



MULTNOMAH COUNTY, OREGON

BOARD OF COMMISSIONERS

Beverly Stein, Chair

1120 SW Fifth Avenue, Suite 1515

Portland, Or 97204-1914

Phone: (503) 248-3308 FAX (503) 248-3093

Email: mult.chair@co.multnomah.or.us

Diane Linn, Commission Dist. 1

1120 SW Fifth Avenue, Suite 1500

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Gary Hansen, Commission Dist. 2

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Lisa Naito, Commission Dist. 3

1120 SW Fifth Avenue, Suite 1500

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Phone: (503) 248-5217 FAX (503) 248-5262

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Sharron Kelley, Commission Dist. 4

1120 SW Fifth Avenue, Suite 1500

Portland, Or 97204-1914

Phone: (503) 248-5213 FAX (503) 248-5262

Email: sharron.e.kelley@co.multnomah.or.us

ANY QUESTIONS? CALL BOARD CLERK DEB BOGSTAD @ 248-3277

Email: deborah.l.bogstad@co.multnomah.or.us

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

JULY 14 & 16, 1998

BOARD MEETINGS

FASTLOOK AGENDA ITEMS OF INTEREST

2	Hearing on Appeal of Land Use Case
2	Briefing on County Implementation of Metro Urban Growth Management Functional Plan
3	Resolution Supporting Metro Adoption of Locally Preferred Strategy for South/North Light Rail Project
3	Resolution Supporting Metro Ordinance Regarding Housing and Affordable Housing and Creating Advisory Committee
3	Second Reading/Hearing of County Counsel Ordinance
*	Check the County Web Site: http://www.multnomah.lib.or.us

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

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

Friday, 10:00 PM, Channel 30

Sunday, 1:00 PM, Channel 30

Produced through Multnomah Community
Television

Tuesday, July 14, 1998 - 9:30 AM
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

LAND USE PLANNING MEETING

- P-1 **CU 4-98/HV 7-98 DE NOVO HEARING WITH TESTIMONY LIMITED TO 20 MINUTES PER SIDE** Regarding an Appeal of the Hearings Officer Decision Approving CU 4-98/HV 7-98 with Modifications to Condition Number Three to Require Applicant to Comply with Private Road Standards of MCC 11.15.2074(D) on Property Located at 32152 SE STEVENS ROAD, PORTLAND. 1 HOUR REQUESTED.
-

Tuesday, July 14, 1998 - 11:00 AM
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

BOARD BRIEFING

- B-1 Status Report on Multnomah County's Implementation of Metro's Urban Growth Management Functional Plan. Presented by R. Scott Pemble and City of Portland Planning Bureau Staff. 45 MINUTES REQUESTED.
-

Thursday, July 16, 1998 - 9:30 AM
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

REGULAR MEETING

CONSENT CALENDAR

SHERIFF'S OFFICE

- C-1 Package Store - Pumps Liquor License Change of Ownership for TUGBOAT TILLIE'S GALLEY, 12800 NW MARINA WAY, PORTLAND

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-2 ORDER Authorizing Amendment to Contract 15761 for Purchaser Marie A. Gonzales

REGULAR AGENDA

PUBLIC COMMENT

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

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-2 RESOLUTION Recommending that Metro Adopt the Locally Preferred Strategy for the South/North Light Rail Project

NON-DEPARTMENTAL

- R-3 RESOLUTION Supporting Metro Ordinance No. 98-769 (Burton & Washington) Amending the Regional Framework Plan Section 1.3 Regarding Housing and Affordable Housing and Creating an Affordable Housing Technical Advisory Committee
- R-4 Second Reading of an ORDINANCE Amending MCC 7.201 Relating to the Office of County Counsel

COMMISSIONER COMMENT

- R-5 Opportunity for Commissioners to Provide Informational Comments to Board and Public on Non-Agenda Items of Interest.



Beverly Stein, Multnomah County Chair

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

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

MEMORANDUM

TO: Commissioner Diane Linn
Commissioner Lisa Naito
Commissioner Gary Hansen
Commissioner Sharron Kelley
Board Clerk Deb Bogstad

FROM: R. Lyne Martin
Staff to Chair Beverly Stein

DATE: June 15, 1998

RE: Board Meeting Absences

Chair Stein will not be able to attend the Board meeting on July 16th as she will be out of town in Washington DC.

cc Delma Farrell
Bill Farver

CLERK OF
COUNTY COMMISSIONERS
98 JUN 15 PM 2:51
MULTNOMAH COUNTY
OREGON

MEMORANDUM

TO: *Chair Beverly Stein*
Commissioner Diane Linn
Commissioner Gary Hansen
Commissioner Sharron Kelley
Board Clerk Deb Bogstad

FROM: *Charlotte Comito*
Staff to Commissioner-elect Lisa Naito

DATE: *June 18, 1998*

RE: *Board Meeting Absence*

Commissioner-elect Naito will not be able to attend the Board meeting on July 16th, 1998 as she will be out of town from July 13th through July 17th.

10:10
COUNTY CLERK
JUN 18 PM 2:23
MULTI-COUNTY
OREGON

MEETING DATE:

JUL 16 1998

AGENDA #:

C-1

ESTIMATED START TIME:

9:30

(Above space for Board Clerk's Use Only)

AGENDA PLACEMENT FORM

SUBJECT: OLCC CHANGE OF OWNERSHIP

BOARD BRIEFING:

DATE REQUESTED: _____

REQUESTED BY: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING:

DATE REQUESTED: _____

AMOUNT OF TIME NEEDED: _____

DEPARTMENT: Sheriff's Office

DIVISION: _____

CONTACT: Rick Barnett

TELEPHONE: 251-2441

BLDG/ROOM #: 313/120

PERSON(S) MAKING PRESENTATION: Sergeant Brett Elliott

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

This is an OLCC Change of Ownership for:

Tugboat Tillie's Galley (formerly Fred's Marina and Snack Bar)
12800 NW Marina Way
Portland, OR 97231

98 JUL - 8 PM 3:35
CLERK OF SUPERIOR COURT
MULTNOMAH COUNTY
OREGON

The backgrounds have been checked on applicants: Robert L. Stevens and Phyllis L. Stevens and no criminal history can be found on the above.

7/16/98 ORIGINALS to Rick Barnett

SIGNATURES REQUIRED:

9/16/98 COPIES SENT TO FRANKIE DUSHMAN, OLCC
P.O. Box 22297, Milwaukee, OR. 97269-2297 &
ROBERT STEVENS, 8529 SW 45TH, Portland, OR. 97219

ELECTED

OFFICIAL: _____

(OR)

DEPARTMENT

MANAGER: J. Bradley for SGT. B. ELLIOTT.

APPLICATION

STATE OF OREGON
OREGON LIQUOR CONTROL COMMISSION

Return To:

GENERAL INFORMATION

A non-refundable processing fee is assessed when you submit this completed form to the Commission (except for Druggist and Health Care Facility Licenses). The filing of this application does not commit the Commission to the granting of the license for which you are applying nor does it permit you to operate the business named below.

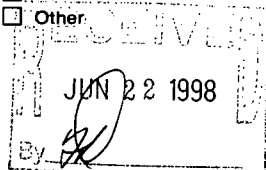
(THIS SPACE IS FOR OLCC OFFICE USE)

Application is being made for:

- ☐ DISPENSER, CLASS A
☐ DISPENSER, CLASS B
☐ DISPENSER, CLASS C
☒ PACKAGE STORE - *Pumps*
☐ RESTAURANT
☐ RETAIL MALT BEVERAGE
☐ SEASONAL DISPENSER
☐ WHOLESALE MALT BEVERAGE & WINE
☐ WINERY
 OTHER: _____
- ☐ Add Partner
☐ Additional Privilege
☐ Change Location
☐ Change Ownership
☐ Change of Privilege
☐ Greater Privilege
☐ Lesser Privilege
☐ New Outlet
☐ Other: _____

OTHER: _____

Receipt \$37.50



(THIS SPACE IS FOR CITY OR COUNTY USE)

NOTICE TO CITIES AND COUNTIES: Do not consider this application unless it has been stamped and signed at the left by an OLCC representative.

THE CITY COUNCIL, COUNTY COMMISSION, OR COUNTY

COURT OF MULTNOMAH COUNTY COMMISSION
(Name of City or County)RECOMMENDS THAT THIS LICENSE BE: GRANTED XDATE JULY 16, 1998

DENIED _____

BY Sharron Kelley
(Signature)TITLE SHARRON KELLEY, VICE-CHAIR

CAUTION: If your operation of this business depends on your receiving a liquor license, OLCC cautions you not to purchase, remodel, or start construction until your license is granted.

1. Name of Corporation, Partnership, or Individual Applicants:

- 1) ROBERT LOWELL STEVENS 2) PHYLLIS LENORE STEVENS
- 3) _____ 4) _____
- 5) _____ 6) _____

(EACH PERSON LISTED ABOVE MUST FILE AN INDIVIDUAL HISTORY AND A FINANCIAL STATEMENT)

2. Present Trade Name TUGBOAT TILLIE'S GALLEY aka FRED'S MARINA SNACKBAR3. New Trade Name TUGBOAT TILLIE'S GALLEY Year filed _____
with Corporation Commissioner4. Premises address 12800 N.W. Marina Way Portland Oregon 97231
(Number, Street, Rural Route) (City) (County) (State) (Zip)5. Business mailing address SAME _____
(P.O. Box, Number, Street, Rural Route) (City) (State) (Zip)6. Was premises previously licensed by OLCC? Yes X No _____ Year _____7. If yes, to whom: FRED'S MARINA SNACKBAR Type of license: PACKAGE8. Will you have a manager: Yes _____ No X Name _____
(Manager must fill out Individual History)9. Will anyone else not signing this application share in the ownership or receive a percentage of profits or bonus from the business? Yes _____ No X10. What is the local governing body where your premises is located? Multnomah County
(Name of City or County)11. OLCC representative making investigation may contact: Robert L. Stevens, Co-owner
(Name)
Same 285-8764 (business)
(Address) (Tel. No. — home, business, message)

CAUTION: The Administrator of the Oregon Liquor Control Commission must be notified if you are contacted by anybody offering to influence the Commission on your behalf.

DATE June 10, 1998Applicant(s) Signature
(In case of corporation, duly
authorized officer thereof)

1) Robert L. Stevens

2) Phyllis L. Stevens

- 3) _____
- 4) _____
- 5) _____
- 6) _____

Original -
Local Government

**INDIVIDUAL HISTORY
& TIED HOUSE DISCLOSURE**

**STATE OF OREGON
OREGON LIQUOR CONTROL COMMISSION**

TRADE NAME Tugboat Tillie's Galley
CITY/COUNTY Portland/Multnomah

You must fill in all the blanks. If the question does not apply write N/A in the space.

1. Name STEVENS PHYLLIS LENORE
(Last) (First) (Middle)
2. Other names used DODD BERGER
(Maiden) (Other)
3. Home Address 8529 S.W. 45th Avenue Portland Oregon 97219
(Number and Street) (City) (State) (Zip)
4. SSN 443-32-4723 Place of Birth Alma, Oklahoma Date of Birth March 16, 1935
5. Sex F Height 5'6" Weight 212 Hair Color Brown Eye Color Brown Age 63
6. US Citizen: Yes X No Alien Reg. # Spouse Name
7. Home phone (503) 293-8978 Business phone (503) 285-8764

CRIMINAL RECORD

OLCC makes a criminal offender records check through the Oregon State Police on all liquor license applicants. Tillie
ORS 181.555(3) provides that you can contact the Oregon State Police or challenge inaccurate criminal offender information. OLCC may require fingerprints.

8. Have you ever been convicted of any crime, violation, or infraction of any law? Include probation or bail forfeiture. (Include traffic violations for which a fine or bail forfeiture of more than \$50.00 was imposed.)
Yes No X
9. Do you have arrests or citations pending? Yes No X
10. If you have answered "Yes" to 8 or 9 list below:
- | OFFENSE | DATE | CITY & STATE | RESULT |
|---------|------|--------------|--------|
| | | | |

(ATTACH ADDITIONAL SHEET IF NECESSARY)

DIVERSION/TREATMENT

11. Have you ever entered into a Diversion Agreement? Yes No X
Where and When?
12. Have you ever been treated or in a treatment program for alcohol or other drug use/abuse? Yes No X
Where and When?

EMPLOYMENT & RESIDENCE HISTORY

13. List current and former employers or occupations during the past ten years:
Dates by Month/Year Employer or Business Occupation City & State
From To Medically retired since August, 1988
From To
From To
14. List other cities and states where you have lived in the past ten years other than those noted in Question 13 above. None
City State
From To
From To

(ATTACH ADDITIONAL SHEET IF NECESSARY)

ACTIVITY IN LIQUOR INDUSTRY (INSIDE OR OUTSIDE OREGON)

15. Are you presently or have you been licensed or employed in the liquor business?
Yes No X Where & When?
16. Is your spouse or any family member(s) working in any area of the liquor industry?
Yes No X If Yes, give: (Name) (Name of Business) (City & State)
17. Have you ever received a warning, a notice of violation, suspension, fine, or revocation as a licensee or permittee? Yes No X Where & When? NA
18. Have you ever been refused a permit or license to sell, serve, or dispense beer, wine, or distilled spirits?
Yes No X Where & When?
19. Is a manufacturer or wholesaler of alcoholic liquor financing or furnishing your business with money or property? Yes No X Where & When?
20. Do you have any right, title, lien, claim, or other interest, financial or otherwise in, upon or to the premises, equipment, business or merchandise of any retailer, wholesaler, or manufacturer of alcoholic liquor?
(Do not include this business) Yes No X Where & When?

CAUTION: OLCC MAY DENY YOUR APPLICATION IF YOU LEAVE OUT INFORMATION OR GIVE FALSE ANSWERS ON THIS FORM.

SIGNATURE: Phyllis L. Stodan DATE June 10, 1998
TITLE (Manager, Owner, Corp. Officer)

**INDIVIDUAL HISTORY
& TIED HOUSE DISCLOSURE**

**STATE OF OREGON
OREGON LIQUOR CONTROL COMMISSION**

TRADE NAME TUGBOAT TILLIE'S GALLEY
CITY/COUNTY PORTLAND/MULTNOMAH

You must fill in all the blanks. If the question does not apply write N/A in the space.

1. Name STEVENS ROBERT LOWELL
(Last) (First) (Middle)
2. Other names used NONE
(Maiden) (Other)
3. Home Address 3529 S.W. 45th Avenue Portland Oregon 97217
(Number and Street) (City) (State) (Zip)
4. SSN 535-26-7325 Place of Birth Flint, Michigan Date of Birth March 9, 1929
5. Sex M Height 5' 6" Weight 162 Hair Color BR Eye Color BR Age 69
6. US Citizen: Yes X No Alien Reg. # Spouse Name
7. Home phone (503) 293-8978 Business phone (503) 285-8764

CRIMINAL RECORD

OLCC makes a criminal offender records check through the Oregon State Police on all liquor license applicants. ORS 181.555(3) provides that you can contact the Oregon State Police or challenge inaccurate criminal offender information. OLCC may require fingerprints.

8. Have you ever been convicted of any crime, violation, or infraction of any law? Include probation or bail forfeiture. (Include traffic violations for which a fine or bail forfeiture of more than \$50.00 was imposed.)

Yes No X

9. Do you have arrests or citations pending? Yes No X

10. If you have answered "Yes" to 8 or 9 list below:

OFFENSE	DATE	CITY & STATE	RESULT

(ATTACH ADDITIONAL SHEET IF NECESSARY)

DIVERSION/TREATMENT

11. Have you ever entered into a Diversion Agreement? Yes No X
Where and When?
12. Have you ever been treated or in a treatment program for alcohol or other drug use/abuse? Yes No X
Where and When?

EMPLOYMENT & RESIDENCE HISTORY

13. List current and former employers or occupations during the past ten years:

Dates by Month/Year	Employer or Business	Occupation	City & State
From <u>1-1-88</u> To <u>12-31-97</u>	<u>Dept. of Veterans Affairs Hosp.</u>	<u>Clin. Social Worker</u>	<u>Portland, OR</u>
From <u> </u> To <u> </u>	<u> </u>	<u> </u>	<u> </u>
From <u> </u> To <u> </u>	<u> </u>	<u> </u>	<u> </u>

14. List other cities and states where you have lived in the past ten years other than those noted in Question 13 above.

None From None To
City State
From To

(ATTACH ADDITIONAL SHEET IF NECESSARY)

ACTIVITY IN LIQUOR INDUSTRY (INSIDE OR OUTSIDE OREGON)

15. Are you presently or have you been licensed or employed in the liquor business?
Yes No X Where & When?
16. Is your spouse or any family member(s) working in any area of the liquor industry?
Yes No X If Yes, give: (Name) (Name of Business) (City & State)
17. Have you ever received a warning, a notice of violation, suspension, fine, or revocation as a licensee or permittee? Yes No X Where & When?
18. Have you ever been refused a permit or license to sell, serve, or dispense beer, wine, or distilled spirits?
Yes No X Where & When?
19. Is a manufacturer or wholesaler of alcoholic liquor financing or furnishing your business with money or property? Yes No X Where & When?
20. Do you have any right, title, lien, claim, or other interest, financial or otherwise in, upon or to the premises, equipment, business or merchandise of any retailer, wholesaler, or manufacturer of alcoholic liquor?
(Do not include this business) Yes No X Where & When?

