeking property for other than housing uses would need to come under sponsorship of a government. With this sponsorship their requests would be considered along with other government requests.

Process for Determining Disposition.

This paper proposes a process whereby governments review the available properties and make requests (that are heard by the Board of County Commissioners). When disposition of these properties has been made, housing proposals would be entertained, using the existing Housing through the affordable Housing Development Project.

Need for Solvent Tax Title Fund.

Those properties that are not donated to organizations for the purposes identified above, would be auctioned. The paper addresses the need for there to be sufficient revenues from auctions to maintain the Tax Title Fund.

DRAFT Revised Tue, Mar 15, 1994

Need For A Process That Is Accessible To Legitimate All Organizations
Seeking Properties

Finally, this paper recognizes the need for a well publicized and open process whereby property disposition is fair and best matches County, community, City and State Benchmarks.

DISPOSITION OF TAX FORECLOSED

PURPOSE

This position paper on proposed disposition of tax foreclosed property is to be used as a basis for discussion by the Board of Commissioners as they determine a policy on disposition of foreclosed properties. **Key assumptions or positions of this paper are in bold.**

BACKGROUND

Each year, the county forecloses on approximately 150-200 properties for non payment of property taxes. These properties consist of residential dwellings, commercial properties, vacant buildable spaces and pieces of land which for various reason are not buildable and/or marketable

The first priority upon receiving title to the property is to see if it is possible for the original owner to repurchase the property and get it back on the tax roll.

However, in many cases prior owners are not interested, unwilling or unable to repurchase their property. In these cases the County has the authority to dispose of property in a number of ways. It may donate the property to either government agencies, or non profit housing agencies for low income or affordable housing or it may elect to sell the property at auction, and thus return all or part of the revenue from unpaid taxes to the taxing districts.

ISSUES WITH DISPOSITION

This process of disposition has raised several questions that this paper will attempt to address:

- What are the competing interests for tax foreclosed properties?
- What entities, currently, under existing ordinances/statutes are entitled to be considered under disposition?
- What conditions are or should be part of any donation/sale?
- How should priority and sequence for distribution be established?

- What costs of disposition should the county absorb? The recipient?
- What responsibility do we have to other taxing districts for determining disposition, if this disposition reduces their revenues?
- How do we keep the Tax Title fund viable?

COMPETING INTERESTS

We have identified the following entities expressing interest in properties:¹

- Governments--for many uses (office space, open space, housing, etc.)
- Non profits-- for housing and other uses
- Social Service for other than non profit
- North East Community Development Corporation (NECDC)--a non-profit that has a specific agreement with the county for donation of 130 properties
- Environmental interests--both private and public agencies
- Sheriff--for short term use as training sites for prisoners (work crews rehabilitate properties, and thus inmates gain work skills)
- Taxing districts seeking revenue from auctions
- Neighborhood associations--for community centers
- The general public (people seeking residences through public auction, neighbors who want adjacent property or speculators seeking rehab buildings and vacant land)

¹ An attached matrix identifies the revenue implications of each type of disposition

ENTITIES CURRENTLY ELIGIBLE TO RECEIVE PROPERTIES

Under current statutes and ordinances the following are entitled to donated properties:

- Government For Government Purpose
- NECDC-up to 130 properties for affordable housing
- Housing through the Affordable Housing Demonstration Project (AHDP)

We think that these entities should remain entitled to donated properties.

ADDITIONAL ENTITIES TO BE CONSIDERED FOR FUTURE DONATIONS

We think that the Board **may** want to consider expanding the list of eligible entities to include the following:

- **Non Profit Social Service Agencies For Social Service Purpose**--an example of this might be the Salvation Army for teenage parent child care center. If the purpose of Tax Title is to advance the public good, the Board might want to consider a way that non profit organizations can have access to properties to use to further recognized benchmarks.
- **Non Profits for Open Space Use**--while governments are entitled to acquire properties for government use (parks, right of ways, etc.) private environmental groups may wish access to open space lands.
- **Inmate Training**--This type of program would technically fall under "government agency acquisition for government use." We currently use sheriff crews for maintenance. However, there is some interest in expanding this program to include more extensive skills training projects for inmates. These properties when rehabed would be auctioned. **The cost of training inmates would have to be part of some budget other than the Tax Title Fund.**

We do not recommend the ordinances be expanded to include Non profit organizations for other than charitable uses. Some non profits seek buildings for either rehab. and resale (using the profit to fund their non profit agency, or for location of profit making enterprises (again to fund their non profit works). We do not recommend this because this type of disposition competes unfairly with businesses from the general public. Under Oregon statute, these enterprises would not qualify for charitable tax exemptions, and we feel that these criteria could be applied to donations of tax foreclosed property. If the use is not one that would fall under the government, charitable or school exemptions, it should not be considered.

