



Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

BOARD OF COMMISSIONERS

Ted Wheeler, Chair

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-3308 FAX (503) 988-3093

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

Maria Rojo de Steffey, Commission Dist. 1

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5220 FAX (503) 988-5440

Email: district1@co.multnomah.or.us

Jeff Cogen, Commission Dist. 2

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5219 FAX (503) 988-5440

Email: district2@co.multnomah.or.us

Lisa Naito, Commission Dist. 3

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5217 FAX (503) 988-5262

Email: district3@co.multnomah.or.us

Lonnie Roberts, Commission Dist. 4

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5213 FAX (503) 988-5262

Email: lonnie.j.roberts@co.multnomah.or.us

On-line Streaming Media, View Board Meetings
www.co.multnomah.or.us/cc/live_broadcast.shtml
ml

On-line Agendas & Agenda Packet Material
www.co.multnomah.or.us/cc/agenda.shtml

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

SEPTEMBER 18-20, 2007 BOARD MEETINGS FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	9:00 a.m. Tuesday Executive Session
Pg 2	9:30 a.m. Tuesday Briefings
Pg 4	9:07 a.m. Thursday Vacating a Portion of SW Sweetbriar Street
Pg 5	9:45 a.m. Thursday Portland Request for Tax Exemption Programs Administred by Portland Development Commission and Portland Bureau of Planning
Pg 6	2:00 p.m. Thursday Ordinance Amending MCC Chapters 33, 34, 35 and 36 Regarding Accessory Structures and Uses
Pg 6	2:10 p.m. Thursday Sale of Edgefield North
Pg 6	2:25 p.m. Thursday Business Income Tax Revenue Distribution to the Cities of Fairview, Troutdale and Wood Village

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, 9:00 AM, (LIVE) Channel 30
Saturday, 10:00 AM, Channel 29
Sunday, 11:00 AM, Channel 30
Tuesday, 8:00 PM, Channel 29

Produced through MetroEast Community Media
(503) 667-8848, ext. 332 for further info
or: <http://www.metroeast.org>

Monday, September 17, 2007 – 9:00 AM to 11:00 AM
Departing from the Multnomah Building
501 SE Hawthorne Boulevard, Portland

BRIDGE TOUR

A quorum or more of the Multnomah County Commissioners will travel from the Multnomah Building to the Sauvie Island Bridge for a construction tour of the new bridge. The tour will begin in the parking lot on the island side of the bridge. For additional information, please contact Michael Pullen, Public Affairs Office at 503-988-6804.

Tuesday, September 18, 2007 - 9:00 AM
Multnomah Building, First Floor Commissioners Conference Room 112
501 SE Hawthorne Boulevard, Portland

EXECUTIVE SESSION

- E-1 The Multnomah County Board of Commissioners will meet in Executive Session Pursuant to ORS 192.660(2)(d),(e) and/or (h). Only Representatives of the News Media and Designated Staff are allowed to attend. News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Session. No Final Decision will be made in the Session. Presented by County Attorney Agnes Sowle. 30 MINUTES REQUESTED.
-

Tuesday, September 18, 2007 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

BOARD BRIEFINGS

- B-1 **9:30 AM TIME CERTAIN:** Oregon Department of Education Superintendent of Public Instruction Susan Castillo presentation to the SUN Service System, for the Outstanding Community / School Partnership Award. 15-20 MINUTES REQUESTED.
- B-2 Multnomah County Emergency Management Program Briefing. Presented by George Whitney. 45 MINUTES REQUESTED.

Tuesday, September 18, 2007 - 6:00 PM – 8:00 PM
555 G St., Lake Oswego, Oregon

PUBLIC NOTICE

A quorum of the Multnomah County Board of Commissioners may attend an Association of Oregon Counties (AOC) Region 8 Social Gathering for County Commissioners. For additional information, please contact Clackamas County Commission Staff Karen Buehrig at 503- 742-5915.

Thursday, September 20, 2007 - 9:00 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

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

- C-1 Amendment 2 to Intergovernmental Revenue Agreement 0405122 with the Cities of Gresham, Fairview, and Troutdale for the East Metro Gang Enforcement Team (EMGET)
- C-2 Amendment 4 to Intergovernmental Revenue Agreement 0310499 with the City of Wood Village for Law Enforcement Patrols

DEPARTMENT OF HEALTH

- C-3 Budget Modification HD-08 Authorizing Four Position Re-Classifications within the Integrated Clinical Services Division of the Health Department, as Determined by the Class/Comp Unit of Central Human Resources

DEPARTMENT OF COMMUNITY SERVICES

- C-4 Amendment 3 to the Corbett Hill Road Viaduct 2001 OTIA Agreement with the Oregon Department of Transportation, County No. 4600003756 - ODOT No. 19,473
- C-5 RESOLUTION Setting the Public Hearing Date of October 11, 2007 for the Proposed Transfer of Tax Foreclosed Property to a Local Government

Agency [METRO] for Non Housing Purposes and Authorizing the Publication of Notice in the Daily Journal of Commerce

- C-6 RESOLUTION Setting the Public Hearing Date of October 11, 2007 for the Proposed Transfer of Tax Foreclosed Properties to Local Government Agencies [Cities of Troutdale and Portland] for Non Housing Purposes and Authorizing the Publication of the Public Notice in the Daily Journal of Commerce

DEPARTMENT OF COUNTY HUMAN SERVICES

- C-7 Amendment 1 to Intergovernmental Expenditure Agreement 4600006735 with the Housing Authority of Portland Adding Fiscal Year 2007 FEMA 25 Carryover Funding

REGULAR AGENDA **PUBLIC COMMENT**

Opportunity for Public Comment on non-agenda matters. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk.

COMMISSION ON CHILDREN, FAMILIES AND COMMUNITY - 9:00 AM

- R-1 Intergovernmental Non-Financial Agreement 0708066 with the City of Portland Creating a Joint Multnomah Youth Commission

DEPARTMENT OF COMMUNITY SERVICES – 9:07 AM

- R-2 RESOLUTION Vacating a Portion of S.W. Sweetbriar Street, a Public Road, Located in an Unincorporated Area of Southwest Multnomah County, Pursuant to ORS 368.326 to 368.366

DEPARTMENT OF HEALTH – 9:09 AM

- R-3 NOTICE OF INTENT to Apply for up to \$2,000 in Grant Funding from the Community Health Partnership Special Needs Grants Program
- R-4 NOTICE OF INTENT to Apply to National Association of County and City Health Officials (NACCHO) for \$5,000 in Grant Funding to Support the Health Department's Volunteer Health Reserve Corps Program

- R-5 Budget Modification HD-07 Moving \$100,000 from the Federal-State Fund to the Justice Services Special Operations Fund to Correct an Error in the Health Department's Emergency Medical Services' Adopted Budget

SHERIFF'S OFFICE – 9:15 AM

- R-6 Budget Modification MCSO-02 Appropriating \$614,526 of General Fund Contingency to Fund the Sheriff's Office Field Based Work Release Program

DEPARTMENT OF COUNTY MANAGEMENT – 9:35 AM

- R-7 PROCLAMATION Proclaiming the Week of September 30 to October 6, 2007, as Minority Enterprise Development Week in Multnomah County, Oregon

NON-DEPARTMENTAL - 9:40 AM

- R-8 PROCLAMATION Proclaiming September 15th through October 15th, 2007 Hispanic Heritage Month in Multnomah County Oregon
- R-9 **9:45 AM TIME CERTAIN:** RESOLUTION Memorializing Action on the City of Portland's Requests for Tax Exemption Programs Administrated by the Portland Development Commission and the City of Portland Bureau of Planning

DEPARTMENT OF COMMUNITY JUSTICE – 10:45 AM

- R-10 Budget Modification DCJ-05 Authorizing Transfer of the Court Appearance Notification System Budget of \$59,332 from the Local Public Safety Coordinating Council to the Department of Community Justice; and Approving a General Fund Contingency Appropriation of \$97,538 to Fund Phase 1 of the Court Appearance Notification System

THE MEETING WILL BE RECESSED FROM 11:30 AM - 2:00 PM

DEPARTMENT OF COMMUNITY SERVICES – 2:00 PM

- R-11 **2:00 PM TIME CERTAIN:** First Reading of a Proposed ORDINANCE Amending MCC Chapters 33, 34, 35 and 36 to Clarify What Accessory Structures and Uses are Allowed Outright in the Primary Zoning Districts, and to Provide an Alternative Review Process for Other Uses and Structures

DEPARTMENT OF COUNTY MANAGEMENT – 2:10 PM

- R-12 RESOLUTION Approving the Sale of Edgefield North, Located at SW Halsey Street and 244th in Troutdale, Oregon, to Red Shed Properties, LLC and the Reynolds School District and Authorizing County Chair to Execute Appropriate Documents to Complete the Sale

NON-DEPARTMENTAL - 2:15 PM

- R-13 RESOLUTION Accepting the Portland Children's Investment Fund Recommendation to Renew Current Investments in After-School and Mentoring Programs; and Offering Advice and Counsel to the City of Portland Concerning the Recommendations
- R-14 RESOLUTION Authorizing Distribution of Multnomah County Business Income Tax Revenue to the City of Fairview
- R-15 RESOLUTION Authorizing Distribution of Multnomah County Business Income Tax Revenue to the City of Troutdale
- R-16 RESOLUTION Authorizing Distribution of Multnomah County Business Income Tax Revenue to the City of Wood Village

BOARD COMMENT

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



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: C-1
Est. Start Time: 9:00 AM
Date Submitted: 08/31/07

Agenda Title: **Amendment 2 to Intergovernmental Revenue Agreement 0405122 with the Cities of Gresham, Fairview, and Troutdale for the East Metro Gang Enforcement Team (EMGET)**

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

Requested Meeting Date: September 20, 2007 **Amount of Time Needed:** N/A
Department: Sheriff's Office **Division:** Enforcement
Contact(s): Brad Lynch
Phone: 503-988-4336 **Ext.** 84336 **I/O Address:** 503/350
Presenter(s): Consent Calendar

General Information

1. What action are you requesting from the Board?

Approval of the amendment to intergovernmental agreement 0405122.

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

The East Metro Gang Enforcement Team (EMGET) was created to establish a combined operational law enforcement team to reduce the impact of criminal street gangs. Participants include the Gresham, Fairview, and Troutdale police departments and the Multnomah County Sheriff's Office. Funds for EMGET come from the State of Oregon. Additional funding for EMGET provides extended funding for full-time salary and benefits. The amendment extends the term of the contract until grant funds have been exhausted.

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

The City of Gresham will reimburse Multnomah County for base salary and benefit expenses for EMGET deputy services until funding has been exhausted.

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

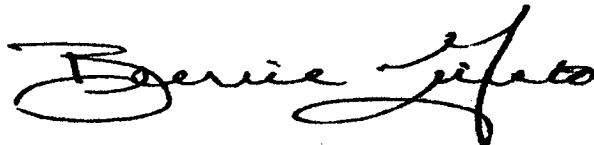
The amendment has been reviewed by the County Attorney's office.

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

None, other than described above.

Required Signature

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



Date: 08/20/07

LYNCH Brad B

From: WEBER Jacquie A [jacquie.a.weber@co.multnomah.or.us]
Sent: Wednesday, August 29, 2007 12:49 PM
To: LYNCH Brad B
Cc: DUNAWAY Susan M
Subject: RE: Contract Review Request - EMGET

This contract amendment may be circulated for signature.

From: LYNCH Brad B
Sent: Monday, August 27, 2007 8:18 AM
To: WEBER Jacquie A
Cc: DUNAWAY Susan M
Subject: Contract Review Request - EMGET

Jacquie, attached is amendment # 2 to the IGA for the East Metro Gang Enforcement Team (EMGET), along with the CAF, APR, and original IGA and first amendment.

Thank you, Brad

<<EMGET CAF Amendment 0405122-2.doc>> <<EMGET APR 0405122-2.doc>> <<EMGET Amendment 2.pdf>> <<EMGET IGA 0405122 Executed Copy.pdf>> <<EMGET Amendment 1.pdf>>

Brad Lynch

Multnomah County Sheriff's Office
Fiscal Unit
501 SE Hawthorne Blvd, STE 350
Portland, OR 97214
Phone (503) 988-4336
Fax (503) 988-4317

email: brad.lynch@mcso.us
<http://www.co.multnomah.or.us/sheriff/>

MULTNOMAH COUNTY CONTRACT APPROVAL FORM (CAF)

Contract #: 0405122

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

Amendment #: 2

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

Department: Sheriff's Office

Division/

Program: Enforcement

Date: 08/21/2007

Originator: Chief Deputy Timothy Moore

Phone: 503-988-4409

Bldg/Room: 503/350

Contact: Brad Lynch

Phone: 503-988-4336

Bldg/Room: 503/350

Description of Contract: IGA amendment to extend the term of the agreement for the East Metro Gang Enforcement Team (EMGET). Additional funding from the State of Oregon for EMGET provides extended funding for base salaries and fringe benefits. The amendment extends the term of the agreement until grant funds have been exhausted.

RENEWAL: ☐ PREVIOUS CONTRACT #(S)

EEO CERTIFICATION EXPIRES

PROCUREMENT
EXEMPTION OR
CITATION #

46-0130(1)(f)

ISSUE
DATE:

EFFECTIVE
DATE:

END
DATE:

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

Contractor	Cities of Gresham, Fairview, Troutdale			Remittance address (if different)	
Address	1333 NW Eastman Parkway				
City/State	Gresham, Oregon			Payment Schedule / Terms:	
ZIP Code	97030			<input type="checkbox"/> Lump Sum \$	<input type="checkbox"/> Due on Receipt
Phone	503-661-3000			<input type="checkbox"/> Monthly \$	<input type="checkbox"/> Net 30
Employer ID# or SS#				<input type="checkbox"/> Other \$	<input type="checkbox"/> Other
Contract Effective Date	04/05/05	Term Date	09/30/06	<input type="checkbox"/> Price Agreement (PA) or Requirements Funding Info:	
Amendment Effect Date	07/01/07	New Term Date	N/A		
Original Contract Amount	\$ 106,000.00			Original PA/Requirements Amount	\$
Total Amt of Previous Amendments	\$			Total Amt of Previous Amendments	\$
Amount of Amendment	\$			Amount of Amendment	\$
Total Amount of Agreement \$	\$ 106,000.00			Total PA/Requirements Amount	\$

REQUIRED SIGNATURES:

Department Manager

DATE

County Attorney

DATE

CPCA Manager

DATE

County Chair

DATE

Sheriff

DATE

Contract Administration

DATE

COMMENTS:

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS

AGENDA # C-1 DATE 09-20-07

DEBORAH L. BOGSTAD, BOARD CLERK

**INTERGOVERNMENTAL AGREEMENT AMENDMENT
CITY OF GRESHAM CONTRACT # 2201
Amendment # 2**

This Intergovernmental Agreement Amendment is entered into by and between the City of Gresham Police Department (Gresham), the City of Fairview Police Department (Fairview), the City of Troutdale Police Department (Troutdale), and Multnomah County Sheriff's Office (Multnomah County) and amends that contract dated April 6, 2005 and amended January 3, 2006.

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

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

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

TERM, MODIFICATION AND TERMINATION, Paragraph 1:

1. The term of this agreement shall be from July 1, 2007 until grant funds have been exhausted.

TERM, MODIFICATION AND TERMINATION, Paragraph 2:

2. Once grant funds have been exhausted, all agencies able to continue participation at their own expense will adhere to the provisions of this intergovernmental agreement.

TRAINING, Paragraph 2:

2. Any training recommended by the EMGET sergeant shall be approved by that member's agency, and all associated costs shall be borne by the participating agency.

CONTRACT COSTS, Paragraph 2:

2. Costs incurred under this IGA will only cover base salaries and fringe benefits.

CONTRACT ADMINISTRATION, Paragraph 1:

1. Gresham designates Lt. Dale Cummins, or his successor, to represent Gresham in all manners pertaining to administration of this Agreement.

CONTRACT ADMINISTRATION, Paragraph 4:

4. Multnomah County designates Captain Brett Elliot, or his successor, to represent Multnomah County in all matters pertaining to administration of this Agreement.

CONTRACT ADMINISTRATION, Paragraph 5:

5. In notice or notices provided for by this Agreement or by law to be given or served upon either party shall be given or served by certified letter, deposited in the U.S. mail, postage prepaid, and addressed to:

**Chief Ken Johnson
Fairview Police Department
1300 NE Village Street
Fairview, Oregon 97024**

**Captain Brett Elliot
Multnomah County Sheriff's Office
503 SE Hawthorne Street
Portland, Oregon 97214**

**Chief David Nelson
Troutdale Police Department
104 SE Kibling
Troutdale, Oregon 97060**

**Lt. Dale Cummins
Gresham Police Department
1333 NW Eastman Parkway
Gresham, Oregon 97030**

EXHIBIT A, SECTION I. ALLOWABLE COSTS:

Costs incurred under this IGA will cover the following, pursuant to the availability of grant funds:

- Actual base salaries and fringe benefit expenses.

All other costs, including, but not limited to overtime, equipment, and related materials, must be borne by the respective participating agency.

EXHIBIT A, SECTION II. EXPENDITURE REPORTS / INVOICES:

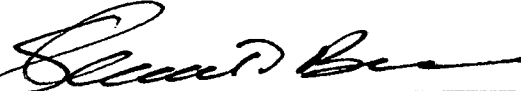
Multnomah County, the City of Troutdale, and the City of Fairview shall provide related expenditure reports/invoices to the City of Gresham on the 15th of every month for the preceding month's activity.

EXHIBIT A, SECTION III. REIMBURSEMENT:

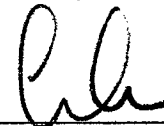
Gresham agrees to reimburse participating agencies for activity no later than 30 days after receiving payment from the State of Oregon.

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

CITY OF GRESHAM

By: 
Shane T. Bemis, MAYOR

Date: 6/20/07

By: 
Erik Kvarsten, CITY MANAGER

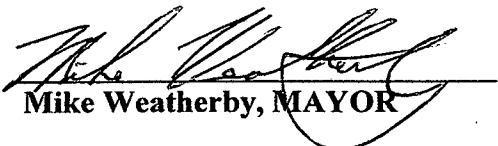
Date: 6/20/07

APPROVED As To Form:

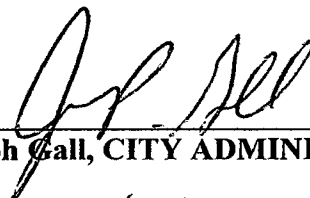

for Susan Bischoff, CITY ATTORNEY

Date: 6/20/07

CITY OF FAIRVIEW

By: 
Mike Weatherby, MAYOR

Date: 7-9-07

By: 
Joseph Gall, CITY ADMINISTRATOR


Date: 7/9/07

APPROVED As To Form:

N/A
Pamela Beery, CITY ATTORNEY


Date: _____

CITY OF TROUTDALE

By: 
Paul Thalhofer, MAYOR

Date: July 25, 2007

MULTNOMAH COUNTY

By: 
Ted Wheeler, CHAIR

Date: 09.20.07

By:

John Anderson
John Anderson, CITY ADMINISTRATOR

By:

Bernie Giusto
Bernie Giusto, SHERIFF

Date:

7/26/07

Date:

8/20/07

APPROVED As To Form:

Marnie Allen
Marnie Allen, CITY ATTORNEY

APPROVED As To Form:

Agnes Sowle
Agnes Sowle, COUNTY COUNSEL

Date:

Date:

09.20.07

East Metro Gang Enforcement Team (EMGET)

I. ALLOWABLE COSTS

Costs incurred under this IGA will cover the following, pursuant to the availability of grant funds:

- Actual base salaries and fringe benefit expenses.

All other costs, including, but not limited to overtime, equipment, and related materials, must be borne by the respective participating agency.

II. EXPENDITURE REPORTS / INVOICES

Multnomah County, the City of Troutdale, and the City of Fairview shall provide related expenditure reports/invoices to the City of Gresham on the 15th of every month for the preceding month's activity.

III. REIMBURSEMENT

Gresham agrees to reimburse participating agencies for activity no later than 30 days after receiving payment from the State of Oregon.



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: C-2
Est. Start Time: 9:00 AM
Date Submitted: 09/04/07

Agenda Title: Amendment 4 to Intergovernmental Revenue Agreement 0310499 with the City of Wood Village for Law Enforcement Patrols

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

Requested Meeting Date:	September 20, 2007	Amount of Time Needed:	N/A
Department:	Sheriff's Office	Division:	Enforcement
Contact(s):	Brad Lynch		
Phone:	503-988-4336	Ext.	84336
I/O Address:	503/350		
Presenter(s):	Consent Calendar		

General Information

1. What action are you requesting from the Board?

Approval of the amendment to intergovernmental agreement 0310499.

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

The Sheriff's Office provides patrols within the city limits of Wood Village. Wood Village pays the Sheriff's Office for the patrols. These patrols are part of the MCSO Patrol East program offer and offer Wood Village citizens emergency response, neighborhood patrols, traffic safety and assistance.

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

Wood Village will pay the County \$308,911.00 for patrol services for fiscal year 2008. The revenue has been anticipated and is included in the 2008 budget.

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

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

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

None other than those described above.

Required Signature

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

Bernie Zifato

Date: 09-04/07

LYNCH Brad B

From: WEBER Jacquie A [jacquie.a.weber@co.multnomah.or.us]
Sent: Wednesday, May 23, 2007 9:22 AM
To: LYNCH Brad B
Subject: RE: Contract Review Request - City of Wood Village

This contract amendment may be circulated for signature.

From: LYNCH Brad B
Sent: Tuesday, May 22, 2007 9:34 AM
To: WEBER Jacquie A
Subject: Contract Review Request - City of Wood Village

Jacquie, I've attached the CAF, APR, and IGA amendment for patrol services with Wood Village for next fiscal year. I'm also including the original IGA and subsequent amendments.

Thanks, Brad

<<City of Wood Village CAF 2007-2008.doc>> <<City of Wood Village APR 2007-2008.doc>> <<City of Wood Village IGA 2007-2008.doc>> <<City of Wood Village_0310499.pdf>> <<City of Wood Village_0310499-1.pdf>> <<City of Wood Village_0310499-2.pdf>> <<City of Wood Village_0310499-3.pdf>>

Brad Lynch

Multnomah County Sheriff's Office
Fiscal Unit
501 SE Hawthorne Blvd, STE 350
Portland, OR 97214
Phone (503) 988-4336
Fax (503) 988-4317

email: brad.lynch@mcso.us
<http://www.co.multnomah.or.us/sheriff/>

CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.



MULTNOMAH COUNTY SHERIFF'S OFFICE

501 SE HAWTHORNE BLVD., SUITE 350 • PORTLAND, OR 97214

Exemplary service for a safe, livable community

BERNIE GIUSTO
SHERIFF

(503) 988-4300 PHONE
(503) 988-4500 TTY
www.sheriff-mcso.org

MEMORANDUM

TO: MULTNOMAH COUNTY CHAIR

FROM: Brad Lynch, MCSO Contract Administrator

DATE: September 4, 2007

RE: Retroactive Contract Processing / Contract Number 0310499-4

Although the above referenced intergovernmental agreement amendment was sent to the City of Wood Village on May 25th, a delay in obtaining the signature of the City Attorney prevented MCSO contract administration from receiving the documents back from the City until August 28th. Therefore we request that this amendment be considered and processed as retroactive.

MULTNOMAH COUNTY CONTRACT APPROVAL FORM (CAF)

Contract #: 0310499

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

Amendment #: 4

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

Department: Sheriff's Office

Division/

Program: Enforcement

Date: 05/14/07

Originator: Chief Deputy Tim Moore

Phone: 503-988-4409

Bldg/Room: 503/350

Contact: Brad Lynch

Phone: 503-988-4336

Bldg/Room: 503/350

Description of Contract: The Sheriff's Office provides law enforcement patrol services to the City of Wood Village.

RENEWAL: ☐ PREVIOUS CONTRACT #(S) 011023; 0010303

EEO CERTIFICATION EXPIRES

PROCUREMENT
EXEMPTION OR
CITATION #

46-0130(1)(f)

ISSUE
DATE:

EFFECTIVE
DATE:

END
DATE:

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

Contractor	City of Wood Village		Remittance address (if different)	
Address	2055 NE 238 th Drive			
City/State	Wood Village, Oregon		Payment Schedule / Terms:	
ZIP Code	97060		<input type="checkbox"/> Lump Sum \$	<input type="checkbox"/> Due on Receipt
Phone	503-667-6211		<input type="checkbox"/> Monthly \$	<input type="checkbox"/> Net 30
Employer ID# or SS#			<input type="checkbox"/> Other \$	<input type="checkbox"/> Other
Contract Effective Date	07/01/03	Term Date	06/30/07	
Amendment Effect Date	07/01/07	New Term Date	06/30/08	
Original Contract Amount	\$ 220,000.00		Original PA/Requirements Amount	\$
Total Amt of Previous Amendments	\$ 830,842.75		Total Amt of Previous Amendments	\$
Amount of Amendment	\$ 308,911.00		Amount of Amendment	\$
Total Amount of Agreement \$	\$ 1,139,753.75		Total PA/Requirements Amount	\$

REQUIRED SIGNATURES:

Department Manager

DATE

County Attorney

DATE

CPCA Manager

DATE

County Chair

DATE

Sheriff

DATE

Contract Administration

DATE

COMMENTS:

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS

**MULTNOMAH COUNTY
INTERGOVERNMENTAL AGREEMENT AMENDMENT
(Amendment to Change Contract Provisions during Contract Term)**

CONTRACT NO. 0310499

This is an amendment to Multnomah County Contract referenced above effective July 1, 2003, between Multnomah County, Oregon, hereinafter referred to as County, and the City of Wood Village, hereinafter referred to as City.

The parties agree:

1. The following changes are made to Contract No. 0310499:

Contract 0310499 shall be extended for an additional period commencing July 1, 2007 and ending June 30, 2008.

Section 2, **City Responsibilities**, Subsection C shall be changed to read:

Upon receipt of quarterly billing, CITY agrees to compensate County for partial costs of delivering the above stated law enforcement services. The remittance for the period of July 1, 2007 until June 30, 2008 shall be \$308,911.00.

2. All other terms and conditions of the contract shall remain the same.

MULTNOMAH COUNTY, OREGON:

RED WHEELER
County Chair or Designee

Date: 09.20.07

Approved: BERNIE GIUSTO by m
Department Director or Designee

Date: 09-04-07

Reviewed:

**AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY**

By: _____
Assistant County Attorney Date

CITY OF WOOD VILLAGE:

Signature: David M Fuller

Name: David M Fuller
Please Print

Title: Mayor

Date: June 12, 2007

Approved as to form:

By: [Signature] 8/14/07
Date



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-3 DATE 9/20/07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: C-3
Est. Start Time: 9:00 AM
Date Submitted: 09/04/07

BUDGET MODIFICATION: HD - 08

Agenda Title: **Budget Modification HD-08 Authorizing Four Position Re-Classifications within the Integrated Clinical Services Division of the Health Department, as Determined by the Class/Comp Unit of Central Human Resources**

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

Requested Meeting Date: September 20, 2007 **Amount of Time Needed:** Consent Calendar
Department: Health Department **Division:** Integrated Clinical Services
Contact(s): Lester A. Walker, Budget & Finance Manager
Phone: (503) 988-3663 **Ext.** 26457 **I/O Address:** 167/2/210
Presenter(s): N/A

General Information

1. What action are you requesting from the Board?

Approval of 4 staffing adjustments resulting from conversions of vacant positions to new classification and re-classification of existing positions. These changes will not alter the Health Departments total FTE and the changes will be budget neutral for FY08.

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

1. Reclassify 1.0 Operations Administrator to a 1.0 Operations Supervisor in Integrated Clinical Services-ICS (Operations Support). Class Comp approved reclassification effective 8/09/07 to better suit the responsibilities of the positions. The change will have no financial impact.
2. Reclassify 1.0 Project Manager to a 1.0 Program Manager 1 in ICS (Electronic Medical Records). Class Comp approved reclassification effective 7/31/07 to better suit the responsibilities of the position. This change will have no financial impact.
3. Reclassify 1.0 Program Supervisor to a 1.0 Program Manager 1 in ICS (Dental Multicare). Class Comp approved reclassification effective 8/01/07 to better suit responsibilities of the position.

This change will have no financial impact.

4. Reclassify 1.0 Office Assistant 2 to a 1.0 Health Assistant 2 in ICS- (Mid-County Clinic). Class Comp approved reclassification effective 7/31/07 to better suit responsibilities of the position. The change will have no financial impact.

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

The changes will be budget neutral for FY08- Health Department FTE stays the same and personnel expenses do not increase.

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

N/A

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

N/A

ATTACHMENT A

Budget Modification

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

- What revenue is being changed and why?

No change in revenues.

- What budgets are increased/decreased?

The changes will be budget neutral for the Health Department.

- What do the changes accomplish?

Change of classification and staffing to better fit the duties of the positions within Health Department.

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

1. Reclassify 1.0 Operations Administrator to a 1.0 Operations Supervisor in Integrated Clinical Services-ICS-(Operations Support).
2. Reclassify 1.0 Project Manager to a 1.0 Program Manager 1 in ICS (Electronic Medical Records).
3. Reclassify 1.0 Program Supervisor to a 1.0 Program Manager 1 in ICS (Dental Multicare).
4. Reclassify 1.0 Office Assistant 2 to a 1.0 Health Assistant 2 in ICS- (Mid-County Clinic).

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

N/A

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

N/A

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

N/A

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

N/A

<p><i>NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.</i></p>

ATTACHMENT B

BUDGET MODIFICATION: HD - 08

Required Signatures

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

Lillian Shirley

Date: 09/01/07

/KJ

Budget Analyst:

Angela Burdine

Date: 09/06/07

Department HR:

Patricia Heller

Date: 08/28/07

Countywide HR:

Date:

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

						ANNUALIZED			
Fund	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1505	9720	64804	Operations Administrator	706609	(1.00)	(58,925)	(18,909)	(13,835)	(91,669)
1505	9025	64804	Operations Supervisor	706609	1.00	58,925	18,909	13,835	91,669
1505	9063	64530	Project Manager	711811	(1.00)	(74,918)	(21,786)	(14,875)	(111,579)
1505	9615	64530	Program Manager 1	711811	1.00	74,918	21,786	14,875	111,579
1505	9361	64816	Program Supervisor	705128	(1.00)	(57,979)	(18,605)	(13,774)	(90,358)
1505	9615	64816	Program Manager 1	705128	1.00	57,979	18,605	13,774	90,358
1505	6001	65188	Office Assistant 2	702566	(1.00)	(34,917)	(11,205)	(12,275)	(58,397)
1505	6294	65188	Health Assistant 2	702566	1.00	34,917	11,205	12,275	58,397
			TOTAL ANNUALIZED CHANGES		0.00	0	0	0	0

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

						CURRENT YEAR			
Fund	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1505	9720	64804	Operations Administrator	706609	(0.89)	(52,443)	(16,829)	(12,313)	(81,585)
1505	9025	64804	Operations Supervisor	706609	0.89	52,443	16,829	12,313	81,585
1505	9063	64530	Project Manager	711811	(0.92)	(68,925)	(20,043)	(13,685)	(102,653)
1505	9615	64530	Program Manager 1	711811	0.92	68,925	20,043	13,685	102,653
1505	9361	64816	Program Supervisor	705128	(0.92)	(53,341)	(17,117)	(12,672)	(83,129)
1505	9615	64816	Program Manager 1	705128	0.92	53,341	17,117	12,672	83,129
1505	6001	65188	Office Assistant 2	702566	(0.92)	(32,124)	(10,309)	(11,293)	(53,725)
1505	6294	65188	Health Assistant 2	702566	0.92	32,124	10,309	11,293	53,725
			TOTAL CURRENT FY CHANGES		0.00	0	0	0	0



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: C-4
Est. Start Time: 9:00 AM
Date Submitted: 09/06/07

Agenda Title: Amendment 3 to the Corbett Hill Road Viaduct 2001 OTIA Agreement with the Oregon Department of Transportation, County No. 4600003756 - ODOT No. 19,473

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

Requested Meeting Date:	September 20, 2007	Amount of Time Needed:	Consent Calendar
Department:	Community Services	Division:	Land Use & Trans Program
Contact(s):	Harold Maxa		
Phone:	(503) 988-5050	Ext.	29627
Presenter(s):	N/A		
I/O Address:	425		

General Information

1. What action are you requesting from the Board?

The Department of Community Services-Land Use and Transportation Program recommends approval of Amendment No. 3 to the 2001 Oregon Transportation Investment Act Agreement (OTIA) concerning Corbett Hill Road Viaduct (Br. #51C11) to increase the OTIA funding portion.

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

This amendment addresses the following change to the Agreement with the State:

The Corbett Hill Viaduct Replacement Project became eligible for additional funding from OTIA. This amendment increases the OTIA funding portion of this project by \$252,972.

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

This action increases the money available to the County from outside sources and lessens the potential impact of the project on the County's Road funds.

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

There are no new legal and/or policy issues due to this amendment.

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

Multnomah County has held numerous community meetings and utilized direct mailings to inform the public of this project. The project construction phase has been completed.