CAUTION: OLCC MAY DENY YOUR APPLICATION IF YOU LEAVE OUT INFORMATION OR GIVE FALSE ANSWERS ON THIS FORM.

SIGNATURE: Robert J. Stevens CO-OWNER DATE June 10, 1998
TITLE (Manager, Owner, Corp. Officer)

MEETING DATE: JUL 16 1998

AGENDA NO: C-2
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Request Approval of Amendment to Contract 15761.

BOARD BRIEFING: Date Requested: _____

Amount of Time Needed: _____

REGULAR MEETING: Date Requested: _____

Amount of Time Needed: Consent

DEPARTMENT: Environmental Services DIVISION: Assessment & Taxation

CONTACT: Kathy Tuneberg TELEPHONE #: 248-3590

BLDG/ROOM #: 166/300/Tax Title

PERSON(S) MAKING PRESENTATION: Kathy Tuneberg

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

Request approval of amendment to Contract 15761 with MARIE A. GONZALES, (Property purchased at auction).

Amendment to Contract and Board Order attached.

*7/16/98 ORIGINAL Contract & COPIES
OF ALL TO TAX TITLE*

SIGNATURES REQUIRED:

ELECTED OFFICIAL: K. A. Tuneberg

(OR)
DEPARTMENT MANAGER: Larry E. Nicholas

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES
Any Questions: Call the Board Clerk 248-3277

CLERK OF
COUNTY COMMISSIONERS
98 JUL - 6 AM 8:53
MULTNOMAH COUNTY
OREGON

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. 98-96

Authorizing Amendment Agreement for Contract 15761 to Contract Purchaser MARIE A. GONZALES

The Multnomah County Board of Commissioners Finds:

- a) On or about November 6, 1997, upon the receipt of notice from Fidelity National Title Company's Escrow Office that the above described property was in an escrow account and to be sold with final payoff to the County, Multnomah County prepared a Bargain and Sale Deed to Purchaser
- b) On or about December 11, 1997, said deed was recorded in error, because the above referenced escrow account never closed and Purchaser had not fully performed the Contract No. 15761
- c) In March of 1998, Contract Purchaser's husband passed away
- d) On or about March 20, 1998, Multnomah County requested Purchaser to sign a Quit Claim deed, to reconvey her interest to the County
- e) On April 13, 1998, Contract Purchaser requested a reduction in the monthly installments under Contract No. 15761

The Multnomah County Board of Commissioners Orders:

1. Multnomah County Tax Title Unit to amend Contract No. 15761 to reduce Purchaser's monthly installment to \$600.48 per month from \$810.14 per month
2. The term of the Contract No. 15761 to be extended to November 23, 2025 (332 months), effective upon the execution of this Amendment.

Adopted this 16th day of July, 1998.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

for Sharon Kelley
Beverly Stein, Chair



REVIEWED:

Thomas Sponsler, County Counsel
For Multnomah County, Oregon

By Matthew O. Ryan
Matthew O. Ryan, Assistant County Counsel

AMENDMENT TO CONTRACT 15761

THIS AMENDMENT AGREEMENT is between MULTNOMAH COUNTY, a political subdivision of the State of Oregon, (County), and MARIE A. GONZALES (Purchaser). The parties agree as follows:

RECITALS

- A. Purchaser executed Multnomah County Contract No. 15761 with County on December 9, 1993 to purchase tax foreclosed real property, Account Number R92660-2430/2450, commonly known as 5921 SE 77th Ave., Portland, Oregon and legally described as:

LOTS 23 & 24, BLOCK 10, WOODMERE, a recorded subdivision in the City of Portland, County of Multnomah, State of Oregon.
- B. Contract No. 15761 is recorded in the Multnomah County Deed Records at Book 2801, Page 820 on December 16, 1993.
- C. In the end of 1997, Contract Purchaser's mother passed away and in March of 1998 Contract Purchaser's husband passed away.
- D. On or about November 6, 1997, upon the receipt of notice from Fidelity National Title Company's Escrow Office that the above described property was in an escrow account and to be sold with final payoff to the County, Multnomah County prepared a Bargain and Sale Deed to Purchaser.
- E. On or about December 11, 1997, said deed was recorded in error in the Multnomah County Deed Records at Volume 97, Page 191849, because the above referenced Escrow Account never closed and Purchaser had not fully performed the Contract No. 15761.
- F. On or about March 20, 1998, Multnomah County requested Purchaser to sign a Quit Claim deed, to reconvey her interest to the County.
- G. On or about April 13, 1998, Purchaser requested a reduction in the monthly installments under Contract No. 15761.

AGREEMENT

- A. **Payments.** County agrees to amend Contract No. 15761 to reduce Purchaser's monthly installment to \$600.48 per month from \$810.14 per month and to extend the term of the contract to November 23, 2025 (332 months). Effective upon the execution of this Amendment.
- B. **Consideration.** Purchaser agrees to execute the Quit Claim deed to the County conveying her fee simple interest to the County thereby nullifying the above referenced deed recorded in error and further that the Quit Claim deed shall be recorded in advance of this Amendment.

C. Effect of Amendment. Except as amended herein, all other terms, conditions and provisions of Contract No. 15761 shall remain in full force and effect.

FOR: MARIE A. GONZALES, PURCHASER

Marie A. Gonzales
MARIE A. GONZALES

Date: 10-29-98

FOR: MULTNOMAH COUNTY
BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By Beverly Stein
Beverly Stein, Chair

Date: July 16, 1998



APPROVED:
KATHLEEN A. TUNEBERG, DIRECTOR
Tax Collections/Records Management

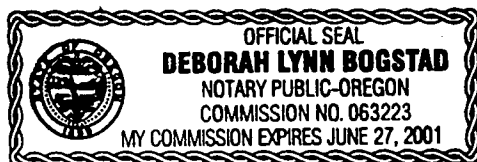
Kathleen A. Tuneberg
Kathleen A. Tuneberg

REVIEWED:
THOMAS SPONSLER, COUNTY COUNSEL
For Multnomah County

By Matthew O. Ryan
Matthew O. Ryan, Assistant County Counsel

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

The foregoing instrument was acknowledged before me this 16th day of July, 1998, by Delma Farrell, to me personally known, authorized signatory for Beverly Stein, Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.



Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires: June 27, 2001

MEETING DATE: JUL 16 1998
AGENDA NO: R-2
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Adopt resolution to recommend the Locally Preferred Strategy
for the South/North Light Rail Project

BOARD BRIEFING: DATE REQUESTED: _____

REQUESTED BY: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: July 16, 1998

AMOUNT OF TIME NEEDED: 10 Minutes

DEPARTMENT: Environmental Services DIVISION: Transportation

CONTACT: Karen Schilling TELEPHONE #: 248-3636
BLDG/ROOM #: 425/Yeon

PERSON(S) MAKING PRESENTATION: Richard Brandman (Metro)

ACTION REQUESTED:

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

SUGGESTED AGENDA TITLE:

Approval of resolution to recommend the Locally Preferred Strategy for the South/North Light Rail Project

7/16/98 copies to Karen Schilling
& Ed Abrahamson

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
(OR)
DEPARTMENT MANAGER: Larry L. Dickson

BOARD OF
COUNTY COMMISSIONERS
98 JUL - 8 PM 2:56
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277



MULTNOMAH COUNTY OREGON

DEPARTMENT OF ENVIRONMENTAL SERVICES
TRANSPORTATION DIVISION
1620 SE 190TH AVENUE
PORTLAND, OREGON 97233
(503) 248-5050

BOARD OF COUNTY COMMISSIONERS
BEVERLY STEIN • CHAIR • 248-3308
DIANE LINN • DISTRICT 1 • 248-5220
GARY HANSEN • DISTRICT 2 • 248-5219
LISA NAITO • DISTRICT 3 • 248-5217
SHARRON KELLEY • DISTRICT 4 • 248-5213

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS

FROM: Larry F. Nicholas, P.E. Director of Environmental Services
Karen Schilling, Transportation Planning Administrator KS

TODAY'S DATE: July 6, 1998

REQUESTED PLACEMENT DATE: July 16, 1998

RE: Adopting resolution to recommend the Locally Preferred Strategy for the South/North Light Rail Project

I. Recommendation/Action Requested:

Adopt a resolution to recommend the Locally Preferred Strategy for the South/North Light Rail Project.

II. Background/Analysis:

The Locally Preferred Strategy includes the alignment and alternatives for the South/North Light Rail. The proposed construction phases are outlined in Exhibit A. The Project Management Group, the Citizen Advisory Committee, the Downtown Oversight Committee and the Steering Committee have recommended the South/North Locally Preferred Strategy. The Steering Committee's recommendation has been adopted by local participating jurisdictions and will be forwarded to Metro Council and the Southwest Washington Regional Transportation Council for adoption.

Following Metro's adoption of the Locally Preferred Strategy, the Final EIS for the first construction segment will begin.

III. Financial Impact:

There is no financial impact to the County. The County will continue to participate in the Technical Advisory Committee, the Project Management Group, and the Steering Committee. An IGA exists between the County and Metro that reimburses the County for time spent at these meetings.

IV. Legal Issues:

There are no legal issues.

V. Controversial Issues:

There are no controversial issues.

VI. Link to Current County Policies:

It is the County's policy to support a safe, efficient and convenient public transportation system.

VII. Citizen Participation:

Metro has established a project Citizen Advisory Committee, representing various public interests and geographic areas to provide public review and input to the South/North Light Rail Project. Metro has presented the South/North Light Rail project to the public at open houses and other public forums to receive input.

VIII. Other Government Participation:

In addition to Multnomah County, the cities of Milwaukie and Portland, and Clackamas County have recommended the Locally Preferred Strategy.

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

RESOLUTION No. 98-97

Approval Recommending *the Locally Preferred Strategy for the South/North Light Rail Project* by the Multnomah County Board of Commissioners

The Multnomah County Board of Commissioners finds:

- a. The alternatives evaluated in the South/North Draft Environmental Impact Statement (DEIS) were selected through a series of narrowing steps that included Scoping, Tier I Narrowing of Alternatives, Design Option Narrowing, Major Investment Study, and the alternatives to be studied further in the DEIS were approved by the South/North Steering Committee.
- b. The South/North DEIS was published jointly by Metro, the Southwest Washington Regional Transportation Council and the Federal Transit Administration.
- c. Metro conducted a public comment period for the South/North DEIS that included public hearings before the South/North Steering Committee.
- d. Following the conclusion of the public comment period, the South/North Project Management Group, the South/North Citizens Advisory Committee, the South/North Downtown Portland Oversight Committee, the South/North Steering Committee and the projects' participating jurisdictions have prepared independent recommendations on the alternatives to be selected as the *Locally Preferred Strategy for the South/North Light Rail Project*.
- e. The *Locally Preferred Strategy* defines the terminus, phasing and alignment choices for the light rail project.

- f. The alternatives and options identified in Exhibit A, the South/North Locally Preferred Strategy, best address the South/North Project's adopted Goal, Criteria and Evaluation Measures and Purpose and Need statement.

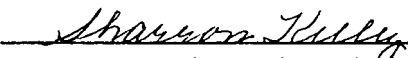
The Multnomah County Board of Commissioners resolves:

1. The Multnomah County Board of Commissioners hereby recommends that Metro adopt Exhibit A as the *Locally Preferred Strategy*.

ADOPTED this 16th day of July, 1998.

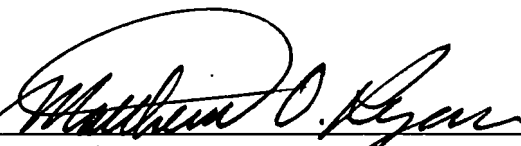


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

REVIEWED:

THOMAS SPONSER, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Counsel

KSVH3116.RES

EXHIBIT A

draft

South/North Locally Preferred Strategy Metro Council and the Southwest Washington Regional Transportation Council

June 18, 1998

This document outlines the alternatives and options that constitute the South/North Locally Preferred Strategy (LPS) and Appendix A provides maps of the LPS within the project's nine segments. The selection of the LPS was based upon: 1) review of public comment, 2) information included within the Draft Environmental Impact Statement (DEIS) and ancillary documents, 3) the project's adopted goal, criteria and evaluation measures, and 4) the consideration of recommendations from the South/North Project Management Group (May 21, 1998), the Downtown Portland Oversight Committee (May 21, 1998), the Citizens Advisory Committee (May 28, 1998), the South/North Steering Committee (June 5, 1998) and recommendations from the project's participating jurisdictions. The LPS Report will be forwarded to the Federal Transit Administration and will form the basis of subsequent project activities such as the development of Preliminary Engineering, the preparation of the Final Environmental Impact Statement (FEIS) and preparation of the FEIS Finance Plan.

A. Light Rail Length Alternative

The Metro Council and the Southwest Washington Regional Transportation Council adopts the phased implementation of a Full-Length South/North Light Rail Project, extending from Clackamas County, Oregon, through the cities of Milwaukie and Portland, to Vancouver, Washington as the length alternative for the South/North Locally Preferred Strategy. Proposed construction phases of the project are described below and are subject to agreement with the Federal Transit Administration (FTA) and execution of a Full Funding Grant Agreement with the federal government. Based upon this LPS, Metro, Tri-Met and the FTA will immediately initiate preparation of the Final Environmental Impact Statement (FEIS) for the first construction segment (Interim Operating Segment 1) of the Phase I South/North Light Rail Project. FEIS's for subsequent construction segments will be completed prior to initiating final design and construction for those segments, and would be prepared concurrent with construction for the prior construction segment. Integrated finance plans will be developed for IOS 1 and 2 prior to the construction of IOS 1, and for IOS 2 and 3 prior to construction of IOS 2.

1. Primary Elements of the Phase I South/North LRT Project

Full-Length Project: North CTC Transit Center to VA/Clark College
(21.1 track miles) (Note: IOS = Initial Operating Segment)

IOS 1: • Rose Quarter Transit Center to Linwood Park-and-Ride Lot
(10.7 track miles) • Downtown Portland Full Transit Mall Alternative

IOS 2: • Linwood Park-and-Ride Lot to North CTC Transit Center
(combined 5.7 track miles) • Rose Quarter Transit Center to Kenton

IOS 3: • Kenton to Vancouver/Clark College
(4.7 miles)

2. Anticipated Timing

Based upon the LPS, the South/North Phase I Project would be implemented through three construction segments, termed Interim Operating Segments (IOS). Final design and construction of IOS 1 from the Rose Quarter Transit Center to the Linwood Park-and-Ride Lot in Clackamas County would begin in 1999, and it is expected that light rail service on IOS 1 would be initiated as early as 2004. Final design and construction for IOS 2 would generally follow completion of IOS 1, and final design and construction for IOS 3 would generally follow IOS 2. The anticipated construction sequencing would allow for an overlap of approximately one year between IOSs during which final design for the following segment would be initiated while construction for the previous segment is being completed.

3. Phase II Extensions

The elements included within this LPS primarily address the Phase I South/North Light Rail Project from the Clackamas Regional Center to Vancouver, Washington. The South/North Project also includes Phase II extensions to Oregon City and possibly further east and/or north into Clark County. This section reaffirms the Metro Council's and RTC's endorsement of a Phase II extension of the South/North Project to Oregon City. The Metro Council and RTC also endorses the study of a future eastside rail connection and reaffirm that designs of the South/North Project will allow for an eastside rail connection that would generally extend on the eastside of the Willamette River between the OMSI station and the Rose Quarter Transit Center. Staff will prepare a schedule and conceptual work plan for studying the eastside rail connection as an element of the Phase II Project.

- Phase II Oregon City:**
- Concurrent with preparation of the FEIS for IOS 1, initiate a study to select either SE McLoughlin Boulevard or I-205 for a Phase II Oregon City extension.
 - Prior to completion of the FEIS for IOS 2, evaluate whether construction of the Oregon City extension could occur concurrent with IOS 3.

