



Multnomah County Oregon

# Board of Commissioners & Agenda

connecting citizens with information and services

## MARCH 2 & 4, 2010

### BOARD MEETINGS

### FASTLOOK AGENDA ITEMS

## BOARD OF COMMISSIONERS

**Ted Wheeler, Chair**

501 SE Hawthorne Boulevard, Suite 600  
Portland, Or 97214

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Email: [mult.chair@co.multnomah.or.us](mailto:mult.chair@co.multnomah.or.us)

### **Deborah Kafoury, Commission Dist. 1**

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Link to watch live Thursday Board meetings on-line:

[www2.co.multnomah.or.us/cc/live\\_broadcast.shtml](http://www2.co.multnomah.or.us/cc/live_broadcast.shtml) Link for on-line agendas and agenda info:

[www.co.multnomah.or.us/cc/agenda.shtml](http://www.co.multnomah.or.us/cc/agenda.shtml)

**Free public access to wireless internet M-F from 6 AM to 9 PM during meetings in the Boardroom**

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

Pg 2	9:30 a.m. Tuesday PD-1 Board Briefing & Policy Discussion on General Fund Forecast Update
Pg 2	10:00 a.m. Tuesday PD-2 Briefing/Policy Discussion on Grand Jury Corrections Report; District Attorney's Response to Potential Cost-saving & Operational Changes in the Corrections System; Sheriff's Plan for Responding to Particular Items within his Responsibility; Health Director's Discussion on Findings Related to Corrections Health
Pg 3	9:20 a.m. Thursday R-2 PROCLAMATION Wednesday, March 10, 2010 in Support of National Women and Girls HIV/AIDS Awareness Day
Pg 3	9:45 a.m. Thursday R-4 PUBLIC HEARING & RESOLUTION Establishing Fees & Charges for Ch. 29, Building Regs, & Repealing Res. # 09-063
Pg 4	10:12 a.m. Thursday R-9 First Reading & Possible Adoption of an ORDINANCE Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Code Revision to Allow Office Use at PGE Park in Compliance with Metro's Functional Plan & Declaring an Emergency
Pg 4	10:15 a.m. Thursday R-10 - First Reading & Possible Adoption of an ORDINANCE Amending County Land Use Code, Plans & Maps to Adopt Portland's Recent Land Use Code Revisions to Update Zoning Provisions Applicable to the South Waterfront Subdistrict in Compliance with Metro's Functional Plan & Declaring an Emergency
Pg 4	10:20 a.m. Thursday R-11 Board Briefing Following up on Res. 2010-004 Directing the Dept. of Community Services to Investigate Use of Alternative Construction Methodologies for Sellwood Bridge Replacement Project

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

(Portland & East County)

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

Sunday, 11:00 AM Channel 30

(East County Only)

Saturday, 10:00 AM, Channel 29

Tuesday, 8:15 PM, Channel 29

Produced through MetroEast Community Media

503) 667-8848, ext. 332 for further info

or: <http://www.metroeast.org>

Tuesday, March 2, 2010 - 7:30 AM to 9:00 AM  
Multnomah Building, Third Floor Conference Room 315  
501 SE Hawthorne Boulevard, Portland

## **LOCAL PUBLIC SAFETY COORDINATING COUNCIL EXECUTIVE COMMITTEE MEETING**

A quorum or more of the Multnomah County Board of Commissioners may attend the Local Public Safety Coordinating Council Executive Committee meeting. This meeting is open to the public. For further information contact Elizabeth Davies at (503) 988-5002.

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Tuesday, March 2, 2010 – 9:30 AM  
Multnomah Building, First Floor Commissioners Boardroom 100  
501 SE Hawthorne Boulevard, Portland

## **BOARD POLICY DISCUSSION**

- PD-1 Roundtable Briefing and Policy Discussion on General Fund Forecast Update. Presented by Mike Jaspin. 30 MINUTES REQUESTED.
- PD-2 Roundtable Briefing and Policy Discussion on the Grand Jury Corrections Report; District Attorney's Response to Potential Cost-saving and Operational Changes in the Corrections System; Sheriff's Plan for Responding to Particular Items within his Responsibility; Health Director's Discussion on Findings Related to Corrections Health; and Board Discussion on Next Steps. Presented by District Attorney Michael Schrunk, John Bradley and Chuck French - DA's Office, Lillian Shirley, Director, Health Department and Sheriff Dan Staton, MCSO. 2 HOURS REQUESTED.

Thursday, March 4, 2010 - 9:00 AM  
Multnomah Building, First Floor Commissioners Boardroom 100  
501 SE Hawthorne Boulevard, Portland

## **REGULAR MEETING**

### **CONSENT CALENDAR - 9:00 AM** **SHERIFF'S OFFICE**

C-1 Amendment 4 to Intergovernmental Agreement 0405122 with the Cities of Gresham, Fairview, and Troutdale for the East Metro Gang Enforcement Team (EMGET)

### **REGULAR AGENDA** **NON-DEPARTMENTAL – 9:00 AM**

R-1 Update on 30 Families in 30 Days. Presented by Mary Li, Jean DeMaster and Marc Jolin. 20 MINUTES REQUESTED.

R-2 PROCLAMATION Proclaiming Wednesday, March 10, 2010 in Support of National Women and Girls HIV/AIDS Awareness Day in Multnomah County, Oregon

### **PUBLIC COMMENT - 9:30 AM**

Opportunity for Public Comment on non-agenda matters. Testimony limited to three minutes per person unless otherwise designated by the presiding officer. This is a time for the Board to hear public testimony, not for Board deliberation. Fill out a yellow speaker form available at the back of the Boardroom and give it to the Board Clerk. Unless otherwise recognized by the presiding officer, testimony is taken in the order the forms are submitted.

### **PUBLIC AFFAIRS OFFICE – 9:30 AM**

R-3 Leaders of Change: Innovation Video Series. Presented by Mike Pullen, Bernadette Nunley, Jana McLellan and Joshua Todd. 15 MINUTES REQUESTED.

**COUNTY ATTORNEY – 9:45 AM**

**R-4** PUBLIC HEARING and Consideration of a RESOLUTION Establishing Fees and Charges for Chapter 29, Building Regulations, of the Multnomah County Code and Repealing Resolution No. 09-063

**R-5** Second Reading and Proposed Adoption of an ORDINANCE Relating to County Organization; Concerning the Organization and Functions of the Office of Government Relations. (Extra copies in back of Boardroom.)

**DEPARTMENT OF COUNTY MANAGEMENT – 10:02 AM**

**R-6** BUDGET MODIFICATION DCM-16 Reclassifying a Service Reimbursement between the Fleet Fund and the Road Fund for Accounting Purposes

**DEPARTMENT OF COMMUNITY JUSTICE - 10:05 AM**

**R-7** BUDGET MODIFICATION DCJ-15 Reducing the Fed/State Fund by \$1,928,574 and 16.94 FTE Due to State of Oregon Funding Reductions for Fiscal Year 2010

**R-8** BUDGET MODIFICATION DCJ-17 Appropriating \$431,123, from the Oregon Criminal Justice Commission Recovery Act Measure 57 Grant, in the Department of Community Justice's Federal/State Budget

**DEPARTMENT OF COMMUNITY SERVICES – 10:12 AM**

**R-9** First Reading and Possible Adoption of an ORDINANCE Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Code Revision to Allow Office Use at PGE Park in Compliance with Metro's Functional Plan and Declaring an Emergency (Extra copies in back of Boardroom.)

**R-10** First Reading and Possible Adoption of an ORDINANCE Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Land Use Code Revisions to Update Zoning Provisions Applicable to the South Waterfront Subdistrict in Compliance with Metro's Functional Plan and Declaring an Emergency (Extra copies in back of Boardroom.)

**R-11 Board Briefing Following up on Resolution 2010-004 Directing the Department of Community Services to Investigate the Use of Alternative Construction Methodologies for the Sellwood Bridge Replacement Project. Presented by Ian Cannon. 90 MINUTES REQUESTED.**

**BOARD COMMENT**

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

Thursday, March 4, 2010 – **12:00 PM– 1:30 PM**  
Multnomah Building, Sixth Floor Conference Room 635  
501 SE Hawthorne Boulevard, Portland

## **WORK SESSION**

WS-1 Board Values Dialogue Session – Presented by Hector Roche. 90 MINUTES  
REQUESTED.

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Thursday, March 4, 2010 - **6:00 PM to 8:00 PM**  
Multnomah Building, Commissioners Boardroom 100  
501 SE Hawthorne Boulevard, Portland

## **BUDGET FORUM** **CREATING A SAFE COMMUNITY**

A quorum of the Multnomah County Board of Commissioners *may* attend the Citizen Involvement Committee and Chair Ted Wheeler Sponsored Community Budget Forum. This Forum is open to the public. For further information, contact Citizen Involvement Committee Executive Director Kathleen Todd at 503 988-3450



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised 12/31/09)

### Board Clerk Use Only

Meeting Date:	<u>03/02/2010</u>
Agenda Item #:	<u>PD-1</u>
Est. Start Time:	<u>9:30 AM</u>
Date Submitted:	<u>02/17/2010</u>

**Agenda Title:** General Fund Forecast Update

*Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.*

<b>Requested Meeting Date:</b>	<u>March 2, 2010</u>	<b>Amount of Time Needed:</b>	<u>30 minutes</u>
<b>Department:</b>	<u>County Management</u>	<b>Division:</b>	<u>Budget Office</u>
<b>Contact(s):</b>	<u>Karyne Kieta</u>		
<b>Phone:</b>	<u>503-988-3312</u>	<b>Ext.</b>	<u>22457</u>
		<b>I/O Address:</b>	<u>503/501</u>
<b>Presenter(s):</b>	<u>Mike Jaspin</u>		

## General Information

**1. What action are you requesting from the Board?**

Attend a briefing session to hear an update of the County's five-year General Fund revenue and expenditure forecast. No decisions will be made; this is an information briefing only.

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

County Financial Policies recognize the importance of developing and maintaining a five-year financial forecast for the General Fund in order for the Board to be able to assess the long-term financial implications of current and proposed policies and programs.

The forecast presentation will provide an update of available funding for FY 11 and beyond; provide context for evaluating financial risk and for assessing the County's ability to sustain services; and identify key variables that might change the level of revenues or expenditures.

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

N/A—briefing only.

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

N/A—briefing only.

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

N/A—briefing only.

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**Required Signature**

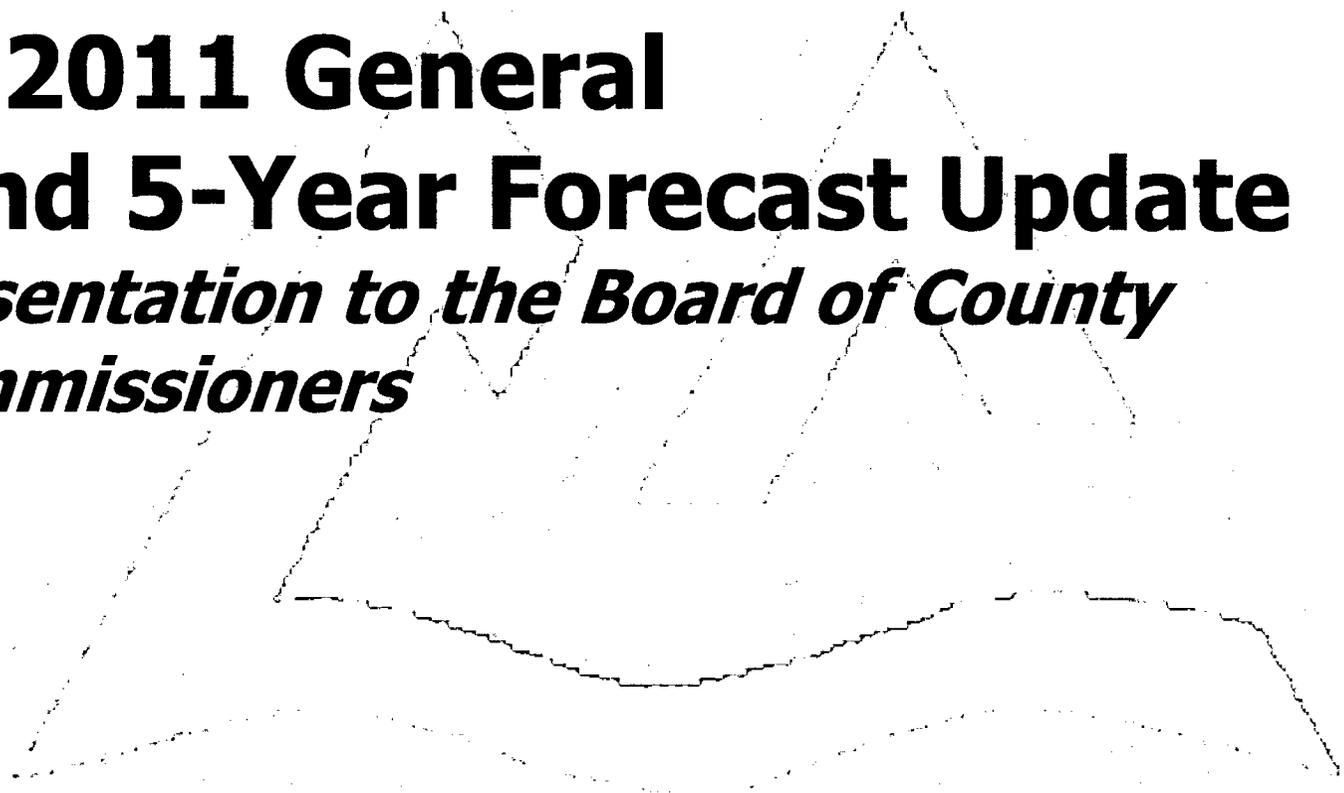
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**Elected Official or  
Department/  
Agency Director:**

*Mindy Harris*

**Date: 02/17/2010**

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**FY 2011 General  
Fund 5-Year Forecast Update**  
*Presentation to the Board of County  
Commissioners*

**Multnomah County Budget Office**

**March 2, 2010**

# Introduction

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- Economic Overview
- FY 2010 Revenue Review
- FY 2010 and 2011 One-Time-Only Funds
- FY 2011 General Fund 5-Year Forecast
  - 5-Year Outlook
  - What's changed
  - Operating Deficit Overview
  - Expenditure Assumptions
    - ✓ No Change from October
    - ✓ CPI/COLA Update
- Forecast Risks & Issues
- Summary & Questions



# Economic Overview

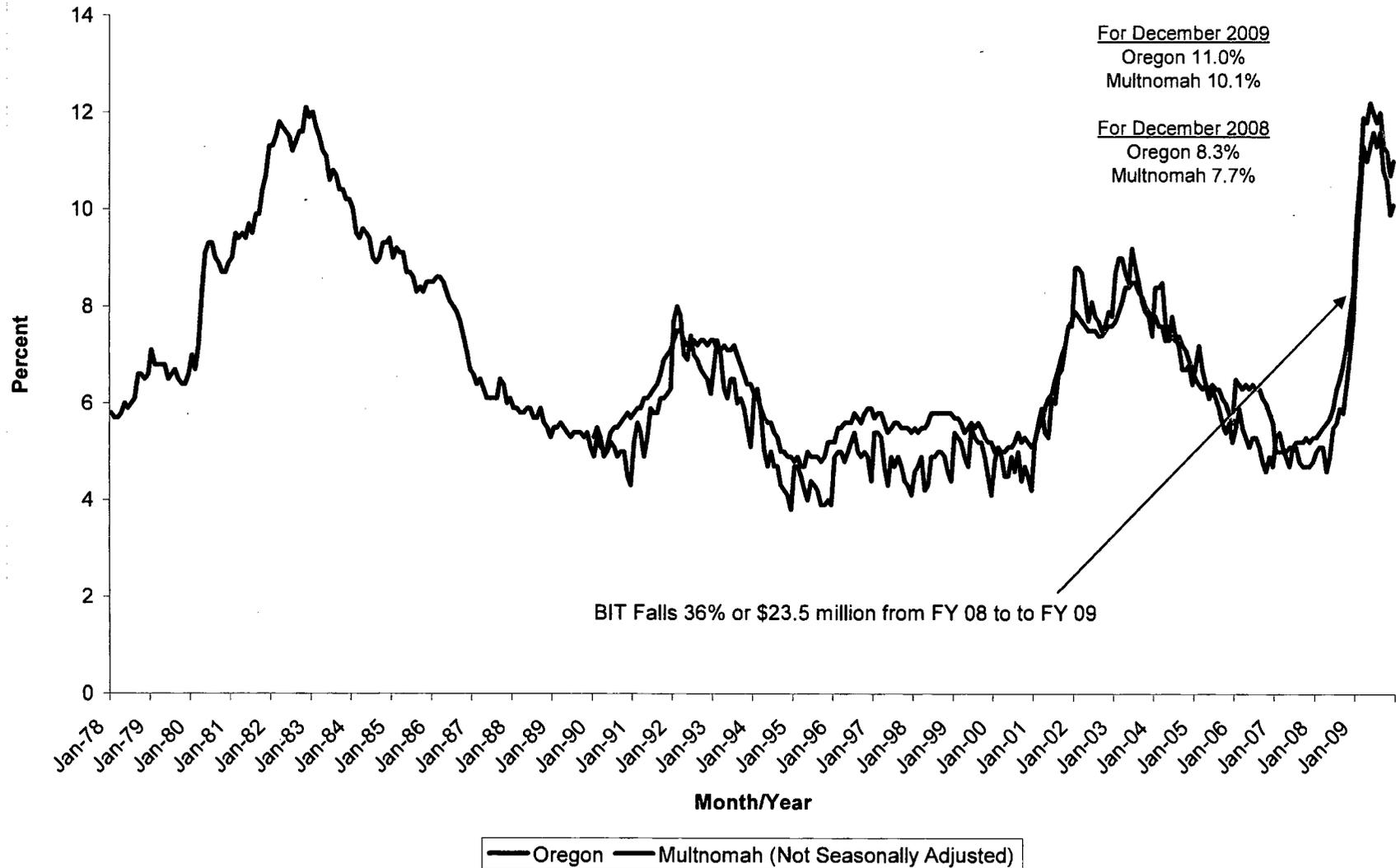
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- Stabilizing economy with technical end of recession in 2009.
  - GDP – For 2009 Q3 = 2.6% and Q4 = 5.9%
    - ✓ But... in Q4, personnel consumption expenditures grew @ 1.7%
    - ✓ Increases driven by temporary inventory adjustments with substantial support from Government stimulus and monetary policy
  - Labor Markets – Employment, unemployment, work week, etc.
  - Housing
  - Industrial production & transportation
- Some not so 'Fun Facts' and recent trends
  - Portland Metro Area – 69,722 or 14.8% homes with mortgage have negative equity, including those with near negative equity pushes rate to 20.3% (First American Core Logic).
  - New Home sales for January @ seasonally adjusted annual rate of 309,000 (a historic low) and down 11.2% from December number of 348,000... At peak, was 1.3 million.
  - American Institute of Architects' Architecture Billings Index fell in January to 42.5 indicating continued contraction in commercial real estate... this is leading indicator.
  - FDIC Q4 Quarterly Banking Profile – 702 'problem' banks with assets of \$403 billion.
  - Weekly Unemployment Claims – 4-week moving average @ 473,750, which is down from 600,000 plus, bit still near peak levels seen in the last two recession.
- Forecast continues to assume a stabilizing national and local economy with a protracted and uneven recovery

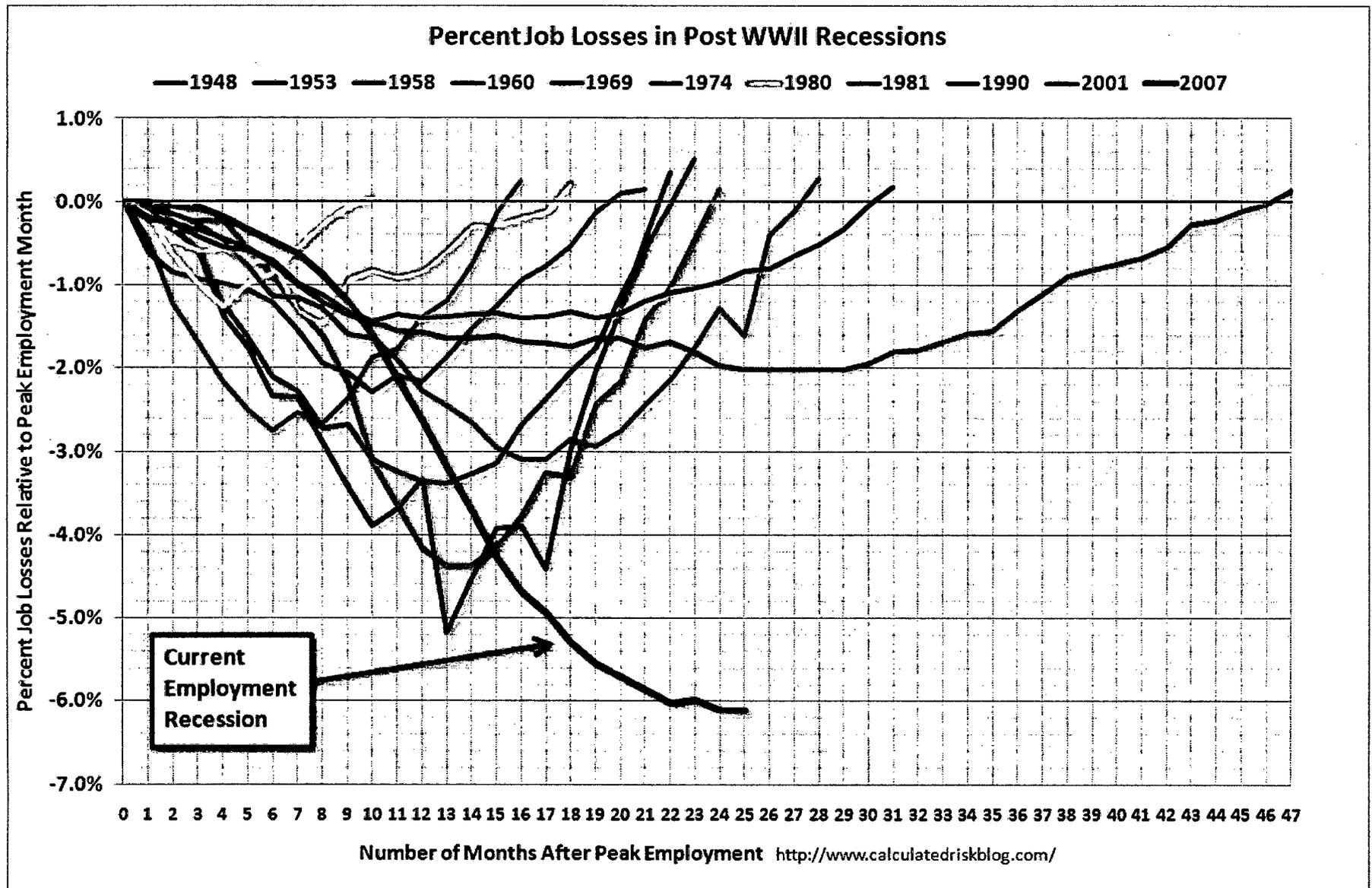


# Economic Overview

## Oregon & Multnomah County Unemployment Rates

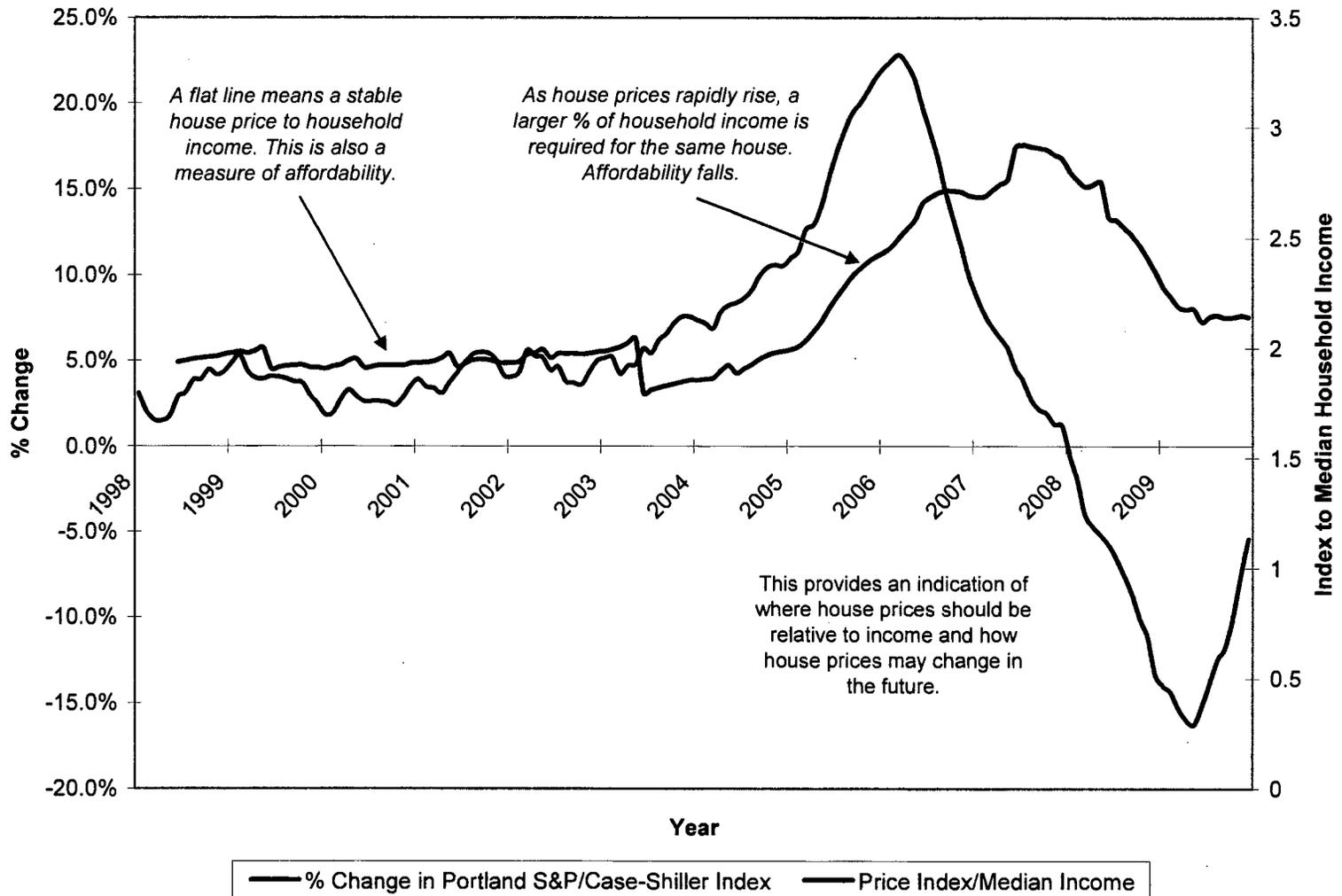


# Economic Overview



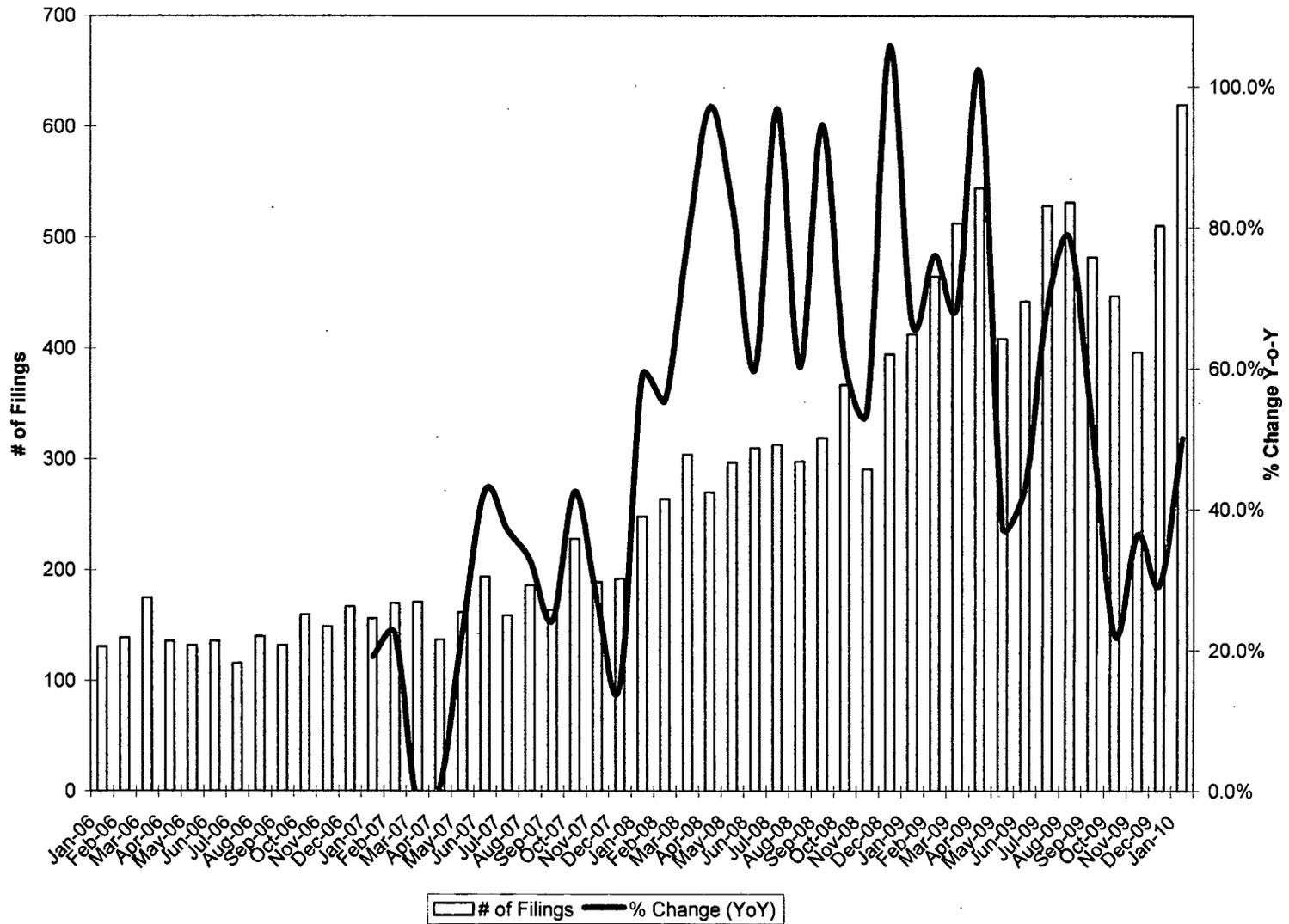
# Economic Overview

**% Change in Portland S&P/Case-Shiller House Price Index and Index to Median Household Income (Thru December)**



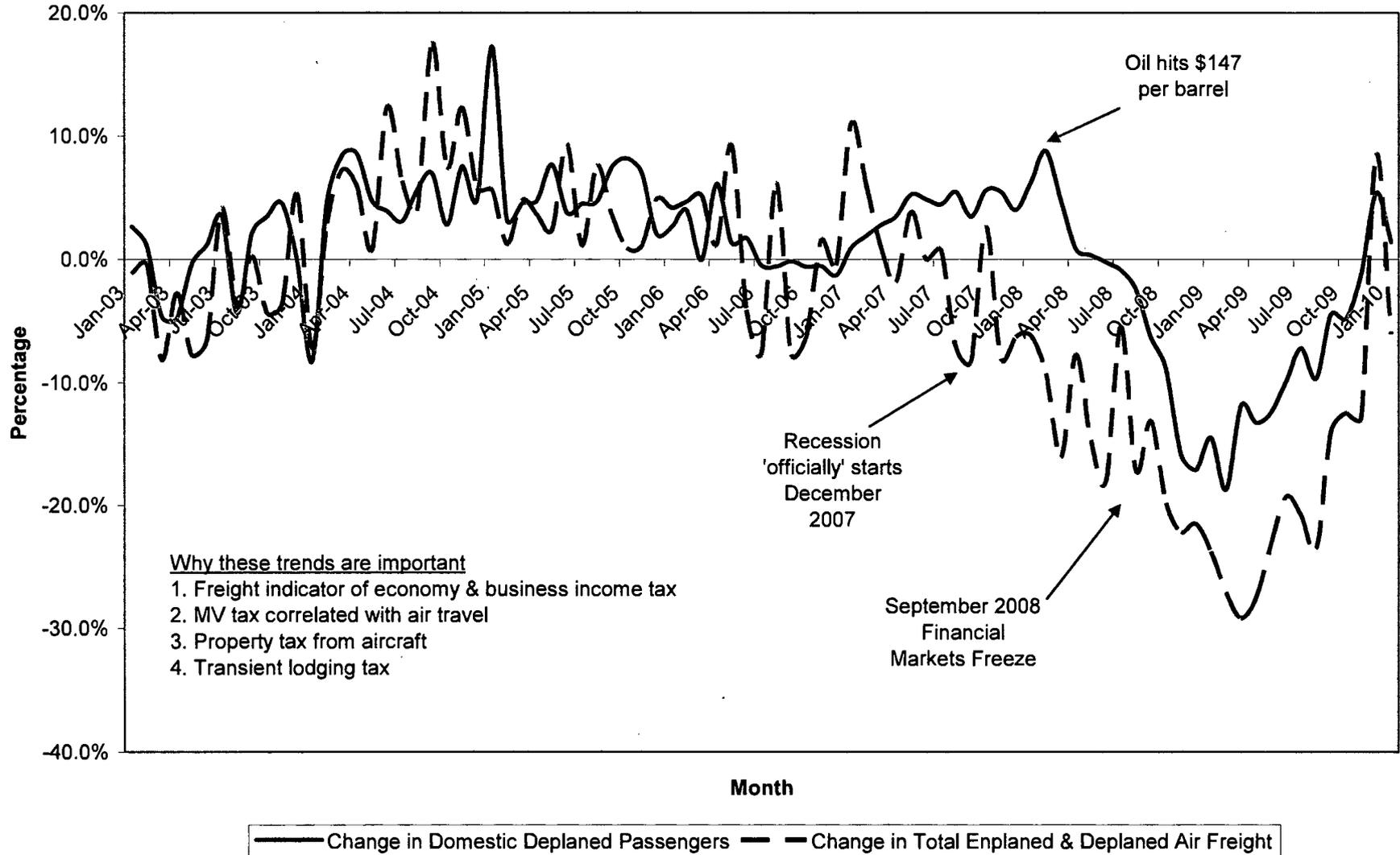
# Economic Overview

Default Filings in Multnomah County & Year-Over-Year % Change (Thru January)



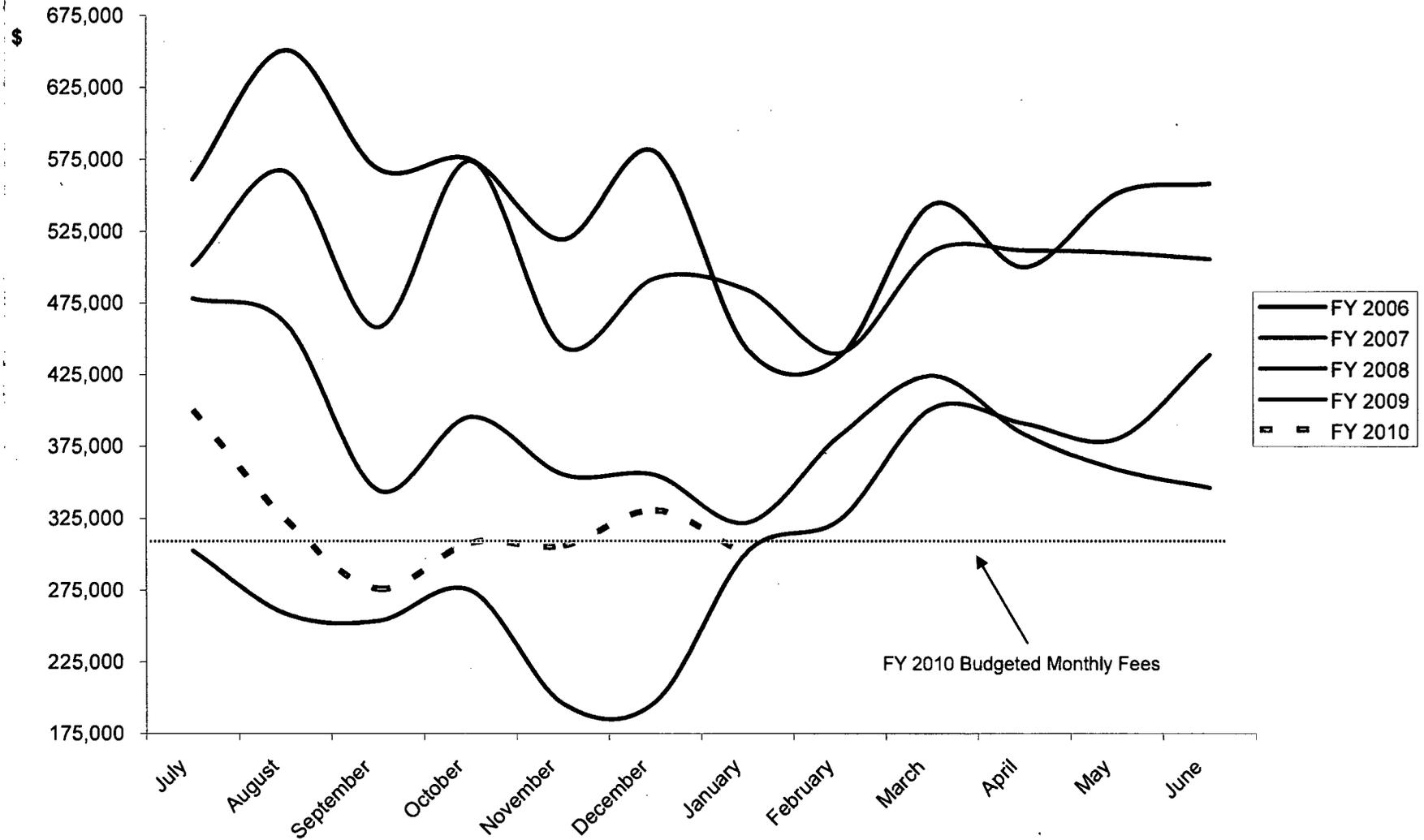
# Economic Overview

Year-Over-Year Change in Passengers & Freight at PDX (Thru January)



# Economic Overview

Monthly Recording Fees (Thru January)



# FY 2010 Revenue Review & OTO Funds

	Adopted <sup>1</sup>	October Forecast Change	February Forecast Change	Net Change From Adopted
Property Taxes	221,248,041	1,572,323	1,929,152	3,501,475
Business Income Taxes	42,528,000	0	(265,000)	(265,000)
Motor Vehicle Rental Taxes	17,412,540	0	0	0
US Marshal	9,225,000	(2,098,750)	0	(2,098,750)
State Shared				
Video Lottery	5,559,535	0	(1,659,535)	(1,659,535)
Liquor	2,637,935	456,920	(289,855)	167,065
Cigarette	900,000	(140,276)		(140,276)
Amusement	100,000	75,000	0	75,000
Recording Fees/CAFFA Grant	7,242,500	250,000	0	250,000
City of Portland	1,170,678	(228,000)		(228,000)
Indirect				0
Departmental	8,721,000	0	0	0
Central Indirect/Svc Reimburse	7,548,132	0	(400,000)	(400,000)
Elections	1,173,750	(124,000)	0	(124,000)
All Other	15,019,735	0	0	0
<b>FY 10 Revenue Adjustments<sup>2</sup></b>	<b>340,486,846</b>	<b>(236,783)</b>	<b>(685,238)</b>	<b>(922,021)</b>
<b>% of Revenue</b>		<b>-0.07%</b>	<b>-0.20%</b>	<b>-0.27%</b>

Higher BWC (ending balance from FY 09)	8,243,991
Unappropriated above 10% Reserve	3,598,319
Less 10% Revenue Reserve Increase	<u>(620,847)</u>

**OTO funds available for FY 2011<sup>3</sup> 10,299,442**

Additional FY 2011 OTO if BIT Reserve not used or kept for FY 2011 6,000,000

1. Excludes BWC, ITAX Revenue, and General Reserve Fund Cash Transfer into General Fund.

2. Not adjusted for revenue adjustments directly offset by expenditure changes.

3. Required addition to Revenue Reserve Reduced by \$157,824 from October forecast.



# **FY 2010 Revenue Review & OTO Funds**

## **BIT Collections Fiscal Year-to-Date Through January**

	<b>FY 08</b>	<b>FY 09</b>	<b>FY 10</b>	<b>FY 10 vs. FY 08</b>	<b>FY 10 vs. FY 09</b>
Quarterly	20,625,939	19,233,717	15,603,196	-24.4%	-18.9%
Yearly	6,136,276	5,080,710	6,433,250	4.8%	26.6%
Refund/Interest	2,122,669	4,574,843	5,133,990	141.9%	12.2%
NSF Check	25,496	40,003	53,588	110.2%	34.0%
<b>Total</b>	<b>24,614,049</b>	<b>19,699,581</b>	<b>16,848,867</b>	<b>-31.5%</b>	<b>-14.5%</b>
Actual or Budget	65,650,000	42,900,000	42,528,000		



# 5-Year General Fund Forecast

## Major General Fund Revenue Sources <sup>1</sup>

	Adopted FY 2010	Forecast FY 2010 <sup>2</sup>	Forecast FY 2011	Forecast FY 2012	Forecast FY 2013	Forecast FY 2014	Forecast FY 2015
Property Taxes	221,248,041	224,749,519	228,530,991	235,948,246	244,182,387	252,508,465	261,637,279
Business Income Taxes	42,528,000	42,263,000	42,263,000	43,854,400	49,212,928	56,014,479	62,736,217
Motor Vehicle Rental Taxes	17,412,540	17,412,540	17,847,854	18,561,768	19,675,474	20,265,738	20,873,710
US Marshal	9,225,000	7,126,250	7,114,844	7,290,215	7,505,921	7,728,099	7,956,942
Recording Fees/CAFFA Grant	7,242,500	7,492,500	8,435,000	8,905,625	9,384,781	9,460,027	9,536,777
State Shared	9,197,470	7,639,724	7,907,479	8,862,679	9,189,634	9,557,987	9,779,742
Indirect & Service Reimbrs.	16,269,132	15,869,132	16,631,438	17,148,507	17,682,326	18,233,440	18,802,414
	<b>323,122,683</b>	<b>322,552,665</b>	<b>328,730,606</b>	<b>340,571,440</b>	<b>356,833,451</b>	<b>373,768,235</b>	<b>391,323,081</b>
<i>% of Total Revenue</i>	<b>94.6%</b>	<b>94.7%</b>	<b>95.2%</b>	<b>95.7%</b>	<b>96.0%</b>	<b>96.1%</b>	<b>96.3%</b>
All Other General Fund	18,286,181	17,934,181	16,543,564	15,303,378	14,906,323	15,308,473	15,178,166
<b>Total</b>	<b>341,408,864</b>	<b>340,486,846</b>	<b>345,274,170</b>	<b>355,874,818</b>	<b>371,739,774</b>	<b>389,076,708</b>	<b>406,501,247</b>
% Change in Ongoing Revenue		-0.27%	1.41%	3.07%	4.46%	4.66%	4.48%

1. Excludes BWC, ITAX Revenue, and General Reserve Fund Cash Transfer into General Fund.

2. Not adjusted for revenue adjustments directly offset by expenditure changes.



# 5-Year General Fund Forecast

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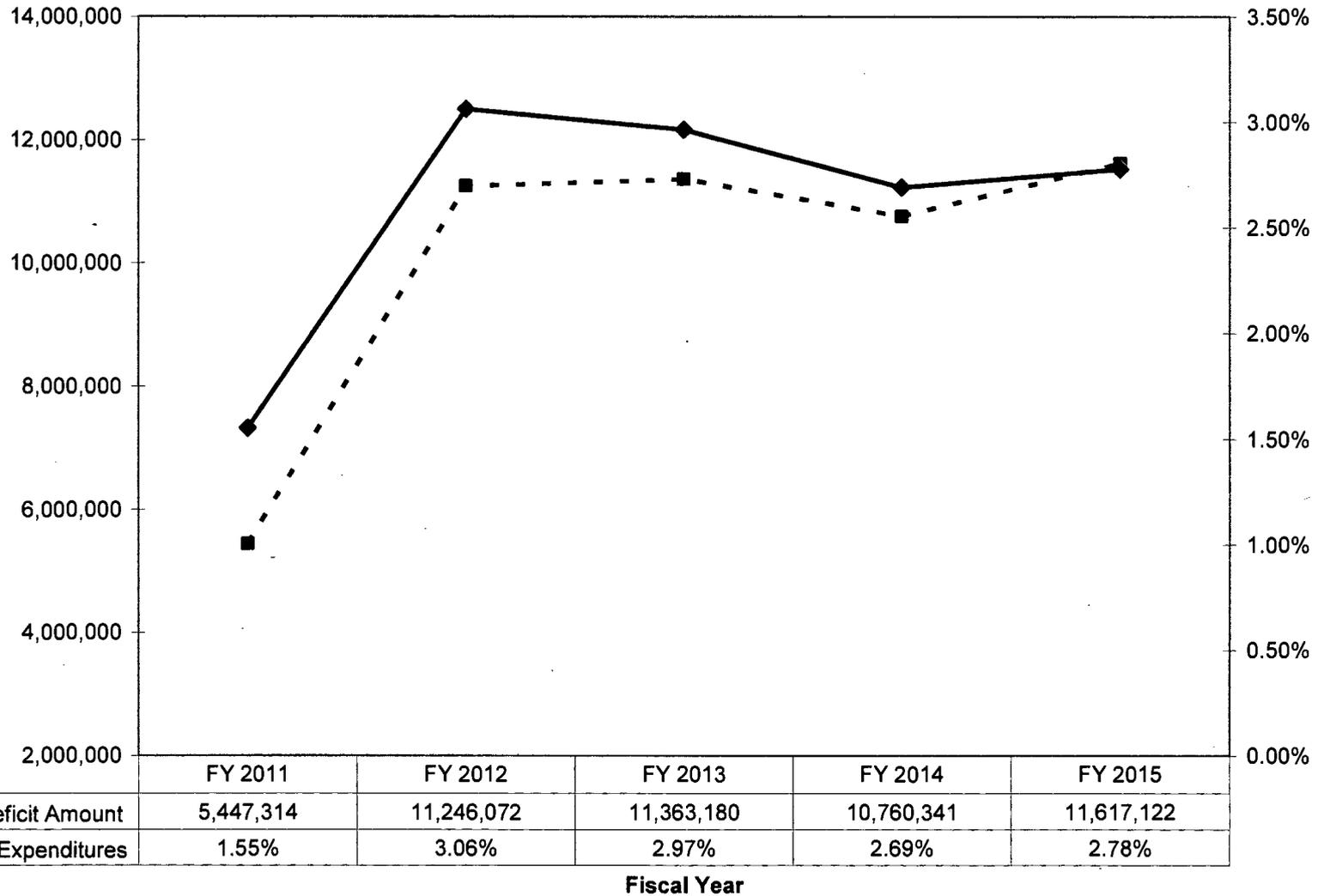
## Changes to Ongoing Revenues and Impact on the Expenditure/Revenue Gap

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Property Tax	588,832	0	0	0	0
Business Income Tax	(265,000)	(800,000)	(800,000)	0	0
Video Lottery	(1,603,523)	(866,236)	(763,523)	(625,907)	(641,555)
Liquor Tax	(298,551)	(307,507)	(316,733)	(326,235)	(336,021)
<b>Net Change</b>	<b>(1,578,242)</b>	<b>(1,973,743)</b>	<b>(1,880,256)</b>	<b>(952,142)</b>	<b>(977,576)</b>
Rev/Exp Gap - October 2009 Forecast	(3,869,072)	(9,272,329)	(9,482,924)	(9,808,199)	(10,639,546)
Rev/Exp Gap - March 2010 Forecast	(5,447,314)	(11,246,072)	(11,363,180)	(10,760,341)	(11,617,122)



# 5-Year General Fund Forecast

## General Fund Annual Operating Deficit



# 5-Year General Fund Forecast

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- Assumes:
  - ✓ No ongoing backfill of state programs
  - ✓ No new or expanded General Fund programs
    - East County Court Facilities
    - Crisis Assessment & Treatment Center
  - ✓ No structural changes in revenues (i.e., tax law changes, new legislation, or additional property tax levies)
  - ✓ Total labor costs increase between 4.75% to 5.50%
  - ✓ 'Normal' Inflation
- The actual operating deficit will certainly be different



# Forecast Risks & Issues

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- Economy does not continue to stabilize and recover
  - ✓ BIT
  - ✓ Commercial real estate
  - ✓ Property Tax Compression
- New Asset Bubbles & Inflation
- State Budget/Economy
  - ✓ ~~January Election~~
  - ✓ Federal Reserve Ramp Down
  - ✓ Stimulus Expiration
  - ✓ State of Oregon Budgetary Issues
- Internal/Local Issues
  - ✓ New & Replacement Structures and Operating Costs (East County Courts, Crisis Assessment & Treatment Center, Downtown Courthouse, etc.)
  - ✓ Retiree Benefits Liability
  - ✓ Health Care and Health Costs



# Summary

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- FY 2010 General Fund ongoing revenues in-line with Adopted Budget – down \$900,000 or 0.27% of planned revenues.
- FY 2011 operating deficit of \$5.5 million vs. a deficit of \$3.9 million forecasted October.
- FY 2012 operating deficit likely to grow to \$11.2 million
- FY 2012 to FY 2015 – annual operating deficit stabilizes at roughly \$11.3 million or 2.9% of expenditures
- OTO resources for FY 2011 of \$10.3 million, but high as \$16.3 million if the BIT reserve isn't used
- Questions?
- More Info: [www.co.multnomah.or.us/budget](http://www.co.multnomah.or.us/budget)





# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised 12/31/09)

### Board Clerk Use Only

Meeting Date:	<u>03/02/2010</u>
Agenda Item #:	<u>PD-2</u>
Est. Start Time:	<u>10:00 AM</u>
Date Submitted:	<u>02/08/2010</u>

<b>Agenda Title:</b>	<b>Briefing and Policy Discussion on the Grand Jury Corrections Report; District Attorney's Response to Potential Cost-saving and Operational Changes in the Corrections System; Sheriff's Plan for Responding to Particular Items within his Responsibility; Health Director's Discussion on Findings Related to Corrections Health; and Board Discussion on Next Steps</b>
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*Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.*

<b>Requested Meeting Date:</b>	<u>March 2, 2010</u>	<b>Amount of Time Needed:</b>	<u>2 hours</u>
<b>Department:</b>	<u>Non-Departmental</u>	<b>Division:</b>	<u>Commission District 1</u>
<b>Contact(s):</b>	<u>Beckie Lee, Jana McLellan</u>		
<b>Phone:</b>	<u>503-988-6796</u>	<b>Ext.:</b>	<u>86796</u>
		<b>I/O Address:</b>	<u>503/6<sup>th</sup></u>
<b>Presenter(s):</b>	<u>Mike Schrunk, John Bradley, Chuck French, Lillian Shirley, Sherriff Dan Staton</u>		

## General Information

**1. What action are you requesting from the Board?**

No action required.