CONDITIONS

Good fiscal management and prudent stewardship of properties requires us to consider several things pertaining to the disposition and maintenance of properties, including:

- Costs associated with property disposition
- The County's liability
- Responsibilities of the recipient of donated properties

The county absorbs a lot of costs associated with tax foreclosed properties. The 1994/95 budget for Tax Title (for administration and property maintenance) is \$771,206. These costs could be reduced with some improved administrative policies and procedures, including:

Transfer Fee: We believe that there should be a **transfer fee** associated with donated properties. This fee should be sufficient to offset some or all of the costs incurred by Multnomah County. This is particularly true when the transfer is to another government entity.

Deed Holder Liability: We also have historically maintained properties and assumed other liabilities associated with ownership, even after title has been transferred to some social agencies. We propose that **upon transfer of the deed, the deed holder assumes the maintenance costs and liabilities** associated with ownership.

Timely Transfer of Title. In the past, some donations took a lot of time. The recipient agency would indicate an interest in a specific property, but not take possession until it could start work on the property. This meant that the County continued to assume all responsibility (maintenance, liability) for the site for months and even years. **We propose that an agency must take possession of the deed within 60 days of a decision for transfer of title.**

Title Searches: In the past the county has not conducted title searches for all properties conveyed to other organizations. In the future, we will either guarantee clear title (as a result of a search) or indicate that the property does not come with clean title. We do not recommend that any housing agency take the responsibility of a property for which there is not a clear title.

Reversionary Clauses. **We recommend having reversionary clauses.** When a property has been transferred for a stated purpose (e.g. to a government for government use or to a social service agency for social service work) the transfer agreement should state that should the use of the property be changed the title will revert back to the county.

SEQUENCE & PRIORITY IN DISPOSITION

Priority #1= Governments For Non Housing Purposes. **We recommend that governments needing the property for a government purpose (excluding housing) should have first priority.**

Rationale: Governments are supported by tax revenue. When a property has gone into default that government agencies are deprived that revenue. It makes sense that they should have priority in restitution.

We recommend that this first priority be limited to uses other than housing so that all housing proposals be considered at the same time. This would allow a careful screening to assure that appropriate criteria were applied to selecting low income/affordable housing and housing for special purposes.

We also recommend that social service and other non profit agencies seeking donated property must acquire a government sponsor in order to

be considered for a donation.

Rationale:

- Government social service and environmental agencies have expertise when determining the viability of a social service or environmental service.
- Government agencies would be able to determine if the mission of the requesting organization fits the benchmark priorities for government.
- Government social service or environmental agencies would be in a better position (than Tax Title) to monitor the private agency to assure that the property is remaining in the approved usage.

Priority #2 = Low Income/Affordable Housing **We recommend that agencies involved with low income or affordable housing receive priority immediately after governments.** For the duration of our agreement with NECDC, they would receive first priority. To avoid recreating an existing process, all other housing concerns might use the process already established for AHDP². This would require governments and non profit housing sponsors to apply for housing uses in compliance with the established AHDP process, terms and conditions as adopted by the Board of County Commissioners.

This initial screening process would need to consider highest and best use for houses that were zoned for other uses and may or may not have been converted. (Example: a house that is zoned commercial, and has been converted to a storefront may best serve as offices for a social service agency.)

² The AHDP Technical Review Committee for the County has formal representatives of the cities of Gresham and Portland in the deliberations. This committee could be expanded to review:

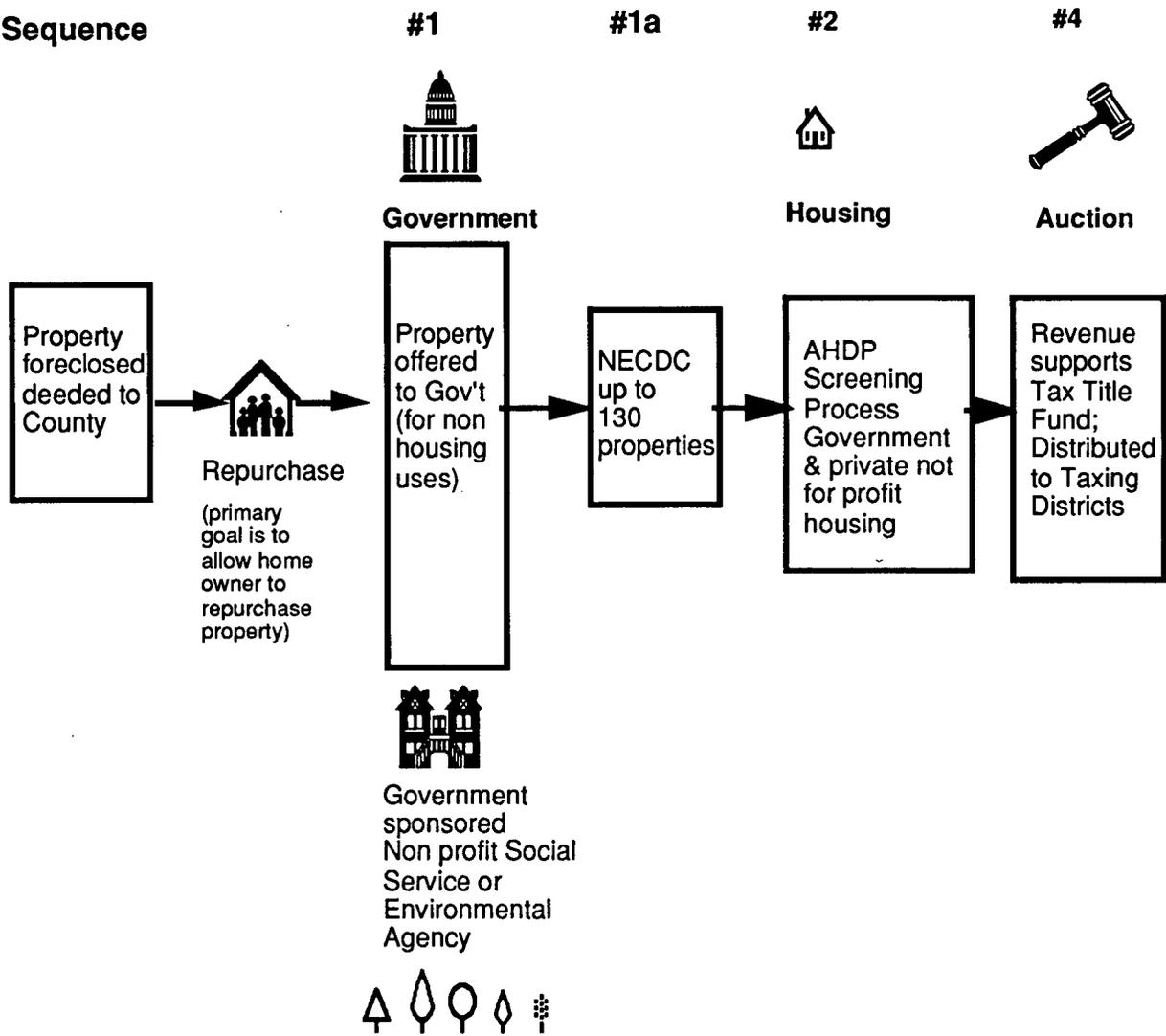
- Proposal requests by governments for non housing uses;
- Review by other organizations for other sanctioned uses.

If this committee's work is to be expanded, the County may wish to add other local government representatives and other's representing other agencies or the community at large.

Properties not donated to governments or allocated for housing would be auctioned and the proceeds distributed to the taxing districts in Multnomah County. A balance does need to be struck between donating properties to organizations (government and other) that can utilize the property for the public good and selling property at public auction. A public auction provides revenue replacement lost by delinquent taxes and also supports the tax title fund that supervises all foreclosed property.

The following diagram displays the sequence of events in disposition:

Sequence



CRITERIA FOR SELECTION

To determine appropriate disposition--housing, social service, environmental, other, **criteria should be established whereby the property would be put to the highest and best use.** Examples:

Criteria for Use of Property:

Criteria should be developed to evaluate the strengths of government proposals for property for a non housing purpose. Examples could be:

- Property is not zoned for proposed use
- Proposal is highest and best use of property
- Proposal is fiscally strong (initial development has occurred; ongoing use has been determined/committed)
- Proposal supports County Benchmark
- Improved or vacant properties in an area that would benefit from low to moderate income housing
- Vacant land adjacent to estuaries might be determined best kept as vacant space and maintained by the local parks department.