- Phase II Clark County:**
- Prior to initiation of final design and construction of IOS 3 to Vancouver, study whether or not to extend the LRT line north and/or east from the VA/Clark College Station (i.e., compare expansion of park-and-ride lot capacity with extension of the LRT line).
 - Tri-Met will ensure that the Portland Airport LRT Project would allow for an extension to Clark County via I-205.
 - RTC, Metro, C-TRAN, the City of Portland, the City of Vancouver, ODOT and WSDOT should undertake a bi-state study to determine the feasibility, cost and financing options for an LRT extension via I-205.
 - Prior to initiation of the FEIS for IOS 3, integrate the LRT facility into a broader transportation improvement strategy through an I-5 Trade Corridor Study sponsored by ODOT and WSDOT.

B. Segment Alignments and Options

This section outlines the alignments, options, park-and-ride lots and other elements that constitute the LPS for the South/North Light Rail Project. These elements may change through the preparation of PE/FEIS (including the adoption of various mitigation plans), the adoption of a finance plan and execution of a Full-Funding Grant Agreement with the federal government.

- Summary:**
- North of CTC to CTC Transit Center
 - Highway 224
 - Caruthers/Moody

- Full Transit Mall/Irving Diagonal Mitigated
- East I-5/Russell
- Interstate Avenue with a Crossover/Retain Alberta Ramps Mitigated

1. Clackamas Regional Center

- Alignment: **North of Clackamas Town Center (CTC)**
- Design Option: **Result of Clackamas Community College (CCC), Oregon Institute of Technology (OIT), North Clackamas Parks District and light rail transit (LRT) Master Plan**
- Terminus Option: **CTC Transit Center for IOS 2 and Full-Length**
- Park-and-Ride Lot:
 - Approximately 900 spaces at OIT/CCC (450 structured and 450 surface, mix of surface and structure may change as a result of the master planning effort).
 - Refine the distribution of park-and-ride capacity between the Linwood, Tacoma St. and OIT/Aquatic Center park-and-ride sites.
- Schedule: **IOS 2**
- Other:
 - The project will coordinate the design of the CTC Transit Center and LRT alignment parallel to Monterey with the CTC's developing expansion master plan and Clackamas County's planned improvements for Monterey.
 - Designs in this segment will allow for an Oregon City extension via I-205.

2. East Milwaukie

- Alignment: **Highway 224**
- Terminus Option: **Linwood Park-and-Ride Lot for IOS 1**
- Park-and-Ride Lot:
 - Approximately 400 surface spaces at Linwood southeast of Harmony in IOS 1.
 - Add approximately 900 spaces at the Linwood Park-and-Ride Lot and structure all spaces in IOS 2: total approximately 1,300 structured spaces.
 - Limit the Linwood Park-and-Ride Lot to southeast of SE Harmony Road.
 - No park-and-ride lot or station at the Milwaukie Marketplace.
 - Refine the distribution of park-and-ride capacity between the Linwood, Tacoma and OIT/Aquatic Center park-and-ride sites
- Schedule:
 - IOS 1 to Linwood Park-and-Ride Lot with approximately 400 surface spaces.
 - IOS 2 structure Linwood Park-and-Ride Lot and increase capacity by approximately 900 spaces.
- Other:
 - Evaluate the design of the LRT crossing of Harrison Street to balance cost, urban design, traffic and LRT operations and safety objectives.
 - Include a light rail station on the north side of Highway 224 at SE Freeman Way, and refine the design of the station to improve the platform environment for rail passengers, including the mitigation of roadway noise impacts to the light rail station.

3. Milwaukie Regional Center

- Alignment: **Main Street/Tillamook Branch Line Mitigated**
- Park-and-Ride Lot:
 - Approximately 800 spaces at Tacoma St. (800 structured).
 - Refine the design of the Tacoma St. Station and Park-and-Ride Lot to reflect site limitations, optimize development opportunities and improve

- pedestrian access (including extending the Springwater Corridor Trail across McLoughlin Boulevard) and auto access to and from the lot.
- Refine the distribution of park-and-ride capacity between the Linwood, Tacoma St. and OIT/Aquatic Center park-and-ride lot sites.
- O&M Facility • Advance the South of Ochoco site into PE/FEIS with a Center St. site (see the South Willamette River Crossing Segment).
- Prior to publication of the PE/FEIS for IOS 1, select a preferred maintenance facility site and develop an implementation plan.

Schedule: IOS 1

- Other: • Refine the alignment within downtown Milwaukie to mitigate impacts to Scott Park and to improve the urban design characteristics of the proposed transit center.
- Design the LRT alignment and transit center to allow for an extension to Oregon City via McLoughlin Blvd.
- Refine the LRT alignment to address floodplain issues along Johnson Creek.

4. McLoughlin Boulevard

Alignment: McLoughlin Boulevard

Design Option: Pedestrian Crossing at Bybee

Schedule: IOS 1

- Other: • Study further the option of rebuilding the Bybee Overpass to identify the actual marginal cost of rebuilding the overpass compared to building the pedestrian crossing. Funding of the marginal cost difference would be provided by others and would need to be in hand by the Full Funding Grant Agreement for IOS 1.
- The design of the LRT alignment will allow for the possible expansion of SE McLoughlin Boulevard without taking trees in what would become the highway median.

5. South Willamette River Crossing

Alignment: Caruthers Crossing

Design Option: Moody Avenue

- Maintenance Facility: • Develop a Center Street LRT O&M facility site option.
- Advance the Center Street site into PE/FEIS with a South of Ochoco site (see the Milwaukie Regional Segment).
 - Prior to publication of the PE/FEIS for IOS 1, select a preferred maintenance facility site and implementation plan.

Schedule: IOS 1

- Other: • The preferred LRT alignment south of Holgate would be on right-of-way currently owned by the UPRR.
- An alternate LRT alignment south of Holgate west of the UPRR property will be included within PE/FEIS.
- Refine station locations and pedestrian access to stations between OMSI and Holgate.
- Refine designs in the Clinton Street area to mitigate traffic impacts.
- Refine spur track crossing designs to reduce costs and address impacts to and from freight rail facilities.

- Refine the westbank LRT alignment design to accommodate an extension of the Portland Central City Street Car to North Macadam, the Willamette Shore Trolley and the Willamette River Greenway Trail.
- Design the Caruthers Bridge to provide a navigational clearance of up to 83 feet CRD, and mitigate any remaining navigation impacts with operating agreements. A permit specifying the minimum navigational clearances for the Caruthers Bridge can only be issued by the US Coast Guard following completion of the federal environmental process.
- Undertake a type, size and location study for the Caruthers Bridge early within the PE/FEIS phase, and allocate a sufficient budget to allow for the selection of an alternate bridge type to address visual and aesthetic impacts of the bridge.
- Study the inclusion of a bicycle and pedestrian path on the Caruthers Bridge during the type, size and location study to identify the actual marginal cost of adding the path to the bridge (funding of the marginal cost difference would be provided by others and would need to be in hand by the Full Funding Grant Agreement for IOS 1).
- Design of the LRT alignment will allow for a future eastside rail connection.

6. Downtown Portland

- Alignment:** The Full Transit Mall Alternative be included within the first construction segment (IOS 1) of the South/North Light Rail Phase I Project.
- North Entry Options:**
- The Irving Street Design Option, with the northbound Irving Diagonal Station and the southbound station on NW 5th Avenue south of NW Irving Street;
 - The Irving Street alignment will be based upon the revised design that would avoid and mitigate a variety of impacts associated with the design included within the DEIS, thus avoiding the displacement of the Glisan Street Warehouse;
 - The project will refine the location of the southbound light rail station on NW 5th Avenue at NW Irving Street to examine the trade-offs between locating a station closer to Union Station with the potential closure of NW Hoyt Street at NW 5th Avenue;
 - The project will refine the north mall design and traffic/transit operations plan to retain existing through-traffic access on NW 5th and 6th Avenues; and
 - The project will develop plans to mitigate impacts to loading docks and other vehicle access points.
- South Entry Stations:**
- Metro, Tri-Met and the City of Portland will conduct a South Entry LRT/Streetcar Design Coordination Study to refine the south entry alignment design for the South/North Project to allow for a Portland Central City Streetcar extension from PSU, via SW Harrison Street, to the North Macadam development area. This study will coordinate with the design and location of the Harrison Street connector.
 - A station on SW Harrison Street between SW 2nd and 3rd Avenues is needed to: 1) serve the existing population and employment in the South Auditorium District; and 2) provide a connection between South/North light rail and an extension of the City of Portland's Central City Streetcar into the North Macadam redevelopment area and to other transit service to the south of downtown Portland. Because it would provide a dual

function, funding for the Harrison Street Station should be sought from a variety of sources, including the South/North Light Rail Project and the Central City Streetcar Project.

- A RiverPlace Station between SW Front Avenue and SW Harbor Drive will be dropped from further consideration.

Schedule: IOS 1

- Other:
- Metro, Tri-Met and the City of Portland will continue to work with the Downtown Portland Oversight Committee and other interested parties to:
 - Refine the design of the South Mall to meet LRT, bus, automobile, parking, pedestrian access, urban design, development and other objectives;
 - Prepare and adopt a detailed construction impact mitigation plan outlined in the *Downtown Portland Tier I Final Report* (Metro: December 1995);
 - Develop an operations plan that would accommodate retaining all projected (year 2015) buses on the downtown Portland transit mall with no off-mall bus improvements (Tri-Met and the City of Portland should continue to work together with the Central City community to finalize, adopt and implement the Central City Transit Plan that would specify bus routing throughout the Central City, including the Downtown Portland Segment);
 - Develop an on and off-street parking displacement mitigation plan;
 - Develop a plan to mitigate traffic impacts that would result from the LRT at-grade crossing of SW Front Avenue; and
 - Develop a plan to mitigate traffic impacts at W Burnside, including the analysis of an integrated signal system for Burnside and the North Mall.

7. Eliot

Alignment: • **East I-5** South of the Broadway/Weidler Couplet

• **Russell Alignment** North of the Broadway/Weidler Couplet

Design Option: • **LRT/Roadway Refinement Study.** Tri-Met, the City of Portland, ODOT and Metro will work together to develop a refined design for this area that addresses the following needs in an integrated manner: LRT access and operations; capacity and weave problems on I-5; access to, from and within the Lloyd District; and the development of the Broadway/Weidler couplet as a Main Street. The results of the study will include a phasing and financing plan. If the study does not result in a mutually-agreed upon solution, then the East I-5/Russell with a grade-separated crossing of the Broadway/Weidler couplet will be constructed. The study will be completed no later than the initiation of the FEIS for IOS 2.

• **At-Grade Rose Quarter Transit Center**

Terminus Option: IOS 1 at Rose Quarter Transit Center

Schedule: • IOS 1 to Rose Quarter Transit Center

• IOS 2 North from Rose Quarter Transit Center

- Other:
- Refine the design of the Russell Street Station and the LRT alignment near Emanuel Hospital, the Ronald McDonald House and City of Portland facilities in order to reduce impacts to adjacent properties and meet urban design objectives in the area.
 - Refine the Flint Avenue alignment to reduce displacements, meet urban design and redevelopment objectives in the area, minimize neighborhood impacts and meet safety and access objectives for the Harriot Tubman school, and work with the Eliot Neighborhood and the City of Portland to develop a mitigation plan to mitigate remaining neighborhood impacts.

- During PE/FEIS for IOS 1, refine the design of the At-Grade Rose Quarter Transit Center. The refined design could include or provide for the future realignment and/or grade separation of Interstate Avenue.
- Design the LRT alignment within the vicinity of the Rose Quarter Transit Center to allow for a future eastside rail connection.

8. North Portland

- Alignment: Interstate Avenue with Crossover from I-5
 Design Option: Retain Alberta Ramps Mitigated
 Terminus Option: IOS 2 at Kenton
 Schedule:
 - IOS 2 to Kenton
 - IOS 3 North from Kenton
 Other:
 - A range of crossover alignments (from the I-5 alignment in the south to an Interstate Avenue alignment in the north) will be analyzed in a Crossover Study. The scope of the Crossover Study will generally be between Killingsworth and Lombard and will be complete prior to initiating the FEIS for IOS 2. Selection of the preferred crossover will be approved as an amendment to the LPS.
 - The design of the LRT alignment will accommodate a 35 mph speed and will help to create a Main Street environment on Interstate Avenue.
 - An objective of the design refinement within this segment will be to reduce residential and business displacements.
 - Refine the Retain the Alberta Ramps Design Option to minimize residential displacements and to address ODOT design objectives for I-5.
 - Refine the station locations within this segment to improve the station platform environments and to meet local development and urban design objectives.
 - The South/North Project assumes the construction of a "quarter-deck" plaza at the Killingsworth Station. A larger deck could be constructed by others.
 - Refine station location and designs for the PIR/Delta Park and the Expo Center stations.
 - Refine the LRT alignment south of Expo Center to address wetland impacts.
 - The City of Portland should undertake ancillary programs to ensure the economic vitality of the full length of N Interstate Avenue.

9. Hayden Island/Vancouver

- Alignment: I-5/Washington Street
 Design Option: West of Washington Street
 Terminus Option: IOS 3 and Full-Length at VA/Clark College
 Park-and-Ride Lot: 2,000 structured spaces during IOS 3
 Schedule: IOS 3
 Other:
 - Re-design the LRT alignment on Hayden Island alignment to address floodplain impacts.
 - Prior to initiating the FEIS for IOS 3, refine the design of the Columbia River LRT Crossing to allow integration of the LRT Project within an I-5 Trade Corridor Study sponsored by ODOT and WSDOT.

C. Costs

The following table summarizes the approximate estimated capital costs of the South/North Light Rail Project LPS by IOS and by current (1994\$) and future year dollars. Revised cost estimates will be prepared through the preparation of preliminary engineering, the FEIS and the project's finance plan.

Table 1
South/North LPS
Estimated Capital Costs (in millions)

Construction Segment	Current Year Dollars (1994\$)	Future Year Dollars
IOS 1 • Rose Quarter to Linwood Park-and-Ride Lot	\$635	\$1,000
IOS 2 • Linwood Park-and-Ride Lot to CTC Transit Center • Rose Quarter Transit Center to Kenton	\$310	\$600
IOS 3 • Kenton to Clark College	\$315	\$700
Total	\$1,260	\$2,300

Note: Future year costs reflect the effect of inflation and financing costs.

D. Public Involvement

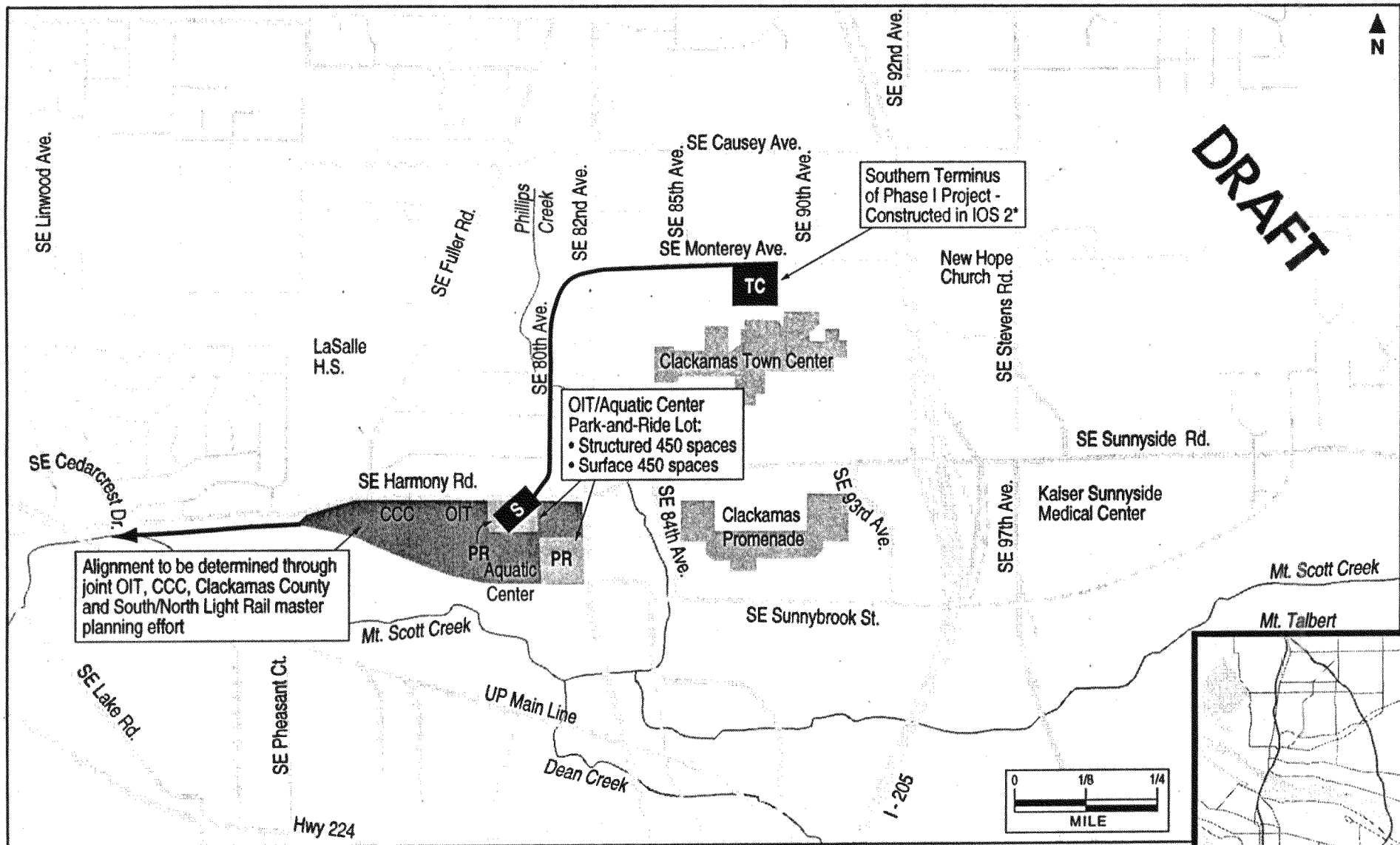
Public involvement has played an essential role in the South/North Project to date and project staff will integrate a pro-active public involvement program into the project's next phases. Therefore, the South/North Steering Committee will ensure that:

- A corridor-wide citizen involvement committee will be integrated into the public involvement program for preparation of Preliminary Engineering and the FEIS.
- Interested parties throughout the corridor will have the opportunity to be involved in the processes that are developed to resolve the issues and refine the designs that are called for throughout this LPS.