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

Board briefing and discussion on the Grand Jury Corrections report. The Corrections Grand Jury identified a number of potential cost-saving and operational changes in the corrections system. The District Attorney's office will brief the Board on those findings, the Sheriff will share his plan for responding to particular items that he has responsibility for, the Health Department will discuss findings related to Corrections Health, and the board will discuss next steps.

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

None.

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

None.

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

None.

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**Required Signature**

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

*Deborah Kofsky*

**Date: 02/05/2010**

**Multnomah County**  
**Corrections Grand Jury**  
**2009 Report**  
**December 14, 2009**

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## **I. Executive Summary**

Pursuant to Oregon law,<sup>1</sup> the Multnomah County corrections grand jury was selected randomly from the general jury pool on September 14, 2009 to examine and report on the conditions and management of all jails and detention facilities in this county. To fulfill this statutory obligation, the 2009 corrections grand jury toured all the jails, prisons and detention centers in Multnomah County. We also traveled to Washington County to compare that system with ours. We heard testimony from 105 witnesses, many on multiple occasions. We reviewed state statutes, regulations and standards, and received documentary evidence from numerous sources, including the work of previous corrections grand juries. Above all, we sought out opinions and suggestions from knowledgeable witnesses throughout the system.

We have arrived at certain definite conclusions and in this report we will submit a number of concrete recommendations for future action. We are mindful of the fact that this county, like many others throughout the nation, is in the midst of a severe economic crisis. These conditions, as bad as they may be, give us the opportunity to find better and more economic ways of doing business. Where a system has operated inefficiently, as we believe has happened in this county, good leadership can convert a crisis into an opportunity for a fundamental re-examination of the dynamics of a wasteful and inefficient system.

We do not mean to imply that the corrections system in this county is in all aspects poorly run. Inmates are treated and cared for with decency and dignity, for which the citizens of our county can be proud. The financial stewardship, however, leaves much to be desired. When Bob Skipper returned as Sheriff last year he took over a department that was in disarray and began to turn the office back in the direction of fiscal and managerial responsibility. However, there is still much to do. Few of our recommendations are new. Many have been made by prior grand juries. However, the climate may now be more receptive to some of these ideas. We believe, like other grand juries before, that this county can save many millions of dollars by adopting these recommendations, which are based upon what other jails do.

While many of these recommendations have been made before, this grand jury has sought to outline clearly the many millions of dollars in potential savings that could be achieved by making certain clearly defined changes. None of these changes are difficult to understand, and all would be considered prudent managerial decisions. All, however, will face entrenched institutional opposition, and will require unwavering will from our leadership. They are the work of not just this panel, but many others in the past. We hope that current conditions will finally give these recommendations the weight they deserve.

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<sup>1</sup> ORS 132.440 requires that each year a grand jury inquire into the conditions and management of corrections facilities in each county of the state. This has been a statutory requirement since territorial times.

## **II. Highlights and Noted Improvements**

While recent corrections grand jury reports have focused on criticism, there are clearly positive elements in our current county jail system.

The corrections grand jury toured the Multnomah County Detention Center (MCDC), Multnomah County Inverness Jail (MCIJ), Multnomah County Courthouse Jail (MCCJ), Donald E. Long Juvenile Detention Center, Wapato Jail, and the Columbia River Correctional Institute (CRCI state prison). The grand jury also toured the Washington County Jail as a regional comparison. The tours included visiting inmate cells/dorms, kitchens, recreation areas, program areas, booking area, transfer/holding units, property management area, and release/visitation. Overall, the corrections grand jury was impressed with the clean and orderly conditions of these facilities.

Inmate meals were sampled at each of the facilities with the exception of Wapato and the Courthouse Jail. Aramark Corporation currently handles food service at MCIJ and MCDC. Aramark appears to meet nutritional guidelines and run their service cost effectively. We were impressed with their ability to handle different dietary requirements and restrictions and the health and religious needs of the inmates. When possible, fresh produce from on-site gardens is incorporated into the meals. Inmate kitchen crews are used and the pride displayed by those who worked in the food service area is evident. Another notable effort on Aramark's part has been to implement a composting/recycling program; Aramark is currently working on eliminating Styrofoam.

While interviewing numerous deputies, sergeants, lieutenants, and captains, it was apparent they were in general very knowledgeable and professional. In particular, the facility commanders for MCDC and MCIJ, Captain Adgers and Captain Yankee, stood out as being extremely dedicated to and proud of the facility and staff. The two commanders were widely respected.

The corrections grand jury interviewed inmates at MCIJ, MCDC, DCJ juvenile facility, and CRCI from the "old-timers" to first time offenders. The consensus was that the inmates felt very safe and there were no complaints of harassment or unfair treatment. Lieutenant Lindstrand gave testimony about the Prison Rape Elimination Act (PREA) and the policies/procedures in place to ensure timely investigations of any accusations as well as appropriate disciplinary measures and facilities changes. We were impressed with the speed and rigor with which the corrections organization has implemented these changes.

One other area of notable improvement is the enforcement of sick time leave. This issue has been noted in previous grand jury reports and we have found that the command staff has recently implemented a system to track sick leave. We commend the Sheriff's Office on addressing this issue and utilizing the tracking

system since this can reinforce a culture of accountability and responsibility among staff as well as ease the burden on the Sheriff's budget in the process.

We found that the quality of medical services provided to inmates is generally good despite the lack of a National Commission on Correctional Health Care (NCCHC) certification. There are procedures to ensure a quick response to inmate complaints and the staff is attentive to inmate needs. They were prepared to deal with outbreaks and had a plan in place to handle the H1N1 flu virus.

### **III. Opportunities for Improvement**

#### **Overall Expense Reduction**

The 2009 corrections grand jury agrees with previous grand juries in finding that the operating cost of the Multnomah County jails exceeds that of virtually every jail system in the country; significant opportunities exist for improvements in efficiency. Our findings are for the most part the same as those of previous years. In an effort to see more action on investigating and implementing cost reduction programs, this corrections grand jury has identified clear cost saving opportunities associated with changes in operations. We are troubled by a persistent lack of transparency in fiscal accounting throughout all the county agencies that we examined. By examining actual budgets, however, we were able to draw firm conclusions regarding estimated savings. We believe these savings estimates to be conservative. As noted, we are confident there will be resistance to these ideas, but strongly believe that independent, objective investigation into these areas would validate our assessment.

Unfortunately the failure to act will result in the loss of millions of dollars to the county. We have seen this in the past. The 2006 corrections grand jury recommended the following: "In Multnomah County there are a number of cost savings measures that could be implemented. Currently, highly skilled and highly paid nurses are dispensing prepackaged medications to inmates when the use of medication aides would reduce labor costs." That advice was rejected, with the assertion that little savings could be realized by doing so and the services needed to be done by nurses. When faced with a true budget reduction this year, however, those changes were finally implemented and, according to the testimony, Multnomah County is now saving \$1.2 million each year. The missed opportunity to implement this program in a timely manner cost the county millions of dollars.

The following chart details savings that could be achieved with certain program adjustments. More detailed explanations follow the chart.

**Table 1. Quantified Potential Savings\***

<b>Opportunity</b>	<b>Current Annual Costs</b>	<b>Potential Annual Savings</b>	<b>Comments</b>
SB1145 opt out	\$4.5M	\$4.5M	County corrections is more expensive than state corrections, and has a higher recidivism rate. Additional millions could be saved
Outsource corrections health	\$13.8M	\$4.0M	Washington County has award-winning contracted corrections health care for 70% of Multnomah County's annual costs
US Marshal contract	\$3.4M	\$3.4M	Eliminate \$62/bed/day subsidy of US Marshal beds (\$125 reimbursement v. cost of \$187/bed/day)
Recent retirees for OT backfill	\$4.5M	\$1.4M	Replace 40,000 hours with part-time retirees making Step 3 pay v. Step 6 OT plus benefits
Civilian floor control	\$3.7M	\$1.4M	Use FSOs instead of deputies to staff floor controls
Lease Wapato	\$0.8M	\$0.8M	This savings only represents the county's mothball cost. Any revenue would constitute an additional benefit.
Civilian classification	\$1.1M	\$0.4M	Use FSOs instead of deputies for 12 of 20 classification positions
OT backfill scheduling	\$0.4M	\$0.2M	Use civilians to arrange for shift backfills
<b>Total</b>		<b>\$16.1M</b>	

\*The figures presented in the above table represent either cost savings that could be achieved either by altering a programming or eliminating a program that loses money.

**1. SB1145 opt out: \$4.5M annual savings for County Corrections.<sup>2</sup>**

In 1995, Senate Bill 1145 became law. It allowed county governments to assume control, with state funding, of probation and parole supervision of felons, along with the local incarceration in the county jail of felons serving prison sentences of one year or less. Counties had the option of entering the program and accepting state funding for it or allowing the state to continue to fulfill these functions. All Oregon counties entered the SB 1145 program. 1145 created a complex funding distribution formula based upon case loads (probation, parole and local control of jail inmates) in each county. Currently the state pays the county approximately \$85 a day for each 1145 prisoner. The county loses about \$100 a day per prisoner. In effect, our county is subsidizing the state government for well over half

<sup>2</sup> The projected savings of \$4.5M was obtained from an April 2009 report by the Multnomah County District Attorney's office. In that report, the District Attorney's Office outlined additional cost savings that would result in millions of dollars in savings.

the cost of housing state prisoners in our jails. State law allows for counties to return this function back to the state by "opting out" of the program. This option should be considered.

**2. Corrections health care: \$4.0M annual savings.<sup>3</sup>**

The system of medical care in our jails, run by the county health department, costs substantially more than that in other jails, and does not provide superior care. If our current system is not replaced, we must adopt programs that will make our system better for the inmates and more efficient.

The Multnomah County Health Department currently runs the medical service in the jails and juvenile facility through their Corrections Health Division at a cost of \$25/day/inmate. By contrast, the Washington County jail system has contracted with a specialized private medical service for health care delivery at the cost of \$17/day/inmate. Not only is the medical service in that facility less expensive, but in our estimation, it is better, for a number of reasons.

- First, the Washington County contractor, under the terms of its contract, must be certified by the National Commission on Correctional Health Care (NCCHC). This body was formed to oversee, inspect, and certify health delivery services in correctional institutions. Its certification process represents the gold standard in the field. Three years ago, the Multnomah County system dropped its NCCHC certification process. To the extent that certification provides proof of excellence, and we believe it does by design, our jail health services fall below those of Washington County.
- Second, the Washington County jail system this year was awarded the NCCHC award for best program in the nation for the delivery of mental health services in jails. We believe that mental health care services are probably the most important health care services in a jail system.
- Third, the Washington County jail health care provider already operates a working system of computerized health records. Our health department has not implemented such a system. When we do, it will likely be expensive.

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<sup>3</sup> The Multnomah County Health Department provided us with an estimate of \$23 per inmate per day for medical costs without administrative expenses. If administrative costs are added the total cost is \$25/day. The current Washington County contract works out to \$16.74 per inmate per day. The \$3.99M projected savings assumes \$8 savings per inmate per day against 1,367 inmate capacity over 365 days. This figure does not include litigation payout, which has totaled \$89,000, plus the money it cost the county to defend these and other lawsuits. In addition part of the \$950,000 settlement of the James Chasse lawsuit should be added to this calculation.

- Fourth, we understand that 14-day screening physicals have been eliminated in the Multnomah County jails.<sup>4</sup> These physical check-ups assess health conditions after an inmate has stabilized and possibly withdrawn from drugs or alcohol. As such, they are important medical evaluations. We believe it is a best practice in corrections health and that abandoning the process contributes to less effective health care. The practice is routine in the Washington County jail.
- Fifth, because the corporation that runs the Washington County jail health care system is national in scope, running health programs in over 200 facilities in the country, it has access to centralized feedback and training not only for medical issues, but for business management and cost containment. It has the immediate ability to compare its operational results to that of hundreds of facilities throughout the country and to ascertain the best practices in the field. It is instructional to compare this capacity, which as a comparative management tool has an enormous ability to manage costs and care, to the operations of our own Health Department.
- Sixth, the Washington County contract for health care in the jail requires the contractor to assume full legal liability for litigation costs and recoveries against the county in lawsuits arising from health care issues. This clause is significant.

Because we think that the Washington County model is so good, both from a corrections and corrections health perspective, we are asking Chair Ted Wheeler and all of the county commissioners to visit Washington County and look at their health care system first hand. We think they will get a better idea of what a more efficient system can look like.

The grand jury recommends submitting a request for proposal (RFP) to several private corrections health care providers. Even if the decision is made to continue using the Multnomah County Health Department, the RFPs will provide valuable cost and performance benchmarking information.

**3. Eliminate subsidizing U.S. Marshal inmate housing: \$3.4M annual savings.<sup>5</sup>** The county loses money by providing corrections housing for

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<sup>4</sup> Corrections Health testified that a \$700,000 Tuberculosis and 14-day screening physical program were eliminated in 2006 for budgetary reasons. Both of these are included in Washington County Jail's health care contract, and are required for NCCCHC accreditation.

<sup>5</sup> The US Marshal Contract pays Multnomah County \$125 per inmate per day for housing. Using standard practices for calculating bed cost, Larry Aab provided a figure of \$187 per inmate per day for Multnomah County. While the county has the obligation under state law to house federal prisoners, the US Marshal has the obligation to pay the full cost. We heard testimony that the US Marshal refused to agree to a contract that would pay the full cost, and the Sheriff's office agreed to take a lesser sum, seemingly contrary to state law. This is a deficit of \$62 per inmate per day. The calculation assumes 75% occupancy against the 200 bed contract, projected over 365 days (consistent with historical average).

inmates who are not the responsibility of the county. The U.S. Marshal pays Multnomah County \$125/day for a bed that costs the county \$187/day. In addition, by maintaining the Marshal contract, we reduce the jail population for Multnomah County prisoners by 150 – 200 beds per day. This in turn results in fewer jail beds to house Multnomah County prisoners and more matrix releases. Unfortunately this increases the likelihood of the people being released committing more crimes against the citizens of Multnomah County.

The Sheriff's Office has consistently said that they make a profit on these beds. We disagree. Currently there are 1,367 beds in our jail system. From the Jail Bed Distribution chart, found in Exhibit 1 of this report following the addendum, it appears that currently we lose 400 beds to the federal government and 1145. In addition, there are another 200 beds that are used for post prison supervision, which has traditionally been a state function. Those 600 beds make up 44% our bed capacity. By giving our "cheapest" beds to the federal government and the state, it is costing Multnomah County more than \$200 a day to keep our own prisoners.

Finally, it is important to note that the law requires Multnomah County to house federal prisoners but in doing so, the law also requires that we recover the entire cost. This is not being done and the situation needs to immediately be corrected. Multnomah County citizens should not be paying to house federal prisoners.

4. **Use recent retirees to backfill overtime positions at the jails: \$1.8M annual savings.**<sup>6</sup> Throughout the county and throughout the country governmental agencies rely on "on call" workers to fill posts. It is currently done at the juvenile facility and to some degree it is done in Washington County. In the next five years, approximately 25% of the corrections deputies will retire. This is a good time to explore using retirees for overtime. By using a retiree at straight time, without benefits, rather than a deputy at time and a half the savings are obvious. These retirees could fill overtime, mandatory overtime and vacation slots, thereby expanding the opportunity for deputies to take vacations at better times. This in turn would reduce some of the sick time now used. We were told that there may be problems with the current union contract using this approach. The county should look at this by first getting a good union attorney to look at the contract and deciding whether there really is an issue. If there is a problem then that needs to be negotiated.

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<sup>6</sup> This calculation uses the Step 6 hourly pay rate of \$30.49 for Corrections Deputies, a figure provided by Larry Aab in a November 17, 2009 report to the corrections grand jury. The actual cost for overtime was driven by a 1.44 benefits multiplier and a multiplier of 1.5 for overtime. (Note that this calculation does not include seventh day double time impacts). An additional charge of 6% for PERS and 6% for FICA were applied for an hourly cost of \$62.81. On the retiree side, a Step 3 hourly pay rate of \$26.36 was applied. Use of retirees in other jail organizations suggests widespread reduction in pay for retirees. A benefits multiplier of plus 6% FICA results in a final hourly cost of \$27.94. The annual figure of \$1.39M results from assumption of 40,000 overtime hours per year. The same Larry Aab report shows overtime at 80,000 hours/year or more for the past four fiscal years.

5. **Use civilians (Facility Security Officer (FSO)) to staff floor control at MCDC: \$1.4M annual savings.<sup>7</sup>** Many jail systems throughout the country successfully use civilians in floor control positions. It is the Washington County experience that the training of civilians is crucial to their success. While there was testimony that Multnomah County uses floor control for people who have medical issues, we did not observe this in practice. There are other administrative functions that people with medical conditions could perform besides control.
6. **Leasing Wapato to the state: \$0.8M annual savings.<sup>8</sup>** No assessment of the county jail system can ignore the Wapato Jail controversy. We understand that Multnomah County is in negotiations to lease that facility to the state Department of Corrections. We hope this endeavor will be successful, and that the returns from any lease arrangement will be utilized for the county jail system. Since voters approved the building of Wapato for public safety reasons, we believe that funds generated by the facility should be used for that purpose.
7. **Use civilians to staff classification unit at the jails: \$0.4M annual savings.<sup>9</sup>** One of the most important functions in a jail is the classification of prisoners. In Multnomah County this is done exclusively by corrections deputies. However, there are many jails that use civilians in the classification function. Generally there is a combination of civilians and deputies. Multnomah County once had such a system and it worked well. We see no reason why the Sheriff should continue such an expensive system.

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<sup>7</sup> This calculation replaces a Step 6 Corrections Deputy at \$30.49 hourly wage rate with a \$19.20 hourly wage rate FSO. The current FSO wage range is \$17.21 to \$21.19 per hour, and we are using the midpoint of this range plus benefits of 44% as provided by Larry Aab. For both numbers the final number assumes seven posts, a 1.82 post factor, 3 shifts, and 365 days per year and a benefits multiplier of 1.44. Total deputy cost for floor control is then \$3.67M against FSO cost of \$2.31M per year, for an annual savings of \$1.36M.

<sup>8</sup> This represents the annual cost of mothballing Wapato as provided by Larry Aab. Mark Gustafson, Multnomah County Facilities Manager, provided a higher figure of \$1.1M, but we have specified the more conservative estimate. Any revenue from the lease would provide an additional benefit.

<sup>9</sup> The calculation of savings for civilian classification is similar to civilian floor control, but it was assumed that 12 of the 20 positions would be staffed by FSO civilians at a midpoint of \$19.20/hr plus benefits. We did not assume a post factor for these positions, since we calculated 1 for 1 substitutions. Total cost for all-deputy staffed classification is then \$1.83M against deputy/FSO-staffed cost of \$1.42M per year, for an annual savings of \$0.41M.

8. **Open post backfill scheduling: \$0.2M annual savings.**<sup>10</sup> Sergeants and lieutenants spend a significant amount of their time calling deputies to backfill open posts from sick or vacation time. It is not only expensive to have these highly skilled people doing a clerical function, but also keeps them from providing leadership and communicating with the deputies and inmates. There was almost universal agreement that they should not be doing this kind of work.

#### IV. Specific concerns of the grand jury

In addition to the cost efficiency issues, listed above, the 2009 corrections grand jury wishes to comment on other potential changes that should be considered. Some of these changes would have less easily quantifiable fiscal impact, but they would improve jail operational efficiency.

##### Restitution/Work Release

We have heard a great deal of evidence from different sources about the need for a restitution or work release center in the county jail system. Everyone who testified agreed that such a system should be a vital component of our overall jail system. Not only does it provide a valuable resource to change the behavior of offenders and instill in them the value of a work ethic, but it serves as an incentive in the overall system. Such a system provides a "carrot" to certain inmates, and helps to enforce institutional discipline.<sup>11</sup> When the county had a work release program it was good for discipline and rehabilitation as well as being one of the cheapest facilities to run in the system. This is because not only do the inmates represent the lowest level of security, requiring lower ratios of staff to inmates, but the inmates who are working contribute to their bed costs. Inmate jobs also enable them to pay restitution and child support providing further social benefit.

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<sup>10</sup> Testimony suggests that the scheduling of overtime consumes at least nine hours of time per day, shared between sergeants' and lieutenants' positions. The breakdown for this time is six hours during day shift, 2.5 hours during evening shift and 0.5 hours for night shift calling. These were expressed to be minimums for time spent on a daily basis. The calculation assumes this activity is equally shared between sergeants and lieutenants. For sergeants an hourly wage of \$37.76 was used; this is the Step 6 wage received after six years of service. The majority of sergeants within Multnomah County receive this wage rate. For lieutenants, the midpoint semi-monthly salary of \$3,854.21 was used, for an hourly rate of \$44.81. Both of these wage rates were provided by Larry Aab in a November 17, 2009 report to the corrections grand jury. A benefits multiplier of 1.44 was applied against this wage and the result extrapolated for two facilities. On the civilian side, an hourly wage range of \$14.42 to \$17.73 was provided and the median wage of \$16.08 was used. This is the pay range of an Office Assistant 2. This number was extrapolated against nine hours per day of calling, 365 days per year over two facilities. The same 1.44 benefits multiplier was used. The difference between both calculations is \$237,389.

A further option would be to incorporate the Telestaff software to complete the scheduling via computer. Adding this feature to the software was stated to cost \$40,000 in annual licensing, a number provided by the Telestaff administrator. As this is even a cheaper alternative than an OA2, that savings would be a projected \$349,519. However as there was some testimony that the future of Telestaff use was in question, realizing this figure may become difficult.

<sup>11</sup> As the Multnomah County jail system has contracted, the two facilities that have provided positive incentives to enforce good behavior, MCCF and the Restitution Center, have been closed. These closures have removed the most "desirable" facilities from the system, from an inmate point of view. Without these incentives for good behavior, it is much more difficult to enforce inmate discipline, as many have testified.

The 2008 corrections grand jury recommended bringing back the work release center, and suggested locating it within MCDC. We understand that the MCDC facility could still be adapted for this purpose. Inmates in the program who would be out working during the day could be double-bunked during the hours they were returned to custody. A restitution center could operate the least expensive beds in the system.

We are mindful that reinstating the work release program should not come at the expense of housing inmates who are currently in custody. The current inmates represent a very dangerous population that must be detained for community safety purposes. A work release center should be an addition to the current jail capacity. We have been convinced that no progressive corrections system can operate without a work release component.

#### Double Bunking at MCDC

During this last year, Sheriff Skipper made a unilateral decision to stop double bunking at MCDC for operational convenience. As a result the bed capacity of MCDC went from 520 (funded)/676 (bed capacity) in 2004 to 389 (funded) today, substantially increasing the cost of housing an inmate at that facility. While the overwhelming opinion of the deputies and command staff was favorable to single bunking, we question both the decision and the manner in which it was announced.

We were told that double bunking creates a greater risk to both the staff and the inmates, it is harder on the physical facility, and that the building was not designed for double bunking. This policy was instituted by former Sheriff Dan Noelle and from the beginning, was met with great resistance from both the deputies and command staff.

Double bunking is the norm in jails throughout this country because it is a cost effective method of housing prisoners. It is constitutionally permissible and there has never been a serious challenge that it violates any provision of either the state or federal constitution. Most of the concerns raised by the deputies are problems that almost every facility must deal with. Several witnesses said that we tried to replicate at MCDC the model that was adopted from Contra Costa California, which was a single cell model. We contacted Contra Costa and found that they double bunk most of their prisoners in the facilities that were built for single bunking.

We heard from witnesses that one of the most important factors to successful double bunking is a good classification scheme. The past three corrections grand juries have all recommended the implementation of an objective classification scheme similar to the system Multnomah County used in the past. We are still unclear about the status of the classification scheme. We recommend to the new Sheriff that this be one of his first priorities.

Finally, when the Sheriff eliminated double bunking the Multnomah County Board of County Commissioners was not notified of the actual change. The commissioners believe they are more than “bankers” and some thought they should have been told of any change which would have dramatically raised the cost of a jail bed at MDCD. We agree.

We talked to Sheriff Dan Staton who told us that he would be willing to reconsider the entire issue of double bunking. We would recommend he go to other jails that double bunk, learn from their experience and then decide the best course. Unfortunately, most of his command staff and deputies do not like double bunking. It would be prudent to consider a mixed bunking scheme, which is done throughout the country.

#### Transporting inmates

We heard testimony that six to twelve jail beds each week could be more effectively utilized by simply transporting inmates who have been sentenced to the state prison in Wilsonville on Fridays rather than Mondays. Since weekends are the most likely time for emergency population releases, clearing jail space during that time is vital. We understand that the Sheriff is looking into this process.

#### Expediting court proceedings

One of the most effective ways to maximize the use of local jail beds is to expedite legal proceedings for inmates as much as possible. Delaying the resolution of criminal cases means that defendants who will be sentenced to state prison (and who are required by law to be credited for the time they served in custody in the county jail system before going to prison) actually serve a substantial amount of their prison sentence time in a county jail before their cases are resolved. Multnomah County is not reimbursed for this expense. Based on a 2002 report by the Bureau of Justice Statistics for the largest 75 counties in the United States, Multnomah County is far below the national average for processing cases of inmates in custody.<sup>12</sup> Reducing the processing time would result in more effective use of jail beds. We urge the parties involved, the court system, prosecutors, and defense attorneys, to recognize the importance of working on this problem. Bringing our county in line with national standards in this area would greatly improve jail efficiency.

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<sup>12</sup> Bureau of Justice Statistics, Felony Defendants in Large Urban Counties, 2002, p 23.

### The lack of jail beds

Since 2002 there has been a substantial decrease in the number of jail beds funded by the Multnomah County Board. The following are the number of funded beds for the listed years:

2002	2,040
2003	1,680
2004	1,579
2005	1,690
2006	1,690
2007	1,633
2008	1,539
2009	1,367

The numbers for the last year may actually underestimate our current capacity to hold Multnomah County prisoners in light of the increased Marshal beds and immigration beds.

In the past year we have once again seen the number of forced "matrix" releases increase. These numbers would have been much greater except for the fact that the Department of Community Justice has shortened the sentences that probation and parole violators spend in our local jails.

We heard evidence that within the last year there have been over 100 new police officers hired by various police agencies in the county. We would expect that as these officers come into the system our jails will not be able to accommodate the added arrests. Consequently, we would expect to see more people released into the community because there will be simply no place to house them.

### **V. Conditions for Change**

Institutional change is difficult to achieve. The corrections grand jury observed instances of attempted organizational changes which were thwarted by unreceptive conditions. Here we will identify key factors promoting organizational change and provide some suggestions on creating an environment conducive to change.

#### Vision

First and foremost, in order Multnomah County corrections to make meaningful improvements its leaders must develop clear goals. At present we feel that the vision for the county is unclear. It is important that the new Sheriff instills his aspirations throughout corrections. By providing a concise and compelling vision for the future of the jail system, the Sheriff and the management team can fully

engage the hearts and minds of their employees at all levels. There are a number of strategic issues which could be included in such a vision:

1. What are existing best practices within corrections nationwide? What lessons can be learned from peers to become successful by any measure? By looking outside its local purview, the management team must be able to identify and implement the best successes of others.
2. What is the long-term plan for MCDC? The current facility is considered a Tier 2 building, which means it will not receive any money for structural improvements by the county. Given the importance of the sustained long-term operation of MCDC, it should be given Tier 1 status. The current construction of this jail does not meet required seismic standards. An earthquake could be devastating for all building inhabitants including the 386 inmates and their caretakers. A projected \$18M - \$20M<sup>13</sup> is required to make necessary seismic improvements to the building. As long as there is no feasible alternative to a downtown jail and booking facility, there needs to be a long-term plan to realize these improvements.
3. What is the plan for pending retirements throughout the workforce? Over the next five years, 25% of the workforce becomes eligible for retirement, including a large portion of the executive staff. There needs to be a plan for hiring, training, and developing the future workforce.
4. What is the plan for modifying the labor agreement as the workforce demographics change?

Clearly defining the organization's goals, how success will be measured and establishing feedback mechanisms at each level of the organization engages the entire workforce in a unified plan for the future. Without this type of long-range plan, the corrections department will continue reacting to the most current pressing issues, which makes long-term success difficult, if even possible.

### Communication

Clear communication and transparency are also necessary to make significant organizational changes. The 2009 corrections grand jury observed several instances where improved organizational communication could have generated better results:

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<sup>13</sup> Figure provided by Mark Gustafson, Multnomah County Facilities Manager

- Of the five county board members, only the county chair references corrections on his website, and that is about plans for Wapato. The testimony from each of the commissioners emphasized the importance of corrections, particularly in regard to cost effectiveness. We hope this interest will translate to a more effective relationship between the board and the Sheriff's office.
- The move to a single bunking cell configuration at MDCD was not well-communicated from the Sheriff's office to the county board, despite taking place at the start of the fiscal year. Budgetary reviews immediately prior provided ample opportunity to communicate this major housing modification. Doing so would have contributed to a culture of openness and trust between these two management parties.
- There needs to be more transparency in the budgeting process. No matter what system is used it is important that people be open. We heard testimony about line item and priority based budgeting. While both have certain advantages, to be effective both need good communication to and from the board.
- On the health care front, the county health system does not provide access between jail records and community health information. Such networking of medical assessment and treatment planning would provide obvious benefits. Additionally, major changes to mental health strategy were poorly communicated to corrections personnel, both at the officer and executive levels. This resulted in lingering uncertainty and management distrust, particularly for corrections officers in MCIJ Dorms 13/14.
- Memoranda of Understanding (MOU) are issued electronically to the executive team and corrections officers. There is limited explanation of new MOUs to those who must enforce the policy changes. As a direct result, often there is a lack of understanding behind why the policy has been adjusted or created. Furthermore, there is no central access point to previously issued MOUs so that corrections personnel can validate details of these changes.
- At the corrections officer level, there is no access to classification information or recent behavioral issues within the dorms. In other jails, the officers have immediate computer access to this information. While information security is a valid concern the officers can effectively manage and establish security around their workstations.

These examples reveal communication gaps throughout the county government. Clearly articulating the intent behind changes, as well as relevant details, would serve to positively engage the corrections team in successful implementation. It

is difficult to underestimate the value of face-to-face explanation of changes and addressing of questions prior to enacting the change itself. Whether this exchange involves sheriff and county commissioner or lieutenant and corrections sergeant, the value of communication and corresponding improved result is the same. Apart from the facility commanders, there exists a void between executive management and the corrections officers. Establishing a regular practice of managers going to the "front lines" would establish linkages of upward and downward organizational communication. Additionally line staff morale would be improved and the command staff would gain direct insight into emerging issues facing the corrections officers.

## **VI. Conclusion**

Over the past 90 days, we assessed the corrections system against statutory requirements as well as guidelines from corrections professional organizations. Conditions in our jails and prisons generally met or exceeded requirements and guidelines, with inmates kept safe and secure and treated humanely.

We have made several recommendations necessary for change, while emphasizing systemic barriers to communication and effective county management that need to be addressed. The current fiscal crisis demands that the suggestions outlined in this report be taken seriously and changes implemented quickly.

## **VII. Appendix / Addendum**

There were a number of areas that the 2009 corrections grand jury thought were important but thought either the Sheriff or future grand juries might address further. They are included here for the sake of completeness.

### **1. Command structure at MCDC**

MCDC currently has a captain in charge of booking, a captain in charge of classification, and a captain as the facility commander. The corrections grand jury heard testimony regarding chain of command confusion caused by this structure. The grand jury recommends that the captain positions in booking and classification be changed to lieutenant positions. Making this change will leave one captain position (facility commander) thereby creating a clear chain of command.

### **2. Donald E. Long Juvenile Detention Center**

The corrections grand jury was very impressed with the food services department at the Donald E. Long Juvenile Detention Center. Staff demonstrated innovation in launching the cart system which reduced the time needed to prepare trays, gave youth more options, and reduced waste significantly. The number one complaint among the youth is not enough outdoor time. We recommend more time outside when possible.

### 3. Future grand jury topics

This year the majority of the mental health population was moved from a dorm setting at MCIJ to a single cell setting at MDCD. The corrections grand jury has some concerns as to whether this housing arrangement is ideal for mentally ill inmates. We suggest that the 2010 corrections grand jury examine this issue.

### 4. CRCI honor units and gardening

The 2009 corrections grand jury would like to acknowledge the Department of Corrections and CRCI for their inmate gardens and honor pods. The inmate gardens yield over 10,000 pounds of produce annually, providing cost effective, healthy inmate meals. Their honor pods are an innovative and efficient incentive for promoting good inmate behavior.

### 5. Training

MCSO deputies are not currently meeting the Oregon Jail Standards of 40 hours training per year. Deputies currently receive 24 hours of training per year. Training is an important part of professional development resulting in higher efficiency and less exposure to litigation. The corrections grand jury recommends using small blocks of computer-based training to supplement the current training program.

### 6. Courthouse delay and use of video

It has been brought to our attention that there are delays in the courthouse as a result of detainee movement, primarily regarding the delivery and transportation of inmates for arraignment and trial. Since the courthouse design is restricted to one-way access, jury members must be present well in advance of a detainee to maintain impartial and fair decisions. Often due to availability and or scheduling, an inmate may not appear in a timely manner to his or her trial, preventing a smooth and efficient operation. The corrections grand jury concluded that in some cases, video could be used at MDCD or MCIJ to increase the turn-over process and eliminate the transportation back-up seen in the current system. Video conferencing may not be applicable for all cases, but can and should be used more.

### 7. Programs

- a. While there are a variety of programs offered, a domestic violence (DV) offender program for men has been dropped. Due to the gravity and violent nature of domestic violence charges, it is important to have a program in place for these inmates and anger management classes are a poor substitute. DV offenders and those with anger management problems are different in nature from the general inmate population. DV offenders often do not have problems controlling their anger,

- b. Testimony from other witnesses also mentioned the need for a food-handlers card program and a GED program to be implemented at MDCDC. These two programs would be very beneficial to inmates once they re-enter the community and could help break the cycle of recidivism into the corrections system by increasing chances for future employment.

#### 8. FMLA/OFLA Leave

The 2009 corrections grand jury heard testimony from the Sheriff's Human Resources department and came to the conclusion that more active measures should be taken to prevent FMLA/OFLA leave abuse.

- a. Below are some suggestions from the US Department of Labor website:

[http://www.dol.gov/whd/opinion/FMLA/2005/2005\\_09\\_14\\_2A\\_FMLA.htm](http://www.dol.gov/whd/opinion/FMLA/2005/2005_09_14_2A_FMLA.htm) Medical certification issued by a health care provider may be requested for FMLA leave for a serious health condition of the employee or the employee's spouse, child, or parent. See 29 U.S.C. § 2613 and 29 C.F.R. § 825.305. The purpose of the medical certification is to allow employers to obtain information from a health care provider to verify that an employee, or the employee's ill family member, has a serious health condition, the likely periods of absences, and general information regarding the regimen of treatment. When requested, medical certification is a basic qualification for FMLA-qualifying leave for a serious health condition, and the employee is responsible for providing such certification to his or her employer. If an employee fails to submit a requested certification, the leave is not FMLA-protected leave. See 29 C.F.R. § 825.312(b). Where the employer has reason to doubt the validity of the medical certification, the employer, at its own expense, may require the employee to obtain a second opinion and, if the employee's health care provider's certification and the second opinion certification conflict, a third opinion certification. See 29 C.F.R. § 825.307.

- b. The corrections grand jury heard testimony that medical conditions do not have to be stated in the medical certification documentation, making it difficult to ascertain and confirm the medical condition can be covered under FMLA laws. As stated above, according to the FMLA laws, medical certification should be used to verify that the requestor's condition is eligible for

FMLA leave. We also heard testimony that sometimes medical certifications are not submitted in a timely manner, at times after the leave has already been taken. The Sheriff's office should not tolerate this behavior and needs to send a clear message to all employees stating the appropriate use of FMLA/OFLA leave and the requestor's responsibility to provide documentation. By not aggressively pursuing FMLA/OFLA abusers, the HR department is contributing to the culture of abuse and in the process, allowing taxpayers dollars to be wasted. HR should also take advantage of the special investigator available to check on suspected abusers in addition to getting an opinion from an independent third party health care provider.

#### 9. Racial Over-representation

Racial over-representation in jails was raised as a concern by one of the county commissioners. We felt this was a criminal justice system concern, and outside the scope of this report unless we observed any prejudicial treatment in booking, classification, or treatment of inmates, which we did not.

#### 10. Performance Evaluations

Implementing performance evaluations as a communication tool between command and line staff is highly recommended. We heard testimony from virtually all line staff and many command staff members that they have not had feedback on their job performance since their probationary period or promotion. While some witnesses defined their own measures to use in order to know if they have been successful in their jobs, it would undoubtedly be helpful for all employees to know from an independent party whether or not they are performing adequately in their job. Implementing evaluations could only be a benefit; it would help boost employee morale to know when they are doing a good job and point out areas for improvement, which will strengthen the organization.

## **Acknowledgements**

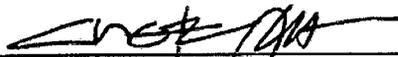
We want to thank all of the corrections professionals who testified in this process. We were impressed with their professionalism and dedication. In addition, we would like to acknowledge a few individuals who exemplify excellence throughout the Multnomah County corrections system and impressed us with their dedicated service. These individuals form the heart and soul of county corrections. We thank them for their service to the community.

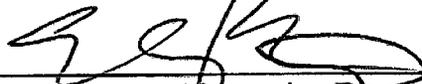
Captain Rai Adgers  
Sergeant Phil Anderchuk  
Deputy Chad Gaidos  
Lieutenant Mary Lindstrand  
Davia Nemkevich  
Deputy Brenda Skinner  
Retired Sheriff Robert Skipper  
Captain Linda Yankee

## Witness List

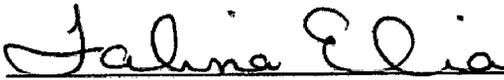
1. Chad M. Gaidos
2. Raymond Rai Adgers
3. Vera Pool
4. Thomas Jacobs
5. Ronald Bishop
6. Tom Slyter
7. Bobbie Luna
8. Barbara Topor
9. Byron Moore
10. Maureen Rauzko
11. Mark Gustafson
12. John Mathews
13. Scott Johnson
14. Jesse Luna
15. Barrett Taylor
16. Steven DeJongh
17. Douglas Hewitt
18. Uwe Pemberton
19. Ryan Estes
20. Sondra Magnuson
21. Kyla Harm
22. Melanie Parker
23. Christina Barnes
24. James Allison
25. Linda Yankee
26. Steve Pina
27. Anne Peters
28. Gayle Burrow
29. Randy McPherson
30. Eugene Haddock
31. Merton Kendall
32. Molly McDade-Hood
33. Tina Breiton
34. Ron Bishop
35. Dave Rader
36. Rachel Getman
37. Dennis Bryant
38. David Conway
39. Robert Honey
40. Rhonda Gee
41. Dale Ahlstrom
42. Karen Ireland
43. Francisco Hernandez
44. Scott Sanetel
45. Paula Myers
46. Jerry Kavina
47. James Sodaro
48. Daniel Ray
49. Oscar Rodriguez
50. Margie Cleo Tisdale
51. Robert Haney
52. Daniel Hilts
53. Katherine Feller
54. Andre Scott
55. Roderick Calvin Lightner
56. Kirk Freiermuth
57. Robert Miller
58. Wayne Gramlich
59. Brenda Skinner
60. Robert G. Skipper
61. Larry Aab
62. Craig Bachman
63. David Koch
64. Kevin Hunking
65. Nan Waller
66. Rick Jensen
67. Jason Ziedenbergl
68. Andrew Brosh
69. Phillip Anderchuk
70. Brett Elliott
71. Jay Heidenrich
72. Mary Lindstrand
73. Jeffrey Wheeler
74. Daniel Staton
75. Jacqueline Webber
76. Peter Ozanne
77. Jennifer Ott
78. Jean Kerr Maurer
79. Lester Walker
80. Gayle Burrow
81. Steven Sutton
82. Barbara Seiler
83. Jeannie Chesney
84. Lillian Shirley
85. Diane Marie McKeel
86. Corie Nicole Wiren
87. Deborah Kafoury
88. Julie Elizabeth Frantz
89. Muhamad Ra'oof
90. Michael Reese
91. Bruce McCain
92. Carol Hagler
93. Jeffrey Scott Cogen
94. Judy Shiprack
95. Joseph Hagedorn
96. Peter Moseler
97. Patricia Brown
98. Stevens Hyppolite
99. Janell Steffi
100. Jeffrey Zeigler
101. Jana McCallum
102. Arvie Smith
103. Davia Nemkevich
104. Debra Ceglie Evans
105. Noah Schultz

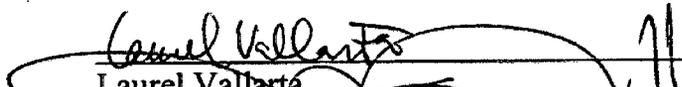
Dated and signed this 14<sup>th</sup> day of December 2009.

  
\_\_\_\_\_  
Chester Lee - Foreperson

  
\_\_\_\_\_  
Evan Patton - Alternative Foreperson

  
\_\_\_\_\_  
Karla Ksenzulak - Clerk

  
\_\_\_\_\_  
Falina Elia

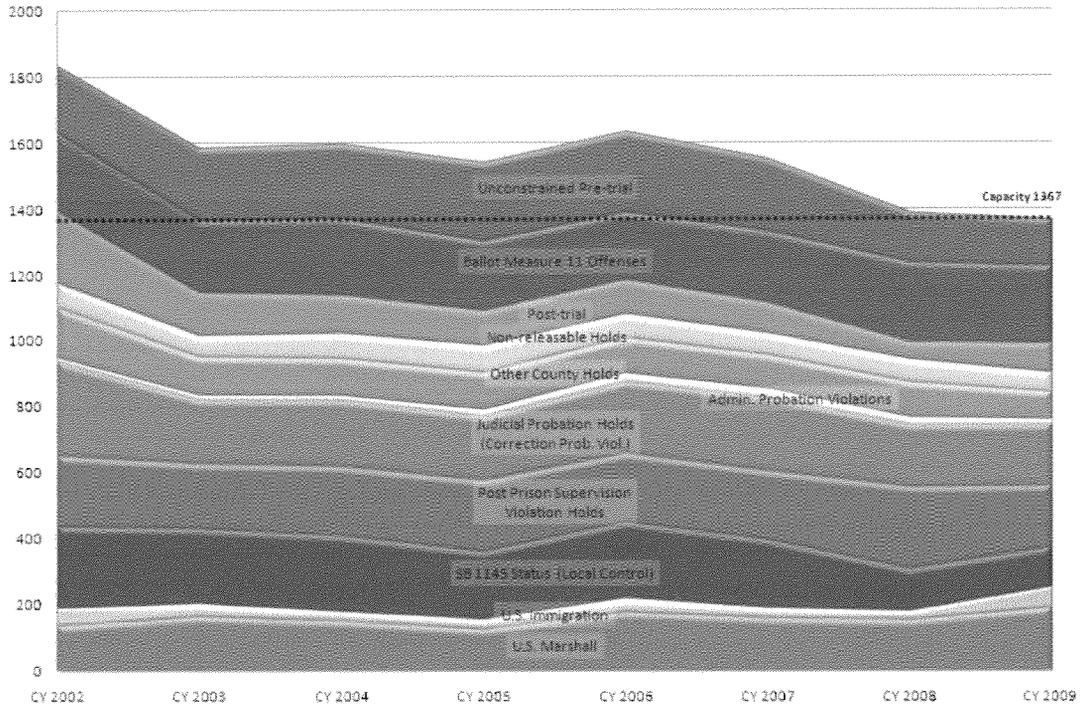
  
\_\_\_\_\_  
Laurel Vallarta

  
\_\_\_\_\_  
Ryan Stell

  
\_\_\_\_\_  
Ted Silbernagel

# Exhibit 1

**Jail Bed Distribution by Major Types of Occupancy 2003 - 2009**  
*Yearly ADP*



Positive things the 2009 Corrections Grand Jury found:

1. The jails were clean, safe and the people who worked in them and ran them did a good, professional job
2. The Sheriff's Office is making progress in alleviating sick time abuse
3. The quality of medical services, while expensive, is good

Money saving suggestions:

1. Consider what it costs the county to participate in SB 1145 and the results
2. Corrections Health - What does it cost the county? What are the alternatives?
3. Cost of the U.S. Marshal contract to house federal prisoners
4. Establish a program to have recent retirees backfill overtime
5. Use civilians to staff floor control
6. Use civilians to staff Classification Unit
7. Use civilians to backfill schedules
8. Lease Wapato to the state

Specific concerns of the Grand Jury:

1. Lack of alternative incarceration programs, i.e., work release, forest camp
2. Double bunking
3. Transporting inmates
4. Expediting court proceedings
5. The lack of jail beds

Conditions for change:

1. Vision – What are the best practices nationwide? Can we modify union contracts? What is the future of MCDC? What will be the impact of so many correction officers retiring?
2. Communication – Sheriff's Office must communicate better with the Board, there needs to be more transparency in the budget process, more health information needs to be shared throughout, more understanding of union contracts and MOUs, better use of computer information in jails

Other areas that future grand juries might want to look at:

1. Command structure of MCDC
2. Housing of mentally ill
3. Training
4. Programs
5. FMLA/OFLA abuse
6. Performance evaluations
7. Video arraignments

HANDOUT PD-2  
03-02-2010



Health Department

**MULTNOMAH COUNTY OREGON**

**Integrated Clinical Services**

426 SW Stark Street  
Portland, Oregon 97204  
**(503) 988-3674 phone**  
(503) 988-3676 fax

HINDOULT  
PD-2  
03-02-2010

March 2, 2010

**To:** Lillian Shirley, Multnomah County Health Department Director

**From:** Vanetta Abdellatif, Integrated Clinical Services Director, MCHD

**Cc:** Gayle Burrow, Corrections Health Director  
Amit Shah, MCHD Medical Director

**Subject:** Response to 2009 Grand Jury Report

The following is in response to 2009's Grand Jury report on Corrections, specifically recommendations contained in that report for Corrections Health. Thank you for your support in responding to the District Attorneys report. I look forward to working on fully addressing these issues.