Criteria for recipient:

Criteria needs to be developed to select from among organizations making proposals.

These criteria might include:

- Benefit to the larger community (match to benchmarks)
- Resources and ability of the proposed recipient to manage the property
- Ability to act as responsible steward of the tax foreclosed property on behalf of the taxing districts

OBLIGATION TO OTHER TAXING DISTRICTS

OBLIGATION TO OTHER TAXING DISTRICTS

All local taxing districts receive notice of availability of properties. Also, under Ordinance #753, the Board has invited representatives from local cities to the AHDP Technical Review Committee. The County decision process regarding transfer is carried out as a public hearing under county ordinance. Formal notice of the hearing is made for two weeks prior to the hearing advertising the time and place as well as the specific properties being considered for transfer. Opportunity for testimony and discussion is allowed at the hearing.

We have an obligation to the other taxing districts. When property is foreclosed for delinquent taxes, the general assumption is that the county will serve as short term caretaker, and that the property will return to private ownership, through auction, and thus be on the tax rolls within an expeditious amount of time. The revenue from the sale of the property is distributed to the taxing districts. Last year \$921,261. was distributed.

OBLIGATION TO POTENTIAL RECIPIENTS.

To assure a fair and open process, efforts will need to be made to publicize the fact that properties, are available through government sponsorship to qualified non profit organizations for use that furthers the public good. A schedule needs to be established whereby agencies would have sufficient time to develop proposals and seek an appropriate sponsoring government agency.

OBLIGATION TO THE TAX TITLE FUND

The tax title fund must remain viable in order to administer the tax title process. We propose that the Director of DES hold an annual review of the disbursement of properties, the cost of administration of Tax Title, (including maintenance of properties), and projected costs for the upcoming year. A reserve target will be established. The director will then have the authority to determine the percentage of property

(based on appraised value and actual auction revenues) that must be retained for auction to support the tax title fund.

POLICIES/STRATEGIES CONSIDERED AND NOI RECOMMENDED

1. Allowing Governments Priority for All Uses Including Housing.

We recommend that all housing proposals be considered at one time, by one review panel. This will assure fairness in allocation and assure that there is some consideration given to highest and best use of the properties. For example: Housing that would be reserved for handicapped housing would need to be near public transportation and possibly medical treatment centers.

2. Allowing Private Not For Profit Agencies To Apply Without A Government Sponsor.

This has been covered in the rationale for suggesting a government sponsor is required. The main reasons are to assure that donations really further government benchmarks. We believe that those agencies currently administering under social service and environmental benchmarks would be in the best position to do the initial screening.

Furthermore, government social service and environmental agencies would be better qualified to monitor sponsored agencies to assure continued use under the provisions of the donation.

3. Allowing Private Not For Profit Agencies To Apply For Properties to Renovate and Sell.

Use of tax foreclosed properties for social services should be seen as enhancing the delivery of needed services; not enriching service agencies.

TAX TITLE PROGRAM

MISSION

To manage the Tax Foreclosure Process in a way that maximizes the collection of delinquent taxes and assures the timely disposition of properties deeded to Multnomah County through tax foreclosure, in a manner that benefits the public good.

VALUES

We value:

- **Sensitive/humane treatment** of those affected by the foreclosure process;
- **Fiduciary accountability** to the public and other taxing jurisdictions;
- **Informed decision making** that supports established County policies;
- **Fair, equitable, and consistent** access to the process;
- **Statutory integrity**;
- **Effective management** of potential risks associated with the tax title program;
- **Use of tax title properties** to further the **public good**;
- **A shortened timeframe** of the process to minimize adverse impact in the community;
- Being a "good neighbor" in those neighborhoods affected by tax foreclosed properties.

UNDERLYING ASSUMPTIONS

The Board of County commissioners wish to:

- Continue a **repurchase program**;
- Continue the **non-profit program(s)**
- Provide **adequate maintenance of property** for which county has responsibility;
- Support the use of tax foreclosure resources to **prevent deterioration of neighborhoods**;
- **Transfer the cost of maintenance** and property liability to other governments and/or non-profits upon effective transfer of deed of properties to these organizations;
- Pursue **eviction only as a last resort**;
- Affirm that the **County does not intend to be in the landlord business**.

GOALS OF PROGRAM

Prior to deed foreclosure:

- 1) Taxes will be collected in a timely manner.
- 2) Social Services will provide early identification and/or intervention where a social service need exists.
- 3) Expeditious foreclosure of properties will proceed when a property has been identified as in a state of waste and/or abandonment.