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Appendix A

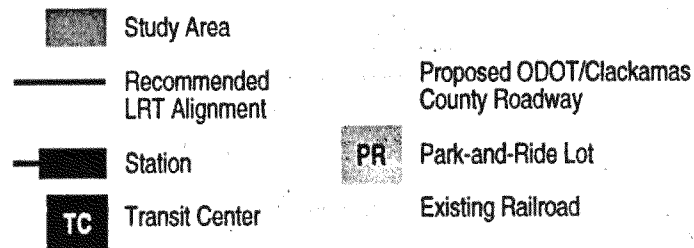
Maps of the South/North Locally Preferred Strategy



South
North
Traniti Corridor Study



Figure A.1
Locally Preferred Strategy:
Metro Council and RTC
Clackamas Regional
Center Segment
• North of Clackamas Town Center
• Clackamas Town Center Terminus Option



Note: Alignment, station and park-and-ride lot locations are currently under study and may change.

* IOS refers to a segment of the full-length alternative called an Interim Operating Segment.

June 1998

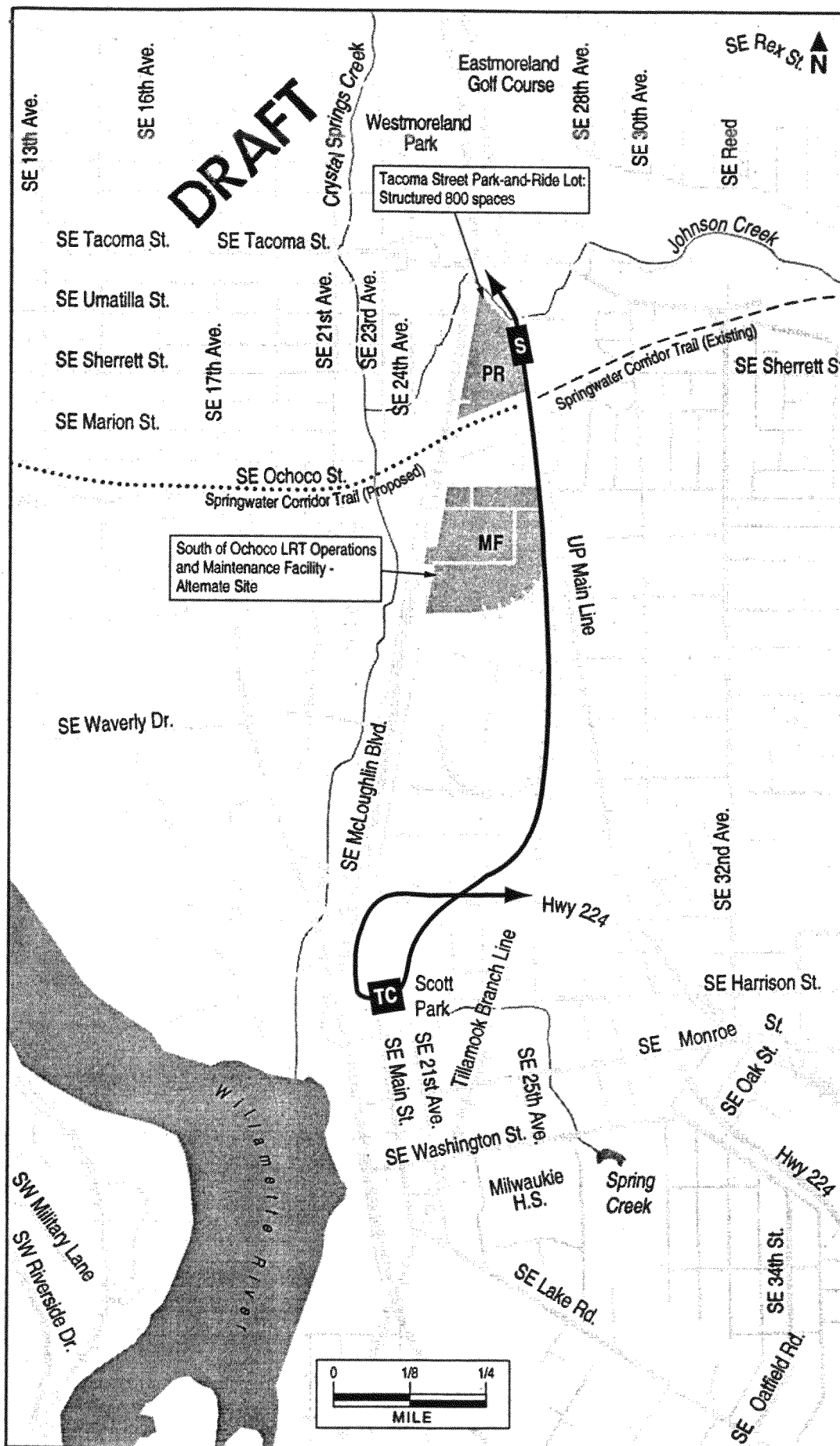


Figure A.3
Locally Preferred Strategy:
Metro Council and RTC
Milwaukie Regional
Center Segment

- Main Street/UP Branch Line
- Tacoma St. Park-and-Ride Lot
- South of Ochoco Alternate LRT Operations & Maintenance Facility

Note: Alignment, station, LRT operations and maintenance facility and park-and-ride locations are currently under study and may change.

- Recommended LRT Alignment
- Station
- Existing Railroad
- TC Transit Center
- MF LRT Operations and Maintenance Facility
- PR Park-and-Ride Lot

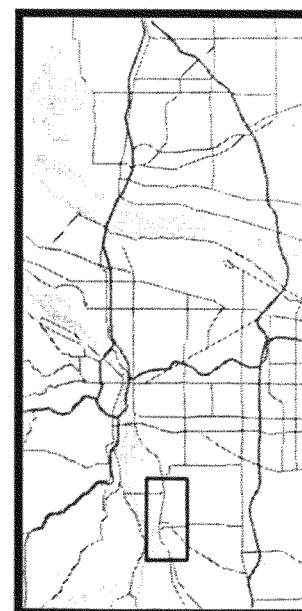
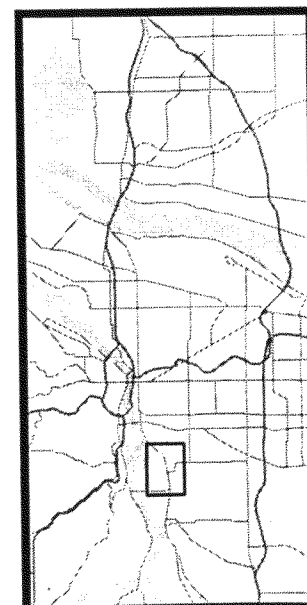
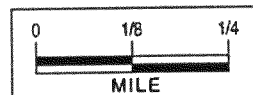


Figure A.4 Locally Preferred Strategy: Project Metro Council and RTC McLoughlin Boulevard Segment

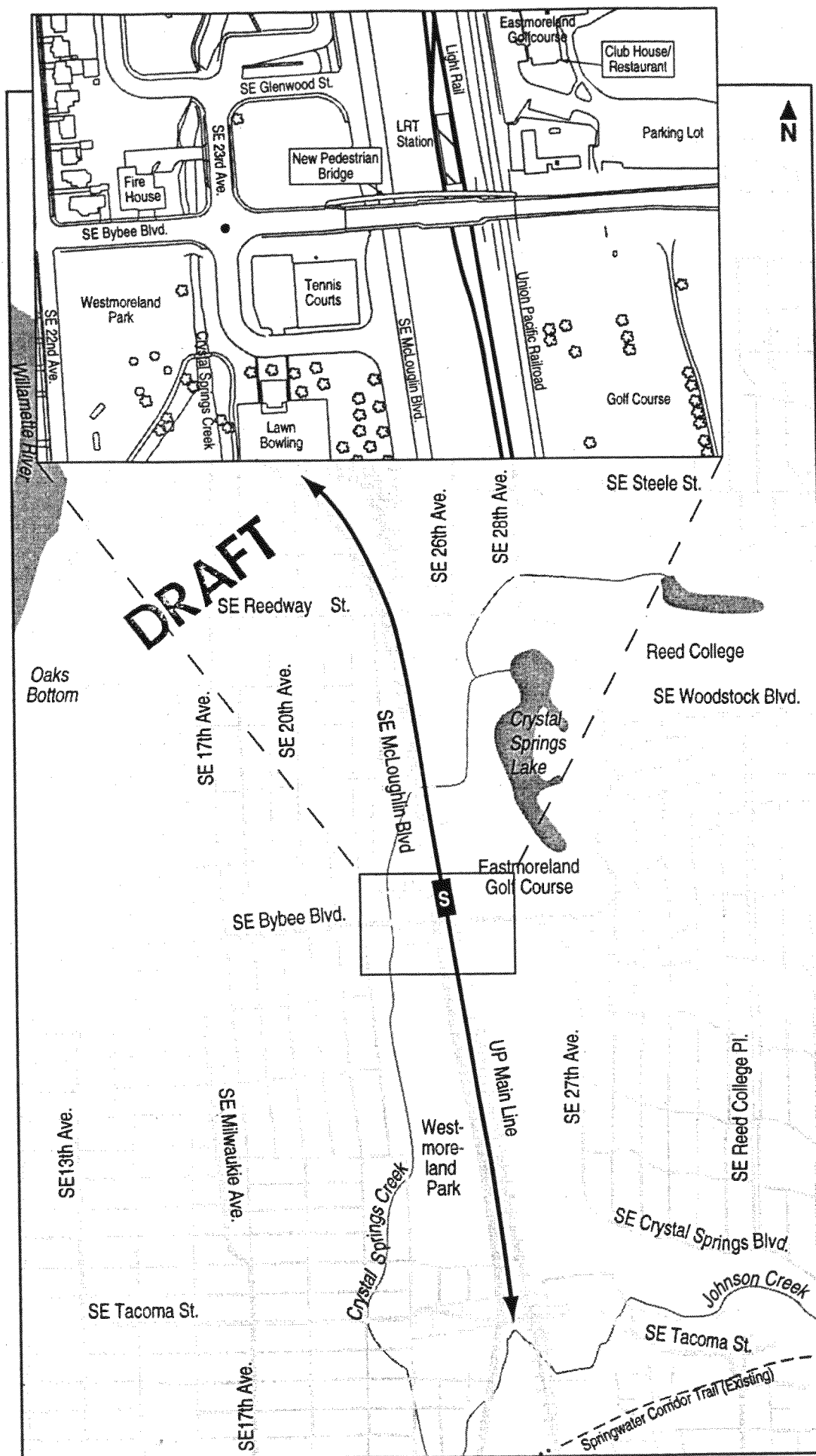
- Build Pedestrian Overpass

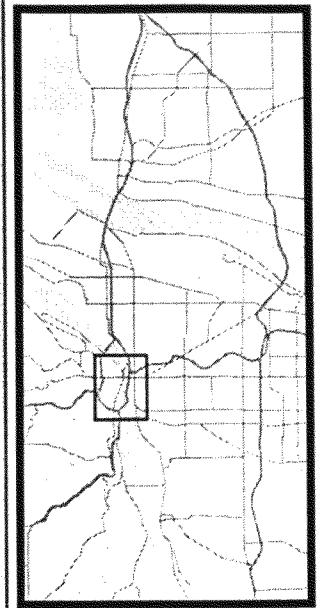
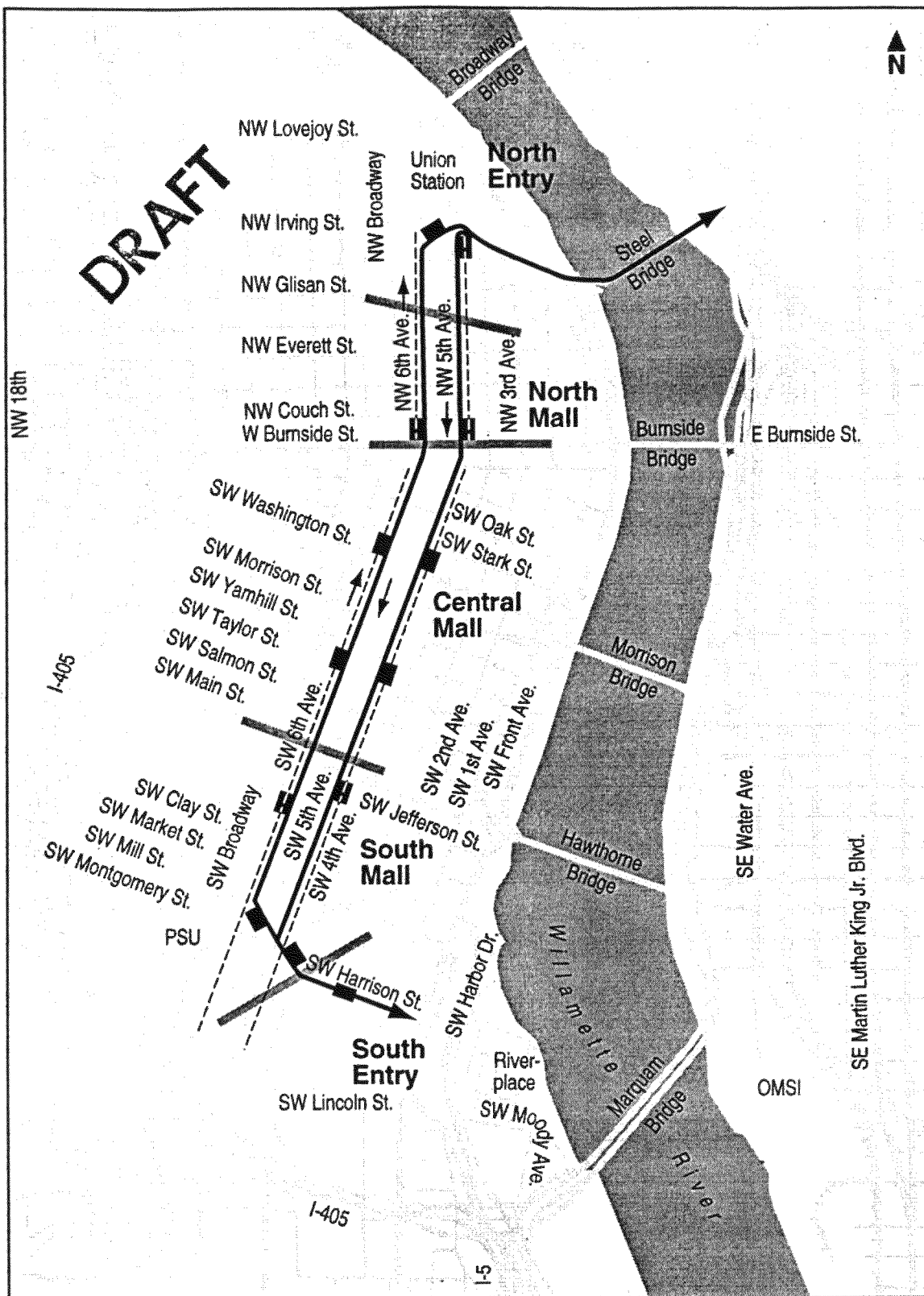
Note: Alignment and station locations are currently under study and may change.