Required Signature

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



Date: 09/05/07

MULTNOMAH COUNTY CONTRACT APPROVAL FORM

Pre-approved Contract Boilerplate (with County Attorney signature) ☒ Attached ☐ Not Attached Contract #: 4600003756
Amendment #: 3

CLASS I	CLASS II	CLASS III A
Contracts \$75,000 and less per 12 month period	Contracts over \$75,000 per 12 month period	<input type="checkbox"/> Government Contracts (190 Agreement)
<input type="checkbox"/> Professional Services Contracts <input type="checkbox"/> PCRB Contracts <input type="checkbox"/> Maintenance Agreements <input type="checkbox"/> Licensing Agreements <input type="checkbox"/> Public Works Construction Contracts <input type="checkbox"/> Architectural & Engineering Contracts <input type="checkbox"/> Revenue Contracts <input type="checkbox"/> Grant Contracts <input type="checkbox"/> Non-Expenditure Contracts	<input type="checkbox"/> Professional Services Contracts <input type="checkbox"/> PCRB Contracts <input type="checkbox"/> Maintenance Agreements <input type="checkbox"/> Licensing Agreements <input type="checkbox"/> Public Works Construction Contracts <input type="checkbox"/> Architectural & Engineering Contracts <input type="checkbox"/> Revenue Contracts <input type="checkbox"/> Grant Contracts <input type="checkbox"/> Non-Expenditure Contracts	<input type="checkbox"/> Expenditure <input type="checkbox"/> Non-Expenditure <input type="checkbox"/> Revenue <hr/> CLASS III B <input checked="" type="checkbox"/> Government Contracts (Non-190 Agreement) <input type="checkbox"/> Expenditure <input type="checkbox"/> Non-Expenditure <input checked="" type="checkbox"/> Revenue <hr/> <input type="checkbox"/> Interdepartmental Contracts

Department: Community Services Division: Land Use & Trans Program Date: 09/4/07
 Originator: Harold Maxa Phone: x29627 Bldg/Rm: 425/2nd Floor
 Contact: Cathy Kramer Phone: x22589 Bldg/Rm: 425/2nd Floor
 Description of Contract: Amendment No. 3 to Intergovernmental Agreement No. 19,473 between the County and ODOT, due to an increase of \$252,972 in funding available for the Corbett Hill Viaduct (Br. #51C11) Replacement Project from the Oregon Transportation Investment Act (OTIA) Program and to extend the completion date. There is no expenditure by the County as a result of Amendment No. 3.

RENEWAL: ☐ PREVIOUS CONTRACT #(S): _____
 RFP/BID: _____ RFP/BID DATE: _____
 EXEMPTION #: _____ ORS/AR #: _____
 EFFECTIVE DATE: _____ EXPIRATION DATE: _____
 CONTRACTOR IS: ☐ MBE ☐ WBE ☐ ESB ☐ QRF State Cert# _____ or ☐ Self Cert ☐ Non-Profit ☒ N/A (Check all boxes that apply)

Contractor	Oregon Department of Transportation - Region 1			Remittance address	_____		
Address	123 NW Flanders St.			(If different)	_____		
City/State	Portland OR			Payment Schedule / Terms	_____		
ZIP Code	97209-4037			<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on Receipt		
Phone	(503) 731-8277 (Devorah Hannah-Contr/Agrmt Unit)			<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30		
Employer ID# or SS#	N/A			<input checked="" type="checkbox"/> Other \$ _____ Invoice	<input type="checkbox"/> Other		
Contract Effective Date	11/21/02	Term Date	4/15/08	<input type="checkbox"/> Requirements Funding Info:			
Amendment Effect Date	9/20/07	New Term	4/15/08	Original Requirements Amount	\$ _____		
Original Contract Amount	\$ 806,723.00			Total Amt of Previous Amendments	\$ _____		
Total Amt of Previous Amendments	\$ 150,000.00			Requirements Amount Amendment	\$ _____		
Amount of Amendment	\$ 252,972.00			Total Amount of Requirements	\$ _____		
Total Amount of Agreement \$	\$ 1,209,695.00						

REQUIRED SIGNATURES:

Department Manager <u>[Signature]</u>	DATE <u>9/5/07</u>
Purchasing Manager _____	DATE _____
County Attorney _____	DATE _____
County Chair <u>[Signature]</u>	DATE <u>09.20.07</u>
Sheriff _____	DATE _____
Contract Administration _____	DATE _____

COMMENTS: WBS: ROADPC0404D300

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-4 DATE 09.20.07
DEBORAH L. BOGSTAD, BOARD CLERK



IGA Contract

Vendor Address

OREG ST OF DEPT OF TRANSPORTATION
123 NW FLANDERS ST
PORTLAND OR 97209-4037

Information

Contract Number 4600003756
Date 10/09/2002
Vendor No. 23683
Contact/Phone BCS Transport'n /
X26798
Validity Period: 11/21/2002 - 04/15/2008
Minority Indicator: Not Identified

Estimated Target Value: 240,000.00 USD

Item	Material/Description	Target Qty	UM	Unit Price
0004	<p>Amen #3-Add'l Funding</p> <p>Plant: F030 Community Service Requirements Tracking Number: 99 Amendment No. 3 to Intergovernmental Agreement with Oregon Dept of Transportation (Agreement No. 19,473) re: Replacement of the Corbett Hill Viaduct (Bridge #51C11) under the 2001 Oregon Transportation Investment Act (OTIA)m due to an increase in funding available for the project from OTIA. The Amendment does not result in any increase in cost to the County.(County Share: Approximately \$240,000) (Original Agreement Effective Dates: November 15, 2002 - January 19, 2006)</p> <p>Amendment No. 1 revised the completion date to January 19, 2008 (No additional cost).</p> <p>Amendment No. 2 revises the completion date to April 15, 2008.</p> <p>Amendment No. 3 increases the OTIA revenue. Project Manager: Harold Maxa - 988-5050 x29627 (Admin Contact: Cathey Kramer - 988-5050 x22589) (WBS-ROADCPC0404D300)</p> <p>Ship to: Multnomah County Dept of Community Services Yeon Annex 1600 SE 190th Ave, 224 Portland OR 97233</p> <p>*** New item ***</p>	0.000	Dollars	\$ 1.0000

**AMENDMENT NO. 3
2001 OREGON TRANSPORTATION INVESTMENT ACT AGREEMENT
Corbett Hill Road Viaduct (Br. # 51C11)**

The State of Oregon, acting by and through its Department of Transportation, hereinafter referred to as "ODOT", and Multnomah County, acting by and through its elected officials, hereinafter referred to as "Agency", entered into an Agreement on December 2, 2002. Said Agreement covers Agency's OTIA Project to replace the Corbett Hill Road Viaduct structure. The Agreement was amended on May 8, 2006 to revise the Project's key milestones and dates for the Project. The Agreement was amended on May 3, 2007 to add additional funding to the Project and to revise the construction and Project completion dates.

It has now been determined by ODOT and Agency that the Agreement referenced above, although remaining in full force and effect, shall be amended to add additional funds to the OTIA funding allocation for the Agreement.

REVISED EXHIBIT A is deleted in its entirety and all references to REVISED EXHIBIT A shall hereinafter be referred to as SECOND REVISED EXHIBIT A, attached hereto and by this reference made a part hereof.

Paragraph 2 of Terms of Agreement, Page 1, which reads:

2. The total estimated cost of the Project is \$1,196,723. The budget is shown on Revised Exhibit "A".

Shall be deleted in its entirety and amended to read:

2. The total estimated cost of the Project is \$1,449,695. The budget is shown on the Second Revised Exhibit "A".

Paragraph 3 of Terms of Agreement, Page 2, which reads:

3. 2001 OTIA Program funds shall be limited to \$956,723. Agency shall provide \$240,000 for preliminary engineering and shall be responsible for all remaining costs in excess of the 2001 OTIA Program funded amount for this Project.

Shall be deleted in its entirety and amended to read:

3. 2001 OTIA Program funds shall be limited to \$1,209,695. Agency shall provide \$240,000 for preliminary engineering and shall be responsible for all remaining costs in excess of the 2001 OTIA Program funded amount for this Project.

Paragraph 1a of ODOT Obligations, Page 6, which reads:

1a. ODOT shall reimburse Agency 100 % of eligible, actual costs incurred up to the maximum amount of OTIA funds committed for the Project specified in Terms of Agreement 3, provided that Agency is meeting the Project milestones set out in revised Agency Obligations 4. a. Under no conditions shall ODOT's total obligation exceed \$956,723, including all expenses. When reimbursement is requested, Agency shall submit Exhibit C, which is attached hereto and by this reference made a part hereof.

Shall be deleted in its entirety and amended to read:

1a. ODOT shall reimburse Agency 100 % of eligible, actual costs incurred up to the maximum amount of OTIA funds committed for the Project specified in Terms of Agreement 3, provided that Agency is meeting the Project milestones set out in revised Agency Obligations 4. a. Under no conditions shall ODOT's total obligation exceed \$1,209,695, including all expenses. When reimbursement is requested, Agency shall submit Exhibit C, which is attached hereto and by this reference made a part hereof.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the day and year hereinafter written.

The Oregon Transportation Commission on June 18, 2003, approved Delegation Order No. 2, which authorizes the Director to approve and execute agreements for day-to-day operations. Day-to-day operations include those activities required to implement the biennial budget approved by the Legislature, including activities to execute a project in the Statewide Transportation Improvement Program.

SIGNATURE PAGE TO FOLLOW

Agreement No.19473-3
Multnomah County

On September 15, 2006, the Director of the Oregon Department of Transportation approved Subdelegation Order No. 2, Paragraph 1, in which authority is delegated to the Deputy Director, Highways, to approve and sign agreements over \$75,000 when the work is related to a project included in the Statewide Transportation Improvement Program or in other system plans approved by the Oregon Transportation Commission, or in a line item in the biennial budget approved by the Director.

**Multnomah County, by and through its
Elected Officials**

By RD WILKINSON
Chair

Date 09.20.07

APPROVED AS TO LEGAL SUFFICIENCY

By _____
Agency Counsel

Date _____

**STATE OF OREGON, by and
through
its Department of Transportation**

By _____
Deputy Director, Highways

Date _____

APPROVAL RECOMMENDED

By _____
Technical Services Manager/Chief
Engineer

Date _____

By _____
Region 1 Manager

Date _____

**APPROVED AS TO LEGAL
SUFFICIENCY**

By _____
Assistant Attorney General

Date: _____

M. C. & A. No. 19,473-3
SECOND REVISED EXHIBIT A
PROJECT DESCRIPTION
MULTNOMAH COUNTY TRANSPORTATION DIVISION
CORBETT HILL ROAD VIADUCT

The Corbett Hill Road Viaduct is a load limited structure that restricts commercial access to and from the community of Corbett. Cracking is evident in both the deck and beams. More stringent weight limits or even complete closure is likely if the structure is not replaced. Corbett Hill Road is one of only two routes to and from the community of Corbett. Closure of the Corbett Hill road to freight traffic would require trucks to access I-84 via either the Stark Street Bridge (which is weight limited), or through a clearance limited under-crossing at Jordan Interchange.

This Project will replace the structure with either a new viaduct or a retaining wall.

Project Cost Estimate		Project Financing	
Preliminary engineering & design	\$ 240,000	Agency Contribution	\$ 240,000 16.6%
Right-of-way purchase	\$ 0	OTIA	\$ 1,209,695 83.4%
Construction	\$ 1,209,695		
Total	\$ 1,449,695	Total	\$ 1,449,695 100%

SPECIAL CONDITIONS

No Conditions of Approval are required for this Project.



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST short form

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: C-5
Est. Start Time: 9:00 AM
Date Submitted: 09/06/07

Agenda Title: **RESOLUTION Setting the Public Hearing Date of October 11, 2007 for the Proposed Transfer of Tax Foreclosed Property to a Local Government Agency for Non Housing Purposes and Authorizing the Publication of Notice in the Daily Journal of Commerce**

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

Date Requested: September 20, 2007
Department: Community Services
Contact(s): Gary Thomas
Phone: 503-988-3590 Ext. 22591
Presenter(s): Gary Thomas
Time Requested: Consent Item
Division: Tax Title
I/O Address: 503/4/TT

General Information

1. What action are you requesting from the Board?

The Tax Title Section is requesting the Board to set October 11, 2007 as a date to receive public testimony concerning the proposed transfer of Tax Foreclosed Properties. Further we request the Board to authorize the publication of the required public notice for the proposed hearing pursuant to ORS 271.330(5) and MCC Section 7.407(E).

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

On June 6, 2007 in accordance with MCC Chapter 7, a list of tax foreclosed properties was made available to Government Agencies for non-housing purposes. A governmental unit may request transfer of a listed property within 60 days after notice of property availability was first mailed. MCC Chapter 7 also states that the Department shall report to the Board all requests for transfer of property by governments. Although the Metro Parks Department did not respond timely with their request for transfer of a tax foreclosed property we believe it is in the best interest of the County to comply with this request.

This action affects our Vibrant Communities Program Offer by placing a tax foreclosed property into public use.

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

The Tax Title Fund has incurred expenses associated with preparation of application materials, newspaper publications, processing transfer requests, preparation of Board documents and recording fees. The proposed transfers of the Properties do not provide for reimbursement to the County for these costs.

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

No legal issues are anticipated as a result of this action.

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

All public agencies of Multnomah County are invited to participate in the Tax Foreclosed Property transfer process. A notice of this transfer hearing will be published in the Daily Journal of Commerce Public Notice Section.

Exhibit A

Properties Requested for Transfer by Local Government Agencies

METRO PARKS is requesting:

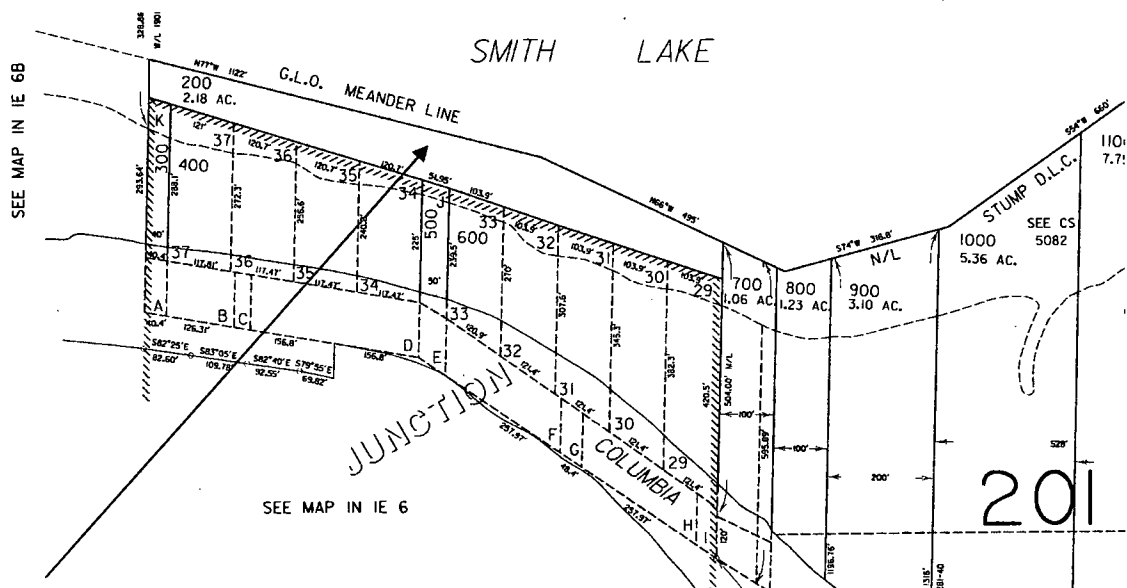
Tax Account No.: R489105
Type of Use: Natural Area
Taxes: \$3,125
Expenses: \$50

Legal Description:

A tract of land in the Northeast quarter of Section 6, Township 1 North, Range 1 East, Willamette Meridian in the County of Multnomah, State of Oregon, said tract being more particularly described as follows:

A strip of land bounded on the North by the G.L.O. meander line for Smith Lake; on the East by the Northerly extension of the East line of the plat of Junction; on the South by the North line of the plat of Junction; and on the East by the Northerly extension of the West line of the plat of Junction.

Tax Lot 200 approximately 1,095' long x 120' wide located adjacent to Smith Lake and land owned by Metro. Surrounding land is undeveloped and subject appears to be in a marshy area.



Required Signature

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

M. Cecilia Johnson

Date: 09/05/07

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Setting the Public Hearing Date of October 11, 2007 for the Proposed Transfer of Tax Foreclosed Property to a Local Government Agency [METRO] for Non Housing Purposes and Authorizing the Publication of Notice in the Daily Journal of Commerce

The Multnomah County Board of Commissioners Finds:

- a. ORS 271.330 and Multnomah County Code (MCC) Chapter 7 authorize the transfer of Tax Foreclosed Real Property to governmental bodies provided the property is used for a public purpose.
- b. Exhibit A to this resolution describes a tax foreclosed parcel of real property, Account Number R489105; for which the County received a request from METRO for transfer under the above cited State Law and County Code provisions
- c. MCC Section 7. 407(C) provides that participating governments are to respond within 60 days after the notice of the properties available for transfer was mailed. Although Metro was a few days late in responding, Multnomah County Code Section 7. 407 (D) provides that the Department shall report to the Board *all* requests for transfer of property made by governments.
- d. The Tax Title Section has presented a report to the Board as required under MCC 7.407(D) for the property proposed for transfer.

The Multnomah County Board of Commissioners Resolves:

1. As allowed under ORS 271.330(5) and MCC 7.407(E); METRO's request for transfer of the above described tax foreclosed property for non-housing purposes is set for a further hearing before this Board on October 11, 2007 at 9:30 a.m.
2. That the Multnomah County Tax Title Division is directed to publish notice of the public hearing in a newspaper of general circulation for two successive weeks. The notice shall be in a form consistent with that set forth in Exhibit B, attached to this Resolution and incorporated by this reference and shall:
 - a. Advise the public of the County's intention to transfer these properties;
 - b. Describe the properties proposed for transfer;
 - c. Identify the date, time and location of the hearing;
 - d. State that the Board will accept objections and comments concerning the transfer at the hearing;
 - e. Advise how a copy of the Department's report can be obtained.

3. That the Tax Title Division shall mail a copy of the notice to the local government applicants and other persons requesting such notice.

ADOPTED this 20th day of September, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By

Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Dept. of Community Services

EXHIBIT A
(RESOLUTION)
PROPOSED PROPERTY TRANSFER TO METRO PARKS

PARCEL:

a. Legal Description: A tract of land in the Northeast quarter of Section 6, Township 1 North, Range 1 East, Willamette Meridian in the County of Multnomah, State of Oregon, said tract being more particularly described as follows:

A strip of land bounded on the North by the G.L.O. meander line for Smith Lake; on the East by the Northerly extension of the East line of the plat of Junction; on the South by the North line of the plat of Junction; and on the East by the Northerly extension of the West line of the plat of Junction.

b. Tax Account No.: R489105
c. Type of Use: Natural Area
d. Taxes: \$3,125
e. County Expenses: \$50

**EXHIBIT B
(RESOLUTION)**

**NOTICE OF PUBLIC HEARING
BEFORE THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS**

TIME: 9:30 A.M., Thursday October 11, 2007

PLACE: The Multnomah Building, Room 100
501 SE Hawthorne Blvd, Portland, Oregon

SUBJECT: Proposed Transfer of one Multnomah County tax foreclosed parcel of real property, to METRO to be used for public purposes as authorized under ORS 271.330 and Multnomah County Code Chapter 7. The property proposed for transfer is described as follows:

Legal Description: A tract of land in the Northeast quarter of Section 6, Township 1 North, Range 1 East, Willamette Meridian in the County of Multnomah, State of Oregon, said tract being more particularly described as follows:

A strip of land bounded on the North by the G.L.O. meander line for Smith Lake; on the East by the Northerly extension of the East line of the plat of Junction; on the South by the North line of the plat of Junction; and on the East by the Northerly extension of the West line of the plat of Junction.

Tax Account No: R489105

CONTACT INFORMATION: The County Board will accept objections and comments about the transfers at the meeting. Please contact Tax Title for any additional information or if you would like a copy of the staff report at **503-988-3590**.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 07-148

Setting the Public Hearing Date of October 11, 2007 for the Proposed Transfer of Tax Foreclosed Property to a Local Government Agency [METRO] for Non Housing Purposes and Authorizing the Publication of Notice in the Daily Journal of Commerce

The Multnomah County Board of Commissioners Finds:

- a. ORS 271.330 and Multnomah County Code (MCC) Chapter 7 authorize the transfer of Tax Foreclosed Real Property to governmental bodies provided the property is used for a public purpose.
- b. Exhibit A to this resolution describes a tax foreclosed parcel of real property, Account Number R489105; for which the County received a request from METRO for transfer under the above cited State Law and County Code provisions
- c. MCC Section 7. 407(C) provides that participating governments are to respond within 60 days after the notice of the properties available for transfer was mailed. Although Metro was a few days late in responding, Multnomah County Code Section 7. 407 (D) provides that the Department shall report to the Board *all* requests for transfer of property made by governments.
- d. The Tax Title Section has presented a report to the Board as required under MCC 7.407(D) for the property proposed for transfer.

The Multnomah County Board of Commissioners Resolves:

1. As allowed under ORS 271.330(5) and MCC 7.407(E); METRO's request for transfer of the above described tax foreclosed property for non-housing purposes is set for a further hearing before this Board on October 11, 2007 at 9:30 a.m.
2. That the Multnomah County Tax Title Division is directed to publish notice of the public hearing in a newspaper of general circulation for two successive weeks. The notice shall be in a form consistent with that set forth in Exhibit B, attached to this Resolution and incorporated by this reference and shall:
 - a. Advise the public of the County's intention to transfer these properties;
 - b. Describe the properties proposed for transfer;
 - c. Identify the date, time and location of the hearing;
 - d. State that the Board will accept objections and comments concerning the transfer at the hearing;
 - e. Advise how a copy of the Department's report can be obtained.

3. That the Tax Title Division shall mail a copy of the notice to the local government applicants and other persons requesting such notice.

ADOPTED this 20th day of September, 2007.

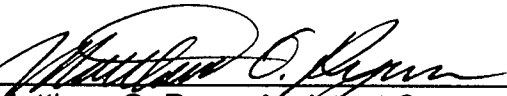


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Dept. of Community Services

EXHIBIT A
(RESOLUTION)
PROPOSED PROPERTY TRANSFER TO METRO PARKS

PARCEL:

a. Legal Description: A tract of land in the Northeast quarter of Section 6, Township 1 North, Range 1 East, Willamette Meridian in the County of Multnomah, State of Oregon, said tract being more particularly described as follows:

A strip of land bounded on the North by the G.L.O. meander line for Smith Lake; on the East by the Northerly extension of the East line of the plat of Junction; on the South by the North line of the plat of Junction; and on the East by the Northerly extension of the West line of the plat of Junction.

- b. Tax Account No.: R489105
- c. Type of Use: Natural Area
- d. Taxes: \$3,125
- e. County Expenses: \$50

**EXHIBIT B
(RESOLUTION)**

**NOTICE OF PUBLIC HEARING
BEFORE THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS**

TIME: 9:30 A.M., Thursday October 11, 2007

PLACE: The Multnomah Building, Room 100
501 SE Hawthorne Blvd, Portland, Oregon

SUBJECT: Proposed Transfer of one Multnomah County tax foreclosed parcel of real property, to METRO to be used for public purposes as authorized under ORS 271.330 and Multnomah County Code Chapter 7. The property proposed for transfer is described as follows:

Legal Description: A tract of land in the Northeast quarter of Section 6, Township 1 North, Range 1 East, Willamette Meridian in the County of Multnomah, State of Oregon, said tract being more particularly described as follows:

A strip of land bounded on the North by the G.L.O. meander line for Smith Lake; on the East by the Northerly extension of the East line of the plat of Junction; on the South by the North line of the plat of Junction; and on the East by the Northerly extension of the West line of the plat of Junction.

Tax Account No: R489105

CONTACT INFORMATION: The County Board will accept objections and comments about the transfers at the meeting. Please contact Tax Title for any additional information or if you would like a copy of the staff report at **503-988-3590**.



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST short form

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: C-6
Est. Start Time: 9:00 AM
Date Submitted: 09/06/07

Agenda Title **RESOLUTION Setting the Public Hearing Date of October 11, 2007 for the Proposed Transfer of Tax Foreclosed Properties to Local Government Agencies [Cities of Troutdale and Portland] for Non Housing Purposes and Authorizing the Publication of the Public Notice in the Daily Journal of Commerce**

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

Date Requested:	<u>September 20, 2007</u>	Time Requested:	<u>Consent Item</u>
Department:	<u>Community Services</u>	Division:	<u>Tax Title</u>
Contact(s):	<u>Gary Thomas</u>		
Phone:	<u>503-988-3590</u>	Ext.	<u>22591</u>
		I/O Address:	<u>503/4/TT</u>
Presenter(s):	<u>Gary Thomas</u>		

General Information

1. What action are you requesting from the Board?

The Tax Title Section is requesting the Board to set October 11, 2007 as a date to receive public testimony concerning the proposed transfer of Tax Foreclosed Properties. Further we request the Board to authorize the publication of the required public notice for the proposed hearing pursuant to ORS 271.330(5) and MCC Section 7.407(E).

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

On June 6, 2007 in accordance with MCC Chapter 7, a list of tax foreclosed properties was made available to Government Agencies for non-housing purposes. The County has received timely requests for two of these properties from the following local governments:

- The City of Troutdale, Public Works Department has requested Tax Foreclosed Property R320479. The proposed public use of this property would be as storm water storage and treatment.
- The City of Portland, Bureau of Environmental Services has requested Tax Foreclosed Property R248041. The proposed public use of this property would be open space, stream restoration and as a potential trail connection.

This action affects our Vibrant Communities Program Offer by placing two tax foreclosed properties into public use.

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

The Tax Title Fund has incurred expenses associated with preparation of application materials, newspaper publications, processing transfer requests, preparation of Board documents and recording fees. The proposed transfers of the Properties do not provide for reimbursement to the County for these costs.

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

No legal issues are anticipated as a result of this action.

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

All public agencies of Multnomah County are invited to participate in the Tax Foreclosed Property transfer process. A notice of this transfer hearing will be published in the Daily Journal of Commerce Public Notice Section.

Exhibit A

Properties Requested for Transfer by Local Government Agencies

City of Troutdale, Public Works Department is requesting:

Tax Account No.: R320479
Type of Use: Storm Water Storage or Treatment
Tax Decree: \$479
Expenses: \$171
Legal Description:

A tract of land in the Southwest one-quarter of Section 24, Township 1 North, Range 3 East, of the Willamette Meridian, Multnomah County, Oregon, described as follows:

Commencing at a point 26 feet North and 283 feet North89° 57'00" East from the Southwest corner of said Section 24; thence continuing along said bearing (North89° 57'00" East) to a point of intersection on the Northeasterly line of Harlow Road (Co. Rd. 1728) said point being the point of beginning of the tract of land herein described; thence continuing further along said bearing to the high water line of the Sandy River; thence Southerly along said high water line to the South line of said Section 24; thence Westerly along said line to the Easterly line of the aforesaid Harlow Road; thence Northwesterly along said Easterly line to the point of beginning.

Tax Lot 1100 located adjacent to Harlow Road and Sandy River near the Troutdale Airport.

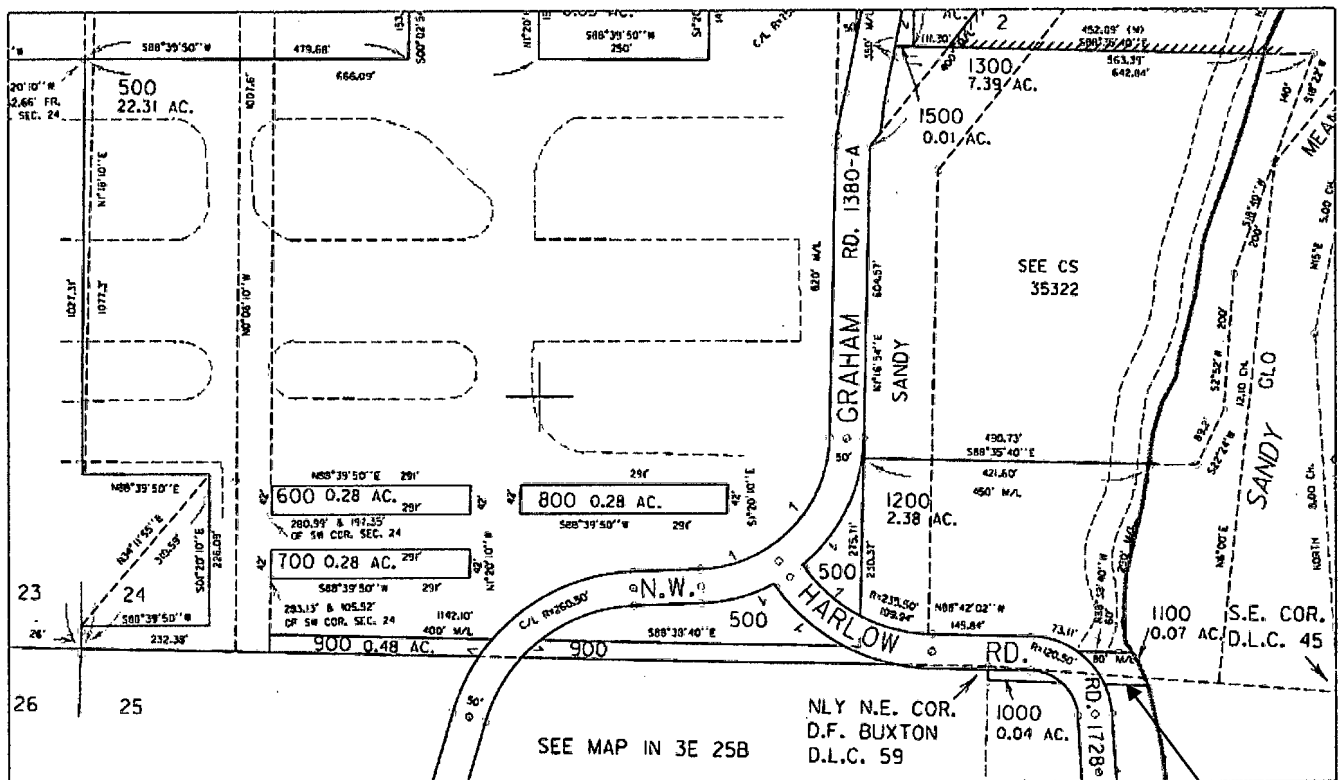
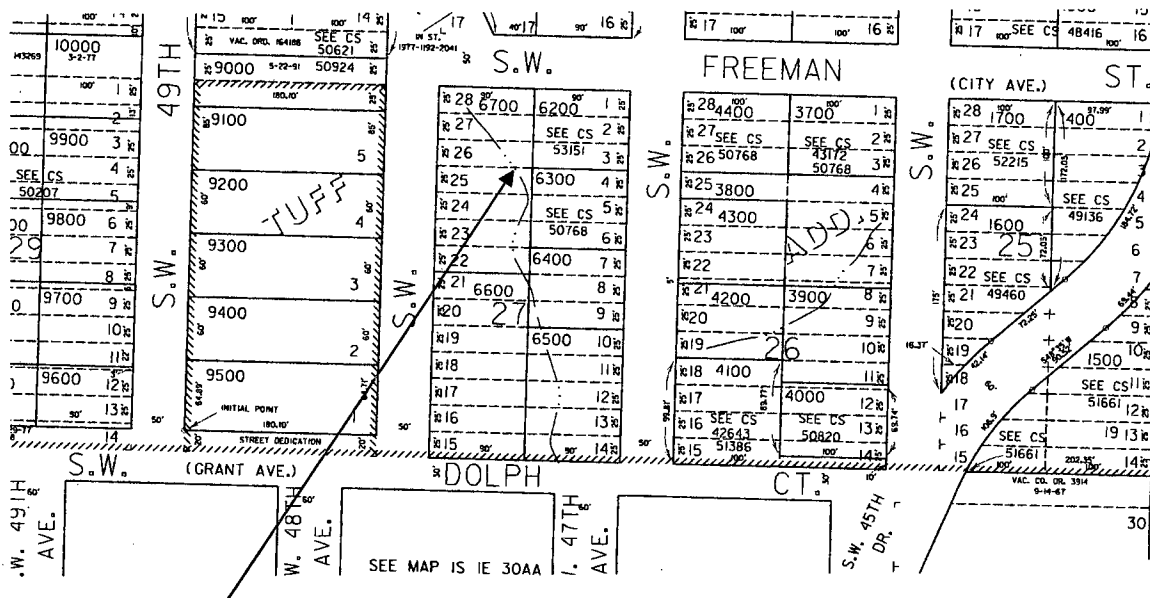


Exhibit A (Continued) **Properties Requested for Transfer by Local Government Agencies**

City of Portland, Department of Environmental Services is requesting:

Tax Account No.: R248041
 Type of Use: Open Space, Stream Restoration, Potential Trail Connection
 Tax Decree: \$4,535
 Expenses: \$250
 Legal Description: LOT 22-28 BLOCK 27 PORTLAND PARK ADDITION

Tax Lot 6700 approximately 90' x 175' located adjacent to 8607 SW 47th. Lot is wooded and brush covered, sloping and difficult to access.



Required Signature

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

M. Cecilia Johnson

Date: 09/05/07

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Setting the Public Hearing Date of October 11, 2007 for the Proposed Transfer of Tax Foreclosed Properties to Local Government Agencies [Cities of Troutdale and Portland] for Non Housing Purposes and Authorizing the Publication of the Public Notice in the Daily Journal of Commerce

The Multnomah County Board of Commissioners Finds:

- a. ORS 271.330 and Multnomah County Code Chapter 7 authorize Multnomah County to transfer Tax Foreclosed Real Property to other governmental bodies provided the property is used for a public purpose.
- b. Exhibit A to this resolution describes two properties for which the County received requests for transfer as authorized under the above cited State Law and County Code provisions.
- c. The City of Troutdale has requested the transfer of the property identified in Exhibit A as Parcel No. 1, Tax Account Number R320479.
- d. The City of Portland has requested the transfer of the property identified in Exhibit A as Parcel No.2; Account Number R248041.
- e. The Tax Title Section has presented a report to the Board as required under MCC 7.407(D) for both of the properties proposed for transfer.

The Multnomah County Board of Commissioners Resolves:

1. As allowed ORS 271.330(5) and MCC 7.407(E); these requests by the Cities of Troutdale and Portland for transfer of the above described tax foreclosed properties for non-housing purposes are set for a further public hearing before this Board on October 11, 2007 at 9:30 a.m.
2. The Tax Title Division is directed to publish notice of the public hearing in a newspaper of general circulation for two successive weeks. The notice shall be in a form consistent with that set forth in Exhibit B, attached to this Resolution and incorporated by this reference and shall:
 - a. Advise the public of the County's intention to transfer these properties;
 - b. Describe the properties proposed for transfer;
 - c. Identify the date, time and location of the hearing;
 - d. State that the Board will accept objections and comments concerning the transfer at the hearing;

- e. Advise how a copy of the Department's report can be obtained.
3. That the Tax Title Division shall mail a copy of the notice to the local government applicants and other persons requesting such notice.