**1. What are the next steps you're taking from this report?**

Because of the numerous, and we believe erroneous, assertions that the care provided by our staff in Corrections Health is less than superior we are engaged in fact finding and inquiry. This includes:

- Developing a contract to secure a quality improvement consultant to further evaluate and document the level of service provided in our corrections health program, as well as clearly define the interdependent relationships among the various public health and other MCHD internal programs and staff required to deliver current CH Service Level.
- Meeting with our peers, met with the Washington County jail health provider, Prison Health Services (PHS) and learned more about how they've structured the delivery model in the Washington County jail. We learned about their challenges to maintain lower costs with contracts in larger jails systems like Multnomah County's.
- Scheduled site visit to Washington County Jail with Multnomah County delegation at the end of March 2010.
- Evaluation of representative contracts of private providers serving similar sized urban jails.

**2. What roles do you identify for the Board in following-up on the grand jury's recommendations?**

- Support in making decision to ask staff to develop RFP or not for privatizing CH Services.
- Assignment of an independent multi-disciplinary evaluation team to review proposals and research companies who respond (if RFP is released).
- Work with National Association of Counties, County Lobbyist and/or State to explore ways to reduce costs. Other jurisdictions (e.g. New Mexico) have been successful in mandating providers to accept Medicare rates for payment for jail services in hospitals since we're paying with public dollars.



**Public Health**  
Prevent. Promote. Protect.

### 3. *What is the timeline and anticipated outcome of those next steps?*

Development of a comprehensive RFP that would clearly outline the level of service the public expects of the jails and would fully protect the County's interest requires a significant research, data gathering, analysis, evaluation and coordination with partners (e.g. labor and hospitals, etc). This work is in the initial phases. If a new service provider was scheduled to take over jail health services in January 2011, then the following proposed timeline is recommend:

- RFP released mid July (with 60 days to respond)
- September 2010 Evaluation team interviews/makes site visits and selects provider
- November/December 2010 transition planned for MCHD Corrections Health Program
- January 3, 2011 Service Provider starts providing jail services.

## **Summary of Grand Jury Recommendations with corresponding responses**

**Grand Jury Report Excerpt:** *The system of medical care in our jails, run by the county health department, costs substantially more than that in other jails, and does not provide superior care. ... runs the medical service in the jails and juvenile facility through their Corrections Health Division at a cost of 25/day/inmate. By contrast, the Washington County jail system has contracted with a specialized private medical service for health care delivery at the cost of \$17/day/inmate.*

**Response:** We agree that the basic cost figures are correct. PHS (the contractor Washington County uses for their jail healthcare) shared that their costs are closer to \$17.50/per day/per inmate and ours are approximately \$24.

The Corrections Health program has improved its efficiency over the last 5 years and decreased its costs. While costs have increased (since 2006 the last Grand Jury report that strongly recommended privatizing CH), our budget has remained flat and the amount of savings the Grand Jury stated could be gained has dropped from \$5 million dollars (in 2006), to today's figure of \$4 million. Also of note, the 2006 Grand Jury report included a review of two local jails (Washington County and Clark County, in Washington State) they did not reference Clark County in this year's report. Clark County has used two (PHS and Wexford) other private jail health contractors since 2006 and will start with the third contractor, ConMed in January 2010.

Costs that will continue to be the County's responsibility (whether or not Corrections Health Services is contracted privately) include: IT, Facilities, Motor Pool, above average hospital costs, etc). From this report, this amount is approximately \$1.50 per inmate per day (of our reported \$25 dollar cost) and trends up annually.

- **Grand Jury Report Excerpt:** *...the Washington County contractor...certified by the National Commission on Correctional Health Care (NCCHC). .... Its certification process represents the gold standard in the field. Three years ago, the Multnomah County system dropped its NCCHC certification process...*

- **Grand Jury Report Excerpt:** ... *the Washington County jail system this year was awarded the NCCHC award for best program in the nation for the delivery of mental health services in jails. We believe that mental health care services are probably the most important health care services in a jail system.*
- **Grand Jury Report Excerpt:** ... *the Washington County jail health care provider already operates a working system of computerized health records. Our health department has not implemented such a system. When we do, it will likely be expensive.*

**Response:** We strongly disagree, that our Corrections Health staff do not provide superior care. Budget constraints necessitated the decision by the previous Board of County Commissioners to forego NCCHC accreditation; our program follows most of the clinical standards and recommendations of NCCHC (the Corrections Health Program Director is a Surveyor for NCCHC). Only 10% of all jails and prisons nationally are accredited. Health Care Accreditation, including NCCHC, helps organizations increase standardization and predictability important factors in quality. However public and individual health outcomes are the “proof” of quality.

The Washington County jail health provider, PHS, was awarded the “Program of the Year” for mental health—they came to Multnomah County and toured Dorm 11 and the mental health multidisciplinary teams, etc.—the model they developed is OUR model; but since we are not accredited we are not eligible for this award from NCCHC and recognition for our development of this model program.

The Corrections Health program has made progress with implementing information technology into the program, including:

- We’ve contracted with an Electronic Health Record (EHR) consulting firm to help CH and County IT evaluate whether the existing health clinics’ EHR system can work in a jail setting so that we are able to leverage existing resources. This option was not available previously when we initially begin looking for a jail EHR. One health record would benefit the County in that it would allow shared clients in our system to be identified reduce duplicate services and allow Health Department and County IT staff to support one product.
- We’ve contracted out the jail’s pharmacy services. The new pharmacy contract allows us to implement electronic medication ordering, and medication administration/documentation functions by the end of 2010.

- **Grand Jury Report Excerpt:** ... *14-day screening physicals have been eliminated in the Multnomah County jails.*
- **Grand Jury Report Excerpt:** ... *the corporation that runs the Washington County jail health care system is national in scope... it has access to centralized feedback and training not only for medical issues, but for business management and cost containment. It has the immediate ability to compare its operational results to that of hundreds of facilities throughout the country and to ascertain the best practices in the field. It is instructional to compare this capacity, which as a comparative management tool has an enormous ability to manage costs and care, to the operations of our own Health Department.*

**Response:** NCCHC standards recommended 14 day screenings, and were eliminated with when the Board chose to forego NCCHC Accreditation as a budget savings strategy. Although this is a service that could be re-instated with additional resources, our strategy has been to prioritize the most critically important and impactful to both public health and individual health. In our current system nurses are assigned to booking, where they identify and “triage” all clients with major health problems to the appropriate providers or to other members of the Corrections Health team for treatment. Clients that have chronic health issues and/or are acutely ill are seen in a timely manner BEFORE 14 days have elapsed. We screen all patients and respond to medical requests well before 14 days. We do not, however, routinely screen all clients as written in the NCCHC standard.

We are in agreement with the Grand Jury that comparison of best practices and benchmarks from multiple programs and systems are good practice; CH currently shares and requests benchmark data from our colleagues in other jails, through multiple professional organizations. We would add that it is important to benchmark with similarly sized, multi-site providers in urban areas to improve our ability compare. In addition to evaluating any potential provider’s current program, we will also recommend that the County evaluates their years in business, staff turnover rates, and liability performance (suits versus judgments).

**Grand Jury Report Excerpt:** *...the Washington County contract for health care in the jail requires the contractor to assume full legal liability for litigation costs and recoveries against the county in lawsuits arising from health care issues. This clause is significant. Because we think that the Washington County model is so good, both from a corrections and corrections health prospective, we are asking Chair Ted Wheeler and all of the county commissioners to visit Washington County and look at their health care system first hand. We think they will get a better idea of what a more efficient system can look like.*

**Response:** The Washington County provider’s, PHS, contract includes a baseline cost, cost of care in excess of the baseline is the responsibility of Washington County, this has occurred 2 of the 3 years since PHS has held their contract, according to PHS staff. Although contractors must carry malpractice coverage for their health operations the County remains responsible as well.

COPY

# MULTNOMAH COUNTY CONTRACT APPROVAL FORM (CAF)

Contract #: 0405122

Pre-approved Contract Boilerplate (with County Attorney signature)  Attached  Not Attached

Amendment #: 4

CLASS I Based on Informal / Intermediate Procurement	CLASS II Based on Formal Procurement	CLASS III Intergovernmental Contract (IGA)
<input type="checkbox"/> Personal Services Contract	<input type="checkbox"/> Personal Services Contract	<input type="checkbox"/> Expenditure Contract
<input type="checkbox"/> PCRB Contract <input type="checkbox"/> Goods or Services <input type="checkbox"/> Maintenance or Licensing Agreement <input type="checkbox"/> Public Works / Construction Contract <input type="checkbox"/> Architectural & Engineering Contract	<input type="checkbox"/> PCRB Contract <input type="checkbox"/> Goods or Services <input type="checkbox"/> Maintenance or Licensing Agreement <input type="checkbox"/> Public Works / Construction Contract <input type="checkbox"/> Architectural & Engineering Contract	<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input checked="" type="checkbox"/> Non-Financial Agreement
<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement	<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement	<input type="checkbox"/> INTER-DEPARTMENTAL AGREEMENT (IDA)

Department: Sheriff's Office

Division/ Program: Enforcement

Date: 02/16/10

Originator: Captain Monte Reiser

Phone: 503-988-4300

Bldg/Room: 503/350

Contact: Brad Lynch

Phone: 503-988-4336

Bldg/Room: 503/350

Description of Contract: IGA amendment to extend the term of the agreement for the East Metro Gang Enforcement Team (EMGET).

RENEWAL:  PREVIOUS CONTRACT #(S) \_\_\_\_\_

EEO Exhibit 5 required if amount over \$75k \_\_\_\_\_

PROCUREMENT EXEMPTION OR CITATION # \_\_\_\_\_

ISSUE DATE: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

END DATE: \_\_\_\_\_

CONTRACTOR IS:  MBE  WBE  ESB  QRF State Cert# \_\_\_\_\_ or  Self Cert  Non-Profit  N/A (Check all boxes that apply)

Contractor	Cities of Gresham, Fairview, Troutdale		Remittance address (if different)	
Address	1333 NW Eastman Parkway			
City/State	Gresham, Oregon		Payment Schedule / Terms:	
ZIP Code	97030		<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on Receipt
Phone	503-661-3000		<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30
			<input type="checkbox"/> Other \$ _____	<input type="checkbox"/> Other
Contract Effective Date	04/05/05	Term Date	09/01/07	<input type="checkbox"/> Price Agreement (PA) or Requirements Funding Info:
Amendment Effect Date	07/01/09	New Term Date	N/A	
Original Contract Amount	\$ 106,000.00		Original PA/Requirements Amount	\$ _____
Total Amt of Previous Amendments	\$ _____		Total Amt of Previous Amendments	\$ _____
Amount of Amendment	\$ _____		Amount of Amendment	\$ _____
Total Amount of Agreement	\$ 106,000.00		Total PA/Requirements Amount	\$ _____

### REQUIRED SIGNATURES:

Department Manager \_\_\_\_\_

DATE \_\_\_\_\_

County Attorney \_\_\_\_\_

DATE 2.23.10

CPCA Manager \_\_\_\_\_

DATE \_\_\_\_\_

County Chair \_\_\_\_\_

DATE \_\_\_\_\_

Sheriff \_\_\_\_\_

DATE 2/23/10

Contract Administration \_\_\_\_\_

DATE \_\_\_\_\_

COMMENTS: Original returned to Brad Lynch MASO #350

**INTERGOVERNMENTAL AGREEMENT AMENDMENT  
CITY OF GRESHAM CONTRACT # 2201  
Amendment # 4**

This Intergovernmental Agreement Amendment is entered into by and between the City of Gresham (Gresham), the City of Fairview (Fairview), the City of Troutdale (Troutdale), and Multnomah County and amends that contract dated April 6, 2005 and amended January 3, 2006, June 19, 2007, and October 17, 2007.

Whereas Gresham, Fairview, Troutdale, and Multnomah County desire to amend the East Metro Gang Enforcement Team (EMGET) Intergovernmental Agreement for the following reasons:

1. Additional funding from the State of Oregon for EMGET provides extended funding for full-time salary and benefits.

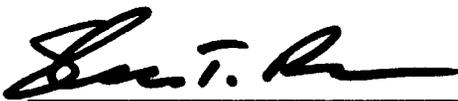
Now, therefore, it is hereby agreed that the following sections and exhibits of the Intergovernmental Agreement is amended as follows:

**TERM, MODIFICATION AND TERMINATION, Paragraph 1:**

1. The term of this agreement shall be from July 1, 2009 until grant funds have been exhausted.

In all other respects, the Intergovernmental Agreement shall remain in full force and effect.

**CITY OF GRESHAM**

By:   
Shane T. Bemis, MAYOR

Date: 12/22/09

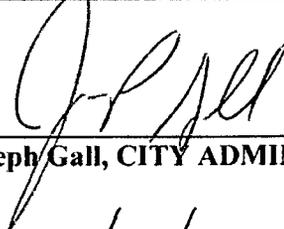
By:   
Erik Kvarsten, CITY MANAGER

Date: 12.22.09

**CITY OF FAIRVIEW**

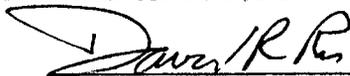
By:   
Mike Weatherby, MAYOR

Date: 1/29/10

By:   
Joseph Gall, CITY ADMINISTRATOR

Date: 1/29/10

APPROVED As To Form:

  
David Ris, CITY ATTORNEY

Date: 12-22-09

APPROVED As To Form:

N/A

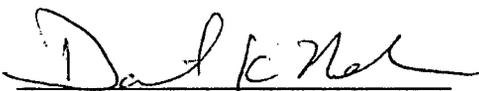
\_\_\_\_\_  
CITY ATTORNEY

Date: \_\_\_\_\_

CITY OF TROUTDALE

By:   
Jim Kight, MAYOR

Date: December 24, 2009

By:   
David Nelson, CITY ADMINISTRATOR

Date: 12/24/09

MULTNOMAH COUNTY

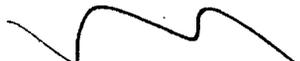
By:   
Ted Wheeler, CHAIR

Date: \_\_\_\_\_

By:   
Daniel Staton, SHERIFF

Date: 2/25/10

APPROVED As To Form:

  
David Ross, CITY ATTORNEY

Date: 12/24/09

APPROVED As To Form:

3-4-2010  
Agnes Sowle, COUNTY COUNSEL

Date: 



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 12/31/09)

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # C-1 DATE 3/04/2010  
LYNDA GROW, BOARD CLERK

### Board Clerk Use Only

Meeting Date: 03/04/2010  
Agenda Item #: C-1  
Est. Start Time: 9:00 AM  
Date Submitted: 02/24/2010

**Amendment 4 to Intergovernmental Agreement 0405122 with the Cities of  
Agenda Gresham, Fairview, and Troutdale for the East Metro Gang Enforcement Team  
Title: (EMGET)**

*Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.*

Requested Meeting Date: March 4, 2010 Amount of Time Needed: N/A  
Department: Sheriff's Office Division: Enforcement  
Contact(s): Brad Lynch  
Phone: 503-988-4336 Ext. 84336 I/O Address: 503/350  
Presenter(s): Consent Calendar

## General Information

### 1. What action are you requesting from the Board?

Approval of the amendment to intergovernmental agreement 0405122.

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

The East Metro Gang Enforcement Team (EMGET) was created to establish a combined operational law enforcement team to reduce the impact of criminal street gangs. Participants include the Gresham, Fairview, and Troutdale police departments and the Multnomah County Sheriff's Office. Funds for EMGET come from the Oregon Youth Authority. Limited additional funding for EMGET provides extended funding for personnel salary and benefits. The amendment extends the term of the contract until grant funds have been exhausted. This action affects Program Offer #60072A MCSO Gang Task Force.

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

This IGA amendment has no fiscal impact.

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

The amendment has been reviewed by the County Attorney's office.

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

None, other than described above.

**Required Signature**

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



A handwritten signature in black ink, appearing to read "Daniel Stator", is written over a horizontal line.

**Date: 02/23/10**

## LYNCH Brad B

---

**From:** WEBER Jacquie A [jacquie.a.weber@co.multnomah.or.us]  
**Sent:** Monday, February 22, 2010 12:19 PM  
**To:** LYNCH Brad B  
**Subject:** RE: Contract Review Request - EMGET

This IGA amendment may be circulated for signature.

---

**From:** LYNCH Brad B [mailto:brad.lynch@mcso.us]  
**Sent:** Thursday, February 18, 2010 8:41 AM  
**To:** WEBER Jacquie A  
**Cc:** DUNAWAY Susan M  
**Subject:** Contract Review Request - EMGET

Good morning Jacquie. Attached the CAF, APR, and IGA amendment with Gresham, Fairview, and Troutdale to extend the term of the agreement for the East Metro Gang Enforcement Team. Thanks, Brad

### **Brad Lynch**

Multnomah County Sheriff's Office  
Fiscal Unit  
501 SE Hawthorne Blvd, STE 350  
Portland, OR 97214  
Phone (503) 988-4336  
Fax (503) 988-4317  
email: [brad.lynch@mcso.us](mailto:brad.lynch@mcso.us)

<http://www.mcso.us/>



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 12/31/09)

### Board Clerk Use Only

Meeting Date: 03/04/2010

Agenda Item #: R-1

Est. Start Time: 9:00 AM

Date Submitted: 02/24/2010

**Agenda Title:** Update on 30 Families in 30 Days

*Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.*

<b>Requested Meeting Date:</b>	March 4, 2010	<b>Amount of Time Needed:</b>	20 minutes
<b>Department:</b>	Non-Departmental	<b>Division:</b>	Commissioner Kafoury
<b>Contact(s):</b>	Beckie Lee		
<b>Phone:</b>	503 988-6796	<b>Ext.:</b>	86796
		<b>I/O Address:</b>	503/6th
<b>Presenter(s):</b>	Mary Li, Jean DeMaster, Marc Jolin		

## General Information

**1. What action are you requesting from the Board?**

Briefing on initial results of the 30 families in 30 days program.

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

On 12/17/2009, Budget Modification DCHS – 22 was approved. DCHS – 22 added \$210,000 from Contingency to Program Offer #25133 – Housing Stabilization for Vulnerable Populations to house thirty (30) homeless families. The program includes an average of \$5000 per family in cash assistance to pay rent and other housing costs, case management services provided by JOIN and Human Solutions, and staffing costs for landlord recruitment and volunteer coordination. The thirty-day house placement began January 15<sup>th</sup> and ended February 15<sup>th</sup>. Human Solutions and JOIN identified families to be housed, connected them with willing landlords, and assisted them with the application process and move-in. By 2/15/2010, thirty-four (34) families moved into apartments.

The next phases of the program includes: (1) Recruitment of new landlords to replace and expand the stock of landlords ready to rent to families currently experiencing homelessness; (2) Coordination of volunteers to assist the families in linking with services; (3) Quantitative and qualitative evaluation of what worked and what is different about this approach to serving homeless families; and, (4) Requesting employment opportunities for those housed.

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

\$210,000 one time only expense

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

N/A

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

Volunteers will support families housed through this program as they move towards sustainability. In addition, we will reach out to employers to connect tenants with employment opportunities.

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**Required Signature**

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

*Deborah Koffmy*

**Date: 02/24/2010**

---



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised 12/31/09)

*Given to  
Beckie  
Lee  
she wanted*

### Board Clerk Use Only

Meeting Date: 03/04/2010  
Agenda Item #: R-2  
Est. Start Time: 9:20 AM  
Date Submitted: 01/25/2010

**Agenda Title:** **PROCLAMATION Proclaiming Wednesday, March 10, 2010 in Support of National Women and Girls HIV/AIDS Awareness Day in Multnomah County, Oregon**

*Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.*

**Requested Meeting Date:** March 4, 2010 **Amount of Time Needed:** 10 Minutes  
**Department:** Non-Departmental **Division:** District 1  
**Contact(s):** Beckie Lee  
**Phone:** 503-988-6786 **Ext.** 86786 **I/O Address:** 503/6th  
**Presenter(s):** Commissioner Deborah Kafoury, African Women's Coalition Board of Director and Members and Community Partners

### General Information

**1. What action are you requesting from the Board?**

Proclaim Wednesday, March 10, 2010 as National Women and Girls HIV/AIDS Awareness Day.

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

National Women and Girls HIV/AIDS Awareness Day is an opportunity for Multnomah County officials and citizens to come together to provide support, encourage discussion, and educate women and girls about prevention, the importance of getting tested, and the resources available to help those infected lead normal, healthy lives.

This effort is being led by the African Women's Coalition. African Women's Coalition advocates for culturally competent, empowering, accessible and equitable health services and support those making personal commitments to combat this epidemic in their communities locally, nationally, and globally. Their goal is to bring awareness to the impact of HIV/AIDS and the disproportionate rates of HIV amongst African immigrant and refugee girls and women, African American girls and women, women and girls of color and encourages girls and women to get tested regularly and know their status.

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

None

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

None

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

African Women's Coalition is leading this effort in Multnomah County. Charlene McGee is with the Multnomah County Health Department.

---

**Required Signature**

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



**Date:** 01/25/2010

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BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**PROCLAMATION NO. \_\_\_\_\_**

Proclaiming Wednesday, March 10, 2010 in Support of National Women and Girls HIV/AIDS Awareness Day in Multnomah County, Oregon

**The Multnomah County Board of Commissioners Finds:**

- a. Whereas around the world, women now make up half of all people living with HIV and AIDS, and in the U.S., more than 25 percent of new infections are women.
- b. Whereas the Centers for Disease Control and Prevention (CDC) has determined the rate of HIV among young women aged 16 to 21 to be 50 percent higher than the rate among young men in the same age group and that younger women are more likely than older women to contract HIV.
- c. Whereas the Centers for Disease Control and Prevention (CDC) had determined that AIDS is a common killer among women, second only to cancer and heart disease.
- d. Whereas the most cited reasons for the causes of infection are women engaging in risky behaviors with men who have HIV and sharing of injection drug works (needles, syringes, etc.) used by someone with HIV.
- e. Whereas National Women and Girls HIV/AIDS Awareness Day (NWGHAAD) is a nationwide initiative coordinated by the Office of Women's Health (OWH) – U.S. Department of Health and Human Services, to raise awareness of the increasing impact of HIV/AIDS on women and girls.
- f. Whereas the African Women's Coalition seeks to bring awareness to the impact of HIV/AIDS and the disproportionate rates of HIV amongst African immigrant and refugee girls and women, African American girls and women, women and girls of color and encourages girls and women to get tested regularly and know their status.
- g. Whereas African Women's Coalition advocates for culturally competent, empowering, accessible and equitable health services and support those making personal commitments to combat this epidemic in their communities locally, nationally, and globally.

- h. Whereas National Women and Girls HIV/AIDS Awareness Day serves as an opportunity for Multnomah County officials and citizens to come together to provide support, encourage discussion, and educate women and girls about prevention, the importance of getting tested, and the resources available to help those infected lead normal, healthy lives.

**The Multnomah County Board of Commissioners Proclaims:**

Wednesday, March 10, 2010 in Support of National Women and Girls HIV/AIDS Awareness Day in Multnomah County, Oregon

ADOPTED this 4th day of March, 2010.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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Ted Wheeler, County Chair

---

Deborah Kafoury,  
Commissioner District 1

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Jeff Cogen  
Commissioner District 2

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Judith Shiprack,  
Commissioner District 3

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Diane McKeel,  
Commissioner District 4

SUBMITTED BY:  
Commissioner Deborah Kafoury



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised 12/31/09)

*Emailed  
to  
Carol  
Ford*

### Board Clerk Use Only

Meeting Date: 03/04/2010  
Agenda Item #: R-3  
Est. Start Time: 9:30 AM  
Date Submitted: 02/17/2010

**Agenda Title: Leaders of Change: Innovation Video Series**

*Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.*

Requested Meeting Date: March 4, 2010 Amount of Time Needed: 15 minutes  
Department: Non-Departmental Division: Public Affairs Office  
Contact(s): Mike Pullen  
Phone: 503 988-6804 Ext. 86804 I/O Address: 503/6  
Presenter(s): Mike Pullen; Bernadette Nunley; Jana McLellan and Joshua Todd

### General Information

**1. What action are you requesting from the Board?**

Approve creation of an innovation video series to highlight efforts by county employees to implement new ideas that lead to an improvement, a gain, or a profit. The link is: <http://www.blip.tv/file/3252657>

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

Through the work of the County's Chief Operating Officer, Multnomah County has begun a business process redesign as well as a strategic initiative to foster innovation within County Government. These efforts relate to program offers 10000A + 10000B. Leaders of Change is a cross departmental group of county employees who are working to support innovation (defined as new ideas with action or implementation that lead to an improvement, gain or profit). Leaders of Change have documented successful innovations throughout the County and are currently developing ways to share and spread these innovations. The first product of those efforts is the creation of an innovation video series which seeks to change the stories we tell about Multnomah County. Innovation is prevalent throughout our organization and the video series will highlight a new innovation every month. The intention is for these videos to be available for all county employees to view and for use in internal communications including new employee orientation, employee recognition, and county service promotion.

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

The cost of creating these videos is currently covered by the video resources of the Public Affairs Office and will utilize existing footage developed by County departments. The first video in the series, features School Based Health Centers and was created by a group of young people in the Commission on Children, Families & Community- who have created a youth micro-enterprise called VoiceBoxMedia.

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

PAO will ensure that all parties shown in Innovation series videos have appropriate media release authorizations on file. The board may wish to consider how this effort supports the board's current efforts to develop and communicate shared county values.

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

Leaders of Change is a cross department group whose members represent two elected official's offices (Chair Ted Wheeler & Commissioner McKeel) as well as ten County departments/agencies (County Attorney; Commission on Children, Families & Community; Facilities; Health Department; Human Resources; Human Services; Information Technology, Libraries, Public Affairs, and Roads).

The first video in this series features an innovation from the Health Department and was filmed by local youth volunteers who participate in a program called VoiceBoxMedia which teaches new media literacy and production skills.

---

**Required Signature**

---

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



**Date: 02/17/2010**

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blip.tv

innovation@multco episode 1 draft



innovation@multco episode 1 draft 02/22/10

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## PAOTest

[Visit show page](#) > [All episodes](#) > .  
You've reached the newest episode,



Mike Pullen  
Multhomah County

▶ ⏪ ⏩ 00:19 📖 🔄 📱 🔊 🔍



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

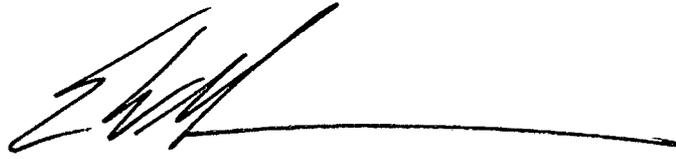
The County is holding the public hearing as required under ORS 294.160.

---

**Required Signature**

---

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

A handwritten signature in black ink, appearing to be 'L. W. ...', written over a horizontal line.

**Date: 02/05/2010**

**GROW Lynda**

---

**From:** Teverbaugh Aeron [aeron.teverbaugh@state.or.us]  
**Sent:** Monday, January 11, 2010 3:47 PM  
**To:** KINOSHITA Carol  
**Cc:** 'trevor.w.johnson@state.or.us'; denise.kleim@ci.portland.or.us; Lee, JoAnn; RYAN Matthew O  
**Subject:** RE: state-bldg-fee-ltr.pdf - Adobe Acrobat Standard

Hello,  
I did receive your e-mail and as I am in a new position I forwarded it on to the new Policy Analyst for the Local Jurisdictions – Trevor Johnson.

Thanks,  
Aeron

---

**From:** KINOSHITA Carol [mailto:carol.kinoshita@co.multnomah.or.us]  
**Sent:** Monday, January 11, 2010 3:04 PM  
**To:** aeron.teverbaugh@state.or.us  
**Cc:** Lee, JoAnn; denise.kleim@ci.portland.or.us; RYAN Matthew O  
**Subject:** state-bldg-fee-ltr.pdf - Adobe Acrobat Standard

Dear Ms. Teverbaugh,

Attached is a letter and fee schedule describing Multnomah County's intent to begin charging a new Site Review Fee related to the inspection, plan review, and permit issuance services it provides under the State of Oregon Structural Specialty Code.

Please confirm receipt of this email and the attachment.

If you have any questions about the proposed fee, please contact Denise Kleim, Senior Business Operations Manager at 503-823-7338 or [Denise.kleim@ci.portland.or.us](mailto:Denise.kleim@ci.portland.or.us).

Thank you.

**Carol Kinoshita**, Legislative Paralegal  
503.988.3138 fx:503.988.3377  
Office of Multnomah County Attorney  
501 SE Hawthorne Blvd., Ste. 500,  
Portland, OR 97214 (interoffice: 503/500)



AGNES SOWLE  
*County Attorney*

JOHN S. THOMAS  
*Deputy County Attorney*

# OFFICE OF MULTNOMAH COUNTY ATTORNEY

501 S.E. HAWTHORNE, SUITE 500  
PORTLAND, OREGON 97214

FAX 503.988.3377  
503.988.3138

DAVID N. BLANKFELD  
CARLOS J. CALANDRIELLO  
SALLY A. CARTER  
SANDRA N. DUFFY  
SUSAN M. DUNAWAY  
STEPHANIE E. DUVALL  
PATRICK W. HENRY  
STEPHEN L. MADKOUR  
JENNY M. MORF  
BERNADETTE D. NUNLEY  
MATTHEW O. RYAN  
KATHRYN A. SHORT  
JED R. TOMKINS  
JACQUELINE A. WEBER  
*Assistants*

January 11, 2010

Aeron Teverbaugh, Policy Analyst  
Policy & Technical Services  
Oregon Department of Consumer & Business Services  
Building Codes Division  
P.O. Box 14470  
Salem, Oregon 97309-0404

Re: Proposed Fee

Dear Ms. Teverbaugh,

Multnomah County proposes to begin charging a new fee related to the inspection, plan review, and permit issuance services it provides under the State of Oregon Structural Specialty Code. The County proposes to charge Site Review Fees on Commercial Building Permits requiring site development review.

Generally, site development review is required for sites located in flood hazard areas and liquefaction hazard areas, sites with steep slopes, and projects with non-prescriptive geotechnical design. The proposed fee is 15% of the permit fee with a minimum fee of \$116.00.

The proposed effective date of this new fee is April 1, 2010.

The anticipated date, time and location of our Board hearing scheduled pursuant to ORS 294.160 is 9:30 a.m. on Thursday, March 4, 2010, in the Multnomah Building, First Floor Commissioners Boardroom 100 at 501 SE Hawthorne Boulevard, Portland, Oregon.

The proposed fee is necessary as the geotechnical, steep slope, liquefaction hazard and flood hazard reviews on commercial buildings permits have been done in the past without charging any fees. In addition, the new fee will provide a means to offset the inflationary increase in program costs, and to continue the current levels of inspection, plan review, and permit issuance services.

Multnomah County  
Proposed Fee Changes  
January 11, 2010  
Page 2 of 2

This notice is provided pursuant to the notification requirements of OAR 918-020-0220 and ORS 455.210.

Should you have any questions about the proposed fee changes, please contact Denise Kleim, Sr. Business Operations Manager, at 503-823-7338 or [denise.kleim@ci.portland.or.us](mailto:denise.kleim@ci.portland.or.us).

Sincerely,

  
Matthew O. Ryan, Assistant County Attorney

Enclosures

E-Copy: [aeron.teverbaugh@state.or.us](mailto:aeron.teverbaugh@state.or.us)

MULTNOMAH COUNTY

**PROPOSED**  
**Site Development Fee Schedule**

Effective Date: April 1, 2010

Updated: December 15, 2009

**APPLIES TO COMMERCIAL PROJECTS:**

**Commercial Site Review Fee**

Applies to commercial building and site development permits requiring site development review. Includes sites located in or adjacent to flood hazard areas and liquefaction hazard areas, sites with steep slopes, and projects with non-prescriptive geotechnical design. Services include plan review for site conditions, flood, liquefaction and steep slope hazards, and geotechnical review.

For Commercial Building and  
Site Development Permits:

15% of the permit fee  
Minimum fee is \$116

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. 2010-025**

Establishing Fees and Charges for Chapter 29, Building Regulations, of the Multnomah County Code and Repealing Resolution No. 09-063

**The Multnomah County Board of Commissioners Finds:**

- a. Chapter 29, Building Regulations, of the Multnomah County Code (MCC) provides that the Board shall establish certain fees and charges by resolution.
- b. Multnomah County has entered into intergovernmental agreements with the cities of Gresham and Portland to administer and enforce MCC Chapter 29.
- c. On May 28, 2009, the Board adopted Resolution No. 09-063 establishing MCC Chapter 29 fees and charges.
- d. The City of Portland has recently approved a new commercial site review fee effective April 1, 2010, under the State of Oregon Structural Specialty Codes in accordance with OAR 918-020-0220 and ORS 455.210.
- e. It is necessary to update this fee in Schedule 1 for the areas of unincorporated county covered by the agreement with the City of Portland.
- f. All other County fees and charges established by Resolution No. 09-063 are intended to remain in effect as set out below and Resolution 09-063 will be repealed.

**The Multnomah County Board of Commissioners Resolves:**

1. The fees and charges for Chapter 29, Building Regulations, of the Multnomah County Code are set as follows:
  - A. For the areas of unincorporated Multnomah County within the Portland Urban Services Boundary:

<u>Section 29.010</u>	FEES (Building Code) See Schedule 1 attached
<u>Section 29.106</u>	FEES (Electrical Code) See Schedule 1 attached
<u>Section 29.207</u>	FEES (Plumbing Code) See Schedule 1 attached
  - B. For the areas of unincorporated Multnomah County outside of the Portland Urban Services Boundary:

<u>Section 29.010</u>	FEES (Building Code) See Exhibit A attached
<u>Section 29.106</u>	FEES (Electrical Code) See Exhibit B attached
<u>Section 29.207</u>	FEES (Plumbing Code) See Exhibit C attached

C. For all areas of unincorporated Multnomah County:

<u>Section 29.348</u>	PERMIT FEE	
	Grading and Erosion Control Permit	\$344
<u>Section 29.401</u>	FEE FOR REVIEW AND APPROVAL (Condominiums)	
	Condominiums, plat and floor plan:	\$500 Plus \$50 per building
	Buildings greater than two stories or 20 units:	Actual cost of review
<u>Section 29.611</u>	REVIEW FEE	
	Flood Plain Review (one and two family dwellings)	\$27
	Flood Plain Review (all other uses):	\$59
<u>Section 29.712</u>	SPECIAL EVENT PERMIT APPLICATION FEE, DEPOSIT AND COST RECOVERY	
(A)	Special Event Permit Application Fee	\$50
(B)	Minimum Cost Recovery Deposit Based On Categories Of Events Under MCC 29.705	
	Event Under MCC 29.705 (A), If No	
(1)	Event Permit Required No Deposit Is Necessary, Otherwise	\$50
(2)	Event under MCC 29.705 (B)	\$250
(3)	Event under MCC 29.705 (C)	\$500
(4)	Event under MCC 29.705 (D)	\$1,000
(C)	Additional Cost Recovery as authorized under MCC 29.712 (C) will be based on actual costs incurred by the County under MCC 29.712 (B) (1)-(4).	

2. Resolution No. 09-063 is repealed and this Resolution takes effect on April 1, 2010.

ADOPTED this 4th day of March 2010.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

---

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Matthew O. Ryan, Assistant County Attorney

Schedule 1 – For Areas of Unincorporated Multnomah County  
Within the Portland Urban Services Boundary

**Section 29.010. FEES (Building Code)**

**§ 29.010 FEES.**

The fees shall apply under this subchapter in addition to those provided in the state building code. Where conflicts occur with fees provided in the state building code, the fees in this subchapter shall prevail.

**I. Building Fees:**

(A) Building permit fees shall be charged based on the total valuation of work to be performed.

<b>Total Valuation<sup>1</sup> of Work to be Performed</b>	<b>Fees</b>
\$1 to \$500	\$44.60 minimum fee
\$501 to \$2,000	\$44.60 for the first \$500, plus \$2.01 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$74.75 for the first \$2,000, plus \$7.87 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$255.76 for the first \$25,000 plus \$5.85 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$402.01 for the first \$50,000, plus \$3.90 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 and up	\$597.01 for the first \$100,000, plus \$3.28 for each additional \$1,000 or fraction thereof

<sup>1</sup>Definition of Valuation: The valuation to be used in computing the permit fee and plan check/process fee shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and other permanent work or equipment, and the contractor's profit.

(B) **Plan Review/Process Fee.** 65% of the building permit fee  
For the original submittal and one revision, unless the revision increases the project valuation.

(C) **Fire and Life Safety Review Fee:** 40% of the building permit fee.

(D) **Miscellaneous Fees:**

<b>Additional Plan Review Fee</b>	For	Plan review time ½ hour or less: \$58
changes, additions or revisions to approved plans		Plan review time greater than ½ hour: \$116 per hour or fraction thereof.

**Appeal Fees (per appeal):**

One- and two-family dwellings	\$100.00
All other occupancies	\$200.00
plus for each appeal item over 4	\$ 50.00

**Approved Fabricators Certification Fee**

Initial Certification	\$1,000
Annual Renewal - without modifications	\$ 250
Annual Renewal – with modifications	\$ 500
Field audits and inspections	\$ 120 per hour or fraction of an hour. Minimum – 1 hour

Whenever an inspection is conducted by OPDR staff at a facility more than 50 miles from the City of Portland's BDS office, the applicant shall reimburse the City for travel costs including auto travel, air travel, lodging and meals.

**Approved Testing Agency Certification Fee**

Initial Certification	\$1,000
Annual Renewal – without modifications	\$ 250
Annual Renewal – with modifications	\$ 500
Field audits and inspections	\$ 120 per hour or fraction of an hour. Minimum – 1 hour

Whenever an inspection is conducted by OPDR staff at a facility more than 50 miles from the City of Portland's OPDR office, the applicant shall reimburse the City for travel costs including auto travel, air travel, lodging and meals.

**Commercial Site Review Fee** Applies to commercial building and site development permits requiring site development review. Includes sites located in or adjacent to flood hazard areas and liquefaction hazard areas, sites with steep slopes, and projects with non-prescriptive geotechnical design. Services include plan review for site conditions, flood, liquefaction and steep slope hazards, and geotechnical review.

For Commercial Building and Site Development Permits:	15% of the permit fee. Minimum fee is \$116
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**Deferred Submittal Fee** For processing and reviewing deferred plan submittals 10% of the building permit fee calculated using the value of the particular deferred portion or portions of the project

The fee is in addition to the project plan review fee based on the total project value. Minimum fee - \$100 for 1 & 2 family dwelling projects \$250 for commercial and all other projects

**Energy Plan Review**

Applies to all building permits with valuation over \$2.5 million and to any subsequent tenant improvements. Actual plan review costs, plus 10% administrative processing fee.

**Express Start Program Fee**

Fee for accelerated plan review and the issuance of an authorization to proceed with construction prior to completion of the full plan review process \$120 per hour or fraction of an hour

**Fee for Examination of Filed Plans:** If more than 2 plans, \$1 per added plan.

**Field Issuance Remodel Program For 1 & 2 family dwelling alterations/remodels.**

One-time Registration Fee: \$200 per contractor

Inspection, plan review, administrative and project management activities: \$147 per hour or fraction of an hour Minimum – 1 hour for each inspection

Fees for services provided by bureaus other than the Bureau of Development Services necessary for construction authorization will be billed to the Owner as assessed by those bureaus.

Fees shall be billed monthly. Fees not paid within 30 days of billing shall be assessed a 5% penalty fee for each 30-day period until paid in full.

**Inspections Outside of Normal Business Hours.** \$158 per hour or fraction of an hour Minimum - \$158

**Intake Fee** For 1 & 2 family dwellings with engineer/architect certified as plans examiner \$275

**Investigation Fee**

For commencement of work before obtaining a permit Equal to the permit fee or the actual investigation costs at \$116 per hour, whichever is greater, plus \$250

**Limited Consultation Fee** For an optional meeting held prior to application for building permits for projects with complex and fairly detailed issues in one or two areas of expertise (e.g., building and fire codes). The meeting will be limited to two City staff members. \$150

### **Living Smart House Plans**

Bureau of Development Services' fees for the construction of Living Smart houses are 50% of the standard fees shown on Bureau of Development Services fee schedules. If changes, alterations, or revisions are made to the permit-ready plans, standard fees will apply. (This discount does not apply to fees charged by other bureaus.)

### **Manufactured Dwelling Installation on Individual Lot**

Installation and set up	\$315
Earthquake-resistant bracing when not installed under a Manufactured dwelling installation permit	\$ 85

Additional fees are required for separate permits which may include but are not limited to the following: building, plumbing, electrical, water, sewage, public right of way approaches and improvements, and plan review.

### **Manufactured Dwelling Installation in a Park**

Installation and set up	\$315
Earthquake-resistant bracing when not installed under a Manufactured dwelling installation permit	\$ 85

Additional fees are required for separate permits which may include but are not limited to the following: building, plumbing, electrical, water, sewage, public right of way approaches and improvements, and plan review.

### **Manufactured Dwelling Park**

(Development or enlargement of a manufactured dwelling park)

#### **Permit Fee:**

10 spaces or fewer	\$45 each space
11 - 20 spaces	\$450 plus \$25 for each space over 10
more than 20 spaces	\$700 plus \$20 for each space over 20

Plan review	65% of the permit fee
Zoning inspection	15% of the permit fee
Cabana installation	\$100

Additional fees are required for separate permits which may include but are not limited to the following: building, plumbing, electrical, water, sewage, public right of way approaches and improvements, and plan review.

### **Major Projects Group Fee - \$50,000 per project**

The Bureau of Development Services' fee for projects that participate in the Major Projects Group (MPG) program that facilitates City review and permitting processes for larger development projects. This fee is in addition to the standard permit fees required on the project. There are additional MPG fees charged by other City bureaus for projects that are enrolled in this program.

**Master Permit/Facilities Permit**  
**Program Annual Registration Fee:**

Site with one building	\$150
Site with two buildings	\$250
Site with three buildings	\$350
Site with four buildings	\$425
Site with five or more buildings	\$500

For projects valued at \$600,000 or less: Building orientations, inspection, plan review and administrative activities: \$172 per hour or fraction of an hour Minimum – 1 hour for each inspection

For projects exceeding \$600,000 value: Building inspection and plan review: Fee based on project valuation and building permit fee schedule

Fees for services provided by bureaus other than the Bureau of Development Services necessary for construction authorization will be billed to the Owner as assessed by those bureaus.

Fees shall be billed monthly. Fees not paid within 30 days of billing shall be assessed a 5% penalty fee for each 30-day period until paid in full.

**Minor Structural Labels** \$100 per set of 10 labels

**Other Inspections Not Specifically Identified Elsewhere** \$116 per hour or fraction of hour Minimum – 1 hour

**Permit Reinstatement Processing Fee** For renewal of a permit that has been expired for six months or less provided no changes have been made in the original plans and specifications for such work. A permit may be renewed only once. The renewal fee shall be one-half the amount required for a new permit. Minimum Fee - \$50.

**Phased Project Plan Review Fee** For plan review on each phase of a phased project: 10% of the total project building permit fee not to exceed \$1,500 for each phase, plus \$250.

**Pre-Development Conference Fee** \$1,400

For an optional meeting held prior to application for building permits for projects that contain complete or multiple issues.

**Recreational Park**

(Development or enlargement of a recreational park)

Permit Fee:

10 spaces or fewer	\$26 each space
11 - 20 spaces	\$260 plus \$16 for each space over 10
21 - 50 spaces	\$420 plus \$12 for each space over 20

more than 50 spaces	\$780 plus \$9 for each space over 50
Plan review	65% of the permit fee
Zoning inspection	15% of the permit fee
Cabana installation	\$100

Additional fees are required for separate permits which may include but are not limited to the following: building, plumbing, electrical, water, sewage, public right of way approaches and improvements, and plan review.

<b>Reinspection Fee</b>	\$ 79 per inspection
<b>Reproduction Fees</b>	\$2 per plan and \$.50 per page of correspondence

**Requested Inspection Fees**

One and Two-family dwellings	\$116
Apartment Houses	\$168 + \$11 for each dwelling unit in excess of three
Hotels/Motels	\$168 + \$6 for each sleeping room in excess of five
All other occupancies one and two stories up to 10,000 square feet	\$168 + \$11 for each additional 1,000 square feet
All other occupancies three stories in height and above	\$168 + \$21 for each story in excess of three

**Re-roof Permit and Inspection Fee**

Re-roof permits are available in multiples of five to commercial roofing contractors who pre-register with the City of Portland Bureau of Development Services.

Permit Fee	\$750
Plan review / process fee	\$125

**Special Inspection Certification Fee**

Initial Certification	\$ 60
Annual Renewal	\$ 25
Re-examination	\$ 50

<b>Special Program Processing Fee</b>	\$250
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<b>Temporary Certificate of Occupancy</b>	\$175.00
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**Zoning Inspection Fee Applies** to all new construction and any other permit requiring Planning/Zoning approval.

For 1 & 2 family dwellings	\$87
For commercial and all other	20% of the building permit or \$87 whichever is greater

**Zoning Permit Fee** - Fee for ensuring conformance of zoning code standards.

For 1 & 2 family dwellings	\$34
For commercial and all other	Fee is based on the project valuation and the commercial building permit fee table, plus 65% plan review/process fee. Minimum commercial zoning permit fee is \$111.

**II. Mechanical Permit Fee Schedule**

**One & Two Family Dwelling Fees**

**HVAC**

Air handling unit	\$21
Air Conditioning (site plan required)	\$21
Alteration/repair of existing HVAC system	\$26
Boiler/compressors	\$26
Heat pump (site plan required)	\$42
Install/replace furnace/burner (including ductwork / vent / liner)	\$44
Install/replace/relocate heaters – suspended, wall or floor mounted	\$21
Vent for appliance other than furnace	\$18

**Environmental exhaust and ventilation**

Appliance vent	\$18
Dryer Exhaust	\$11
Hoods, Type I/II/Res. Kitchen/Hazmat Hood Fire Suppression System	\$11
Exhaust fan with single duct (bath fans)	\$11
Exhaust system apart from heating or AC	\$18

**Fuel Piping and Distribution (up to 4 outlets)** \$12

Fuel piping each additional over 4 outlets	\$2.20
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**Other listed appliance or equipment**

Decorative fireplace	\$21
Insert	\$46
Woodstove/Pellet Stove	\$46

<b>Other:</b> (including oil tanks, gas and diesel generators, gas and electric ceramic kilns, gas fuel cells, jewelry torches, crucibles, and other appliance/equipment not included above)	\$26
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<b>Minimum Fee</b>	<b>\$55</b>
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## Commercial Fees

### Commercial Mechanical Permit Fee

For commercial installation, replacement or relocation of non-portable mechanical equipment or mechanical work.

Valuation:

\$1 to \$1,000	\$39
\$1,001 to \$10,000	\$39.00 plus \$1.96 for each additional \$100 over \$1,000
\$10,001 to \$100,000	\$215.40 plus \$12.08 for each additional \$1,000 over \$10,000
\$100,001 and above	\$1,302.60 plus \$8.29 for each additional \$1,000 over \$100,000

Valuation includes the dollar value of all mechanical materials, equipment, labor overhead and profit.

**Commercial Plan Review** 60% of mechanical permit fee

### Miscellaneous Fees

**Additional Plan Review Fee** For changes, additions or revisions to approved plans Plan review time ½ hour or less: \$58 Plan review time greater than ½ hour: \$116 per hour or fraction thereof

#### Appeal Fees (per appeal)

One and Two-Family Dwellings	\$100
All other occupancies	\$200
Each appeal item over 4	\$50

**Field Issuance Remodel Program** For 1 & 2 family dwelling alterations/remodels.

One-time Registration Fee: \$200 per contractor

Inspection, plan review, administrative and project management activities: \$147 per hour or fraction of an hour Minimum – 1 hour for each inspection

Fees for services provided by bureaus other than the Bureau of Development Services necessary for construction authorization will be billed to the Owner as assessed by those bureaus.

Fees shall be billed monthly. Fees not paid within 30 days of billing shall be assessed a 5% penalty fee for each 30-day period until paid in full.

**Inspections Outside of Normal Business Hours** \$158 per hour or fraction of hour Minimum - \$158

**Investigation Fee**

For commencement of work before obtaining a permit

Equal to the permit fee or the actual investigation costs at \$116 per hour, whichever is greater, plus \$250

**Living Smart House Plans**

Bureau of Development Services' fees for the construction of Living Smart houses are 50% of the standard fees shown on Bureau of Development Services fee schedules. If changes, alterations, or revisions are made to the permit-ready plans, standard fees will apply. (This discount does not apply to fees charged by other bureaus.)

**Master Permit/Facilities Permit Program**

Inspection, plan review, and administrative activities

\$172 per hour or fraction of hour. Minimum – 1 hour for each inspection

**Minor Mechanical Labels**

\$100 for set of 10 labels

**Other Inspections Not Specifically Identified****Elsewhere****Permit Reinstatement Processing Fee**

Fee for renewal of a permit that has been expired for six months or less provided no changes have been made in the original plans and specifications for such work. A permit may be renewed only once.

\$116 per hour or fraction of hour. Minimum – 1 hour.