- Recommended LRT Alignment
- S Station
- Existing Railroad



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Note: Alignment and station locations are currently under study and may change.

* IOS refers to a segment of the full-length alternative called an Interim Operating Segment.

**Figure A.6
Locally Preferred Strategy:
Metro Council and RTC
Downtown Portland
Segment**

- Full Transit Mall in IOS 1*
- Irving Diagonal Design Option (Mitigated)

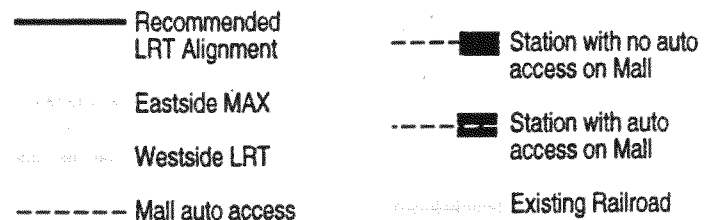


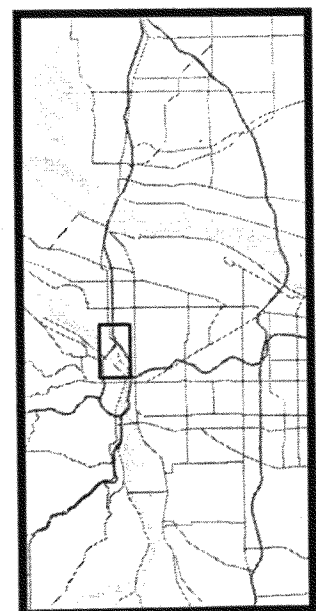
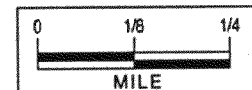
Figure A.7 Locally Preferred Strategy: Metro Council and RTC Eliot Segment

- East I-5/Russell
- Grade-Separated

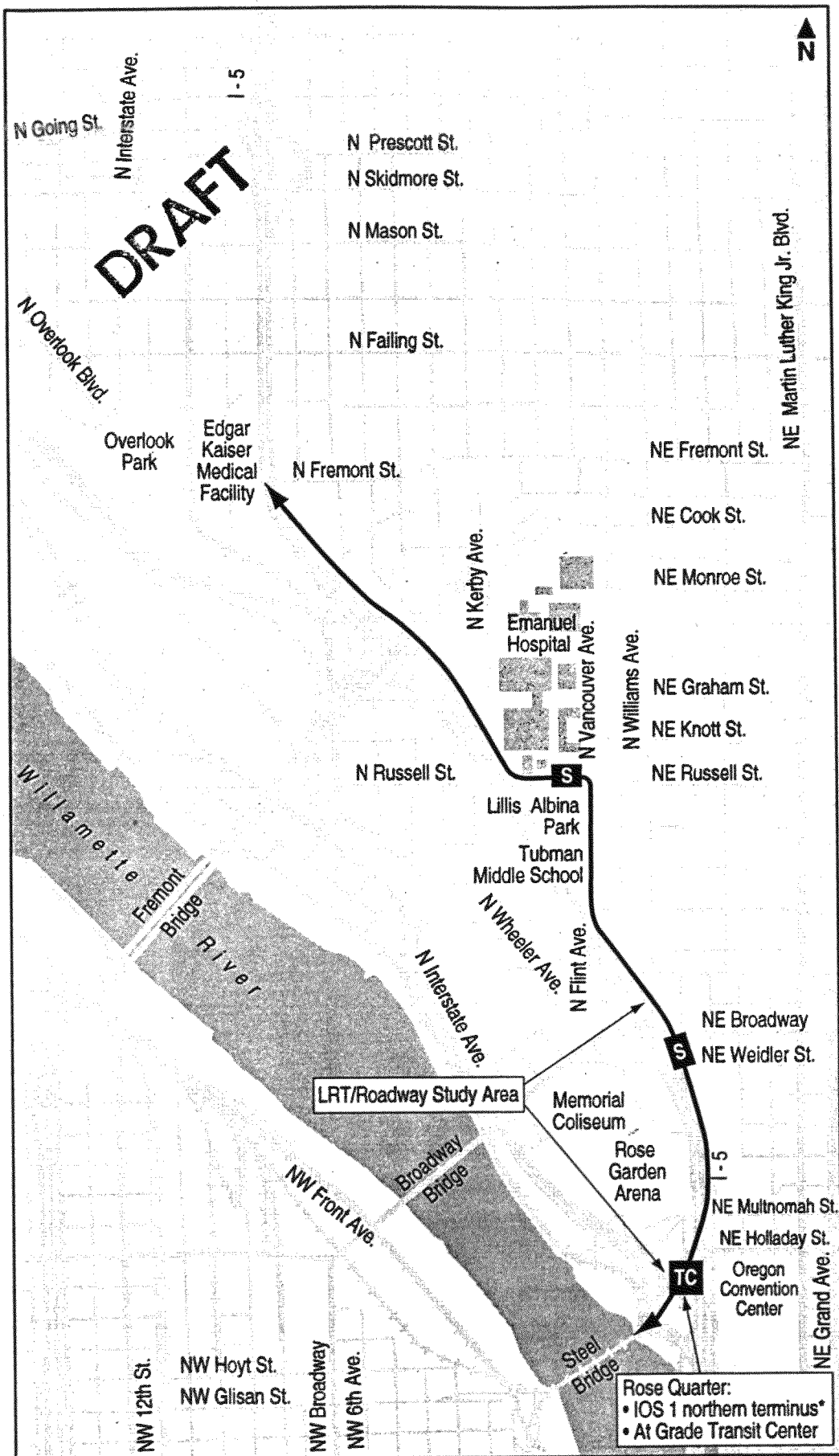
Note: Alignment and station locations are currently under study and may change.

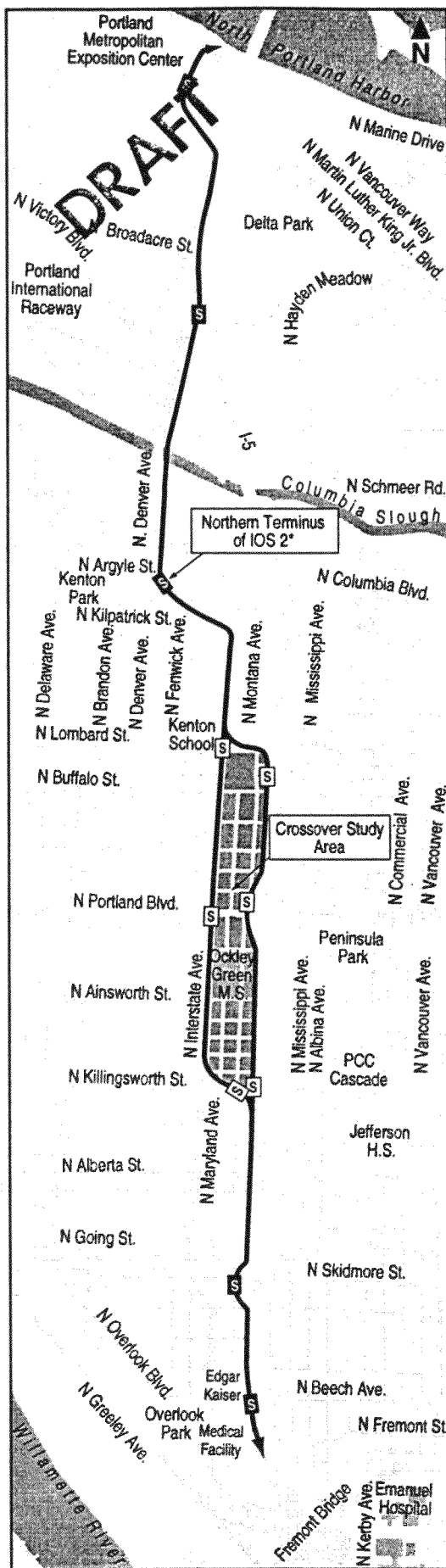
*IOS refers to a segment of the full-length alternative called an Interim Operating Segment.

- Recommended Alignment
- S Station
- Existing Railroad
- TC Transit Center



June 1998





June 1998

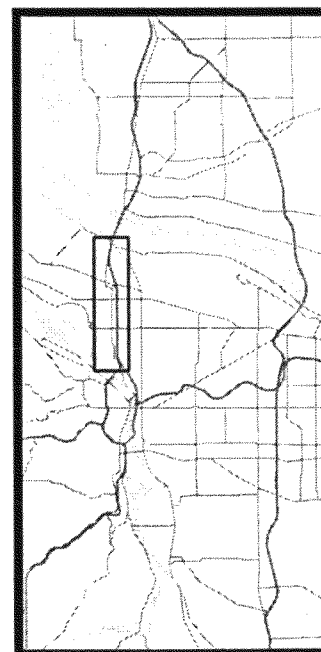
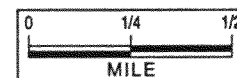
Figure A.8 Locally Preferred Strategy: Metro Council and RTC North Portland Segment

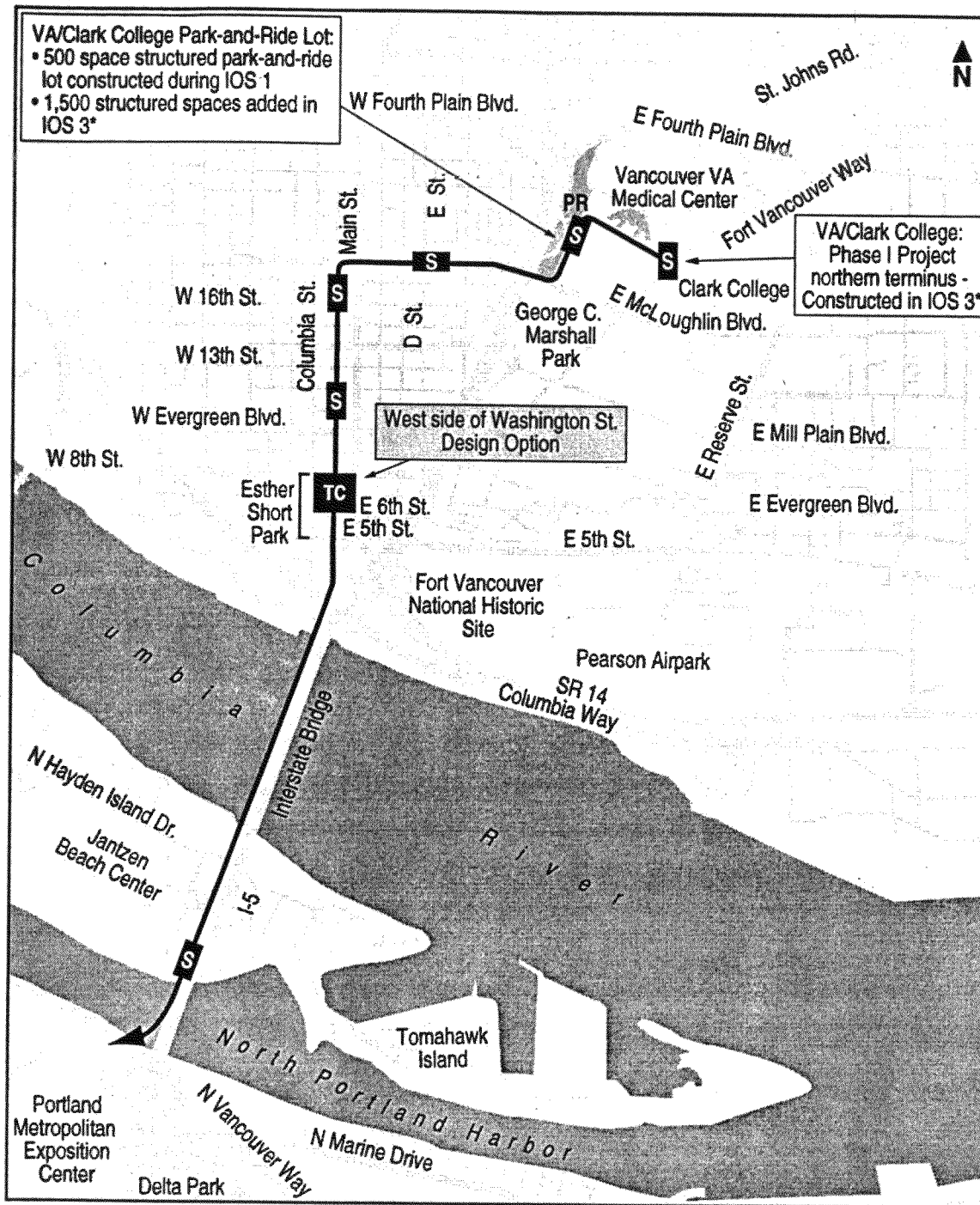
- Interstate Avenue with a crossover
- Retain Alberta Ramps Mitigated

- Recommended LRT Alignment
- Stations
- Station Options
- Existing Railroad

Note: Alignment and station locations are currently under study and may change.

*IOS refers to a segment of the full-length alternative called an Initial Operating Segment.





June 1998

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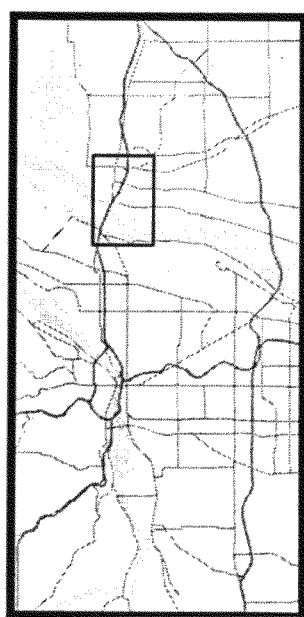
Note: Alignment, station and park-and-ride locations are currently under study and may change.

*IOS refers to a segment of the full-length alternative called an Interim Operating Segment.

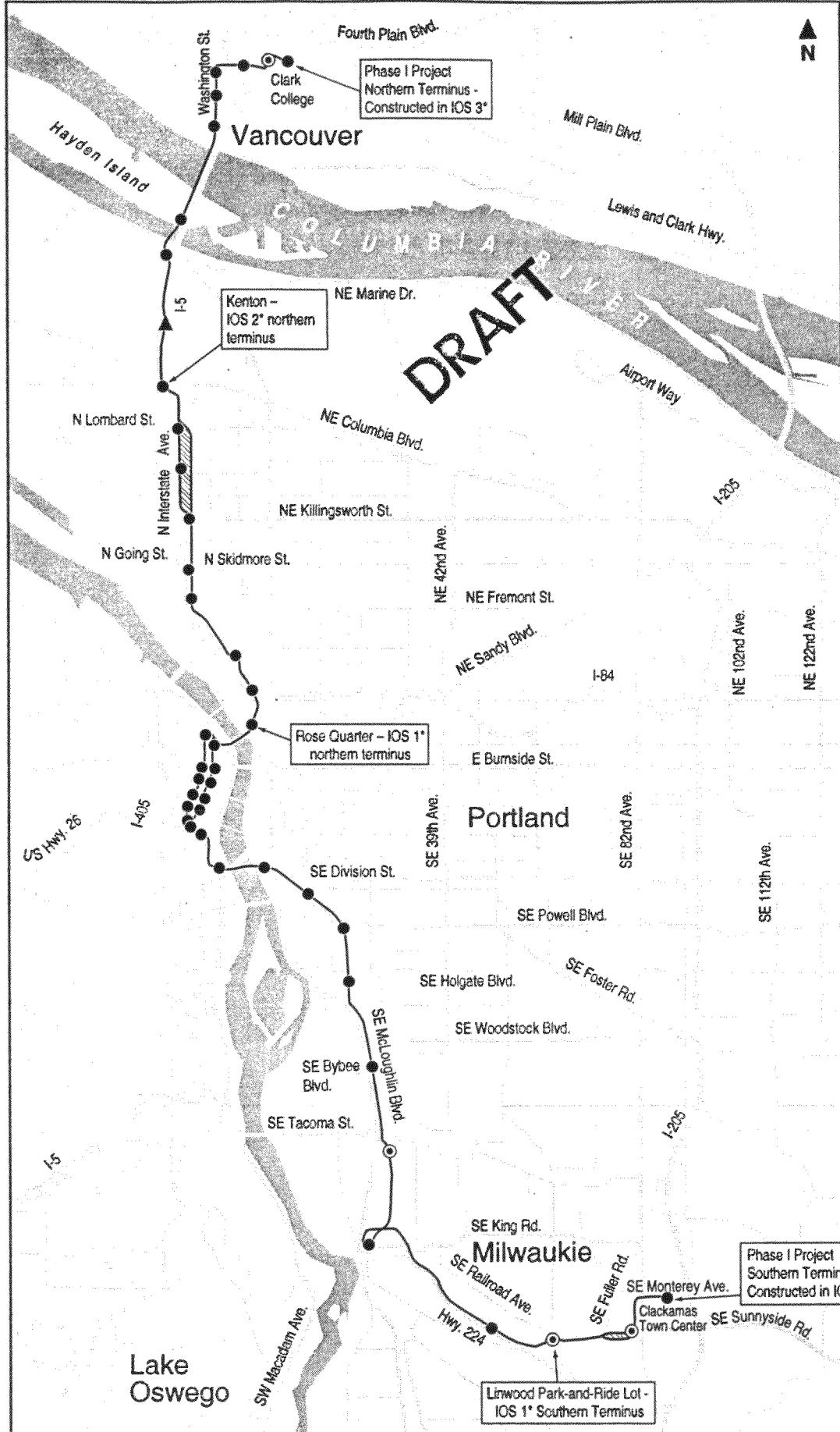


Figure A.9
Locally Preferred Strategy: Metro Council and RTC Hayden Island/Vancouver Segment

- I-5/Washington Street
- Structured Park-and-Ride Lot, reduced size



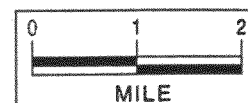
**Figure A.10
Locally Preferred Strategy:
Metro Council and RTC
South/North
Light Rail
Phase I Project**



- Recommended LRT Alignment Alternative
- Station
- ▲ Station Access Under Study
- ⊙ Station with Park-and-Ride Lot
- ▨ Alignment Study Area

Note: Alignment and station locations are currently under study and may change.