ADOPTED this 20th day of September, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By

Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Dept. of Community Services

EXHIBIT A (RESOLUTION)
PROPERTIES REQUESTED BY LOCAL GOVERNMENTS

PARCEL 1: Requested by the City of Troutdale:

a. Legal Description: A tract of land in the Southwest one-quarter of Section 24, Township 1 North, Range 3 East, of the Willamette Meridian, Multnomah County, Oregon, described as follows:

Commencing at a point 26 feet North and 283 feet North89° 57'00"East from the Southwest corner of said Section 24; thence continuing along said bearing (North89° 57'00"East) to a point of intersection on the Northeasterly line of Harlow road (Co. Rd. 1728) said point being the point of beginning of the tract of land herein described; thence continuing further along said bearing to the high water line of the Sandy river; thence Southerly along said high water line to the South line of said Section 24; thence Westerly along said line to the Easterly line of the aforesaid Harlow road; thence Northwesterly along said Easterly line to the point of beginning.

- b. Tax Account No.: R320479
- c. Type of Use: Storm Water Storage or Treatment
- d. Taxes: \$479
- e. County Expenses: \$171

PARCEL 2: Requested by the City of Portland

- a. Legal Description: LOT 22-28 BLOCK 27 PORTLAND PARK ADDITION
- b. Tax Account No.: R248041
- c. Type of Use: Open Space, Stream Restoration, Potential Trail Connection
- d. Taxes: \$4,535
- e. County Expenses: \$250

EXHIBIT B (RESOLUTION)

NOTICE OF PUBLIC HEARING BEFORE THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

TIME: 9:30 A.M., Thursday October 11, 2007

PLACE: The Multnomah Building, Room 100
501 SE Hawthorne Blvd, Portland, Oregon

SUBJECT: Proposed Transfer of two Multnomah County tax foreclosed real property parcels described below, to other Governmental bodies to be used for public purposes as authorized under ORS 271.330 and Multnomah County Code Chapter 7. The Governments requesting the properties and the descriptions of the properties proposed for transfer are as follows:

PARCEL NO. 1: To the CITY OF TROUTDALE, for public purposes:

Tax Account No.: R320479.

Legal Description: A tract of land in the Southwest one-quarter of Section 24, Township 1 North, Range 3 East, of the Willamette Meridian, Multnomah County, Oregon, described as follows:

Commencing at a point 26 feet North and 283 feet North89° 57'00"East from the Southwest corner of said Section 24; thence continuing along said bearing (North89° 57'00"East) to a point of intersection on the Northeasterly line of Harlow road (Co. Rd. 1728) said point being the point of beginning of the tract of land herein described; thence continuing further along said bearing to the high water line of the Sandy river; thence Southerly along said high water line to the South line of said Section 24; thence Westerly along said line to the Easterly line of the aforesaid Harlow road; thence Northwesterly along said Easterly line to the point of beginning.

PARCEL NO. 2: To the CITY OF PORTLAND, for public purposes:

Tax Account No.: R248041

Legal Description: LOT 22-28 BLOCK 27 PORTLAND PARK ADDITION

CONTACT INFORMATION: The County Board will accept objections and comments about the transfers at the meeting. Please contact Tax Title for any additional information or if you would like a copy of the staff report at **503-988-3590**.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 07-149

Setting the Public Hearing Date of October 11, 2007 for the Proposed Transfer of Tax Foreclosed Properties to Local Government Agencies [Cities of Troutdale and Portland] for Non Housing Purposes and Authorizing the Publication of the Public Notice in the Daily Journal of Commerce

The Multnomah County Board of Commissioners Finds:

- a. ORS 271.330 and Multnomah County Code Chapter 7 authorize Multnomah County to transfer Tax Foreclosed Real Property to other governmental bodies provided the property is used for a public purpose.
- b. Exhibit A to this resolution describes two properties for which the County received requests for transfer as authorized under the above cited State Law and County Code provisions.
- c. The City of Troutdale has requested the transfer of the property identified in Exhibit A as Parcel No. 1, Tax Account Number R320479.
- d. The City of Portland has requested the transfer of the property identified in Exhibit A as Parcel No.2; Account Number R248041.
- e. The Tax Title Section has presented a report to the Board as required under MCC 7.407(D) for both of the properties proposed for transfer.

The Multnomah County Board of Commissioners Resolves:

1. As allowed ORS 271.330(5) and MCC 7.407(E); these requests by the Cities of Troutdale and Portland for transfer of the above described tax foreclosed properties for non-housing purposes are set for a further public hearing before this Board on October 11, 2007 at 9:30 a.m.
2. The Tax Title Division is directed to publish notice of the public hearing in a newspaper of general circulation for two successive weeks. The notice shall be in a form consistent with that set forth in Exhibit B, attached to this Resolution and incorporated by this reference and shall:
 - a. Advise the public of the County's intention to transfer these properties;
 - b. Describe the properties proposed for transfer;
 - c. Identify the date, time and location of the hearing;
 - d. State that the Board will accept objections and comments concerning the transfer at the hearing;

- e. Advise how a copy of the Department's report can be obtained.
3. That the Tax Title Division shall mail a copy of the notice to the local government applicants and other persons requesting such notice.

ADOPTED this 20th day of September, 2007.

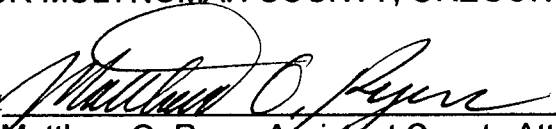


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Dept. of Community Services

EXHIBIT A (RESOLUTION)
PROPERTIES REQUESTED BY LOCAL GOVERNMENTS

PARCEL 1: Requested by the City of Troutdale:

a. Legal Description: A tract of land in the Southwest one-quarter of Section 24, Township 1 North, Range 3 East, of the Willamette Meridian, Multnomah County, Oregon, described as follows:

Commencing at a point 26 feet North and 283 feet North89° 57'00"East from the Southwest corner of said Section 24; thence continuing along said bearing (North89° 57'00"East) to a point of intersection on the Northeasterly line of Harlow road (Co. Rd. 1728) said point being the point of beginning of the tract of land herein described; thence continuing further along said bearing to the high water line of the Sandy river; thence Southerly along said high water line to the South line of said Section 24; thence Westerly along said line to the Easterly line of the aforesaid Harlow road; thence Northwesterly along said Easterly line to the point of beginning.

- b. Tax Account No.: R320479
- c. Type of Use: Storm Water Storage or Treatment
- d. Taxes: \$479
- e. County Expenses: \$171

PARCEL 2: Requested by the City of Portland

- a. Legal Description: LOT 22-28 BLOCK 27 PORTLAND PARK ADDITION
- b. Tax Account No.: R248041
- c. Type of Use: Open Space, Stream Restoration, Potential Trail Connection
- d. Taxes: \$4,535
- e. County Expenses: \$250

EXHIBIT B (RESOLUTION)

NOTICE OF PUBLIC HEARING BEFORE THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

TIME: 9:30 A.M., Thursday October 11, 2007

PLACE: The Multnomah Building, Room 100
501 SE Hawthorne Blvd, Portland, Oregon

SUBJECT: Proposed Transfer of two Multnomah County tax foreclosed real property parcels described below, to other Governmental bodies to be used for public purposes as authorized under ORS 271.330 and Multnomah County Code Chapter 7. The Governments requesting the properties and the descriptions of the properties proposed for transfer are as follows:

PARCEL NO. 1: To the CITY OF TROUTDALE, for public purposes:

Tax Account No.: R320479.

Legal Description: A tract of land in the Southwest one-quarter of Section 24, Township 1 North, Range 3 East, of the Willamette Meridian, Multnomah County, Oregon, described as follows:

Commencing at a point 26 feet North and 283 feet North89° 57'00"East from the Southwest corner of said Section 24; thence continuing along said bearing (North89° 57'00"East) to a point of intersection on the Northeasterly line of Harlow road (Co. Rd. 1728) said point being the point of beginning of the tract of land herein described; thence continuing further along said bearing to the high water line of the Sandy river; thence Southerly along said high water line to the South line of said Section 24; thence Westerly along said line to the Easterly line of the aforesaid Harlow road; thence Northwesterly along said Easterly line to the point of beginning.

PARCEL NO. 2: To the CITY OF PORTLAND, for public purposes:

Tax Account No.: R248041

Legal Description: LOT 22-28 BLOCK 27 PORTLAND PARK ADDITION

CONTACT INFORMATION: The County Board will accept objections and comments about the transfers at the meeting. Please contact Tax Title for any additional information or if you would like a copy of the staff report at **503-988-3590**.



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: C-7
Est. Start Time: 9:00 AM
Date Submitted: 09/11/07

Agenda Title: **Amendment 1 to Intergovernmental Expenditure Agreement 4600006735 with the Housing Authority of Portland Adding Fiscal Year 2007 FEMA 25 Carryover Funding**

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

Requested Meeting Date: September 20, 2007 **Amount of Time Needed:** N/A
Department: DCHS **Division:** School & Community Partnerships
Contact(s): Tiffany Kingery
Phone: 503.988.6295 **Ext.** 22728 **I/O Address:** 167/2/200
Presenter(s): Consent Calendar

General Information

1. What action are you requesting from the Board?

Review and approval of amendment to IGA with HAP for carryover of FEMA 25 funding from FY 06/07.

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

The Housing Authority of Portland administers the Short-Term Rental Assistance (STRA) Program, which provides rental assistance and emergency voucher funds to families and individuals.

HAP underspent their FY07 FEMA allocation and has requested to carryover \$8,289 to FY08. Because the grant doesn't end until November 30, 2007, the request was approved thus creating the need for this amendment. These additional funds will allow HAP to serve 12 additional households. Program Offer #25133A.

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

As a result of carryover from FY 06/07 FEMA 25 funding, \$8,289 is being added to the contract via this Amendment for a new estimated contract total of \$787,330. These carryover funds are in the Department's FY08 budget.

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

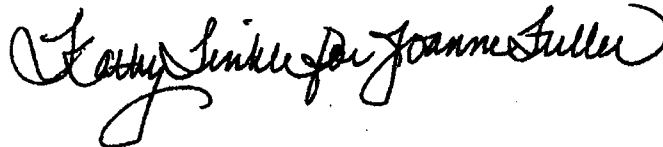
This IGA continues to bring current Clearinghouse functions into alignment with the new unified rent assistance system model as identified in the 10 year Plan to End Homelessness.

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

The unified rent assistance system was created in collaboration with the City of Gresham, the City of Portland, and the Housing Authority of Portland. Significant citizen and provider feedback was sought and used throughout the planning process. An Oversight Committee, representing the jurisdictions, providers, and community members was formed and will continue to provide accountability to the new system as it continues to be implemented.

Required Signature

Elected Official
or Department/
Agency Director:



Date: 09/12/07

BOGSTAD Deborah L

From: HENRY Patrick W
Sent: Friday, August 10, 2007 12:07 PM
To: ROBERTS Sydney L
Subject: RE: Amendment 1 Housing Authority of Portland

This contract has been reviewed and is approved for circulation for signature.

From: ROBERTS Sydney L
Sent: Tuesday, August 07, 2007 9:06 AM
To: HENRY Patrick W
Subject: FW: Amendment 1 Housing Authority of Portland

Good morning Patrick!

We have made a couple of changes to the Agenda Placement Request form at items 2 & 3.

-----Original Message-----

From: ROBERTS Sydney L
Sent: Thursday, August 02, 2007 11:33 AM
To: HENRY Patrick W
Subject: Amendment 1 Housing Authority of Portland

Good morning Patrick!

Please find attached amendment #1 to IGA #4600006735 with the Housing Authority of Portland (HAP). Upon your approval I will obtain the Directors signature and send an electronic version and a hard copy of this package to Barbara Willer & Deb Bogstad for routing and signature accordingly.

If you have any questions please do not hesitate to call or email me.

Thank you!

Sydney Bizzell Roberts, Contract Specialist
Multnomah County DCHS - School and Community Partnerships
421 SW Oak Street, Suite 200
Portland, OR 97204
503.988.6295 ext. 22701 / 503.988.3332 fax

9/13/2007

MULTNOMAH COUNTY CONTRACT APPROVAL FORM (CAF)

(See Administrative Procedure CON-1)

Contract #: 4600006735

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

Amendment #: 1

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

Department: County Human Services Div/Prog: School and Community Partnerships Date: September 13, 2007
 Originator: Tiffany Kingery Phone: 22728 Bldg/Rm: 167/2/200
 Contact: Sydney Bizzell Roberts Phone: 22701 Bldg/Rm: 167/2/200
 Description of Contract **This amendment will allow for the addition of carryover funds from FY07.**

RENEWAL: <input type="checkbox"/>	PREVIOUS CONTRACT #(S):	EEO CERTIFICATION EXPIRES: 8.31.08
PROCUREMENT: _____		
EXEMPTION OR _____	ISSUE _____	EFFECTIVE _____
CITATION # _____	DATE: _____	DATE: _____
CONTRACTOR IS: <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> ESB <input type="checkbox"/> QRF State Cert# or <input type="checkbox"/> Self Cert <input checked="" type="checkbox"/> Non-Profit <input type="checkbox"/> N/A (Check all boxes that apply)		

Contractor	Housing Authority of Portland			Remittance Address	
Address	135 SW Ash St.			(If different)	
City/State	Portland OR			Payment Schedule / Terms	
Zip Code	97204			<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on Receipt
Phone	503.802.8300			<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30
Employer ID# or SS#	93.6001547			<input type="checkbox"/> Other \$ _____	<input type="checkbox"/> Other
Contract Effective Date	July 1, 2007	Term Date	June 30, 2008	<input type="checkbox"/> Price Agreement (PA) or Requirements Funding Info:	
Amendment Effect Date	July 1, 2007	New Term Date	November 30, 2007		
Original Contract Amount	\$779,041.00			Original Requirements Amount	\$ _____
Total Amt of Previous Amendments	\$0			Requirements Amount Amendment:	\$ _____
Amount of Amendment	\$8,289.00			Total Amount of Requirements	\$ _____
Total Amount of Agreement	\$787,330.00			Total Amount of Requirements	\$ _____

REQUIRED SIGNATURES

Department Manager _____	DATE _____
Purchasing Manager _____	DATE _____
County Attorney _____	DATE _____
County Chair _____	DATE _____
Sheriff _____	DATE _____
Contract Administration _____	DATE _____

COMMENTS: SAP Vendor #24226

Exhibit A, Rev. 03/24/06

MULTNOMAH COUNTY SERVICES CONTRACT AMENDMENT
(Amendment to Change Contract Provisions During Contract Term)

CONTRACT NO. 4600006735 - AMENDMENT NO. 1

This is an amendment to Multnomah County Contract No. 4600006735 effective July 1, 2007 to June 30, 2008 between Multnomah County, hereinafter referred to as County, and Housing Authority of Portland hereinafter referred to as Contractor.

The parties agree:

1. The following changes are made to Contract No. 4600006735:
 - a. Line Item 1, increased by \$8,289, from \$160,685 to \$168,974.
 - b. Release Order 4500094056, Line Item 1 increased by \$8,289, from \$160,685 to \$168,974.
2. All other terms and conditions of the contract shall remain the same.

CONTRACTOR DATA AND SIGNATURE

Contractor Address: 135 SW Ash St.

Portland OR 97204

Phone No. 503.802.8300

Federal Tax ID# or Social Security: 93.6001547

Is Contractor a Nonresident alien?

☐ Yes ☐ No

Business Designation (check one):

☐ Sole Proprietorship

☐ Partnership

☐ Corporation-for profit

☐ Corporation-Non-profit

☐ Other, describe here: _____

Federal tax ID numbers or Social Security numbers are required pursuant to ORS 305.385 and will be used for the administration of state, federal and local laws. Payment information will be reported to the Internal Revenue Service under the name and Federal tax ID number or, if none, the Social Security number provided above.

I have read this Contract Amendment. I understand the Contract Amendment and agree to be bound by its terms.

Signature

Title

Name (please print)

Date

MULTNOMAH COUNTY SIGNATURE

(This contract is not binding on the County until signed by the Chair or the Chair's designee)

County Chair or Designee

Date

Department and County Counsel Approval and Review

Approved: _____

Department Manager or Designee

Date

Reviewed: _____

Assistant County Counsel

Date

MULTNOMAH COUNTY CONTRACT APPROVAL FORM (CAF)
(See Administrative Procedure CON-1)

Contract #: **4600006735**

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

Amendment #: **1**

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

Department: County Human Services Div/Prog: School and Community Partnerships Date: August 1, 2007
 Originator: Tiffany Kingery Phone: 22728 Bldg/Rm: 167/2/200
 Contact: Sydney Bizzell Roberts Phone: 22701 Bldg/Rm: 167/2/200
 Description of Contract: **This amendment will allow for the addition of carryover funds from FY07.**

RENEWAL: ☐ PREVIOUS CONTRACT #(S): _____ EEO CERTIFICATION EXPIRES: 8.31.08

PROCUREMENT: _____

EXEMPTION OR _____ ISSUE _____ EFFECTIVE _____ END _____

CITATION # _____ DATE: _____ DATE: _____ DATE: _____

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

Contractor	Housing Authority of Portland			Remittance Address	
Address	135 SW Ash St.			(If different)	
City/State	Portland OR			Payment Schedule / Terms	
Zip Code	97204			<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on Receipt
Phone	503.802.8300			<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30
Employer ID# or SS#	93.6001547			<input type="checkbox"/> Other \$ _____	<input type="checkbox"/> Other
Contract Effective Date	July 1, 2007	Term Date	June 30, 2008	<input type="checkbox"/> Price Agreement (PA) or Requirements Funding Info:	
Amendment Effect Date	July 1, 2007	New Term Date	November 30, 2007		
Original Contract Amount	\$779,041.00			Original Requirements Amount	\$ _____
Total Amt of Previous Amendments	\$0			Requirements Amount Amendment:	\$ _____
Amount of Amendment	\$8,289.00			Total Amount of Requirements	\$ _____
Total Amount of Agreement	\$787,330.00			Total Amount of Requirements	\$ _____

REQUIRED SIGNATURES

Department Manager: [Signature] DATE: 14 Aug 2007
 Purchasing Manager: [Signature] DATE: _____
 County Attorney: [Signature] DATE: 8.10.07
 County Chair: [Signature] DATE: 09.20.07
 Sheriff: _____ DATE: _____
 Contract Administration: _____ DATE: _____

COMMENTS: **SAP Vendor #24226**

Exhibit A, Rev. 03/24/06

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-7 DATE 09.20.07
DEBORAH L. BOGSTAD, BOARD CLERK

MULTNOMAH COUNTY SERVICES CONTRACT AMENDMENT
(Amendment to Change Contract Provisions During Contract Term)

CONTRACT NO. 4600006735 - AMENDMENT NO. 1

This is an amendment to Multnomah County Contract No. 4600006735 effective July 1, 2007 to June 30, 2008 between Multnomah County, hereinafter referred to as County, and Housing Authority of Portland hereinafter referred to as Contractor.

The parties agree:

1. The following changes are made to Contract No. 4600006735:
 - a. Line Item 1, increased by \$8,289, from \$160,685 to \$168,974.
 - b. Release Order 4500094056, Line Item 1 increased by \$8,289, from \$160,685 to \$168,974.
2. All other terms and conditions of the contract shall remain the same.

CONTRACTOR DATA AND SIGNATURE

Contractor Address: 135 SW Ash St.
Portland OR 97204

Phone No. 503.802.8300

Federal Tax ID# or Social Security: 93.6001547

Is Contractor a Nonresident alien? ☐ Yes ☐ No

Business Designation (check one): ☐ Sole Proprietorship ☐ Partnership
☐ Corporation-for profit ☐ Corporation-Non-profit
☐ Other, describe here: _____

Federal tax ID numbers or Social Security numbers are required pursuant to ORS 305.385 and will be used for the administration of state, federal and local laws. Payment information will be reported to the Internal Revenue Service under the name and Federal tax ID number or, if none, the Social Security number provided above.

I have read this Contract Amendment. I understand the Contract Amendment and agree to be bound by its terms.

Signature

Title

Name (please print)

Date

MULTNOMAH COUNTY SIGNATURE

(This contract is not binding on the County until signed by the Chair or the Chair's designee)

RED WHEELER
County Chair or Designee

09.20.07
Date

Department and County Counsel Approval and Review

Approved: Leatha Linn for Joanne Fuller

Department Manager or Designee

9/11/07
Date

Reviewed: JDW

Assistant County Counsel

8.10.07
Date



IGA Contract

AMENDMENT 1

Vendor Address

HOUSING AUTHORITY OF PORTLAND
135 SW ASH ST
PORTLAND OR 97204

Information

Contract Number 4600006735
Date 05/11/2007
Vendor No. 24226
Contact/Phone OSCP Services /
Validity Period: 07/01/2007 - 06/30/2008
Minority Indicator: Not Identified

Estimated Target Value: 787,330.00 USD

Item	Material/Description	Target Qty	UM	Unit Price
	<i>FY 06/07 Contract No. 4600006028</i> *			
	<i>8/1/07 Amendment 1</i> <i>Line 1 increased by \$8,289 due to carryover from FY07</i>			
0001	H50030015 Clearinghouse Services (USD) Plant: F021 School/Community Partnerships Requirements Tracking Number: IGA Per Invoice/Cost Reimbursement Validity Period: 7/1/07 - 11/30/07 *	168,974.000	Dollars	\$ 1.0000
	<i>8/1/07 Amendment 1</i> <i>\$8,289 added in Carryover from FY07</i>			
0002	H50030015 Clearinghouse Services (USD) Plant: F021 School/Community Partnerships Requirements Tracking Number: IGA Per Invoice/Cost Reimbursement Validity Period: 7/1/07 - 6/30/08	188,515.000	Dollars	\$ 1.0000
0003	H50030015 Clearinghouse Services (USD) Plant: F021 School/Community Partnerships Requirements Tracking Number: IGA Per Invoice/Cost Reimbursement Validity Period: 7/1/07 - 6/30/08	99,643.000	Dollars	\$ 1.0000
0004	H50030016 Clearinghouse Services Admin (USD) Plant: F021 School/Community Partnerships Requirements Tracking Number: IGA Per Invoice/Cost Reimbursement Validity Period: 7/1/07 - 6/30/08	105,240.000	Dollars	\$ 1.0000



IGA Contract

Vendor Address

HOUSING AUTHORITY OF PORTLAND
135 SW ASH ST
PORTLAND OR 97204

Information

Contract Number 4600006735
Date 05/11/2007
Vendor No. 24226
Contact/Phone OSCP Services /
Validity Period: 07/01/2007 - 06/30/2008
Minority Indicator: Not Identified

Item	Material/Description	Target Qty	UM	Unit Price
0005	H50030015 Clearinghouse Services (USD) Plant: F021 School/Community Partnerships Requirements Tracking Number: IGA Per Invoice/Cost Reimbursement Validity Period: 12/1/07 - 6/30/08	224,958.000	Dollars	\$ 1.0000



Bill to and ship to addresses are the same unless otherwise specified below.

AMENDMENT 1

Release Order

Vendor Address

HOUSING AUTHORITY OF PORTLAND
135 SW ASH ST
PORTLAND OR 97204

Release Order

4500094056

Date

05/11/2007

Vendor No.

24226

Buyer/Phone

OSCP Services /

Validity End Date

11/30/2007

Incoterms

FOB Destination

Ship To:

Multnomah County
Dept of School & Community Partnership
421 SW Oak, Suite 200
Portland OR 97204
Fax:

Bill To or Other Special Instructions:

Program Contact:
Tiffany Kingery
503.988.6295, ext.22728

Item	Material/Description	Quantity	UM	Unit Price	Net Amount
0001	<i>Clearinghouse Services</i> <i>Validity Period: 7/1/07-11/30/07</i> <i>*</i> <i>8/1/07 Amendment 1</i> <i>Line 1 increased by \$8,289 in FY07 carryover</i> H50030015 Clearinghouse Services (USD) Tracking# IGA G/L# 60160 WBS: SCPCHHHS.FEMA25 Release order against contract 4600006735 Item 00001 <i>Per Invoice/Cost Reimbursement</i> <i>Validity Period: 7/1/07 - 11/30/07</i> <i>*</i> <i>8/1/07 Amendment 1</i> <i>Added \$8,289 in carryover</i>	168,974.000	USD	\$ 1.0000	\$ 168,974.00
				Total	<u>\$ 168,974.00</u>



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: R-1
Est. Start Time: 9:00 AM
Date Submitted: 09/04/07

Agenda Title: Intergovernmental Non-Financial Agreement 0708066 with the City of Portland
Creating a Joint Multnomah Youth Commission

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

Requested Meeting Date: September 20, 2007
Amount of Time Needed: 5 mins
Department: Non-Departmental
Division: CCFC
Contact(s): Joshua Todd
Phone: 503-988-5839 **Ext.** 85839 **I/O Address:** 167/1/200/CCFC
Presenter(s): Wendy Lebow, Joshua Todd, Alice Kersting, Jack MacNichol, Liesl Wendt

General Information

1. What action are you requesting from the Board?

To enter into an intergovernmental agreement with the City of Portland to establish a joint youth commission to enhance both jurisdictions' ability to engage local youth, incorporate youth voice into policy and planning efforts.

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

For 12 years Multnomah County, through the Commission on Children, Families & Community, has had, first, a youth advisory board and now a youth commission to help better incorporate the opinions and ideas of young people into the work of the County. This group of 42 young people between the ages of 13-21, the Multnomah Youth Commission, has provided policy advice and direct youth engagement in issues from library services, juvenile justice, teen pregnancy prevention, budget and strategic planning, and the SUN Service System. Over the past several years, the Youth Commission has wanted to strengthen its policy role and increase our community's capacity for youth engagement and involvement more broadly. To that end, the Youth Commission with the County Chair's office and Mayor Tom Potter's Office created a youth bill of rights adopted by both jurisdictions. The Bill of Rights is a shared statement of policy and ideals for how Multnomah

County and the City of Portland can improve the lives of young people and how young people can improve their local governments and community.

This Intergovernmental agreement will expand the resources available to the Multnomah Youth Commission by bringing new partners to the table (the City of Portland) and 1 FTE additional staff which will help increase the groups capacity to serve its state function. This IGA impacts program offer #10012 CCFC Planning, Convening, Community Engagement by increasing the number of youth the Youth Commission is able to engage. The IGA also formalizes the role the youth commission has played for the Board of County Commissioners (that of policy advisors on youth issues) and allows this subcommittee of the CCFC to report directly to the BCC instead of indirectly through the CCFC Board. By creating parallel structures at both the City and County the Youth Commission can more actively work to implement the Youth Bill of Rights and create opportunities for elected officials and departments of both jurisdictions to help improve the lives of youth, enhancing our outcomes for youth countywide.

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

Currently this IGA has no fiscal impact for Multnomah County. Although the IGA commits the County to fund a 1.0 FTE coordinator position for the Youth Commission, this position has been funded and is expected to continue to be funded through State and Federal dollars as part of the CCFC budget out of its state allocation.

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

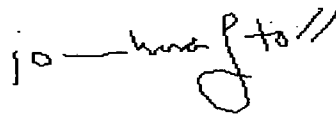
The IGA does not empower the Youth Commission to create, alter, or amend any legal, policy, or regulatory matters which are the purview of the BCC. The Youth Commission will more actively provide policy advice and input to elected officials and work to increase citizen engagement around county decisions.

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

In the past 12 years, over 200 young people have served one-year terms as members of the Youth Advisory Board/Multnomah Youth Commission. The Youth Commission engages anywhere from a few hundred to several thousand young people each year in the work of Multnomah County and other related youth projects and activities. This IGA only strengthens this work and Multnomah County's commitment to citizen engagement, especially with this frequently disenfranchised and disempowered population, local youth.

Required Signature

Elected Official or
Department/
Agency Director:


on behalf of Wendy Lebow

Date: 08-30-07

(1)

MULTNOMAH COUNTY INTERGOVERNMENTAL AGREEMENT

CONTRACT NO. 0708066

INTERGOVERNMENTAL AGREEMENT REGARDING MULTNOMAH YOUTH COMMISSION

THIS AGREEMENT is between the City of Portland, a municipal corporation duly incorporated under the laws of the State of Oregon, ("City"), and Multnomah County, a home rule county formed under the laws of the State of Oregon, ("County"). Each may be referenced individually as a "Party", or collectively as the "parties" or the "Jurisdictions." This Agreement is made pursuant to ORS 190.003 to ORS 190.110, the general laws and Constitution of the State of Oregon, and the laws and charters of the Jurisdictions.

Section 1. General Purposes.

The City and County both promote youth engagement policies and actions, such as creation and adoption of a youth bill of rights, assessments of current youth involvement practices, youth internships, youth advisory groups, and service provision to young people. County, through the Commission on Children, Families & Community (CCFC) has an existing advisory commission, the Multnomah Youth Commission (MYC), comprised of local young people ages 13-21 who serve as advisors on County policy and programs. MYC will remain a part of CCFC, but will also directly provide advice to the Board of County Commissioners and Portland City Council through this agreement.

To further the public interest, the Jurisdictions desire to create a joint youth commission. A joint commission will increase the public's ability to assess progress in youth engagement and to adopt positive youth development policies and practices. The Commission may further serve as an advisory body to the Jurisdictions on matters relating to youth programs, policies, or practices, and serve as the Jurisdictions' representative for regional, state or national youth policy matters.

Section 2. Definitions.

A. "Commission" means the joint Multnomah Youth Commission as formed under this Intergovernmental Agreement.

B. "Jurisdiction" means any municipality or county that enters into this Agreement.

C. "Person" means any corporation, partnership, proprietorship, association, individual, or other legal entity authorized to do business in the State of Oregon, or any natural person.

Section 3. Commission Creation and Powers.

A. Creation. The Commission is created to carry out the purposes set forth in this Agreement. The Commission is not authorized to modify, limit or alter any permit or regulatory process of any of the Jurisdiction's offices, agencies or bureaus. Subject to that limitation, the Commission may:

1. Advise and make recommendations to the Jurisdictions' governing bodies on policies and programs to ensure that young people form relationships with caring adults, build skills, exercise leadership, and help their communities while obtaining the opportunities, skills, and experiences necessary to become healthy, productive adults;

2. Articulate and promote long-range goals and objectives for developing and achieving positive youth development for all youth in our community;

3. Promote positive youth development strategies among citizens, businesses, governmental agencies and community-based organizations;

4. Develop opportunities for all citizens to learn about values, principles, and practices that will encourage healthy, happy, and engaged young people;

5. Assist in the coordination of policies and actions creating more youth friendly communities;

and,

6. Meet annually with the governing bodies of the Jurisdictions to report on the Commission's activities and achievements in the prior year and plans for the upcoming year.

Subject to the limitations contained in this Agreement, the Commission is vested with the powers, rights and duties necessary to carry out these purposes as are vested in each Jurisdiction, its officers and agencies.

B. Recommendations on Grants and Contracts. The Commission may provide recommendations and advice to the City and the County regarding contracting and grant applications to support positive youth development.

Section 4. Commission Members.

A. Composition. The Commission shall consist of thirty-two members with voting powers selected by a membership committee of current Youth Commissioners and staff of the participating jurisdictions. The chief executive officer of each jurisdiction will jointly appoint all members of the Commission. Each member of the governing bodies of the jurisdictions may select one personal representative from the general membership of the Commission. . In addition, up to ten members without voting powers "at-large members," may be selected by the Commission's membership committee for possible appointment. At-large members serve in the same capacity as other members with the exception of voting privileges and may fill any voting seats that are permanently vacated by either termination or resignation of a voting member. The current members of the Commission will recommend at-large members for appointment to the voting seat.

B. A majority vote consists of more than 50% of the appointed, voting members on the Commission, regardless of the number of members that are present and voting. No Commission action shall be in effect except on a majority vote. .

C. Term of Office and Succession. Commission members shall serve for terms of one year. Commission terms are effective beginning August 1 of one calendar year through July 31 of the following year. Current at-large members may fill a vacancy on the Commission if a majority of current voting members vote to forward their name for possible appointment.

D. Compensation. Members may be compensated for their service and reasonable expenses of carrying out the work of the Commission if agreed upon by all jurisdictions that are a party to this agreement and supported by policies of the Jurisdictions.

E. Removal. Absence from three Commission meetings within a six-month period shall constitute cause for removal of a Commissioner from their remaining term of office. Removal of a Commissioner requires a majority vote of current Commission members.

Section 5. Meetings, Rules of Procedure and Officers.

A. Meetings to be Public. Meetings of the Commission shall be conducted pursuant to the Oregon Public Meetings law.

B. Rules of Procedure:

1. Times and places of regular meetings; Meetings shall be held the Second and Fourth Sunday of every month, unless otherwise noticed, from 4:30pm-7:30pm. Meetings shall alternate between a site chosen by each jurisdiction. Notice of the meetings shall be given as required by the public Meetings Law.

2. The method and manner of calling special meetings; Additional special meetings shall be called by the Coordinating Committee of the Commission or the Commission Co-Chairs who shall provide for at least seven (7) days advance notice of such meetings. Notice of these meetings shall also comply with the requirements of the public Meetings law.

3. The method, term & manner of election of officers; The Commission shall elect two (2) Co-Chairs by majority vote by June 1st of each year. The voting process shall be overseen by the Coordinating

Committee. Terms of the Commissioners shall begin on August 1 of the upcoming year and end on July 31st of the next year.

4. The responsibilities and duties of Co-Chairs are as follows:

- a) They are responsible for convening meetings and for providing any notices pursuant to the Public Records Act for all regular and special Commission meetings and events;
- b) They are the official spokespersons for the Commission;
- c) Co-Chairs must have served at least one year on the Commission to be elected to this position.
- d) Appointing members of the Coordinating Committee as provided in Section 6 below;
- e) Establishing subcommittees as the Co-Chairs believe are necessary;
- f) Appointing, with feedback from commission members, the chair of each subcommittee for a term of one-year, subject to reappointment.
- g) Supporting and coordinating the efforts of the Commission's committees.