The renewal fee shall be one-half the amount required for a new permit. Minimum Fee - \$50

**Reinspection Fee**

\$79 per inspection

**Requested Inspection Fee**

One and Two-Family Dwellings

\$116

3 or More Family Dwellings

\$168 + \$11 for each dwelling unit in excess of three

Hotels/Motels

\$168 + \$6 for each sleeping room in excess of five

All other occupancies one and two stories in height up to 10,000 sq. ft.

\$168 + \$11 for each additional 1,000 square feet

All other occupancies 3 stories in height and above

\$168 + \$21 for each story in excess of three

Schedule 1 – For Areas of Unincorporated Multnomah County  
Within the Portland Urban Services Boundary

**Section 29.106. FEES (Electrical Code)****§ 29.106 FEES.****New Residential**

Single or multi-family, per dwelling unit.  
Include attached garage. Service included.  
1,000 square feet or less

\$217

Each additional 500 sq ft or portion thereof

\$47

Limited Energy Install 1 & 2 Family	\$47
Limited Energy Install Multi-Family	\$47
Each Manufactured Home or Modular Dwelling Service and/or Feeder	\$128

**Services or Feeders**

Installation, alteration or relocation	
200 amps	\$111
201 to 400 amps	\$159
401 to 600 amps	\$208
601 amps to 1,000 amps	\$315
Over 1,000 amps or volts	\$578
Reconnect only	\$101

**Renewable Energy**

Installation, alteration or relocation	
5 kva or less	\$111
5.01 to 15 kva	\$159
15.01 to 25 kva	\$208

**Temporary Services or Feeders**

Installation, alteration or relocation	
200 amps or less	\$ 99
201 amps to 400 amps	\$150
401 amps to 600 amps	\$190
Over 600 amps or 1,000 volts (see above)	

**Branch Circuits**

New, alteration or extension per panel	
The fee for branch circuits with the purchase of service or feeder fee	\$ 10
The fee for branch circuits without the purchase of service or feeder fee: First branch circuit	\$ 92
Each additional branch circuit	\$ 10

**Miscellaneous**

(Service or feeder not included) Each pump or irrigation circle	\$ 81
Each sign or outline lighting	\$ 81

Signal circuit(s) or a limited energy panel, alteration or extension \$ 81

**Swimming Pools.** Fees shall be based upon **Services or Feeders or Branch Circuits** (see above). The inspection of the grounding of the pool shall be included in the permit for the pool and counted as one of the number of allowed inspections under the permit.

**Plan Review Fee** 25% of total electrical permit fees

**Miscellaneous Fees**

**Additional Plan Review Fee** For changes, additions or revisions to approved plans Plan review time ½ hour or less: \$58  
Plan review time greater than ½ hour: \$116 per hour or fraction thereof

**Appeal Fees (per appeal)**

One and Two-Family Dwellings \$100

All other occupancies \$200

Each appeal item over 4 \$ 50

**Field Issuance Remodel Program** For 1 & 2 family dwelling alterations/remodels.

One-time Registration Fee: \$200 per contractor

Inspection, plan review, administrative and project management activities: \$147 per hour or fraction of an hour Minimum – 1 hour for each inspection

Fees for services provided by bureaus other than the Bureau of Development Services necessary for construction authorization will be billed to the Owner as assessed by those bureaus.

Fees shall be billed monthly. Fees not paid within 30 days of billing shall be assessed a 5% penalty fee for each 30-day period until paid in full.

**Inspections Outside of Normal Business Hours** \$158 per hour or fraction of hour Minimum - \$158

**Investigation Fee** For commencement of work before obtaining a permit Equal to the permit fee or the actual investigation costs at \$116 per hour, whichever is greater, plus \$250

**Living Smart House Plans**

Bureau of Development Services' fees for the construction of Living Smart houses are 50% of the standard fees shown on Bureau of Development Services fee schedules. If changes, alterations, or revisions are made to the permit-ready plans, standard fees will apply. (This discount does not apply to fees charged by other bureaus.)

**Master Permit (Industrial Plant) Program**  
**Fees** Registration

\$100 per facility

Each additional off-site location \$100

Inspection, plan review and administrative activities \$120 per hour or fraction of hour

**Master Permit/Facilities Permit Program**  
Inspection, plan review and administrative activities

\$172 per hour or fraction of hour. Minimum – 1 hour for each inspection

**Other Inspections Not Specifically Identified Elsewhere**

\$116 per hour or fraction of hour. Minimum – 1 hour

**Permit Reinstatement Processing Fee** Fee for renewal of a permit that has been expired for six months or less provided no changes have been made in the original plans and specifications for such work. A permit may be renewed only once.

The renewal fee shall be one-half the amount required for a new permit. Minimum fee - \$50

**Reinspection and Additional Fees**  
Reinspections or inspections above the number covered by original permit

\$79 per inspection

**Requested Inspection Fee** One and Two-Family Dwellings

\$116

Apartment Houses

\$168 + \$11 for each dwelling unit in excess of three

Hotels/Motels

\$168 + \$6 for each sleeping room in excess of five

All other occupancies one and two stories up to 10,000 square feet

\$168 + \$11 for each additional 1,000 square feet

All other occupancies three stories in height and above

\$168 + \$21 for each story in excess of three

Schedule 1 – For Areas of Unincorporated Multnomah County  
 Within the Portland Urban Services Boundary

**Section 29.207. FEES (Plumbing Code)**

**§ 29.207 FEES.**

<b>New 1 &amp; 2 Family Dwellings Only</b>	(includes 100 feet for each utility connection)	With one bath	\$404
	With two baths		\$607
	With three baths		\$708
	Each additional bath/kitchen		\$169
<b>Site Utilities</b>			
	Catch basin/area drain inside building		\$ 29.50
	Manufactured home utilities		\$ 72
	First 100 feet of:		
	Rain drain (no. of linear feet)		\$ 90
	Sanitary sewer (no. of linear feet)		\$ 90
	Storm sewer (no. of linear feet)		\$ 90
	Water service (no. of linear feet)		\$ 90
	Each additional 100 feet or portion thereof		\$ 68
<b>Interior Mainline Piping</b>			
	Water Piping – first 100 feet		\$90
	Drainage Piping – first 100 feet		\$90
	Each additional 100 feet of portion thereof		\$68
<b>Fixture or Item</b>			
	Back flow preventer		\$ 29.50
	Backwater valve		\$ 29.50
	Basins/lavatory		\$ 29.50
	Clothes washer		\$ 29.50
	Dishwasher		\$ 29.50
	Drinking fountains		\$ 29.50
	Ejectors/Sump		\$ 29.50
	Expansion tank		\$ 29.50
	Fixture/sewer cap		\$ 29.50
	Floor drains/floor sinks/hubb		\$ 29.50
	Garbage disposal		\$ 29.50
	Hose bibb		\$ 29.50
	Ice maker		\$ 29.50
	Interceptor/grease trap		\$ 29.50
	Primer(s)		\$ 29.50
	Replacing in-building water supply lines:		
	Residential:	First floor	\$ 64
		Each additional floor	\$ 25
	Commercial:		
		Up to first 5 branches	\$ 64
		Each fixture ranch over five	\$ 16
	Roof drain (commercial)		\$ 29.50
	Sewer cap		\$ 80
	Sink(s) Basin(s) Lav(s)		\$ 29.50

Solar units (potable water)		\$ 69
Stormwater retention/detention tank/facility		\$ 81
Sump		\$ 29.50
Tubs/shower/shower pan		\$ 29.50
Urinal		\$ 29.50
Water closet		\$ 29.50
Water heater		\$ 29.50
Other		\$ 29.50
<b>Minimum Fee</b>		\$ 64
<b>Plan Review Fee</b>	For commercial and multi-family structures with new outside installations and/or more than five fixtures, food service or for medical gas systems	25% of the permit fee
<b>Miscellaneous Fees</b>		
<b>Additional Plan Review</b>	For changes, additions or revisions to approved plans	Plan review time ½ hour or less: \$58. Plan review time greater than ½ hour: \$116 per hour or fraction thereof
<b>Appeal Fees (per appeal)</b>	One and Two-Family Dwellings	\$100
	All other occupancies	\$200
	Each appeal item over 4	\$ 50
<b>Field Issuance Remodel Program</b> For 1 & 2 family dwelling alterations/remodels.		
One-time Registration Fee:		\$200 per contractor
Inspection, plan review, administrative and project management activities:		\$147 per hour or fraction of an hour Minimum – 1 hour for each inspection
Fees for services provided by bureaus other than the Bureau of Development Services necessary for construction authorization will be billed to the Owner as assessed by those bureaus.		
Fees shall be billed monthly. Fees not paid within 30 days of billing shall be assessed a 5% penalty fee for each 30-day period until paid in full.		
<b>Inspections Outside of Normal Business Hours</b>		\$158 per hour or fraction of hour Minimum - \$158
<b>Investigation Fee</b>	For commencement of work before obtaining a permit	Equal to the permit fee or the actual investigation costs at \$116 per hour, whichever is greater, plus \$250
<b>Living Smart House Plans</b>		
Bureau of Development Services' fees for the construction of Living Smart houses are 50% of the standard fees shown on Bureau of Development Services fee schedules. If changes, alterations, or revisions are made to the permit-ready plans, standard fees will apply. (This discount does not apply to fees charged by other bureaus.)		
<b>Master Permit/Facilities Permit Program</b>		
Inspection, plan review and administration activities		\$172 per hour or fraction of hour. Minimum – 1 hour

**Medical Gas Systems Total Value of Construction Work to be Performed:**

\$1 - \$500	\$ 58 minimum fee
\$501 - \$2,000	\$ 58 for the first \$500, plus \$5.28 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 - \$25,000	\$137.20 for the first \$2,000, plus \$20.05 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 - \$50,000	\$598.35 for the first \$25,000, plus \$15.83 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 - \$100,000	\$994.10 for the first \$50,000, plus \$9.50 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 and up	\$1,469.10 for the first \$100,000, plus \$8.44 for each additional \$1,000 or fraction thereof

**Other Inspections Not Specifically Identified Elsewhere**

\$116 per hour or fraction of hour. Minimum – 1 hour

**Permit Reinstatement Processing Fee** Fee for renewal of a permit that has been expired for six months or less provided no changes have been made in the original plans and specifications for such work. A permit may be renewed only once.

The renewal fee shall be one-half the amount required for a new permit. Minimum Fee - \$50

**Rainwater Harvesting Systems**

**Total Value of Construction Work to be Performed:**

\$1 - \$500	\$58 minimum fee
\$501 - \$2,000	\$58 for the first \$500, plus \$5.28 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 - \$25,000	\$137.20 for the first \$2,000, plus \$20.05 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 - \$50,000	\$598.35 for the first \$25,000, plus \$15.83 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 - \$100,000	\$994.10 for the first \$50,000, plus \$9.50 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 and up	\$1,469.10 for the first \$100,000, plus \$8.44 for each additional \$1,000 or fraction thereof.

**Reinspection Fee** \$79 per inspection

**Requested Inspections**

One and Two-Family Dwellings	\$116
Apartment Houses	\$168 + \$11 for each dwelling unit in excess of three
Hotels/Motels	\$168 + \$6 for each sleeping room in excess of five
All other occupancies one and two stories, up to 10,000 sq. ft.	\$168 + \$11 for each additional 1,000 square feet
All other occupancies 3 stories in height and above	\$168 + \$ 21 for each story in excess of three

**Residential Fire Suppression Systems**

Residential multi-purpose and stand alone fire suppression system fees are based on the square footage of the structure as follows:

0 to 2,000 sq. ft.	\$ 62
2,001 to 3,600 sq. ft.	\$ 90
3,601 to 7,200 sq. ft.	\$120
7,201 sq. ft and greater	\$149

**EXHIBIT A**

**Section 29.010. FEES (Building Code)**

**§ 29.010 FEES.**

The fees shall apply under this subchapter in addition to those provided in the state building code. Where conflicts occur with fees provided in the state building code, the fees in this subchapter shall prevail.

(A) Building permit fees shall be charged based on the total valuation of work to be performed.

<b>Total Valuation of Work to be Performed</b>	<b>Fees</b>
\$1.00 to \$500.00	\$15.00
\$501.00 to \$2,000.00	\$15.00 for the first \$500.00, plus \$1.90 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$43.50 for the first \$2,000.00, plus \$7.60 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00

\$25,001.00 to \$50,000.00	\$218.30 for the first \$25,000.00 plus \$5.70 for each additional \$1,000 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$360.80 for the first \$50,000.00, plus \$3.80 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 and up	\$550.80 for the first \$100,000.00, plus \$3.20 for each additional \$1,000.00 or fraction thereof

(B) Exempt area fire and life safety plan review and inspection: 40 percent of the required building permit fee.

(C) Requested inspection fees. Requested inspections that are not part of the regular inspection program will be made as soon as practical after payment to the building official of the fee specified below:

(1) Single- and two-family dwellings (occupancy class R3)	\$100
(2) Apartment houses (occupancy class R1) (plus \$7 for each dwelling unit in excess of three)	\$160
(3) Hotels (occupancy class R1) (plus \$5 for each sleeping room in excess of five)	\$160
(4) All other occupancies one and two stories in height up to 10,000 square feet (plus \$7 for each additional 1,000 square feet)	\$160
(5) All other occupancies three stories in height and above (plus \$20 for each story in excess of three)	\$160

(D) Demolition of structure \$40

(E) Temporary permit or temporary certificate of occupancy \$50

(F) Hearing fee, board of appeals:

(1) One- and two-family dwellings	\$50
(2) All other buildings	\$100

(G) Certificate of occupancy (new permit not required) \$50

(H) Automatic sprinkler system:

(1) Minimum charge	\$40
(2) Per sprinkler head for first 100	\$0.50
(3) Per sprinkler head in excess of first 100	\$0.30

(I) Heating and ventilating fees under the Uniform mechanical Code. The minimum permit fee under this subsection shall be \$23.

New single- and two-family residences. The following fees for each dwelling

(1) unit shall include all heating and ventilating installations within or attached to the building at the time of occupancy.

(a) Conditioned floor space under 1,000 square feet \$29 each.

- (b) Conditioned floor space under 2,000 square feet \$42 each.
- (c) Conditioned floor space 2,000 square feet or more \$52 each.

Residential permit fees (other than (1) above). The following fees are for single-family and two-family dwellings (R-3 and S.R. occupancies) and each individual dwelling within an apartment building, condominium building, hotel or motel (R-1 occupancy), which is individually heated and/or air conditioned. Central mechanical systems in multifamily buildings or appliances and systems not identified in this subsection shall be assessed fee(s) in accordance with paragraph (3).

(2)

(a) Furnaces: For the installation, relocation, or replacement of each furnace:

- (i) Forced air or gravity type furnace \$13
- (ii) Floor furnace \$10
- (iii) Vented wall furnace or recessed wall heater \$10
- (iv) Room heater (non-portable) \$13

(b) Woodstoves: for the installation, relocation or replacement of each woodstove, fireplace stove or factory built fireplace (including hearth and wall shield) \$23

(c) Chimney vent: For the installation, relocation, or replacement of each factory built chimney or appliance vent \$9

(d) Boiler: For the installation, relocation or replacement of each boiler (water heater) no exceeding 120 gallons, water temperature of 210 degrees Fahrenheit, for 200,000 Btu input \$13

(e) Air handler or heat exchanger: For the installation, relocation or replacement of each air handler or heat exchanger \$10

(f) Heat pumps: For the installation, relocation or replacement of ducted heat pump (including compressor, exchanger and ducts attached thereto) \$21

(g) Air conditioners: For the installation, relocation or replacement of each condensing or evaporating air conditioner (except portable type) \$10

(h) Ventilation fan: For the installation, relocation or replacement of each ducted ventilation fan \$5

(i) Range hood: For the installation, relocation or replacement of each domestic range hood, including duct \$10

(j) Gas piping: For the installation, relocation or replacement of gas piping:

- (i) One to four outlets \$6
- (ii) Each additional outlet \$1

(3) Commercial permit fees. Any equipment or system regulated by this code and not

classified residential under paragraph (1) or (2) of this section shall be assessed permit fee(s) in accordance with the following:

<b>Valuation of Work</b>	<b>Permit Fee</b>
\$1.00 to \$1,000.00	\$23.00
\$1,001.00 to \$10,000.00	\$23.00 plus \$1.35 for each additional \$100.00 over \$1,000.00
\$10,001.00 to \$100,000.00	\$144.50 plus \$8.30 for each additional \$1,000.00 over \$10,000.00
\$100,001.00 and up	\$891.50 plus \$5.70 for each additional \$1,000 over \$100,000.00

(4) Administrative fees. An administrative fee equal to 65 percent of the permit fee shall be added to each permit fee for every permit issued. The administrative fee shall cover the cost of plan and specification review, permit processing and recording, and applicable state surcharges.

(5) Additional plan review fees. An additional plan review fee may be assessed whenever plans are incomplete, revised or modified to the extent that additional review is required.

Additional plan review fee (minimum charge \$30.00): \$50.00/hour.

(6) Reinspection fees. A reinspection fee may be assessed whenever additional inspections are required due to, but not limited to, failure to provide access to the equipment, work incomplete and not ready for inspection, failure to have approved plans on the job, deviations from the approved plans, etc. In those instances where a reinspection fee has been assessed, no additional inspection of the work will be performed, nor will the certificate of occupancy be issued, until required fees are paid.

Reinspection fee (minimum charge \$30.00): \$50.00/hour.

(7) Replacement of a hot water heater in kind shall not require a heating and ventilation permit when the hot water heater installation is the only work requiring such a permit. Such permit is covered under the plumbing permit.

(J) Charge for partial permits. When complete plans and specifications are not available, the building official may issue partial permits to assist in the commencement of the work, provided that a partial permit charge is paid to the building official. The number of partial permits issued shall not exceed six on any individual project, except that in special circumstances the building official may allow this number to be exceeded. Partial building permits issued under this section shall be subject to a \$250.00 charge for each permit so issued.

(K) Inspection outside of normal business hours. A fee of \$50.00 per hour or fraction thereof shall be charged for inspections outside of normal business hours. ('90 Code § 9.10.100) (Ord. 164, passed 1978; Ord. 195, passed 1979; Ord. 256, passed 1980; Ord. 278, passed 1981; Ord. 400, passed 1983; Ord. 467, passed 1985; Ord. 557, passed 1987; Ord. 583, passed 1988; Ord. 623, passed 1989; Ord. 728, passed 1992)

## **EXHIBIT B**

### **Section 29.106. FEES (Electrical Code)**

**§ 29.106 FEES.**

(A) *Plan review.*

(1) A plan checking fee shall be paid at the time of permit application. Fees for plans shall be 25 percent of the total electrical permit fee.

(2) A fee of \$50.00 per hour, with a minimum charge of \$30.00 for the first half hour or fraction thereof, shall be charged for additional plan reviews required by changes, additions or revisions to approved plans.

(B) *Permits.*

(1) The minimum permit fee shall be \$33 unless otherwise stated in this chapter.

(2) Residential wiring (exclusive of service):

Residence wiring less than 1,000 square feet	\$45
Residence wiring less than 2,000 square feet	\$68
Residence wiring over 2,000 square feet	\$90
Electric heat installation in existing residence	\$33

(3) Service installations:

Temporary construction service up to 200 amperes	\$33
Temporary construction service 201--600 amperes	\$56
Temporary construction service 601--3,000 amperes (temporary construction services do not require plan submittal)	\$90
Service not over 100 amperes	\$45
Service over 100 amperes, but not more than 200 amperes	\$68
Service over 200 amperes, but not more than 400 amperes	\$90
Service over 400 amperes, but not more than 600 amperes	\$135
Service over 600 amperes, but not more than 800 amperes	\$158
Service over 800 amperes, but not more than 1,200 amperes	\$203
Service over 1,200 amperes, but not more than 3,000 amperes	\$249

\$249

Service over 3,000 amperes	Plus \$45 for each 1,000 amperes or fraction over 3,000 amperes
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Service over 600 volts	\$338
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(4) Commercial and industrial feeders:

Installation of, alteration or relocation of distribution feeders:

Not more than 100 amperes	\$33
Over 100 amperes, but not more than 200 amperes	\$45
Over 200 amperes, but not more than 400 amperes	\$68
Over 400 amperes, but not more than 600 amperes	\$84
Over 600 amperes, but not more than 800 amperes	\$102
Over 800 amperes, but not more than 1,200 amperes	\$135
Over 1,200 amperes, but not more than 3,000 amperes	\$170
	\$170
Feeder over 3,000 amperes	Plus \$33 for each 1,000 amperes in excess of 3,000 amperes.
Feeder over 600 volts	\$156
After the ten largest feeders, each feeder shall be charged 50 percent of the above rate.	
(5) Miscellaneous (exclusive of service):	
Each farm building other than residence	\$33
Each irrigation pump	\$33
Each electrical sign or outline lighting circuit	\$33
Each swimming pool (including bonding)	\$56
Each low energy system	\$33
Each alarm system	\$33
(6) Branch circuits (shall be additional to plan check, service and feeder fees):	
One new circuit, alteration or extension	\$32
Two new circuits, alteration or extension	\$42
Each circuit over two circuits	\$5
Each circuit in excess of 50 ampere rating	\$42
(7) Requested inspections that are not a part of the regular inspection program will be made as soon as practical after payment to the building official of the fee specified below:	
Single- and two-family dwellings (occupancy class R3)	\$100
Apartment houses (occupancy class R1)(plus \$7 for each dwelling unit in excess of three)	\$160
Hotels (occupancy class R1) (plus \$5 for each sleeping room in excess of five)	\$160
All other occupancies one and two stories in height up to 10,000 square feet (plus \$7 for each additional 1,000 square	\$160

feet)

All other occupancies three stories in height and above (plus \$160  
\$20 for each story in excess of three)

(8) For any inspection not covered elsewhere in this chapter, or for a pre-permit onsite consultation, the fee shall be \$50 per hour. The minimum charge shall be \$30.

(9) Whenever any work for which a permit is required by this chapter has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

(10) An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this chapter. The minimum investigation fee shall be the same as the permit fee set forth in this section but not less than \$150. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this chapter, nor from any penalty prescribed by law.

Exception: Electrical work of an emergency nature, for which a permit application with appropriate permit fees is submitted to the permit office within 48 hours, exclusive of Saturdays, Sundays and holidays, after the work was performed.

(11) A fee of \$50 per hour or fraction thereof, with a minimum charge of three hours, shall be charged for inspections outside of normal business hours.

## EXHIBIT C

### Section 29.207. FEES (Plumbing Code)

#### § 29.207 FEES.

(A) Before a permit may be issued for the installation, alteration, renovation or repair of a plumbing or sewage disposal system, fees shall be collected as set by Board resolution. Fees charged in this section relate to individual building or structure systems. Multiple service, private plumbing or sewage disposal systems, included but not limited to planned unit developments, shall be subject to plan review fees as set forth Chapter 27 of this code.

(B) Where an application is made and a plan is required, in addition to the fees under subsection (C) of this section, the applicant shall pay a plan review fee equal to 25 percent of the permit fee. Payment shall be made at the time of application.

(C) Before a permit may be issued for the installation, renovation, alteration or repair of a plumbing or drainage system, fees in accordance with the following table shall be paid:

(1)	New construction for a single-family dwelling and duplex, each unit with one bathroom	\$235
(2)	New construction for a single-family dwelling and duplex, each unit with two bathrooms	\$317
(3)	New construction for a single-family dwelling and duplex, each unit with three bathrooms	\$374
(4)	For repair, remodel or new construction with more than three	\$17

	bathrooms, per fixture		plus water service, rain drains, sanitary and storm sewer fees in accordance with subsection (8) of this section.
(5)	Mobile home service connections (sewer, water and storm), per space	\$42	
(6)	Commercial/industrial. The fee shall be \$16 per fixture, plus any water service, sanitary and storm fees as required by subsection (8) of this section.		
(7)	Multifamily and multiplex rowhouses. The fee shall be \$17 per fixture, plus water service, rain drains, sanitary and storm sewers as required in subsection (8) of this section.		
(8)	Water service/sanitary/storm sewer/rain drains:		
	(a) Water service (first 100 feet or fraction thereof)	\$47	
	(b) Water service (each additional 100 feet or portion thereof)	\$36	
	(c) Building sewer (first 100 feet or fraction thereof)	\$47	
	(d) Building sewer (each additional 100 feet or fraction thereof)	\$36	
	(e) Building storm sewer or rain drain (first 100 feet or fraction thereof)	\$36	
	(f) Building storm sewer or rain drain (each additional 100 feet or fraction thereof)	\$36	
(9)	Miscellaneous:		
	(a) Building storm sewer or rain drain (first 100 feet or fraction thereof)	\$47	
	(b) Replacement water heater (includes electrical and/or mechanical heating fee for an in-kind replacement)	\$15	
	(c) for replacement of existing water supply lines, drain lines or conductors within the building:		
	(i) Single-family residence:		\$35 minimum first floor
			\$35 for up to the first five fixture branches
	(ii) Commercial/industrial structure:		Each additional fixture branch shall be \$8 (fixture branch shall include both hot and cold

water)

- (d) Each solar unit \$42
- (e) Minimum fee \$35

(D) Special inspection.

- (1) Prefabricated structural site inspection, the fee shall be 50 percent of applicable category (includes site development and connection of the prefabricated structure).

- (2) Requested inspections that are not part of the regular inspection program will be made as soon as practical after payment to the building official of the fee specified below:

- (a) Single- and two-family dwellings (occupancy class R3) \$100
- (b) Apartment houses (occupancy class R1) (plus \$7 for each dwelling unit in excess of three) \$160
- (c) Hotels (occupancy class R1) (plus \$5 for each sleeping rooms in excess of five ) \$160
- (d) All other occupancies one and two stories in height up to 10,000 square feet (plus \$7 for each additional 1,000 square feet) \$160
- (e) All other occupancies three stories in height and above (plus \$20 for each story in excess of three) \$160

(E) Plumbing permit fees shall be doubled if installation is commenced prior to issuance of a permit, except that this provision will not apply to proven emergency installations when a permit is obtained within 24 hours, excluding Saturdays, Sundays and holidays.

(F) A fee of \$50 per hour, with a minimum charge of \$30 for the first half hour or fraction thereof, shall be charged for reinspections for which no fee is specifically indicated.

(G) the minimum charge for any permit issued pursuant to this section shall be \$29.

(H) A fee of \$50 per hour or fraction thereof shall be charged for inspections outside of normal business hours.

(I) A fee of \$50 per hour, with a minimum charge of \$30 for the first half hour or fraction thereof, shall be charged for additional plan reviews required by changes, additions, or revisions to approved plans.



**MULTNOMAH COUNTY**  
**AGENDA PLACEMENT REQUEST (short form)**

**Board Clerk Use Only**

**Meeting Date:** 03/04/2010  
**Agenda Item #:** R-5  
**Est. Start Time:** 10:00 AM  
**Date Submitted:** 02/17/2010

**Agenda Title:** **Second Reading and Proposed Adoption of a ORDINANCE Relating to County Organization; Concerning the Organization and Functions of the Office of Government Relations**

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

**Requested Meeting Date:** March 4, 2010      **Amount of Time Needed:** 2 minutes  
**Department:** Non-Departmental      **Division:** County Attorney  
**Contact(s):** Agnes Sowle, County Attorney  
**Phone:** 503-988-3138      **Ext.** 83138      **I/O Address:** 503/500  
**Presenter(s):** Jana McLellan

**General Information**

**1. What action are you requesting from the Board?**

Approve first reading and adoption of ordinance concerning the organization and functions of the Office of Government Relations.

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

The county is reliant on state and federal policies, procedures, and funds. On November 5, 2009, by Resolution 09-140, the Board established a workgroup to study and recommend a new structure for government relations that meets the advocacy needs of the county and its citizens in state and federal legislative processes. Many Oregon counties, most of which are smaller in size, have a government relations office. The proposed ordinance implements the recommendations of the work group with respect to the structure, composition, and reporting procedures of the office of government relations that meets the needs of the county.

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

No impact this year. Next year's budget will be determined in the ordinary budgetary process.

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

None

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

N/A

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**Required Signature**

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

A handwritten signature in black ink, appearing to read "A. Jensen", written over a horizontal line.

**Date: 02/17/2010**

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**ORDINANCE NO. \_\_\_\_\_**

Relating to County Organization; Concerning the Organization and Functions of the Office of Government Relations, and Declaring an Emergency

**Multnomah County Ordains as follows:**

**Section 1.** MCC §§7.560 and 7.561 are added as follows:

***GOVERNMENT RELATIONS***

**§ 7.560 OFFICE ESTABLISHED.**

An office of Government Relations (Office) is established. The Director of the Office is the Government Relations Manager. The Director is appointed by the Chair subject to consent of a majority of the entire Board and reports directly to the Chair.

**§ 7.561 DUTIES.**

The Director will:

- (A) Manage federal and state legislative agenda set by the Board and provide overall strategic direction to the Office of Government Relations;
- (B) Serve as the lead state lobbyist for the county;
- (C) Manage contractors and other government relations staff, budget and compliance;
- (D) Represent the county with coalitions and stakeholder meetings;
- (E) Lead government relations meetings;
- (F) Provide regular updates to the Board and staff;
- (G) Submit a formal annual report to the Board concerning the status of all legislation concerning the county.





**MULTNOMAH COUNTY**  
**AGENDA PLACEMENT REQUEST** (revised 09/22/08)

APPROVED: MULTNOMAH COUNTY  
 BOARD OF COMMISSIONERS  
 AGENDA # R-6 DATE 03/04/2010  
 LYNDA GROW, BOARD CLERK

**Board Clerk Use Only**

Meeting Date: 03/04/2010  
 Agenda Item #: R-6  
 Est. Start Time: 10:02 AM  
 Date Submitted: 02/18/2010

**BUDGET MODIFICATION: DCM-16**

**Agenda Title: BUDGET MODIFICATION DCM-16 Reclassifying a Service Reimbursement between the Fleet Fund and the Road Fund for Accounting Purposes**

*Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.*

**Requested Meeting Date:** March 4, 2010      **Amount of Time Needed:** 3 minutes  
**Department:** County Management      **Division:** FREDS  
**Contact(s):** Richard Swift / Julie Neburka  
**Phone:** 503 988-5050      **Ext.** 85353      **I/O Address:** 425/2  
**Presenter(s):** Julie Neburka

**General Information**

**1. What action are you requesting from the Board?**

The Department of County Management requests Board approval of DCM-18, reclassifying a service reimbursement from the Fleet Fund to the Road Fund. This housekeeping item represents no net change to either fund.

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

The FY 2010 budget contains a service reimbursement from the Fleet Fund to the Road Fund that was intended to "refund" \$500,000 of equipment replacement set-aside costs to the Roads program for equipment that will not be replaced. Financial guidelines require such transactions to be made as cash transfers rather than service reimbursements, and Oregon Budget Law requires a budget modification for cash transfers created mid-year. Therefore, this budget modification is being done as a housekeeping matter for accounting purposes in order to meet audit requirements.

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

The reclassification has a net zero impact.

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

Leaving the transaction classified incorrectly could lead to an audit finding.

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

N/A

E-mails  
to  
Presenters  
\* Cheng  
Hay

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# ATTACHMENT A

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## Budget Modification

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

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

Internal Service Reimbursement revenue to the Road Fund is being reduced by \$500,000 and Cash Transfer Revenue is being increased by \$500,000.

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

There are no net increases to either fund's budget.

- **What do the changes accomplish?**

Appropriate accounting classification of this transaction.

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

*NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.*

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## ATTACHMENT B

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**BUDGET MODIFICATION: DCM- 16**

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### Required Signatures

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

*Mindy Harris*

**Date:** 02/18/2010

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**Budget Analyst:**

*Debra*

**Date:** 02/18/2010

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**Department HR:**

**Date:**

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**Countywide HR:**

**Date:**

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Budget Modification ID: DCM-16

**EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2010

Line No.	Fund Center	Fund Code	Program #	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Internal Order	Cost Center	WBS Element						
1	72-55	3501	72082	20		904100		60440	500,000	0	(500,000)		Vehicle Replacement Refund
2	72-55	3501	72082	20			9500003501	60560	0	500,000	500,000		Cash Transfer
3	19	1501	95000	80			9500001501	50310	(500,000)	0	500,000		Vehicle Replacement Refund
4	19	1501	95000	80			9500001501	50320	0	(500,000)	(500,000)		Cash Transfer
5													
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											0	0	Total - Page 1
											0	0	GRAND TOTAL



FM Side			PS/CO Side			Cost Element/ Commitment Item	Notes
FM Fund Center	FM Fund Code	Functional Area	Internal Order	Cost Center	WBS Element		
<b>General Fund Contingency</b>							
	19	1000	0020	9500001000		60470	Reduce available General Fund Contingency
	xx-xx	xxxxx	0020	xxx	xxx	xxxxx	Increase Expenditure
<b>Indirect</b>							
<b>Central</b>							
	xx-xx	xxxxx			xxx	60350	Indirect Expenditure
	19	1000	0020	9500001000		50310	Indirect reimbursement revenue in General Fund
	19	1000	0020	9500001000		60470	CGF Contingency expenditure
<b>Departmental</b>							
	xxx	xxxxx			xxx	60355	Indirect Department Expenditure
	xx-xx	1000		xxx	xxx	50370	Indirect Dept reimbursement revenue in General Fund
	xx-xx	1000		xxx	xxx	xxx	Off setting Dept expenditure in General Fund
<b>Telecommunications</b>							
	xx-xx	xxxxx			xxx	60370	Departmental telecommunication expenditure
	10-10	3503	0020	709525		50310	Budgets receipt of reimbursement
	10-10	3503	0020	709525		60200	Budgets offsetting expenditure in telecommunications fund
<b>Data Processing</b>							
	xx-xx	xxxxx			xxx	60380	Departmental data processing expenditures
	10-10	3503	0020	709000		50310	Budgets receipt of Data Processing reimbursement
	10-10	3503	0020	709000		60240	Budgets offsetting expenditures
<b>PC Flat Fee (Flat Fee is no longer in effect for most Departments beginning in FY 2007)</b>							
	xx-xx	xxxxx			xxx	60390	Departmental PC Flat Fee expenditure
	10-10	3503	0020	709617		50310	Budgets receipt of PC Flat Fee
	10-10	3503	0020	709617		60240	Budgets offsetting expenditure
<b>Electronic Service Reimbursement</b>							
	xx-xx	xxxxx				60420	Departmental Electronics expenditure
	72-55	3501	0020	904200		50310	Receipt of Electronics service reimbursement
	72-55	3501	0020	904200		60240	Budgets offsetting expenditure
<b>Motor Pool: Use this cost center if you are adding funds for motor pool use.</b>							
	xx-xx	xxxxx			xxx	60410	Departmental Motor Pool expenditure
	72-55	3501	0020	904150		50310	Budgets receipt of Motor Pool service reimbursement
	72-55	3501	0020	904150		60240	Budgets offsetting expenditure
<b>Fleet: Use this cost center if you are adding funds for dedicated program cars.</b>							
	xx-xx	xxxxx			xxx	60410	Departmental Fleet expenditure
	72-55	3501	0020	904100		50310	Budgets receipt of Fleet service reimbursement
	72-55	3501	0020	904100		60240	Budgets offsetting expenditure
<b>Building Management</b>							
	xx-xx	xxxxx			xxx	60430	Departmental Building Management expenditure
	72-50	3505	0020	902575		50310	Budgets receipt of Building Management service reimbursement
	72-50	3505	0020	902575		60170	Budgets offsetting expenditure
<b>Insurance Service Reimbursement</b>							
	xx-xx	xxxxx				60140 or 60145	Departmental Insurance expenditure
	72-10	3500	0020	705210		50316	Insurance Revenue
	72-10	3500	0020	705210		60330	Offsetting expenditure
<b>Lease Payments to Capital Lease Retirement Fund</b>							
	xx-xx	xxxxx				60450	Departmental Capital Lease Retirement expenditure Contact your Budget Analyst to complete this.
<b>Mail &amp; Distribution</b>							
	xx-xx	xxxxx			xxx	60460	Mail & Distribution expenditure
	72-55	3504	0020	904400		50310	Budgets receipt of service reimbursement
	72-55	3504	0020	904400		60230	Budgets offsetting expenditure
<b>Records</b>							
	xx-xx	xxxxx			xxx	60460	Records expenditure
	72-55	3504	0020	904500		50310	Budgets receipt of service reimbursement
	72-55	3504	0020	904500		60240	Budgets offsetting expenditure
<b>Stores</b>							
	xx-xx	xxxxx			xxx	60460	Stores expenditure
	72-55	3504	0020	904600		50310	Budgets receipt of service reimbursement
	72-55	3504	0020	904600		60240	Budgets offsetting expenditure

**How are functional areas assigned to cost objects?**

For the most part, functional area is related to what department has recorded the revenue or expenditure (i.e. the District Attorney is reported in Public Safety and Justice). There are some exceptions to this rule that require certain funds to be assigned to a particular functional area, regardless of what department the revenues or expenditures are recorded in.

Functional Area Assignments ~ Based on Fund		
1501 – Road Fund	Roads and Bridges	80
1502 – Emergency Communications Fund	Community Services	60
1503 – Bike Path Fund	Community Services	60
1504 – Recreation Fund	Community Services	60
1506 – County School Fund	Community Services	60
1509 – Willamette River Bridges Fund	Roads and Bridges	80
1510 – Library Fund	Library	70
1512 – Land Corner Preservation Fund	Roads and Bridges	80
2500 – Justice Bond Project Fund	Public Safety and Justice	50
2501 – Revenue Bond Project Fund	Community Services	60
2502 – SB 1145 Fund	Public Safety and Justice	50
2504 – Building Project Fund	Community Services	60
2505 – Deferred Maintenance Fund	Community Services	60
2506 – Library Construction / 1996 Bonds Fund	Library	70
2507 – Capital Improvement Fund	Community Services	60
2509 – Asset Preservation Fund	Community Services	60
2510 – Library Property Fund	Library	70
3000 – Dunthorpe-Riverdale Service Dist #14 Fund	Dunthorpe-Riverdale Service Dist #14	500
3001 – Mid County Service District #1 Fund	Mid County Service District #1	510
3002 – Behavioral Health Managed Care Fund	Behavioral Health Managed Care	520

If a cost object is not in one of the funds listed above, then the functional area should be assigned based on the department that the cost object is in.

Functional Area Assignments ~ Based on Department (Fund Center)		
Non-Departmental (10, except 10-50)	General Government	20
Non-Departmental – CCFC (10-50)	Social Services	40
District Attorney (15)	Public Safety and Justice	50
Countywide (18 & 19)	General Government	20
Human Services (20, 25, 26, 30 & 31)	Social Services	40
School and Community Partnerships (21)	Social Services	40
Health (40)	Health Services	30
Community Justice (50)	Public Safety and Justice	50
Sheriff's Office (60)	Public Safety and Justice	50
County Management (72)	General Government	20
Community Services (91)	General Government	20
Library (80)	Library	70

**If you have any questions or comments, please contact Susan Luce in General Ledger at ext. 22138.**



**MULTNOMAH COUNTY  
AGENDA PLACEMENT REQUEST  
BUDGET MODIFICATION**

(Revised 12/31/09)

**Board Clerk Use Only**

Meeting Date:	03/04/2010
Agenda Item #:	R-7
Est. Start Time:	10:05 AM
Date Submitted:	02/23/2010

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-7 DATE 03/04/10  
LYNDA GROW, BOARD CLERK

**BUDGET MODIFICATION: DCJ - 15**

<b>Agenda Title:</b>	<b>BUDGET MODIFICATION DCJ-15 Reducing the Fed/State Fund by \$1,928,574 and 16.94 FTE Due to State of Oregon Funding Reductions for Fiscal Year 2010</b>
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*Note: For all other submissions (i.e. Notices of Intent, Ordinances, Resolutions, Orders or Proclamations) please use the APR short form.*

<b>Requested Meeting Date:</b>	<u>March 4, 2010</u>	<b>Amount of Time Needed:</b>	<u>4 minutes</u>
<b>Department:</b>	<u>Dept. of Community Justice</u>	<b>Division:</b>	<u>Adult &amp; Juvenile Services</u>
<b>Contact(s):</b>	<u>Shaun Coldwell</u>		
<b>Phone:</b>	<u>503-988-3961</u>	<b>Ext.:</b>	<u>83961</u>
<b>I/O Address:</b>	<u>503 / 250</u>		
<b>Presenter(s):</b>	<u>Scott Taylor, Carl Goodman &amp; Dave Koch</u>		

**General Information**

**1. What action are you requesting from the Board?**

The Department of Community Justice (DCJ) requests approval of budget modification DCJ-15. This budget modification reduces the Fed/State fund by \$1,928,574 and 16.94 FTE in the current fiscal year due to reductions in funding from the State of Oregon. These funding reductions impact both the Adult and Juvenile Services Divisions.

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

At the time the FY 2010 Multnomah County budget was adopted the funding amount from the State of Oregon in the FY 09-11 biennium was still unknown. Due to the ambiguity of the State funding DCJ budgeted at current service level for FY 2010. On September 24th and again on October 20th the Board was briefed regarding the State Budget impacts for the FY 09-11 biennium. During the briefings, the Board was provided with expenditure/revenue adjustments, client impacts, FTE

Emailed

40 Presenters

1 Cheng  
Day

impacts and reduction strategies. No decisions were required from the Board at the work session. It was noted that departments would return at a later date to formally reduce their appropriations.

Now that the State has released the FY 09-11 biennium award amounts, DCJ is able to determine the actual reduction in State funding. DCJ will be primarily eliminating FTE in FY 2010 in order to balance the budget to the State reductions. DCJ was able to mitigate the impacts to employees with savings created due to the management and local 88 wage freeze, retirements, and attrition. FTE impacted by the State reductions will be eliminated effective March 5, 2010. In addition professional services will be reduced, including five adult housing beds, and materials and supplies.

These reductions impact the following DCJ program offers:

- 50001 – DCJ Business Services
- 50002 – DCJ Employee, Community, & Clinical Services
- 50005 – DCJ Information Services
- 50006 – DCJ Adult Services Management
- 50013 – Juvenile Gang Resource Intervention Team (GRIT)
- 50014 – Juvenile Culturally Specific Intervention Services
- 50016 – Juvenile Accountability Program
- 50019 – Juvenile Assessment & Treatment for Youth and Families (ATYF)
- 50021 – Juvenile Detention Services
- 50023 – Adult Pretrial Supervision Program
- 50027 – Adult Offender Housing
- 50030 – Adult Field Services – Felony Supervision
- 50038 – Adult Londer Learning Center
- 50039 – Adult Community Service – Formal Supervision
- 50048 – Effective Sanctioning Practices Additional 75 Offender
- 50050 – Juvenile Detention Alternatives Program

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

The State revenue reductions impact the current fiscal as indicated in the following table:

Amount	Division	State Funding Source	Comments
(1,498,008)	Adult	DOC 1145	
(2,583)	Adult	DOC Subsidy	
(394,846)	Adult	DOC Measure 57	
134,083	Juvenile	GTS EMGET	Incr. pass through funding to City of Gresham
(34,932)	Juvenile	JCP Basic	
(125,661)	Juvenile	JCP Prevention	
(6,627)	Juvenile	JCP Diversion	
<b>(1,928,574)</b>	<b>FY 2010 TOTAL State Funding Reductions</b>		

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

In accordance with the Collective Bargaining Agreement (CBA) provisions, employees impacted by FTE reductions are to be given a 15 day notice. Employees impacted will exercise layoff and bumping rights.