*IOS refers to a segment of the full-length alternative called an Interim Operating Segment.



May 1998

MEETING DATE: JUL 16 1998
AGENDA NO: R-3
ESTIMATED START TIME: 9:40

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Request Approval of Resolution Supporting Amending Regional Framework Plan

BOARD BRIEFING: DATE REQUESTED: _____
REQUESTED BY: _____
AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: July 16, 1998
AMOUNT OF TIME NEEDED: 10 Minutes

DEPARTMENT: Nondepartmental DIVISION: Commissioner Lisa Naito
CONTACT: Steve March, Ramsey Weit TELEPHONE #: 248-5217
BLDG/ROOM #: 106/1500

PERSON(S) MAKING PRESENTATION: Steve March, Ramsey Weit

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

Resolution Supporting METRO Ordinance NO 98-769 (Burton & Washington) Amending the Regional Framework Plan Section 1.3 Regarding Housing and Affordable Housing and Creating an Affordable Housing Technical Advisory Committee.

7/16/98 copies to Steve March &
RAMSAY WEIT

98 JUL - 9 PM 4:39
CLERK OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
(OR)
DEPARTMENT
MANAGER: _____

[Signature]

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277



LISA H. NAITO
Multnomah County Commissioner, District 3
1120 SW Fifth Avenue, Suite 1500
Portland, Oregon 97204-1914
Phone (503) 248-5217 Fax (503) 248-5262

MULTNOMAH COUNTY OREGON

SUPPLEMENTAL STAFF REPORT

TO: Board of County Commissioners

FROM: Commissioner Lisa Naito

DATE: July 9, 1998

RE: Request Approval of Resolution Supporting Amending Regional Framework Plan

1. Recommendation/Action Requested:

Approval of Resolution supporting Metro Ordinance NO 98-769

2. Background/Analysis:

Metro adopted the Regional Framework Plan December 18, 1997 which contained a land use section establishing policies related to housing and affordable housing which was appealed to the Oregon Land Use Board of Appeals. Parties to the appeal and intervenors participated in mediation and have concluded that Metro should adopt an amendment to the Regional Framework Plan and create and Affordable Housing Technical Advisory Committee. The referenced Ordinance NO 98-769 represents the agreement by those in mediation

3. Financial Impact:

No direct financial impact known.

4. Legal Issues:

None known.

5. Controversial Issues:

The history of the issue has involved controversy from jurisdictions and advocates, however, the ordinance represents the mediated agreement.

6. Link to Current County Policies:

The County is one of the involved jurisdictions and this item will be voted on at MPAC. As an Accountable Government Multnomah County should take a position with regard to this issue.

7. Citizen Participation:

The Affordable Housing Technical Advisory Committee is required to have a public hearing. MPAC and Metro meetings are open to the public for citizen comment.

8. Other Government Participation:

This resolution will put Multnomah County on record as supporting this mediated agreement and the County's MPAC Representative will so indicate at the next meeting. In addition, the County is entitled to send a representative to be a Member of the Affordable Housing Technical Committee.



LISA H. NAITO
Multnomah County Commissioner, District 3
1120 SW Fifth Avenue, Suite 1500
Portland, Oregon 97204-1914
Phone (503) 248-5217 Fax (503) 248-5262

MULTNOMAH COUNTY OREGON

To: Commissioners Linn, Hansen, Kelley and Chair Stein

From: Lisa Naito

Re: MPAC—Affordable Housing Ordinance and Technical Advisory Committee

Date: July 8, 1998

On July 22, 1998, MPAC will vote on whether or not to recommend that Metro adopt the attached Ordinance number 98-769. I am requesting that the Multnomah County Board support this by resolution and if so, I will vote accordingly at MPAC.

This history of this is contained in the Whereas clauses of the Ordinance. Briefly, Metro adopted an affordable housing component of the Framework Plan last year and several cities and Washington County appealed to LUBA. An extensive mediation process resulted in the Ordinance and Task Force that is attached. All of the local government parties to the appeal have approved the product of the mediation.

I recommend our approval because Metro can then get on with the very important work of addressing affordable housing. Resolving this dispute through mediation is preferable to protracted litigation.

The remaining issue I suggest we put on the agenda as soon as possible is to recommend our representative to the Technical Advisory Committee (see the last page.)

I regret that I will not be at the July 16 meeting, but you may contact Steve March in my office for additional information.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 98-98

Resolution Supporting METRO Ordinance NO 98-769 (Burton & Washington) Amending the Regional Framework Plan Section 1.3 Regarding Housing and Affordable Housing and Creating an Affordable Housing Technical Advisory Committee.

The Multnomah County Board of Commissioners Finds:

- a. Whereas, the Metro Council adopted the Regional Framework Plan on December 18, 1997; and
- b. Whereas, the Regional Framework Plan established policies related to housing and affordable housing; and
- c. Whereas, the Regional Framework Plan was appealed to the Oregon Land Use Board of Appeals; and
- d. Whereas, the parties to the appeal and intervenors entered mediation and agreed that Metro should adopt a revised section relating to Housing and Affordable Housing; and
- e. Whereas, the parties also agreed that the Metro Council create an Affordable Housing Technical Advisory Committee and that Multnomah County shall have a representative on said Committee;

The Multnomah County Board of Commissioners Resolves:

1. To support the proposed Ordinance NO 98-769 Amending the Regional Framework Plan Section 1.3 Regarding Housing and Affordable Housing and Creating an Affordable Housing Technical Advisory Committee; and
2. To nominate a Representative for Multnomah County to be its member on the Affordable Housing Technical Advisory Committee

Approved this 16th day of July, 1998.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Sharon Kelly
Beverly Stein, Chair

REVIEWED:

Thomas Sponsler, County Counsel
For Multnomah County, Oregon

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

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING)	ORDINANCE NO 98-769
THE REGIONAL FRAMEWORK PLAN)	
SECTION 1.3 REGARDING HOUSING)	Introduced by Executive Officer
AND AFFORDABLE HOUSING,)	Mike Burton and
ADDING A CHAPTER TO THE METRO)	Councilor Ed Washington
CODE CREATING AN AFFORDABLE)	
HOUSING TECHNICAL ADVISORY)	
COMMITTEE AND CONFIRMING THE)	
APPOINTMENT OF MEMBERS)	

WHEREAS, the Metro Council adopted the Regional Framework Plan (Ordinance 97-715B) on December 18, 1997; and

WHEREAS, the Regional Framework Plan contained in Chapter 1 - Land Use a Section 1.3, Housing and Affordable Housing which established policies related to housing and affordable housing; and

WHEREAS, Clackamas County and the cities of Gresham and Hillsboro filed a timely notice of appeal with the Oregon Land Use Board of Appeals (LUBA) and have challenged the validity of Section 1.3 of the Regional Framework Plan as adopted; and

WHEREAS, Washington County, the City of Beaverton, City of Fairview, the City of Tigard, the City of Tualatin, and the City of West Linn and the Portland Metro Homebuilders and Portland Metro Association of Realtors have intervened in the LUBA appeal on behalf of the three petitioners; and

WHEREAS, the City of Portland, 1000 Friends of Oregon and the Coalition for a Livable Future have intervened in the LUBA appeal on behalf of the Metro; and

WHEREAS, Metro and Clackamas County and the cities of Gresham and Hillsboro agreed to participate in mediation of this appeal; and

WHEREAS, the parties to the appeal and the intervenors have concluded the mediation process by agreeing that the Metro Council should adopt a revised Section 1.3, Housing and Affordable Housing as an amendment to the Regional Framework Plan as set forth in Exhibit A to this Ordinance; and

WHEREAS, the parties and intervenors have agreed that the Metro Council should adopt a new Chapter 3.07 creating an Affordable Housing Technical Advisory Committee, as set forth in Exhibit B to this Ordinance; and

WHEREAS, the Metro Council desires to provide for confirmation of members to the Affordable Housing Technical Advisory Committee as set forth in Exhibit C to this Ordinance; and

WHEREAS, Clackamas County and the cities of Gresham and Hillsboro and Washington County, the City of Beaverton, City of Fairview, the City of Tigard, the City of Tualatin, and the City of West Linn, the Portland Metro Homebuilders, Portland Metro Association of Realtors, the City of Portland, 1000 Friends of Oregon and the Coalition for a Livable Future agree that the provisions set forth in Exhibits A and B to this Ordinance are an appropriate means for Metro to adopt policies regarding housing and affordable housing; and

WHEREAS, Clackamas County and the cities of Gresham and Hillsboro have agreed to stipulate to the dismissal of the LUBA appeal of the adoption of the Regional Framework Plan upon the adoption of this Ordinance by the Metro Council; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Section 1.3, Housing and Affordable Housing of the Regional Framework Plan as adopted by the Metro Council on December 18, 1997, is amended to read as set forth in Exhibit A.

2. Metro Code Chapter 3.07 Affordable Housing Technical Advisory Committee attached as Exhibit B is hereby adopted.

3. BE IT RESOLVED that the Council confirms the appointment of members to the Affordable Housing Technical Advisory Committee as set forth in Exhibit C.

ADOPTED by the Metro Council this _____ day of _____, 1998.

Jon Kvistad, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

Exhibit A

1.3 Housing and Affordable Housing

Purpose

The Metro Council, with the advice and consultation of MPAC, has determined that the subject matter of affordable housing is a growth management and land use planning matter that is of metropolitan concern and will benefit from regional planning. Metro will develop a "fair share strategy" for meeting the housing needs of the urban population in cities and counties based on a subregional analysis.

The purpose of this section 1.3 of the Regional Framework Plan is to address the need for a regional affordable housing strategy, in order to achieve this fair share strategy. These policy initiatives are intended to provide that:

- a diverse range of housing types will be available within cities and counties inside the UGB;
- specific goals for low- and moderate-income and market rate housing are adopted to ensure that sufficient and affordable housing is available to households of all income levels that live or have a member working in each jurisdiction;
- housing densities and housing costs support the development of the regional transportation system and designated centers and corridors;
- an appropriate balance of jobs and housing of all types exists within the region and subregions.
- at least 20% of new units in regionwide opportunity areas inside the UGB and in first tier urban reserves are built to be affordable to households at or below the median income without public subsidy.
- accessory dwelling units begin to be a significant part of new development.

The Metro Council adopted a Housing Needs Analysis Report in December, 1997, that is the preliminary factual basis for the determination that there is a need for a Regional Affordable Housing Strategy. The Housing Needs Analysis is premised on a concept of "affordable housing" that is based on the expectation that all households should be able to obtain appropriate housing at a cost that does not exceed 30% of total household income. As used in this section, the term "affordable housing" may include different types of housing. The Housing Needs Analysis Report identified four types: senior housing, owner occupied family homes, moderate income rentals, and assisted rental and special needs housing. In the future, other categories of affordable housing may be identified.

A wide variety of measures will be needed in order to achieve the purposes of the regional affordable housing strategy. Metro's legal authority to require cities and counties to amend their comprehensive plans and implementing ordinances is only one of the mechanisms that may be used. The use of land

use planning tools will be helpful to encourage the development and retention of some types of affordable housing. However, land use planning requirements may have limited effect in encouraging some types of affordable housing. Many of the measures to be addressed in developing the regional strategy are not suitable for inclusion in functional plans or in comprehensive land use plans. These measures can be addressed with a voluntary, cooperative effort. Metro has additional powers, including financing authority, that may be used. Other governmental agencies and non-profit entities will need to be partners in achieving the goals of the Regional Affordable Housing Strategy. Special district service providers, public housing agencies, urban renewal agencies and others will play significant roles.

Affordable Housing Technical Advisory Committee

Metro will create an Affordable Housing Technical Advisory Committee with representatives of homebuilders, affordable housing providers and advocate groups, major employers, financial institutions, local governments and citizens to assist in carrying out the provisions of this section and identify cooperative approaches, regulatory reforms and incentives to be considered to ensure that needed affordable housing is built. The Committee will report to the Metro Council. The Affordable Housing Technical Advisory Committee shall seek and provide advice and consultation from and to the Metro Policy Advisory Committee (MPAC).

The Affordable Housing Technical Advisory Committee shall be created by the adoption of an ordinance. The ordinance shall specify the membership and method of appointment of Committee members. The Council shall establish timelines for the Committee to report on the matters specified in this section. Metro shall fund the work of the Committee sufficiently to allow its choices to be based on adequate factual information and to allow coordination with affected persons.

The Affordable Housing Technical Advisory Committee shall recommend a Regional Affordable Housing Strategy and amendments thereto, and make recommendations on other matters related to affordable housing referred to it by the Metro Council or MPAC. Any recommendation from the Affordable Housing Technical Advisory Committee for amendments to this Regional Framework Plan, for the adoption of Metro Functional Plan requirements and for the adoption of or amendments to the Regional Affordable Housing Strategy, shall be forwarded by the Affordable Housing Technical Advisory Committee to MPAC for its review prior to being transmitted to the Council. MPAC will provide consultation and advice to the Council for all proposals for amendments to the Regional Framework Plan and any functional plan.

The Committee should base its recommendations upon factual information. The Committee should evaluate contributing factors to the need for affordable housing and alternative courses of action or

inaction and consider the consequences. This is particularly important for any recommendation on the content of the Urban Growth Management Functional Plan.

In particular, the Committee should consider the magnitude of any need for a particular housing type, whether that need is uniform throughout the region, the roles of the public and private sectors in satisfying that need, whether the need is being addressed by existing market forces and public policies, whether the need is being addressed by public and private entities, and the financial resources available to satisfy the need. Opportunities shall be provided for review and comment by citizens and affected governmental units during the preparation and review of the recommendations of the Affordable Housing Technical Advisory Committee.

Regional Affordable Housing Strategy

With the advice and consultation of the Affordable Housing Technical Advisory Committee and MPAC, the Metro Council will adopt a Regional Affordable Housing Strategy which will serve as a blueprint to guide achievement of the goals set forth in this section. The Regional Affordable Housing Strategy will not be a regulatory document. The Strategy will contain recommendations for further actions, including appropriate amendments to the Urban Growth Management Functional Plan for those elements which are suitable for implementation through comprehensive plans and zoning regulations, as well as voluntary measures.

Relationship of Strategy to Land Use Requirements

Metro's Urban Growth Boundary regulations currently provide that an urban reserve planning requirement for affordable housing includes the establishment of requirements for a minimum percentage of affordable units and accessory dwellings. The Urban Growth Management Functional Plan currently contains provisions which further the affordable housing policies of Metro. These existing provisions require that:

- A minimum density is established in all zones allowing residential uses.
- At least one accessory unit is allowed within any detached single family dwelling.
- Housing densities are increased in light rail station communities, centers and corridors, if necessary, to implement the 2040 Growth Concept.