5. The Commission shall conduct the following business at its first meeting, or as soon as practicable thereafter:

- a) Establish procedures for execution of writings and legal documents; and
- b) Adopt by-laws governing Commission work.

Section 6. Subcommittees.

A. Coordinating Committee. The Commission shall establish a Coordinating Committee, which shall include the Commission co-chairs, Commission staff and at least three other Commission members as appointed by the co-chairs. The Coordinating Committee will set the Commission's agenda and develop new projects for the Commission.

B. Subcommittees. The Commission co-chairs may appoint such other subcommittees as may be deemed necessary to pursue other projects. Such subcommittees will include at least two Commission members. Other citizens, or City or County staff, may participate as ex-officio subcommittee members, as appointed by the participating Commission members.

C. Staffing. The City will provide staff support for full Commission meetings, the Coordinating Committee, and up to two additional subcommittees. The County will provide staff support for the full Commission meetings, the Coordinating Committee, and up to two additional subcommittees. Staff support will include scheduling meetings, arranging for meeting space, and preparing agendas and minutes.

Section 7. Administration and Staffing Services.

A. Monthly meetings. The Commission shall meet at least ten times per year. Additionally, the Commission shall meet at least once per month, excluding July and August in which there will be no meetings of the Commission.

B. Quarterly City/County meetings. The Commission shall call a meeting of all interested parties to this agreement, including but not limited to City and County elected officials offices, the CCFC, and the Bureau of Planning at least four times per year. These meetings shall help coordinate joint efforts, highlight the efforts occurring within the partnership, and help identify new opportunities and improvements.

B. Annual planning session. The Commission shall meet one time per year to hold an annual planning session. The jurisdictions will provide a meeting space and a facilitator for the Commission's annual planning session.

C. Printing. Division of printing costs for Commission publications will be determined on a project-by-project basis. The City and County will each pay the printing costs for the materials distributed to their constituencies.

D. Reports, letters, outreach. The Jurisdictions will provide staff for the projects undertaken by the

Commission, including developing reports, writing letters, and organizing outreach activities that are specific to the business of the respective jurisdictions. Staffing and support of Commission projects with shared outcomes will be negotiated on a case-by-case basis.

E. Personnel Policy:

1. Commission staff members are full time positions. One position is hired by the County and reports to and is hired by the Director of the CCFC, with input from CCFC staff, Commission membership, and City of Portland staff. One position is hired by the City and reports to and is hired by the Director of the Bureau of Planning (or their designee), with input from Bureau of Planning Staff, Commission membership, and Multnomah County staff.
2. The Commission Co-Chairs shall prepare (on behalf of the Coordinating Committee) an annual, written evaluation of staff and share it with the Director of the CCFC and Director of the Bureau of Planning, or their designees.
3. Multnomah County will be the employer of all County employees who perform services under this Agreement and is responsible for recruiting, hiring, training and assigning staff, payroll, benefits and other employee administration and in no event shall any County employee performing services under this Agreement be deemed an agent of the City in any manner for any purpose.
4. City of Portland will be the employer of all City employees who perform services under this Agreement and is responsible for recruiting, hiring, training and assigning staff, payroll, benefits and other employee administration and in no event shall any City employee performing services under this Agreement be deemed an agent of the County in any manner for any purpose

F. Staff Role

1. Staff has the responsibility and authority to carry out established Commission policy, and they are expected to provide adequate Commission and committee support as interpreted by the jurisdictions and commission co-chairs.
2. Commission staff members are important and vital partners with the Commission's youth membership and strive to build positive relationships with each youth commissioner and model positive youth-adult partnerships in all our work.
3. Commission staff believes that the youth of Multnomah County and the City of Portland are not only the leaders of tomorrow, but also the leaders of today. It is the role of staff to work with youth commissioners to achieve Commission goals and to reduce any barriers to success by collecting information, coordinating trainings, or providing youth commissioners any other supports they need to be effective.
4. The power and influence of any group is only enhanced when it builds a large and diverse base of support. Commission staff shall work to connect the Commission with other youth and adult leaders that can help advance a positive youth agenda. Specific efforts should be made to create a county, regional, and statewide network of youth working in policy contexts.
5. Commission staff will work to infuse positive youth development theory and practice throughout their respective jurisdictional agencies (the Multnomah County Commission on Children, Families & Community and the City of Portland's Bureau of Planning) as well as throughout the work of the entire jurisdictions.

Section 8. Effective Date.

This Agreement shall become effective upon its adoption by the City and County. Any other Jurisdiction entering into this shall adopt an authorizing ordinance and shall forward a certified copy to Multnomah County. Within 30 days of the effective date of this Agreement, the City of Portland shall forward copies of the authorizing ordinances to the Secretary of State, together with a statement containing the name of the

intergovernmental entity created, the parties to the agreement, the purpose of the agreement and the effective date of the agreement, as required by ORS 190.085 (2).

Section 9. Duration and Termination.

A. Duration. The duration of this Agreement is perpetual and the Commission shall continue from year to year, subject to termination or dissolution as provided below. The Commission shall forward this Agreement to the Jurisdictions every three years for their review.

B. Termination. In order for any Jurisdiction to withdraw from this Agreement and to prevent obligations for any continuing support for the Commission for the ensuing year, a Jurisdiction may withdraw from the Commission by filing a written notice of withdrawal. The jurisdiction will provide 30 days notice of termination to the Commission. Membership shall continue until the effective date of the withdrawal. Prior to the effective date, the member Jurisdiction may rescind its withdrawal notice at any time.

Section 10. Dissolution.

The Commission formed by this intergovernmental entity can only exist under ORS Chapter 190 only if there are two or more units of local government that have formally agreed to participate in this Intergovernmental Agreement. Therefore if jurisdictions terminate their participation in the intergovernmental entity created by this agreement, and as a result only one or fewer jurisdictions remain as participants, the Commission shall no longer exist. At that point, the Commission shall revert back to an advisory body of the County's Commission on Children, Families & Community, as it existed prior to adoption of this agreement.

Section 11. General Terms.

A. Entire Agreement. The parties agree and acknowledge that this agreement is a complete, integrated agreement that supersedes and cancels all prior negotiations and understandings of any kind that may previously have been made with regard to the payment of mediation services. Further, the parties agree that this agreement is the entire agreement between them, and that no other promises have been made by either party, either express or implied that are not contained

B. Severability. If any provision or provisions of this Agreement shall be held to be invalid, illegal, unenforceable, or in conflict with the law of any jurisdiction, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby. .

C. Increasing Member Units of Government. The Commission may develop a method for allowing other units of local government to enter into this Agreement

D. Amendments. The terms of this Agreement shall not be amended without the written authorization of the governing bodies of all Jurisdictions.

F. Indemnification. Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300, County shall indemnify, defend and hold harmless the City of Portland from and against all liability, loss and costs arising out of or resulting from the acts of County, its officers, employees and agents in the performance of this agreement. Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300, the City of Portland shall indemnify, defend and hold harmless County from and against all liability, loss and costs arising out of or resulting from the acts of the City of Portland, its officers, employees and agents in the performance of this agreement.

G. Insurance. Each party shall each be responsible for providing worker's compensation insurance for its own workers as required by law. Neither party shall be required to provide or show proof of any other insurance coverage.

H. Law. This agreement is subject to the laws of the State of Oregon, without reference to its conflict of laws provisions. Every party to this agreement shall comply with all federal, state and local laws and ordinances applicable to this agreement.

I. Non-Discrimination. Each party shall comply with all requirements of federal and state civil rights and rehabilitation statutes and local non-discrimination ordinances and with its own ordinances.

J. Access To Records. Each party shall have access to the books, documents and other records of the other which are related to this agreement for the purpose of examination, copying and audit, unless otherwise limited by law.

K. Subcontracts And Assignment. This Agreement or any interest therein shall not be assigned or subcontracted to any other party/parties without the prior written consent of the other party. In the event of transfer without prior written consent, the other party may refuse to carry out this Agreement with either the transferor or the transferee and yet retain and reserve all rights of action for any breach of contract committed by other party.

L. Third Party Beneficiaries. There are no third party beneficiaries to this agreement. The agreement may only be enforced by the parties.

APPROVED AND EXECUTED by the appropriate officer(s) who are duly authorized to execute this Agreement on behalf of the governing body of each Jurisdiction.

MULTNOMAH COUNTY, OREGON

By: _____
Ted Wheeler, Multnomah County Chair

Date: _____

CITY OF PORTLAND, OREGON

By: _____
Tom Potter, Mayor, City of Portland

Date: _____

By: _____
Gary Blackmer, Auditor, City of Portland

Date: _____

Reviewed:

By: _____
Patrick Henry, Assistant County Attorney

Date: _____

Approved as to Form:

By: _____

Assistant City Attorney

Date: _____

BOGSTAD Deborah L

From: TODD Joshua L
Sent: Wednesday, September 19, 2007 4:54 PM
To: WHEELER Ted; ROJO DE STEFFEY Maria; COGEN Jeff; NAITO Lisa H; ROBERTS Lonnie J
Cc: BOGSTAD Deborah L; BELL Johnell M; MARTINEZ David; FISH Warren; LIEUALLEN Matt; PETERSON Sam; LEBOW Wendy C
Subject: FW: Youth Commission IGA



IGA_Youthv5.doc
(61 KB)

The Youth Commission IGA between the City of Portland and Multnomah County goes before City Council tonight and the BCC tomorrow morning. The City Attorney made several minor changes which are included in this new version and have been approved by the County Attorney. We apologize for the late change but would prefer that the City and County version of the IGA be identical. To summarize the changes: -All references to youth commissioners have been changed to "Commissioner" for consistency and a definition of that term was added. -The amendment clause was changed so that minor (read: no impact on financial obligations or the nature of the County/City's involvement) can be approved by the Chair/Mayor without requiring full board approval. As it reads currently, every change to the agreement (even one word) would require full board approval.

Attached is the revised copy of the IGA. Deb could you replace the current copy of the IGA (v4) with this one (v5). Thank you.

Again, our apologies for the late change.

Joshua Todd
Youth Development Coordinator
Commission on Children, Families & Community
421 SW Oak St, Suite 200 Portland, OR 97204
503.988.5839/5538(FAX)
joshua.l.todd@co.multnomah.or.us

-----Original Message-----

From: BELL Johnell M
Sent: Wednesday, September 19, 2007 3:16 PM
To: TODD Joshua L
Subject: Fw: Youth Commission IGA

Fyi-please let deb know asap.

Thanks

J

----- Original Message -----

From: HENRY Patrick W
To: BELL Johnell M
Sent: Wed Sep 19 15:14:12 2007
Subject: RE: Youth Commission IGA

This has been reviewed and is approved for circulation for signature.

From: BELL Johnell M
Sent: Wednesday, September 19, 2007 11:36 AM
To: HENRY Patrick W
Cc: TODD Joshua L
Subject: FW: Youth Commission IGA

Patrick-

Please review this ASAP. There have been some last minute changes by the City of Portland re: below.

Please contact me or Josh if you have questions. This is scheduled before the BOCC tomorrow (the last version) and the City (this version) tonight.

Thanks

Johnell
Chair's Office
503-988-3928

-----Original Message-----

From: TODD Joshua L
Sent: Wednesday, September 19, 2007 11:17 AM
To: BELL Johnell M
Subject: Youth Commission IGA
Importance: High

The City made some last minute changes to their version of the IGA mostly grammar stuff and they wanted us to be consistent in whether we used Commissioner member or commissioner so we added a definition and made all the language consistent. The biggest change is that they changed the ammendment clause so that the full Council/Board wouldn't have to approve every word change but that the executive officer of each jurisdiction could approve (Chair/Mayor). The caveat was it require full board approval if it changed the jurisdicitons participation or increased its financial obligations.

All that rambling is to say, if possible I would like the City and County versions of the IGA to be identical. Do you think it is worth the hassel of trying to forward this to the County Attorney today to get his approval and change out the version that Deb has for tommorrow's presentation? << File: IGA_Youthv5.doc >>

Joshua Todd
Youth Development Coordinator
Commission on Children, Families & Community

421 SW Oak St, Suite 200 Portland, OR 97204
503.988.5839/5538(FAX)
joshua.l.todd@co.multnomah.or.us

**MULTNOMAH COUNTY INTERGOVERNMENTAL AGREEMENT
CONTRACT NO. XXXXXX**

INTERGOVERNMENTAL AGREEMENT REGARDING MULTNOMAH YOUTH COMMISSION

THIS AGREEMENT is between the City of Portland, a municipal corporation duly incorporated under the laws of the State of Oregon, ("City"), and Multnomah County, a home rule county formed under the laws of the State of Oregon, ("County"). Each may be referenced individually as a "Party", or collectively as the "parties" or the "Jurisdictions." This Agreement is made pursuant to ORS 190.003 to ORS 190.110, the general laws and Constitution of the State of Oregon, and the laws and charters of the Jurisdictions.

Section 1. General Purposes.

The City and County both promote youth engagement policies and actions, such as creation and adoption of a youth bill of rights, assessments of current youth involvement practices, youth internships, youth advisory groups, and service provision to young people. County, through the Commission on Children, Families & Community (CCFC) has an existing advisory commission, the Multnomah Youth Commission (MYC), comprised of local young people ages 13-21 who serve as advisors on County policy and programs. MYC will remain a part of CCFC, but will also directly provide advice to the Board of County Commissioners and Portland City Council through this agreement.

To further the public interest, the Jurisdictions desire to create a joint youth commission. A joint commission will increase the public's ability to assess progress in youth engagement and to adopt positive youth development policies and practices. The Commission may further serve as an advisory body to the Jurisdictions on matters relating to youth programs, policies, or practices, and serve as the Jurisdictions' representative for regional, state or national youth policy matters.

Section 2. Definitions.

A. "Commission" means the joint Multnomah Youth Commission as formed under this Intergovernmental Agreement.

B. "Commissioner" means a member of the joint Multnomah Youth Commission as formed under this Intergovernmental Agreement.

C. "Jurisdiction" means any municipality or county that enters into this Agreement.

D. "Person" means any corporation, partnership, proprietorship, association, individual, or other legal entity authorized to do business in the State of Oregon, or any natural person.

Section 3. Commission Creation and Powers.

A. Creation. The Commission is created to carry out the purposes set forth in this Agreement. The Commission is not authorized to modify, limit or alter any permit or regulatory process of any of the Jurisdiction's offices, agencies or bureaus. Subject to that limitation, the Commission may:

1. Advise and make recommendations to the Jurisdictions' governing bodies on policies and programs to ensure that young people form relationships with caring adults, build skills, exercise leadership, and help their communities while obtaining the opportunities, skills, and experiences necessary to become healthy, productive adults;

2. Articulate and promote long-range goals and objectives for developing and achieving positive youth development for all youth in our community;

3. Promote positive youth development strategies among citizens, businesses, governmental agencies and community-based organizations;

4. Develop opportunities for all citizens to learn about values, principles, and practices that will encourage healthy, happy, and engaged young people;

R-1 - 09/20/07 _ SUBSTITUTE DRAFT, NOT ADOPTED BY EITHER JURISDICTION

5. Assist in the coordination of policies and actions creating more youth friendly communities; and,

6. Meet annually with the governing bodies of the Jurisdictions to report on the Commission's activities and achievements in the prior year and plans for the upcoming year.

Subject to the limitations contained in this Agreement, the Commission is vested with the powers, rights and duties necessary to carry out these purposes as are vested in each Jurisdiction, its officers and agencies:

B. Recommendations on Grants and Contracts. The Commission may provide recommendations and advice to the City and the County regarding contracting and grant applications to support positive youth development.

Section 4. Commissioners.

A. Composition. The Joint Commission shall consist of thirty-two Commissioners with voting powers and ten "at large" Commissioners without voting powers. Until August 1, 2008, the current Commissioners shall retain their positions. Thereafter, the membership committee of the current Youth Commissioners and staff of the participating jurisdictions will recommend persons to serve as voting and "at large" Commissioners and forward those recommendations to the chief executive officer of each jurisdiction, who will jointly appoint them from the names forwarded to them.

B. Each member of the governing bodies of the jurisdictions may select one of the persons appointed to serve as Commissioner to be there liaison to the Commission.

C. At-large Commissioners serve in the same capacity as other Commissioners with the exception of voting privileges. In the event of a vacancy of a Commissioner with voting powers by termination or resignation, the remaining Commissioners will select a person to fill that vacancy from the at-large Commissioners and then forward that recommendation to the chief executive officer of each jurisdiction, who will jointly fill the vacancy from the name or names forwarded to them.

D. If a jurisdiction joins this IGA at a later date, it will participate in the appointment of Commissioners at the next time that appointments will occur.

E. A majority vote consists of more than 50% of the appointed, voting Commissioners, regardless of the number of voting Commissioners who are present. No Commission action shall be in effect except on a majority vote.

F. Term of Office and Succession. Commissioners shall serve for terms of one year. Commission terms are effective beginning August 1 of one calendar year through July 31 of the following year. Current at-large Commissioners may fill a vacancy on the Commission if a majority of current voting Commissioners vote to forward their name for possible appointment.

G. Compensation. Commissioners may be compensated for their service and reasonable expenses of carrying out the work of the Commission if agreed upon by all jurisdictions that are a party to this agreement and supported by policies of the Jurisdictions.

H. Removal. Absence from three Commission meetings within a six-month period shall constitute cause for removal of a Commissioner from their remaining term of office. Removal of a Commissioner requires a majority vote of current voting Commissioners.

Section 5. Meetings, Rules of Procedure and Officers.

A. Meetings to be Public. Meetings of the Commission shall be conducted pursuant to the Oregon Public Meetings law.

B. Rules of Procedure:

1. Times and places of regular meetings; Meetings shall be held the Second and Fourth Sunday of every month, unless otherwise noticed, from 4:30pm-7:30pm. Meetings shall alternate between a site

R-1 - 09/20/07 _ SUBSTITUTE DRAFT, NOT ADOPTED BY EITHER JURISDICTION

chosen by each jurisdiction. Notice of the meetings shall be given as required by the public Meetings Law.

2. The method and manner of calling special meetings; Additional special meetings shall be called by the Coordinating Committee of the Commission or the Commission Co-Chairs who shall provide for at least seven (7) days advance notice of such meetings. Notice of these meetings shall also comply with the requirements of the public Meetings law.

3. The method, term & manner of election of officers; The current Co-Chairs shall serve their terms until August 1, 2008. Thereafter, the Commission shall elect two (2) Co-Chairs by majority vote by June 1st of each year, beginning in June, 2008. The voting process shall be overseen by the Coordinating Committee. Until August 1, 2008, the current Commissioners shall retain their positions. Thereafter, Terms of the Commissioners shall begin on August 1 of the upcoming year and end on July 31st of the next year.

4. The responsibilities and duties of Co-Chairs are as follows:

- a) They are responsible for convening meetings and for providing any notices pursuant to the Public Records Act for all regular and special Commission meetings and events;
- b) They are the official spokespersons for the Commission;
- c) Co-Chairs must have served at least one year on the Commission to be elected to this position.
- d) Appointing members of the Coordinating Committee as provided in Section 6 below;
- e) Establishing subcommittees as the Co-Chairs believe are necessary;
- f) Appointing, with feedback from Commissioners, the chair of each subcommittee for a term of one-year, subject to reappointment.
- g) Supporting and coordinating the efforts of the Commission's committees.

5. The Commission shall conduct the following business at its first meeting, or as soon as practicable thereafter:

- a) Establish procedures for execution of writings and legal documents; and
- b) Adopt by-laws governing Commission work.

Section 6. Subcommittees.

A. Coordinating Committee. The Commission shall establish a Coordinating Committee, which shall include the Commission co-chairs, Commission staff and at least three other Commissioners as appointed by the co-chairs. The Coordinating Committee will set the Commission's agenda and develop new projects for the Commission.

B. Subcommittees. The Commission co-chairs may appoint such other subcommittees as may be deemed necessary to pursue other projects. Such subcommittees will include at least two Commissioners. Other citizens, or City or County staff, may participate as ex-officio subcommittee members, as appointed by the participating Commissioners.

C. Staffing. The City will provide staff support for full Commission meetings, the Coordinating Committee, and up to two additional subcommittees. The County will provide staff support for the full Commission meetings, the Coordinating Committee, and up to two additional subcommittees. Staff support will include scheduling meetings, arranging for meeting space, and preparing agendas and minutes.

Section 7. Administration and Staffing Services.

A. Monthly Commission meetings. The Commission shall meet at least ten times per year. Additionally, the Commission shall meet at least once per month, excluding July and August in which there will be no meetings of the Commission.

B. Quarterly City/County meetings. The Commission shall call a meeting of all interested parties to this agreement, including but not limited to City and County elected officials offices, the CCFC, and the

R-1 - 09/20/07 _ SUBSTITUTE DRAFT, NOT ADOPTED BY EITHER JURISDICTION

Bureau of Planning at least four times per year. These meetings shall help coordinate joint efforts, highlight the efforts occurring within the partnership, and help identify new opportunities and improvements.

B. Annual planning session. The Commission shall meet one time per year to hold an annual planning session. The jurisdictions will provide a meeting space and a facilitator for the Commission's annual planning session.

C. Printing. Division of printing costs for Commission publications will be determined on a project-by-project basis. The City and County will each pay the printing costs for the materials distributed to their constituencies.

D. Reports, letters, outreach. The Jurisdictions will provide staff for the projects undertaken by the Commission, including developing reports, writing letters, and organizing outreach activities that are specific to the business of the respective jurisdictions. Staffing and support of Commission projects with shared outcomes will be negotiated on a case-by-case basis.

E. Personnel Policy:

1. Commission staff members are full time positions. One position is hired by the County and reports to and is hired by the Director of the CCFC, with input from CCFC staff, Commissioners, and City of Portland staff. One position is hired by the City and reports to and is hired by the Director of the Bureau of Planning (or their designee), with input from Bureau of Planning Staff, Commissioners, and Multnomah County staff.
2. The Commission Co-Chairs shall prepare (on behalf of the Coordinating Committee) an annual, written evaluation of staff and share it with the Director of the CCFC and Director of the Bureau of Planning, or their designees.
3. Multnomah County will be the employer of all County employees who perform services under this Agreement and is responsible for recruiting, hiring, training and assigning staff, payroll, benefits and other employee administration and in no event shall any County employee performing services under this Agreement be deemed an agent of the City in any manner for any purpose.
4. City of Portland will be the employer of all City employees who perform services under this Agreement and is responsible for recruiting, hiring, training and assigning staff, payroll, benefits and other employee administration and in no event shall any City employee performing services under this Agreement be deemed an agent of the County in any manner for any purpose

F. Staff Role

1. Staff has the responsibility and authority to carry out established Commission policy, and they are expected to provide adequate Commission and committee support as interpreted by the jurisdictions and Commission co-chairs.
2. Commission staff members are important and vital partners with the Commissioners and strive to build positive relationships with each Commissioner and model positive youth-adult partnerships in all their work.
3. Commission staff believes that the youth of Multnomah County and the City of Portland are not only the leaders of tomorrow, but also the leaders of today. It is the role of staff to work with Commissioners to achieve Commission goals and to reduce any barriers to success by collecting information, coordinating trainings, or providing Commissioners any other supports they need to be effective.
4. The power and influence of any group is only enhanced when it builds a large and diverse base of support. Commission staff shall work to connect the Commission with other youth and adult leaders that can help advance a positive youth agenda. Specific efforts should be made to create a county, regional, and statewide network of youth working in policy contexts.

5. Commission staff will work to infuse positive youth development theory and practice throughout their respective jurisdictional agencies (the Multnomah County Commission on Children, Families & Community and the City of Portland's Bureau of Planning) as well as throughout the work of the entire jurisdictions.

Section 8. Effective Date.

This Agreement shall become effective upon its adoption by the City and County. Any other Jurisdiction entering into this shall adopt an authorizing ordinance and shall forward a certified copy to Multnomah County. Within 30 days of the effective date of this Agreement, the City of Portland shall forward copies of the authorizing ordinances to the Secretary of State, together with a statement containing the name of the intergovernmental entity created, the parties to the agreement, the purpose of the agreement and the effective date of the agreement, as required by ORS 190.085 (2).

Section 9. Duration and Termination.

A. Duration. The duration of this Agreement is perpetual and the Commission shall continue from year to year, subject to termination or dissolution as provided below. The Commission shall forward this Agreement to the Jurisdictions every three years for their review.

B. Termination. In order for any Jurisdiction to withdraw from this Agreement and to prevent obligations for any continuing support for the Commission for the ensuing year, a Jurisdiction may withdraw from the Commission by filing a written notice of withdrawal. The jurisdiction will provide 30 days notice of termination to the Commission. Membership shall continue until the effective date of the withdrawal. Prior to the effective date, the member Jurisdiction may rescind its withdrawal notice at any time.

Section 10. Dissolution.

The Commission formed by this intergovernmental entity can only exist under ORS Chapter 190 only if there are two or more units of local government that have formally agreed to participate in this Intergovernmental Agreement. Therefore if jurisdictions terminate their participation in the intergovernmental entity created by this agreement, and as a result only one or fewer jurisdictions remain as participants, the Commission shall no longer exist. At that point, the Commission shall revert back to an advisory body of the County's Commission on Children, Families & Community, as it existed prior to adoption of this agreement.

Section 11. General Terms.

A. Entire Agreement. The parties agree and acknowledge that this agreement is a complete, integrated agreement that supersedes and cancels all prior negotiations and understandings of any kind that may previously have been made with regard to the payment of mediation services. Further, the parties agree that this agreement is the entire agreement between them, and that no other promises have been made by either party, either express or implied that are not contained

B. Severability. If any provision or provisions of this Agreement shall be held to be invalid, illegal, unenforceable, or in conflict with the law of any jurisdiction, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby. .

C. Increasing Member Units of Government. The Commission may develop a method for allowing other units of local government to enter into this Agreement

D. Amendments. The chief executive officer of each participating jurisdiction is hereby authorized to amend this agreement provided the amendments do not impose additional financial liability to the jurisdictions and do not restrict the jurisdiction's participation in the Commission.

F. Indemnification. Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300, County shall indemnify, defend and hold harmless the City of Portland from and against all liability, loss and costs arising out of or resulting from the acts of County, its officers, employees and agents in the performance of this agreement. Subject to the conditions and

R-1 - 09/20/07 _ SUBSTITUTE DRAFT, NOT ADOPTED BY EITHER JURISDICTION

limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300, the City of Portland shall indemnify, defend and hold harmless County from and against all liability, loss and costs arising out of or resulting from the acts of the City of Portland, its officers, employees and agents in the performance of this agreement.

G. Insurance. Each party shall each be responsible for providing worker's compensation insurance for its own workers as required by law. Neither party shall be required to provide or show proof of any other insurance coverage.

H. Law. This agreement is subject to the laws of the State of Oregon, without reference to its conflict of laws provisions. Every party to this agreement shall comply with all federal, state and local laws and ordinances applicable to this agreement.

I. Non-Discrimination. Each party shall comply with all requirements of federal and state civil rights and rehabilitation statutes and local non-discrimination ordinances and with its own ordinances.

J. Access To Records. Each party shall have access to the books, documents and other records of the other which are related to this agreement for the purpose of examination, copying and audit, unless otherwise limited by law.

K. Subcontracts And Assignment. This Agreement or any interest therein shall not be assigned or subcontracted to any other party/parties without the prior written consent of the other party. In the event of transfer without prior written consent, the other party may refuse to carry out this Agreement with either the transferor or the transferee and yet retain and reserve all rights of action for any breach of contract committed by other party.

L. Third Party Beneficiaries. There are no third party beneficiaries to this agreement. The agreement may only be enforced by the parties.

APPROVED AND EXECUTED by the appropriate officer(s) who are duly authorized to execute this Agreement on behalf of the governing body of each Jurisdiction.

MULTNOMAH COUNTY, OREGON

By: Ted Wheeler

Title: Multnomah County Chair

Date: XXXXXXXX

CITY OF PORTLAND, OREGON

By: Tom Potter

Title: Mayor, City of Portland

Date: XXXXXXXXXXXXXXXXXX

By Auditor, City of Portland

Date: XXXXXXXXXXXXXXXXXX

Reviewed:

By XXXXXXXXXX, Assistant County Attorney

Approved as to Form:

By XXXXXXXXXX, City Attorney

BOGSTAD Deborah L

From: BOGSTAD Deborah L
Sent: Wednesday, September 19, 2007 5:55 PM
To: TODD Joshua L; WHEELER Ted; ROJO DE STEFFEY Maria; COGEN Jeff; NAITO Lisa H; ROBERTS Lonnie J
Cc: BELL Johnell M; MARTINEZ David; FISH Warren; LIEUALLEN Matt; PETERSON Sam; LEBOW Wendy C; SOWLE Agnes; HENRY Patrick W; WILLER Barbara; KARNES Ana
Subject: RE: Youth Commission IGA - R-1 on September 20, 2007 Board Meeting Agenda
Importance: High

Greetings Commissioners! Commissioner Rojo will move approval of the attached substitute Agreement Thursday morning, as follows:

COMMISSION ON CHILDREN, FAMILIES AND COMMUNITY - 9:00 AM

R-1 Intergovernmental Non-Financial Agreement 0708066 with the City of Portland
 Creating a Joint Multnomah Youth Commission

**COMMISSIONER ROJO MOVES
 COMMISSIONER _____ SECONDS
 APPROVAL OF A SUBSTITUTE AGREEMENT**

**WENDY LEBOW, JOSHUA TODD, ALICE KERSTING,
 JACK MACNICHOL, AND LEISL WENDT
 EXPLANATION, RESPONSE TO QUESTIONS**

OPPORTUNITY FOR PUBLIC TESTIMONY

OPPORTUNITY FOR BOARD COMMENTS

ALL IN FAVOR, VOTE AYE, OPPOSED ____?

THE MOTION FAILS

OR

THE SUBSTITUTE AGREEMENT IS APPROVED

**Deb Bogstad, Board Clerk
 Multnomah County Commissioners
 501 SE Hawthorne Boulevard, Suite 600
 Portland, Oregon 97214-3587
 (503) 988-3277 phone
 (503) 988-3013 fax
 deborah.l.bogstad@co.multnomah.or.us
 http://www.co.multnomah.or.us/cc/index.shtml**

THE SUBSTITUTE AGREEMENT IS APPROVED

Deb Bogstad, Board Clerk
Multnomah County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, Oregon 97214-3587
(503) 988-3277 phone
(503) 988-3013 fax
deborah.l.bogstad@co.multnomah.or.us
<http://www.co.multnomah.or.us/cc/index.shtml>

-----Original Message-----

From: TODD Joshua L
Sent: Wednesday, September 19, 2007 4:54 PM
To: WHEELER Ted; ROJO DE STEFFEY Maria; COGEN Jeff; NAITO Lisa H; ROBERTS Lonnie J
Cc: BOGSTAD Deborah L; BELL Johnell M; MARTINEZ David; FISH Warren; LIEUALLEN Matt; PETERSON Sam; LEBOW Wendy C
Subject: FW: Youth Commission IGA

The Youth Commission IGA between the City of Portland and Multnomah County goes before City Council tonight and the BCC tomorrow morning. The City Attorney made several minor changes which are included in this new version and have been approved by the County Attorney. We apologize for the late change but would prefer that the City and County version of the IGA be identical. To summarize the changes:

- All references to youth commissioners have been changed to "Commissioner" for consistency and a definition of that term was added.
- The amendment clause was changed so that minor (read: no impact on financial obligations or the nature of the County/City's involvement) can be approved by the Chair/Mayor without requiring full board approval. As it reads currently, every change to the agreement (even one word) would require full board approval.

Attached is the revised copy of the IGA. Deb could you replace the current copy of the IGA (v4) with this one (v5). Thank you.

Again, our apologies for the late change.

Joshua Todd
Youth Development Coordinator
Commission on Children, Families & Community
421 SW Oak St, Suite 200 Portland, OR 97204
503.988.5839/5538(FAX)
joshua.l.todd@co.multnomah.or.us

-----Original Message-----

From: BELL Johnell M
Sent: Wednesday, September 19, 2007 3:16 PM
To: TODD Joshua L
Subject: Fw: Youth Commission IGA

Fyi-please let deb know asap.

Thanks

J

----- Original Message -----

From: HENRY Patrick W

To: BELL Johnell M

Sent: Wed Sep 19 15:14:12 2007

Subject: RE: Youth Commission IGA

This has been reviewed and is approved for circulation for signature.

From: BELL Johnell M

Sent: Wednesday, September 19, 2007 11:36 AM

To: HENRY Patrick W

Cc: TODD Joshua L

Subject: FW: Youth Commission IGA

Patrick-

Please review this ASAP. There have been some last minute changes by the City of Portland re: below.

Please contact me or Josh if you have questions. This is scheduled before the BOCC tomorrow (the last version) and the City (this version) tonight.

Thanks

Johnell

Chair's Office

503-988-3928

-----Original Message-----

From: TODD Joshua L

Sent: Wednesday, September 19, 2007 11:17 AM

To: BELL Johnell M

Subject: Youth Commission IGA

Importance: High

The City made some last minute changes to their version of the IGA mostly grammar stuff and they wanted us to be consistent in whether we used Commissioner member or commissioner so we added a definition and made all the language consistent. The biggest change is that they changed the amendment clause so that the full Council/Board wouldn't have to approve every word change but that the executive officer of each jurisdiction could approve (Chair/Mayor). The caveat was it require full board approval if it changed the jurisdictions participation or increased its financial obligations.

9/20/2007

All that rambling is to say, if possible I would like the City and County versions of the IGA to be identical. Do you think it is worth the hassel of trying to forward this to the County Attorney today to get his approval and change out the version that Deb has for tomorrow's presentation?