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

N/A

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## ATTACHMENT A

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### **Budget Modification**

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

- **What revenue is being changed and why? If the revenue is from a federal source, please list the Catalog of Federal Assistance Number (CFDA).**  
State revenue is being decreased by \$1,928,574 in both the Adult & Juvenile Services Division
- **What budgets are increased/decreased?**  
Adult Services Division budget is decreased by \$1,605,202  
Juvenile Service Division is decreased by \$198,489  
Employee, Community & Clinical Services Division is decreased by \$123,794  
Business Applications & Technology is decreased by \$85,685  
Business Services is decreased by \$32,392
- **What do the changes accomplish?**  
These changes are a result of State of Oregon funding being reduced in the 09-11 biennium.
- **Do any personnel actions result from this budget modification? Explain.**  
16.94 FTE (27.80 FTE annualized) will be eliminated effective March 5, 2010.
- **If a grant, is 100% of the central and department indirect recovered? If not, please explain why.**  
County indirect will be reduced \$165,055 (\$48,067-Central Indirect & \$116,988-Department Indirect)
- **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**  
This revenue reduction is for the 09-11 biennium that ends June 30, 2011.
- **If a grant, what period does the grant cover? When the grant expires, what are funding plans? Are there any particular stipulations required by the grant (i.e. cash match, in kind match, reporting requirements etc)?**  
N/A

*NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.*

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## ATTACHMENT B

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**BUDGET MODIFICATION: DCJ - 15**

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### Required Signatures

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



**Date:** 02/23/2010

**Budget Analyst:**



**Date:** 02/23/2010

**Department HR:**



**Date:** 02/23/2010

**Countywide HR:**



**Date:** 02/23/2010

Budget Modification ID: **DCJ-15****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2010

Line No.	Fund Center	Fund Code	Program #	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
						Cost Center	WBS Element						
1	50-10	23000	50030	50			CJ045.DOC	50180	(615,448)	0	615,448		IG-OP-Direct State
2	50-10	23000	50039	50			CJ045.DOC.SUP.COMMSVC	50180	(558,794)	(487,727)	71,067		IG-OP-Direct State
3	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.CI	50180	(2,245,755)	(2,191,991)	53,764		IG-OP-Direct State
4	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.GRESHM	50180	(1,504,324)	(1,291,622)	212,702		IG-OP-Direct State
5	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.MID	50180	(1,566,184)	(1,507,471)	58,713		IG-OP-Direct State
6	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.NORTH	50180	(1,183,250)	(933,569)	249,681		IG-OP-Direct State
7	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.RST	50180	(433,166)	(361,589)	71,577		IG-OP-Direct State
8	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.WEST	50180	(2,670,959)	(2,545,265)	125,694		IG-OP-Direct State
9	50-10	23000	50027	50			CJ045.DOC.TRANS.HOUSING	50180	(406,334)	(382,280)	24,054		IG-OP-Direct State
10	50-10	23000	50038	50			CJ045.DOC.LLC	50180	(712,465)	(697,157)	15,308		IG-OP-Direct State
11									0			<b>1,498,008</b>	<b>Total DOC 1145 Reductions</b>
12									0				
13	50-10	23000	50030	50			CJ045.DOC	60000	208,411	0	(208,411)		Salary
14	50-10	23000	50030	50			CJ045.DOC	60120	228,226	0	(228,226)		Premium
15	50-10	23000	50030	50			CJ045.DOC	60130	65,232	0	(65,232)		Fringe
16	50-10	23000	50030	50			CJ045.DOC	60140	60,535	0	(60,535)		Insurance
17	50-10	23000	50030	50			CJ045.DOC	60240	474	0	(474)		Supplies
18	50-10	23000	50030	50			CJ045.DOC	60350	15,309	0	(15,309)		Central Indirect - 2.72%
19	50-10	23000	50030	50			CJ045.DOC	60355	37,261	0	(37,261)		Dept Indirect - 6.62 %
20									0			<b>(615,448)</b>	<b>DOC Roll-Up WBS Total</b>
21	50-10	23000	50039	50			CJ045.DOC.SUP.COMMSVC	60000	254,389	214,815	(39,574)		Salary
22	50-10	23000	50039	50			CJ045.DOC.SUP.COMMSVC	60130	82,380	70,266	(12,114)		Fringe
23	50-10	23000	50039	50			CJ045.DOC.SUP.COMMSVC	60140	75,456	62,148	(13,308)		Insurance
24	50-10	23000	50039	50			CJ045.DOC.SUP.COMMSVC	60350	13,901	12,133	(1,768)		Central Indirect - 2.72%
25	50-10	23000	50039	50			CJ045.DOC.SUP.COMMSVC	60355	33,832	29,529	(4,303)		Dept Indirect - 6.62 %
26									0			<b>(71,067)</b>	<b>ASD Comm Svc Total</b>
27	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.CI	60000	1,170,043	1,140,616	(29,427)		Salary
28	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.CI	60130	391,821	383,303	(8,518)		Fringe
29	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.CI	60140	345,844	334,935	(10,909)		Insurance
											<b>762,639</b>	<b>811,493</b>	<b>Total - Page 1</b>
											<b>0</b>	<b>0</b>	<b>GRAND TOTAL</b>

Budget Modification ID: **DCJ-15****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2010

Line No.	Fund Center	Fund Code	Program #	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
						Cost Center	WBS Element						
30	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.CI	60350	55,867	54,437	(1,430)		Central Indirect - 2.72%
31	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.CI	60355	135,968	132,488	(3,480)		Dept Indirect - 6.62 %
32										0		<b>(53,764)</b>	<b>ASD Cen Intake Total</b>
33	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.GRESHM	60000	741,938	621,216	(120,722)		Salary
34	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.GRESHM	60130	263,621	223,792	(39,829)		Fringe
35	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.GRESHM	60140	189,972	155,990	(33,982)		Insurance
36	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.GRESHM	60350	37,421	32,130	(5,291)		Central Indirect - 2.72%
37	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.GRESHM	60355	91,080	78,202	(12,878)		Dept Indirect - 6.62 %
38										0		<b>(212,702)</b>	<b>ASD MTGR Total</b>
39	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.MID	60000	771,937	736,740	(35,197)		Salary
40	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.MID	60130	275,546	265,339	(10,207)		Fringe
41	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.MID	60140	205,771	197,478	(8,293)		Insurance
42	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.MID	60350	38,961	37,500	(1,461)		Central Indirect - 2.72%
43	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.MID	60355	94,825	91,270	(3,555)		Dept Indirect - 6.62 %
44										0		<b>(58,713)</b>	<b>ASD MTEA Total</b>
45	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.NORTH	60000	443,595	299,684	(143,911)		Salary
46	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.NORTH	60130	166,714	119,632	(47,082)		Fringe
47	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.NORTH	60140	112,144	74,784	(37,360)		Insurance
48	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.NORTH	60350	29,435	23,224	(6,211)		Central Indirect - 2.72%
49	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.NORTH	60355	71,640	56,523	(15,117)		Dept Indirect - 6.62 %
50										0		<b>(249,681)</b>	<b>ASD MTNO Total</b>
51	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.RST	60000	241,488	200,272	(41,216)		Salary
52	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.RST	60130	87,835	73,387	(14,448)		Fringe
53	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.RST	60140	59,716	49,918	(9,798)		Insurance
54	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.RST	60350	10,776	8,995	(1,781)		Central Indirect - 2.72%
55	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.RST	60355	26,226	21,892	(4,334)		Dept Indirect - 6.62 %
56										0		<b>(71,577)</b>	<b>ASD MTCB Total</b>
57	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.WEST	60000	1,405,895	1,334,494	(71,401)		Salary
58	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.WEST	60130	503,960	478,399	(25,561)		Fringe
												<b>(694,545)</b>	<b>(646,437) Total - Page 2</b>
												<b>0</b>	<b>0 GRAND TOTAL</b>

Budget Modification ID: **DCJ-15****EXPENDITURES & REVENUES**

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Budget/Fiscal Year: 2010

Line No.	Fund Center	Fund Code	Program #	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
						Cost Center	WBS Element						
59	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.WEST	60140	370,511	352,516	(17,995)		Insurance
60	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.WEST	60350	66,444	63,317	(3,127)		Central Indirect - 2.72%
61	50-10	23000	50030	50			CJ045.DOC.SUP.FEL.WEST	60355	161,715	154,105	(7,610)		Dept Indirect - 6.62 %
62										0		<b>(125,694)</b>	<b>ASD MTSW Total</b>
63	50-10	23000	50027	50			CJ045.DOC.TRANS.HOUSING	60170	281,065	259,065	(22,000)		Professional Services
64	50-10	23000	50027	50			CJ045.DOC.TRANS.HOUSING	60350	10,108	9,510	(598)		Central Indirect - 2.72%
65	50-10	23000	50027	50			CJ045.DOC.TRANS.HOUSING	60355	24,602	23,146	(1,456)		Dept Indirect - 6.62 %
66										0		<b>(24,054)</b>	<b>ASD Housing Beds Total</b>
67	50-10	23000	50038	50			CJ045.DOC.LLC	60170	147,752	133,752	(14,000)		Professional Services
68	50-10	23000	50038	50			CJ045.DOC.LLC	60350	17,724	17,343	(381)		Central Indirect - 2.72%
69	50-10	23000	50038	50			CJ045.DOC.LLC	60355	43,136	42,209	(927)		Dept Indirect - 6.62 %
70										0		<b>(15,308)</b>	<b>ASD LLC Total</b>
71	50-10	23004	50030	50			CJ045.DOC.M57	50180	(562,365)	0	562,365		IG-OP-Direct State
72	50-10	23004	50030	50			CJ045.DOC.M57.GRESH	50180	(170,434)	(252,446)	(82,012)		IG-OP-Direct State
73	50-10	23004	50030	50			CJ045.DOC.M57.CI	50180	(15,044)	(41,693)	(26,649)		IG-OP-Direct State
74	<b>50-05</b>	23004	50030	50			CJ045.DOC.M57.A&D.RES	50180	(196,501)	(208,144)	(11,643)		IG-OP-Direct State
75	<b>50-05</b>	23004	50030	50			CJ045.DOC.M57.A&D.OP	50180	(122,072)	(169,287)	(47,215)		IG-OP-Direct State
76										0		<b>394,846</b>	<b>Total DOC M57 Reductions</b>
77	50-10	23004	50030	50			CJ045.DOC.M57	60000	327,531	0	(327,531)		Salary
78	50-10	23004	50030	50			CJ045.DOC.M57	60130	117,003	0	(117,003)		Fringe
79	50-10	23004	50030	50			CJ045.DOC.M57	60140	69,793	0	(69,793)		Insurance
80	50-10	23004	50030	50			CJ045.DOC.M57	60350	13,990	0	(13,990)		Central Indirect - 2.72%
81	50-10	23004	50030	50			CJ045.DOC.M57	60355	34,048	0	(34,048)		Dept Indirect - 6.62 %
82										0		<b>(562,365)</b>	<b>DOC M-57 Roll-Up WBS Total</b>
83	50-10	23004	50030	50			CJ045.DOC.M57.GRESH	60240	0	75,007	75,007		Supplies
84	50-10	23004	50030	50			CJ045.DOC.M57.GRESH	60350	4,240	6,280	2,040		Central Indirect - 2.72%
85	50-10	23004	50030	50			CJ045.DOC.M57.GRESH	60355	10,319	15,284	4,965		Dept Indirect - 6.62 %
86										0		<b>82,012</b>	<b>DOC M-57 Gresham Total</b>
87										0			
											(153,601)	<b>(250,563)</b>	<b>Total - Page 3</b>
										0		<b>0</b>	<b>GRAND TOTAL</b>

Budget Modification ID: **DCJ-15****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2010

Line No.	Fund Center	Fund Code	Program #	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Internal Order	Cost Center	WBS Element						
88	50-10	23004	50030	50			CJ045.DOC.M57.CI	60240	0	24,373	24,373	Supplies	
89	50-10	23004	50030	50			CJ045.DOC.M57.CI	60350	374	1,037	663	Central Indirect - 2.72%	
90	50-10	23004	50030	50			CJ045.DOC.M57.CI	60355	911	2,524	1,613	Dept Indirect - 6.62 %	
91									0		<b>26,649</b>	<b>DOC M-57 Cen Intake Total</b>	
92	<b>50-05</b>	23004	50030	50			CJ045.DOC.M57.A&D.RES	60170	179,716	190,364	10,648	Professional Services	
93	<b>50-05</b>	23004	50030	50			CJ045.DOC.M57.A&D.RES	60350	4,888	5,178	290	Central Indirect - 2.72%	
94	<b>50-05</b>	23004	50030	50			CJ045.DOC.M57.A&D.RES	60355	11,897	12,602	705	Dept Indirect - 6.62 %	
95									0		<b>11,643</b>	<b>DOC M-57 A&amp;D Res Total</b>	
96	<b>50-05</b>	23004	50030	50			CJ045.DOC.M57.A&D.OP	60170	111,644	154,825	43,181	Professional Services	
97	<b>50-05</b>	23004	50030	50			CJ045.DOC.M57.A&D.OP	60350	3,037	4,212	1,175	Central Indirect - 2.72%	
98	<b>50-05</b>	23004	50030	50			CJ045.DOC.M57.A&D.OP	60355	7,391	10,250	2,859	Dept Indirect - 6.62 %	
99									0		<b>47,215</b>	<b>DOC M-57 A&amp;D OP Total</b>	
100									0				
101	50-10	23003	50027	50			CJ045.DOC.TRANS.SUBSIDY	50180	(64,982)	(62,399)	2,583	IG-OP-Direct State	
102									0		<b>2,583</b>	<b>Total DOC Subsidy Reduction</b>	
103	50-10	23003	50027	50			CJ045.DOC.TRANS.SUBSIDY	60170	59,431	57,068	(2,363)	Professional Services	
104	50-10	23003	50027	50			CJ045.DOC.TRANS.SUBSIDY	60350	1,617	1,553	(64)	Central Indirect - 2.72%	
105	50-10	23003	50027	50			CJ045.DOC.TRANS.SUBSIDY	60355	3,934	3,778	(156)	Dept Indirect - 6.62 %	
106									0		<b>(2,583)</b>	<b>DOC Subsidy Total</b>	
107									0				
108	50-50	23190	50013	50			CJ007.GTS.EMGET	50180	(434,698)	(568,781)	(134,083)	IG-OP-Direct State	
109	50-50	23190	N/A	50			CJ007.GTS	50180	(34,684)	0	34,684	IG-OP-Direct State	
110	50-50	23190	50014	50			CJ007.GTS.CC	50180	(207,436)	(242,120)	(34,684)	IG-OP-Direct State	
111									0		<b>(134,083)</b>	<b>Total GTS Increase</b>	
112	50-50	23190	50013	50			CJ007.GTS.EMGET	60160	397,565	520,194	122,629	Pass Through	
113	50-50	23190	50013	50			CJ007.GTS.EMGET	60350	10,814	14,150	3,336	Central Indirect - 2.72%	
114	50-50	23190	50013	50			CJ007.GTS.EMGET	60355	26,319	34,437	8,118	Dept Indirect - 6.62 %	
115									0		<b>134,083</b>	<b>GTS EMGET Total</b>	
116	50-50	23190	N/A	50			CJ007.GTS	60120	31,721	0	(31,721)	Premium (wage freeze savings)	
										<b>53,786</b>	<b>85,507</b>	<b>Total - Page 4</b>	
									<b>0</b>	<b>0</b>	<b>0</b>	<b>GRAND TOTAL</b>	

Budget Modification ID: **DCJ-15****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2010

Line No.	Fund Center	Fund Code	Program #	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Internal Order	Cost Center	WBS Element						
117	50-50	23190	N/A	50			CJ007.GTS	60350	863	0	(863)	Central Indirect - 2.72%	
118	50-50	23190	N/A	50			CJ007.GTS	60355	2,100	0	(2,100)	Dept Indirect - 6.62 %	
119									0			<b>(34,684)</b> GTS Roll-Up WBS Total	
120									0				
121	50-50	23190	50014	50			CJ007.GTS.CC	60170	207,436	239,157	31,721	Professional Services	
122	50-50	23190	50014	50			CJ007.GTS.CC	60350	5,642	6,505	863	Central Indirect - 2.72%	
123	50-50	23190	50014	50			CJ007.GTS.CC	60355	13,733	15,833	2,100	Dept Indirect - 6.62 %	
124									0			<b>34,684</b> GTS Comm of Color Total	
125									0				
126									0				
127	50-50	21470	n/a	50			CJ041.JCP.BASIC	50180	(34,932)	0	34,932	IG-OP-Direct State	
128	50-50	21471	N/A	50			CJ041.JCP.PREV.	50180	(32,722)	0	32,722	IG-OP-Direct State	
129	50-50	21471	50019	50			CJ041.JCP.PREV.ATYF	50180	(565,115)	(472,176)	92,939	IG-OP-Direct State	
130	50-50	23180	n/a	50			CJ041.JCP.DIV	50180	(6,627)	0	6,627	IG-OP-Direct State	
131									0			<b>167,220</b> Total JCP Reduction	
132	50-50	21470	n/a	50			CJ041.JCP.BASIC	60120	31,949	0	(31,949)	Premium	
133	50-50	21470	n/a	50			CJ041.JCP.BASIC	60350	869	0	(869)	Central Indirect - 2.72%	
134	50-50	21470	n/a	50			CJ041.JCP.BASIC	60355	2,114	0	(2,114)	Dept Indirect - 6.62 %	
135									0			<b>(34,932)</b> JCP Basic Roll-Up WBS Total	
136	50-50	21471	N/A	50			CJ041.JCP.PREV.	60000	57,133	0	(57,133)	Salary	
137	50-50	21471	N/A	50			CJ041.JCP.PREV.	60120	(58,365)	0	58,365	Premium	
138	50-50	21471	N/A	50			CJ041.JCP.PREV.	60130	15,774	0	(15,774)	Fringe	
139	50-50	21471	N/A	50			CJ041.JCP.PREV.	60140	15,385	0	(15,385)	Insurance	
140	50-50	21471	N/A	50			CJ041.JCP.PREV.	60350	814	0	(814)	Central Indirect - 2.72%	
141	50-50	21471	N/A	50			CJ041.JCP.PREV.	60355	1,981	0	(1,981)	Dept Indirect - 6.62 %	
142									0			<b>(32,722)</b> JCP Prev Roll-Up WBS Total	
143									0				
144									0				
145									0				
											<b>131,287</b>	<b>99,566</b> Total - Page 5	
											<b>0</b>	<b>0</b> GRAND TOTAL	

Budget Modification ID: **DCJ-15****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2010

Line No.	Fund Center	Fund Code	Program #	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
						Cost Center	WBS Element						
146	50-50	21471	50019	50			CJ041.JCP.PREV.ATYF	60000	312,690	258,034	(54,656)		Salary
147	50-50	21471	50019	50			CJ041.JCP.PREV.ATYF	60130	97,641	81,791	(15,850)		Fringe
148	50-50	21471	50019	50			CJ041.JCP.PREV.ATYF	60140	83,951	69,457	(14,494)		Insurance
149	50-50	21471	50019	50			CJ041.JCP.PREV.ATYF	60350	14,058	11,746	(2,312)		Central Indirect - 2.72%
150	50-50	21471	50019	50			CJ041.JCP.PREV.ATYF	60355	34,215	28,588	(5,627)		Dept Indirect - 6.62 %
151										0		<b>(92,939)</b>	<b>JCP Prev ATYF Total</b>
152										0			
153	50-50	23180	n/a	50			CJ041.JCP.DIV	60120	6,061	0	(6,061)		Premium
154	50-50	23180	n/a	50			CJ041.JCP.DIV	60350	165	0	(165)		Central Indirect - 2.72%
155	50-50	23180	n/a	50			CJ041.JCP.DIV	60355	401	0	(401)		Dept Indirect - 6.62 %
156										0		<b>(6,627)</b>	<b>JCP Div Roll-Up WBS Total</b>
165										0			
166	50-00	1000	50001	50		509600		50370	(1,807,358)	(1,690,370)	116,988		Dept Indirect Revenue
167	50-00	1000	50001	50		509600		60240	40,392	8,000	(32,392)		Supplies
168	50-90	1000	50005	50		509420		60000	210,292	153,400	(56,892)		Salary - BATS
169	50-90	1000	50005	50		509420		60130	60,767	44,268	(16,499)		Fringe - BATS
170	50-90	1000	50005	50		509420		60140	46,516	34,222	(12,294)		Insurance - BATS
171										0		<b>(1,089)</b>	<b>Balance Dept Indirect</b>
172	19	1000		20		9500001000		50310		48,067	48,067		Internal Svc Reimbursement
173	19	1000		20		9500001000		60470		(48,067)	(48,067)		Contingency
174										0		<b>0</b>	<b>Balance Central Indirect</b>
											<b>(100,655)</b>	<b>(100,655)</b>	<b>Total - Page 6</b>
										<b>0</b>	<b>0</b>	<b>0</b>	<b>GRAND TOTAL</b>

Budget Modification ID: **DCJ-15****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2010

Line No.	Fund Center	Fund Code	Program #	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
						Cost Center	WBS Element						
175	72-10	3500		20			705210	50316		282,968	282,968		Insurance Revenue
176	72-10	3500		20			705210			(282,968)	(282,968)		Claims Paid
177										0		0	
178	50-10	1000	50006	50			503000	60260	13,471	9,304	(4,167)		T&T - ASD Sanc
179	50-10	1000	50006	50			501200	60260	23,761	19,594	(4,167)		T&T - ASD Intake & Crt Svc
180	50-10	1000	50006	50			501400	60260	13,145	8,978	(4,167)		T&T - ASD Comm & Tran
181	50-10	1000	50006	50			501000	60260	11,418	7,253	(4,165)		T&T - ASD Mgt
182	50-10	1000	50006	50			501500	60260	17,010	12,843	(4,167)		T&T - ASD North & Gresh
183	50-10	1000	50006	50			502202	60260	18,340	14,173	(4,167)		T&T - ASD Spec Svc
186										0		(25,000)	Total ASD T&T reduction
184										0			
185	50-05	1000	50002	50			500200	60240	132,614	8,820	(123,794)		Supplies - (PM1)
187										0		(123,794)	ECCS Total Reduction
188	50-10	1000	50023	50			502230	60000	862,810	778,269	(84,541)		Salary
189	50-10	1000	50023	50			502230	60130	289,588	264,953	(24,635)		Fringe
190	50-10	1000	50023	50			502230	60140	261,291	238,978	(22,313)		Insurance
191										0		(131,489)	ASD PCP Reduction Total
192	50-10	1000	50006	50			503500	60000	149,235	129,511	(19,724)		Salary
193	50-10	1000	50006	50			503500	60130	56,450	49,474	(6,976)		Fringe
194	50-10	1000	50006	50			503500	60140	34,202	29,016	(5,186)		Insurance
195										0		(31,886)	ASD Arming Reduction Total
196	50-10	1000	50030	50			504101	60000	178,573	506,104	327,531		Salary
197	50-10	1000	50030	50			504101	60130	64,196	181,199	117,003		Fringe
198	50-10	1000	50030	50			504101	60140	48,591	118,384	69,793		Insurance
199										0		514,327	ASD MTNO Addition Total
200	50-10	1000	50048	50			505601	60000	348,260	327,027	(21,233)		Salary
201	50-10	1000	50048	50			505601	60130	105,102	98,445	(6,657)		Fringe
202	50-10	1000	50048	50			505601	60140	122,489	114,662	(7,827)		Insurance
203										0		(35,717)	ASD Eff Sanc Reduction Total
											166,441	166,441	Total - Page 7
										0	0	0	GRAND TOTAL

Budget Modification ID: **DCJ-15****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2010

Line No.	Fund Center	Fund Code	Program #	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description	
					Internal Order	Cost Center	WBS Element							
175	50-50	1000	50016	50		508800		60000	246,647	316,598	69,951		Salary	
176	50-50	1000	50016	50		508800		60130	82,679	107,825	25,146		Fringe	
177	50-50	1000	50016	50		508800		60140	77,027	91,658	14,631		Insurance	
178										0		<b>109,728</b>	<b>JSD Acctnbly Addition Ttl</b>	
179										0				
180	50-50	1000	50021	50		506230		60000	380,184	354,182	(26,002)		Salary	
181	50-50	1000	50021	50		506230		60130	123,198	115,657	(7,541)		Fringe	
182	50-50	1000	50021	50		506230		60140	158,187	147,192	(10,995)		Insurance	
183										0		<b>(44,538)</b>	<b>JSD Nutrition Svs Reductn Ttl</b>	
186										0				
184	50-50	1000	50013	50		507750		60170	200,000	168,279	(31,721)		Prof Svcs - GRIT	
185										0		<b>(31,721)</b>	<b>JSD GRIT Reduction Total</b>	
187										0				
188	50-50	1000	50050	50		506220		60000	189,440	148,646	(40,794)		Salary	
189	50-50	1000	50050	50		506220		60130	54,931	43,101	(11,830)		Fringe	
190	50-50	1000	50050	50		506220		60140	56,179	44,640	(11,539)		Insurance	
191										0		<b>(64,163)</b>	<b>JSD CD/EM Reduction Total</b>	
192										0				
193	50-50	1000	50021	50		506100		60100	273,569	153,723	(119,846)		Temporary	
194	50-50	1000	50021	50		506100		60135	22,761	13,335	(9,426)		Non Base Fringe	
195	50-50	1000	50021	50		506100		60145	11,216	5,830	(5,386)		Non Base Insurance	
196										0		<b>(134,658)</b>	<b>JSD Custody Reduction</b>	
197										0				
198										0				
199										0				
200										0				
201										0				
202										0				
203										0				
												<b>(165,352)</b>	<b>(165,352)</b>	<b>Total - Page 8</b>
												<b>0</b>	<b>0</b>	<b>GRAND TOTAL</b>

ANNUALIZED PERSONNEL CHANGE										
Change on a full year basis even though this action affects only a part of the fiscal year (FY).										
							ANNUALIZED			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1505	9620	n/a	CJ045.DOC	Comm Just Mgr	701933	(1.00)	(83,941)	(30,175)	(17,557)	(131,673)
1000	9620	n/a	508800	Comm Just Mgr	701933	1.00	83,941	30,175	17,557	131,673
1505	6157	n/a	CJ045.DOC	Rec Tech	711927	(1.00)	(38,148)	(11,063)	(14,167)	(63,378)
1505	6003	61821	CJ045.DOC.SU P.FEL.GRESH M	Cler Unt Spv	703180	(1.00)	(46,735)	(13,678)	(14,907)	(75,320)
1505	6157	61806	CJ045.DOC.SU P.FEL.CI	Rec Tech	706301	(1.00)	(38,176)	(11,050)	(14,152)	(63,378)
1000	6276	64594	502230	Prob Par Off	712312	(1.00)	(68,897)	(20,297)	(16,491)	(105,685)
1000	6276	64594	502230	Prob Par Off	712313	(1.00)	(60,740)	(17,614)	(15,862)	(94,216)
1505	6276	61819	CJ045.DOC.SU P.FEL.MID	Prob Par Off	701094	(1.00)	(70,394)	(20,414)	(16,586)	(107,394)
1505	6276	61823	CJ045.DOC.SU P.FEL.NORTH	Prob Par Off	702795	(1.00)	(70,394)	(20,414)	(16,586)	(107,394)
1505	6267	61850	CJ045.DOC.SU P.COMMSVC	Comm Wrk Ldr	704933	(1.00)	(42,861)	(13,522)	(14,738)	(71,121)
1505	6276	61817	CJ045.DOC.SU P.FEL.RST	Prob Par Off	700172	(1.00)	(68,220)	(23,914)	(16,217)	(108,351)
1505	6276	61821	CJ045.DOC.SU P.FEL.GRESH M	Prob Par Off	705131	(1.00)	(66,780)	(24,201)	(16,412)	(107,393)
1505	9620	61823	CJ045.DOC.SU P.FEL.NORTH	Comm Just Mgr	700796	(1.00)	(81,489)	(29,391)	(17,404)	(128,284)
1505	6276	64953	CJ045.DOC.SU P.FEL.NORTH	Prob Par Off	706018	(1.00)	(67,121)	(23,998)	(16,275)	(107,394)
1000	6267	61850	505601	Comm Wrk Ldr	714153	(1.00)	(39,199)	(12,290)	(14,450)	(65,939)
1000	6266	64594	502230	Corr Tech	712304	(1.00)	(43,018)	(12,271)	(14,652)	(69,941)
1505	6276	61827	CJ045.DOC.SU P.FEL.WEST	Prob Par Off	711586	(1.00)	(56,874)	(20,114)	(15,677)	(92,665)
1000	9620	65350	509420	Comm Just Mngr	700417	(1.00)	(80,318)	(23,293)	(17,356)	(120,967)
1000	6276	61818	503500	Prob Par Off	712407	(1.00)	(60,689)	(21,465)	(15,957)	(98,111)
1505	6157	65025	CJ045.DOC.SU P.FEL.NORTH	Rec Tech	701114	(1.00)	(33,132)	(9,608)	(13,790)	(56,530)
1505	6266	61821	CJ045.DOC.SU P.FEL.GRESH M	Corr Tech	701443	(1.00)	(42,828)	(12,422)	(14,692)	(69,942)
1505	6276	64938	CJ045.DOC.M57	Prob Par Off	701781	(1.00)	(81,883)	(29,251)	(17,448)	(128,582)
1000	6276	64938	504101	Prob Par Off	701781	1.00	81,883	29,251	17,448	128,582
1505	6276	64938	CJ045.DOC.M57	Prob Par Off	702220	(1.00)	(81,883)	(29,251)	(17,448)	(128,582)
1000	6276	64938	504101	Prob Par Off	702220	1.00	81,883	29,251	17,448	128,582
1505	6276	64938	CJ045.DOC.M57	Prob Par Off	704493	(1.00)	(81,883)	(29,251)	(17,448)	(128,582)
1000	6276	64938	504101	Prob Par Off	704493	1.00	81,883	29,251	17,448	128,582
1505	6276	64938	CJ045.DOC.M57	Prob Par Off	705397	(1.00)	(81,882)	(29,250)	(17,449)	(128,581)
1000	6276	64938	504101	Prob Par Off	705397	1.00	81,882	29,250	17,449	128,581
1505	6268	N/A	CJ045.DOC	Corr Cnslr (wage freeze position)	N/A	(1.00)	(62,164)	(17,960)	(17,570)	(97,694)
1505	6157	N/A	CJ045.DOC	Rec Tech (wage freeze position)	N/A	(1.00)	(38,148)	(11,063)	(14,167)	(63,378)
1000	6260	65158	506230	Cook	713358	(0.80)	(26,002)	(7,541)	(10,995)	(44,538)
1505	6272	N/A	CJ041.JCP.P REV.	Juv Cnslr (wage freeze position)	N/A	(1.00)	(57,133)	(15,774)	(15,385)	(88,292)
1505	6365	64250	CJ041.JCP.P REV.ATYF	Salary Savings - Men Hth Cnsl	0	0.00	(59,445)	(17,239)	(15,764)	(92,448)
1000	6272	65675	506220	Juv Cnslr	N/A	(1.00)	(48,953)	(14,196)	(13,847)	(76,996)
1505	6276	64203	CJ045.DOC.S UP.FEL.WES T	Prob Par Off	703868	(1.00)	(66,843)	(24,030)	(16,295)	(107,168)
1505	6276	61821	CJ045.DOC.S UP.FEL.GRE SHM	Prob Par Off	703845	(1.00)	(66,843)	(24,030)	(16,295)	(107,168)
1505	6266	65025	CJ045.DOC.S UP.FEL.NOR TH	Corr Tech	702104	(1.00)	(46,896)	(13,600)	(14,823)	(75,319)
1505	6266	61850	CJ045.DOC.S UP.COMMSV C	Corr Tech	705247	(1.00)	(45,539)	(13,206)	(14,721)	(73,466)
<b>TOTAL ANNUALIZED CHANGES</b>						<b>(27.80)</b>	<b>(1,593,979)</b>	<b>(499,658)</b>	<b>(446,233)</b>	<b>(2,539,870)</b>

**CURRENT YEAR PERSONNEL DOLLAR CHANGE**

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

							CURRENT YEAR				
Fund	Job #	HR Org	CC/WBS/O	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL	EFFECTIVE
1505	9620	n/a	CJ045.DOC	Comm Just Mgr	701933	(1.00)	(69,951)	(25,146)	(14,631)	(109,728)	8/31/2009
1000	9620	n/a	508800	Comm Just Mgr	701933	1.00	69,951	25,146	14,631	109,728	8/31/2009
1505	6157	n/a	CJ045.DOC	Rec Tech	711927	(1.00)	(38,148)	(11,063)	(14,167)	(63,378)	7/1/2009
1505	6003	61821	CJ045.DOC.SU P.FEL.GRESH M	Cler Unt Spv	703180	(0.88)	(40,893)	(11,968)	(13,044)	(65,905)	8/17/2009
1505	6157	61806	CJ045.DOC.SU P.FEL.CI	Rec Tech	706301	(0.77)	(29,427)	(8,518)	(10,909)	(48,854)	9/21/2009
1000	6276	64594	502230	Prob Par Off	712312	(0.58)	(40,190)	(11,840)	(9,620)	(61,650)	12/1/2009
1000	6276	64594	502230	Prob Par Off	712313	(0.50)	(30,370)	(8,807)	(7,931)	(47,108)	1/1/2010
1505	6276	61819	CJ045.DOC.SU P.FEL.MID	Prob Par Off	701094	(0.50)	(35,197)	(10,207)	(8,293)	(53,697)	1/1/2010
1505	6276	61823	CJ045.DOC.SU P.FEL.NORTH	Prob Par Off	702795	(0.50)	(35,197)	(10,207)	(8,293)	(53,697)	1/1/2010
1505	6267	61850	CJ045.DOC.SU P.COMMSVC	Comm Wrk Ldr	704933	(0.58)	(25,002)	(7,888)	(8,597)	(41,487)	12/1/2009
1505	6276	61817	CJ045.DOC.SU P.FEL.RST	Prob Par Off	700172	(0.60)	(41,216)	(14,448)	(9,798)	(65,462)	11/23/2009
1505	6276	61821	CJ045.DOC.SU P.FEL.GRESH M	Prob Par Off	705131	(0.67)	(44,520)	(16,134)	(10,941)	(71,595)	11/1/2009
1505	9620	61823	CJ045.DOC.SU P.FEL.NORTH	Comm Just Mgr	700796	(0.54)	(44,140)	(15,920)	(9,427)	(69,487)	12/14/2009
1505	6276	64953	CJ045.DOC.SU P.FEL.NORTH	Prob Par Off	706018	(0.49)	(33,001)	(11,799)	(8,002)	(52,802)	1/4/2010
1000	6267	61850	505601	Comm Wrk Ldr	714153	(0.54)	(21,233)	(6,657)	(7,827)	(35,717)	12/14/2009
1000	6266	64594	502230	Corr Tech	712304	(0.32)	(13,981)	(3,988)	(4,762)	(22,731)	3/5/2010
1505	6276	61827	CJ045.DOC.SU P.FEL.WEST	Prob Par Off	711586	(0.32)	(18,484)	(6,537)	(5,095)	(30,116)	3/5/2010
1000	9620	65350	509420	Comm Just Mngr	700417	(0.71)	(56,892)	(16,499)	(12,294)	(85,685)	10/16/2010
1000	6276	61818	503500	Prob Par Off	712407	(0.32)	(19,724)	(6,976)	(5,186)	(31,886)	3/5/2010
1505	6157	65025	CJ045.DOC.SU P.FEL.NORTH	Rec Tech	701114	(0.50)	(16,566)	(4,804)	(6,895)	(28,265)	1/1/2010
1505	6266	61821	CJ045.DOC.SU P.FEL.GRESH M	Corr Tech	701443	(0.32)	(13,919)	(4,037)	(4,775)	(22,731)	3/5/2010
1505	6276	64938	CJ045.DOC.M57	Prob Par Off	701781	(1.00)	(81,883)	(29,251)	(17,448)	(128,582)	7/1/2009
1000	6276	64938	504101	Prob Par Off	701781	1.00	81,883	29,251	17,448	128,582	7/1/2009
1505	6276	64938	CJ045.DOC.M57	Prob Par Off	702220	(1.00)	(81,883)	(29,251)	(17,448)	(128,582)	7/1/2009
1000	6276	64938	504101	Prob Par Off	702220	1.00	81,883	29,251	17,448	128,582	7/1/2009
1505	6276	64938	CJ045.DOC.M57	Prob Par Off	704493	(1.00)	(81,883)	(29,251)	(17,448)	(128,582)	7/1/2009
1000	6276	64938	504101	Prob Par Off	704493	1.00	81,883	29,251	17,448	128,582	7/1/2009
1505	6276	64938	CJ045.DOC.M57	Prob Par Off	705397	(1.00)	(81,882)	(29,250)	(17,449)	(128,581)	7/1/2009
1000	6276	64938	504101	Prob Par Off	705397	1.00	81,882	29,250	17,449	128,581	7/1/2009
1505	6268	n/a	CJ045.DOC	Corr Cnslr (wage freeze position)	N/A	(1.00)	(62,164)	(17,960)	(17,570)	(97,694)	7/1/2009
1505	6157	N/A	CJ045.DOC	Rec Tech (wage freeze position)	N/A	(1.00)	(38,148)	(11,063)	(14,167)	(63,378)	7/1/2009
1000	6260	65158	506230	Cook	713358	(0.80)	(26,002)	(7,541)	(10,995)	(44,538)	7/1/2009
1505	2672	N/A	CJ041.JCP.PREV.	Juv Cnslr (wage freeze position)	N/A	(1.00)	(57,133)	(15,774)	(15,385)	(88,292)	7/1/2009
1505	6365	64250	CJ041.JCP.P REV.ATYF	Salary Savings - Men Hth Cnsl	0	0.00	(54,656)	(15,850)	(14,494)	(85,000)	8/10/2009
1000	6272	65675	506220	Juv Cnslr	N/A	(0.75)	(40,794)	(11,830)	(11,539)	(64,163)	9/1/2009
1000	6276	64203	CJ045.DOC.S UP.FEL.WES T	Prob Par Off	703868	(0.79)	(52,917)	(19,024)	(12,900)	(84,841)	9/16/2009
1505	6276	61821	CJ045.DOC.S UP.FEL.GRE SHM	Prob Par Off	703845	(0.32)	(21,390)	(7,690)	(5,222)	(34,302)	3/5/2010
1505	6266	65025	CJ045.DOC.S UP.FEL.NOR TH	Corr Tech	702104	(0.32)	(15,007)	(4,352)	(4,743)	(24,102)	3/5/2010
1505	6266	61850	CJ045.DOC.S UP.COMMSV C	Corr Tech	705247	(0.32)	(14,572)	(4,226)	(4,711)	(23,509)	3/5/2010
<b>TOTAL CURRENT FY CHANGES</b>						<b>(16.94)</b>	<b>(980,883)</b>	<b>(303,607)</b>	<b>(277,582)</b>	<b>(1,562,072)</b>	

FM Side			PS/CO Side			Cost Element/ Commitment Item	Notes
FM Fund Center	FM Fund Code	Functional Area	Internal Order	Cost Center	WBS Element		
<b>General Fund Contingency</b>				9500001000		60470	Reduce available General Fund Contingency
19	1000	0020		xxx	xxx	xxxxx	Increase Expenditure
xx-xx	xxxxx	0020					
<b>Indirect</b>							
<b>Central</b>							
xx-xx	xxxxx				xxx	60350	Indirect Expenditure
19	1000	0020		9500001000		50310	Indirect reimbursement revenue in General Fund
19	1000	0020		9500001000		60470	CGF Contingency expenditure
<b>Departmental</b>							
xxx	xxxxx				xxx	60355	Indirect Department Expenditure
xx-xx	1000			xxx	xxx	50370	Indirect Dept reimbursement revenue in General Fund
xx-xx	1000			xxx	xxx	xxx	Off setting Dept expenditure in General Fund
<b>Telecommunications</b>							
xx-xx	xxxxx				xxx	60370	Departmental telecommunication expenditure
72-60	3503	0020		709525		50310	Budgets receipt of reimbursement
72-60	3503	0020		709525		60200	Budgets offsetting expenditure in telecommunications fund
<b>Data Processing</b>							
xx-xx	xxxxx				xxx	60380	Departmental data processing expenditures
72-60	3503	0020		709000		50310	Budgets receipt of Data Processing reimbursement
72-60	3503	0020		709000		60240	Budgets offsetting expenditures
<b>PC Flat Fee (Flat Fee is no longer in effect for most Departments beginning in FY 2007)</b>							
xx-xx	xxxxx				xxx	60390	Departmental PC Flat Fee expenditure
				between 709201 & 709211			
72-60	2508	0020		between 709201 & 709211		50310	Budgets receipt of PC Flat Fee
72-60	2508	0020		709211		60240	Budgets offsetting expenditure
<b>Electronic Service Reimbursement</b>							
xx-xx	xxxxx					60420	Departmental Electronics expenditure
72-55	3501	0020		904200		50310	Receipt of Electronics service reimbursement
72-55	3501	0020		904200		60240	Budgets offsetting expenditure
<b>Motor Pool</b>							
xx-xx	xxxxx				xxx	60410	Departmental Motor Pool expenditure
72-55	3501	0020		904100		50310	Budgets receipt of Motor Pool service reimbursement
72-55	3501	0020		904100		60240	Budgets offsetting expenditure
<b>Building Management</b>							
xx-xx	xxxxx				xxx	60430	Departmental Building Management expenditure
72-50	3505	0020		902575		50310	Budgets receipt of Building Management service reimbursement
72-50	3505	0020		902575		60170	Budgets offsetting expenditure
<b>Insurance Service Reimbursement</b>							
xx-xx	xxxxx					60140 or 60145	Departmental Insurance expenditure
72-10	3500	0020		705210		50316	Insurance Revenue
72-10	3500	0020		705210		60330	Offsetting expenditure
<b>Lease Payments to Capital Lease Retirement Fund</b>							
xx-xx	xxxxx					60450	Departmental Capital Lease Retirement expenditure Contact your Budget Analyst to complete this.
<b>Mail &amp; Distribution</b>							
xx-xx	xxxxx				xxx	60460	Mail & Distribution expenditure
72-55	3504	0020		904400		50310	Budgets receipt of service reimbursement
72-55	3504	0020		904400		60230	Budgets offsetting expenditure
<b>Records</b>							
xx-xx	xxxxx				xxx	60460	Records expenditure
72-55	3504	0020		904500		50310	Budgets receipt of service reimbursement
72-55	3504	0020		904500		60240	Budgets offsetting expenditure
<b>Stores</b>							
xx-xx	xxxxx				xxx	60460	Stores expenditure
72-55	3504	0020		904600		50310	Budgets receipt of service reimbursement
72-55	3504	0020		904600		60240	Budgets offsetting expenditure

**How are functional areas assigned to cost objects?**

For the most part, functional area is related to what department has recorded the revenue or expenditure (i.e. the District Attorney is reported in Public Safety and Justice). There are some exceptions to this rule that require certain funds to be assigned to a particular functional area, regardless of what department the revenues or expenditures are recorded in.

Functional Area Assignments ~ Based on Fund		
1501 – Road Fund	Roads and Bridges	80
1502 – Emergency Communications Fund	Community Services	60
1503 – Bike Path Fund	Community Services	60
1504 – Recreation Fund	Community Services	60
1506 – County School Fund	Community Services	60
1509 – Willamette River Bridges Fund	Roads and Bridges	80
1510 – Library Fund	Library	70
1512 – Land Corner Preservation Fund	Roads and Bridges	80
2500 – Justice Bond Project Fund	Public Safety and Justice	50
2501 – Revenue Bond Project Fund	Community Services	60
2502 – SB 1145 Fund	Public Safety and Justice	50
2504 – Building Project Fund	Community Services	60
2505 – Deferred Maintenance Fund	Community Services	60
2506 – Library Construction / 1996 Bonds Fund	Library	70
2507 – Capital Improvement Fund	Community Services	60
2509 – Asset Preservation Fund	Community Services	60
2510 – Library Property Fund	Library	70
3000 – Dunthorpe-Riverdale Service Dist #14 Fund	Dunthorpe-Riverdale Service Dist #14	500
3001 – Mid County Service District #1 Fund	Mid County Service District #1	510
3002 – Behavioral Health Managed Care Fund	Behavioral Health Managed Care	520

If a cost object is not in one of the funds listed above, then the functional area should be assigned based on the department that the cost object is in.

Functional Area Assignments ~ Based on Department (Fund Center)		
Non-Departmental (10, except 10-50)	General Government	20
Non-Departmental – CCFC (10-50)	Social Services	40
District Attorney (15)	Public Safety and Justice	50
Countywide (18 & 19)	General Government	20
Human Services (20, 25, 26, 30 & 31)	Social Services	40
School and Community Partnerships (21)	Social Services	40
Health (40)	Health Services	30
Community Justice (50)	Public Safety and Justice	50
Sheriff's Office (60)	Public Safety and Justice	50
County Management (72)	General Government	20
Community Services (91)	General Government	20
Library (80)	Library	70

**If you have any questions or comments, please contact Susan Luce in General Ledger at ext. 22138.**



**MULTNOMAH COUNTY  
AGENDA PLACEMENT REQUEST  
BUDGET MODIFICATION**

(Revised 12/31/09)

**Board Clerk Use Only**

<b>Meeting Date:</b>	<u>03/04/2010</u>
<b>Agenda Item #:</b>	<u>R-8</u>
<b>Est. Start Time:</b>	<u>10:09 AM</u>
<b>Date Submitted:</b>	<u>02/24/2010</u>

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-8 DATE 03/04/2010  
LYNDA GROW, BOARD CLERK

**BUDGET MODIFICATION: DCJ -17**

<p><b>BUDGET MODIFICATION Appropriating \$431,123, from the Oregon Agenda Criminal Justice Commission Recovery Act Measure 57 Grant, in the Title: Department of Community Justice's Federal/State Budget</b></p>
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*Note: For all other submissions (i.e. Notices of Intent, Ordinances, Resolutions, Orders or Proclamations) please use the APR short form.*

<b>Requested Meeting Date:</b>	<u>March 4, 2010</u>	<b>Amount of Time Needed:</b>	<u>3 minutes</u>
<b>Department:</b>	<u>Dept. of Community Justice</u>	<b>Division:</b>	<u>Adult Services Division</u>
<b>Contact(s):</b>	<u>Shaun Coldwell</u>		
<b>Phone:</b>	<u>503-988-3961</u>	<b>Ext.:</b>	<u>83961</u>
<b>Presenter(s):</b>	<u>Kathleen Treb</u>	<b>I/O Address:</b>	<u>503 / 250</u>

**General Information**

**1. What action are you requesting from the Board?**

The Department of Community Justice (DCJ) requests approval of budget modification DCJ-17. This budget modification will appropriate \$431,123 from the Oregon Criminal Justice Commission (CJC) Measure 57 grant, to the Fiscal Year 2010 Federal/State budget.

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

In 2008 Oregon voters passed Measure 57, a state statute that increased the terms of imprisonment for people convicted of specified drug and property crimes under certain circumstances. These offenders are individuals who possess a significant substance abuse problem with a high propensity to commit property crimes, primarily in an effort to fuel their addiction. The measure created a law which requires courts to impose a minimum sentence for these offenders and requires the Department of Corrections to provide treatment.

Emailed  
to  
Presenters  
→ Cheng  
Way

The Department of Community Justice (DCJ) received a two year grant from the State of Oregon Criminal Justice Commission (CJC) to work with these offenders struggling with addiction and criminality. The goal is to reduce both addiction issues and recidivism so offenders will have a better chance at sustaining a healthier and more productive crime-free lifestyle. There were very specific expectations listed in the application from CJC including specific assessments and the use of a drug court model.

\$130,418 is for DCJ personnel costs, \$210,654 will be contracted to provide Drug Court Treatment at Volunteers of America, \$23,336 will pay for urinalysis drug testing, \$1,916 will pay for motivational enhancements, and \$53,382 will be contracted for a portion of the costs of a Treatment Court Coordinator, Public Defender Attorney and Public Defender Legal Assistant. This grant funding can not be used to supplant current positions. All partners signed an agreement stating they are not supplanting.

This grant creates a new program offer in DCJ

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

The Oregon CJC Measure 57 grant has been awarded for a two-year grant period beginning January 1<sup>st</sup>, 2010. Of the \$1,763,916 award amount, \$431,123 will be added to DCJ's Fiscal Year 2010 budget, and the remaining funds will be included in the Fiscal Year 2011 and Fiscal Year 2012 Adopted budgets.

In addition, there is money awarded for payments to the Multnomah County Sheriff's Office (MCSO) and District Attorney's Office which is not included in this budget modification.

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

It is the policy of Multnomah County to make all employment decisions without regard to race, religion, color, national origin, sex, age marital status, disability, political affiliations, sexual orientation, or any other non-merit factor.

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

N/A

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# ATTACHMENT A

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## Budget Modification

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

- **What revenue is being changed and why? If the revenue is from a federal source, please list the Catalog of Federal Assistance Number (CFDA).**

DCJ's FY-2010 budget will be increased by \$431,123 in grant funding from the Oregon Criminal Justice Commission. The CFDA # is 16.803

This grant was not available at the time that the Fiscal Year 2010 budget was submitted, and therefore this funding was not included in the Adopted budget.

The Notice of Intent to apply for this grant was approved by the Multnomah County Board of County Commissioners on November 12, 2009.

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

DCJ's Adult Services Division budget will be increased by \$431,123 in the Federal/State Fund. Of this amount \$11,416 is for Central Indirect.

- **What do the changes accomplish?**

Appropriation of the Oregon Criminal Justice Commission Measure 57 grant to DCJ's FY 2010 budget.

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

Yes, 1.75 FTE (3.50 FTE annualized) are added to DCJ's Adult Services Division.

- **If a grant, is 100% of the central and department indirect recovered? If not, please explain why.**

This grant will pay for Central Indirect. It will not pay for Department Indirect. DCJ will use existing resources to support the administrative functions of the grant.

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

This is one time funding for a two year period.

- **If a grant, what period does the grant cover? When the grant expires, what are funding plans? Are there any particular stipulations required by the grant (i.e. cash match, in kind match, reporting requirements etc)?**

The grant is for two year duration of 1/1/2010 through 12/31/2011. There are no match requirements.

*NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.*

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**ATTACHMENT B**

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**BUDGET MODIFICATION: DCJ - 16**

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**Required Signatures**

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

*John Anderson for Scott Taylor*

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**Date:** 02/23/2010

**Budget Analyst:**

*[Signature]*

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**Date:** 02/24/2010

**Department HR:**

*James J. Opoka*

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**Date:** 02/23/2010

**Countywide HR:**

*Tami Graves*

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**Date:** 02/24/2010

Budget Modification ID: **DCJ-17**

**EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2010

Line No.	Fund Center	Fund Code	Program #	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
						Cost Center	WBS Element						
1	50-10	21039		50				CJ011.CJC.M57.A&D.OP	50190	-	(242,323)	(242,323)	IG-OP-Fed thru State
2	50-10	21039		50				CJ011.CJC.M57.A&D.OP	60155	-	1,916	1,916	Direct Client Assistance
3	50-10	21039		50				CJ011.CJC.M57.A&D.OP	60170	-	233,990	233,990	Professional Services
4	50-10	21039		50				CJ011.CJC.M57.A&D.OP	60350	-	6,417	6,417	Central Indirect
5										-	0	0	
6	50-10	21039		50				CJ011.CJC.M57.PROTRAC	50190	-	(188,800)	(188,800)	IG-OP-Fed thru State
7	50-10	21039		50				CJ011.CJC.M57.PROTRAC	60000	-	79,646	79,646	Permanent
8	50-10	21039		50				CJ011.CJC.M57.PROTRAC	60130	-	25,013	25,013	Salary Related
9	50-10	21039		50				CJ011.CJC.M57.PROTRAC	60140	-	25,760	25,760	Insurance Benefits
10	50-10	21039		50				CJ011.CJC.M57.PROTRAC	60160	-	53,382	53,382	Pass Thru Payments
11	50-10	21039		50				CJ011.CJC.M57.PROTRAC	60350	-	4,999	4,999	Central Indirect
12											0	0	
13											0		
14											0		
15	19	1000		20			9500001000		50310		(11,416)	(11,416)	Internal Svc Reimbursement
16	19	1000		20			9500001000		60470		11,416	11,416	Contingency
17											0		
18	72-10	3500		20			705210		50316		(25,760)	(25,760)	Insurance Revenue
19	72-10	3500		20			705210		60330		25,760	25,760	Claims Paid
20											0		
21											0		
22											0		
23											0		
24											0		
25											0		
26											0		
27											0		
28											0		
29											0		
											0	0	Total - Page 1
											0	0	GRAND TOTAL

**ANNUALIZED PERSONNEL CHANGE**

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

							ANNUALIZED			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1505	6276	New	CJ011.CJC.M 57.PROTRAC	Prob Par Off	New	1.00	55,102	19,809	15,439	90,350
1505	6266	New	CJ011.CJC.M 57.PROTRAC	Corr Tech	New	1.00	41,676	12,086	14,432	68,194
1505	6266	New	CJ011.CJC.M 57.PROTRAC	Corr Tech	New	1.00	41,676	12,086	14,432	68,194
1505	6266	New	CJ011.CJC.M 57.PROTRAC	Corr Tech	New	0.50	20,838	6,043	7,216	34,097
										0
										0
										0
										0
<b>TOTAL ANNUALIZED CHANGES</b>						<b>3.50</b>	<b>159,292</b>	<b>50,024</b>	<b>51,519</b>	<b>260,835</b>

**CURRENT YEAR PERSONNEL DOLLAR CHANGE**

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

							CURRENT YEAR			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1505	6276	New	CJ011.CJC.M 57.PROTRAC	Prob Par Off	New	0.50	27,551	9,905	7,720	45,175
1505	6266	New	CJ011.CJC.M 57.PROTRAC	Corr Tech	New	0.50	20,838	6,043	7,216	34,097
1505	6266	New	CJ011.CJC.M 57.PROTRAC	Corr Tech	New	0.50	20,838	6,043	7,216	34,097
1505	6266	New	CJ011.CJC.M 57.PROTRAC	Corr Tech	New	0.25	10,419	3,022	3,608	17,049
										0
										0
										0
										0
										0
										0
<b>TOTAL CURRENT FY CHANGES</b>						<b>1.75</b>	<b>79,646</b>	<b>25,013</b>	<b>25,760</b>	<b>130,418</b>

FM Side			PS/CO Side			Cost Element/ Commitment Item	Notes
FM Fund Center	FM Fund Code	Functional Area	Internal Order	Cost Center	WBS Element		
<b>General Fund Contingency</b>				9500001000		60470	Reduce available General Fund Contingency
19	1000	0020				50310	Increase Expenditure
xx-xx	xxxxx	0020		xxx	xxx	xxxxx	
<b>Indirect</b>							
<b>Central</b>							
xx-xx	xxxxx				xxx	60350	Indirect Expenditure
19	1000	0020		9500001000		50310	Indirect reimbursement revenue in General Fund
19	1000	0020		9500001000		60470	CGF Contingency expenditure
<b>Departmental</b>							
xxx	xxxxx				xxx	60355	Indirect Department Expenditure
xx-xx	1000			xxx	xxx	50370	Indirect Dept reimbursement revenue in General Fund
xx-xx	1000			xxx	xxx	xxx	Off setting Dept expenditure in General Fund
<b>Telecommunications</b>							
xx-xx	xxxxx				xxx	60370	Departmental telecommunication expenditure
72-60	3503	0020		709525		50310	Budgets receipt of reimbursement
72-60	3503	0020		709525		60200	Budgets offsetting expenditure in telecommunications fund
<b>Data Processing</b>							
xx-xx	xxxxx				xxx	60380	Departmental data processing expenditures
72-60	3503	0020		709000		50310	Budgets receipt of Data Processing reimbursement
72-60	3503	0020		709000		60240	Budgets offsetting expenditures
<b>PC Flat Fee (Flat Fee is no longer in effect for most Departments beginning in FY 2007)</b>							
xx-xx	xxxxx				xxx	60390	Departmental PC Flat Fee expenditure
				between 709201 & 709211			
72-60	2508	0020		between 709201 & 709211		50310	Budgets receipt of PC Flat Fee
72-60	2508	0020		709201 & 709211		60240	Budgets offsetting expenditure
<b>Electronic Service Reimbursement</b>							
xx-xx	xxxxx					60420	Departmental Electronics expenditure
72-55	3501	0020		904200		50310	Receipt of Electronics service reimbursement
72-55	3501	0020		904200		60240	Budgets offsetting expenditure
<b>Motor Pool</b>							
xx-xx	xxxxx				xxx	60410	Departmental Motor Pool expenditure
72-55	3501	0020		904100		50310	Budgets receipt of Motor Pool service reimbursement
72-55	3501	0020		904100		60240	Budgets offsetting expenditure
<b>Building Management</b>							
xx-xx	xxxxx				xxx	60430	Departmental Building Management expenditure
72-50	3505	0020		902575		50310	Budgets receipt of Building Management service reimbursement
72-50	3505	0020		902575		60170	Budgets offsetting expenditure
<b>Insurance Service Reimbursement</b>							
xx-xx	xxxxx					60140 or 60145	Departmental Insurance expenditure
72-10	3500	0020		705210		50316	Insurance Revenue
72-10	3500	0020		705210		60330	Offsetting expenditure
<b>Lease Payments to Capital Lease Retirement Fund</b>							
xx-xx	xxxxx					60450	Departmental Capital Lease Retirement expenditure Contact your Budget Analyst to complete this.
<b>Mail &amp; Distribution</b>							
xx-xx	xxxxx				xxx	60460	Mail & Distribution expenditure
72-55	3504	0020		904400		50310	Budgets receipt of service reimbursement
72-55	3504	0020		904400		60230	Budgets offsetting expenditure
<b>Records</b>							
xx-xx	xxxxx				xxx	60460	Records expenditure
72-55	3504	0020		904500		50310	Budgets receipt of service reimbursement
72-55	3504	0020		904500		60240	Budgets offsetting expenditure
<b>Stores</b>							
xx-xx	xxxxx				xxx	60460	Stores expenditure
72-55	3504	0020		904600		50310	Budgets receipt of service reimbursement
72-55	3504	0020		904600		60240	Budgets offsetting expenditure

**How are functional areas assigned to cost objects?**

For the most part, functional area is related to what department has recorded the revenue or expenditure (i.e. the District Attorney is reported in Public Safety and Justice). There are some exceptions to this rule that require certain funds to be assigned to a particular functional area, regardless of what department the revenues or expenditures are recorded in.

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1503 – Bike Path Fund	Community Services	60
1504 – Recreation Fund	Community Services	60
1506 – County School Fund	Community Services	60
1509 – Willamette River Bridges Fund	Roads and Bridges	80
1510 – Library Fund	Library	70
1512 – Land Corner Preservation Fund	Roads and Bridges	80
2500 – Justice Bond Project Fund	Public Safety and Justice	50
2501 – Revenue Bond Project Fund	Community Services	60
2502 – SB 1145 Fund	Public Safety and Justice	50
2504 – Building Project Fund	Community Services	60
2505 – Deferred Maintenance Fund	Community Services	60
2506 – Library Construction / 1996 Bonds Fund	Library	70
2507 – Capital Improvement Fund	Community Services	60
2509 – Asset Preservation Fund	Community Services	60
2510 – Library Property Fund	Library	70
3000 – Dunthorpe-Riverdale Service Dist #14 Fund	Dunthorpe-Riverdale Service Dist #14	500
3001 – Mid County Service District #1 Fund	Mid County Service District #1	510
3002 – Behavioral Health Managed Care Fund	Behavioral Health Managed Care	520

If a cost object is not in one of the funds listed above, then the functional area should be assigned based on the department that the cost object is in.

Functional Area Assignments ~ Based on Department (Fund Center)		
Non-Departmental (10, except 10-50)	General Government	20
Non-Departmental – CCFC (10-50)	Social Services	40
District Attorney (15)	Public Safety and Justice	50
Countywide (18 & 19)	General Government	20
Human Services (20, 25, 26, 30 & 31)	Social Services	40
School and Community Partnerships (21)	Social Services	40
Health (40)	Health Services	30
Community Justice (50)	Public Safety and Justice	50
Sheriff's Office (60)	Public Safety and Justice	50
County Management (72)	General Government	20
Community Services (91)	General Government	20
Library (80)	Library	70

**If you have any questions or comments, please contact Susan Luce in General Ledger at ext. 22138.**



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised 12/31/09)

### Board Clerk Use Only

Meeting Date:	<u>03/04/2010</u>
Agenda Item #:	<u>R-9</u>
Est. Start Time:	<u>10:12 AM</u>
Date Submitted:	<u>02/18/2010</u>

<b>Agenda Title:</b>	<b>First Reading and Possible Adoption of an ORDINANCE Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Code Revision to allow Office Use at PGE Park in Compliance with Metro's Functional Plan and Declaring an Emergency</b>
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*Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.*

<b>Requested Meeting Date:</b>	<u>March 4, 2010</u>	<b>Amount of Time Needed:</b>	<u>2 minutes</u>
<b>Department:</b>	<u>Community Services</u>	<b>Division:</b>	<u>Land Use &amp; Transportation</u>
<b>Contact(s):</b>	<u>Adam Barber</u>		
<b>Phone:</b>	<u>503 988-3043</u>	<b>Ext.</b>	<u>22599</u>
		<b>I/O Address:</b>	<u>455/116</u>
<b>Presenter(s):</b>	<u>Kevin Cook</u>		

## General Information

### 1. What action are you requesting from the Board?

Approve the first reading and adopt the Ordinance as recommended by the Portland Planning Commission and Portland City Council.

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

On October 11, 2001 the Board adopted Ordinance 967 (effective date January 1, 2002) adopting, in summary, the Portland Comprehensive Plan and zoning ordinance. The County and the City of Portland have been engaged in agreements enabling the City of Portland to provide planning services to achieve compliance with the Metro Functional Plan for those areas outside the City limits, but within the urban growth boundary and urban service boundary of Portland. Since the adoption of Ordinance 967 and subsequently Ordinance 997, the Portland City Council has passed the attached ordinances and therefore the County must adopt them pursuant to our intergovernmental agreement to keep the code up to date. Multnomah County and the City of Portland entered into an Intergovernmental Agreement (IGA) to transfer land use planning

responsibilities on January 1, 2002. The IGA lays out a process requiring the County to ensure that the County Board of Commissioners will consider any amendments to the City's comprehensive plan, zoning code and other regulations adopted by the City Council at the earliest possible meeting. It also states "The County Board of Commissioners shall enact all comprehensive plan and code amendments so that they take effect on the same date specified by the City's enacting ordinance" (unless adopted by emergency). The City will have taken action on all of the above items by the hearing date of this ordinance. If the County does not adopt these amendments, the IGA will be void and the County will be required to resume responsibility for planning and zoning administration within the affected areas.

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

N/A

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

State law requires a notice be placed in a newspaper of general circulation 10 days prior (2/22/10) to the BCC hearing. We request adoption of this ordinance by emergency to closely align with the City of Portland effective date (3/4/10) as stated in the IGA. The County Attorney's office was involved in the drafting of the original IGA and has been involved in coordinating our compliance effort through adoption of these code amendments.

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

The City included the County affected property owners in their noticing for these code revisions when required pursuant to the IGA and directed them to the City legislative process.

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**Required Signature**

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



**Date: 02/18/2010**

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BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. \_\_\_\_\_

Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Code Revision to allow Office Use at PGE Park in Compliance with Metro's Functional Plan and Declaring an Emergency

**The Multnomah County Board of Commissioners Finds:**

- a. The Board of County Commissioners (Board) adopted Resolution A in 1983 which directed the County services towards rural services rather than urban.
- b. In 1996, Metro adopted the Functional Plan for the region, mandating that jurisdictions comply with the goals and policies adopted by the Metro Council.
- c. In 1998, the County and the City of Portland (City) amended the Urban Planning Area Agreement to include an agreement that the City would provide planning services to achieve compliance with the Functional Plan for those areas outside the City limits, but within the Urban Growth Boundary and Portland's Urban Services Boundary.
- d. It is impracticable to have the County Planning Commission conduct hearings and make recommendations on land use legislative actions pursuant to MCC 37.0710, within unincorporated areas inside the Urban Growth Boundary for which the City provides urban planning and permitting services. The Board intends to exempt these areas from the requirements of MCC 37.0710, and will instead consider the recommendations of the Portland Planning Commission and City Council when legislative matters for these areas are brought before the Board for action as required by intergovernmental agreement (County Contract #4600002792) (IGA).
- e. On December 3, 2009, the Board amended County land use codes, plans and maps to adopt the City's land use codes, plans and map amendments in compliance with Metro's Functional Plan by Ordinance 1150.
- f. Since the adoption of Ordinance 1150, the City's Planning Commission recommended land use code, plan and map amendments to the City Council through duly noticed public hearings.
- g. The City notified affected County property owners as required by the IGA.
- h. The City Council adopted the land use code, plan and map amendments set out in Section 1 below and attached as Exhibits 1 and 2. The IGA requires that the County adopt these amendments for the City planning and zoning administration within the affected areas.

**Multnomah County Ordains as follows:**

**Section 1.** The County Comprehensive Framework Plan, community plans, rural area plans, sectional zoning maps and land use code chapters are amended to include the City land use code, plan and map amendments, attached as Exhibits 1 and 2, effective on the same date as the respective Portland ordinance:

Exhibit No.	Description	Date
1	Ordinance to allow a limited amount of office use at PGE Park (PDX Ord. #183517)	2/03/10
2	Exhibit A Planning Commission Report and Recommendation	10/09

**Section 2.** In accordance with ORS 215.427(3), the changes resulting from Section 1 of this ordinance shall not apply to any decision on an application that is submitted before the applicable effective date of this ordinance and that is made complete prior to the applicable effective date of this ordinance or within 180 days of the initial submission of the application.

**Section 3.** In accordance with ORS 92.040(2), for any subdivisions for which the initial application is submitted before the applicable effective date of this ordinance, the subdivision application and any subsequent application for construction shall be governed by the County's land use regulations in effect as of the date the subdivision application is first submitted.

**Section 4.** Any future amendments to the legislative matters listed in Section 1 above, are exempt from the requirements of MCC 37.0710. The Board acknowledges, authorizes and agrees that the Portland Planning Commission will act instead of the Multnomah Planning Commission in the subject unincorporated areas using the City's own procedures, to include notice to and participation by County citizens. The Board will consider the recommendations of the Portland Planning Commission when legislative matters for County unincorporated areas are before the Board for action.

**Section 5.** An emergency is declared in that it is necessary for the health, safety and general welfare of the people of Multnomah County for this ordinance to take effect concurrent with the City code, plan and map amendments. Under section 5.50 of the Charter of Multnomah County, this ordinance will take effect in accordance with Section 1.

FIRST READING AND ADOPTION: March 4, 2010

BOARD OF COUNTY COMMISSIONERS,  
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By Sandra N. Duffy, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Department of Community Services

## **EXHIBIT LIST FOR ORDINANCE**

1. Ordinance to allow a limited amount of office use at PGE Park (**PDX Ord. #183517**).
2. Exhibit A Planning Commission Report and Recommendation

Prior to adoption, this information is available electronically or for viewing at the Multnomah County Board of Commissioners and Agenda website (**[www.co.multnomah.or.us/cc/WeeklyAgendaPacket/](http://www.co.multnomah.or.us/cc/WeeklyAgendaPacket/)**). To obtain the adopted ordinance and exhibits electronically, please contact the Board Clerk at 503-988-3277. These documents may also be purchased on CD-Rom from the Land Use and Transportation Program. Contact the Planning Program at 503-988-3043 for further information.

## ORDINANCE No. 183517

Amend Zoning Code to allow a limited amount of office use at PGE Park (Ordinance; amend Code Chapter 33.510)

The City of Portland Ordains:

Section 1. The Council finds:

### General Findings

1. On August 26, 2009 notice of the proposed action was mailed to the Department of Land Conservation and Development (DLCD) in compliance with the post-acknowledgement review process required by OAR 660-18-020.
2. In 1981, as part of the adoption of the Comprehensive Plan, the Open Space Comprehensive Plan map designation was created. There was no corresponding zone to implement this new designation.
3. In 1991, as part of the Zoning Code rewrite project, the Open Space zone was created to implement the Open Space designation, and was applied to public and private park and open space uses including sites that had the Open Space Comprehensive Plan map designation.
4. Application of the Open Space zone in 1991 resulted in some existing uses on sites zoned Open Space becoming nonconforming uses and automatic conditional uses. These uses were established legally under a different zone, or under different use regulations. For example, the parking at O'Bryant Square, the Major Event Entertainment at Civic Stadium, and the Retail Sales And Service uses at Pioneer Courthouse Square were established under zones that allowed such uses.
5. On February 9, 2000, City Council adopted Ordinance 174160 that amended title 33.510 to allow certain uses on specific sites zoned Open Space within the Central City. Among other changes, these amendments allowed Major Event Entertainment uses and Commercial Outdoor Recreation uses at PGE Park (formerly known as Civic Stadium). These amendments also allowed up to 2,500 square feet of Retail use on designated sites zoned Open Space including PGE Park.
6. On June 24, 2009, City Council adopted Resolution 36711 to pursue negotiations with Peregrine, LLC to transform PGE Park into a soccer-specific stadium that will be the home of a new Major League Soccer franchise.
7. The preferred PGE Park renovation plan includes space for a limited amount of Office uses within the facility serving users of the stadium as well as the general public. A medical office and clinic is one such potential Office use.
8. The City recognizes that Office uses are not appropriate as a predominant use at PGE Park. However, allowing a limited amount of Office use on site, such as a sports medicine clinic, is consistent with the public purpose of the facility as a Major Event Entertainment and Commercial Outdoor Recreation use.
9. Appropriate restrictions are placed on new Office uses at PGE Park to assure they do not detract from the other purposes of the Open Space zone within the Central City. These restrictions include: limiting the size of allowed Office uses to 15,000 square feet and applying the existing procedural requirements and standards for a Good Neighbor Agreement and Comprehensive Transportation Management Plan for an Office use.

10. The changes proposed affect Title 33, Planning and Zoning, specifically the Central City Plan District (33.510) portion of the Zoning Code.
11. On October 13, 2009, the Planning Commission held a public hearing on the proposal. Staff from the Bureau of Planning and Sustainability presented the proposal. Written testimony in support of the proposal was received from the Goose Hollow Foothills League. No one testified on the proposal in person. The Commission voted unanimously to forward a recommendation of approval of the proposed zoning code amendment to City Council.
12. On January 6, 2010, City Council held a public hearing on the Planning Commission recommendation to amend the Zoning Code. Staff from the Bureau of Planning and Sustainability presented the proposal, and public testimony was received.
13. On February 3, 2010, City Council voted to adopt the changes in the zoning code amendment.

### Findings on Statewide Planning Goals

State planning statutes require cities to adopt and amend comprehensive plans and land use regulations in compliance with state land use goals. Only the state goals addressed below apply.

14. **Goal 1, Citizen Involvement**, requires provision of opportunities for citizens to be involved in all phases of the planning process. The preparation of these amendments has provided numerous opportunities for public involvement, including:
  - a) On August 26, 2009 Notice of Proposed Amendment was mailed to DLCD, with a copy to Metro, 45 days before the first evidentiary hearing.
  - b) On September 10, 2009, project staff met with the land use committee of the Goose Hollow Foothills League to discuss the project. Members of the Northwest Neighborhood Association were invited to attend the meeting as well. Approximately 25-30 people attended.
  - c) On September 11, 2009 Notice of the Planning Commission hearing on October 13, 2009 was mailed to all property owners within 400 feet of PGE Park (approximately 320 property owners), to recognized associations within 1000 feet (five associations), and to individuals and organizations on the Legislative Projects mailing list (approximately 530 individuals and organizations).
  - d) On September 11, 2009, Notice of the Planning Commission hearing on October 13, 2009 was posted on the PGE Park Site according to the standards of City Code Title 33.730.080.
  - e) On September 14, a project web page was established with basic information on the proposed code amendment, schedule, staff contacts, and links to related efforts. This web page was updated as necessary during the project.
  - f) On September 25, 2009, the Bureau of Planning and Sustainability published the *Proposed Draft: Amendment to the Zoning Code to Allow a Limited Amount of Office Use at PGE Park*.
  - g) The report was made available to the public, posted to the project web site, and mailed to all those who requested copies.
  - h) On October 13, 2009 the Planning Commission held a public hearing and received a letter from the Goose Hollow Foothills League in support of the proposal. No one testified in person. The Planning Commission voted unanimously to forward the amendment, as proposed, to the City Council for consideration.
  - i) On October 21, 2009 a notice for the City Council hearing was mailed to all of the individuals who responded to the notice of the Planning Commission hearing, those who testified at the

Planning Commission hearing and individuals who requested the notice. The notice included a description of the recommended amendment and information on how to submit testimony to City Council.

- j) On November 12, 2009, the City Council held a public hearing and received testimony on the project.
  - k) Planning staff engaged in telephone and email exchanges with property owners, developers, members of the business community and other interested parties in regards to the proposed Zoning Code amendment.
15. **Goal 2, Land Use Planning**, requires the development of a process and policy framework that acts as a basis for all land use decisions and assures that decisions and actions are based on an understanding of the facts relevant to the decision. This amendment supports this goal because the proposed Zoning Code amendment provides specific standards and procedures for the development of the new Office use at PGE Park and therefore complies with this statewide Goal. Findings on Portland Comprehensive Plan Goal, Metropolitan Coordination, and its related policies and objectives also support this goal.
  16. **Goal 5, Open Space, Scenic and Historic Areas, and Natural Resources**, requires the conservation of open space and the protection of natural and scenic resources. This amendment supports this goal because while it allows new Office uses in the Open Space Zone, these changes only apply to specific sites over 5 acres within the Central City Plan District. PGE Park is the only such site and has been in continuous operation as a public sports stadium since its construction in 1926. This amendment supports the stadium's continued use as a public sports stadium. In addition, there are no zone changes to Open Space-zoned property proposed as part of these amendments, and this action does not alter, amend, or require reevaluation of the City's existing ESEE analysis because no Goal 5 resource lands are affected.
  17. **Goal 6, Air, Water, and Land Resource Quality**, requires the maintenance and improvement of the quality of air, water, and land resources. To the extent this goal applies, this amendment supports this goal because new Office uses in the Open Space Zone are allowed only at PGE Park. This site is within 500 feet of a light rail station. This requirement facilitates the use of light rail by citizens using the facility and helps reduce the use of autos. Portland Comprehensive Plan findings on Goal 8, Environment, and its related policies and objectives also support this goal.
  18. **Goal 8, Recreational Needs**, requires satisfaction of the recreational needs of both citizens and visitors to the state. This amendment supports this goal because it recognizes the importance of PGE Park as the Central City's primary outdoor stadium and a major regional attractor, and the importance of allowing the mix of uses that will allow PGE Park to continue to meet the recreational needs of the state as a successful Major League Soccer and collegiate football stadium.
  19. **Goal 9, Economic Development**, requires provision of adequate opportunities for a variety of economic activities vital to public health, welfare, and prosperity. This amendment supports this goal because allowing a limited amount of Office use at PGE Park will assist economic development by helping to make the stadium financially successful as well as adding a range of new employment opportunities to the facility.
  20. **Goal 11, Public Facilities and Services**, requires planning and development of a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for development. This amendment supports this goal because users of new Office uses at PGE Park can take advantage of public transit. PGE Park is located directly on a light rail transit line and is served by two stations. Portland Comprehensive Plan findings on Goals 11, Public Facilities, and related policies and objectives also support this goal.

21. **Goal 12, Transportation**, requires provision of a safe, convenient, and economic transportation system. This amendment supports this goal because new Office uses at PGE Park will be located directly adjacent to an existing light rail transit line, but also because the amendment will allow the continued success of PGE Park as a major regional draw located directly adjacent to a light rail transit line. In addition, a Comprehensive Transportation Management Plan for PGE Park approved by City Council is a requirement for allowing any new Office use on the site. This required plan provides an opportunity to analyze and address the impacts of traffic and parking caused by uses at PGE Park including any new Office use. Therefore, the amendments are consistent with this goal. See also findings for Portland Comprehensive Plan Goal 6, Transportation, and its related policies and objectives.
- a) The Oregon Transportation Planning Rule (TPR) was adopted in 1991 and amended in 1996 and 2005 to implement State Goal 12. The TPR requires certain findings if a proposed Zoning Code Amendment will significantly affect an existing or planned transportation facility.
  - b) Section 660-012-0045 of the TPR requires local governments to adopt land use regulations that designate "types and densities of land uses adequate to support transit" and those that "reduce reliance on the automobile and allow transit-oriented developments on land along transit routes." This amendment supports these requirements because the Office uses allowed by the proposed zoning code amendment are limited to 15,000 square feet. An Office use of this small size will result in negligible traffic impacts relative to the traffic generation of the Major Event Entertainment and Commercial Outdoor Recreation use of PGE Park. The site is currently served by a light rail line with two different stops and a bus line allowing easy transit access. Additionally the Comprehensive Transportation Management Plan for PGE Park will be modified to include the proposed Office use and accepted by City Council.
  - c) Section 660-012-0060(1) of the TPR requires "amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation that would significantly affect an existing or planned transportation facility," to ensure that allowed land uses are consistent with the identified function, capacity and performance standards of the affected facility. This requirement can be met by "adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility." This amendment supports these requirements because the site is served by existing transportation facilities that will be negligibly impacted by the additional Office use. Additionally, the adopted Comprehensive Transportation Management Plan for PGE Park will be modified to address impacts to the existing transportation facilities of the new Office use and mitigated appropriately.
22. **Goal 13, Energy Conservation**, requires development of a land use pattern that maximizes the conservation of energy based on sound economic principles. This amendment supports this goal because it supports intensifying the uses at PGE Park which is located directly adjacent to an existing light rail line. This encourages alternative modes of travel which results in energy conservation. Portland Comprehensive Plan findings on Goal 7, Energy, and its related policies and objectives also support this goal.
23. **Goal 14, Urbanization**, requires provision of an orderly and efficient transition of rural lands to urban use. This amendment supports this goal because it seeks to improve the viability of PGE Park as a major professional and collegiate sports stadium in the future. By ensuring that major regional facilities like PGE Park and their associated professional sports teams remain located within the Central City, they are contained in an area that best serves the regional population and eliminates the need to locate such facilities in areas with limited transit and lower population densities. See also findings for Portland Comprehensive Plan Goal 2, Urban Development, and its related policies and objectives.

24. This amendment does not affect **State Goals 3, Agricultural Lands, 4, Forest Lands, 7, Areas Subject to Natural Disasters and Hazards, 10, Housing, and 15, Willamette River Greenway** because none of these goals address additional uses at PGE Park.
25. **Goals 16, 17, 18, and 19** deal with **Estuarine Resources, Coastal Shorelines, Beaches and Dunes, and Ocean Resources**, respectively, and are not applicable to Portland as none of these resources are present within the city limits.

#### **Findings on Metro Urban Growth Management Functional Plan**

26. **Title 1, Requirements for Housing and Employment Accommodation**, requires that each jurisdiction contribute its fair share to increasing the development capacity of land within the Urban Growth Boundary. This requirement is to be generally implemented through citywide analysis based on calculated capacities from land use designations. To the extent Title 1 applies, this amendment is consistent with this title because it allows, on a limited scale, Office uses that would be otherwise prohibited at PGE Park, and these uses will help increase development capacity on the site. See also findings under Comprehensive Plan Goals 5, Economic Development.
27. **Title 2, Regional Parking Policy**, regulates the amount of parking permitted by use for jurisdictions in the region. To the extent Title 2 is applicable, this amendment is consistent with this title because it recognizes the important link between transit access and the intense uses of PGE Park by requiring that Office uses allowed at that site be adjacent to a light rail transit stop.
28. **Title 3, Water Quality, Flood Management and Fish and Wildlife Conservation**, protects the public's health and safety by reducing flood and landslide hazards, controlling soil erosion and reducing water pollution by avoiding, limiting, or mitigating the impact of development on streams, rivers, wetlands, and floodplains. Title 3 specifically implements the Statewide Land Use Goals 6 and 7. This title does not apply to this amendment because the affected site is not located within Water Quality and Flood Management Areas.
29. **Title 4, Industrial and Other Employment Areas**, limits retail and office development in Employment and Industrial areas to those that are most likely to serve the needs of the area and not draw customers from a larger market area. This title does not apply to this amendment because the affected site is not located in an employment or industrial area.
30. **Title 6, Regional Accessibility**, recommends street design and connectivity standards that better serve pedestrian, bicycle and transit travel and that support the 2040 Growth Concept. To the extent Title 6 applies, this title is supported by this amendment because the proposed Office use would be at PGE Park which is directly adjacent to a light rail station and is accessible to pedestrian and bicycle use which improves regional accessibility.
31. **Title 7, Affordable Housing**, ensures opportunities for affordable housing at all income levels, and calls for a choice of housing types. This title does not apply to this amendment because housing development is not an element that is addressed.

#### **Findings on Portland's Comprehensive Plan Goals**

Only the Comprehensive Plan goals addressed below apply.

32. **Goal 1, Metropolitan Coordination**, calls for the Comprehensive Plan to be coordinated with federal and state law and to support regional goals, objectives and plans. This amendment supports this goal because the Department of Land Conservation and Development, who has acknowledged the

City's Comprehensive Plan, has been notified of the zoning code amendment. Also see findings for Policy 1.4 below.

- a) **Policy 1.4, Intergovernmental Coordination**, requires continuous participation in intergovernmental affairs with public agencies to coordinate metropolitan planning and project development and maximize the efficient use of public funds. This amendment supports this policy because a number of other government agencies were notified of this proposal and given the opportunity to comment. These agencies include the Oregon Department of Land Conservation and Development, Multnomah County, Metro, and Tri-met.
33. **Goal 2, Urban Development**, calls for maintaining Portland's role as the major regional employment and population center by expanding opportunities for housing and jobs, while retaining the character of established residential neighborhoods and business centers. This amendment supports this goal because allowing limited Office uses at PGE Park will provide new employment opportunities in the Goose Hollow neighborhood and increase the vitality of the surrounding neighborhood during times when there is no major event at the stadium.
- a) **Policy 2.2, Urban Diversity**, calls for promotion of a range of living environments and employment opportunities for Portland residents. This amendment supports this policy because it recognizes that PGE Park can support limited Office uses as a complement to its primary function as a major public stadium.
  - b) **Policy 2.6, Open Space**, calls for provision of opportunities for recreation and visual relief by preserving existing open space, establishing a loop trail that encircles the city and promoting recreational use of the city's rivers, creek, lakes and sloughs. This amendment supports this policy because it recognizes the unique situation of PGE Park as an Open Space-zoned site that can support a diversity of uses including a limited amount of Office use.
  - c) **Policy 2.10, Downtown Portland**, calls for maintenance and reinforcement of downtown Portland as the principal retail, commercial, service, cultural and high density housing center in the city and region; and calls for implementation of the Downtown Plan. This amendment supports this policy because it specifically increases Office uses allowed within PGE Park and PGE Park is located within the Central City. The new uses will add new commercial opportunities within the facility and help to ensure the stadium's financial success.
  - d) **Policy 2.11, Commercial Centers**, calls for expanding the role of major established commercial centers that are well served by transit in a manner compatible with the surrounding area. This amendment supports this policy because it recognizes the importance of PGE Park as a regional attractor within the Central City that has excellent transit service. The restrictions and procedural requirements assure that new Office uses consider issues related to compatibility with surrounding uses through the development and approval of a Good Neighbor Agreement.
  - e) **Policy 2.25, Central City Plan**, calls for encouraging continued investment within Portland's Central City while enhancing its attractiveness for work, recreation and living through implementation of the Central City Plan. This amendment supports this policy because it recognizes the investment already placed in PGE Park with intensive uses and in light rail that provides easy transit access to the facility. The amendment allows for continued success of the stadium by allowing a limited amount of Office use to complement the primary

recreation and entertainment uses. See also findings for the policies of the Central City Plan and Goose Hollow Station Community Plan.

34. **Goal 3, Neighborhoods**, calls for the preservation and reinforcement of the stability and diversity of the city's neighborhoods while allowing for increased density. This amendment supports this goal because while it does not address residential density, new Office uses at PGE Park may have minor impacts on surrounding residential neighborhoods. To that end, limited Office uses at PGE Park are only allowed with a City Council approved Good Neighbor Agreement and Comprehensive Transportation Management Plan.
35. **Goal 5, Economic Development**, calls for the promotion of a strong and diverse economy that provides a full range of employment and economic choices for individuals and families in all parts of the city. The amendment is consistent with this goal because it allows additional opportunities for economic growth within the Central City, albeit on a small scale, which adds variable economic choices for the citizens and visitors of the city. See also findings for Statewide Planning Goal, Goal 9, Economic Development.
- a) **Policy 5.1, Urban Development and Revitalization**, calls for encouraging investment in the development, redevelopment, rehabilitation and adaptive reuse of urban land and buildings for employment and housing opportunities. This amendment supports this policy because it encourages and allows investment in the development, redevelopment, and rehabilitation of PGE Park – and existing urban buildings on long since developed urban land.
  - b) **Policy 5.2, Business Development**, calls for sustaining and supporting business development activities to retain, expand and recruit businesses. This amendment supports this policy by allowing the addition of limited Office use at PGE Park that will expand business operations in the Central City.
36. **Goal 6, Transportation**, calls for developing a balanced, equitable, and efficient transportation system that provides a range of transportation choices; reinforces the livability of neighborhoods; supports a strong and diverse economy; reduces air, noise, and water pollution; and lessens reliance on the automobile while maintaining accessibility. This amendment supports this goal because PGE Park has excellent transit accessibility. The proximity of the site to a light rail line will encourage additional transit ridership from the additional Office use, thereby lowering the traffic impact of the additional use. See also findings for Statewide Planning Goals, Goal 12, Transportation.
- a) **Policy 6.6, Transit Classification**, calls for supporting a regional development composed of mixed-use centers served by a multi-modal transportation system. This amendment supports this policy because the multi-modal transportation system is in place in the Central City Plan District, and new Office uses at PGE Park will support transit use and also add to the diversity of uses found in the Central City.
  - b) **Policy 6.7, Public Transit**, calls for development of transit as the preferred form of person trips to and from the Central City, regional and town centers, and light rail stations at all times. This amendment supports this policy because it requires proximity to light rail stations as a condition for siting Office uses at PGE Park. The Office uses will also benefit from the availability of transit service during their peak operating times.
  - c) **Policy 6.18, Adequacy of Transportation Facilities, Travel Management** calls for ensuring that amendments to the Comprehensive Plan, or to land use regulations, that change allowed land uses and significantly affect a transportation facility are consistent with the

identified function, capacity and level of service of the facility. This amendment supports this policy because while it will allow a limited amount of new Office use at PGE Park, the transportation facilities are fully capable of serving the proposed uses, and the proposed amendment is fully consistent with the identified function, capacity, and level of service of the transportation facility.

37. **Goal 8, Environment**, calls for the maintenance and improvement of the quality of Portland's air, water, and land resources, as well as the protection of neighborhoods and business centers from noise pollution. This amendment supports this goal because it encourages the use of mass transit which helps preserve air and water quality by reducing the use of automobiles, and it requires a Good Neighbor Agreement that addresses potential neighborhood impacts of Office uses at PGE Park.
38. **Goal 9, Citizen Involvement**, calls for improved methods and ongoing opportunities for citizen involvement in the land use decision-making process, and the implementation, review, and amendment of the Comprehensive Plan. This proposed amendment followed the process and requirements specified in Chapter 33.740, Legislative Procedure. This amendment supports this goal as addressed (and met) under finding number 14, Statewide Planning Goal 1.
39. **Goal 10, Plan Review and Administration**, calls for periodic review of the Comprehensive Plan, for implementation of the Plan, and addresses amendments to the Plan, to the Plan Map, and to the Zoning Code and Zoning Map. This amendment supports the following policies that implement Goal 10.
- a) **Policy 10.10, Amendments to the Zoning and Subdivision Regulations**, requires amendments to the zoning and subdivision regulations to be clear, concise, and applicable to the broad range of development situations faced by a growing, urban city. The objectives of this policy are:
- A. Promote good planning by:
- Effectively and efficiently implementing the Comprehensive Plan;
  - Addressing present and future land use problems;
  - Balancing the benefits of regulations against the costs of implementation and compliance; and
  - Assuring that Portland remains competitive with other jurisdictions as a location in which to live, invest, and do business.
- B. Assure good administration of land use regulations by:
- Keeping regulations simple;
  - Using clear and objective standards where ever possible;
  - Maintaining consistent procedures and limiting their number;
  - Establishing specific approval criteria for all land use reviews;
  - Emphasizing administrative procedures for land use reviews; and
  - Avoiding overlapping reviews.
- C. Strive to improve the code document by:
- Using clear language;
  - Maintaining a clear, logical organization;
  - Using a format and page layout that eases use of the document by lay-people as well as professionals; and
  - Using tables and drawings to add clarity and to shorten the document.

This amendment supports this policy and objectives because it is clear and concise and broadens the urban uses allowed at PGE Park.

- b) **Policy 10.12, Long Range Parks Plan**, calls for the Bureau of Planning and Sustainability and the Bureau of Parks and Recreation to develop a long range parks plan for the City. This amendment supports this policy because allowing a limited amount of Office space at PGE Park supports and strengthens the facility's role in the regional parks system as a major stadium for professional sports and other events.
40. **Goal 11, Public Facilities**, includes a wide range of goals and policies:
41. **Goal 11 A, Public Facilities, General**, calls for provision of a timely, orderly and efficient arrangement of public facilities and services that support existing and planned land use patterns and densities. This amendment is consistent with this goal because allowing a limited amount of Office use at PGE Park supports and strengthens the existing primary use of the public facility.
- a) **Policy 11.4, Capital Efficiency**, calls for supporting maximum use of existing public facilities and services by encouraging higher density development and development of vacant land within already developed areas. This amendment supports this policy because it allows slightly more intense uses at PGE Park, where existing public facilities can support the more intense uses.
42. **Goal 11 F, Parks and Recreation**, calls for maximizing the quality, safety and usability of parklands and facilities. This amendment supports this goal because it recognizes PGE Park's unique role in the public Open Space System as a major public stadium. Allowing a limited amount of Office use at the facility will help the stadium be successful as a home for Major League Soccer and other events in the future.
- a) **Policy 11.46, Recreation Programs**, calls for providing recreation programs and services which include the needs of persons with disabilities and the elderly within existing resources. This amendment supports this policy because all uses at PGE Park currently meet the requirements of the Americans with Disabilities Act (ADA). New development built to support the Office use will be required to meet ADA requirements at the time of the building permit.
43. **Goal 12, Urban Design**, calls for enhancing Portland as a livable city, attractive in its setting and dynamic in its urban character by preserving its history and building a substantial legacy of quality private developments and public improvements for future generations. This amendment supports this goal because PGE Park is one of many publicly-owned urban amenities that add to the livability of Portland as a city.
- a) **Policy 12.2, Enhancing Variety**, calls for promoting the development of areas of special identity and urban character. This amendment supports this policy because PGE Park is unique to all of Portland, has a long history in the downtown area, and serves more than the immediate downtown population.

#### **Findings on the Central City Plan and Goose Hollow Station Community Plan**

Only the Central City Plan goals addressed below apply.

44. **Policy 1, Economic Development**, calls for building upon the Central City as the economic heart of the Columbia Basin, and guiding its growth to further the City's prosperity and livability. To the extent this policy applies, this amendment supports this policy because allowing a limited amount of Office use at PGE Park will assist economic development by helping to make the stadium financially

successful in its new role as a Major League Soccer facility as well as adding range of new employment opportunities in new Office uses at the stadium.

45. **Policy 4, Transportation**, calls for improving the Central City's accessibility to the rest of the region and its ability to accommodate growth, by extending the light rail system and by maintaining and improving other forms of transit and the street and highway system, while preserving and enhancing the City's livability. This amendment supports this policy because PGE Park has excellent transit accessibility. The proximity of the site to an existing light rail line will encourage additional transit ridership from the additional Office use, thereby lowering the traffic impact of the additional use. This amendment further supports this policy because it contributes to the continued success of a major event facility and attractor within the Central City and with excellent public transit access.
46. **Policy 6, Public Safety**, calls for protecting all citizens and their property and creating an environment in which people feel safe. This policy suggests the development of a "24 hour" city with active streets and storefronts to increase activity and eyes-on-the-street to reduce crime. This amendment supports this policy because it allows additional Office uses at PGE Park which will help activate the neighborhood during times where there is no event at the stadium.
47. **Policy 8, Parks and Open Spaces**, calls for building a park and open space system of linked facilities that tie the Central City districts together and to the surrounding community. This amendment supports this goal by because it recognizes PGE Park's unique role in the public Open Space System as a major public stadium. Allowing a limited amount of Office use at the facility will help the stadium be successful as a home for Major League Soccer and other events in the future.
48. **Policy 9, Culture and Entertainment**, calls for providing and promoting facilities, programs and public events and festivals that reinforce the Central City's role as a cultural and entertainment center for the metropolitan and northwest region. This amendment supports this policy because allowing a limited amount of Office use at PGE Park supports and strengthens the existing primary use of the public facility as the primary outdoor major event entertainment stadium for sports and other events within the region.
49. **Policy 15, Goose Hollow**, calls for protecting and enhancing the character of Goose Hollow by encouraging new housing, commercial and mixed-use development which retains or enhances a sense of community while improving the urban infrastructure to support a more pleasant and livable community. The policy encourages supporting mixed-use projects centering on the Stadium and Jefferson Street light rail stations and emphasizing the SW 18<sup>th</sup> Avenue linear corridor with retail and other uses. The plan calls for replacing the blank exterior walls of the stadium between Yamhill and Salmon with active uses where possible. This amendment supports this policy as it will allow a wider mix of uses at the stadium to be open for business when there is no major event at the stadium.

NOW, THEREFORE, the Council directs:

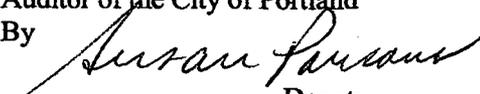
- a. The Planning Commission Report and Recommendation: *Amendment to the Zoning Code to Allow a Limited Amount of Office Use at PGE Park* dated October 20, 2009 (Exhibit A) is hereby adopted;
- b. Based on the Planning Commission Report and public testimony, Chapter 33.510.115.B of Title 33, Planning and Zoning is amended as shown on page 7 of Exhibit A, *Amendment to the Zoning Code to Allow a Limited Amount of Office Use at PGE Park* dated October 20, 2009;
- c. The commentary in the Planning Commission Report is hereby adopted as legislative intent and as further findings.

Passed by the Council: FEB 03 2010

Mayor Sam Adams  
Prepared by: Karl Lisle  
Date Prepared: October 26, 2009

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By

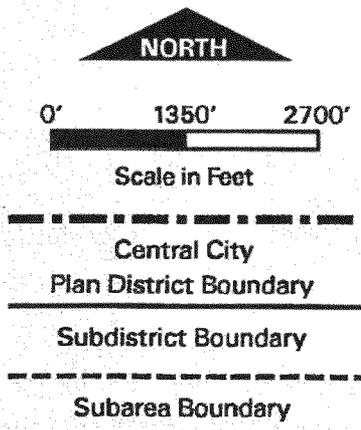
  
Deputy



**LEGEND**

 OS Sites Where Additional Uses Are Allowed

Map Revised Dec. 5, 2008



**Map 510-10**  
**Areas Where Additional Uses**  
**are Allowed in the OS Zone**

Map 1 of 2

Exhibit A

**PLANNING COMMISSION  
REPORT AND RECOMMENDATION**

**Amendment to the Zoning Code to Allow a Limited  
Amount of Office Use at PGE Park**

**OCTOBER 20, 2009**



City of Portland Bureau of  
**Planning and Sustainability**  
Sam Adams, Mayor | Susan Anderson, Director

**Portland City Council**

Sam Adams, Mayor  
Nick Fish, Commissioner  
Amanda Fritz, Commissioner  
Randy Leonard, Commissioner  
Dan Saltzman, Commissioner

**Portland Planning Commission**

Don Hanson, President  
André Baugh  
Amy Cortese  
Lai-Lani Ovalles  
Michelle Rudd  
Howard Shapiro  
Jill Sherman  
Chris Smith  
Irma Valdez

**Bureau of Planning and Sustainability**

Susan Anderson, Director  
Joe Zehnder, Chief Planner

**Staff Contact Information**

Karl Lisle, Bureau of Planning and Sustainability, (503) 823-4286  
Amy Ruiz, Office of Mayor Sam Adams, (503) 823-3578

The Bureau of Planning and Sustainability is committed to providing equal access to information and hearings. If you need special accommodation, please call 503-823-7700 (TTY 503-823-6868)

### **Summary**

The City of Portland is working with Peregrine, LLC to transform PGE Park into the home of a new Major League Soccer franchise. Peregrine, LLC has proposed including a sports medicine clinic and associated medical offices in the renovation plans. These medical facilities would serve both athletes using the stadium and the public.

PGE Park is in an Open Space (OS) zone, where Office uses—including medical offices and sports medicine clinics—are prohibited. An amendment to the Zoning Code is required to allow this use. Without an amendment to the Zoning Code, the clinic and offices could still be built at PGE Park, but the services would not be available to the general public; the facility would need to be operated only as an ancillary use to the operation of the stadium. The proposed amendment would allow the clinic and offices to operate as a separate entity, regardless of events taking place at the stadium.

The Planning Commission recommends allowing up to 15,000 square feet of Office space to be developed within the PGE Park site. This is equivalent to about 5% of the 6.95 acre site area, or about 3/8<sup>th</sup> of a typical Portland block. Only PGE Park will be affected by the proposed change; no other sites in the City will be affected.

### **Background**

The base zoning at PGE Park is Open Space (OS). The OS zone is primarily intended for parks and natural areas. PGE Park is large public stadium that was constructed in 1926. Though the stadium is publicly owned, its primary uses are commercial in nature: Major Event Entertainment and Commercial Outdoor Recreation. Commercial Outdoor Recreation is a conditional use in the OS zone, and Major Event Entertainment is prohibited. Because of this situation, Zoning Code Section 33.510.115 specifically allows these uses at PGE Park provided a number of conditions are met. Conditions include a current, City Council-adopted Good Neighbor Agreement and a current, City Council-adopted Comprehensive Transportation Management Plan. These two documents are intended to ensure that the impacts of events at the stadium on the surrounding neighborhoods are addressed and, where necessary, mitigated. The current Good Neighbor Agreement and Comprehensive Traffic Management Plan have been in effect since 2000. They will both be revised and updated as part of the renovations to the stadium to accommodate Major League Soccer.

### **Proposal**

Staff examined several options that would allow a sports medicine clinic and associated medical offices to operate at PGE Park. Options considered included:

1. Restricting the use of the medical facility to athletes using the stadium; this would make the facility an allowed use.
2. Finding a site adjacent to or near the stadium (with zoning that would allow Office) for the medical clinic.
3. Changing the base zone of the site to CX (Central Commercial); this would make Office an allowed use.
4. Allowing Office use as Conditional Use at PGE Park.
5. Amending the special exceptions for PGE Park already in the Zoning Code to allow a limited amount of Office use at the site.

Option 1 (restricted access to the medical facility) does not meet the development program requirements desired by Peregrine, LLC because the on-site medical clinic and offices provide a valuable financial and sponsorship opportunity for PGE Park, but only if they can serve a larger population beyond teams and users of the stadium.

Option 2 (nearby location) does not meet the development program requirements desired by Peregrine, LLC because the medical facility as envisioned must be located within the stadium to adequately serve athletes and teams using the stadium.

Option 3 (zone change) would allow the medical clinic at the site, but would also allow a broader range of uses on the site without review or restriction; these other uses might have significant negative impacts on the neighborhood. A zone change could easily undermine the various conditions and restrictions that currently apply to the site.

Option 4 (conditional use) would require a separate review process and fee for approval of any Office use at the stadium. However, the approval criteria are tailored to typical Open Space areas (parks and natural areas), and are poorly suited to the unique situation of PGE Park.

Since PGE Park is a unique site and already has a set of particular requirements in the Zoning Code, Option 5 (amending the existing code section on exceptions to allow some Office use in addition to Major Event Entertainment and Commercial Outdoor Recreation) is the most practical approach.

#### **Recommendation**

The Planning Commission recommends allowing a maximum of 15,000 square feet of Office use at PGE Park. This amount is roughly 5% of the site area (or about  $3/8^{\text{th}}$  of the area of a typical Downtown block) and is sufficient to allow a sports medicine clinic and associated medical offices. This limit is low enough to avoid significant transportation concerns and ensures that the primary function of the site will continue to be a public stadium.

Because the Good Neighbor Agreement and the Comprehensive Transportation Management Plan must be updated to allow the Office use, they are ideal tools to address any concerns about the new Office uses. Restrictions placed on Office uses through the Good Neighbor Agreement may be as specific as necessary and may address a wide range of potential issues.

Peregrine, LLC and the City are currently working with the area neighborhood associations to amend the Good Neighbor Agreement and Comprehensive Transportation Management Plan for operation of the stadium and address the impacts of Major League Soccer, other events, and the proposed sports medicine clinic at PGE Park.

The proposed renovation of PGE Park will also be subject to a separate Type III Design Review process with a separate public hearing before the Design Commission. That process will address the design and building materials of the renovated facility.

[INTENTIONALLY LEFT BLANK]

**Recommended Amendment to the Zoning Code****Commentary**

This section details the proposed changes to portions of the Zoning Code. Language added to the Zoning Code is underlined. Language deleted from the Zoning Code is shown in ~~strikethrough~~

**33.510.115.B**

This code amendment adds language to 33.510.115.B to allow up to 15,000 square feet of Office use at PGE Park. PGE Park is the only site in Portland that meets the requirements in 33.510.B.3.b and so is the only site to which this section applies.

The requirements of 33.510.115.C (the Good Neighbor Agreement) and 33.510.115.D (the Comprehensive Transportation Management Plan) are not changed by this amendment.

Map 510-10, 1 of 2 is not changed by this amendment. It is included here for reference only. Because PGE Park is the only site on Map 510-10 larger than 5 acres in area, it is the only site to which 33.510.115.B applies.