Implementation of the Strategy through adoption of additional Metro Urban Growth Management Function Plan requirements will be appropriate in some circumstances. These amendments will be the only regional policies which require cities and counties to amend

their comprehensive plans and implementing regulations to implement the Regional Affordable Housing Strategy.

The Metro Council has made a determination that performance standards for replacement housing ordinances and zoning density bonus incentives shall be adopted in the future as functional plan requirements. Such functional plan requirements will be subject to the advice and recommendations of the Affordable Housing Technical Advisory Committee and MPAC and the planning processes as provided for in this policy. The legality and appropriateness of any functional plan requirements may be contested during this future adoption process.

Content of Regional Affordable Housing Strategy

The Affordable Housing Technical Advisory Committee shall address the following matters in developing the Regional Affordable Housing Strategy:

Fair Share Strategy

The Regional Affordable Housing Strategy will include numerical "fair share" affordable housing targets for each jurisdiction to be adopted in the Urban Growth Management Functional Plan. The "fair share" targets that will be developed should reflect the current and future affordable housing needs of the region. The targets will be consistent with the affordable housing and jobs-housing balance policies established in the Regional Framework Plan. The determination of housing needs and numerical targets will include consideration of existing jurisdictional proportions of affordable and non-affordable housing supply and the roles of existing providers of affordable housing. Intergovernmental solutions toward attainment of fair share targets are encouraged. The "fair share" targets shall be based upon housing inventories and other factual information concerning the regional and subregional demand, supply and cost of housing and buildable lands, and the income levels and housing needs of current and future residents. Once the fair share targets are established, Metro will monitor the existing and new supply and delivery of affordable housing in the region. The Affordable Housing Technical Advisory Committee may recommend that fair share targets be implemented through Urban Growth Management Functional Plan amendments.

Land Use Planning Tools

The Affordable Housing Technical Advisory Committee will make recommendations that the Regional Affordable Housing Strategy address the need for amendments to the Urban Growth Management Functional Plan to further the purposes of this section. These land use planning tools shall be considered together with other non-land use measures that may be needed to attain fair share

targets. Land use planning tools for affordable housing may be in the form of recommendations to cities and counties or as requirements for amendments to adopted city and county comprehensive plans and implementing ordinances. Any land use requirements for cities and counties will need to be adopted as Urban Growth Management Functional Plan amendments by the Metro Council with the advice and consultation of MPAC.

In making its recommendations, the Affordable Housing Technical Advisory Committee shall address the need for model ordinances. The Committee shall consider the following tools which may have land use and non-land use planning elements:

- A) Performance standards for replacement housing ordinances. These ordinances are intended to ensure that existing affordable housing units which are lost to demolition or non-residential development are replaced with an equal number of new affordable housing units. The Committee shall consider methods to ensure governmental or non-profit purchase of threatened buildings, requirements for construction of replacement units, or payments to a replacement housing fund as alternatives. Consideration shall be given to implementing tools for replacement of rental housing in older central city high density areas, as well as replacement of lower density construction outside the central city.
- B) Performance standards requiring density bonus incentives. This type of incentive allows a sufficient increase of density over the maximum allowable density in mixed use areas as an incentive in return for a percentage of units being developed as affordable units. The amount of increased density allowed needs to be high enough to ensure that it is economically feasible for developers to build affordable units. Mechanisms to ensure that units qualifying for the incentive remain affordable for at least 60 years or be subject to a shared equity mortgage program shall be considered. An exemption process shall be adopted with this performance standard to allow cities and counties an exemption from this requirement if a demonstrated lack of public facilities prevents implementation of this requirement.
- C) Urban Growth Boundary considerations. Before an exception to a Functional Plan requirement affecting housing is pursued by a city or county, the effect of the grant of the exception on the need for expansion of the Urban Growth Boundary shall be considered.
- D) Performance standards for regionwide mandatory inclusionary housing. Any regionwide mandatory housing policy requires careful consideration. Regionwide mandatory inclusionary housing based on a constitutionally valid zoning approach shall be considered for functional plan implementation if cooperative programs have not significantly moved the region toward the goals of this policy.

- E) Other tools. The land use planning aspects of the measures described below as additional Regional Affordable Housing Strategy tools should also be considered.

In determining its recommendation regarding the adoption of performance standards for replacement housing ordinances, mandatory zoning density bonus incentives, or inclusionary housing policies, the Affordable Housing Technical Advisory Committee shall consider housing inventories and other factual information, including information about the demand, supply and cost of housing and buildable lands, and the incomes and housing needs of current and future residents. The Committee should evaluate alternative courses of action and review the consequences, of any particular action or failure to act. In particular, the Committee shall consider whether adoption of these performance standards would be inconsistent with other policy objectives of the Regional Framework Plan or with applicable federal and state laws and regulations. The views of affected local governments are important to consider in determining whether to adopt these types of performance standards.

Additional Regional Strategy Tools

In developing the Regional Affordable Housing Strategy, the Affordable Housing Technical Advisory Committee shall also address the following:

- A) additional measures to encourage and give incentives to develop affordable housing;
- B) types and amounts of affordable housing to be accommodated by the jurisdiction consistent with the functional plan targets;
- C) provisions to remove procedural barriers to current production of affordable housing;
- D) a variety of tools to ensure that the affordable housing to be accommodated is actually built, such as donation of tax foreclosed properties for nonprofit or government development as mixed market affordable housing, transfer of development rights, permit process incentives, fee waivers, property tax exemptions, land banking, linkage programs, expedited review processes, and affordable housing funding programs.
- E) requirements for maintaining architectural consistency of affordable units;
- F) long term or permanent affordability requirements;
- G) provision for affordable housing for seniors and the disabled;
- H) provision for preferential processing of UGB amendments in First Tier urban reserves when a minimum percentage of affordable units are included.
- I) consideration of a real estate transfer tax as a funding source for an affordable housing fund at the state, regional or local level when that option becomes available under state law.

- J) additional voluntary inclusionary housing approaches consistent with Oregon land use laws and 2040 Growth Concept design types that are supportive of maintaining neighborhood architectural consistency. These additional approaches should include inclusionary housing goals and principles that are the basis of a voluntary program for increased production of affordable housing units without regulation.
- K) development of a public-private program to reduce costs of production of new affordable housing and increase the supply of units to non-profit providers for possible subsidy. One part of such a program may be coordination between for profit builders and non profit affordable housing providers to facilitate sales of affordable for profit units to non profit affordable housing providers during the development of these units.

Adoption of Affordable Housing Strategy

The adoption by the Metro Council of the Regional Affordable Housing Strategy and any functional plan amendments shall be based upon the information and factors required by this section to be considered by the Affordable Housing Technical Advisory Committee, the recommendations of the Affordable Housing Technical Advisory Committee and MPAC, and the record created before the Metro Council.

Additional Metro Measures

In addition to developing and adopting a Regional Affordable Housing Strategy and considering amendments to the Urban Growth Management Functional Plan, Metro will undertake the following measures to further regional affordable housing goals:

- A) Metro, through the JPACT process, shall link regional transportation funding to affordable housing policy and achievement of affordable housing targets to the extent allowed by law, by creating incentives for use of discretionary funds for projects that further adopted affordable housing policies.
- B) Metro will inventory publicly owned lands, including the "air rights" above public lands, to identify underutilized public lands, excluding parks and open space, for possible development of affordable housing.
- C) Metro shall be a resource to assist developers of affordable housing and nonprofit charitable organizations to identify underutilized lands owned by nonprofit organizations, including the "air rights" above those lands, for possible development of affordable housing.

- D) Metro shall review all lands designated for residential use inside the UGB in implementation of Urban Growth Management Functional Plan to determine whether additional measures are needed to insure that an adequate supply of land, including opportunities for redevelopment, are zoned appropriately and available for affordable housing.
- E) Metro shall compile and maintain a data base on the demand, supply and cost of housing and buildable lands, income and housing needs of current and future residents, attainment of the fair share targets and other information relevant to affordable housing issues. This information is important in measuring the success of regional strategy tools and the need for revisions to the Regional Affordable Housing Strategy.

Council Review of Affordable Housing Policies

The Regional Affordable Housing Strategy shall be evaluated and may be updated no later than two years after its adoption. Thereafter, the strategy shall be reviewed as provided for in the Strategy Plan. The Council shall obtain the recommendations of the Affordable Housing Technical Advisory Committee and MPAC before amending or revising the Strategy.

Exhibit B

CHAPTER 3.07

AFFORDABLE HOUSING TECHNICAL ADVISORY COMMITTEE

SECTIONS	TITLE
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- | | |
|----------|----------------------------------|
| 3.07.010 | Committee Created, Purpose |
| 3.07.020 | Composition of Committee, Terms |
| 3.07.030 | Committee Work Program |
| 3.07.040 | Committee Coordination with MPAC |
| 3.07.050 | Committee Organization, Staff |

3.07.010 Committee Created, Purpose

There is hereby created an Affordable Housing Technical Advisory Committee for the purpose of advising the Metro Council and the Metro Policy Advisory Committee on matters related to affordable housing as set forth in Section 1.3 of the Regional Framework Plan.

3.07.020 Composition of Committee

The Committee shall consist of 25 members, serving terms of two years, appointed by the Executive Officer and confirmed by the Council, representing the following interest groups and subject to the following nominating process:

- A. One representative of non-profit affordable housing providers from each county.
- B. Three representatives of for-profit housing providers with no more than two from any one county.
- C. Three representatives from public housing authorities with one representative from each county as nominated by the chair of each county commission.
- D. Eight representatives of local governments nominated as follows:
 - 1. One representative of the City of Portland nominated by the mayor of Portland.
 - 2. One representative from local governments within each county nominated by the chair of the county commission.
 - 3. One representative from the cities of each county other than Portland nominated by a caucus of the cities.
 - 4. One representative from MPAC nominated by the Chair of MPAC.

The local government representatives who are elected officials may select alternate members from their government's staff.

- E. Two representatives of institutions that provide financing to developers of housing and affordable housing.
- F. Three representatives of the residents of affordable housing.
- G. Two representatives of the business community and major employers.
- H. One representative who is not a government employee and is a land use planner, land use attorney or other professional in a related field.

The Executive Officer may also appoint alternate members subject to confirmation.

In addition to the members provided for above, representatives who shall be ex-officio non-voting members shall represent the following organizations:

1. The Governor's Task Force on Aging;
2. The State of Oregon Housing Department;
3. The Federal Housing Administration.

3.07.030 Committee Work Program

Prior to making a recommendation, the Committee shall conduct at least one public hearing and invite interested citizens and government officials to testify. The Committee shall consider all matters referred to it pursuant to Section 1.3 of the Regional Framework Plan and, prior to nine months after the date of adoption of this Ordinance, shall make a recommendation to the Council for the adoption of fair share affordable housing targets for each jurisdiction. This recommendation shall first be submitted to MPAC as a preliminary Committee recommendation for review and comment in accordance with Section 3.07.040 prior to its submittal to the Council.

No later than 15 months after the date of adoption of this Ordinance, the Committee shall report to the Council and MPAC with a recommendation for the adoption of the Regional Affordable Housing Strategy Plan. Thereafter, in accordance with Section

3.07.040, the Committee shall make recommendations to the Council and MPAC on matters referred to it pursuant to this Section. The Committee shall review the effectiveness of the Regional Affordable Housing Strategy in accordance with timelines as set forth in the Strategy itself.

3.07.040 Committee Coordination with MPAC

Any Committee recommendation to the Council made pursuant to Section 3.07.030 shall first be submitted to MPAC as a preliminary recommendation for MPAC review and comment, prior to its submittal to the Council. MPAC shall review and comment on the preliminary recommendation within thirty (30) days from the date of its referral to MPAC by the Committee. The Committee shall consider any comment and recommendation made on the matter by MPAC prior to making a final recommendation and submitting it to the Council. If MPAC takes no action on the recommendation within forty-five (45) days from its referral, then the Committee may submit the preliminary recommendation to the Council as its final recommendation on the matter.

3.07.050 Committee Organization, Staff

The Committee shall elect its own officers and establish its own bylaws. The Executive Officer shall provide appropriate staff resources to the Committee consistent with the budget resources approved by the Council.

EXHIBIT C

Membership of Affordable Housing Technical Advisory Committee

Clackamas County non profit affordable housing provider representative is Diane Luther.
Multnomah County non profit affordable housing provider representative is Dee Walsh.
Washington County non profit affordable housing provider representative is Sheila Greenlaw-Fink.

First representative of for-profit housing provider is David Bell.
Second representative of for-profit housing provider is Scott Matthews.
Third representative of for-profit housing provider is Doug Obletz.

Representative of public housing authority in Clackamas County is Gary DiCenzo.
Representative of public housing authority in Multnomah County is Helen Barney.
Representative of public housing authority in Washington County is Susan Wilson.

Representative of the City of Portland is _____.
Representative of local government nominated by Clackamas County is Doug McLain.
Representative of local government nominated by Multnomah County is _____.
Representative of local government nominated by Washington County is Andy Duyck.
Representative of the cities of Clackamas County is Jill Thorn.
Representative of the cities of Multnomah County other than Portland is Gussie McRobert.
Representative of the cities of Washington County is David Lawrence.

Representative of MPAC is Rob Drake.

First representative of an institution which provides financing to developers of housing and affordable housing is David Summers.
Second representative of an institution which provides financing to developers of housing and affordable housing is Juanita Hernandez.

First representative of residents of affordable housing provider is Leora Barry.
Second representative of residents of affordable housing provider is Dana Brown.
Third representative of residents of affordable housing provider is Tasha Harmon.

First representative of the business community and major employers is Pat Ritz.
Second representative of the business community and major employers is Jon R. Gibson.

Representative of land use planning professionals is Jeff Condit.

JUL 09 1998
MEETING DATE: June 25, 1998
AGENDA #: R-4
ESTIMATED START TIME: 10:45

(Above Space for Board Clerk's use only)

JUL 16 1998

R-4

9:50

AGENDA PLACEMENT FORM

SUBJECT: Ordinance Amending MCC 7.201 Relating to the Office of County Counsel

BOARD BRIEFING:

DATE REQUESTED: _____

REQUESTED BY: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING:

DATE REQUESTED: Thursday, June 25, 1998

AMOUNT OF TIME NEEDED: 10 minutes

DEPARTMENT: Non-Departmental

DIVISION: Chair Beverly Stein

CONTACT: Jacquie Weber

TELEPHONE #: 248-3138

BLDG/ROOM #: 106/1530

PERSON(S) MAKING PRESENTATION: County Counsel Jacqueline A. Weber

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

Ordinance Amending MCC 7.201 Relating to the
Office of County Counsel

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

Beverly Stein

(OR)

DEPARTMENT

MANAGER: _____

Bill Taver

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions? Call the Board Clerk @ 248-3277

CLERK OF COUNTY COMMISSIONERS
98 JUN 17 PM 5:16
MULTNOMAH COUNTY
OREGON



Beverly Stein, Multnomah County Chair

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

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

SUPPLEMENTAL STAFF REPORT

TO: Board of County Commissioners

FROM: Bill Farver *Bill Farver*

DATE: June 17, 1998

RE: Appointment of Outside Counsel for Elected Officials

1. **Recommendation/Action Requested:**

Approval of amendment clarifying and expanding the circumstances under which advisory counsel can be obtained by County elected officials.

2. **Background/Analysis:**

Sheriff Noelle requested an outside advisory opinion on the authority of the Board of County Commissioners to designate Community Justice as the administrative authority in charge of the planned secure alcohol and drug facility. After making the request, the Sheriff asked Bullard, Korshoj, Smith, and Jernstedt to give him an opinion. County Counsel then informed the Sheriff that under the current ordinance, County Counsel could not authorize outside counsel.

As part of the agreement between the Sheriff and the Chair concerning a proposal before the Charter Review, Beverly Stein agreed to seek approval from the Board to provide the Sheriff with authority to obtain outside counsel. As explained in the memo from Jacquie Weber, the current ordinance does the following:

Under Multnomah County's current ordinance, the Board has delegated to county counsel the authority to employ outside counsel on behalf of the county when county counsel deems it appropriate or necessary. It further provides that no county elected official or other county official shall be represented by counsel other than county counsel, with one exception; a majority of the Board may employ outside legal counsel on a specific matter.

Under this ordinance, there is no authority for an elected county official to retain outside counsel to advise them on county issues. The proposed amendment would expand that authority to all County elected officials to request outside counsel by using the process outlined above - i.e. the Board must approve the request and authorize payment.

3. Financial Impact:

The Sheriff may have incurred up to \$15,000 in legal fees which the Board is being asked to ratify. Future costs will be determined by the Board on a case by case basis.