<< File: IGA_Youthv5.doc >>

Joshua Todd
Youth Development Coordinator
Commission on Children, Families & Community
421 SW Oak St, Suite 200 Portland, OR 97204
503.988.5839/5538(FAX)
joshua.l.todd@co.multnomah.or.us

MULTNOMAH COUNTY CONTRACT APPROVAL FORM (CAF)

Contract #: 0708066

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

Amendment #:

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

Department: Non-Department

Division/

Program: CCFC

Date: 9/04/2007

Originator: Joshua Todd

Phone: 503-988-5839

Bldg/Room: Lincoln/200

Contact: Joshua Todd

Phone: 85839

Bldg/Room: Lincoln/200

Description of Contract: This IGA creates a new governmental entity jointly shared by Multnomah County and the City of Portland. The new joint entity is the Multnomah Youth Commission (MYC). The MYC serve as a citizen advisory body, comprised of local youth ages 13-21, to the Board of County Commissioners, Portland City Council and County/City departments and bureaus. This IGA commits each jurisdictions to providing support and staffing for the MYC but does not transfer or obligate funds between the City and County.

RENEWAL: ☐ PREVIOUS CONTRACT #(S) _____

EEO CERTIFICATION EXPIRES _____

PROCUREMENT
EXEMPTION OR
CITATION # _____

ISSUE
DATE: _____

EFFECTIVE
DATE: _____

END
DATE: _____

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

Contractor	City of Portland			Remittance address (If different)	
Address	1221 SW 4 th Avenue				
City/State	Portland, OR			Payment Schedule / Terms:	
ZIP Code	97204			<input type="checkbox"/> Lump Sum \$ 0	<input type="checkbox"/> Due on Receipt
Phone	5038234129			<input type="checkbox"/> Monthly \$ 0	<input type="checkbox"/> Net 30
Employer ID# or SS#				<input type="checkbox"/> Other \$ 0	<input type="checkbox"/> Other
Contract Effective Date	upon sig	Term Date	perpetual	<input type="checkbox"/> Price Agreement (PA) or Requirements Funding Info:	
Amendment Effect Date	n/a	New Term Date	n/a		
Original Contract Amount	\$ 0			Original PA/Requirements Amount	\$ 0
Total Amt of Previous Amendments	\$ 0			Total Amt of Previous Amendments	\$ 0
Amount of Amendment	\$ 0			Amount of Amendment	\$ 0
Total Amount of Agreement \$	\$ 0			Total PA/Requirements Amount	\$ 0

REQUIRED SIGNATURES:

Department Manager

Alexander Lebow

DATE

9/4/07

County Attorney

Patricia W. Henry

DATE

9/20/07

CPCA Manager

DATE

County Chair

TRD W. H. K. R.

DATE

09.20.07

Sheriff

DATE

Contract Administration

DATE

COMMENTS:

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS.

AGENDA # *2-1* DATE *09-20-07*

DEBORAH L. BOGSTAD, BOARD CLERK

MULTNOMAH COUNTY INTERGOVERNMENTAL AGREEMENT

CONTRACT NO. 0708066

INTERGOVERNMENTAL AGREEMENT REGARDING MULTNOMAH YOUTH COMMISSION

THIS AGREEMENT is between the City of Portland, a municipal corporation duly incorporated under the laws of the State of Oregon, ("City"), and Multnomah County, a home rule county formed under the laws of the State of Oregon, ("County"). Each may be referenced individually as a "Party", or collectively as the "parties" or the "Jurisdictions." This Agreement is made pursuant to ORS 190.003 to ORS 190.110, the general laws and Constitution of the State of Oregon, and the laws and charters of the Jurisdictions.

Section 1. General Purposes.

The City and County both promote youth engagement policies and actions, such as creation and adoption of a youth bill of rights, assessments of current youth involvement practices, youth internships, youth advisory groups, and service provision to young people. County, through the Commission on Children, Families & Community (CCFC) has an existing advisory commission, the Multnomah Youth Commission (MYC), comprised of local young people ages 13-21 who serve as advisors on County policy and programs. MYC will remain a part of CCFC, but will also directly provide advice to the Board of County Commissioners and Portland City Council through this agreement.

To further the public interest, the Jurisdictions desire to create a joint youth commission. A joint commission will increase the public's ability to assess progress in youth engagement and to adopt positive youth development policies and practices. The Commission may further serve as an advisory body to the Jurisdictions on matters relating to youth programs, policies, or practices, and serve as the Jurisdictions' representative for regional, state or national youth policy matters.

Section 2. Definitions.

A. "Commission" means the joint Multnomah Youth Commission as formed under this Intergovernmental Agreement.

B. "Commissioner" means a member of the joint Multnomah Youth Commission as formed under this Intergovernmental Agreement.

C. "Jurisdiction" means any municipality or county that enters into this Agreement.

D. "Person" means any corporation, partnership, proprietorship, association, individual, or other legal entity authorized to do business in the State of Oregon, or any natural person.

Section 3. Commission Creation and Powers.

A. Creation. The Commission is created to carry out the purposes set forth in this Agreement. The Commission is not authorized to modify, limit or alter any permit or regulatory process of any of the Jurisdiction's offices, agencies or bureaus. Subject to that limitation, the Commission may:

1. Advise and make recommendations to the Jurisdictions' governing bodies on policies and programs to ensure that young people form relationships with caring adults, build skills, exercise leadership, and help their communities while obtaining the opportunities, skills, and experiences necessary to become healthy, productive adults;

2. Articulate and promote long-range goals and objectives for developing and achieving positive youth development for all youth in our community;

3. Promote positive youth development strategies among citizens, businesses, governmental agencies and community-based organizations;

4. Develop opportunities for all citizens to learn about values, principles, and practices that will encourage healthy, happy, and engaged young people;

5. Assist in the coordination of policies and actions creating more youth friendly communities; and,

6. Meet annually with the governing bodies of the Jurisdictions to report on the Commission's activities and achievements in the prior year and plans for the upcoming year.

Subject to the limitations contained in this Agreement, the Commission is vested with the powers, rights and duties necessary to carry out these purposes as are vested in each Jurisdiction, its officers and agencies.

B. Recommendations on Grants and Contracts. The Commission may provide recommendations and advice to the City and the County regarding contracting and grant applications to support positive youth development.

Section 4. Commissioners.

A. Composition. The Joint Commission shall consist of thirty-two Commissioners with voting powers and ten "at large" Commissioners without voting powers. Until August 1, 2008, the current Commissioners shall retain their positions. Thereafter, the membership committee of the current Youth Commissioners and staff of the participating jurisdictions will recommend persons to serve as voting and "at large" Commissioners and forward those recommendations to the chief executive officer of each jurisdiction, who will jointly appoint them from the names forwarded to them.

B. Each member of the governing bodies of the jurisdictions may select one of the persons appointed to serve as Commissioner to be there liaison to the Commission.

C. At-large Commissioners serve in the same capacity as other Commissioners with the exception of voting privileges. In the event of a vacancy of a Commissioner with voting powers by termination or resignation, the remaining Commissioners will select a person to fill that vacancy from the at-large Commissioners and then forward that recommendation to the chief executive officer of each jurisdiction, who will jointly fill the vacancy from the name or names forwarded to them.

D. If a jurisdiction joins this IGA at a later date, it will participate in the appointment of Commissioners at the next time that appointments will occur.

E. A majority vote consists of more than 50% of the appointed, voting Commissioners, regardless of the number of voting Commissioners who are present. No Commission action shall be in effect except on a majority vote.

F. Term of Office and Succession. Commissioners shall serve for terms of one year. Commission terms are effective beginning August 1 of one calendar year through July 31 of the following year. Current at-large Commissioners may fill a vacancy on the Commission if a majority of current voting Commissioners vote to forward their name for possible appointment.

G. Compensation. Commissioners may be compensated for their service and reasonable expenses of carrying out the work of the Commission if agreed upon by all jurisdictions that are a party to this agreement and supported by policies of the Jurisdictions.

H. Removal. Absence from three Commission meetings within a six-month period shall constitute cause for removal of a Commissioner from their remaining term of office. Removal of a Commissioner requires a majority vote of current voting Commissioners.

Section 5. Meetings, Rules of Procedure and Officers.

A. Meetings to be Public. Meetings of the Commission shall be conducted pursuant to the Oregon Public Meetings law.

B. Rules of Procedure:

1. Times and places of regular meetings; Meetings shall be held the Second and Fourth Sunday of every month, unless otherwise noticed, from 4:30pm-7:30pm. Meetings shall alternate between a site

chosen by each jurisdiction. Notice of the meetings shall be given as required by the public Meetings Law.

2. The method and manner of calling special meetings; Additional special meetings shall be called by the Coordinating Committee of the Commission or the Commission Co-Chairs who shall provide for at least seven (7) days advance notice of such meetings. Notice of these meetings shall also comply with the requirements of the public Meetings law.

3. The method, term & manner of election of officers; The current Co-Chairs shall serve their terms until August 1, 2008. Thereafter, the Commission shall elect two (2) Co-Chairs by majority vote by June 1st of each year, beginning in June, 2008. The voting process shall be overseen by the Coordinating Committee. Until August 1, 2008, the current Commissioners shall retain their positions. Thereafter, Terms of the Commissioners shall begin on August 1 of the upcoming year and end on July 31st of the next year.

4. The responsibilities and duties of Co-Chairs are as follows:

- a) They are responsible for convening meetings and for providing any notices pursuant to the Public Records Act for all regular and special Commission meetings and events;
- b) They are the official spokespersons for the Commission;
- c) Co-Chairs must have served at least one year on the Commission to be elected to this position.
- d) Appointing members of the Coordinating Committee as provided in Section 6 below;
- e) Establishing subcommittees as the Co-Chairs believe are necessary;
- f) Appointing, with feedback from Commissioners, the chair of each subcommittee for a term of one-year, subject to reappointment.
- g) Supporting and coordinating the efforts of the Commission's committees.

5. The Commission shall conduct the following business at its first meeting, or as soon as practicable thereafter:

- a) Establish procedures for execution of writings and legal documents; and
- b) Adopt by-laws governing Commission work.

Section 6. Subcommittees.

A. Coordinating Committee. The Commission shall establish a Coordinating Committee, which shall include the Commission co-chairs, Commission staff and at least three other Commissioners as appointed by the co-chairs. The Coordinating Committee will set the Commission's agenda and develop new projects for the Commission.

B. Subcommittees. The Commission co-chairs may appoint such other subcommittees as may be deemed necessary to pursue other projects. Such subcommittees will include at least two Commissioners. Other citizens, or City or County staff, may participate as ex-officio subcommittee members, as appointed by the participating Commissioners.

C. Staffing. The City will provide staff support for full Commission meetings, the Coordinating Committee, and up to two additional subcommittees. The County will provide staff support for the full Commission meetings, the Coordinating Committee, and up to two additional subcommittees. Staff support will include scheduling meetings, arranging for meeting space, and preparing agendas and minutes.

Section 7. Administration and Staffing Services.

A. Monthly Commission meetings. The Commission shall meet at least ten times per year. Additionally, the Commission shall meet at least once per month, excluding July and August in which there will be no meetings of the Commission.

B. Quarterly City/County meetings. The Commission shall call a meeting of all interested parties to this agreement, including but not limited to City and County elected officials offices, the CCFC, and the Bureau of Planning at least four times per year. These meetings shall help coordinate joint efforts,

highlight the efforts occurring within the partnership, and help identify new opportunities and improvements.

B. Annual planning session. The Commission shall meet one time per year to hold an annual planning session. The jurisdictions will provide a meeting space and a facilitator for the Commission's annual planning session.

C. Printing. Division of printing costs for Commission publications will be determined on a project-by-project basis. The City and County will each pay the printing costs for the materials distributed to their constituencies.

D. Reports, letters, outreach. The Jurisdictions will provide staff for the projects undertaken by the Commission, including developing reports, writing letters, and organizing outreach activities that are specific to the business of the respective jurisdictions. Staffing and support of Commission projects with shared outcomes will be negotiated on a case-by-case basis.

E. Personnel Policy:

1. Commission staff members are full time positions. One position is hired by the County and reports to and is hired by the Director of the CCFC, with input from CCFC staff, Commissioners, and City of Portland staff. One position is hired by the City and reports to and is hired by the Director of the Bureau of Planning (or their designee), with input from Bureau of Planning Staff, Commissioners, and Multnomah County staff.
2. The Commission Co-Chairs shall prepare (on behalf of the Coordinating Committee) an annual, written evaluation of staff and share it with the Director of the CCFC and Director of the Bureau of Planning, or their designees.
3. Multnomah County will be the employer of all County employees who perform services under this Agreement and is responsible for recruiting, hiring, training and assigning staff, payroll, benefits and other employee administration and in no event shall any County employee performing services under this Agreement be deemed an agent of the City in any manner for any purpose.
4. City of Portland will be the employer of all City employees who perform services under this Agreement and is responsible for recruiting, hiring, training and assigning staff, payroll, benefits and other employee administration and in no event shall any City employee performing services under this Agreement be deemed an agent of the County in any manner for any purpose

F. Staff Role

1. Staff has the responsibility and authority to carry out established Commission policy, and they are expected to provide adequate Commission and committee support as interpreted by the jurisdictions and Commission co-chairs.
2. Commission staff members are important and vital partners with the Commissioners and strive to build positive relationships with each Commissioner and model positive youth-adult partnerships in all their work.
3. Commission staff believes that the youth of Multnomah County and the City of Portland are not only the leaders of tomorrow, but also the leaders of today. It is the role of staff to work with Commissioners to achieve Commission goals and to reduce any barriers to success by collecting information, coordinating trainings, or providing Commissioners any other supports they need to be effective.
4. The power and influence of any group is only enhanced when it builds a large and diverse base of support. Commission staff shall work to connect the Commission with other youth and adult leaders that can help advance a positive youth agenda. Specific efforts should be made to create a county, regional, and statewide network of youth working in policy contexts.

5. Commission staff will work to infuse positive youth development theory and practice throughout their respective jurisdictional agencies (the Multnomah County Commission on Children, Families & Community and the City of Portland's Bureau of Planning) as well as throughout the work of the entire jurisdictions.

Section 8. Effective Date.

This Agreement shall become effective upon its adoption by the City and County. Any other Jurisdiction entering into this shall adopt an authorizing ordinance and shall forward a certified copy to Multnomah County. Within 30 days of the effective date of this Agreement, the City of Portland shall forward copies of the authorizing ordinances to the Secretary of State, together with a statement containing the name of the intergovernmental entity created, the parties to the agreement, the purpose of the agreement and the effective date of the agreement, as required by ORS 190.085 (2).

Section 9. Duration and Termination.

A. Duration. The duration of this Agreement is perpetual and the Commission shall continue from year to year, subject to termination or dissolution as provided below. The Commission shall forward this Agreement to the Jurisdictions every three years for their review.

B. Termination. In order for any Jurisdiction to withdraw from this Agreement and to prevent obligations for any continuing support for the Commission for the ensuing year, a Jurisdiction may withdraw from the Commission by filing a written notice of withdrawal. The jurisdiction will provide 30 days notice of termination to the Commission. Membership shall continue until the effective date of the withdrawal. Prior to the effective date, the member Jurisdiction may rescind its withdrawal notice at any time.

Section 10. Dissolution.

The Commission formed by this intergovernmental entity can only exist under ORS Chapter 190 only if there are two or more units of local government that have formally agreed to participate in this Intergovernmental Agreement. Therefore if jurisdictions terminate their participation in the intergovernmental entity created by this agreement, and as a result only one or fewer jurisdictions remain as participants, the Commission shall no longer exist. At that point, the Commission shall revert back to an advisory body of the County's Commission on Children, Families & Community, as it existed prior to adoption of this agreement.

Section 11. General Terms.

A. Entire Agreement. The parties agree and acknowledge that this agreement is a complete, integrated agreement that supersedes and cancels all prior negotiations and understandings of any kind that may previously have been made with regard to the payment of mediation services. Further, the parties agree that this agreement is the entire agreement between them, and that no other promises have been made by either party, either express or implied that are not contained

B. Severability. If any provision or provisions of this Agreement shall be held to be invalid, illegal, unenforceable, or in conflict with the law of any jurisdiction, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby. .

C. Increasing Member Units of Government. The Commission may develop a method for allowing other units of local government to enter into this Agreement

D. Amendments. The chief executive officer of each participating jurisdiction is hereby authorized to amend this agreement provided the amendments do not impose additional financial liability to the jurisdictions and do not restrict the jurisdiction's participation in the Commission.

F. Indemnification. Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300, County shall indemnify, defend and hold harmless the City of Portland from and against all liability, loss and costs arising out of or resulting from the acts of County, its officers, employees and agents in the performance of this agreement. Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300, the

City of Portland shall indemnify, defend and hold harmless County from and against all liability, loss and costs arising out of or resulting from the acts of the City of Portland, its officers, employees and agents in the performance of this agreement.

G. Insurance. Each party shall each be responsible for providing worker's compensation insurance for its own workers as required by law. Neither party shall be required to provide or show proof of any other insurance coverage.

H. Law. This agreement is subject to the laws of the State of Oregon, without reference to its conflict of laws provisions. Every party to this agreement shall comply with all federal, state and local laws and ordinances applicable to this agreement.

I. Non-Discrimination. Each party shall comply with all requirements of federal and state civil rights and rehabilitation statutes and local non-discrimination ordinances and with its own ordinances.

J. Access To Records. Each party shall have access to the books, documents and other records of the other which are related to this agreement for the purpose of examination, copying and audit, unless otherwise limited by law.

K. Subcontracts And Assignment. This Agreement or any interest therein shall not be assigned or subcontracted to any other party/parties without the prior written consent of the other party. In the event of transfer without prior written consent, the other party may refuse to carry out this Agreement with either the transferor or the transferee and yet retain and reserve all rights of action for any breach of contract committed by other party.

L. Third Party Beneficiaries. There are no third party beneficiaries to this agreement. The agreement may only be enforced by the parties.

APPROVED AND EXECUTED by the appropriate officer(s) who are duly authorized to execute this Agreement on behalf of the governing body of each Jurisdiction.

MULTNOMAH COUNTY, OREGON

By: Ted Wheeler
Ted Wheeler, Multnomah County Chair

Date: 09.20.07

CITY OF PORTLAND, OREGON

By: _____
Tom Potter, Mayor, City of Portland

Date: _____

By: _____
Gary Blackmer, Auditor, City of Portland

Date: _____

Reviewed: _____
By: Patrick W. Henry
Patrick Henry, Assistant County Attorney

Date: 9/20/07

Approved as to Form:

By: _____
Assistant City Attorney

Date: _____



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: R-2
Est. Start Time: 9:07 AM
Date Submitted: 09/10/07

Agenda Title: **RESOLUTION Vacating a Portion of S.W. Sweetbriar Street, a Public Road, Located in an Unincorporated Area of Southwest Multnomah County, Pursuant to ORS 368.326 to 368.366**

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

Requested Meeting Date: September 20, 2007 Amount of Time Needed: 5 minutes
Department: Community Services Division: Land Use & Trans Program
Contact(s): Brian Vincent P.E., Multnomah County Engineer; or Patrick Hinds, Program Manager
Phone: (503) 988-5050 Ext. 29642 I/O Address: 425/2nd Fl.
Presenter(s): Brian Vincent or Patrick Hinds

General Information

1. What action are you requesting from the Board?

The Land Use and Transportation Program recommends that the Board approve the attached Resolution vacating a portion of S.W. Sweetbriar Street, a public road, situated in Southwest Multnomah County.

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

Situated in the Northwest One-Quarter of Section 7, Township 1 South, Range 1 East, W.M., this public road was originally created by the Plat of LEY PARK ESTATES, recorded on Feb. 6, 1961, in Book 1194, Page 6, of Multnomah County Plat Records.

This public road is approximately 50 feet in width and approximately 433 feet in length, and serves as access to several Lots of the LEY PARK ESTATE subdivision. The road vacation petition is requesting that we consider vacating approximately the westerly 109 feet of S.W. Sweetbriar Street.

S.W. Sweetbriar Street is a public road. Multnomah County has road jurisdiction for this area but does not maintain this portion of S.W. Sweetbriar Street. The City of Portland has Land-Use

Planning authority for this area. The City of Portland supports the proposed vacation and has requested that a 15' wide pedestrian easement be reserved and that said easement be centered on the centerline of the area being proposed for vacation. This road vacation will not land lock existing lots in LEY PARK ESTATES.

The petition as received supports the reservation of a 15' wide pedestrian easement centered on the legal centerline of the portion of S.W. Sweetbriar being proposed for vacation.

A copy of the petition is attached to this report as Exhibit 1. A vicinity map is attached to this report as Exhibit 2. The areas being proposed for vacation is more particularly described in this petition and in Exhibit A attached to the Resolution.

The vacation petition being considered today contains the acknowledgement and consent of 100 percent of the abutting and adjoining property owners, as defined by ORS 368.336. Title to the area being vacated will vest as provided by ORS 368.366(1)d.

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

None. This public road is not maintained by Multnomah County. No public money is spent on this road. All costs associated with this vacation request are the responsibility of the petitioner.

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

The County Road Official, as required by ORS 368.351(1), has reviewed the petition and finds that this public road is no longer needed for public purposes and declares the vacation of this portion of S.W. Sweetbriar Street, a local public road, as described in Exhibit A attached to the Resolution, to be in the public interest.

This proposed road vacation was initiated by a petition from an abutting property owner and contains the consent of 100 percent of the remaining abutting property owners. Therefore, under ORS 368.351, the County may proceed to complete this vacation without additional notice and publication.

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

This is a citizen-initiated petition.

This public road is located in an area of Multnomah County that is unincorporated. The proposed action is consistent with community involvement, development, and any applicable intergovernmental cooperation.

Required Signature

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



Date: 09/10/07

EXHIBIT 1

Street Vacation Petition
SW Sweetbriar Street
Abutting Tax Lot 2300, T.1S, R1E, S.7 (BD)

Intent to Vacate Property

It is the intent of this petition to vacate SW Sweetbriar Street as illustrated by the attached legal description prepared by Compass Engineering, dated 6/4/07, Exhibit A and B.

Description of Proposed Property To Be Vacated

See attached Compass Engineering Exhibit A and B dated 6/4/07.

Reasons for Proposed Street Vacation

The dedicated public road SW Sweetbriar Street is no longer needed for access to the abutting property.

Names and Addresses of persons holding recorded interests in the public property proposed to be vacated.

None.

Names and Addresses of all persons owning any improvements constructed on public property proposed to be vacated.

Unified Sewerage Agency
155 N. First Ave.
Hillsboro, OR 97124

Names and Addresses of all persons owning any real property abutting public property proposed to be vacated.

Douglas Dillavou
Dillavou Properties, LLC
5701 SW Patton Rd.
Portland, OR 97221

Robert M Waller and Jacqueline C. Waller
5639 SW Sweetbriar St.
Portland, OR 97221

Brian D Chatard and Evin M. Chatard
5625 SW Patton Rd.
Portland, OR 97221

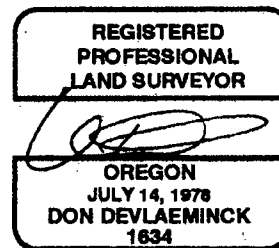
EXHIBIT "A"

PORTION OF S.W. SWEETBRIAR STREET TO BE VACATED

ALL OF THAT PORTION OF S.W. SWEETBRIAR STREET, AS DEPICTED ON "LEY PARK ESTATES", A PLAT OF RECORD IN THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON, WHICH IS LOCATED WESTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 2, "LEY PARK ESTATES"; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 1, BLOCK 2, "LEY PARK ESTATES", 1.00 FEET ALONG THE ARC OF A 40.00 FOOT RADIUS CURVE CONCAVE TO THE NORTH THROUGH A CENTRAL ANGLE OF 01°25'27" (LONG CHORD BEARS SOUTH 43°14'28" WEST 1.00 FEET) TO THE TRUE POINT OF BEGINNING OF THE LINE TO BE DESCRIBED; THENCE LEAVING SAID NORTH LINE NORTH 00°33'03" EAST 54.97 FEET TO A POINT ON THE SOUTH LINE OF LOT 1, BLOCK 1, "LEY PARK ESTATES", AND THE TERMINUS OF SAID LINE.

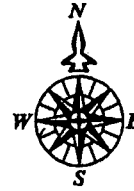
RESERVING THEREFROM A 15.00 FOOT WIDE PUBLIC PEDESTRIAN ACCESS EASEMENT, LYING 7.50 FEET ON EACH SIDE OF THE CENTERLINE OF S.W. SWEETBRIAR STREET, (AS SAID CENTERLINE WAS ORIGINALLY LOCATED ON THE PLAT OF "LEY PARK ESTATES") RUNNING WESTERLY THROUGH THE ABOVE DESCRIBED PORTION OF S.W. SWEETBRIAR STREET TO BE VACATED. THE SIDELINES OF THIS 15.00 FOOT WIDE EASEMENT SHALL BE EXTENDED OR SHORTENED, AS NECESSARY, TO TERMINATE, AT ITS WESTERLY END, ON THE WEST LINE OF "LEY PARK ESTATES", AND, AT ITS EASTERLY END, ON THE ABOVE DESCRIBED LINE.



DATE OF SIGNATURE: 6/4/07
VALID UNTIL 12/31/2007

WEST LINE OF THE PLAT OF
"LEY PARK ESTATES"

LOT 1, BLOCK 1
"LEY PARK ESTATES"



SCALE: 1" = 30'

NOTE:
ALL OF S.W. SWEETBRIAR
STREET WHICH WAS DEDICATED
BY THE PLAT OF "LEY PARK
ESTATES", LYING WESTERLY OF
THIS LINE, IS TO BE VACATED.

7.50'

N00°33'03"E
54.97'

25'

15' PUBLIC PEDESTRIAN ACCESS
EASEMENT TO BE RESERVED

S.W. SWEETBRIAR
STREET

25'

ORIGINAL CENTERLINE OF
S.W. SWEETBRIAR STREET
PER THE PLAT OF "LEY
PARK ESTATES"

TRUE POINT
OF BEGINNING

N.E. CORNER OF LOT 1,
BLOCK 2, "LEY PARK
ESTATES"

$\Delta = 01^{\circ}25'27''$
 $R = 40.00'$
 $L = 1.00'$
CHORD = 543'14"28"W
1.00'

N00°09'55"W

LOT 1, BLOCK 2
"LEY PARK ESTATES"

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 14, 1978
DON DEVLAEMINCK
1634

DATE OF SIGNATURE: 6/4/07
VALID UNTIL 12/31/2007

EXHIBIT "B"



COMPASS ENGINEERING

ENGINEERING SURVEYING PLANNING
4105 INTERNATIONAL WAY, SUITE 501 (503) 863-0863 PHONE
MILWAUKEE, OREGON 97222 WWW.COMPASS-ENGINEERING.COM

MAP SHOWING PORTION OF
S.W. SWEETBRIAR STREET TO BE VACATED

5996ExhibitB.dwg

P:\5996\5996-AutoCAD\Drawings\5996ExhibitB.dwg Model, 6/4/2007 2:11:03 PM, mdevlaeminc

Consent Statement For The
Street Vacation Application
RE: SW Sweetbriar Street
Portland, OR

Subject Property: West end of SW Sweetbriar Street abutting Tax Lot 2300, T.1S.,
R.1E, S.7 (BD), as described and shown on Exhibit A and B, Compass Engineering,
attached hereto.

The undersigned, being the owners of the abutting properties acknowledge and consent to
this proposed road vacation.

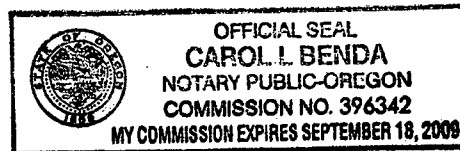
Name *Douglas Dillavou*
Name *Kulia Dillavou*
Address 5701 SW PATON Rd.
Portland, Oregon

NOTARY

STATE of OREGON)
) ss
County of Clackamas)

This instrument was acknowledge before me on July 13, 2007 by Douglas Dillavou
and Kulia Dillavou.

Carol L Benda
notary public for Oregon
my commission expires: 9-18-2009



Consent Statement For The
Street Vacation Application
RE: SW Sweetbriar Street
Portland, OR

Subject Property: West end of SW Sweetbriar Street abutting Tax Lot 2300, T.1S., R.1E, S.7 (BD), as described and shown on Exhibit A and B, Compass Engineering, attached hereto.

The undersigned, being the owners of the abutting properties acknowledge and consent to this proposed road vacation.

Name Brian Chatard Brian Chatard
Name Erin Chatard Erin Chatard
Address 5625 SW PATTON RD PORTLAND, OR 97221

NOTARY

STATE OF OREGON,

County of MULTNOMAH

SS.

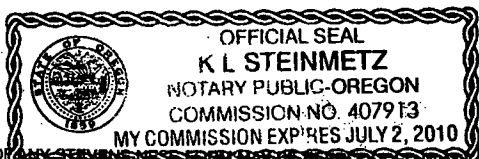
On 17 AUGUST 2007

before me personally appeared BRIAN CHATARD

AND ERIN CHATARD

whose identity was established to my satisfaction, and who executed the foregoing instrument, acknowledging to me that the same was executed freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal on the date first written above.



Notary Public for Oregon

My commission expires 2 JULY 2010

NO PART OF ANY INSTRUMENT RECORDED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.

Consent Statement For The
Street Vacation Application
RE: SW Sweetbriar Street
Portland, OR

Subject Property: West end of SW Sweetbriar Street abutting Tax Lot 2300, T.1S.,
R.1E, S.7 (BD), as described and shown on Exhibit A and B, Compass Engineering,
attached hereto.

The undersigned, being the owners of the abutting properties acknowledge and consent to
this proposed road vacation.

Name

Name

Address

Robert M. Waller Jr. Jacqueline C. Waller
ROBERT WALLER JR.
5639 SW SWEETBRIAR ST
PORTLAND, OR 97232

STATE OF OREGON

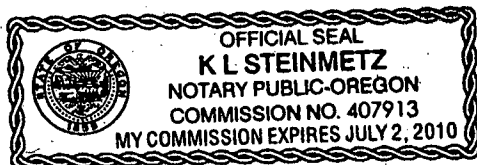
)

)SS

County of Washington

)

This instrument was acknowledged before me on 15 JUNE 2007
by Robert M. Waller Jr.



[Signature]

Notary Public of Oregon

My Commission expires: 2 June 2010

STATE OF OREGON

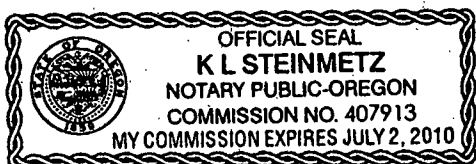
)

)SS

County of Washington

)

This instrument was acknowledged before me on 19 JUNE 2007
by JACQUELINE C. WALLER



[Signature]

Notary Public of Oregon

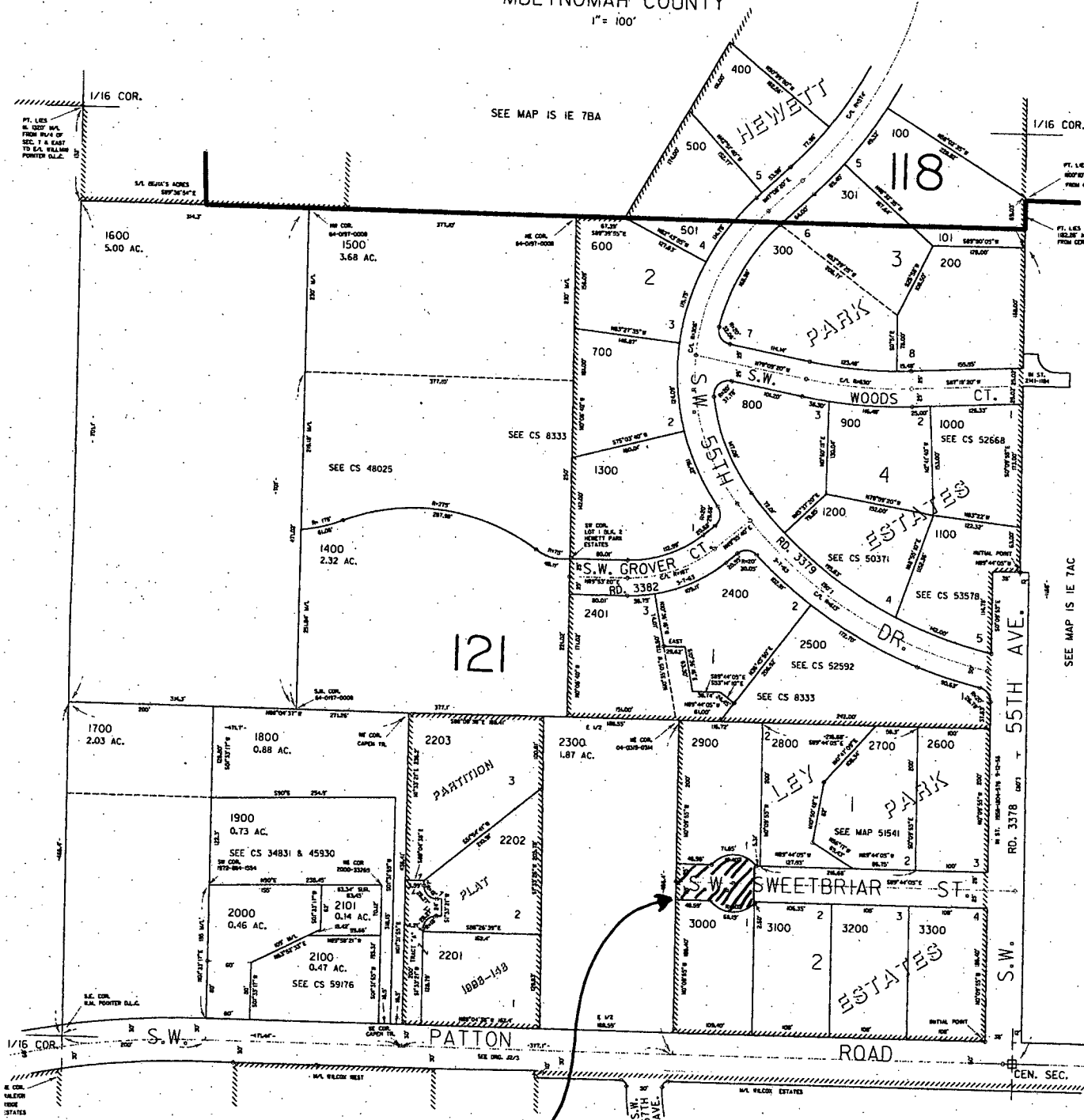
My Commission expires: 2 June 2010

EXHIBIT 2

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SE1/4 NW1/4 SEC. 7 T.1S. R.1E. W.M.
MULTNOMAH COUNTY
1" = 100'

IS IE 7BD
PORTLAND



CANCELLED NO.
2200

SEE MAP IS IE TAC

SEE MAP IS IE 7CA

IS IE 7BD
PORTLAND

AREA
TO BE
VACATED

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Vacating a Portion of S.W. Sweetbriar Street, a Public Road, Located in an Unincorporated Area of Southwest Multnomah County, Pursuant to ORS 368.326 to 368.366

The Multnomah County Board of Commissioners Finds:

- a. The portion of an approximately 50 foot-wide public road affected by this vacation was originally created by the LEY PARK ESTATES subdivision plat, recorded February 6, 1961, in Book 1194, Page 6. This portion of public road is unimproved.
- b. The portion of the public road to be vacated is more particularly described in the Exhibit A, as attached to this Resolution.
- c. Multnomah County does not maintain or have plans to develop this portion of public road.
- d. Mr. Doug Dillavou, petitioner, has submitted a petition to vacate this public road, which is in compliance with ORS 368.341(3).
- e. As allowed under ORS 368.351, the above referenced petition:
 - Indicates the owners' approval of the proposed vacation;
 - Contains the acknowledged signatures of owners of 100 percent of any private property proposed to be vacated and acknowledged signatures of owners of 100 percent of property abutting any public property proposed to be vacated; and
- f. In addition, the appropriate County Road Official has filed a written report pursuant to ORS 368.351(1) that contains an assessment that the proposed vacation of public property is in the public interest. (See Agenda Placement Request Memorandum.)
- g. Pursuant to ORS 368.351, the County may make a determination about this vacation without additional notice and publication required under ORS 368.346.
- h. The entire portion being vacated will remain subject to the rights of any existing public utility that has improvements located within the existing right of way.
- i. As required under MCC 27.054, the County has received a total of \$1265.00 from the petitioner, of which \$200.00 applies to the feasibility study that was performed by the County. The remaining \$1065.00 will be applied to the vacation proceeding. The total costs for this vacation, including administrative costs, are \$1991.72. Administrative costs include staff time for research, review, analyses, and document preparation. The balance owed by the petitioner at the date of this hearing is \$726.72.