After deed foreclosure:

- 4) A **repurchase process** will be implemented that is:
 - clearly understood;
 - consistently and fairly applied;
 - minimizes risk to the county; and
 - has appropriate return of revenue.
- 5) There will be expeditious identification and transfer of properties to governments and/or private non-profits that minimizes the cost/risk to the County and maximizes the public good.
- 6) The County will maintain those properties it holds, to meet reasonable community standards.
- 7) There will be expeditious auctions of the remaining marketable properties.
- 8) The Board will develop a realistic policy for dealing with non-marketable properties.

MEETING DATE: MAR 22 1994

AGENDA NO: B-1

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Neighborhood Greenspaces Ordinance

BOARD BRIEFING: Date Requested: March 22, 1994

Amount of Time Needed: 30 minutes

REGULAR MEETING: Date Requested: _____

Amount of Time Needed: _____

DEPARTMENT: Non-Departmental

DIVISION: BCC/Cmsnr Dan Saltzman

CONTACT: Katherine Burk

TELEPHONE #: 248-5220
BLDG/ROOM #: 106/1500-1

PERSON(S) MAKING PRESENTATION: Commissioner Dan Saltzman

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

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

Commissioner Saltzman will discuss the working draft of his "Neighborhood Greenspaces Ordinance" in context of the Tax Title reorganization. If implemented the ordinance would establish a review point in the County Tax Foreclosure process that would provide for the identification and designation of property as "neighborhood greenspace".

SIGNATURES REQUIRED:

Handwritten signature: Dan Saltzman

ELECTED OFFICIAL: _____

OR

DEPARTMENT MANAGER: _____

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
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ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

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

3/17/94 DRAFT - - Neighborhood Greenspaces Ordinance

Goal:

To establish a review point in the County Tax Foreclosure process that provides for identification and designation of property as "neighborhood greenspace", if property is recognized as having value in its natural state because it enhances the livability of a neighborhood, provides wildlife habitat, and/or contributes to existing regional greenspaces preservation.

Rationale:

Many undeveloped properties that come into county ownership from tax foreclosure may have significant present and future value as neighborhood open space. This may be true for odd lots, irregular properties, or other undeveloped parcels. A property's open space may have a unique value to a street or neighborhood. Other parcels may have a more general "greenspace" value such as being part of a flyway or as part of a wetlands resource or wildlife habitat. Parcels that have already been identified or suitable for inclusion on Metro's Greenspaces Master Plan could be incorporated by utilizing this process.

Because these properties' highest value is that they have been left in their natural state for wildlife habitat, open space, buffers, etc., they need not be heavily maintained. Necessary maintenance could be performed by a neighborhood group or overseen by the County; the small costs incurred could be financed by tax title revenues.

The establishment of a "greenspaces screen" in the county tax foreclosure process will ensure that we do not miss opportunities to improve the long run quality of life in our communities.

Neighborhood Greenspaces Ordinance

1. The establishment of a review point in the County Tax Foreclosure process, called a "greenspaces screen", that provides for the identification of property as "Neighborhood Greenspace".

The greenspaces screen would be applied to all properties that come into county ownership per tax foreclosure. This would include properties identified for potential development into affordable housing by CDCs or other governments per county ordinance 753. It would also include the existing inventory of odd lots, right-of-ways, easements and other properties that constitute the current inventory of properties that have been subject to Sheriff sale or auction.