4. Legal Issues:

Counsel Jacquie Weber researched how other counties handle this issue. Her conclusion is that:

Of the counties surveyed, the ultimate authority to retain counsel rests with the governing board, either pursuant to statute, or ordinance. Given that Multnomah County is governed by charter, the board may by ordinance retain the sole authority to appoint legal counsel, or delegate that authority in whole or in part.

Her memo is attached.

5. Controversial Issues:

The Sheriff is submitting an alternative proposal, which would allow him to obtain outside counsel without needing Board approval or financial authorization. He is also seeking ratification authority, which would extent beyond the costs incurred in the original advisory opinion from Bullard.

6. Link to Current County Policies:

This action is part of the agreement between the Chair and Sheriff which led them jointly to request the Charter Commission to withdraw consideration of an amendment which would have asked voters to decide whether adult community corrections functions would be moved under the Sheriff's office.

7. Citizen Participation:

NA

8. Other Government Participation:

NA



OFFICE OF MULTNOMAH COUNTY COUNSEL

THOMAS SPONSLER
County Counsel

1120 S.W. FIFTH AVENUE, SUITE 1530
PORTLAND, OREGON 97204-1977

FAX 248-3377
(503) 248-3138

SANDRA N. DUFFY
Chief Assistant

SUSAN DUNAWAY
KATIE GAETJENS
GERALD H. ITKIN
JEFFREY B. LITWAK
STEVEN J. NEMIROW
MATTHEW O. RYAN
AGNES SOWLE
JOHN S. THOMAS
JACQUELINE A. WEBER
Assistants

MEMORANDUM

To: Chair Stein

Cc: Sheriff Noelle
Commissioner Kelley
Commissioner Hansen
Commissioner Linn
Commissioner Elect Naito

From: Jacqueline A. Weber *JAW*
Assistant County Counsel

Date: June 15, 1998

Subject: Proposed Amendment to County Counsel Ordinance

In conjunction with the proposed amendment to the county counsel ordinance, you requested that we survey other counties as to how they deal with requests for outside legal counsel by elected county officials. You have also asked for a legal analysis of the effect of a legal opinion, whether issued by county counsel, or by authorized outside legal counsel.

CURRENT ORDINANCE

Under Multnomah County's current ordinance, the Board has delegated to county counsel the authority to employ outside counsel **on behalf of the county** when county counsel deems it appropriate or necessary. It further provides that no county elected official or other county official shall be represented by counsel other than county counsel, with one exception; a majority of the Board may employ outside legal counsel on a specific matter. Under this ordinance, there is no authority for an elected county official to retain outside counsel to advise them on county issues.

STATUTORY AUTHORITY

State law provides for the appointment of county counsel by the board of each county, to serve at the pleasure of the board. ORS 203.145 provides in pertinent part:

- (2) Unless otherwise provided by county charter or legislation enacted pursuant thereto, the board of each county may appoint a person or persons licensed to practice law in the State of Oregon as counsel to advise the board and other county officers, to render

services in connection with legal questions of a civil nature arising in the discharge of their functions, to prosecute violations of county law as defined by ORS 203.810, and to provide such additional services as the board determines. Counsel shall serve at the pleasure of the board, on a full-time or part-time basis, and be compensated in the manner and amounts the board determines.

This statute by its terms does not govern Multnomah County, which is a charter county that has enacted specific legislation regarding county counsel.

SURVEY OF OTHER COUNTIES

I have surveyed 5 other Oregon counties, Washington, Clackamas, Marion, Lane, and Jackson, regarding the circumstances under which they may retain outside counsel, and how the authority to make that decision is delegated.

Clackamas County and Marion County have no ordinance, administrative rule, resolution or other written procedure. They are presumably governed by ORS 203.145 set out above. Jackson County has a very general ordinance, which does not address the issue at all.

Lane County, which is a charter county, has adopted by ordinance rules relating to sources of legal services. County Counsel is designated to provide legal advice on civil matters to the Board of Commissioners and to county departments. Outside legal counsel is authorized where (1) County Counsel determines that an ethical conflict of interest exists, in which case County Counsel's determination is then referred to the Board; (2) where County Counsel does not have the expertise to handle a particular legal matter; (3) where appropriate under the Tort Claims Act; or (4) upon approval of the Board of a request for a private attorney. The ordinance also provides that in any case where a private attorney is retained County Counsel shall authorize payment from appropriate budgeted funds not to exceed \$2,500. If it is necessary to exceed this amount, the fee agreement is handled through the normal contract process.

Washington County established the office of County Counsel and appointed a County Counsel to act as its chief legal advisor pursuant to ORS 203.145, supra, which provides for the appointment of legal counsel by the board of the county. In addition, the Board passed a Resolution identifying the functions and responsibilities of county counsel. The Resolution deals with the issue of appointment of outside legal counsel as follows:

RESOLVED AND ORDERED, from time to time, it may be necessary for the County to acquire outside legal assistance and/or representation and in such cases County Counsel, unless precluded by conflict of interest or otherwise, shall provide the following services:

- 1) Provide consultation as to the necessity and appropriateness of outside legal counsel; and
- 2) Provide advice as to the selection of outside legal counsel; and
- 3) Monitor performance of outside legal counsel performance and provide necessary and appropriate assistance;

The Resolution does not give any indication how Washington County would deal with a request for outside legal counsel to advise a county elected official on county issues.

CONCLUSION

Of the counties surveyed, the ultimate authority to retain counsel rests with the governing board, either pursuant to statute, or ordinance. Given that Multnomah County is governed by charter, the Board may by ordinance retain the sole authority to appoint legal counsel, or delegate that authority in whole or in part.

EFFECT OF LEGAL ADVICE/OPINION

You have asked what would be the effect of a County Counsel opinion that differs from or is in conflict with an advisory opinion provided by outside legal counsel. A legal opinion provided to the county, whether by County Counsel, or by authorized outside counsel, is not binding on the county. Its purpose is to provide analysis of applicable law to specific facts at issue, and to assess likely outcomes and risks in following a particular course of action. This provides guidance upon which policy makers, or the Board on legislative matters, can make an informed decision. A legal opinion does not have legally binding effect. Therefore, conflicting legal opinions on the same subject would simply provide differing information for the policy makers to evaluate.



Multnomah County Sheriff's Office

12240 N.E. GLISAN ST., PORTLAND, OREGON 97230

DAN NOELLE
SHERIFF

(503) 255-3600
TTY (503) 251-2484

MEMORANDUM

TO: Chair Bev Stein
Commissioner Diane Linn
Commissioner Gary Hansen
Commissioner Lisa Naito
Commissioner Sharron Kelley

FROM: Dan Noelle, Sheriff *Dan Noelle*

RE: Board Agenda Items

DATE: July 7, 1998

Chair Stein and I met today in regards to the three ordinances in front of you. The first Ordinance (R-8) deals with the designation of the county supervisory authority for residential treatment facilities. I would request that be postponed for 30 days to allow us to obtain a more clear definition of custodial, correctional and residential facilities.

I would request that you pass Chair Stein's ordinance (R-9) regarding legal counsel and postpone indefinitely my ordinance on legal counsel (R-10).

BOARD OF
COUNTY COMMISSIONERS
98 JUL - 8 PM 2:58
MULTNOMAH COUNTY
OREGON

1 BEFORE THE BOARD OF COUNTY COMMISSIONERS

2 FOR MULTNOMAH COUNTY OREGON

3 ORDINANCE NO. _____

4 An Ordinance amending MCC 7.201 relating to the Office of County Counsel.

5 (Stricken language in brackets [] is to be deleted; **Bold** language is new.)

6 Multnomah County ordains as follows:

7 Section 1. Amendment

8 MCC 7.201 (M) shall be amended as follows:

9
10 (M) Employ outside legal counsel on behalf of the county when the County Counsel
11 deems it necessary or appropriate to do so. A majority of the entire Board may also employ
12 outside legal counsel for a specific county matter, and a majority of the entire Board may
13 authorize a board member, sheriff, district attorney or auditor to retain outside legal
14 counsel to advise the elected county official on a specific county matter. The Board shall
15 specify the amount of the elected official's budget that may be appropriated for this
16 purpose. With these exceptions no county elected official, board, commission, committee,
17 department director or employee shall employ or be represented by counsel other than the
18 County Counsel.
19
20

21 Section 2. Ratification.

22 The Board hereby ratifies the Sheriff's action in retaining the law firm of Bullard,
23 Korshoj, Smith & Jernstedt to provide legal advice to the Sheriff on the issue of the Sheriff's
24 authority as it relates to the county's proposed secure residential alcohol and drug treatment
25 facility. This ratification applies to legal advice rendered on the stated issue up to and including
26 June15, 1998. In addition, the Board hereby authorizes the Sheriff to pay Bullard, Korshoj,

1 Smith & Jernstedt for services rendered up to and including June 15, 1998. Said payment shall
2 be made out of the Sheriff's budget.

3 Section 3. Effective Date.

4 This Ordinance shall be come effective on _____.

5 APPROVED this day of July, 1998, being the date of its second reading before the
6 Board of County Commissioners for Multnomah County, Oregon.
7

8 BOARD OF COUNTY COMMISSIONERS
9 FOR MULTNOMAH COUNTY, OREGON

10
11 _____
12 Beverly Stein, Chair

13 REVIEWED:

14 THOMAS SPONSLER, COUNTY COUNSEL
15 FOR MULTNOMAH COUNTY, OREGON

16 By  _____
17 Jacqueline A. Weber, Assistant County Counsel
18
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25
26



Multnomah County Sheriff's Office

12240 N.E. GLISAN ST., PORTLAND, OREGON 97230


DAN NOELLE
SHERIFF

(503) 255-3600
TTY (503) 251-2484

MEMORANDUM

TO: Commissioner Gary Hansen

cc: Chair Bev Stein
Commissioner Sharron Kelley
Commissioner Diane Linn
Commissioner Lisa Naito
County Counsel Tom Sponslor

FROM: Sheriff Dan Noelle 

DATE: July 14, 1998

RE: Clarification of Outside Legal Advice

BOARD OF
COUNTY COMMISSIONERS
98 JUL 15 PM 2:45
MULTNOMAH COUNTY
OREGON

I regret I was unable to attend the Board meeting last Thursday. I appreciate the Board helping me with the problem of the attorney's fees. I understand you requested a copy of the bill for the legal work I obtained. You also wanted to understand the agreement between the firm and myself.

A copy of the bill is attached. If another bill is forthcoming through the July 15 date, I will forward it to you. The agreement we had was not written. My hope was to obtain a legal clarification of the facility we were designing on the new site.

The original plan was to create completely separate facilities. We then agreed to put both the jail and the drug and alcohol facility on the same site. This then evolved into a single building with shared systems including security. It appeared to me that we had designed something that was clearly a jail. County Counsel's legal opinion did not define the question about this facility.

I have had the opportunity to discuss this with both Chair Stein and County Counsel Sponslor. I believe we are developing a better understanding of the various points of view. There may not be a clear line that can be drawn in advance defining a jail and a non-jail facility.

I am very committed to our development of drug and alcohol treatment. In the last three years we have booked over 40,000 inmates each year. 65% to 70% of them are impacted by drug and alcohol issues. If we can work together we can resolve these problems and move forward.

Bullard, Korshoj, Smith & Jernstedt

A Professional Corporation
Attorneys At Law
1000 SW Broadway, Suite 1900
Portland, Oregon 97205
(503) 248-1134

TO:

CONFIDENTIAL

Sheriff Dan Noelle
12240 NE Glisan
Portland, OR 97230

965- 12 DHW
June 1, 1998

EMPLOYER'S IDENTIFICATION NUMBER: 93-0693273

STATEMENT FOR PERIOD THROUGH 5/31/98

LEGAL SERVICES REGARDING: A & D Treatment Center /Jail Issues

4/30/98	Conference; telephone conference with Sheriff Noelle regarding jail issues; conference call with Sheriff Noelle	DHW	1.00
5/01/98	Conference regarding jail issues	HR	1.00
	Facsimiles from and conference with Sheriff Noelle; review memoranda; conferences regarding case strategy	DHW	1.00
	Research at Multnomah Law Library regarding Multnomah County Charter and Multnomah County Code	HR	2.50
5/03/98	Study County Counsel opinion letter and statutes and opinions cited therein; study memos and documents regarding jail issues; conferences, outline issues	KBL	1.00
	Review materials; research, analyze and discuss County Counsel's opinion	DHW	3.40
5/04/98	Study documents and materials from client; conference; telephone conference with Sheriff Noelle regarding same; draft letter to Sheriff Noelle and review statutes and documents regarding same	HR	2.50
	Review and analyze materials received from Sheriff's office, ordinances and statutes; conferences with Sheriff Noelle and staff; conference with Dan Olsen of Washington County regarding levy issue	DHW	3.90
	Research regarding Multnomah County Code and Multnomah County Charter	HR	2.80
5/05/98	Conference with Mr. Olsen's office; review legal opinion regarding pre-Measure 57 levies	KBL	.90
5/07/98	Conference regarding new materials from client; analyze new materials; prepare for drafting opinion letter	HR	1.10
	Conference with Sheriff Noelle; review new materials; discuss implications and	DHW	1.40
		HR	3.00

Sheriff Dan Noelle

965- 12 DHW PAGE 2

	analysis; plan conference with attorney Sponsler		
5/08/98	Telephone conferences with Sheriff Noelle; study documents regarding jail issues	DHW	.80
	Research regarding Board procedure and RFPS; conference with Ms. Simon; facsimilies from Ms. Simon; conferences with Sheriff Noelle; revise planned consultation with attorney Sponsler; conference regarding case strategy	HR	3.20
5/11/98	Study documents, correspondence and statutes regarding Sheriff's authority over county correctional institution; draft, revise and edit opinion letter regarding same; conference	DHW	7.90
	Review and revise opinion letter; conference with Sheriff Noelle	HR	1.70
5/12/98	Legal research for opinion letter on Sheriff's authority; revise and edit opinion letter; meet with Sheriff Noelle regarding same	DHW	4.40
	Review of Oregon criminal statute	ASC	.20
	Meeting with Sheriff Noelle; research regarding ORS 144.087 definition of supervisory authority; revise opinion letter; draft memorandum to County Counsel; research regarding authority of Sheriff as a state official	HR	4.10
5/13/98	Revise and edit letter and memo to Sheriff Noelle; study 1995 statutes regarding same; conference regarding same	DHW	1.10
	Review Senate Bill 1145 and definition of supervisory authority; conference regarding statutory vs. charter precedence; conference with Sheriff Noelle; reconsider County Counsel's analysis of ORS 144.087	HR	2.80
5/14/98	Revise and edit opinion letter; conference	DHW	.80
	Review ORS Ch. 144; conference with Ms. Simon; conferences with Sheriff Noelle; finalize opinion letter	HR	2.00
5/20/98	Correspondence from Sheriff Noelle; review Sponsler 5/19 opinion memorandum; conference regarding legislative history research	HR	.30
	Legislative history research regarding custodial facilities	KBL	2.60
5/21/98	Study Mr. Sponsler's 5/18/98 legal memo	DHW	1.20

Bullard, Korshoj, Smith & Jernstedt

A Professional Corporation

Sheriff Dan Noelle

965-

12 DHW

PAGE 3

to Sheriff Noelle; revise and edit
proposed charter amendment; letter to
Sheriff Noelle regarding same;
conference; telephone conference with
Sheriff Noelle

	Continue legislative history research regarding custodial facilities	KBL 1.70
5/22/98	Telephone conference with Archives regarding legislative history regarding custodial facilities	KBL .20
5/27/98	Telephone conference with Archives regarding legislative history; review minutes on Internet to determine which tapes to order	KBL .90
5/29/98	Begin analysis of documents received from Archives	KBL 2.90

TOTAL FEES

\$9,922.50

COSTS AND EXPENSES

Photocopy Expense	\$16.50
Long Distance Telephone Charges	\$4.60
Telefax	\$4.00
Photocopy Expense	\$6.15
Photocopy Expense	\$12.30
Telefax	\$12.50
Photocopy Expense	\$6.60
Photocopy Expense	\$9.15
Lexis Research Charge	\$2.29
Telefax	\$1.50
Photocopy Expense	\$12.60
Telefax	\$1.00

TOTAL COSTS AND EXPENSES

\$89.19

CURRENT CHARGES

\$10,011.69

PAY THIS AMOUNT

\$10,011.69

Any Payments Received After June 1, 1998
Will Appear on Your Next Statement

NOTICE:

THIS STATEMENT IS DUE AND PAYABLE WITHIN 30 DAYS OF THE ABOVE DATE.

STATEMENTS NOT PAID ON A TIMELY BASIS
WILL BE SUBJECT TO A 9% PER ANNUM (.75% PER MONTH) CHARGE.