- j. Vacation of the County's right-of-way interest in this property serves the public interest.

The Multnomah County Board of Commissioners Resolves:

1. Subject to the petitioner's payment of all funds due as provided under MCC 27.054, the portion of public road as more particularly described in the attached Exhibit A, is vacated as a public road, excepting the easement rights any existing utilities may have in the vacated property under ORS Chapter 368, and also excepting therefrom a 15' wide public pedestrian easement being more particularly described in the attached Exhibit A.
2. Multnomah County shall have jurisdiction over the public pedestrian easement and the easement shall constitute a "trail" under ORS 368.021.
3. Pursuant to MCC 27.054, the total cost for this vacation proceeding incurred by the County is \$1991.72, and Mr. Doug Dillavou, the petitioner, is directed to pay the remaining amount of \$726.72 to the County.
4. The Land Use and Transportation Program of the Department of Community Services will record and file this Resolution in accordance with ORS 368.356(3), only upon receipt of the total amount due under MCC 27.054.
5. Upon the recording and filing of this Resolution, the County Surveyor will mark the plat, if applicable, as provided under ORS 271.230.

ADOPTED this 20th day of September, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:
M. Cecilia Johnson, Director, Dept. of Community Services

EXHIBIT "A"

PORTION OF S.W. SWEETBRIAR STREET TO BE VACATED

ALL OF THAT PORTION OF S.W. SWEETBRIAR STREET, AS DEPICTED ON "LEY PARK ESTATES", A PLAT OF RECORD IN THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON, WHICH IS LOCATED WESTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 2, "LEY PARK ESTATES"; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 1, BLOCK 2, "LEY PARK ESTATES", 1.00 FEET ALONG THE ARC OF A 40.00 FOOT RADIUS CURVE CONCAVE TO THE NORTH THROUGH A CENTRAL ANGLE OF 01°25'27" (LONG CHORD BEARS SOUTH 43°14'28" WEST 1.00 FEET) TO THE TRUE POINT OF BEGINNING OF THE LINE TO BE DESCRIBED; THENCE LEAVING SAID NORTH LINE NORTH 00°33'03" EAST 54.97 FEET TO A POINT ON THE SOUTH LINE OF LOT 1, BLOCK 1, "LEY PARK ESTATES", AND THE TERMINUS OF SAID LINE.

RESERVING THEREFROM A 15.00 FOOT WIDE PUBLIC PEDESTRIAN ACCESS EASEMENT, LYING 7.50 FEET ON EACH SIDE OF THE CENTERLINE OF S.W. SWEETBRIAR STREET, (AS SAID CENTERLINE WAS ORIGINALLY LOCATED ON THE PLAT OF "LEY PARK ESTATES") RUNNING WESTERLY THROUGH THE ABOVE DESCRIBED PORTION OF S.W. SWEETBRIAR STREET TO BE VACATED. THE SIDELINES OF THIS 15.00 FOOT WIDE EASEMENT SHALL BE EXTENDED OR SHORTENED, AS NECESSARY, TO TERMINATE, AT ITS WESTERLY END, ON THE WEST LINE OF "LEY PARK ESTATES", AND, AT ITS EASTERLY END, ON THE ABOVE DESCRIBED LINE.



DATE OF SIGNATURE: 7/4/07

VALID UNTIL 12/31/2007

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 07-150

Vacating a Portion of S.W. Sweetbriar Street, a Public Road, Located in an Unincorporated Area of Southwest Multnomah County, Pursuant to ORS 368.326 to 368.366

The Multnomah County Board of Commissioners Finds:

- a. The portion of an approximately 50 foot-wide public road affected by this vacation was originally created by the LEY PARK ESTATES subdivision plat, recorded February 6, 1961, in Book 1194, Page 6. This portion of public road is unimproved.
- b. The portion of the public road to be vacated is more particularly described in the Exhibit A, as attached to this Resolution.
- c. Multnomah County does not maintain or have plans to develop this portion of public road.
- d. Mr. Doug Dillavou, petitioner, has submitted a petition to vacate this public road, which is in compliance with ORS 368.341(3).
- e. As allowed under ORS 368.351, the above referenced petition:
 - Indicates the owners' approval of the proposed vacation;
 - Contains the acknowledged signatures of owners of 100 percent of any private property proposed to be vacated and acknowledged signatures of owners of 100 percent of property abutting any public property proposed to be vacated; and
- f. In addition, the appropriate County Road Official has filed a written report pursuant to ORS 368.351(1) that contains an assessment that the proposed vacation of public property is in the public interest. (See Agenda Placement Request Memorandum.)
- g. Pursuant to ORS 368.351, the County may make a determination about this vacation without additional notice and publication required under ORS 368.346.
- h. The entire portion being vacated will remain subject to the rights of any existing public utility that has improvements located within the existing right of way.
- i. As required under MCC 27.054, the County has received a total of \$1265.00 from the petitioner, of which \$200.00 applies to the feasibility study that was performed by the County. The remaining \$1065.00 will be applied to the vacation proceeding. The total costs for this vacation, including administrative costs, are \$1991.72. Administrative costs include staff time for research, review, analyses, and document preparation. The balance owed by the petitioner at the date of this hearing is \$726.72.

- j. Vacation of the County's right-of-way interest in this property serves the public interest.

The Multnomah County Board of Commissioners Resolves:

1. Subject to the petitioner's payment of all funds due as provided under MCC 27.054, the portion of public road as more particularly described in the attached Exhibit A, is vacated as a public road, excepting the easement rights any existing utilities may have in the vacated property under ORS Chapter 368, and also excepting therefrom a 15' wide public pedestrian easement being more particularly described in the attached Exhibit A.
2. Multnomah County shall have jurisdiction over the public pedestrian easement and the easement shall constitute a "trail" under ORS 368.021.
3. Pursuant to MCC 27.054, the total cost for this vacation proceeding incurred by the County is \$1991.72, and Mr. Doug Dillavou, the petitioner, is directed to pay the remaining amount of \$726.72 to the County.
4. The Land Use and Transportation Program of the Department of Community Services will record and file this Resolution in accordance with ORS 368.356(3), only upon receipt of the total amount due under MCC 27.054.
5. Upon the recording and filing of this Resolution, the County Surveyor will mark the plat, if applicable, as provided under ORS 271.230.

ADOPTED this 20th day of September, 2007.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Dept. of Community Services

EXHIBIT "A"

PORTION OF S.W. SWEETBRIAR STREET TO BE VACATED

ALL OF THAT PORTION OF S.W. SWEETBRIAR STREET, AS DEPICTED ON "LEY PARK ESTATES", A PLAT OF RECORD IN THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON, WHICH IS LOCATED WESTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 2, "LEY PARK ESTATES"; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 1, BLOCK 2, "LEY PARK ESTATES", 1.00 FEET ALONG THE ARC OF A 40.00 FOOT RADIUS CURVE CONCAVE TO THE NORTH THROUGH A CENTRAL ANGLE OF 01°25'27" (LONG CHORD BEARS SOUTH 43°14'28" WEST 1.00 FEET) TO THE TRUE POINT OF BEGINNING OF THE LINE TO BE DESCRIBED: THENCE LEAVING SAID NORTH LINE NORTH 00°33'03" EAST 54.97 FEET TO A POINT ON THE SOUTH LINE OF LOT 1, BLOCK 1, "LEY PARK ESTATES", AND THE TERMINUS OF SAID LINE.

RESERVING THEREFROM A 15.00 FOOT WIDE PUBLIC PEDESTRIAN ACCESS EASEMENT, LYING 7.50 FEET ON EACH SIDE OF THE CENTERLINE OF S.W. SWEETBRIAR STREET, (AS SAID CENTERLINE WAS ORIGINALLY LOCATED ON THE PLAT OF "LEY PARK ESTATES") RUNNING WESTERLY THROUGH THE ABOVE DESCRIBED PORTION OF S.W. SWEETBRIAR STREET TO BE VACATED. THE SIDELINES OF THIS 15.00 FOOT WIDE EASEMENT SHALL BE EXTENDED OR SHORTENED, AS NECESSARY, TO TERMINATE, AT ITS WESTERLY END, ON THE WEST LINE OF "LEY PARK ESTATES", AND, AT ITS EASTERLY END, ON THE ABOVE DESCRIBED LINE.



DATE OF SIGNATURE: 4/4/07
VALID UNTIL 12/31/2007



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-3 DATE 9/20/07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: R-3
Est. Start Time: 9:09 AM
Date Submitted: 09/05/07

Agenda Title: NOTICE OF INTENT to Apply for up to \$2,000 in Grant Funding from the Community Health Partnership Special Needs Grants Program

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

Requested Meeting Date: September 20, 2007 Amount of Time Needed: 5 minutes
Department: Health Division: Community Health Services
Contact(s): Arlene Warren, Nicole Hermanns
Phone: 503-988-3406 Ext. 24649 I/O Address: 160/3
Presenter(s): Arlene Warren

General Information

1. What action are you requesting from the Board?

Authorize the Director of the Health Department to apply for up to \$2,000 in grant funding from the Community Health Partnership Special Needs Grants program to respond to the urgent needs of Multnomah County Health Department's Tuberculosis Program patients.

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

Last year, Multnomah County Health Department's Tuberculosis (TB) Program served approximately 2500 persons from many ethnic and racial groups, including refugees and immigrants from the former Soviet Union, Somalia, Cuba, Afghanistan, Ethiopia and many other countries. These clients, particularly new arrivals to the United States, have very limited financial means to provide basic housing, food and clothing for themselves and their families. TB Program case managers and outreach workers are able to link these clients with many community resources. However, program and community resources are frequently not available to meet the urgent needs of these clients.

In the past, State and Federal funds were available to assist clients with urgent needs such as

food, housing, and supplies. Due to budget constraints, these emergency funds no longer exist. Special Needs Grant funds will be used to cover items such as nutritional supplements for malnourished clients, rent assistance so families are not evicted while heads of households with infectious TB are unable to work, utility bill payment, groceries, and transportation assistance. Disbursements to patients will be \$250 or less per request and are intended as one-time-only support for an individual or family so that the same individuals do not receive ongoing support.

This grant supports program offer 40010 Communicable Disease Prevention & Control.

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

This grant would provide one time funding of up to \$2,000 to assist TB clients with basic needs such as housing, food, and transportation assistance.

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

None.

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

None.

ATTACHMENT A

Grant Application/Notice of Intent

If the request is a Grant Application or Notice of Intent, please answer all of the following in detail:

- **Who is the granting agency?**
Community Health Partnership Special Needs Grant program.
- **Specify grant (matching, reporting and other) requirements and goals.**
This grant does not require a match. A 6-month report and final report are required. The goal of the grant program is to provide public health departments and health-related organizations with funds to assist public health workers in meeting the urgent, unmet needs of their clients.
- **Explain grant funding detail – is this a one time only or long term commitment?**
This is a one-time funding opportunity of up to \$2,000. MCHD is eligible to reapply for the funding next year.
- **What are the estimated filing timelines?**
The grant application is due September 28, 2007.
- **If a grant, what period does the grant cover?**
January 2008 – January 2009.
- **When the grant expires, what are funding plans?**
Program administrators and the grant development team will continue to look for additional funding.
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**
All indirect costs will be covered through the grant.

ATTACHMENT B

Required Signatures

Elected Official or
Department/
Agency Director:

Lillian Shirley

/KJ

Date: 09/05/07

Budget Analyst:

Debra

Date: 09/05/07



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-4 DATE 9/20/07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: R-4
Est. Start Time: 9:11 AM
Date Submitted: 09/05/07

Agenda Title: **NOTICE OF INTENT to Apply to National Association of County and City Health Officials (NACCHO) for \$5,000 in Grant Funding to Support the Health Department's Volunteer Health Reserve Corps Program**

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

Requested Meeting Date: September 20, 2007 **Amount of Time Needed:** 5 minutes
Department: Health **Division:** Director's Office
Contact(s): Zumana Rios, Nicole Hermanns
Phone: 503-988-3663 **Ext.** 26115 **I/O Address:** 160/8
Presenter(s): Zumana Rios

General Information

1. What action are you requesting from the Board?

Authorize the Director of the Health Department to apply for \$5,000 in grant funding from the National Association of County and City Health Officials (NACCHO) to support the Health Department's volunteer Health Reserve Corps program.

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

The Health Department received funding from the Office of the Surgeon General to establish a volunteer Health Reserve Corps (HRC) from 2002-2005. The HRC is a voluntary unit made up of approximately 200 local licensed health care professionals who will be called upon to assist in the response to large-scale health or medical emergencies.

The Health Reserve Corps program provides a unique opportunity for health professionals to become a prepared and effective part of the health response to an emergency. Identifying and training providers prior to an emergency increases our county's ability to rapidly and effectively respond to community health needs as they occur.

Multnomah County Health Reserve Corps volunteers have participated in a number of response activities including Health Department emergency preparedness exercises, Project Homeless Connect, and Operation Welcome Oregon (local response to support Hurricane Katrina victims).

This grant award from NACCHO would allow us to continue to build our unit and ensure all volunteers receive adequate orientation to the program and their roles in an emergency. Funding will be used to support recruitment, orientation and ongoing communication activities.

This grant supports Program Offer 40005 – Public Health and Regional Health Systems Emergency Preparedness.

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

This grant would provide one-time funding of \$5,000 to build the capacity and sustain the activities of Multnomah County's Health Reserve Corps. This includes funds to pay for staff, procure necessary materials and services, and cover usual County indirect and internal services costs.

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

None.

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

The Health Reserve Corps (HRC) is made up of citizens who live or work in Multnomah County and are licensed health care providers. Citizens will participate in HRC orientation sessions, trainings and exercises, and be activated to support the Health Department's response to large-scale emergencies.

ATTACHMENT A

Grant Application/Notice of Intent

If the request is a Grant Application or Notice of Intent, please answer all of the following in detail:

- **Who is the granting agency?**
The National Association of County & City Health Officials (NACCHO).
- **Specify grant (matching, reporting and other) requirements and goals.**
This grant has no matching requirements. The goal of the grant is to support continued development and expansion of the Health Department's volunteer Health Reserve Corps.
- **Explain grant funding detail – is this a one time only or long term commitment?**
This is a one time only grant in the amount of \$5,000.
- **What are the estimated filing timelines?**
The grant application is due September 28, 2007.
- **If a grant, what period does the grant cover?**
The grant covers project activities that take place from August 1, 2007 to July 31, 2008.
- **When the grant expires, what are funding plans?**
Both the program administrators and the grants development team will continue to look for additional funding to support the program.
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**
All indirect costs will be covered through the grant.

ATTACHMENT B

Required Signatures

Elected Official or
Department/
Agency Director:

Lillian Shirley

/KJ

Date: 09/05/07

Budget Analyst:

Debra

Date: 09/05/07



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-5 DATE 9/20/07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: R-5
Est. Start Time: 9:13 AM
Date Submitted: 08/21/07

BUDGET MODIFICATION: HD - 07

Budget Modification HD-07 Moving \$100,000 from the Federal-State Fund to the Justice Services Special Operations Fund to Correct an Error in the Health Department's Emergency Medical Services' Adopted Budget

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

Requested Meeting Date:	<u>September 20, 2007</u>	Amount of Time Needed:	<u>2 minutes</u>
Department:	<u>Health</u>	Division:	<u>Health Officer – Emergency Medical Services</u>
Contact(s):	<u>Lester A. Walker, Finance and Budget Manager</u>		
Phone:	<u>503-988-3674</u>	Ext.	<u>26457</u>
	I/O Address:		<u>167/2/210</u>
Presenter(s):	<u>Julie Neburka, Principal Budget Analyst</u>		

General Information

1. What action are you requesting from the Board?

Approval to move \$100,000 from the Federal-State Fund to the Justice Services Special Operations Fund to correct an error in the Health Department's Emergency Medical Services' adopted budget.

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

Program Offer #40004 – Emergency Medical Services (EMS) includes \$100,000 in revenue (fines) and expenses (supplies). When the FY08 Adopted Budget was uploaded into the County's accounting system (SAP), a technical difficulty occurred which resulted in the appropriation being uploaded into Federal/State Fund 1505. The budget belongs in the Justice Special Ops Fund 1516. This Budget Modification will correct the coding.

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

There is no fiscal impact. This is a technical correction to the FY 08 budget.

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

N/A

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

N/A

ATTACHMENT A

Budget Modification

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

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

Due to a technical issue during the FY08 Adopted Budget upload into the County's accounting system, \$100,000 of Health Department's Emergency Medical Services revenue was coded to Federal/State revenue code 1505. The correct revenue code is Justice Special Operations fund 1516. This budget modification is changing the revenue code from 1505 to 1516.

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

The Health Department's Federal-State Fund appropriation is reduced by \$100,000, and its Justice Services Special Operations Fund is increased in the same amount.

- **What do the changes accomplish?**

They correct a technical error in the FY 08 adopted budget.

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

N/A

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

N/A

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

N/A

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

N/A

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

N/A

<p><i>NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.</i></p>

ATTACHMENT B

BUDGET MODIFICATION: HD - 07

Required Signatures

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

Lillian Shirley

Date: 08/16/07

Budget Analyst:

Debra

Date: 08/24/07

Department HR:

Patricia Miller

Date: 08/13/07

Countywide HR:

Date:

Budget Modification ID: **HD-08-07****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
1	40-20	1505	30		402150		50280	(25,000)	0	25,000		placeholder due to
2	40-20	1505	30		402150		50360	(75,000)	0	75,000		technical difficulty during
3	40-20	1505	30		402150		60240	100,000	0	(100,000)		FY08 adopted budget upload
4									0			
5	40-20	1516	30		402420		50280	0	(25,000)	(25,000)		finer
6	40-20	1516	30		402420		50360	0	(75,000)	(75,000)		carryover finer from 07
7	40-20	1516	30		402420		60240	0	100,000	100,000		purchased from finer
8									0			
9									0			
10									0			
11									0			
12									0			
13									0			
14									0			
15									0			
16									0			
17									0			
18									0			
19									0			
20									0			
21									0			
22									0			
23									0			
24									0			
25									0			
26									0			
27									0			
28									0			
29									0			
										0	0	Total - Page 1
										0	0	GRAND TOTAL



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-6 DATE 9/20/07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: R-6
Est. Start Time: 9:15 AM
Date Submitted: 09/12/07

BUDGET MODIFICATION: MCSO - 02

Agenda Title: Budget Modification MCSO-02 Appropriating \$614,526 of General Fund
Contingency to Fund the Sheriff's Office Field Based Work Release Program

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

Requested Meeting Date:	<u>September 20, 2007</u>	Amount of Time Needed:	<u>25 minutes</u>
Department:	<u>Sheriff's Office</u>	Division:	<u>Corrections</u>
Contact(s):	<u>Wanda Yantis</u>		
Phone:	<u>503-988-4455</u>	Ext.	<u>84455</u>
	I/O Address:		<u>503/350</u>
Presenter(s):	<u>Chief Deputy Ron Bishop, Captain Bobbi Luna</u>		

General Information

1. What action are you requesting from the Board?

Appropriation of \$614,526 of General Fund contingency to fund the Field Based Work Release program beginning October 1, 2007. The Field Based Work Release and Supervision Program will assess offenders sentenced and sanctioned to jail for their individual behavior, risk, programming needs and recommendations from the court to determine if their jail sentence can be completed in a less secure supervision option than jail. It will provide direct supervision to this population outside of the jail, while supporting community safety through the use of supervision tools such as house arrest, electronic monitoring, job placement, treatment, and/or weekends in jail. The Program increases efficiency and system capacity, ensuring each offender receives the level of supervision that is appropriate.

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

The FY2008 Executive Budget contained a new program offer for Field Based Work Release and Supervision (Program Offer 60020A). During the budget deliberations in May and early June the Board created a budget note and earmarked funds in contingency for this program pending a detailed

work plan and report back to the Board. The key questions from the Budget Note that will be addressed in this presentation are:

1. How the program will work and associated costs;

The program will allow inmates to be safely returned to the community, or remain in the community, while completing their sentence. Supervision strategies including, house arrest, electronic monitoring, education, employment readiness and treatment services, along with home and employment contacts, will be developed to meet individual needs. All participants will be supported in finding and maintaining drug and alcohol free housing and employment.

The program will begin operations on October 1, 2007, serving a population of up to 45 sentenced inmates. Additional staff will come on line in January of 2008. With the additional staff, we will increase the program to serve up to 75 sentenced inmates.

The program will add 5.75 FTE and \$614,526 dollars to the Sheriff's Office FY 2008 budget.

2. What level and how many offenders it will serve;

This program will serve inmates who are completing a jail sentence (in custody) or who have been ordered to complete a jail sentence (out of custody) by the Courts. A risk assessment tool will be used to determine program eligibility. Charges and behaviors that will preclude program participation are as follows:

- Exclusionary Charges

- Person to Person Felonies
Pending A/B Felony Charge

- Exclusionary Behaviors

- Extensive history of assaultive behavior or weapons charges
Extensive institutional disciplinary history
Unwillingness to participate in the program

In Jail referrals will be comprised of two primary population types:

- Those with 15 days or less remaining on their sentence and who are not typically participating in in-jail work activities. (*Hereafter referred to as "Short Stay" sentences*).
- Those with 15 days or more remaining on their sentence and who have been successfully participating in (outside) work crews.

Out of Custody (Court) referrals will be recommended by the sentencing judge as a form of alternative incarceration.

- At intake, the offender will be screened for eligibility and needs
- If accepted, the case management team will confirm the availability of community resources (*i.e. housing, treatment, employment, etc.*) required to meet the assessed needs and will prepare a structured case management/supervision plan.

3. The availability of existing jail capacity within the system for other offenders.

This program, at full operation, will open up to 75 beds per day that would otherwise be occupied by an inmate serving a jail sentence.

4. In addition, the plan should include a discussion of the implications of the Sheriff's Office running a supervision program when we may have similar or duplicative programs available in the Department of Community Justice.

This program will supervise only inmates who are sentenced to jail. In instances where an inmate's jail sentence will be followed by a period of formal probation, program participation will form the bridge between jail and probation services. In this context, the program provides an enhancement of transitional services, without creating a duplication of effort.

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

The General Fund contingency would be decreased by \$614,526 and the Sheriff's Office budget for the current fiscal year would increase by \$614,526 which funds the program from October 1st through June 30th, 2008. Assuming program success and continued Board support ongoing program costs would be \$802,544 on an annualized basis.

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

None.

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

The FY 2008 program offers were reviewed by the Sheriff's Citizen Budget Advisory Committee (CBAC), reviewed and ranked by the Safety Outcome Team, and was part of the approved budget discussed in public budget hearings and work sessions.

ATTACHMENT A

Budget Modification

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

- What revenue is being changed and why?

At this time no revenues will be added but revenue collection opportunities will be reviewed for the FY 2009 program offer.

- What budgets are increased/decreased?

The County-wide General Fund Contingency is decreased by \$614,526

The Sheriff's Office General Fund budget is increased by \$614,526

Increase the Risk Fund by \$83,464

Increase the Telecom Fund by \$3,290

Increase the Fleet Fund by \$18,420

- What do the changes accomplish?

Funds the Field Based Work Release and Supervision program from October 1st, through June 30th, 2008.

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

This program would add 5.75 FTE for the remaining year to the Sheriff's Office, 5 positions would start on October 1st and 3 additional positions for program expansion would be added on January 1st.

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

Not applicable.

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

Not applicable.

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

Not applicable.

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

Not applicable.

Contingency Request

If the request is a Contingency Request, please answer all of the following in detail:

- Why was the expenditure not included in the annual budget process?

Program Offer 60020A was submitted and included in the executive budget. The Board requested additional information (captured in the form of a Budget Note) and placed funds (\$663,216) for this program in contingency. The requested amount of contingency of \$614,526 is \$48,690 less because of the October 1st start date.

- What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?

Budget projections of all other MCSO programs are currently at 100% due to the closure of only one accounting period for this year. There are no funds available as sources to cover this expenditure.

- **Why are no other department/agency fund sources available?**

All agency funds are assigned to operate the programs that the Board purchased.

- **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account. What are the plans for future ongoing funding?**

Any cost savings that result from this programs operation will be included in the FY 2009 budget program offers and considered by the Board in that budget process.

- **Has this request been made before? When? What was the outcome?**

Although the Sheriff's Office has operated Furlough Supervision programs in the past, this is a totally redesigned approach to incorporate corrections best practices.

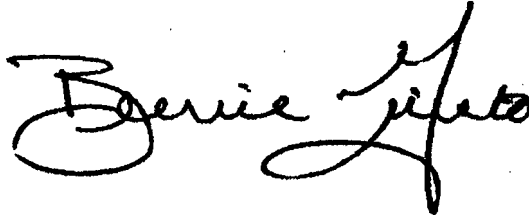
NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

ATTACHMENT B

BUDGET MODIFICATION: MCSO - 02

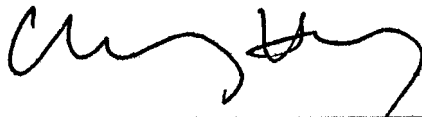
Required Signatures

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




Date: 09/12/07

Budget Analyst:



Date: 09/12/07

Department HR:



Date: 09/12/07

Countywide HR:

Date:



Department of County Management
MULTNOMAH COUNTY OREGON

Budget Office

501 SE Hawthorne Blvd., Suite 531
Portland, Oregon 97214
(503) 988-3312 phone
(503) 988-5758 fax
(503) 988-5170 TDD

TO: Board of County Commissioners
FROM: Ching Hay, Budget Analyst
DATE: September 12, 2007
SUBJECT: General Fund Contingency Request for \$614,526 for Field Based Work Release and Supervision in the Sheriff's Office

A budget note was included in the FY 2008 Adopted Budget for MCSO's Field Based Work Release and Supervision Program. It states the following:

"The Executive Budget contained the MCSO Field Based Work Release and Supervision Program (60020A) at a cost of \$663,216. This program was designed to assess offenders sentenced and sanctioned to jail for their individual behavior, risk, programming needs and recommendations from the court to determine if their jail sentence can be completed in a less secure supervision option than jail. The program provides direct supervision to this population outside of the jail while supporting community safety through the use of supervision tools such as house arrest, electronic monitoring, job placement, treatment, and/or weekends in jail.

There is concern on the Board that there is not enough information regarding the implementation of the program at this time. It is the Board's understanding that there are three potential models for program implementation including:

- A jail release program under the control of the Sheriff's Office;*
- A direct sentence option for judges; or*
- A hybrid model that would include both options 1 and 2.*

\$663,216 will be earmarked in contingency for possible funding of the Field Based Work Release and Supervision Program. The Board requests that the Sheriff's Office return with a detailed plan for all three models. The plan should include the following: 1. How the program will work and associated costs; 2. What level and how many offenders it will serve; and 3. The availability of existing jail capacity within the system for other offenders. In addition, the plan should include a discussion of the implications of the Sheriff's Office running a supervision program when we may have similar or duplicative programs available in the Department of Community Justice.

The Board encourages the Sheriff to collaborate with public safety partners, specifically through the Court Work Group, in the program design. The Board also encourages the Sheriff to collaborate with the Department of Community Justice in the design and implementation of this program, to use County resources effectively and reduce administrative costs."

A \$614,526 General Fund contingency tap is being proposed to fund this program starting on October 1, 2007. If this program continues into FY 2009, the full year cost is estimated to be more than \$800,000.

General Fund Contingency Policy Compliance

The Budget Office is required to inform the Board if contingency requests submitted for approval satisfy the general guidelines and policies for using the General Fund Contingency. The request is consistent with County policy because it is included in a budget note. In particular,

- Criteria 1 states contingency requests should be for one-time-only purposes. If this is not judged to be one-time-only transition funding, the request essentially funds ongoing programs with one-time-only emergency contingency funds. **This funding is NOT anticipated to be one-time-only in nature.**
- Criteria 2 Addresses emergencies and unanticipated situations. **This request does not address this.**
- Criteria 3 addresses items identified in Board Budget Notes. **This item was addressed in a budget note.**

Budget Modification ID: **MCSO-04****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
1	19	1000			9500001000		60470	-	(614,526)	(614,526)		Contingency
2												
3	60-30	1000	50			SOOPS.FSP	60000	-	273,169	273,169		Permanent
4	60-30	1000	50			SOOPS.FSP	60110	-	10,000	10,000		Overtime
5	60-30	1000	50			SOOPS.FSP	6120	-	5,000	5,000		Premium
6	60-30	1000	50			SOOPS.FSP	60130	-	95,011	95,011		Salary-Related
7	60-30	1000	50			SOOPS.FSP	60140	-	83,464	83,464		Insurance
8	60-30	1000	50			SOOPS.FSP	60170	-	100,000	100,000		Professional Services
9	60-30	1000	50			SOOPS.FSP	60200	-	3,672	3,672		Communications
10	60-30	1000	50			SOOPS.FSP	60240	-	20,000	20,000		Supplies
11	60-30	1000	50			SOOPS.FSP	60260	-	2,500	2,500		Education & Training
12	60-30	1000	50			SOOPS.FSP	60370	-	3,290	3,290		Internal Svcs-Telecom
13	60-30	1000	50			SOOPS.FSP	60410	-	18,420	18,420		Internal Svcs-Motor Pool
14												
15	72-10	3500	0020		705210		50316			(83,464)		Risk Fund
16	72-10	3500	0020		705210		60330			83,464		Risk Fund
17	72-60	3503	0020		709525		50310			(3,290)		DP Fund
18	72-60	3503	0020		709525		60200			3,290		DP Fund
19	72-55	3501	0020		904100		50310			(18,420)		Fleet Fund
20	72-55	3501	0020		904100		60240			18,420		Fleet Fund
21												
22												
23												
24												
25												
26												
27												
28												
29												
										0	0	Total - Page 1
										0	0	GRAND TOTAL

ANNUALIZED PERSONNEL CHANGE

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

						ANNUALIZED			
Fund	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1000	9622		MCSOCorPrgMgr		1.00	75,023	25,875	16,757	117,655
1000	2029		Corrections Deputy		1.00	50,332	16,454	14,535	81,321
1000	2029		Corrections Deputy		1.00	50,332	16,454	14,535	81,321
1000	6268		Corrections Counselor		1.00	41,864	13,434	13,773	69,071
1000	6268		Corrections Counselor		1.00	41,864	13,434	13,773	69,071
1000	6266		Corrections Tech		1.00	36,958	11,860	23,336	72,154
1000	6266		Corrections Tech		1.00	36,958	11,860	23,336	72,154
1000	6002		OA Sr		1.00	36,703	11,778	13,308	61,789
									0
									0
									0
									0
									0
									0
									0
			TOTAL ANNUALIZED CHANGES		8.00	370,034	121,149	133,353	624,536

CURRENT YEAR PERSONNEL DOLLAR CHANGE

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

						CURRENT YEAR			
Fund	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1000	9622		MCSOCorPrgMgr		1.00	75,023	25,875	16,757	117,655
1000	2029		Corrections Deputy		0.75	37,749	12,340	10,901	60,990
1000	2029		Corrections Deputy		0.50	25,166	8,227	7,267	40,660
1000	6268		Corrections Counselor		0.75	31,398	10,076	10,330	51,804
1000	6268		Corrections Counselor		0.50	20,932	6,717	6,886	34,535
1000	6266		Corrections Tech		1.25	46,198	14,825	16,664	77,687
1000	6002		OA Sr		1.00	36,703	11,778	13,308	61,789
									0
									0
									0
									0
									0
									0
									0
									0
									0
			TOTAL CURRENT FY CHANGES		5.75	273,169	89,838	82,113	445,120



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: R-7
Est. Start Time: 9:35 AM
Date Submitted: 08/15/07

Agenda Title: **PROCLAMATION** Proclaiming the Week of September 30 to October 6, 2007,
as Minority Enterprise Development Week in Multnomah County, Oregon

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

Requested Meeting Date: September 20, 2007 Amount of Time Needed: 10 minutes
Department: County Management Division: CPCA
Contact(s): Jin Huang
Phone: 503-988-5111 Ext. 28763 I/O Address: 503/4
Presenter(s): Gail Rubin and Mindy Harris

General Information

1. What action are you requesting from the Board?

Approval of Proclamation.