2. The establishment of the term "Neighborhood Greenspace" means a designated property that is recognized as having value in its natural state because it enhances the livability of a neighborhood, provides wildlife habitat, and/or contributes to existing regional greenspaces preservation. A Neighborhood Greenspace, because it is left in its natural state, need not require heavy maintenance.
3. A Neighborhood Greenspace designation preserves a property, but the protective designation could be removed if a higher value use is proposed and approved by the Board. The Board could also make the designation permanent.
4. To establish the greenspace screen criteria, the criteria for removing a Neighborhood Greenspace designation, and to oversee implementation, a temporary Development Committee made up of 8 members is established. The Development Committee would have members representing the interests of Metro Parks, Multnomah County Assessment and Taxation, the Office of Neighborhood Associations, Multnomah County Community & Family Services Division, environmental advocates, and a county commissioner as an ex-officio member.
5. Sponsorship of a Neighborhood Greenspace by neighborhood associations, environmental groups or trusts, or other organizations will be encouraged. Sponsorship or adoption is to ensure that any necessary maintenance or periodic cleanup is performed. The Development Committee would also develop guidelines regarding property sponsorship/adoption, defining what obligation a sponsor is required to perform and how non-sponsored properties should be maintained. For Neighborhood Greenspaces that do not have sponsors, any maintenance or periodic cleanup would be performed by Tax Title work crews.
6. The Development Committee would also consider a process for contacting adjoining property owners if it appears that the best use of the property would be to incorporate it into adjacent homeowner's property. This may be particularly true for odd lots and other irregular properties that come into county possession.
7. The Development Committee would also make recommendations and oversee a work plan to integrate county tax foreclosed properties into the Metro Greenspaces Master Plan and into Metro's regional mapping system.
8. The Development Committee would also make recommendations as to composition and operation of a standing Citizen's Review Committee that would utilize the "greenspace screen" to make recommendations to Tax Title and the Board of County Commissioners about what properties should be designated as "neighborhood greenspace". The Development Committee would determine the size of the committee, length of appointment, and whether membership be made of citizens with certain areas of expertise or sensitivity.

Urban Streams Council

a program of

The **Wetlands** Conservancy

March 21, 1994

Multnomah County Commission
1120 SW Fifth Avenue, Suite 1500
Portland, OR 97204

Chairwoman Stein and Commissioners,

I have read the draft document, *Neighborhood Greenspaces Ordinance* and would like to offer the Urban Streams Council strong endorsement. Too often, while we are working with local governments to protect Greenspaces--whether they be regionally, locally or neighborhood significant sites--another arm of government is selling off significant natural areas for development.

We acknowledge that many county properties have a higher and better use than as protected natural areas, especially in light of our need to address affordable housing and efficient land use issues as the region continues to grow. However, your proposed ordinance provides an essential screening process to at least "red flag" those sites which deserve closer scrutiny prior to being relegated to other uses. I am not surprised that it is Multnomah County that is on the forefront of this issue. We have labored for several years to establish a similar policy elsewhere in the region, to no avail. Once you have taken a leadership role in this arena, perhaps others will follow your lead, as with happened with the Metropolitan Greenspaces Program.

This letter is intended as a letter of support for the general concept contained in the draft I received today. I would be happy to provide more specific, substantive comments as desired at a later date. I would, however, suggest that on point 5, sponsorship, that you be realistic concerning what groups, whether they be neighborhood or non-profit, can do to maintain these sites. You correctly note that most of these Greenspace sites require relatively little maintenance. However, there will be some work that needs to be done and we would simply caution you that there's no free lunch with respect to natural area management either. I would also suggest that you work cooperatively with local land trusts such as The Wetlands Conservancy, which have as a primary mission the acquisition and long-term management of natural areas.

I presume you will invite additional comments prior to developing your final document and would like to assure you that The Wetlands Conservancy would be happy to work with the county on proper stewardship of its own properties. This might be a good topic at our upcoming wetland/watershed stewardship workshop on May 18-19. We are bringing folks from U S EPA and the National Association



of Conservation Districts in Washington, D. C. for a two day workshop which will be held at Portland State University. Local agencies which will be involved will include DSL, Metro, Oregon Department of Agriculture, Oregon Department of Forestry, U S Fish and Wildlife Service, National Park Service, Soil Conservation Service, Soil and Water Conservation Districts, U S Army Corps of Engineers, Lane County Council of Governments, Unified Sewerage Agency and Portland's Bureau of Environmental Services. If Multnomah County would like to be represented at this gathering let me know.

I would like to draw to your attention the work done by Dr. Joseph Poracsky, of Portland State University's Geography Department, in Washington County. Dr. Poracsky, working on contract to the county, field inventoried all county-owned properties to ascertain their physical characteristics. He then recommended approximately 50 sites be included in the Greenspaces network. Unfortunately, I don't believe the county has acted on that recommendation at this time. However, I'm sure that he and his graduate students could perform a similar contracted task for Multnomah County. If you want to contact him he can be reached at 725-3158.

Sincerely,



Mike Houck, Urban Streams Council and
Audubon Society of Portland's
Region 2040 Project

cc Jack Broome, The Wetlands Conservancy
Richard Meyer, Audubon Society of Portland
Joseph Poracsky, PSU Geography Department
Pat Lee/Charles Ciecko, Metropolitan Greenspaces
John Fregonese, Metro Region 2040