## AMEND CHAPTER 33.510, CENTRAL CITY PLAN DISTRICT

**33.510.115, Additional Uses Allowed in the Open Space Zone****A. Purpose. [No change]****B. Additional uses allowed.** The following uses are allowed on sites in the OS zone that are also shown on Map 510-10:

1. One Retail Sales and Service use such as flower, food and drink stands, and other similar pedestrian-oriented uses, per site is allowed. The floor area of the use may be up to 2,500 square feet, but no larger than 5 percent of the area of the site.
2. Parking that is totally below grade and existed as of February 9, 2000; and
3. The uses listed in B.3.a are allowed on sites that meet the requirements of B.3.b. Adjustments to this paragraph are prohibited. Major Event Entertainment and Commercial Outdoor Recreation uses that comply with the standards of Chapter 33.262, Off-Site Impacts, are allowed on sites that:

a. Uses allowed:

- (1) Major Event Entertainment;
- (2) Commercial Outdoor Recreation; and
- (3) Up to 15,000 square feet of Office.

b. Requirements for sites where uses in B.3.a are proposed:

- ~~a-~~(1) The site must be ~~Are~~ at least 5 acres in area;
- ~~b-~~(2) The site must be ~~Are~~ within 500 feet of a Transit Station;
- ~~(3)~~ The standards of Chapter 33.262, Off-Site Impacts, must be met;
- ~~e-~~(4) The site must ~~h~~Have an unexpired Good Neighbor Agreement that is approved by City Council as described in 33.510.115.C, below;
- ~~d-~~(5) The site must ~~h~~Have a Comprehensive Transportation Management Plan that is approved by City Council as described in 33.510.115.D, below; and
- ~~e-~~(6) If the site is not managed by the owner, the site must have an Operating Agreement that is approved by City Council.

~~-1548-1593-1688~~  
~~-614178~~

Agenda No. **183517**  
**ORDINANCE NO. 183517**  
 Title

**Amendment to the Zoning Code to Allow a Limited Amount of Office Use at PGE Park.**  
 (Ordinance; amend Code Chapter 33.510)

<b>INTRODUCED BY</b> Commissioner/Auditor: <b>MAYOR SAM ADAMS</b>	<b>CLERK USE: DATE FILED</b> <u>NOV 06 2009</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Adams <i>MA</i>	LaVonne Griffin-Valade Auditor of the City of Portland  By: <i>[Signature]</i> Deputy  <b>ACTION TAKEN:</b> NOV 12 2009 <b>CONTINUED TO</b> NOV 18 2009 10:30 AM <del>TIME/CERTAIN</del> NOV 18 2009 <b>CONTINUED TO</b> DEC 02 2009 10:30 AM <b>TIME/CERTAIN</b> DEC 02 2009 <b>CONTINUED TO</b> JAN 06 2010 9:30 AM <b>TIME/CERTAIN</b> JAN 06 2010 <b>PASSED TO SECOND READING</b> JAN 27 2010 9:30 A.M. JAN 27 2010 <b>CONTINUED TO</b> FEB 03 2010 9:30 A.M.
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Leonard	
<b>BUREAU APPROVAL</b> Bureau: Planning and Sustainability Bureau Head: Susan Anderson, Director <i>[Signature]</i>	
Prepared by: Karl Lisle Date Prepared: October 26, 2009	
<b>Financial Impact Statement</b> Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/>	
<b>Portland Policy Document</b> If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date November 12, 2009	
City Attorney Approval: <i>[Signature]</i>	

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input checked="" type="checkbox"/> Start time: <u>9:30 am</u>  Total amount of time needed: <u>30 min</u> (for presentation, testimony and discussion)
<b>CONSENT</b> <input type="checkbox"/>
<b>REGULAR</b> <input checked="" type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz		✓
2. Fish	✓	
3. Saltzman	—	—
4. Leonard	✓	
Adams	✓	



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised 12/31/09)

## Board Clerk Use Only

**Meeting Date:** 03/04/2010  
**Agenda Item #:** R-10  
**Est. Start Time:** 10:15 AM  
**Date Submitted:** 02/18/2010

**Agenda Title:** **First Reading and Possible Adoption of an ORDINANCE Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Land Use Code Revisions to Update Zoning Provisions applicable to the South Waterfront Subdistrict in Compliance with Metro's Functional Plan and Declaring an Emergency**

*Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.*

**Requested Meeting Date:** March 4, 2010      **Amount of Time Needed:** 5 mins  
**Department:** Community Services      **Division:** Land Use & Transportation  
**Contact(s):** Adam Barber  
**Phone:** 503 988-3043      **Ext.** 22599      **I/O Address:** 455/116  
**Presenter(s):** Kevin Cook

## General Information

**1. What action are you requesting from the Board?**

Adopt the ordinance as recommended by the Portland Planning Commission and Portland City Council.

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

On October 11, 2001 the Board adopted Ordinance 967 (effective date January 1, 2002) adopting, in summary, the Portland Comprehensive Plan and zoning ordinance. The County and the City of Portland have been engaged in agreements enabling the City of Portland to provide planning services to achieve compliance with the Metro Functional Plan for those areas outside the City limits, but within the urban growth boundary and urban service boundary of Portland. Since the adoption of Ordinance 967 and subsequently Ordinance 997, the attached ordinances have been passed by the Portland City Council and therefore the County must adopt them pursuant to our intergovernmental agreement to keep the code up to date. Multnomah County and the City of

Portland entered into an Intergovernmental Agreement (IGA) to transfer land use planning responsibilities on January 1, 2002. The IGA lays out a process requiring the County to ensure that any amendments to the City's comprehensive plan, zoning code and other regulations adopted by the City Council will be considered by the County Board of Commissioners at the earliest possible meeting. It also states "The County Board of Commissioners shall enact all comprehensive plan and code amendments so that they take effect on the same date specified by the City's enacting ordinance" (unless adopted by emergency). The City will have taken action on all of the above items by the hearing date of this ordinance. If the County does not adopt these amendments, the IGA will be void and the County will be required to resume responsibility for planning and zoning administration within the affected areas.

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

N/A

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

State law requires a notice be placed in a newspaper of general circulation 10 days prior (2/22/10) to the BCC hearing. We request adoption of this ordinance by emergency to closely align with the City of Portland effective date (3/4/10) as stated in the IGA. The County Attorney's office was involved in the drafting of the original IGA and has been involved in coordinating our compliance effort through adoption of these code amendments.

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

The City included the County affected property owners in their noticing for these code revisions when required pursuant to the IGA and directed them to the City legislative process.

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**Required Signature**

---

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



**Date: 02/18/2010**

---

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. \_\_\_\_\_

Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Code Revision to Update Zoning Provisions Applicable to the South Waterfront Subdistrict in Compliance with Metro's Functional Plan and Declaring an Emergency

The Multnomah County Board of Commissioners Finds:

- a. The Board of County Commissioners (Board) adopted Resolution A in 1983 which directed the County services towards rural services rather than urban.
- b. In 1996, Metro adopted the Functional Plan for the region, mandating that jurisdictions comply with the goals and policies adopted by the Metro Council.
- c. In 1998, the County and the City of Portland (City) amended the Urban Planning Area Agreement to include an agreement that the City would provide planning services to achieve compliance with the Functional Plan for those areas outside the City limits, but within the Urban Growth Boundary and Portland's Urban Services Boundary.
- d. It is impracticable to have the County Planning Commission conduct hearings and make recommendations on land use legislative actions pursuant to MCC 37.0710, within unincorporated areas inside the Urban Growth Boundary for which the City provides urban planning and permitting services. The Board intends to exempt these areas from the requirements of MCC 37.0710, and will instead consider the recommendations of the Portland Planning Commission and City Council when legislative matters for these areas are brought before the Board for action as required by intergovernmental agreement (County Contract #4600002792) (IGA).
- e. On December 3, 2009, the Board amended County land use codes, plans and maps to adopt the City's land use codes, plans and map amendments in compliance with Metro's Functional Plan by Ordinance 1150.
- f. Since the adoption of Ordinance 1150, the City's Planning Commission recommended land use code, plan and map amendments to the City Council through duly noticed public hearings.
- g. The City notified affected County property owners as required by the IGA.
- h. The City Council adopted the land use code, plan and map amendments set out in Section 1 below and attached as Exhibits 1 and 2. The IGA requires that the County adopt these amendments for the City planning and zoning administration within the affected areas.

**Multnomah County Ordains as follows:**

**Section 1.** The County Comprehensive Framework Plan, community plans, rural area plans, sectional zoning maps and land use code chapters are amended to include the City land use code, plan and map amendments, attached as Exhibits 1 and 2, effective on the same date as the respective Portland ordinance:

Exhibit No.	Description	Date
1	Ordinance to to update zoning provisions applicable to the South Waterfront subdistrict (PDX Ord. #183518)	2/03/10
2	Exhibit A South Waterfront Code & Design Guideline Update Project	2/03/10
3	Exhibit B South Waterfront & South Waterfront Greenway Design Guidelines	01/10

**Section 2.** In accordance with ORS 215.427(3), the changes resulting from Section 1 of this ordinance shall not apply to any decision on an application that is submitted before the applicable effective date of this ordinance and that is made complete prior to the applicable effective date of this ordinance or within 180 days of the initial submission of the application.

**Section 3.** In accordance with ORS 92.040(2), for any subdivisions for which the initial application is submitted before the applicable effective date of this ordinance, the subdivision application and any subsequent application for construction shall be governed by the County's land use regulations in effect as of the date the subdivision application is first submitted.

**Section 4.** Any future amendments to the legislative matters listed in Section 1 above, are exempt from the requirements of MCC 37.0710. The Board acknowledges, authorizes and agrees that the Portland Planning Commission will act instead of the Multnomah Planning Commission in the subject unincorporated areas using the City's own procedures, to include notice to and participation by County citizens. The Board will consider the recommendations of the Portland Planning Commission when legislative matters for County unincorporated areas are before the Board for action.

**Section 5.** An emergency is declared in that it is necessary for the health, safety and general welfare of the people of Multnomah County for this ordinance to take effect concurrent with the City code, plan and map amendments. Under section 5.50 of the Charter of Multnomah County, this ordinance will take effect in accordance with Section 1.

FIRST READING AND ADOPTION:

March 4, 2010

BOARD OF COUNTY COMMISSIONERS,  
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Sandra N. Duffy, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Department of Community Services

## **EXHIBIT LIST FOR ORDINANCE**

1. Ordinance to update zoning provisions applicable to the South Waterfront subdistrict (PDX Ord. #183518).
2. Exhibit A South Waterfront Code & Design Guideline Update Project
3. Exhibit B South Waterfront & South Waterfront Greenway Design Guidelines

Prior to adoption, this information is available electronically or for viewing at the Multnomah County Board of Commissioners and Agenda website ([www.co.multnomah.or.us/cc/WeeklyAgendaPacket/](http://www.co.multnomah.or.us/cc/WeeklyAgendaPacket/)). To obtain the adopted ordinance and exhibits electronically, please contact the Board Clerk at 503-988-3277. These documents may also be purchased on CD-Rom from the Land Use and Transportation Program. Contact the Planning Program at 503-988-3043 for further information.

ORDINANCE No.

Amend Portland Zoning Code and South Waterfront Design Guidelines to improve process to implement the South Waterfront Greenway Development Plan and to update and correct several zoning provisions applicable to the South Waterfront subdistrict.

(Ordinance; Amend City Code Chapter 33)

The City of Portland Ordains:

Section 1. The Council finds:

**General Findings**

1. *The South Waterfront Code & Design Guideline Update Project* (ordinance) amends the Zoning Maps applicable to the South Waterfront subdistrict in a manner consistent with the Comprehensive Plan and Comprehensive Plan Map and the amendments do not change other land use regulations applicable outside the subdistrict. Thus, the following Comprehensive Plan goals, policies, and objectives are applicable to the amendments for the reasons stated below.
2. Portland Comprehensive Plan Goal 10, Plan Review and Administration, states that the Comprehensive Plan will undergo periodic review to ensure that it remains an up-to-date and workable framework for land use development. The amendments proposed by this ordinance update elements of the Central City Plan District applicable to the South Waterfront subdistrict and correct an existing error in the code as well as update the code to reflect existing conditions and changes that have occurred since 2002 when the *South Waterfront Plan* was adopted by City Council.
3. The *South Waterfront Greenway Development Plan – Phase I, Design Component*, adopted by Ordinance 36273 on December 8, 2004, directed the Bureau of Planning to “initiate a legislative process to codify the GMP (Greenway Master Plan, also know as Greenway Development Plan or GDP) as an option to greenway development standards of the South Waterfront sub-district of the Central City Plan District of the Portland Zoning Code.”
4. Ordinance 36273 also directed the Portland Development Commission (PDC), in consultation with a stakeholder advisory committee called the Partnership Group, to develop an implementation strategy to inform the final Greenway Master Plan process. Ordinance 36273 also directed that “an inter-bureau core team, including the Bureau of Planning, Portland Development Commission, Portland Parks and Recreation, Bureau of Development Services, with assistance from the Bureau of Environmental Services and Portland Office of Transportation, and stakeholders create a South Waterfront Greenway Master Plan for Council approval. The completed Master Plan will include a design component, implementation strategy and codification.” The amendments proposed by this current ordinance satisfy the codification portion of this directive and the ordinance includes other amendments consistent with Comprehensive Plan Goal 10, as stated above.
5. Beginning in 2005 and continuing through 2009, the Bureau of Planning (now Bureau of Planning and Sustainability or BPS) coordinated with the Partnership Group, the North Macadam Urban Renewal Advisory Committee, PDC, Parks, PBOT, BES, BDS, and the

Portland Design Commission, Portland Planning Commission, as well as other interested stakeholders, in the development of a revised process to codify the GDP option. This process was coordinated with the larger effort lead by PDC to create the Greenway Master Plan and the stakeholders identified above where are consulted in the development of the additional amendments proposed by this ordinance not related to the GDP option.

6. BPS also developed the amendments proposed by this ordinance through a series of public work sessions and briefings with Portland Development Commission and Partnership Group and North Macadam Urban Renewal Advisory Committee were periodically briefed on the progress of these public sessions with the Design Commission.
7. Technical advice was provided by representatives of state, regional, and city agencies that were consulted periodically throughout the planning process to provide input on regulatory and public facility service issues affecting or affected by the plan. These individuals also assisted in evaluating the technical aspects of the plan to determine the feasibility of plan proposals.
8. The *South Waterfront Code & Design Guideline Update Project* was published August 2009 and contained (1) Zoning Map Amendments; (2) Zoning Code Amendments; and, (3) amendments to the South Waterfront Design Guidelines and South Waterfront Greenway Design Guidelines.
9. The amendments proposed implement or are consistent with the Statewide Planning Goals, the Oregon Transportation Planning Rule, the Region 2040 Plan, the Metro Urban Growth Management Functional Plan, and the Portland Comprehensive Plan, as explained in this ordinance. These rules, policies, plans, provide a basis for the amendments and policies proposed by the plan.
10. On July 30, 2009, notice of the proposed action was mailed to the Department of Land Conservation and Development in compliance with the post-acknowledgement review process required by OAR 660-18-020.
11. As per Title 33.740.020, written notice of the September 17, 2009, Portland Design Commission public hearing on the *South Waterfront Code & Design Guideline Update Project* and updates to the *South Waterfront Design Guidelines* was mailed on August 14, 2008. Written notice of the September 22, 2009, Portland Planning Commission public hearing on the project was mailed on August 17, 2009. Notice required by ORS 227.186 was sent to all property owners potentially affected by proposed Zoning Map and Zoning Code changes on September 1, 2009.
12. On September 17, 2009, the Portland Design Commission held a hearing regarding the design-related issues of the proposed amendments as well as new development standard requiring the location of Retail Sales and Service Uses in the South Waterfront subdistrict. The Design Commission forwarded this package to the Planning Commission with a recommendation that they be adopted as presented.
13. On September 22, 2009, the Portland Planning Commission held a public hearing on the proposed amendments. At the hearing, the Planning Commission accepted public testimony, proposed Zoning Code amendments, and directed staff to amend the element of the proposal regarding the new development standard requiring the location of Retail Sales and Service Uses in the South Waterfront subdistrict. The amendment lifted a requirement that the

standard be applicable to two specific locations along the greenway, while retaining the requirement at two other greenway location and all landward locations shown on Map 510-21 of the Zoning Code. The project as amended was adopted by the Planning Commission and forwarded to City Council with a recommendation that the package of amendments be adopted as amended.

14. Written notice of the December 2, 2009, City Council public hearing on the *South Waterfront Code & Design Guideline Update Project* was mailed per title 33.740.030.B on November 6, 2009 to 798 people, including the city-wide legislative list and the project mailing list consisting of Partnership Group members, interested stakeholders, and those that have provided written or oral testimony at Planning and/or Design Commission public hearings, and self-selected citizens from open houses, emails, the project website, phone calls, etc.

### Findings on Statewide Planning Goals

- \* **Goal 1, Citizen Involvement**, requires provision of opportunities for citizens to be involved in all phases of the planning process. The preparation of these amendments has provided numerous opportunities for public involvement, including:
  - a) Project staff attended 16 Partnership Group meetings beginning in February 2, 2005 where the codification component of the Greenway Master Plan was discussed and began to evolve into a final series of amendments to implement the GDP.
  - b) Project staff also briefed members of the North Macadam Urban Renewal Advisory Committee (URAC) regarding the amendments as meeting held on August 9, 2007, April 10, 2008, and July 9, 2009. Staff was also attended numerous other URAC meetings to answer questions regarding this package of amendments as the package was being developed.
  - c) In coordination with the South Waterfront North District Partnership process, BPS staff attended meetings with the South Portland Neighborhood Association and Southwest Neighborhoods Incorporated to discuss how the *South Waterfront Code & Design Guideline Update Project* would propose amendments to address the street plan amendments proposed by the North District Partnership process and to introduce the other amendments proposed by the *South Waterfront Code & Design Guideline Update Project*.
  - d) On September 3, 2009, a public open house was held at the offices of BPS to present the amendments proposed by the *South Waterfront Code & Design Guideline Update Project* and answer questions and take additional public input on the amendments prior to the first public hearing on the package with the Portland Design Commission.
  - e) Due to increased interest in the project, a second open house event was held at the John Ross Tower in South Waterfront on September 9, 2009. The entire package of amendments was presented but the focus of the open house was on the new development standard requiring the location of Retail Sales and Service Uses in the South Waterfront subdistrict.

- f) During the development of the *South Waterfront Code & Design Guideline Update Project* a mailing list was produced for the project that included all people on the City of Portland's legislative mailing list, people on mailing lists for previous projects in South Waterfront, people on PBOT's mailing lists for South Waterfront, and people requesting to be on an expanded mailing list regarding projects in South Waterfront. The mailing list contains 293 people.
  - g) During the development of the *South Waterfront Code & Design Guideline Update Project*, BPS maintained a website that tracked the development of the NPDP. The site was one source of information announcing PAG meetings, open house events, the design charrette, and briefings, work sessions, and hearings with the Portland Landmarks, Design, and Planning Commissions. The web site also was used to post PAG meeting agendas, meeting minutes, project reports and other background documents.
  - h) During the development of the *South Waterfront Code & Design Guideline Update Project*, five briefings with the Portland Design Commission were held to provide background information on and take input on the development of the proposed amendments to the Zoning Code and *South Waterfront Design Guidelines*. Notices of these briefings were posted by the Bureau of Development Service and BPS as their web sites and members of the public were provided an opportunity to testify at each of these briefings.
  - i) During the development of the *South Waterfront Code & Design Guideline Update Project*, two briefings with the Portland Planning Commission were held to provide background information on and take input on the development of the proposed amendments to the Zoning Code and *South Waterfront Design Guidelines*. Notices of these briefings were posted by the BPS on its web site.
  - j) On July 30, 2009, a 45 day public notice was sent to the Oregon Department of Land Conservation and Development and Metro announcing the first evidentiary hearing of the NPDP. The hearing was with the Portland Design Commission held September 17, 2009.
  - k) On August 3, 2009, the staff recommended version of the *South Waterfront Code & Design Guideline Project* were published for public review.
  - l) On August 14, 2008, a written notice of the September 17, 2009, Portland Design Commission public hearing on the *South Waterfront Code & Design Guideline Update Project* and updates to the *South Waterfront Design Guidelines* was mailed to all people on the new South Waterfront legislative mailing list.
  - m) On August 17, 2009, written notice of the September 22, 2009, Portland Planning Commission public hearing on the project was mailed to all people on the new South Waterfront legislative mailing list.
  - n) On September 1, 2009, a notice required by ORS 227.186 was sent to all property owners potentially affected by proposed Zoning Map and Zoning Code changes.
15. **Goal 2, Land Use Planning**, requires the development of a process and policy framework that acts as a basis for all land use decisions and assures that decisions and actions are based on an understanding of the facts relevant to the decision. The amendments support this goal

because the proposed Zoning Code amendments contain procedures that were followed and criteria that have been satisfied for the development and adoption of the *South Waterfront Code & Design Guideline Update Project* and related implementing measures. The amendments are also supportive of this goal because the required legislative process as described in Portland City Code 33.740 was followed. In addition, the applicable approval criteria for legislative Comprehensive Plan Map Amendments, described in 33.810; for Goal, Policy, and Regulation Amendments, described in 33.835; for Zoning Map Amendments, described in 33.855; and Adoption Criteria for establishment of a plan district, described in 33.500, have been evaluated and satisfied as described in the findings below.

16. **Goal 5, Open Space, Scenic and Historic Areas, and Natural Resources**, requires the conservation of open space and the protection of natural and scenic resources. The amendments support this goal because the components related to the implementation of the GDP provide additional incentives and procedures to implement greenway improvements in South Waterfront that enhance riparian habitat and create a greenway open space track that on average is approximately 125' in depth and extends 6,500'. The amendments also encourage the development of river view points and over looks along the greenway.
17. **Goal 8, Recreational Needs**, requires satisfaction of the recreational needs of both citizens and visitors to the state. The amendments support this goal because the components related to the implementation of the GDP provide additional incentives and procedures to implement greenway improvements that include bicycle and pedestrian trails, river view points and over looks, and gather and recreation spaces along the entire 6,500' of greenway in South Waterfront.
18. **Goal 9, Economic Development**, requires provision of adequate opportunities for a variety of economic activities vital to public health, welfare, and prosperity. The amendments support this goal because they remove an unintended prohibition on the development of hotels in the South Waterfront. This specific amendment will support economic in the district because hotels will support local retail as well as future institutional and commercial uses in the district. These amendments also remove a housing requirement applicable to the Central District of South Waterfront that made proposals to development commercial and institutional land uses that support economic development, harder to accomplish because proposals would need to seek waivers to this requirement.
19. **Goal 11, Public Facilities and Services**, requires planning and development of a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for development. The amendments support this goal because the zoning maps applicable to the South Waterfront subdistrict are amended to reflect the new adopted street plan for the district which will ensure public and private entities proposing work with South Waterfront have accurate guidance in the location and extent of the system of public-right-of way serving the subdistrict.
20. **Goal 12, Transportation**, requires provision of a safe, convenient, and economic transportation system. The amendments support this goal because the amendments reflect the new adopted street plan for the district which is intended to accommodate new light rail service into the subdistrict and establish street alignments that better encourage

redevelopment, while better facilitating vehicle, bicycle, pedestrian, and streetcar circulation through South Waterfront.

21. The Oregon Transportation Planning Rule (TPR) was adopted in 1991 and amended in 1996 and 2005 to implement State Goal 12. The TPR requires certain findings if the proposed [Comprehensive Plan Map amendment, Zone Change, regulation] will significantly affect an existing or planned transportation facility. This proposal will not have a significant effect on existing or planned transportation facilities because the amendments do not allow for additional development potential or transportation impacts not already considered for South Waterfront. Although the amendments do allow for hotels, the trips generated and associated impacts by this land use are the same that the City of Portland assumes when analyzing impacts for residential land uses. Thus, nothing proposed by this package of amendments has not be considered in the past nor increases the intensity of impacts previously considered.
22. **Goal 15, Willamette River Greenway**, requires protection, conservation, enhancement and maintenance of the natural, scenic, historic, agricultural, economic, and recreational qualities of lands along the Willamette River. The amendments support this goal because the amendments create a new and improved option to make Willamette Greenway improvements within the Zoning Code that includes a holistic and comprehensive strategy to enhance riparian and shallow water habitat, better buffers between development and natural areas, an integrated trail and open space network, and the establishment of new view points and overlooks.

#### **Findings on Metro Urban Growth Management Functional Plan**

23. **Title 1, Requirements for Housing and Employment Accommodation**, requires that each jurisdiction contribute its fair share to increasing the development capacity of land within the Urban Growth Boundary. This requirement is to be generally implemented through citywide analysis based on calculated capacities from land use designations. The amendments are consistent with this title because they do not significantly alter the development capacity of the city and may in fact increase the development capacity because they remove barriers to some commercial and commercial mixed-use development. Thus, the amendments are consistent with this title.
24. **Title 2, Regional Parking Policy**, regulates the amount of parking permitted by use for jurisdictions in the region. This title is already addressed by the Portland Zoning Code and the City's Transportation System Plan which set limits for the number of parking spaces required and allowed for different uses and areas along transit corridors. The plan furthers this goal by promoting a compact urban form supported by enhanced transit system (light rail) and pedestrian and bicycle circulation system. Thus the amendments are consistent with this title.
25. **Title 3, Water Quality, Flood Management and Fish and Wildlife Conservation**, protects the public's health and safety by reducing flood and landslide hazards, controlling soil erosion and reducing water pollution by avoiding, limiting, or mitigating the impact of

development on streams, rivers, wetlands, and floodplains. The amendments applicable to the Willamette Greenway are consistent with this title as they proposed new procedures to implement greenway improvements designed to create more stable riverbank conditions, improve riparian health, and encourage a wider greenway setback and enhancement areas in the South Waterfront subdistrict. (Also see findings for Comprehensive Plan Goal 8, Environment.)

26. **Title 4, Industrial and Other Employment Areas**, limits retail and office development in Employment and Industrial areas to those that are most likely to serve the needs of the area and not draw customers from a larger market area. This title does not apply to these amendments because subdistrict does not contain industrial or employment zoned lands.
27. **Title 7, Affordable Housing**, ensures opportunities for affordable housing at all income levels, and calls for a choice of housing types. This title does not apply to these amendments as those amendments relevant to housing development in the district do not change how housing affordability or diversity is regulated or the overall plan goals and policies toward housing in the district.

#### **Findings on Portland's Comprehensive Plan Goals**

Only the Comprehensive Plan goals addressed below apply.

28. **Goal 1, Metropolitan Coordination**, calls for the Comprehensive Plan to be coordinated with federal and state law and to support regional goals, objectives and plans. The amendments support this goal because the Department of Land Conservation and Development, who has acknowledged the City's Comprehensive Plan, has been notified of the Zoning Code amendments. Also see findings for Policy 1.4 below.
- a) **Policy 1.4, Intergovernmental Coordination**, requires continuous participation in intergovernmental affairs with public agencies to coordinate metropolitan planning and project development and maximize the efficient use of public funds. The amendments support this policy because a number of other government agencies were notified of this proposal and given the opportunity to comment. These agencies include the Oregon Department of Land Conservation and Development, Oregon Department of Transportation, Multnomah County, Metro, and TriMet.
29. **Goal 2, Urban Development**, calls for maintaining Portland's role as the major regional employment and population center by expanding opportunities for housing and jobs, while retaining the character of established residential neighborhoods and business centers. The amendments support this goal because they retain the ability to develop housing, remove barriers to the development of commercial, institutional, and mixed-use projects, and assist in improving access to transit within the subdistrict.
- a) **Policy 2.6, Open Space**, calls for opportunities for recreation and visual relief by preserving Portland's parks, golf courses, trails, parkways and cemeteries and to establish a loop trail that encircles the city, and to promote the recreational use of the

city's rivers, creeks, lakes and sloughs. These amendments are consistent with this policy as they improve a path to optional greenway enhancements that promote a segment of the loop trail network along the Willamette River as well as recreational amenities and activities along the greenway.

- b) **Policy 2.7, Willamette River Greenway Plan**, calls for the implementation of the Willamette River Greenway Plan which preserves a strong working river while promoting recreation, commercial and residential waterfront development along the Willamette River south of the Broadway Bridge. These amendments are supportive of this policy because they enhance the greenway in South Waterfront to meet the broad objectives of the Willamette River Greenway Plan and the South Waterfront Greenway to create recreational opportunities while also encouraging a mix of land uses and development along the interface with the greenway.
  - c) **Policy 2.25, Central City Plan**, calls for continued investment within Portland's Central City while enhancing its attractiveness for work, recreation and living. This policy further calls for implementation of the Central City Plan through coordinated development that provides aid and protection to Portland's citizens, and enhances the Central City's special natural, cultural and aesthetic features. The amendments support this policy because they provides incentives to create a more diverse range of land uses and an option to make greenway improvements that include various amenities that would enhance the character and livability within the South Waterfront subdistrict.
30. **Goal 3, Neighborhoods**, calls for the preservation and reinforcement of the stability and diversity of the city's neighborhoods while allowing for increased density. The amendments support this goal because the amendments do not reduce the residential densities currently allowed in the subdistrict but do promote the development of recreation and open space amenities, mixed-use development, and greater access to transit which is intended to improve livability and make the subdistrict more attractive to continued residential development.
31. **Goal 4, Housing**, calls for enhancing Portland's vitality as a community at the center of the region's housing market by providing housing of different types, density, sizes, costs and locations that accommodates the needs, preferences, and financial capabilities of current and future households. The amendments are consistent with this goal because they do not amend existing South Waterfront policies, regulations, or incentives to residential density, diversity or affordability.
32. **Goal 5, Economic Development**, calls for the promotion of a strong and diverse economy that provides a full range of employment and economic choices for individuals and families in all parts of the city. The amendments are consistent with this goal because remove barriers to the development of commercial and institutional land uses in the subdistrict.
- a) **Policy 5.1, Urban Development and Revitalization**, calls for encouraging investment in the development, redevelopment, rehabilitation and adaptive reuse of urban land and buildings for employment and housing opportunities. These amendments support this policy because they encourage redevelopment and investment on former brownfield areas with the Central City.

- b) **Policy 5.4, Transportation System**, promotes a multi-modal regional transportation system that encourages economic development. These amendments support this policy as they facilitate the expansion of light rail service into the subdistrict and promote a greenway option that includes expanded bicycle and pedestrian trail development and connections.
- c) **Policy 5.11, Science and Technology Quarter**, calls for the establishment of a Science and Technology Quarter (recently also referred to as the Innovation Quarter) as the core of the region's biomedical, bioscience and bioengineering industries and advance these industries by encouraging and capitalizing on the strengths of Portland's academic and medical institutions and the region's technology sector. These amendments are consistent with this policy as they remove barriers to commercial and institutional development in the district that would support this quarter and facilitate the expansion of a light rail alignment that will link three primary components of the Science and Technology Quarter: Portland State University; South Waterfront; and, the Oregon Museum of Science and Industry.
33. **Goal 6, Transportation**, calls for developing a balanced, equitable, and efficient transportation system that provides a range of transportation choices; reinforces the livability of neighborhoods; supports a strong and diverse economy; reduces air, noise, and water pollution; and lessens reliance on the automobile while maintaining accessibility. The amendments are consistent this goal because they support an amended street plan that facilitates the expansion of a light rail alignment into South Waterfront, creates a more developable block structure, encourages the development of an expanded and enhance bicycle and pedestrian circulation system, and extends the subdistricts multi-modal transportation system.
- a) **Policy 6.22, Pedestrian Transportation**, calls for planning and completing a pedestrian network. The amendments support of this policy as they promote the expansion and enhancement of the pedestrian network serving the subdistrict as well as new pedestrian connections to adjacent areas on the west and east side of the Willamette River.
- b) **Policy 6.23, Bicycle Transportation**, calls for making the bicycle an integral part of daily life in Portland, particularly for trips of less than five miles, by implementing a bikeway network, providing end-of-trip facilities, improving bicycle/transit integration, encouraging bicycle use, and making bicycling safer. The amendments support this policy they support and encourage expanded bicycle connections within the subdistrict and to adjacent areas west and east of the Willamette River.
- c) **Policy 6.24, Public Transportation**, supports development of a public transportation system that conveniently serves city residents and workers. The amendments support this policy because they facilitate the expansion of light rail service into South Waterfront and across the Willamette River to Southeast Portland and down to the southern boundary of the city with Clackamas County.
- d) **Policy 6.40, Southwest Transportation District**, calls for amendments to address outstanding transportation issues in the Southwest District through studies and multimodal improvements, and use the transportation policy and objectives in the

Southwest Community Plan to evaluate potential changes to the street system. Objective A of this policy further calls for the use of the Willamette Shore Line right-of-way to provide future streetcar commuter service or light rail in the Macadam Corridor. The amendments support this policy and objective as they facilitate expansion of light rail service into the Willamette Shore Line right-of-way, relocated the existing streetcar alignment within the adjacent Moody Avenue right-of-way, and expand transit service and multi-modal connects in the Southwest Transportation District consistent with adopted policy.

34. **Goal 8, Environment**, calls for the maintenance and improvement of the quality of Portland's air, water, and land resources, as well as the protection of neighborhoods and business centers from noise pollution. The amendments support this goal as stated below under Policy 8.11, Special Areas – Willamette River Greenway.
- a) **Policy 8.11, Special Areas**, calls for recognition of unique land qualities and adopt specific planning objectives for special areas. One of the identified special areas is the Willamette River Greenway where there is a directive to protect and preserve the natural and economic qualities of lands along the Willamette River through implementation of the city's Willamette River Greenway Plan. The amendments support these policies because they enhance the greenway improvement options in the code specific to the South Waterfront greenway to create enhance habitat conditions, expanded recreational opportunities, and improved greenway conditions that will support mixed-use waterfront development while preserving and enhancing natural conditions along the riverbank.
35. **Goal 9, Citizen Involvement**, calls for improved methods and ongoing opportunities for citizen involvement in the land use decision-making process, and the implementation, review, and amendment of the Comprehensive Plan. This project followed the process and requirements specified in Chapter 33.740, Legislative Procedure. The amendments support this goal for the reasons found in the findings for Statewide Planning Goal 1, Citizen Involvement.
36. **Goal 10, Plan Review and Administration**, calls for periodic review of the Comprehensive Plan, for implementation of the Plan, and addresses amendments to the Plan, to the Plan Map, and to the Zoning Code and Zoning Map. The amendments support the following policies that implement Goal 10.
- a) **Policy 10.10, Amendments to the Zoning and Subdivision Regulations**, requires amendments to the zoning and subdivision regulations to be clear, concise, and applicable to the broad range of development situations faced by a growing, urban city. The objectives of this policy are:
- Objectives:**
- A. Promote good planning by:
- Effectively and efficiently implementing the Comprehensive Plan;
  - Addressing present and future land use problems;
  - Balancing the benefits of regulations against the costs of implementation and compliance; and

- Assuring that Portland remains competitive with other jurisdictions as a location in which to live, invest, and do business.

**B. Assure good administration of land use regulations by:**

- Keeping regulations simple;
- Using clear and objective standards where ever possible;
- Maintaining consistent procedures and limiting their number;
- Establishing specific approval criteria for all land use reviews;
- Emphasizing administrative procedures for land use reviews; and
- Avoiding overlapping reviews.

**C. Strive to improve the code document by:**

- Using clear language;
- Maintaining a clear, logical organization;
- Using a format and page layout that eases use of the document by lay-people as well as professionals; and
- Using tables and drawings to add clarity and to shorten the document.

These amendments support this policy and objectives because they are clear and concise, correct conflicts between adopted policy and implementing development standards, and implement improve implementation procedures applicable to development throughout the South Waterfront subdistrict.

- b) **Policy 10.13, Design Review**, calls for development of recommendations for City Council consideration for additional areas where design review would be appropriate and preparation of design review standards for both existing and proposed areas. The amendments support this policy because they updated the South Water Design Guidelines and South Waterfront Greenway Design Guidelines to address improve procedures and options for greenway improvements while also reformatted the overall guideline document to make them easier for applicants and administrators to use.

37. **Goal 11, Public Facilities**, includes a wide range of goals and policies:

38. **General Goal 11 A** calls for provision of a timely, orderly and efficient arrangement of public facilities and services that support existing and planned land use patterns and densities. The amendments support this goal by facilitating the development of new transit service, light rail, an enhanced street plan, expanded bicycle and pedestrian circulation system, and new options for greenway improvements that would provide amenities supportive of existing and new residential and employment related land uses in the subdistrict.

39. **Goal 11 B, Public Rights-Of-Way**, calls for improvements to the quality of Portland's transportation system. The amendments support this goal by facilitating amendments to the South Waterfront street plan that is being realigned to accommodate light rail service, expanded streetcar service, and an enhanced and more comprehensive network of bicycle and pedestrian connections and trails.

40. **Goal 11 F, Parks And Recreation**, calls for preservation of parks and open space, and equitable allocation of active and passive recreation opportunities. The amendments support this goal by providing enhanced options for greenway improvements that among many objectives would expand public access and recreation opportunities through new trail development and recreational amenities throughout the South Waterfront greenway.
- a) **Policy 11.46, New Parkland**, calls for increased supply of parkland, giving priority to: areas where serious geographic and service level deficiencies exist, land acquisition necessary to complete the "Forty Mile Loop" system, and acquisition of lands appropriate for development. The amendments indirectly support this policy as the Greenway Development Plan option that is enhanced by these amendments contains provisions whereby public trail improvements related to the "Forty Mile Loop" are developed and public recreational opportunities within South Portland, and area currently deficient in park and recreational lands, is enhanced and expanded.
41. **Goal 12, Urban Design**, calls for enhancing Portland as a livable city, attractive in its setting and dynamic in its urban character by preserving its history and building a substantial legacy of quality private developments and public improvements for future generations. The amendments support this goal by improving the South Waterfront Design Guidelines documents as well as enhancing specific design guidelines to better guide the creation of an urban form and greenway and open space improvements that increase the attractiveness and livability in the subdistrict.
- a) **Policy 12.4, Provide for Pedestrians**, calls for providing a pleasant, rich, and diverse experience for pedestrians which includes comfortable, safe, and attractive pathways. The amendments support this policy because they facilitate improved trail and pedestrian connections through the implementation of enhanced greenway conditions and a new street plan for the subdistrict. Further, the amends propose new development standards and design guidelines intended to enhance the public realm and increase the character and enjoyment of the pedestrian environment.
- b) **Policy 12.7, Design Quality**, calls for enhancing Portland's appearance and character through development of public and private projects that are models of innovation and leadership in the design of the built environment. The amendments support this policy because they facilitate the Greenway Development Plan option within the code, which are intended to result in a superior greenway design. The amendments are include an overhaul of the South Waterfront Design Guidelines, including enhancements to the text and graphics that provide design guidance, with the intent of improving the appearance, character and experience of architecture and

#### **Findings on South Waterfront Plan**

42. **Central City Policy 21: South Waterfront**, calls for the creation of a vibrant urban neighborhood connected with and enriched by a clean and healthy river. The amendments support this policy because they facilitate the implementation of an enhance street network that includes expanded light rail and streetcar service, improved bicycle and pedestrian circulation, enhanced greenway improvements including expanded public recreational

opportunities, and improved design guidance intended to create a dynamic urban form and public realm of superior design quality and character.

43. **South Waterfront, Land Use and Urban Form Policy**, calls for the creation of a distinctive riverfront neighborhood of exceptional urban character with a diversity of jobs and housing. The amendments support this policy because the amendments improve the design guidance in the subdistrict while removing barriers to some land uses that can contribute to a vibrant mixed-use waterfront neighborhood.
44. **South Waterfront, Greenway and Parks Policy**, calls for the creation of an exemplary open space network that embraces the river as the district's "front yard" and provides a range of urban amenities, beauty and ecological functions. The amendments support this policy because they enhance the Greenway Development Plan option by amending applicable development standards and design guidelines with the intent of creating a comprehensive and holistic greenway design that incorporates habitat enhancements, expanded trail system, and new public recreation opportunities.
45. **South Waterfront, Transportation Policy**, supports the development of a multimodal transportation system serving residents, employees and visitors to and within this urban district, with strong connections to the Willamette River and the greenway. The amendments support this policy because they facilitate the implementation of an enhance street network that includes expanded light rail and streetcar service, improved bicycle and pedestrian circulation, as well as enhanced greenway improvements including an expanded public network of bicycle and pedestrian trails.
46. **South Waterfront, District-wide Environmental Design Policy**, calls for improvements to environmental conditions in the district through the design of sites, buildings, the transportation system and parks, greenway and open space. The amendments support this policy because enhanced greenway option facilitated by these amendments would result more comprehensive and holistic approach to conducting habitat enhancement activities in the subdistrict and would expand these activities over a wider area of the greenway. These amendments also facilitate the expansion of the district multi-modal transportation network, providing alternative to single occupancy vehicle trips or trips associated with any kind of vehicle solely dependent on fossil or carbon based fuels.

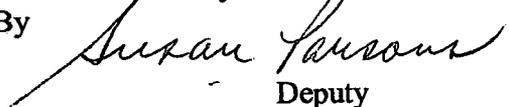
NOW, THEREFORE, the Council directs:

- a. Title 33 of the Code of the City of Portland, Oregon is hereby amended as shown in the *Portland Planning Commission Recommended Zoning Code Amendments: South Waterfront Code and Design Guidelines Update Project*, dated September 22, 2009 (Exhibit A);
- b. Title 33 of the Code of the City of Portland, Oregon is hereby amended as shown in the *South Waterfront Design Guidelines and South Waterfront Greenway Design Guidelines, City Council Revised Recommendation*, January 2010 (Exhibit B); and
- c. The commentary in the *Portland Planning Commission Recommended Zoning Code Amendments: South Waterfront Code and Design Guidelines Update Project* (Exhibit A) is hereby adopted as legislative intent and as further findings.

Passed by the Council: FEB 03 2010  
Mayor Sam Adams  
Prepared by: Troy Doss  
Date Prepared: February 3, 2010

LaVonne Griffin-Valade  
Auditor of the City of Portland

By

  
Deputy

~~-1637~~ ~~-121~~ 179

Agenda No.  
**ORDINANCE NO. 183518** As Amended  
Title

Amend Portland Zoning Code and South Waterfront Design Guidelines to improve process to implement the South Waterfront Greenway Development Plan and to update and correct several zoning provisions applicable to the South Waterfront subdistrict. (Ordinance; Amend City Code Title 33)

<b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Sam Adams</b>	CLERK USE: DATE FILED <u>NOV 27, 2009</u>
<b>COMMISSIONER APPROVAL</b>	LaVonne Griffin-Valade Auditor of the City of Portland
Mayor—Finance and Administration - Adams <i>[Signature]</i>	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	By: <u><i>Susan Parsons</i></u> Deputy
Position 4/Safety - Leonard	
<b>BUREAU APPROVAL</b>	<b>ACTION TAKEN:</b>
Bureau: Planning and Sustainability Bureau Head: Susan Anderson, Dir <i>[Signature]</i>	<b>DEC 02 2009 PASSED TO SECOND READING JAN 27 2010 10:15 AM</b> <b>TIME CERTAIN</b>
Prepared by: Troy Doss Date Prepared: November 9, 2009	<b>JAN 27 2010 PASSED TO SECOND READING As Amended FEB 03 2010</b> <b>9:30 A.M.</b>
Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date November 25, 2009	
City Attorney Approval <i>[Signature]</i>	

**AGENDA**

**TIME CERTAIN**   
Start time: December 2, 9:30 am

Total amount of time needed: \_\_\_\_\_  
(for presentation, testimony and discussion)

**CONSENT**

**REGULAR**   
Total amount of time needed: \_\_\_\_\_  
(for presentation, testimony and discussion)

45 min

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	—	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	



**MULTNOMAH COUNTY**  
**AGENDA PLACEMENT REQUEST** (revised 09/22/08)

<b>Board Clerk Use Only</b>	
<b>Meeting Date:</b>	<u>03/04/2010</u>
<b>Agenda Item #:</b>	<u>R-11</u>
<b>Est. Start Time:</b>	<u>10:20 AM</u>
<b>Date Submitted:</b>	<u>02/19/2010</u>

<b>Agenda Title:</b>	<b>Board Briefing following up on Resolution 2010-004 Directing the Department of Community Services to Investigate the Use of Alternative Construction Methodologies for the Sellwood Bridge Replacement Project</b>
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*Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.*

<b>Requested Meeting Date:</b>	<u>March 4, 2010</u>	<b>Amount of Time Needed:</b>	<u>90 minutes</u>
<b>Department:</b>	<u>Community Services</u>	<b>Division:</b>	<u>Land Use &amp; Transportation</u>
<b>Contact(s):</b>	<u>Michael Eaton</u>		
<b>Phone:</b>	<u>503-988-3757</u>	<b>Ext.</b>	<u>247</u>
		<b>I/O Address:</b>	<u>446</u>
<b>Presenter(s):</b>	<u>Ian Cannon</u>		

**General Information**

**1. What action are you requesting from the Board?**

This Board Briefing is a follow-up to the January 7, 2010 Resolution 2010-004 which directed the Department of Community Services to investigate various methods for project delivery for the Sellwood Bridge Replacement Project. The Department of Community Services will present an analysis of the benefits and drawbacks of the various methodologies and will provide a staff recommendation to the Board of County Commissioners.

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

The Sellwood Bridge is deteriorated after approximately 80 years of service, and now has a vehicle weight limit of 10 tons maximum. TriMet buses and most trucks are excluded from using the bridge. Approximately 30,000 vehicles cross the narrow two-lane bridge each day.

Multnomah County has conducted a planning process for resolving the bridge problems. An Environmental Impact Statement will be submitted shortly to the Federal Highway Administration for their approval. After the Record of Decision is given, the County may proceed with design of the bridge.

There are alternative project delivery methods for large construction projects other than the low-bid method which is required of public sector entities by state procurement law unless an exemption is sought. These alternative methodologies include the Design/Build and Construction Management/General Contractor methods.

The Department of Community Services will explore these and other methodologies in order to make a final recommendation to the Board of County Commissioners in accordance with Oregon and County procurement requirements.

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

The resolution has no direct cost implication.

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

State law permits alternative project delivery methods other than low-bid. ORS 279C.335 requires that the Board (acting as the Public Contract Review Board) issue an exemption from the public improvement contracting procedures. In addition, the Federal Government through the FHWA must authorize any Federal Aid project to use any alternative delivery methodology. Further, the County is seeking but does not yet have certification to directly administer federal-aid projects. The certification is required before the County can proceed with consideration of use of an alternative methodology for the project's delivery.

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

In compliance with ORS 279C.335, the Bridge Section will prepare findings and, if necessary, make an exemption request. If an exemption request is made, the County will publish notice of the hearing on the exemption. A public hearing is required before the Public Contract Review Board may authorize use of any process other than low bid. The Bridge Section will comply with any Federal notice or other requirements with respect to the exemption request.

The Project has had an extensive public involvement process that will continue into the Design and Construction Phases. The Public Involvement work began with an outreach program that contacted over 100 civic organizations. A Community Task Force has included 20 stakeholders representing a broad range of interest groups. In addition, the process has involved our partners, the City of Portland, Metro, ODOT, and FHWA, as well as other impacted jurisdictions, Clackamas County, TriMet, and the Oregon Legislature.

The Policy Advisory Group (PAG), comprised of elected officials from 10 local jurisdictions, discussed and eventually approved 6 key decision points in the course of arriving at the Preferred Alternative. Public engagement, such as open houses, surveys, and public hearings were held prior to these milestones. As a result, the project has enjoyed widespread public support and consensus.

Future decisions that will consider public participation are: bridge type, architectural treatment, railings, lighting, surface textures and others.

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**Required Signature**

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



**Date: 02/18/2010**

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BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. 2010-004**

Directing the Department of Community Services to Investigate the Use of Alternative Construction Methodologies for the Delivery of the Sellwood Bridge Replacement Project

**The Multnomah County Board of Commissioners Finds:**

- a. Multnomah County owns and maintains the Sellwood Bridge in the City of Portland which is nearing the end of its service life and in the long-term requires replacement.
- b. The County secured federal and state funding for the public planning and decision-making process which included development of an environmental impact statement in compliance with federal regulations of the National Environmental Policy Act.
- c. On October 22, 2009 the Board enacted a vehicle registration fee that will generate approximately \$127 million for the Sellwood Bridge Replacement Project
- d. By Resolution 09-022 the Board approved a Locally Preferred Alternative with Conditions on February 19, 2009.
- e. The County, through its Department of Community Services, is preparing to move forward with the design and construction of the Sellwood Bridge Replacement Project (Project) pending receipt of Record of Decision.

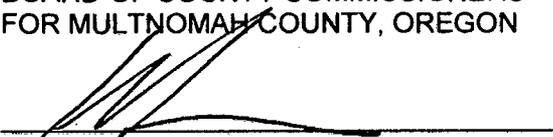
**The Multnomah County Board of Commissioners Resolves:**

That the Department of Community Services is directed to investigate and complete a comparative analysis of the use Low Bid, the Construction Manager / General Contractor method and the Design / Build method to deliver the Sellwood Bridge Replacement Project and, in compliance with ORS Chapter 279C, to report to the Board its proposed findings for the Board's consideration at a future meeting.

ADOPTED this 7th day of January 2010.

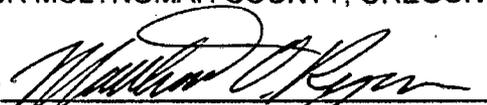


BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By 

Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:  
Ted Wheeler, Chair

Approved as to form:

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Approved as to form:

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# Analysis of Alternative Contracting Methods

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## **INTRODUCTION**

This document was prepared in response to Resolution No. 2010-004 dated January 7, 2010 that directed the Department of Community Services to prepare an analysis of Alternative Contracting Methods for the Sellwood Bridge Replacement Project to include the Design/Bid/Build (D/B/B), Design/Build (D/B), and Construction Manager/General Contractor (CM/GC) methods.