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

Each year the President of the United States proclaims Minority Enterprise Development Week. Municipalities and Metropolitan areas throughout the nation plan luncheons/celebrations to honor Minority Business in conjunction with Minority Enterprise Development Week.

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

None

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

None

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

None

Required Signature

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

Mindy Harris

Date: 08/14/07

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. _____

Proclaiming the Week of September 30 to October 6, 2007, as Minority Enterprise Development Week in Multnomah County, Oregon

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County's growth and prosperity depends on the full participation of all citizens at every level of our economy.
- b. Minority Americans contribute invaluablely to our County's progress and well being, and minority owned businesses have emerged as a dynamic and vital force in our County's market places, providing both employment and training for hundreds of Multnomah County residents.
- c. Multnomah County takes pride in the achievements and accomplishments of our minority business owners; we are delighted to pay them tribute for their contributions on behalf of Multnomah County's economic growth.

The Multnomah County Board of Commissioners Proclaims:

1. September 30 to October 6, 2007, as Minority Enterprise Development Week in Multnomah County, Oregon, to thank all our minority business owners for their contributions to the County and to show our continuing commitment to the promotion of minority business opportunities.

ADOPTED this 20th day of September, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, County Chair

Maria Rojo de Steffey,
Commissioner District 1

Jeff Cogen,
Commissioner District 2

Lisa Naito,
Commissioner District 3

Lonnie Roberts,
Commissioner District 4

SUBMITTED BY:
Carol M. Ford, Director, Dept. of County Management

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. 07-151

Proclaiming the Week of September 30 to October 6, 2007, as Minority Enterprise Development Week in Multnomah County, Oregon

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County's growth and prosperity depends on the full participation of all citizens at every level of our economy.
- b. Minority Americans contribute invaluable to our County's progress and well being, and minority owned businesses have emerged as a dynamic and vital force in our County's market places, providing both employment and training for hundreds of Multnomah County residents.
- c. Multnomah County takes pride in the achievements and accomplishments of our minority business owners; we are delighted to pay them tribute for their contributions on behalf of Multnomah County's economic growth.

The Multnomah County Board of Commissioners Proclaims:

1. September 30 to October 6, 2007, as Minority Enterprise Development Week in Multnomah County, Oregon, to thank all our minority business owners for their contributions to the County and to show our continuing commitment to the promotion of minority business opportunities.

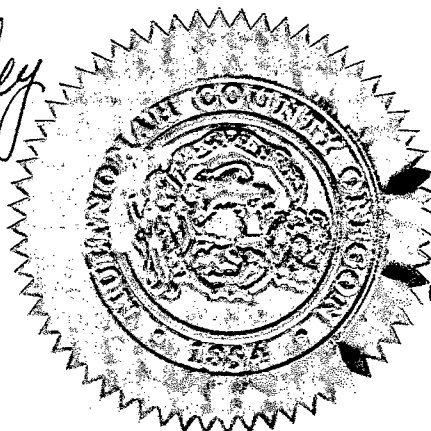
ADOPTED this ^{20th}~~18~~th day of September, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

TED WHEELER
Ted Wheeler, County Chair

Maria Rojo de Steffey
Maria Rojo de Steffey,
Commissioner District 1

Lisa Naito
Lisa Naito,
Commissioner District 3



Jeff Cogen
Jeff Cogen,
Commissioner District 2

Lonnie Roberts
Lonnie Roberts,
Commissioner District 4

SUBMITTED BY:
Carol M. Ford, Director, Dept. of County Management



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: R-8
Est. Start Time: 9:40 AM
Date Submitted: 09/12/07

Agenda Title: PROCLAMATION Proclaiming September 15th through October 15th, 2007
Hispanic Heritage Month in Multnomah County Oregon

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

Requested Meeting Date: September 20, 2007
Amount of Time Needed: 5 minutes
Department: Non-Departmental
Division: Commission Dist 1, 2 & 3
Contact(s): Marissa Madrigal & David Martinez
Phone: 503-988-5239 Ext. 85239 I/O Address: 503/600
Presenter(s): Commissioner Maria Rojo de Steffey, Commissioner Jeff Cogen, Commissioner Lisa Naito, Consuelo Saragoza and Linda Castillo

General Information

1. What action are you requesting from the Board?

Approval of a proclamation designating September 15th – October 15th Hispanic Heritage Month.

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

September 15 through October 15 is nationally recognized as Hispanic Heritage Month. This proclamation will kick off a series of events organized by Multnomah County departments and committees celebrating the invaluable contribution of Latinos to Multnomah County and Oregon.

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

None.

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

None.

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

The public is invited to attend Hispanic Heritage Month events. A press release and schedule of

events will be available at the board meeting.

Required Signature

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

Mania Rojas de Steffen

Date: 9/12/2007

Jill S

Olivia Nauta

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. _____

Proclaiming September 15th through October 15th, 2007 Hispanic Heritage Month in Multnomah County Oregon

The Multnomah County Board of Commissioners Finds:

- a. September 15th through October 15th is nationally recognized as Hispanic Heritage Month
- b. Multnomah County takes great pride in the diversity of our community and in the impressive and valuable contributions made by our Latino residents to the County's growth, prosperity and well-being.
- c. Latinos represent people with origins from 21 different countries including Spain, Mexico, Puerto Rico, Cuba, Guatemala, El Salvador, The Dominican Republic, Costa Rica, Honduras, Nicaragua, Panama, Peru, Argentina, Bolivia, Chile, Colombia, Ecuador, Paraguay, Uruguay, Venezuela and the United States. The Latino people reflect a wide array of races, religions and cultures. Today, Multnomah County is home to 63,355 Latinos.
- d. Latinos have contributed to the rich history of Multnomah County and the State of Oregon for over 225 years, beginning with the expedition of Spanish sailor Juan Perez and his Mexican crew along the coasts of Oregon and Washington.
- e. Between 1943 and 1947, 15,000 Mexicans were recruited to Oregon to relieve severe farm labor shortages caused by World War II through the Emergency Farm Labor Supply Program or "Bracero" Program.
- f. In 2001, Oregon's Hispanic buying power reached \$2.9 billion annually and over 70% of Latinos in Multnomah County over the age of 16 are in the workforce.
- g. The flourishing Latino population in Oregon is reflected in the growth of businesses and organizations formed to serve it. Portland's Hispanic Metropolitan Chamber of Commerce has grown to over 700 business members in Oregon and Southwest Washington. Four bi-lingual and Spanish language newspapers are published in Multnomah County, and this year, a television station began broadcasting a Spanish-language local newscast.
- h. The more than 357 Latinos employed by Multnomah County bring language, cultural assets, diversity and richness to our workforce.

The Multnomah County Board of Commissioners Proclaims:

September 15th through October 15th, 2007 as Hispanic Heritage month in Multnomah County, Oregon in recognition and celebration of the many contributions of Latinos to the county and our community. We urge all residents of Multnomah County to celebrate the history and recognize the contributions of Latinos to our community, state, and nation.

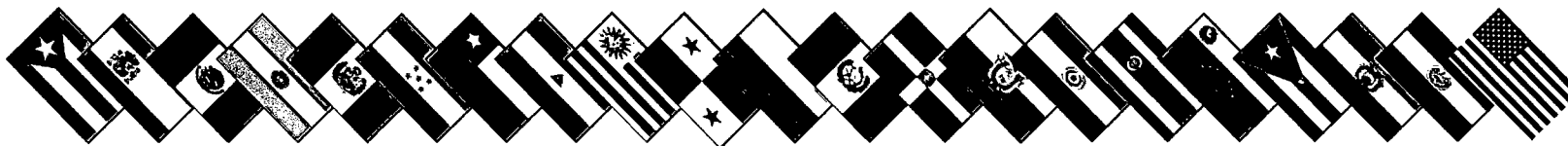
ADOPTED this 20th day of September, 2007.

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

Ted Wheeler, Chair

SUBMITTED BY:

Maria Rojo de Steffey, Commissioner, District 1
Jeff Cogen, Commissioner, District 2
Lisa Naito, Commission District 3



Multnomah County HISPANIC HERITAGE MONTH EVENTS

September 15th – October 15th 2007

Health Department BROWN BAGS

Obesity & Physical Activity among Hispanics

September 27th, Noon – 1:00 pm, McCoy Building 10th floor conference room

Speaker: Dr. Carlos Crespo, D&I Professor – Director of School of Community Health

Hand in Hand: Working with the Latino Community to Promote Health

October 1st, Noon – 1:00 pm, McCoy Building 10th floor conference room

Speakers: Teresa Rios, Elizabeth Rees Morgan, Isabel Arroyo and Olivia Quiroz

Career Development & Support: Personal Stories

October 9th, Noon – 1:00 pm, McCoy Building 10th floor conference room

Speakers: Marco Reyes, Virginia Lopez, Rossana Tejada, Fernando Carrillo and Angelica Ruis

Library

<http://www.multcolib.org/events/hispanic.html>

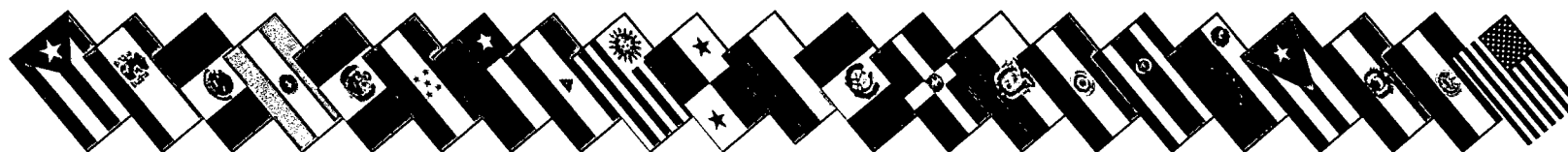
DCHS Department Employees of Color invites you to join

Hablando de lo Nuestro in a Celebration of Hispanic Heritage.

September 18th, 11:30 – 1:00 pm

Balthazar Ortiz Center (Bienestar)

6736 NE Killingsworth



BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. 07-152

Proclaiming September 15th through October 15th, 2007 Hispanic Heritage Month in Multnomah County Oregon

The Multnomah County Board of Commissioners Finds:

- a. September 15th through October 15th is nationally recognized as Hispanic Heritage Month
- b. Multnomah County takes great pride in the diversity of our community and in the impressive and valuable contributions made by our Latino residents to the County's growth, prosperity and well-being.
- c. Latinos represent people with origins from 21 different countries including Spain, Mexico, Puerto Rico, Cuba, Guatemala, El Salvador, The Dominican Republic, Costa Rica, Honduras, Nicaragua, Panama, Peru, Argentina, Bolivia, Chile, Colombia, Ecuador, Paraguay, Uruguay, Venezuela and the United States. The Latino people reflect a wide array of races, religions and cultures. Today, Multnomah County is home to 63,355 Latinos.
- d. Latinos have contributed to the rich history of Multnomah County and the State of Oregon for over 225 years, beginning with the expedition of Spanish sailor Juan Perez and his Mexican crew along the coasts of Oregon and Washington.
- e. Between 1943 and 1947, 15,000 Mexicans were recruited to Oregon to relieve severe farm labor shortages caused by World War II through the Emergency Farm Labor Supply Program or "Bracero" Program.
- f. In 2001, Oregon's Hispanic buying power reached \$2.9 billion annually and over 70% of Latinos in Multnomah County over the age of 16 are in the workforce.
- g. The flourishing Latino population in Oregon is reflected in the growth of businesses and organizations formed to serve it. Portland's Hispanic Metropolitan Chamber of Commerce has grown to over 700 business members in Oregon and Southwest Washington. Four bi-lingual and Spanish language newspapers are published in Multnomah County, and this year, a television station began broadcasting a Spanish-language local newscast.
- h. The more than 357 Latinos employed by Multnomah County bring language, cultural assets, diversity and richness to our workforce.

The Multnomah County Board of Commissioners Proclaims:

September 15th through October 15th, 2007 as Hispanic Heritage month in Multnomah County, Oregon in recognition and celebration of the many contributions of Latinos to the county and our community. We urge all residents of Multnomah County to celebrate the history and recognize the contributions of Latinos to our community, state, and nation.

ADOPTED this 20th day of September, 2007.



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

A handwritten signature in black ink, which appears to read "Ted Wheeler". The signature is written in a cursive, flowing style.

Ted Wheeler, Chair

SUBMITTED BY:

Maria Rojo de Steffey, Commissioner, District 1
Jeff Cogen, Commissioner, District 2
Lisa Naito, Commission District 3



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: R-9
Est. Start Time: 9:45 AM
Date Submitted: 09/13/07

Agenda Title: RESOLUTION Memorializing Action on the City of Portland's Requests for Tax Exemption Programs Adminstrated by the Portland Development Commission and the City of Portland Bureau of Planning

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

Requested Meeting Date: September 20, 2007 Amount of Time Needed: 60 minutes
Department: Non-Departmental Division: Chair's Office
Contact(s): Bill Farver; Rhys Scholes; John Thomas; Randy Walruff
Phone: 503 988-3308 Ext. 83308 I/O Address: 503/600
Presenter(s): Bill Farver; City Commissioner Erik Sten; Keith Witcosky; Andy Wilch

General Information

1. What action are you requesting from the Board?

Approval of Resolution

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

The issue first came to the attention of the Chair's office because of concerns raised this spring by the County Attorney's Office and Tax Assessor concerning the City of Portland's administration of some of the programs. The County has a dual interest: provision of affordable housing to low income residents and the efficient and accurate administration of the property tax rolls.

Those concerns led to a series of staff level meetings. Issues discussed included the policy goals and objectives for each of the programs, the extent of compliance and monitoring of these programs, legal authorization of the programs, compliance with statutes and city ordinances, and the roles of the Assessor in the administration of these programs.

Board action in June by resolution 07-129, authorized the continuation of the tax abatement programs while discussions continued and asked for a Board briefing on these programs. (The City can abate its share of the taxes on its own decision, but needs the concurrence of jurisdictions that constitute 51% of the taxes on a property to abate all the taxes.) These decisions are the equivalent of budget decisions because they represent trade offs among policy choices that use potential funds available for services.

On September 20, the Board will hear from the City of Portland's Housing Commissioner and representatives of the Portland Development Commission (PDC) and the Bureau of Planning concerning the goals, objectives and results of these programs, the City's enhancements in monitoring and compliance, and some changes in the administration of the programs which will help clarify eligibility under the statutes and ordinances governing these programs. The Tax Assessor can explain the financial impacts on all local governments in Multnomah County. The Board may hear testimony from other jurisdictions impacted by these actions and from individuals and non-profit organizations that benefit from these abatements.

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

Each year these programs abate approximately \$3 million in County taxes and \$12 million for all taxing jurisdictions. This amount varies each year, as properties end their 10 year abatement cycle and return to the tax rolls. Based on current year, that overall amount will decline in subsequent years. The spread sheet shows the abatements for each tax year.

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

The discussions between the City of Portland and Multnomah County have produced agreement on these legal and policy issues. These agreements are captured in the resolution language:

1. The County's primary policy interest in the tax abatement programs is in expanding the supply of affordable low income housing available in our community, both for clients of county programs and for the general well being of the county. The Portland City Council and the Housing Commissioner have been focusing City of Portland policy over the past few years in the same direction and there have been several policy changes to reflect that greater attention to low income housing.

2. Additional monitoring and compliance tools will be used by PDC and the Bureau of Planning with reports on an annual basis to both the City of Portland and Multnomah County to ensure that the programs are reaching those eligible and qualified for their services.

3. The programs need the certainty of continuation so that developers can plan effectively to deliver the housing. The County is acting to provide that certainty with authorizations that extend to the programs sunset dates, subject to joint changes that may be made in the programs.

4. Some legislative changes may be desirable to promote a greater, clearer focus on low income housing.

5. Some administrative clarifications will assist in identifying eligibility for the programs. For example, PDC only accepts applications in the single unit housing program where the sale is the initial sale of a new unit by a builder or developer to an eligible buyer. After January 1, 2008, the single unit housing program will only accept applications prior to the final approval of the building permit on the structure.

6. Notice should be provided to all impacted jurisdictions in Multnomah County of actions that will

impact their property tax revenues.

7. Focused policy discussions between local jurisdictions should be held periodically to ensure that the programs are meeting the policy priorities of the elected officials. Initial discussions will focus on the policies underlying the Single unit housing program.

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

The Portland School District has had a representative in our discussions. PPS acted on a similar measure this summer. Notices were sent to all impacted jurisdictions of this hearing.

Required Signature

Elected Official or
Department/
Agency Director:



Date: 09/13/07



CITY OF

PORTLAND, OREGON

COMMISSIONER ERIK STEN

1221 SW Fourth Avenue, Room 240
Portland, OR 97204-1998
(503) 823-3589
Fax (503) 823-3596
erik@ci.portland.or.us
www.ci.portland.or.us

Ted Wheeler
Chair Multnomah County Board of Commissioners
501 SE Hawthorne Blvd. 6th Floor
Portland Oregon 97214

September 6, 2007

Dear Chair Wheeler:

Thanks for your time on Tuesday. I really appreciated the opportunity to have a candid and productive conversation about the various tax abatement programs administered by the City. It is reassuring, although not surprising, to know that we are in general agreement regarding the overall policy goals of these programs, and specifically that you support these programs which help low income people, including hard working families, secure safe, stable affordable housing.

As we discussed, some of these programs have been modified over the years to respond to changes in the housing market, neighborhoods, development opportunities and practices, and demographics in the City and County. There also have been some changes in the state statutes over the years that may impact the implementation of a couple of these programs. These are important issues that should be addressed and resolved as soon as possible and it is the City's responsibility to take the lead in doing so. My suggestions for next steps are:

1. I will attend the Multnomah County Board hearing on September 20th to provide policy overview/background, answer questions, and hear concerns. I understand that the County Board plans to take action in support of the tax abatement programs except for the 2 rehabilitation programs on the 29th.
2. City staff (PDC, Planning, City Attorney) will continue to work collaboratively with the County Assessor and County Attorney on potential legislation that may be needed to clarify ambiguities in state statutes regarding the New Construction Single Family program.
3. City staff will review the concerns raised regarding the administration of the Rental Rehabilitation and Owner Occupied Rehabilitation programs and report their findings and recommendations to me by November 1, 2007. I will share that report with you and we will discuss next steps regarding those programs at that time.
4. City staff will monitor program implementation to ensure properties continue to qualify for abatements. They will also report annually on outcomes relative to the policy goals and objectives. These reports will be signed by the PDC executive director, except for the non profit program which is administered by the Planning Bureau and therefore will be signed by the Planning Director. Thanks again and I look forward to seeing you on the 20th. Please feel free to call me or Margaret Bax anytime.

Sincerely,

Erik Sten

★ SEE NOTE
BELOW ↓

Changes to the Distressed/ Homebuyer Opportunity Area Maps

1990 Distressed Area Map

Approved: Planning Commission approved the first program boundaries after a public hearing and report by staff May 15, 1990.

Criteria for program boundaries:

- Poor housing conditions
- Number of derelict residential structures
- Low single-family construction activity
- Crime rates
- Low median single family selling price.

Also taken into consideration were the presence of City policies, plans, and projects focusing on residential revitalization including the Inner-Northeast Neighborhood Revitalization Focus area, the Nehemiah Grant area, the *Albina Community Plan*, areas of Northeast and Southeast Portland targeted for increased inspections and clean-up by Bureau of Buildings, neighborhood plans for Buckman, Cully and Brentwood-Darlington and many of the neighborhoods determined to be eligible for Housing and Community Development programs.

Reports: Memo on Summary of Designation Recommendations, May 2, 1990; *Data Sources, Relevant Plans and Policies and Correspondence*; May 15, 1990

1993 Distressed Area Map

Approval: Planning Commission agreed with the staff recommendation to keep the map unchanged and to coordinate with CHAS process and the *Outer Southeast Community Plan* on the next map changes on May 25, 1993.

No change to program boundaries

Reports: Memo on Briefing on the Activities of the Housing and Community Development Commission (HCDC) and Other Housing Issues of May 14, 1993

1996 Distressed Area Map

Approval: Planning Commission adds three new Outer Southeast neighborhoods as recommended by the *Outer Southeast Community* planning process by votes at July 11 and August 8, 1995 hearings. New map is published in 1996 after City Council adopts the plan by Ordinance No. 169763.

Criteria for additions to program boundaries:

The Outer Southeast neighborhoods of Foster-Powell, Mt. Scot Arleta and northern 2/3 of Lents were chosen as the plan area neighborhoods in need of revitalization. Factors included:

- Low median home values
- Age of housing
- Involvement of R.O.S.E. Community Development Corporation in area.

Reports: *Outer Southeast Community Plan* Housing Action Chart and Map

★ 77 PAGE PDF DOC
ON-LINE /in AGENDA FOLDER

New Multiple Unit Housing Program

State Statutes Authorizing Program: ORS 307.600 -.637

City Code Chapter 3.104, Property Tax Exemption for New Multiple-Unit Housing

Rationale for Adoption of the Program

The City adopted the New Multiple-Unit Housing program (NMUH) in 1975 to provide an incentive for the construction of new multifamily housing in the city's core as called for in the *Downtown Plan* of 1972. The Downtown had lost over half its housing units between 1950 and 1970 and an important plan objective was the creation of a full residential community in the City's core. The *Central City Plan*, adopted in 1988 expanded this tax exemption program to the entire Central City. New housing and mixed-use development support multiple objectives of both the *Downtown* and *Central City Plans*. The provision of new housing provides opportunities for those working in the Central City to also live there. This reduces the need for these residents to commute to work by automobile, which in turn helps reduce Portland's traffic congestion and resulting air pollution. The presence of residents in the Central City after the close of the business day improves public safety by providing "eyes on the street" both day and night. This program also provides assistance to low income housing projects that are privately owned and mixed-income projects developed by nonprofits.

Significant Program Dates

1975 Oregon Legislative Session	Oregon Legislature passed authorizing legislation to allow local jurisdictions to enact a local property tax exemption program for new multifamily housing in core areas.
February 10, 1975	The Portland School Board adopted a Resolution supporting the City's submission to the 1975 State Legislature proposals to encourage the housing rehabilitation and new construction of multifamily housing through granting of tax exemptions.
November 12, 1975	City Council passed Ordinance No. 140867 adopting a new property tax exemption program for newly constructed, multiple unit rental housing.
November 24, 1975	Portland School Board passed Resolution No. 0634 approving the City's policy of providing tax exemptions for multiple-unit housing in the core area.
March 24, 1988	City Council passed Ordinance No. 16006 that adopted the <i>Central City Plan</i> the plan adoption included and action item which expanded the NMUH program to the entire Central City Plan area.
September 8, 2004	City Council passed Ordinance No. 178740 that amended the NMUH program to add an affordability requirement for rental housing projects and updated the public benefit options.
2005 Oregon Legislative Session	Oregon Legislature passed Senate Bill 839 that extended the sunset date in the program's authorizing statutes until January 1, 2012.
August 10, 2005	City Council passed Ordinance No. 179487 to require tax exemption recipients to provide financial data on annual basis and partially repay exempted property taxes if the return on the project is greater than allowed by program regulations.
December 21, 2005	City Council passed Ordinance 179844 to change the sunset date of the local program to from January 1, 2006 to January 1, 2012 to reflect the change in the State statutes.
July 19, 2006	City Council passed Ordinance 180327 placing a moratorium on accepting new application under the NMUH program until December 31, 2007 except for projects that are 100percent affordable to low income households.

Current Program Requirements

- **Location:** Central City plan area and urban renewal areas
- **Eligible Properties:** New multifamily and mixed use projects that are at least 10 units in size and meet the program's affordability and public benefit requirements.
- **Eligible households:** Rental units: 15 percent of units affordable to households at or below 80 percent MFI; Owner Units: Households at or below area median income for a family of 4 - \$66,900 for 2007 (A number of projects have additional rent-restrictions on their units and these units are reserved for low and moderate income households.)
- **Other Requirements:** Provision of one public benefit from an options list.
- **Length of exemption:** 10 years
- **Fees:** \$5,000
- **Number of units in 2007:** 2,978 in 2006
- **Value of Exempt Property:** \$208,128,176 (6/14/07 Multnomah County Estimate)
- **Total Foregone Revenue:** \$4,192,197 (6/14/07 Multnomah County Estimate)
- **County Foregone Revenue:** \$1,020,473 (6/14/07 Multnomah County Estimate)

City Goals Addressed:

- **Comprehensive Plan Housing Policy Goals** related to Housing Supply, Housing Opportunity, and Housing Affordability
- *Central City Plan* target of 15,000 new housing units by the year 2010
- Supports the accommodation of new population growth in Central City, one of Metro's 2040 Design Type Areas
- **Portland Future Focus Goal** of absorbing 20 percent of projected regional population growth
- Supports the No Net Loss of Low Income Housing in the Central City Resolution (*Some projects have all or the majority of their units restricted to low income households.*)

Joint City and County Goals Addressed:

- Priorities of the **Consolidated Plan of the Cities of Portland and Gresham and Multnomah County 2005-2010**
 - Priority One: Programs to increase the range of housing opportunities affordable to households with incomes at or below 50 percent MFI

County Goals Addressed:

- **Basic Living Needs**

Program Outcomes

- The number of housing units in the Central City has increased since the adoption of this program after decades of decline. **This program has assisted the construction of about 5,000 units.** Most new rental projects built since the late 1970s in the Central City have made use of this program (with the exception of housing built by nonprofit organizations or other organizations with tax exempt status).
- This program supports privately-owned and developed affordable housing projects which add to the supply of housing affordable to low-income households. **In rental housing projects, 75 percent of the units have rent restrictions** and are reserved for households at or below 80 percent area median income.

Future Need for Tax Exemption Program: Privately-owned projects that provide low income housing need this support for the term of their of their affordability agreements. If this support is not provided, these low income units in the Central City will most likely be lost. The future use of the program for mixed-income projects will be a subject of the Central Portland planning process.

Housing Units Built With the New Multiple Unit Housing (NMUH) Tax Exemption

(Information for Tax Year 2006-2007)

Condo Projects with NMUH Tax Exemption					
Year Built	Property Name	Property Address	Total Owner Units	Total Units with tax exemption	Expiration Date
1999	ARBOR VISTA CONDOMINIUMS	2024 SW HOWARD ST.	27	9	2009
2000	COOPER STREET BUNGALOWS	8024-8038 SE COOPER ST.	12	12	2011
2001	CORNERSTONE CONDOS*	1134 SW JEFFERSON	42	40	2011
2001	CASCADIAN CONDOMINIUMS	531 NE HOLLADAY ST	59	21	2012
2001	OLD TOWN LOFTS	411 NW FLANDERS	60	28	2012
2001	STREETCAR LOFTS	1030 NW 12TH AVE	134	13	2012
	Total (Not all units qualify)		322	123	
* 6 rental units in this project are counted with the nonprofit program units					
Rental projects with NMUH exemption				Rent Restricted units	
Year Built	Property Name	Property Address	Units		
1997	MLK-WYGANT APTS. (RENTAL)	4606 NE MLK BLVD.	38	25 at 60% MFI 13 Market Rate	2008
1998	WESTSHORE APARTMENTS	222 SW PINE ST	113	113 at 50% MFI	2008
1998	STADIUM STATION APT	737 SW 17TH AVE	115	115 at 60% MFI	2008
1998	WEBB PLAZA	1401-1423 SW ALDER ST	39	3 at 60% MFI	2009
1999	VILLAGE AT LOVEJOY FOUNTAIN (FOUNTAIN)	245 SW LINCOLN ST	198	40 at 50% MFI	2009
1999	CORNERSTONE (LLOYD)	1425 NE 7TH AVE	116	24 at 80% MFI	2010
1999	FIFTH AVENUE COURT APT	221 NW 5TH AVE	96	48 at 60% MFI	2010
1999	FIFTH AVENUE COMMONS	302-314 NW 5TH AVE	70	70 at 60% MFI	2009
2000	KEARNEY PLAZA (BLOCK 4 LLC)	1102 NW LOVEJOY	131	Market Rate	2011
2002	UNION STATION YARDS, PHASE B	707-729 NW NAITO PARKWAY	321	130 at 60% MFI	2013
2003	UNION STATION YARDS, PHASE S	901 NW NAITO	56	10 at 80% MFI	2013
2003	MUSEUM PLACE SOUTH	1010 SW JEFFERSON ST.	140	28 at 50% MFI	2014
2003	PACIFIC TOWER	333 NW 4TH AVENUE	156	17 at 30% MFI 139 at 60% MFI	2014
2004	MULTNOMAH STREET (THE MERRICK)	1231 NE M L KING BLVD	178	Market Rate	2015
2004	HOYT STREET APTS	925 NW HOYT	175	Market Rate	2015
2004	STATION PLACE	1020 NW 9TH	176	76 at 30% MFI 81 at 50% MFI 19 at 80% MFI	2015
2004	BURLINGTON TOWER (PEARL BLOCK)	900 NW LOVEJOY	163	Market Rate	2015
2005	THE LOUISA (BREWERY BLOCK 5)	1202 NW DAVIS	242	24 at 80% MFI	2016
2005	BLOCK 14 (THE SITKA)	1230 NW 12TH	210	72 at 50% MFI 126 at 60% MFI 12 Market Rate	2016
			2733		
				%	
		Rent-restricted Units	2,061	75%	
		Market Rate Units	672	25%	

Nonprofit Tax Exemption Program

State Statutes Authorizing Program: ORS 307.540-.547

City Code Chapter 3.101, Property Tax Exemption for Low Income Housing Held by Charitable Non-Profit Organizations

Rationale for Adoption of the Program

The City adopted this tax exemption program in 1985 after urging the State Legislature to adopt legislation authorizing it. About this time, federal funding had been substantially reduced for low income housing and rehabilitation and the City felt that many charitable nonprofits organizations were equipped to meet the specific housing needs of Portland's low income residents. A tax exemption program supporting nonprofit low income housing providers complemented City supported housing finance and strategies administered by PDC and BHCD designed to maintain and preserve the City's housing stock for low income residents. This program was enacted to provide an incentive for charitable nonprofits to continue their efforts and to pass along property tax savings to their low income tenants in the form of lower rents, improved housing conditions, and greater services.

Significant Program Dates

1985 Oregon Legislative Session	Oregon Legislature passed Senate Bill 503 to allow local jurisdictions to enact a local property tax exemption program for properties owned or held with leasehold interest by charitable non-profit corporations with either 501 (c) (3) or 501 (4) status for federal income tax purposes.
July 31, 1985	City Council adopted Resolution 1551 and directing preparation of an ordinance adopting this program and seeking approval from governing boards of other taxing jurisdictions for the approval of the policy for this tax exemption program.
August 22, 1985	The Portland School Board adopted a Resolution 5005 approving the City's policy of allowing property tax exemptions for properties owned by nonprofit organizations used for low income housing.
August 29, 1985	City Council added Chapter 3.101 to the City Code by Ordinance 157768 to adopt a low income housing tax exemption program allowed by the State statutes.
1995 Oregon Legislative Session	Oregon Legislature passed House Bill 2535 that extended the sunset date in the program's authorizing Statutes until July 1, 2014 and changed the household income guideline from 50 percent MFI to 60 percent MFI.
February 9, 1994	City Council passed Ordinance 167356 to change the sunset date of the local program to July 1, 2004 and the income eligibility from 50 to 60 percent MFI.
1997 Oregon Legislative Session	Oregon Legislature passed Senate Bill 286 which amended the Statutes authorizing the Low Income Housing Program to an exemption to be granted on property held for the purpose of developing low income housing.
April 7, 2004	The City Council adopted Ordinance 178286 to extend the sunset date in City Code Chapter 3.101 until July 1, 2014.

Current Program Requirements

- **Location:** City of Portland
- **Eligible Properties:** Owned or leased by a nonprofit corporation certified by the Internal Revenue Service as 5012 (c) (3) or (c) (4) and in use or held for future development of low income housing
- **Eligible households:** Incomes at or below 60% MFI adjusted for family size
- **Length of exemption:** One year, with annual renewals
- **Fees:** \$250 initial application; \$50.00 for annual renewals
- **Number of organizations in 2007:** 38 in 2006
- **Number of units in 2007:** 7,178 in 2006
- **Value of Exempt Property:** \$390,813,890 (6/14/07 Multnomah County Estimate)
- **Total Foregone Revenue:** \$4,535,516 (6/14/07 Multnomah County Estimate)
- **County Foregone Revenue:** \$1,091,737 (6/14/07 Multnomah County Estimate)

City Goals Addressed:

- **Comprehensive Plan Housing Policy Goals** related to Housing Opportunity, Housing Safety, and Housing Affordability
- Supports the No Net Loss of Low Income Housing in the Central City Resolution
- Schools, Families and Housing initiative to retain families with children in the City.