This document includes the following major sections:

- Introduction
- Project Status
- Description of Contracting Methods
- Comparison of Contracting Methods
- Staff Recommendation

## **PROJECT STATUS**

The Sellwood Bridge project produced a Draft Environmental Impact Statement in November 2008. The Board of County Commissioners selected a preferred alternative in February 2009. The project team has refined the preferred alternative and drafted a Final Environmental Impact Statement (FEIS). The FEIS draft is currently being reviewed by the Federal Highway Administration (FHWA). In addition, several other documents and processes are in progress that are essential before FHWA will issue a Record of Decision (ROD) for this project. The ROD is expected in late summer or early fall of 2010. The ROD signifies the end of the planning phase of the project. After the ROD, Preliminary Engineering, acquisition of Right of Way, and Construction phases can begin.

Although the Preferred Alternative defines major elements of the project, there are several areas of the project where decisions remain. These include:

- The exact configuration and scope of facilities on the Westside;
- How the Lake Oswego to Portland Streetcar project will be accommodated;
- What accommodations will be made for streetcar accessing the new bridge;
- What type of bridge will be built;
- What architectural features will be included in the new bridge and other elements of the project;
- What streetscape amenities will be included;

- The exact extent of right of way necessary for the project (either temporary or permanent);
- How surface water from the project area will be managed.

Some of these elements will be determined through a public involvement process run by the project. Other elements will be decided through negotiations between Multnomah County and other agencies (sponsors of other projects) as the designs of the other projects develop. The Lake Oswego to Portland Streetcar and the possible Tacoma Streetcar are at different stages of project development from the Sellwood Bridge project. The Lake Oswego to Portland project is starting its environmental phase and has not yet issued a Draft Environmental Impact Statement. The planning for the streetcar line across the Sellwood Bridge and along Tacoma Street is at the very early conceptual stage. Neither of these projects is as advanced in their development as is the Sellwood project. This creates challenges for the design of the Sellwood Bridge project.

The timing of ROW certification (the time when all necessary ROW has been secured) adds another area of schedule uncertainty to the project. Right of Way (ROW) acquisition for the project has not started. As mentioned earlier, this effort can not begin until after the FHWA has issued the ROD for the project. This project as defined by the preferred alternative will necessitate the acquisition of numerous properties. Some of the property will be needed permanently for the project; other parcels will only be required during construction of the project. It is not known at this time if any of the parcels will be unusually difficult to acquire. However, the timing of ROW acquisitions is uncertain due to the many variables and the sensitive nature of ROW acquisition.

The Sellwood Project is a large project with a high level of technical complexity. In the preferred alternative the County committed to only minimal closures of the Tacoma Street Corridor to traffic. It is anticipated that the bridge will be constructed in phases so that traffic can be maintained throughout the project. The South half will be built first, then the old bridge will be demolished, and the North half of the bridge will be constructed. In addition to the bridge, the interchange at Highway 43 will also need to be constructed in phases to coordinate with the construction of the bridge and to coordinate with the modifications to Highway 43.

The west hillside also presents complex technical issues. The site is a historic landslide. The west slope moved approximately 3 feet between 1925 and 1960. Measurements indicate that the slope continues to move between 1/8" and 1/4" per year. Mitigating this slide condition will require advance geotechnical engineering and construction. This work must be sequenced appropriately with other work on the project.

Additional complexity is added by the congestion on the west side of the project. Demands in the constrained area include the bridge and interchange, streetcar tracks and station, a multiuse path, a habitat park, riparian areas, access for the floating home community, and Highway 43.

The project will require permits from numerous agencies including the Army Corps of Engineers, National Marine Fisheries Service, City of Portland, United States Coast Guard, and Oregon Department of State Lands. The requirements included in these permits will need to be negotiated with the various agencies and will increase the technical complexity of the project. These requirements are frequently specific to particular means and methods of construction.

## **DESCRIPTION OF CONTRACTING METHODS**

Research on contracting methods was conducted by the project team and Central Procurement and Contract Administration. Research included literature review, interviewing experts from construction, engineering, and other owner agencies. Other owner agencies include the Oregon Department of Transportation, TriMet, Utah Department of Transportation, and Florida Department of Transportation. Presentations were made to the Board of County Commissioners by Larry Gescher of Slayden Construction and by Dan Blocher of TriMet.

### **Design/Bid/Build**

Design/Bid/Build (D/B/B) is the traditional method of project delivery for most public works contracts. In this method the owner agency creates a set of plans and specifications for the project using either County engineers or external consulting engineers. On the Sellwood Project the County would hire an engineering consulting firm to produce the plans and specifications for the County. The engineering firm is selected based on qualifications. When the plans and specifications are complete they are advertised for bid. Construction contractors submit sealed bids based on the plans and specifications. On the bid opening date the bids are unsealed, and the construction contract is awarded to the contractor with the lowest bid. During the construction, the County inspects the project to insure that the work meets the requirements established in the plans and specifications.

The County used this method for the Sauvie Island Bridge Replacement.

Issues arise when site conditions are found to be other than what could be inferred from the plans and specifications, necessary work is not detailed in the plans and specifications, work described in the plans and specifications can not be built as indicated, or work described in the plans and specifications is incorrect. Contractors will typically request additional compensation for additional work or rework to address any of the situations just described. In addition, if the additional work or rework increases the duration of the project, the contractor will typically request additional compensation for costs associated with the delay, typically additional overhead.

## **Design/Build**

Design/Build (D/B) is a newer project delivery model that is being used more often in public works. In D/B, the owner develops a project design to an early stage (15% to 30%). This early design work can either be performed by owner staff or an engineering consultant. A project specification is developed. This specification includes all of the owner's requirements for the project. Then the project specification is advertised for contractors to submit statements of qualifications (SOQ's). The contractor teams with an engineering firm to submit a proposal on the project. Based on the SOQ's a short list of contractors is invited to submit proposals. In many instances, the short listed firms receive a stipend from the owner (on the Sellwood project this might be \$300k to \$600k) to develop the design (to between 30% and 50% complete) and proposals. When the proposals are submitted, the owner selects the first place firm based on their proposal. The selection criteria can include a combination of qualifications, project approach, and price. After a contract is awarded, the selected contractor/engineer team designs and then builds the project based on the original specifications.

TriMet is using this method for the Willamette River Bridge segment of the Milwaukie Light Rail project.

Issues arise when site conditions are found to be other than what could be inferred from the specifications, necessary work is not described in the specifications, work described in the specifications can not be built as indicated, or work described in the specifications is not what the owner actually wants. Contractors will typically request additional compensation for additional work or rework to address any of the situations just described. Also, if the additional work or rework increases the duration of the project, the contractor will typically request additional compensation for costs associated with the extended schedule, typically additional overhead. Since D/B contracts typically have aggressive schedules, deviations can easily result in delays that are costly to the owner.

## **Construction Manager/General Contractor**

Construction Manager/General Contractor (CM/GC) is another alternative project delivery method that is becoming more common. In this method the owner hires a design firm to perform the engineering for the project. The design firm is typically hired based on qualifications. The owner also hires a construction contractor prior to the time that design is complete. The construction contractor is hired based on qualifications and some price information (frequently proposed profit margin). The contractor may be brought in fairly early in the design process, as early as 30% design. The designer designs the project, and the contractor provides input to the design. Areas of information that the contractor can provide include constructability, construction means and methods, construction staging, and contractor cost estimates. When it is time to begin construction, the contractor is asked to provide a Guaranteed Maximum Price (GMP) for the project. This price can be negotiated. If the construction work is assigned to the contractor in phases or packages, the price for each package of work must be negotiated.

TriMet is using this method for the landside segments of the Milwaukie Light Rail Project. The City of Portland is using this method for the Eastside Streetcar project. The Oregon Department of transportation is using this method for the Willamette River Bridge project in Eugene/Springfield

Areas that complicate this method include managing the relationship between the designer and the contractor, being adequately responsive as an owner, and negotiating the price for the construction work. The last can be particularly challenging if schedule is an issue for the project. Making sure that the GMP agreed to gives good value to the owner requires significant cost estimating effort on the part of the owner or owner's support.

## **COMPARISON OF CONTRACTING METHODS**

The three project delivery methods will be compared based on a number of factors.

These include:

- Favoritism;
- Cost;
- Schedule;
- Technical complexity;
- Adaptability;
- Quality;
- Equity;
- Risk management.

Oregon State Law provides that a government entity must use the low-bid method of contract delivery unless certain requirements are met. Two of these are that the alternative method must not encourage favoritism, and the method should lead to a lower cost to the jurisdiction for the project.

### **Favoritism**

This refers to how likely it is that the contracting method will encourage favoritism in the awarding of public improvement contracts or substantially diminish competition for public improvement contracts.

**D/B/B** - A qualification based competitive process is used to select the design consultant, and a lowest bid process is used to select the construction contractor.

**D/B** - A competitive qualification and price based process is used to select the D/B team.

**CM/GC** - A qualifications based competitive selection process is used to select the design consultant, and a qualifications and price based competitive selection process is used to choose the construction contractor.

All three methods can use competitive selection procedures that do not encourage favoritism when properly administered.

### **Cost**

In general all three methods can deliver good value to the owner when properly administered on a project that is suited to the project delivery method selected. Different projects are better suited to different delivery methods, so it is necessary to look at the specific project issues and constraints to determine the likelihood of a particular method delivering a lower cost for the project.

The Sellwood Project is a technically complex project with difficult site conditions and adjacent projects that are evolving. Technical complexities include construction of a major bridge in two halves which must be joined together, construction of the project while maintaining traffic on the Tacoma Street corridor and on Highway 43, construction of a complicated interchange under traffic, close proximity to residences, and the land slide on the west side. In addition the Portland to Lake Oswego streetcar project is being designed, but the design is not as developed as the Sellwood project. There is a potential Tacoma Street streetcar project.

**D/B/B** - In D/B/B the design is not optimized for a particular contractor. The pricing is competitive at bid which causes contractors to need to use optimistic assumptions about the project. Since profit on the base bid is frequently minimized to be competitive, contractors will sometime look to change orders to improve the profitability of the project. D/B/B can handle complexity if it can be completely addressed during design. However, the evolving adjacent projects and difficult site conditions provide numerous places where the Sellwood design may be very difficult to complete on a timeline that meets the desired schedule. These potential problem areas may provide opportunities for a contractor to seek additional compensation for both extra and unforeseen work, and also for potential schedule impacts. The competitive bid price at the time of contract award might not result in the lowest total cost of the project at completion.

**D/B** - D/B is frequently not considered to be the lowest cost method of project delivery, but a method that is optimized to deliver a project within a constrained schedule. It is often used on projects where the owner is dependent on a cash flow that will only be generated once the project is delivered, when funding must be spent by a certain time, or when schedule is the utmost concern for other reasons. The selection of the D/B contractor frequently includes a price consideration. The contractor's bid is based upon the specifications provided by the owner and only partial design of the project (typically 30% to 50%). The contractor must price the project to account for the risks associated with giving a firm price based on partial design, to account for the risks associated with managing the design of the project, and the potential schedule risks (assuming a fixed delivery date). Pricing in these risks leads to a higher price to cover the risks. On a project such as the Sellwood, where there are numerous elements that may not be completely defined at 30% design, there are significant chances that a contractor will

need to seek additional compensation for changes after the contract is awarded. This additional compensation could be for extra work, unforeseen site conditions, and schedule impacts. On the other hand, the design incorporates the input of the contractor and is optimized for the particular contractor.

**CM/GC** - CM/GC does not include as direct an element of cost competition during the selection process as do D/B/B and D/B. There is usually not enough project design for a firm bid. Profit margin may be a factor in selection. Pricing for the construction packages is negotiated. On a technically complex project with an aggressive schedule and elements that are still uncertain CM/GC offers several benefits that could lead to a lower overall project cost. As with D/B, the design incorporates input from the contractor and can be optimized for the selected contractor. The ongoing input from owner, designer, and contractor into the design can result in fewer design errors or omissions. Knowledgeable cost estimating and strong auditing from the owner can provide a check against inflated prices through negotiations when work packages are assigned. Additionally, the owner can reserve the right to bid a work package if a satisfactory price can not be negotiated. An area where CM/GC can potentially provide a major benefit on a project like the Sellwood is in the avoidance of costly changes. Areas of uncertainty can be identified early in the project and managed proactively through such measures as additional investigation, appropriate schedule or cost contingency, or placing work where uncertainties exist into later work packages to allow time for issues to be resolved. These factors combine to suggest that CM/GC may well yield a lower total price at completion than the other methods on a complex, schedule constrained project like the Sellwood.

### **Schedule**

The schedule currently envisioned for the Sellwood Project involves the following major milestones. At this point in time, the schedule is aggressive, but seems feasible.

- |   |                                  |
|---|----------------------------------|
| • Public involvement                    | April 2010 to December 2011      |
| • Record of Decision                    | Late summer 2010                 |
| • Completion of Design Acceptance Phase | December 2010                    |
| • Right of Way Acquisition              | January 2011 to December 2011    |
| • Design                                | December 2010 to June 2013       |
| • Early Construction Work (River piers) | July 2012 to September 2013      |
| • South Bridge                          | September 2013 to September 2014 |
| • Old Bridge Demolition                 | September 2014 to January 2015   |
| • North Bridge Construction             | January 2015 to February 2016    |
| • Project Completion                    | October 2016                     |

Comparing the methods based on schedule involves looking at the ability to maintain the aggressive schedule and to work to meet the in-water work window of 2012. The first work for the construction of the main crossing is to install coffer dams around the locations of the in-water bridge foundations and to construct work bridges to provide

access to the coffer dams and the location of the new bridge. All of this work can only be performed during an in-water work window. The in-water work window for the Willamette River is July 1 through October 31 each year. This window is established by the National Marine Fisheries Service in order to protect threatened fish species in the river. Once the coffer dams and work bridges are installed much of the construction for the foundations and the bridge can be done "in the dry" so that it is not constrained by the in-water work window. The coffer dams and work bridges can be installed before much of the design engineering for the project is complete.

Many elements of the project have yet to be decided. These include: bridge type, bridge architectural features, configuration of rail across the bridge, layout of the Portland to Lake Oswego streetcar on the west side, the location and configuration of the streetcar station on the west side, streetcar access from the Portland to Lake Oswego line to a potential Sellwood Bridge and Tacoma Street line, and others listed in the project status section earlier.

**D/B/B** - In D/B/B the design of the project must be 100% complete prior to selection of the construction contractor. This makes it highly unlikely that the in-water construction could start in 2012. With in-water construction delayed until 2013, it is likely that completion of the project would be at least 1 year later than either D/B or CM/GC. It is likely that D/B/B would not meet the desired project schedule. The longer duration project would allow more time for inflation to impact project costs as well as extending the time that County and consultant personnel would be required to oversee the project.

**D/B** - Under D/B, all elements that the County requires for the project must be determined prior to the selection. All of the undecided elements previously mentioned would need to be determined. After the required elements are determined they must be drafted into a comprehensive project specification and request for proposals for contractors to respond to. Under D/B the selection process is typically broken into two phases: Requests for Qualifications (RFQ) and Requests for Proposals (RFP). After the RFQ is advertised, the contractors are evaluated based on their Statements of Qualifications. A short list of contractors is selected to move to the next phase. These contractors are allowed to respond to the RFP and are typically paid a stipend. The contractors develop the design for the project to the level they need to propose a firm price for the project. The entire D/B selection process can take a significant amount of time. Although the D/B process can expedite the design and construction after the selection because construction on early work can proceed as soon as those elements are designed while design of other elements continues, the long selection process and the need to wait until after essential decisions on the project are made negate much of that time advantage. It is anticipated that the overall delivery time for the D/B method would be about the same as the CM/GC method.

**CM/GC** - In CM/GC the construction contractor is selected before the design is complete. This allows the contractor to have input into the design and assist the County and designer in structuring the project for an optimal schedule. In addition, the contractor can start work on elements of the project that can be designed early. Elements of the

project that are not decided early may be phased to start later in the schedule. The ability to give the work to the contractor in packages that are subsets of the project allows significant scheduling flexibility. It is expected that the CM/GC method will allow the Sellwood project to be delivered in about the same time as D/B and a year sooner than D/B/B.

### **Technical Complexity**

The Sellwood Bridge Project is technically complex. There are numerous areas that contribute to this complexity. These are described in detail in the project status section of this document and are listed briefly here:

- Traffic management and phasing to keep traffic flowing on both the Tacoma Street and Highway 43 corridors;
- Construction of a major bridge in two halves;
- Construction of the interchange under traffic;
- Modifications to Highway 43 under traffic;
- Buildings adjacent to the bridge at the east end;
- West hill side slide;
- Congestion on the west side from Highway 43, Bike/Ped path, Park uses, Streetcar;
- Possible Streetcar on the bridge and how to get streetcar onto the bridge;
- Complex permitting.

**D/B/B** - Under D/B/B the design is completed prior to selection of the contractor. The design includes the input from the owner and the designer. This means that the complicated design and permitting issues do not incorporate contractor input. When the contractor is selected, the selection is based solely on price. Although it is possible to create pass/fail qualifications under certain circumstances, these are very difficult to implement and have limited value in screening less qualified contractors. Once the contract is under way, the technical complexities that may have created permitting and design difficulties earlier can become opportunities for contractors to claim for additional compensation and time. The ripple effects from some issues can create significant delay and extra cost. On some complex elements of work, a less qualified contractor may not be able to deliver the product necessary, which can lead to owner-contractor conflict, delay, and additional cost.

**D/B** - Under D/B, the design is completed based on input from the designer and the contractor, but only very limited input from the owner (primarily through the original requirements). The original requirements, which must be completed when the design is 30% or less complete, must adequately address all the complex issues of the project. On the Sellwood project it will be difficult or impossible to resolve all these issues that early in the design process due to the timing of the public involvement process and due to the schedule of the streetcar projects. The contractor will need to include contingency funds in his bid to account for the risks caused by the complexity. The complex site conditions and the possibility of change after contractor selection could provide opportunities for

contractor claims. These sorts of issues can create significant schedule and cost ripple effects on the project.

**CM/GC** - On a CM/GC contract the contractor is selected early in the design process, and the contractor is selected based significantly on qualifications. The complicated design and permitting issues benefit from qualified contractor input. In addition, since the contractor is made aware of complicated technical issues during the design process, the risks are better identified and can be better managed. The contractor can be involved in solving the problems proactively and will be less likely to make a claim after the fact. This protects the project from undesirable schedule and cost impacts.

### **Adaptability**

Adaptability is about the ability of the particular contracting method to incorporate changes and developments. On the Sellwood project there are a number of potential areas including:

- Developing understanding of complicated site conditions;
- The public involvement process;
- Desires from other public agency stakeholders;
- Evolution of the adjacent streetcar projects;
- Updated permitting requirements.

Due to the significant chance for change during the project a method that provides maximum adaptability to change may be more appropriate for the Sellwood project.

**D/B/B** - In the D/B/B method the project is designed to 100% and then awarded to a contractor. It is possible to accommodate change up to the time that design is complete. All elements must be designed and completely specified prior to contract award. All public involvement must be complete prior to award. After the contract is awarded, changes are implemented through construction contract change orders. Changes caused by any of the potential areas listed above could result in costly change orders and cause significant schedule delay. Since contractors must bid as low as possible to be successful winning a D/B/B contract, they will frequently look to change orders as a way to increase the profitability of the project.

**D/B** - Under the D/B method, the owner only has control until the design is about 30% complete. The contract is awarded at this stage of design. After contract award, changes can only be implemented through change orders. On D/B contracts the design and construction efforts are typically tightly scheduled. Changes can have major impacts to schedule and cost. Since the contractor is selected with a process that gives significant weight to cost, the contractors may be looking to increase project profitability through change orders. D/B is probably the least flexible of the three methods analyzed. In the case of the Sellwood project, it is anticipated that a number of issues will not be resolved until long after 30% design is complete.

**CM/GC** - CM/GC can accommodate change until 100% design. Since the work can be separated into several construction packages, work that is 100% designed early may be let for construction early. Work that is not 100% designed until later in the project can be packaged for construction later in the project. Areas of uncertainty, such as the exact alignment of the Portland to Lake Oswego streetcar through the Sellwood project area can be left until later in the project, while areas that need to be designed and constructed early, such as the in-water bridge foundations, can be designed and packaged for construction early in the project. In addition, since the contractor has input into the project decisions, the work can be scheduled and packaged to minimize cost and schedule impacts. The work packaging and areas of uncertainty are not surprises for the contractor, so claims for change are less likely. The flexibility of CM/GC is well suited to a project with an aggressive schedule and technical complexity like the Sellwood project.

### **Quality**

Quality refers to the ability of a contracting method to deliver adequate quality in design, construction methods, materials, and finishing. Design quality refers to the design adequately specifying all requirements and being efficiently constructible. Construction methods and materials refers to the contractor using methods that will yield a quality product and providing materials that meet requirements. Finishing refers to the ability of the contractor to perform adequate finish work. Examples include: drip free painting, flat roadway surfaces that ride smoothly, concrete surfaces that are flat, smooth, and free of trip hazards, and welds that are neat.

**D/B/B** - Under the D/B/B method, the design incorporates input and review from County and designer. The contractor is not involved in the design process. Decisions about cost and quality tradeoffs are made during the design process without the benefit of the contractor's information about construction cost and construction feasibility. When the construction contract is awarded, the selection is made based on price not contractor qualifications. After the construction contract is awarded, the contractor needs to minimize his work effort to provide a product that meets the established requirements in order to maximize profit. This can lead to the contractor cutting corners to increase profit. Finish quality may suffer when the contractor is squeezing productivity. The County performs quality assurance to make sure that the contractor is meeting the project specifications. In addition, if the project documents do not adequately specify quality requirements, the owner must decide between leaving the requirement out or issuing a change order to add new requirements. Also, since the contractor's qualifications are not considered during the selection process, the ability of the contractor to produce high quality work is unknown until the product is in the field. Because of the technical complexity of the Sellwood project, and the timeline for project development, there may be numerous situations where the design or construction quality is not optimized.

**D/B** - Under the D/B method of project delivery, all the cost and quality tradeoff decisions that the owner makes are prior to the contract award. Since the contract is typically awarded at around 30% design, these decisions must be made early in the

project development process. All of the quality requirements that the County has must be specified prior to contract award. After contract award, the contractor maximizes profit by performing the minimum amount of work to produce a product that meets the specification. This cost cutting may lead to quality/cost tradeoffs that are not desirable to the County. The owner must issue a change order to rectify this situation which might have schedule and cost impacts. The design after contract award includes input from the designer and the contractor, but not the County. The qualifications of the design/construction team are considered during the selection process. In addition, the team relationship between the designer and the contractor will probably lead to a constructible design with few errors. The County oversees conformance to the original specifications. Because of the technical complexity of the Sellwood project, and the timeline for project development, there may be situations where the design or construction quality is not what the County would prefer.

**CM/GC** - In the CM/GC method, quality decisions are made throughout design and into construction. The design incorporates input and review from the designer, the County, and the contractor. Decisions about cost and quality tradeoffs are made in a more collaborative environment based on the best information that the designer, County, and contractor can provide. The design and specifications are reviewed by the owner and contractor for errors, omissions, and constructability. The contractor is selected based significantly on qualifications, so there is opportunity to seek information about work quality and procedures during the selection process. Since the contractor is involved during the design and in discussions about quality expectations, there is an expectation that this will carry into the work in the field. The County also performs quality assurance to make sure that field work conforms to the specifications and plans. The CM/GC method is well suited to provide adequate quality on a project like the Sellwood Bridge with a high level of technical complexity and an aggressive schedule. The County will have the best control over the tradeoffs between cost and quality as the project moves forward.

## **Equity**

Equity refers to the ability to incorporate innovative methods into the project delivery that will expand the participation of diverse populations in the construction of the project. Federal regulations and Oregon Department of Transportation (ODOT) rules place requirements on the project around equity. These same rules and regulations also include constraints. In addition, the County is subject to the Mattson decision, which limits the ability of the County to implement an affirmative action program on its public works projects, except where required by Federal regulations. This legal and regulatory framework creates a challenging environment to implement an equity program.

**D/B/B** - Under the D/B/B method of project delivery, equity requirements will be included in the project specifications. The goals will be set by the ODOT. Previous history or other contractor qualifications regarding equity are not considered. There is no negotiation after the selection process, and few opportunities for innovative approaches.

**D/B** - In the D/B contracting method goals set by the ODOT will also be included. However, contractor qualifications may also be considered. Once the contract is awarded, the County has limited input.

**CM/GC** - CM/GC also uses contractor qualifications during selection. In addition, the County is involved as the project develops. Goals for each work package may be set by the ODOT, but work may be able to be packaged in a way that makes it easier for smaller contractors to compete.

### **Risk Management**

Risk management refers to how the project delivery method assigns and manages risk to minimize impacts to cost and schedule.

**D/B/B** - D/B/B is the traditional project delivery method and the assignment of risk under this method is well understood by contractors, designers, and the County. There is significant experience to draw from. Under this method the owner takes on the risk for the completeness, accuracy and constructability of the design, unforeseeable site conditions, changes after contract award, and frequently inflation in commodity and fuel prices. The contractor takes the risks associated with the means and methods of construction, the construction schedule (as long as it is not impacted by an owner risk), and product availability. Since the Sellwood project includes risk items like the west hill slide, significant amounts of geotechnical construction, developing designs of the streetcar projects, and other items, there is a significant chance that some of these risks will occur. The D/B/B method does not provide many methods to mitigate these risks. If the owner risks do occur, they are handled through change orders with the attendant cost and schedule impacts.

**D/B** - Under the D/B method the owner typically takes on the risk associated with completeness and accuracy of the original specification, unforeseeable site conditions, and changes after contract award. The contractor takes on the risk associated with completeness, accuracy, and constructability of the design, means and methods of construction, the construction schedule (as long as it is not impacted by an owner risk), and product availability. The D/B method transfers some of the risk from the owner under the D/B/B method to the contractor. The contractor prices the risk management and adds contingency to cover the additional risk into the bid. If the owner risks occur under the D/B method, they are handled through change orders with the attendant cost and schedule implications.

**CM/GC** - Under the CM/GC method the risk assignment is similar to D/B/B. The owner is responsible for design, site, and change risk. The design risk is somewhat mitigated by the participation of the contractor in the design development. The contractor is responsible for construction means and methods, schedule and product availability. However, the collaborative nature of the CM/GC process allows the risks to be identified and managed explicitly. The owner, designer, and contractor can work together to identify risk items and develop strategies to mitigate and manage each item. For a

complex project like the Sellwood where there are numerous areas of risk, the CM/GC method provides significant advantages in risk management. These advantages should translate into better cost and schedule control.

### **STAFF RECOMMENDATION**

The Sellwood Bridge project is a technically complex project with an aggressive schedule and limited budget. There are difficult site conditions. Changes in requirements are likely as the project moves forward due to ongoing public involvement, stakeholder requirements, and the streetcar projects. The CM/GC method of contracting provides numerous benefits for this project relative to either the D/B/B or D/B methods.

#### **CM/GC:**

- Will not encourage favoritism in the award of public improvement contracts;
- Provides good cost control and a likelihood of cost savings to the County;
- Is well suited to technically complex projects like the Sellwood;
- Is the most adaptable of the three methods and will accommodate the anticipated changes on this project;
- Can deliver adequate quality with the County involved throughout the project in cost/quality tradeoff decisions;
- Provides opportunities for innovative approaches to equity;
- Allows the project team to proactively manage risk items to minimize impacts to cost and schedule.



**Comparative Analysis of Contracting Methods Matrix**

	Favoritism	Cost	Schedule	Technical Complexity	Adaptability	Quality	Equity	Risk Management
<p>Description</p>	<p>How likely it is that the contracting method will encourage favoritism in the awarding of public improvement contracts or substantially diminish competition for public improvement contracts</p>	<p>Whether the project can be delivered at a reasonable cost, cost surprises be minimized, and cost growth managed</p> <p>Sellwood project is technically complex with difficult site conditions and evolving adjacent projects</p>	<p>Ability to expedite the project schedule and work around in-water work windows.</p> <ul style="list-style-type: none"> <li>▪ Many elements have yet to be decided</li> <li>▪ Early work for bridge foundations only during in-water work period</li> <li>▪ Early work does not require complete project design</li> </ul>	<p>Ability to manage technical complexities of the Sellwood project including:</p> <ul style="list-style-type: none"> <li>▪ Traffic management and phasing to keep traffic flowing during construction</li> <li>▪ Building the bridge in halves</li> <li>▪ Difficult site conditions</li> <li>▪ Numerous facilities on west side, congested</li> <li>▪ Streetcar on bridge</li> <li>▪ Complex permitting</li> </ul>	<p>Ability of process to incorporate changes and developments due to:</p> <ul style="list-style-type: none"> <li>▪ Developing understanding of site conditions</li> <li>▪ Public involvement process</li> <li>▪ Stakeholder desires</li> <li>▪ Adjacent project evolution</li> </ul>	<p>Ability of contracting method to deliver adequate quality design, construction, and finishing</p>	<p>Incorporation of innovative methods to expand participation of diverse populations in construction of the project</p> <p>County constrained by:</p> <ul style="list-style-type: none"> <li>▪ ODOT regulations</li> <li>▪ FHWA regulations</li> <li>▪ Mattson decision</li> </ul>	<p>How method manages project risks to minimize impacts</p>
<p><b>Design Bid Build</b></p>	<ul style="list-style-type: none"> <li>▪ Selection based on lowest responsive bid</li> <li>+ Does not encourage favoritism</li> </ul>	<ul style="list-style-type: none"> <li>▪ Design not optimized for contractor</li> <li>+ Pricing competitive at bid</li> <li>▪ Incentive for change orders</li> <li>▪ Significant chance for cost increases post selection</li> </ul>	<ul style="list-style-type: none"> <li>▪ Design must be complete prior to construction</li> <li>▪ Probably one year longer than D/B or CM/GC</li> </ul>	<ul style="list-style-type: none"> <li>▪ Design completed without contractor input</li> <li>▪ Contractor selected solely based on price</li> <li>▪ Numerous areas where project will NOT benefit from contractor input</li> <li>▪ Complexity creates opportunities for contractor to claim, ripple effects</li> <li>▪ Selection does not ensure that contractor is well qualified</li> </ul>	<ul style="list-style-type: none"> <li>▪ Can accommodate change to 100% design (during design phase)</li> <li>▪ Limited flexibility after contract award</li> <li>▪ All aspects of all elements must be completely designed and specified prior to contract award</li> <li>▪ All public involvement must be complete prior to contract award</li> <li>▪ Changes from evolving streetcar project after award could result in costly change orders</li> </ul>	<ul style="list-style-type: none"> <li>▪ Design incorporates input from County and designer, not contractor</li> <li>▪ County involved in quality decisions made prior to 100% design</li> <li>▪ Incentive to minimize costs after award since contractor builds at minimum cost to meet requirements</li> <li>▪ Contractor qualifications not considered</li> <li>+ County performs Quality Assurance</li> </ul>	<ul style="list-style-type: none"> <li>▪ Requirements included in specifications</li> <li>▪ Qualifications not considered</li> <li>▪ No negotiation after selection</li> <li>▪ Few opportunities for innovative approaches</li> </ul>	<ul style="list-style-type: none"> <li>▪ Traditional assignment of risk</li> <li>▪ County owns design, site, and change risk</li> <li>▪ Contractor owns construction risk</li> </ul>

<p><b>Design Build</b></p>	<ul style="list-style-type: none"> <li>▪ Selection based on qualifications and price</li> <li>+ Does not encourage favoritism</li> </ul>	<ul style="list-style-type: none"> <li>▪ Pricing based on partial design</li> <li>+ Competitive at bid</li> <li>▪ D/B firm owns and prices risks</li> <li>▪ After award changes may result in cost growth</li> <li>▪ Significant chance for cost increases post selection</li> </ul>	<ul style="list-style-type: none"> <li>+ Construction and design can overlap</li> <li>▪ Scope should be solid before procurement</li> <li>▪ Many elements remain to be decided</li> <li>▪ Long selection process</li> <li>▪ Ability to overlap design and construction may not compensate for delays getting to selection</li> </ul>	<ul style="list-style-type: none"> <li>+ Selection based on qualifications and price</li> <li>+ Design involves contractor input</li> <li>▪ Little County input to design after award</li> <li>▪ Original specification must adequately address complex issues up-front</li> <li>▪ Price pressure may encourage corner cutting</li> <li>+ Improves coordination between contractor and designer</li> <li>▪ Risk around complexity will be priced</li> <li>▪ Site issues and outside projects still create claims opportunities</li> </ul>	<ul style="list-style-type: none"> <li>▪ Can accommodate change to 30% design</li> <li>▪ Minimal flexibility after contract award</li> <li>▪ Any element the owner requires must be completely specified at contract award (30% design)</li> <li>▪ Public involvement must be complete prior to contract award</li> <li>▪ Changes can have major impacts to schedule and cost, ripple effects</li> <li>▪ Least flexible of the three methods</li> </ul>	<ul style="list-style-type: none"> <li>▪ Design incorporates input from designer and contractor, not County</li> <li>▪ County involved in quality decisions made prior to 30% design</li> <li>▪ Incentive to minimize costs after contract award</li> <li>+ Qualifications considered</li> <li>▪ County oversees conformance to original specifications</li> </ul>	<ul style="list-style-type: none"> <li>▪ Qualifications considered</li> <li>+ Some negotiation after selection</li> <li>▪ County has limited input after contract award</li> </ul>	<ul style="list-style-type: none"> <li>▪ County owns specification, site, and change risk</li> <li>+ Contractor owns design and construction risk</li> <li>▪ Price includes contractor insurance &amp; management of risk</li> </ul>
<p><b>Construction Manager/General Contractor</b></p>	<ul style="list-style-type: none"> <li>▪ Selection based on qualifications and some price input</li> <li>+ Does not encourage favoritism</li> </ul>	<ul style="list-style-type: none"> <li>+ Design optimized for contractor</li> <li>+ Cost input from contractor during design</li> <li>+ Ongoing value engineering</li> <li>▪ Negotiated price with checks</li> <li>+ Changes managed proactively</li> <li>+ Best opportunities to manage cost issues</li> </ul>	<ul style="list-style-type: none"> <li>+ Construction and design can overlap</li> <li>▪ Procurement prior to final scope</li> <li>+ Selection can take place prior to many project decisions being made</li> <li>+ Ability to overlap design with construction will allow early work package to occur during 2012 in-water work window</li> </ul>	<ul style="list-style-type: none"> <li>+ Engineer and contractor selection based on qualifications</li> <li>+ Design incorporates contractor and County input</li> <li>+ Complex issues can be managed explicitly</li> </ul>	<ul style="list-style-type: none"> <li>+ Can accommodate change to 100% design</li> <li>+ Can work around uncertainty</li> <li>+ Work can be phased and awarded in packages</li> <li>+ Undecided work can be included in later work packages</li> <li>+ Best opportunity to work collaboratively with contractor to minimize cost and schedule impacts from potential changes</li> </ul>	<ul style="list-style-type: none"> <li>+ Collaboration about price v. quality tradeoffs</li> <li>+ County involved in quality decisions made throughout design and into construction</li> <li>+ Cost/Quality decisions made on best information from designer, County, and contractor</li> <li>+ Qualifications based selection</li> <li>+ County performs Quality Assurance</li> </ul>	<ul style="list-style-type: none"> <li>▪ Qualifications considered</li> <li>+ Negotiation after selection</li> <li>+ County involved as project develops</li> <li>+ May provide more opportunities</li> </ul>	<ul style="list-style-type: none"> <li>▪ County owns design, site, and change risk</li> <li>+ Design risk mitigated by collaborative process</li> <li>▪ Contractor owns construction risk</li> <li>+ Risk items identified and managed individually</li> <li>+ Risk items managed proactively with input from engineer, County, and contractor</li> <li>+ Fewer surprises lead to less cost and schedule impact</li> </ul>



**Sellwood Bridge  
Project  
Delivery Methods  
Multnomah County  
Board of Commissioners**

**SELLWOOD BRIDGE**

**Project**

MULTNOMAH COUNTY

March 4, 2010

# Overview

- **Project Status**
- **Challenges**
- **Project Delivery Methods**
- **Comparison of Methods**
- **Staff Recommendation**

# Project Status

- **FEIS draft in FHWA review process**
- **Processing adoption of several agreements:**
  - **Biological Opinion (NMFS, USFWS)**
  - **Interchange Area Mgmt Plan (ODOT, City)**
  - **RTP ordinance (Metro)**
  - **Parks and Historic Mitigation Plans  
(City, ODOT, Metro, SHPO, FHWA)**
  - **Greenway Exception (City)**
- **Record of Decision expected late summer**



# Challenges

- **Limited in-water work windows**
- **Technical complexity**
  - **Traffic management and phasing**
  - **Building bridge in halves**
  - **Difficult site conditions**
  - **Complex permitting**
- **Design issues remain**
  - **Adjacent projects evolving**
  - **Public involvement**
  - **Stakeholder desires**
- **ROW acquisition not started**

# Goals

- **Manage risk**
- **Equity**
- **Involve public**
- **Cost effective**
- **Advance schedule**

# Investigation

- Interviewed experts
- Presentations to Board
- Presentations to project staff
- Literature review
- CPCA research

# **Design-Bid-Build (D/B/B) aka Low Bid**

- **County hires Engineering firm, based on qualifications, to do plans & specifications**
- **Plans are advertised for bid**
- **County hires contractor based on lowest bid after design is complete**
- **County inspects construction**

# Design-Build (D/B)

- County produces specifications for the entire project
- County hires D/B firm (includes contractor and engineer) based on qualifications and price
- D/B designs and builds the project to the original specification
- County verifies that the design and construction conform to the original specifications



# **Construction Manager / General Contractor (CM/GC)**

- **County hires engineering firm based on qualifications**
- **County hires CM/GC based on qualifications & price early in design**
- **Engineer produces plans and specifications with CM/GC review and input**
- **Work can be contracted in pieces**
- **CM/GC negotiates Guaranteed Max Price**
- **CM/GC builds the project**
- **County inspects**



# Key Comparisons

- Favoritism
- Cost
- Schedule
- Technical complexity
- Adaptability
- Quality
- Equity
- Risk management

# Favoritism

**How likely it is that the contracting method will encourage favoritism in the awarding of public improvement contracts or substantially diminish competition for public improvement contracts**

# Favoritism

- **D/B/B: Selection based on lowest responsive bid**
- **D/B: Selection based on qualifications and price**
- **CM/GC: Selection based on qualifications and some price input**

# **Favoritism - Conclusion**

**All three methods include procedures to ensure a competitive selection process that does not encourage favoritism**

# Cost

## Ability to:

- **Deliver project for a reasonable cost**
- **Minimize cost surprises**
- **Manage cost growth**

# Cost

- **D/B/B**
  - Design not optimized for contractor
  - Pricing competitive at bid
  - Incentive for change orders
- **D/B**
  - Pricing based on partial design
  - Design optimized for contractor
  - Competitive at bid
  - D/B firm owns and prices risks
  - After award changes may result in cost growth
- **CM/GC**
  - Design optimized for contractor
  - Cost input from contractor during design
  - Ongoing value engineering
  - Negotiated price with checks
  - Changes managed proactively

# **Cost - Conclusion**

**Sellwood Project is technically complex with difficult site conditions and evolving adjacent projects**

- **D/B/B – significant chance for cost increases post selection**
- **D/B – significant chance for cost increases post selection**
- **CM/GC – best opportunities to proactively manage cost issues**



# Schedule

## Ability to:

- Expedite project schedule
- Work around in-water work windows

## Considerations:

- Many elements have yet to be decided
- Early work package for bridge foundations constrained to in-water work window
- Early work packages do not require complete project design

# Schedule

- **D/B/B**
  - Design must be complete prior to selection
  - Probably one year longer than D/B or CM/GC
- **D/B**
  - All elements must be decided prior to selection
  - Scope & all requirements must be written into specifications
  - Long selection process
  - Construction and design can overlap
  - Ability to overlap design and construction may not compensate for delays getting to selection

# Schedule

- **CM/GC**
  - Procurement prior to final scope
  - Selection process can take place prior to many project decisions being made
  - Construction and design can overlap
  - Ability to overlap design and construction can allow early work package to occur during 2012 in-water work period

# Technical Complexity

Ability to manage technical complexities of the Sellwood project including:

- Traffic management and phasing to keep traffic flowing during construction
- Building the bridge in halves
- Difficult site conditions
- Congested facilities on Westside
- Streetcar on bridge
- Complex permitting



# Technical Complexity

## ▪ D/B/B

- Design completed without contractor input, expertise
- Contractor selection based on price
- Selection does not assure that contractor is well qualified
- Complexity creates opportunities for contractor to file claims, ripple effects

# Technical Complexity

## ▪ D/B

- Specifications must adequately address complex issues up-front
- Selection based on qualifications and price
- Risk (unknowns) will be priced
- Design involves contractor input, coordination
- County input limited after award
- Price pressure may encourage corner cutting
- Site issues and outside projects still create claim opportunities

# Technical Complexity

- **CM/GC**
  - Contractor selected based on qualifications
  - Incorporates input, collaboration of designer, contractor, and County
  - Complex issues can be managed explicitly

# Adaptability

**Ability of process to incorporate changes and developments due to:**

- **Developing understanding of site conditions**
- **Public involvement process**
- **Stakeholder desires**
- **Adjacent project evolution**

# Adaptability

## ▪ D/B/B

- All elements must be completely designed and specified prior to contract award
- All Public Involvement must be complete prior to contract award
- Changes easily accommodated only during design phase
- Changes (e.g. from evolving streetcar project) after contract award could result in costly change orders

# Adaptability

## ▪ D/B

- All elements the owner requires must be completely specified before contract award (at 30% design)
- Public Involvement must be prior to contract award
- Changes can have major impacts to schedule and cost
- Least flexible of three methods

# Adaptability

- **CM/GC**
  - **Change accommodated thru 100% design**
  - **Undecided work can be included in late work packages**
  - **Best possibility to work collaboratively with contractor around uncertainty to minimize cost and schedule impacts**

# Quality

**Ability of contracting method to deliver adequate quality in:**

- **Design**
- **Construction methods and materials**
- **Finishing**

# Quality

## ▪ D/B/B

- Design incorporates input/review from County and designer (but not contractor)
- Quality decisions made prior to 100% design
- Contractor qualifications not considered
- Contractor builds at minimum cost to meet requirements
- Incentive to minimize costs after contract award
- County performs Quality Assurance



# Quality

- **D/B**
  - **Quality decisions made prior to contract award**
  - **Qualifications considered**
  - **Incentive to minimize costs after contract award**
  - **Design incorporates input/review from designer and contractor (but not County)**
  - **County oversees conformance to original specifications**

# Quality

## ■ CM/GC

- Quality decisions made throughout design and into construction
- Qualifications based
- Design incorporates input/review from County, designer, and contractor
- Incorporates best available information from County, designer, and contractor
- Collaboration about price v. quality tradeoffs
- County performs Quality Assurance



# Equity

**Incorporation of innovative methods  
to expand participation of diverse  
populations in construction of the  
project**

# Equity

- **County constrained by Federal and ODOT regulations**
- **County constrained by Mattson Decision**

# Equity

- **D/B/B**
  - Requirements included in specifications
  - Qualifications not considered
  - No negotiation after selection
  - Few opportunities for innovative approaches
- **D/B**
  - Qualifications considered
  - Some negotiation after selection
  - County has limited input afterward
- **CM/GC**
  - Qualifications considered
  - Negotiation after selection
  - County involved as project develops

# Risk Management

How method manages project risks  
to minimize impacts

# Risk Management

## ▪ D/B/B

- Traditional assignment of risk
- County owns design, site, and change risk
- Contractor owns construction risk

## ▪ D/B

- County owns specification, site, and change risk
- Contractor owns design and construction risk
- Price includes contractor insurance & management of risk

# Risk Management

## ■ CM/GC

- County owns design, site, and change risk
- Design risk mitigated by collaborative process
- Contractor owns construction risk
- Risk items identified and managed individually
- Risk items managed proactively with input from engineer, County, and contractor
- Fewer surprises, less cost and schedule impact

# Staff Recommendation: CM/GC

- Does not encourage favoritism
- Cost control
- Advances schedule
- Appropriate for complex projects
- Adaptable to changes due to Public involvement, stakeholders, other projects
- Good quality
- County involvement throughout
- Opportunities to maximize equity
- Proactively manage risk items

# Questions?



1. The goals for community budget forums are to inform citizens where we are in the budget process, to educate them about priority budget issues and to gather citizen priorities and ideas to help shape budget decisions.
2. The Chair's Office and Citizens Involvement Committee (CIC) will host two forums in March to collect public input that will help shape the Chair's executive budget.

a. March 4, 6:00 to 8:00 PM, Multnomah Building, Boardroom  
**Topic Area: Creating a Safe Community**  
(Focused on county services provided by the Sheriff's Office, District Attorney, Dept. of Community Justice, and Corrections Health.)

b. March 18, 6:00 to 8:00 PM, Multnomah Building, Boardroom  
**Topic Area: Creating a Healthy Community**  
(Focused on county services provided by the Health Dept, Dept. of County Human Services, Dept of Community Services, Library Dept, Commission on Children, Families and Communities, Dept of County Management, and Office of Information Technology.)

3. Format for March 2010 Community Budget Forums:

- a. Welcome and Intros – CIC Chair Brad McLean, emcee, Chair Wheeler, other electeds and CIC members.
- b. Chair Wheeler – how input from last year's forums influenced his budget proposal.
- c. Introduce the process for the evening – Carol Ford
- d. County Services – Budget Office or Operations Council?

Educational piece: Present a list of the services and basic budget information on the services that the County provides in the topic area. Handout/materials for audience.

- e. Open space for citizen input opportunity. Citizens move around the room as they please. They can give input, talk directly to County officials and with each other.
  - Several stations set up around the room with CIC and staff volunteer facilitators. Facilitators record citizen comments on flip charts. As themes or similar suggestions come up, facilitators will group and summarize them.
  - 4 to 6 stations for main question of the forum

*What do you think are the characteristics of a safe/healthy community?  
(Topic depending on which forum.)*

*What do you think needs to happen now in Multnomah County to achieve this safe/healthy community in 5 years?*

- 1 station: Other good ideas to help the County be more efficient and effective
  - We will point out experts in the topic area and the budget, so that citizens can ask them specific questions, talk to them one-on-one. No tables set up for them.
- f. Report out by each facilitator. After all reports, the Chair, electeds or Department Directors can ask clarifying questions, give information or respond to citizen input.
  - g. Next steps in the budget process and any final comments – Brad and Ted

4. Other items

- a. Volunteer facilitators – Carol will recruit volunteers from County staff. Kathleen from CIC. Training will be just in time – prior to each forum.
- b. We'll use DCJ's culinary program to provide food. Healthy snacks for 100 people.
- c. We'll set up a space with tables for a children's activities area. Wendy Lear, Health, will coordinate with other departments.
- d. We'll set up space for Departments who want to advertise/market their County services.
- e. We'll work with Sustainability to make this a "green" meeting.
- f. CIC will schedule Spanish and Russian translators. We are planning on how to make it more user friendly for people for whom English is their second language (based on feedback received after last year's forums).
- g. Outreach and publicizing
  - Kathleen Todd, CIC will prepare a flyer that will be distributed via their community organization database. She will also work with PAO on the media release. Information will emphasize the difference between forums and public hearings to be held later in the process.
  - PAO will post community budget forum dates on County website.

5. Online Virtual Community Forum – Carol working with Tara Bowen-Biggs.

- a. Ask the same questions online as in person at live community forums.
- b. Open it Feb 22 and leave until March 26. – Give input to Ted before April 1.
- c. Tara will attend both live community forums with lap tops to show people how to use the online forum.



# Public Safety Coordinating Council Executive Committee Meeting

**Tuesday, March 2, 2010  
7:30 to 9:00 a.m.  
Multnomah Building - Room 315  
501 S.E. Hawthorne Blvd.**

<b>Introductions, Announcements &amp; Approval of the February 2, 2010 Meeting Minutes</b> <i>Chair Dan Saltzman</i>	5 minutes
<b>Report on the Mental Health System</b> <i>Karl Brimmer</i>	20 minutes
<b>Review and Approve DSS-J Strategic Action Plan</b> <i>Doug Bray &amp; Judy Shiprack</i>	20 minutes
<b>Review and Approve LPSCC's Year End Report</b> <i>Peter Ozanne</i>	30 minutes
<b>Overview of LPSCC Grant Process</b> <i>LPSCC Staff</i>	10 minutes

**NEXT MEETING – TUESDAY, APRIL 6, 2010**