Joint City and County Goals Addressed:

- Priorities of the **Consolidated Plan of the Cities of Portland and Gresham and Multnomah County 2005-2010**
 - Priority One: Programs to increase the range of housing opportunities affordable to households with incomes at or below 50 percent MFI and
 - Priority Two: Programs focused on preventing and ending homelessness
- Supports City and County 10 Year Plan to End Homelessness

County Goals Addressed:

- **Basic Living Needs**
- **School Success**

Program Outcomes

- **Supports 38 nonprofit organizations that own or manage over 7,000 low income housing units.** Many of the residents of the housing covered by this program have incomes much lower than 60 percent of the area median income.
- **Some of this housing is provided to special needs populations in conjunction with services.** The largest number of units covered by the program are owned by Central City Concern and REACH Community Development Inc.
 - Central City Concern's mission is address the problem of homelessness and poverty and they provide services along with housing for residents. A majority of their units are drug and alcohol free, some units are for residents with mental health or other health issues; and some housing is provided to residents who have been in the criminal justice system and are seeking employment.
 - REACH provides some of its housing for special needs populations such as elderly, formerly homeless persons, persons living with mental illness and other disabilities.
 - A number of the other organizations providing housing under this program also serve populations with special needs such as elderly, developmentally disabled, physically disabled, and persons living with AIDS

Future Need for Tax Exemption Program: Nonprofit housing organizations continue to need this support. Most of the largest organizations receiving the tax exemption are members of the local Community Development Network (CDN) and these organizations are serving populations with lower incomes than anticipated. A survey of these organizations in 2004 indicates that 68 percent of the residents of the units owned by CDN members have incomes between 15–30 percent MFI. The nonprofit housing projects, however, were generally underwritten for households with incomes at 30–60 percent MFI. The tax exemption allows these organizations to charge lower rents and have more resources for maintenance and services.

Abbreviation	Nonprofit Housing Provider	Units in 2006	CDN Membership*
AFFORD	Affordable Housing Access	104	
ALBINA	Albina CDC	231	
AOF	AOF/Pacific Affordable Housing Corp.	376	
APOSTOL	Apostolic Faith Mission	10	
AVENUE	Avenue Plaza Affordable Housing c/o Cascade Management	22	
BETH IS	Congregation Beth Israel	7	
CAS TERR	Cascadian Terrace	103	
CASCAD	Cascadia Housing Inc	72	Yes
CATH	Catholic Charities	61	Yes
CCC	Central City Concern	1,506	Yes
COVE RET	Covenant Retirement Communities of Oregon, LLC	81	
CPAH	Community Partners for Affordable Housing	51	Yes
DWNTN	Downtown Community Housing	164	Yes
ECUMEN	Ecumenical Ministries (Patton Home LTD)	63	
EVERE	Everett Station Lofts LLC	20	
FAITH	Faith Enhanced Enterprises dbaSacred Heart Villa	28	
FOUND	Foundation for Social Resources, Inc. (Pier Park)	149	
GBC	GBC Inc (Allen Building LTD)	64	
HACIEN	Hacienda CDC	326	Yes
HUMAN	Human Solutions	389	Yes
INNOV	Innovative Housing, Inc.	447	Yes
JADA	Christ Memorial Church / Jada Ministry	1	
JUBIL	Jubilee Fellowship Ministries	10	
LIHNAPO	PDC/Low Income Housing for Native Americans of Portland Oregon	44	
NW HOUS	Northwest Housing Alternatives, Inc.	480	Yes
OUTSIDE	Outside In	28	
PAL	Portland Alternative Living	10	
PCRI	Portland Community Reinvestment Initiatives, Inc.	335	Yes
PENIN	Peninsula CDC	9	
PHC	Portland Habilitation Center, Inc.	324	
REACH	Reach Community Development Inc	785	Yes
ROSE	Rose CDC	143	Yes
SABIN	Sabin CDC	113	Yes
SHELT	Shelter America Group	348	
SPEC HOU	Specialized Housing Inc	24	
SPEC VII	Specialized Housing VII, Inc	60	
URBAN	Urban League of Portland	24	
VILLAGE	Village Enterprises	166	
Total		7,178	
Total CDN		4,872	

*Membership information from CDN's website 8/20/2007

Low Income Units Owned by Nonprofits in 2006

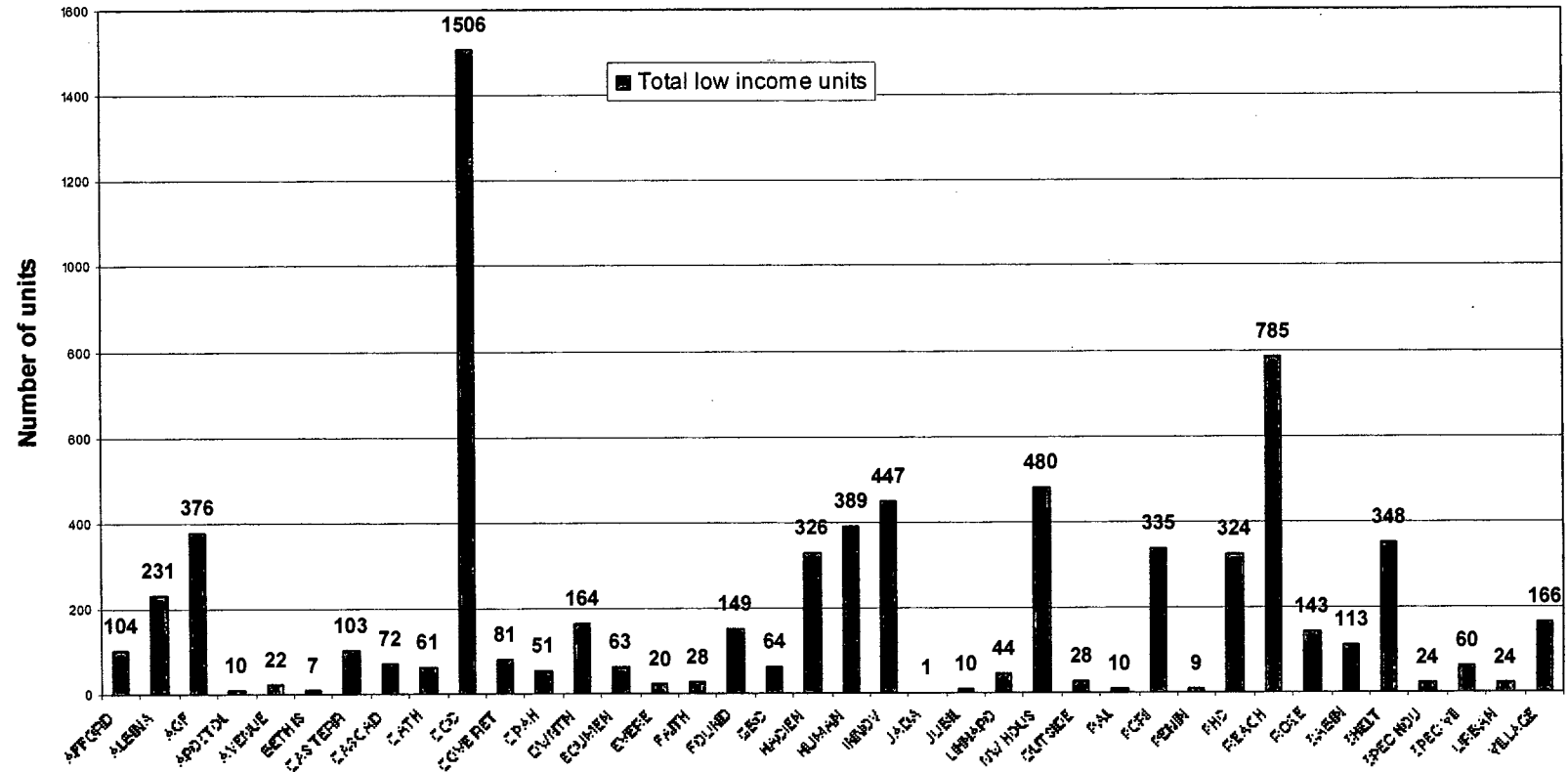


Table of Contents (DRAFT #1)

Section I:

Page 2

- Narrative of the Single Family programs.
 - Rationale for the adoption
 - Program requirements
 - Goals, information and intended outcomes
 - Applicability to County goals

Section II:

Page 8

- Matrix of taxes abated/taxes at year abatement ends/social demographics of home-buyers/users/etc.
- Demographics of Single Family Applicants (2005-2007)

Appendix A:

Page 12

- Explanation and Evolution of Distressed Areas mapping from 1990 to present.
- Planning Commission deliberation/minutes on the program (1990 to present).

Appendix B:

Page 20

- Key Dates of the Single Family Program.

Section I

Single Family Program Initiation and Purpose

The single-family new construction and owner-occupied rehabilitation tax exemption programs were adopted to carry out the **City of Portland's neighborhood revitalization goals of the late 1980s and early 1990s**. The programs were:

- **Designed to increase the new construction and rehabilitation of housing in inner-city neighborhoods** that had experienced loss of population, housing and businesses for several decades.
- **Part of a package of tools under consideration at that time** that included an expanded Homestead program, use of urban renewal funds for housing and community development, acquisition of vacant and abandoned properties for community development corporations to build new, or rehab, housing units, receivership for vacant and abandoned properties, and acquisition of additional public and private funds to carry out neighborhood revitalization.
- **Part of the action agendas of community and neighborhood plans** being undertaken by the City around this time including the *Albina Community Plan* and several other neighborhood plans. The adoption of the programs also carried out the City's Policy of Neighborhood Revitalization.

Vacant and Abandoned Buildings Task Force: The original impetus for the programs came from a series of recommendations made by the Vacant and Abandoned Buildings Task Force, an inter-bureau group convened during the late 1980s. Upon documenting over 2,900 vacant residential properties and lots, the Task Force recommended, and the City adopted, several strategies to make productive use of these underused housing resources and revitalize inner eastside neighborhoods that had experienced disinvestment in the 1980s. The Task Force report directed the Bureau of Planning to draft enabling legislation to allow cities to provide a limited ten year property tax exemption for the new construction of single family homes and rehabilitation by owner-occupants in neighborhoods or areas meeting a "distressed" area criteria.

Senate Bill 310: The City of Portland advocated for the passage of this bill that authorized local jurisdictions to establish tax exemption programs for owner-occupied rehabilitation and new single-unit housing construction in "distressed" areas. After the adoption of the bill, the regulations for the single-unit new construction program were placed in Oregon Revised Statutes (ORS) 458.005 to 458.065, *Housing in Distressed Urban Areas*. The State statutes governing tax exemption for rental rehabilitation, *Rehabilitated Residential Property*, ORS 308.450-481, was amended to allow tax exemption for owner-occupied rehabilitation in designated "distressed" areas.

City Program Adoption: City Council adopted Ordinance 162854 to amend Chapter 3.102 to add the regulations of the City programs in March 1990. In May 1990, the Planning Commission approved the designation of the first program boundaries. The definition of "distressed" areas was, and is, the same in the City Code as the State statutes.

Initial "Distressed" Area Boundaries The initial "distressed" area boundaries were determined after an analysis of Neighborhood Livability Data from the census and city sources, vacant and abandoned building data, HCD neighborhood rankings and relevant community and neighborhood plan policies. City plans and projects that the tax exemption program helped implement were:

The Nehemiah Grant: The idea for a production oriented property tax incentive complemented the City's successful application for a Nehemiah grant from the federal government. The Nehemiah grant, administered by the Northeast Community Development Corporation (NECDC) was intended to provide 250 homeownership opportunities, either rehabilitated or newly constructed home in four Albina Community neighborhoods. These four neighborhoods were part of the "distressed" area designation.

Albina Community Plan: The City initiated the *Albina Community Plan* process in 1989 for 13 inner north and northeast neighborhoods. It was envisioned that the property tax exemption would assist NECDC, other community based nonprofit development corporations such as HOST, and small developers of infill lots in constructing affordable new homes in the Nehemiah neighborhoods and others that ranked high on number of vacant and abandoned structures and other indicators of "distress." Most the Albina neighborhoods included in the program boundaries had also received a slum and blight designation by the Bureau of Community Development in December 1989 as required by HUD's National Objective.

Neighborhood Plans: The City also decided to implement the tax exemption in other areas of the city such as some eastside neighborhoods which shared common problems with those in inner North and Northeast Portland. Neighborhood planning efforts were underway about this time for the Buckman, Cully, and Brentwood-Darlington neighborhoods and they were included the first program boundaries.

Early Program Requirements: The program designated low/moderate income areas of the City described above as eligible for the program and qualifying homes are subject to an annually adjusted price limit. Beyond that, it was decided not to place further restrictions on the income of buyers, nor on the sales price of homes resold during the ten year exemption. Further, there was no requirement that the purchaser remain an owner-occupant in order to continue receiving the tax exemption.

Program Review and Revision

The program has been subject of review by two Interagency Task Forces since its inception in 1990. The first review was largely concerned with monitoring and fiscal impacts. The second review initiated in 2000 resulted in an extensive process that made significant changes to the program's regulations in 2002.

1995 Report on the Tax Exemption Programs: In 1994, the City convened an inter-agency staff Housing Property Tax Abatement Policy Committee whose charge was to examine several issues that had arisen about the programs. The single-family program was considered along with the City's other programs. Those issues concerned:

- Whether local sunset dates should be applied to the programs;
- Whether there should be locally applied caps or moratoriums for the programs;
- How to maintain local control of the programs;
- How to monitor the cumulative fiscal impacts of the programs;
- How to monitor project compliance with the conditions of approval imposed;
- How to incorporate fiscal impact analysis during application review;
- How to improve inter-governmental coordination in the administration of these programs; and
- How to revise the fee structure in keeping with the administrative costs to the city.

The recommendations of this Policy Committee were published in the report titled *Administration of the Housing Property tax Abatements by the City of Portland* (July 18, 1995). The report was accepted on August 2, 1995 and code amendments necessary to carry out some of the recommendations were adopted thereafter. There were no changes of significance to the single-family program other than the requirement of annual reporting on program activity including foregone revenues.

2002 Program Changes: In early 2000, another agency staff group, Property Tax Exemption Policy Work Group, was charged by Commissioner Erik Sten to review several policy issues relating to the City's tax exemption programs. Several of these issues were related to the single-family new construction program. The changes in the Portland housing market lead to a consideration of changes to the single family program. As the committee's June 30, 2000 *Recommendation of the Property Tax Exemption Policy Work Group* states:

"As the Portland economy boomed during the 1990s, the nature of the housing market in designated distressed neighborhoods changed from a state of long-standing economic stagnation to a concern that a physically sound and relatively inexpensive housing stock was attracting higher income households able to purchase and upgrade this stock at the expense of lower income residents who lived in the neighborhoods. This changing market was illustrated in the perceptible shift in poor households from inner city neighborhoods to those farther to the north and east. This shift altered the discussions about the City's role in community development from one of community revitalization to a strategy of community stabilization."

The recommendations of the work group were to add to the program's requirements:

- Homebuyer income limit
- Owner-occupancy
- Limiting eligibility to first-time homebuyers
- Changing the name of the program areas from "Distressed" to "Homebuyer Opportunity"

The report also recommended changes to the map which had been revised only once, in 1996, since the program was adopted. Areas in inner Southeast that had revitalized and were taken out of the program and some areas of East Portland were added. Planning Commission approved the changes to the map at their November 28, 2000 meeting.

The Portland Development Commission (PDC), the Planning Commission, and the Housing and Community Development Commission (HCDC) were briefed on the group's proposed changes to the program's requirements. The Planning Commission held a hearing in January 2001 but deferred a formal recommendation on the amendments. Staff referred the amendments to the recently established Homeownership Advisory Committee (HOAC), an HCDC subcommittee. HOAC reviewed the amendments and conveyed their recommendations to HCDC. HCDC held a hearing on them on October 3, 2001 and they approved all but the first time-homebuyer requirement and then conveyed their recommendation to City Council. City Council approved the HCDC recommendations by Ordinance 176378 after a hearing on April 10, 2002.

Program Expiration and Reactivation: The authorization in the State statutes for the single-family new construction program expired in January 2003. The City of Portland had supported bills in the 2001 and 2003 State Legislature that would have extended the sunset date in the State statutes. In 2005, the Legislature passed Senate Bill 847-1 that extended the sunset date of the program until 2015 and allowed the eligibility of condos. City Council had directed City staff to advocate for the amendment of the State statutes to allow condominiums to be eligible for the program after staff had recommended denial of the application of a rowhouse project in the Boise neighborhood for the tax exemption in 2000.

In 2005, Planning and PDC staff took Ordinance 179685 to City Council to reactivate the program and allow condominiums to be eligible for the program. In January 2006, the Planning Commission approved changes to the Homebuyer Opportunity Area map recommended by Planning staff after consultation with the Homeownership Advisory Committee, which included PDC and Bureau of Housing and Community Development staff.

Current Program Requirements

- **Location in Homebuyer Opportunity Area**
- **Owner-occupancy**
- **Household Income at or below 100% MFI: \$66,900** for 2007 (adjusted annually by HUD)
- **Housing unit price cap** of no more than 120% of County median sales price: **\$275,000** for 2007 (Set annually by City Council resolution)

City Goals Addressed:

- ***Comprehensive Plan Housing Policy Goals*** related to Housing Supply, Housing Opportunity, Housing Safety, and Housing Affordability
- Operation HOME campaign to increase minority homeownership rates
- Schools, Families and Housing initiative to attract and retain families with children.

County Goals Addressed:

- **Basic Living Needs**
- **School Success**

Program Outcomes

- Over 2,000 new homes received assistance from this program.
- Assisted the revitalization of North, Northeast and Southeast Portland neighborhoods.
- Provided assistance to homeowners in redevelopment projects undertaken by nonprofits such as Charleston Place and the New Columbia.

Section II

Program Details and Synchronicity with County Goals

Program Title (City Code) (State Statute)	Non-Profit (3.101) (ORS 307.540-.548)	Owner-Occupied Rehab (3.102) (ORS 308.450 & 458.005)	New Single Family (3.103) (ORS 458.005)
Program Goal	Promote housing for low-income renters	Promote rehabilitation of housing in "Homebuyer Opportunity Areas" as designated by the Planning Commission	Promote new single -unit housing in "Homebuyer Opportunity Areas" as designated by the Planning Commission
Household Incomes Served	Earn less than 60% of Area Median Area Income	Mostly low and moderate income	Household income no greater than 100% of Area Median Income, adjusted upward for a household of more than four persons
Applicant/ Project Eligibility	Non-profit low income housing provider certified by IRS as 501(c)(3) or (4) organization or qualifying partnership.	1. Property in Homebuyer Opportunity Area; 2. Owner Occupied Single-Family Unit; 3. Code violations as determined by Title 29; 4. Initial and final inspections; 5. For structures built before 1961, sums spent on improvements must equal or exceed 5% of assessed value of land and improvements; or if sums are spent on improvements after 1990, improvements must be worth more than 50% of cash value of land and improvements	1. Property located within the Homebuyer Opportunity Area; 2. Single-family housing: detached, attached, or townhome; 3. Household income not greater than 100% of Area Median Income, adjusted upward for families larger than 4 persons; 4. Application process must be finished within 90 days of application - whichever is sooner; 5. Not to exceed maximum sale/appraisal value; 6. Owner Occupied; 7. Subsequent buyers must meet MFI qualifications
Restrictions	Household income must be at or below 60% of area median area income (MFI)	Only houses in "Homebuyer Opportunity Areas" are eligible	City Council sets yearly maximum sale/appraisal value based on recommendation from the Planning Bureau. \$275,000 for 2007.

Section II

Program Details and Synchronicity with County Goals Cont.

Program Title (City Code) (State Statute)	Non-Profit (3.101) (ORS 307.540-.548)	Owner-Occupied Rehab (3.102) (ORS 308.450 & 458.005)	New Single Family Housing Co (3.102) (ORS 458.005-458.065)
Public Benefit Requirements	See restrictions above.	See Applicant/Project Eligibility above.	See Applicant/Project Eligibility and restric
Designated Areas	Applicable within City of Portland	City neighborhoods designated as "Homebuyer Opportunity Areas" reviewed by the Planning Commission.	Designated "Homebuyer Opportunity Areas" three years.
Project Review & Approval	Planning Bureau (staff only); No PDC role	Portland Development Commission staff evaluates exemption based on defined approval criteria in City Code 3.102. If a project meets the City Code defined approval criteria then project is entitled to an exemption. PDC role limited to establishing City Code compliance. Denial may be appealed to City Council.	Portland Development Commission staff ap criteria in City Code 3.102. If a project m exemption is required. PDC role limited to be appealed to City Council.
Length of Abatement	One year with annual renewals	Ten years	Maximum ten years. With review of owner
Extent of Abatement	Ineligible (e.g., commercial land/improvements)	Assessed Value before rehabilitation, and any incremental increase allowed under Measure 50	Land taxed but not improvements. Partial exceeds current year maximum value.
Application Fee	\$250 new, \$50 renewals	\$300 plus \$200 appraisal fee	\$300 plus \$200 appraisal fee
Related County Budget Priorities	Basic Living Needs Measurements School Success Measurements	Basic Living Needs Measurements School Success Measurements	Basic Living Needs Measurements School Success Measurements

Single Family New Construction Limited Tax Abatement Program Financial Matrix (Financials to be filled in by County)

Calendar year	# of Units	Average Sale Price	Initial Assessed Value of Improvements Abated	Foregone Revenue Over 10 years	Taxes Paid on Land Over 10 years	Estimated Revenue
1997	192					
1998	107					
1999	252					
2000	202					
2001	187					
2002	316					
2003	341					
2004	234					
2005	100					
2006*	85					
Total	2,016					

*Total for 2006 reflect approvals issued by City of Portland in calendar year 2006, many are not yet reflected on the County Tax Assessors records.

Single Family New Construction Limited Tax Abatement Program Demographic Information

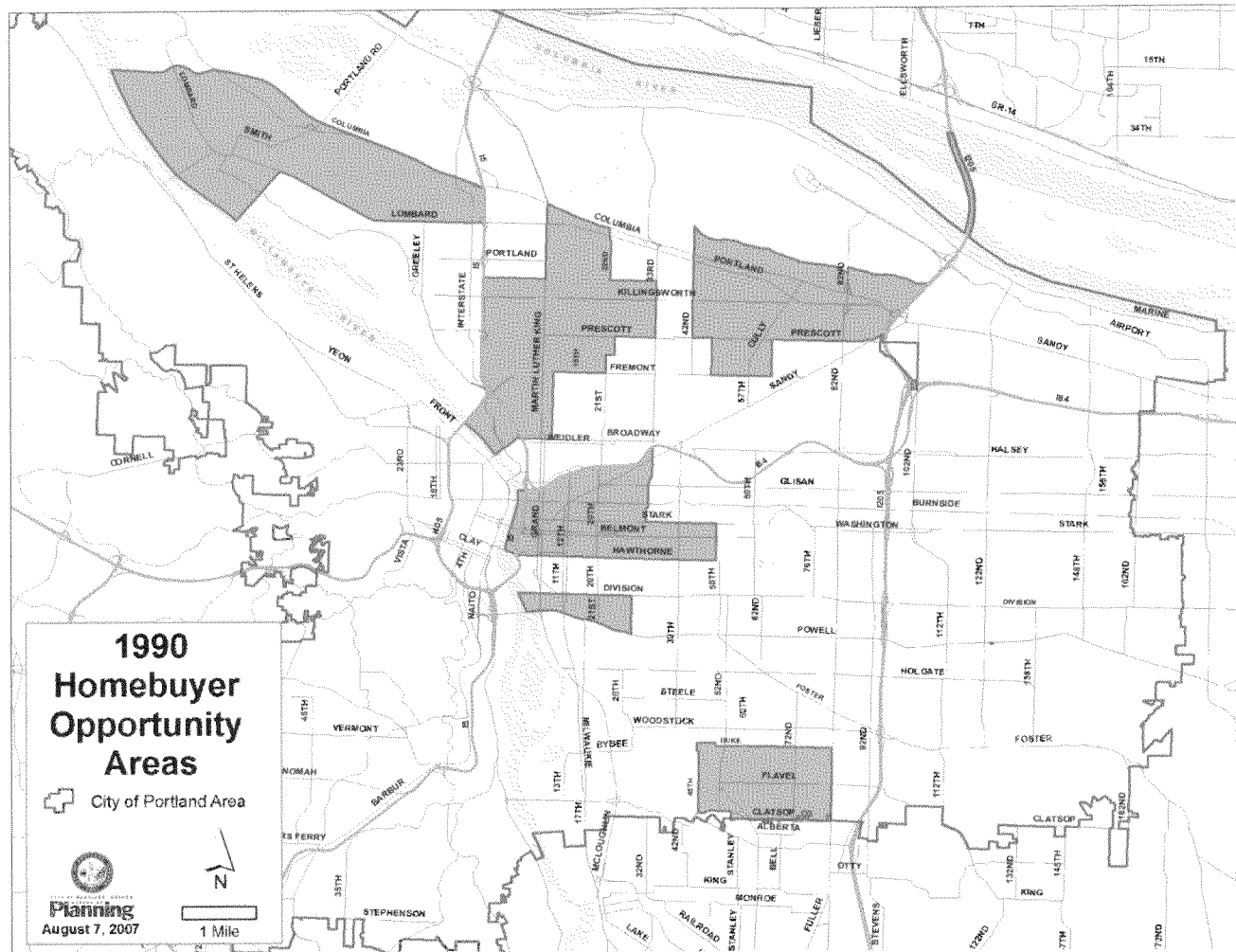
	Household Information								Household Income as a percentage of Family of 4					
	Minority Homebuyers		First-time Homebuyer		Families with Children		Female Head of Household		0% to 30%		31% to 50%		51% to 60%	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Year														
2005	47	39%	93	76%	42	34%	11	9%	15	12%	30	25%	23	19%
2006	159	59%	137	51%	120	44%	54	20%	34	13%	56	21%	46	17%
Total	206	53%	230	59%	162	41%	65	17%	49	13%	86	22%	69	18%

Appendix B

Evolution of Distressed Areas

Planning Commission Minutes

(see pdf for Planning Commission Minutes)



1990 Map

Context for 1990 Distressed Area Map

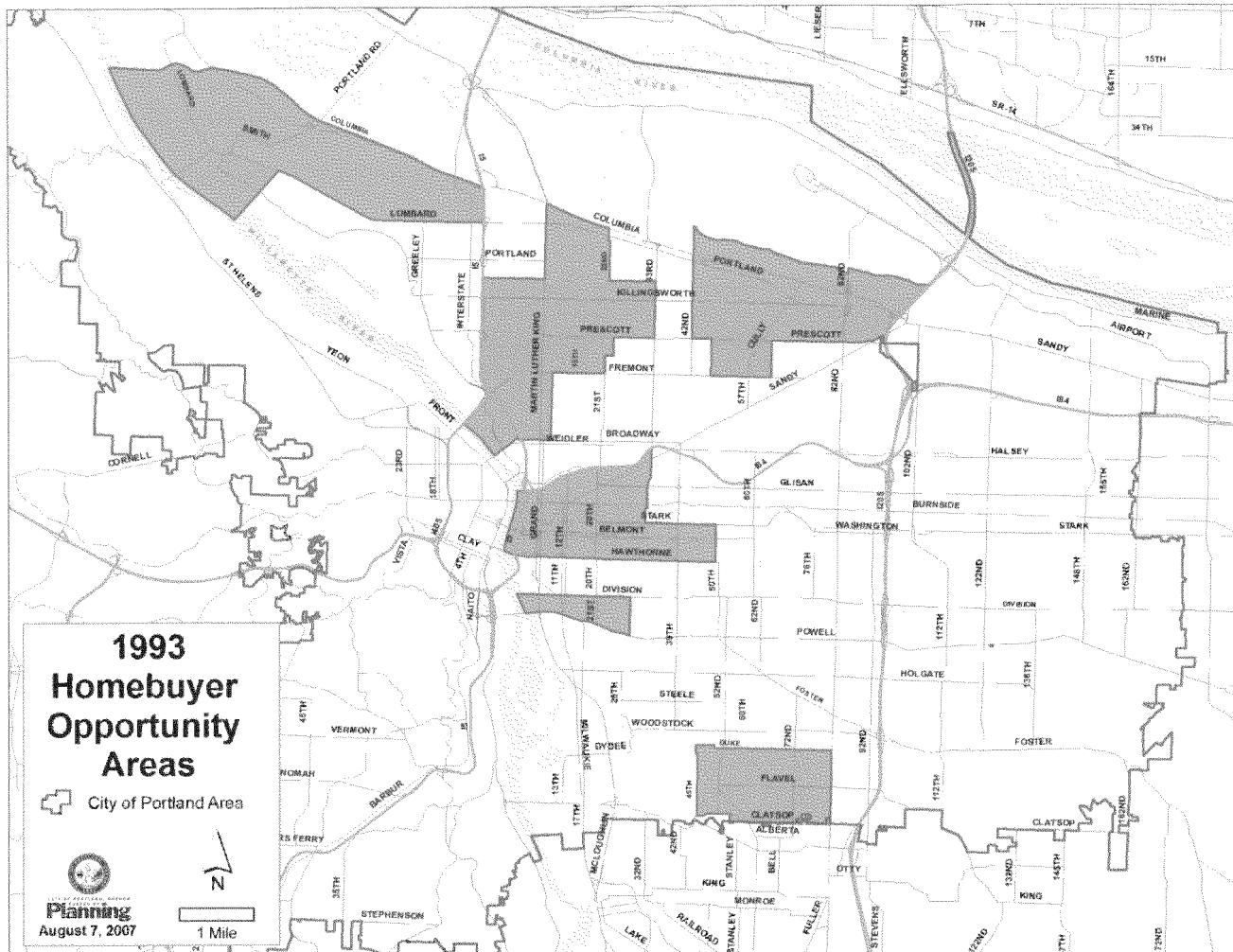
Approved: Planning Commission approved the first program boundaries after a public hearing and report by staff May 15, 1990.

Criteria for program boundaries:

- Poor housing conditions
- Number of derelict residential structures
- Low single-family construction activity
- Crime rates
- Low median single family selling price.

Also taken into consideration were the presence of City policies, plans, and projects focusing on residential revitalization including the inner-Northeast Neighborhood Revitalization Focus area, the Nehemiah Grant area, the *Albina Community Plan*, areas targeted for increased inspections and clean-up by Bureau of Buildings, neighborhood plans for Buckman, Cully and Brentwood-Darlington and many of the neighborhoods determined to be eligible for Housing and Community Development programs.

Reports: Memo on Summary of Designation Recommendations, May 2, 1990; *Data Sources, Relevant Plans and Policies and Correspondence*; May 15, 1990



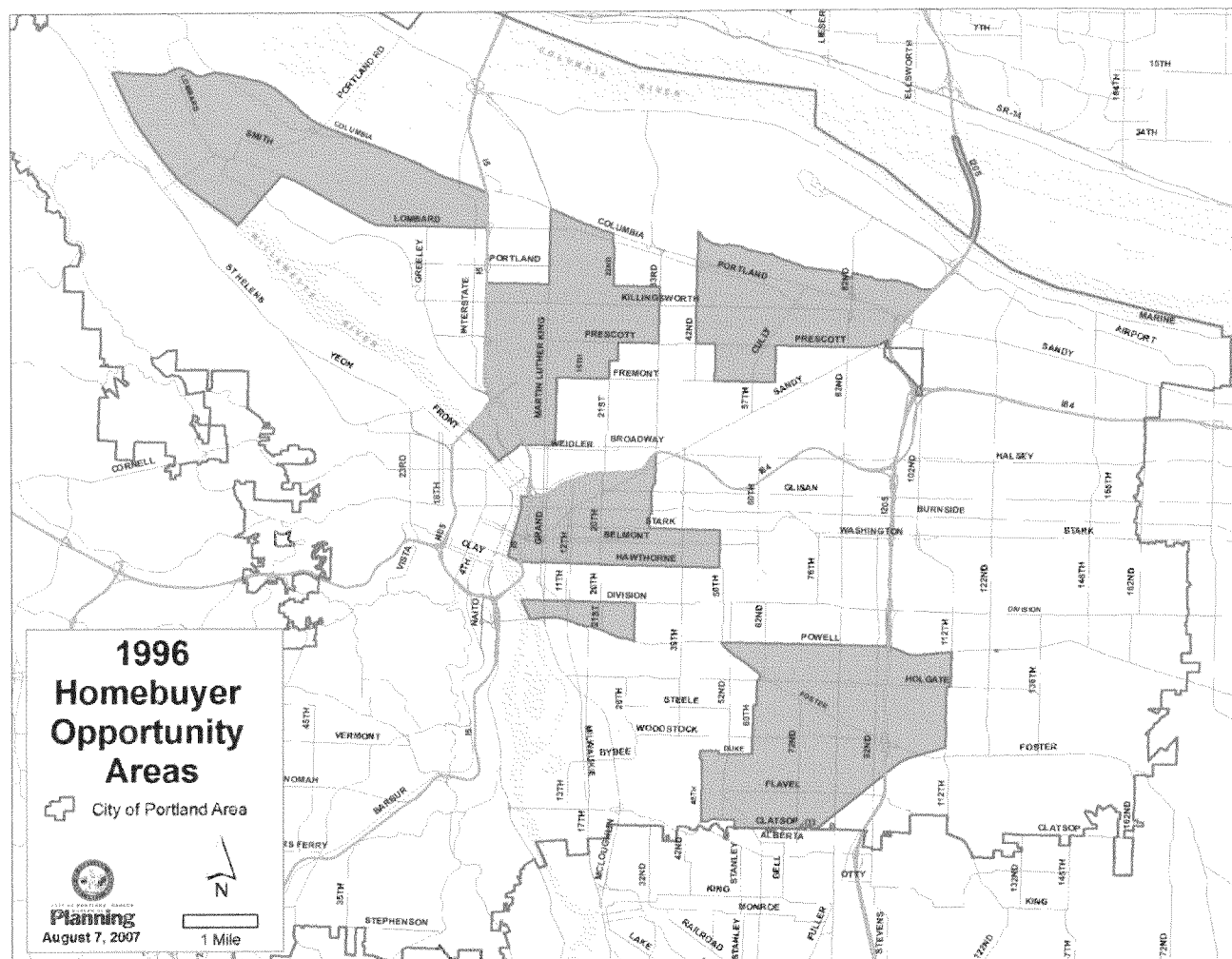
1993 Map

Context for 1993 Distressed Area Map

Approval: Planning Commission agreed with the staff recommendation to keep the map unchanged and to coordinate with CHAS process and the *Outer Southeast Community Plan* on the next map changes on May 25, 1993.

No change to program boundaries

Reports: Memo on Briefing on the Activities of the Housing and Community Development Commission (HCDC) and Other Housing Issues of May 14, 1993.



1996 Map

Context for 1996 Distressed Area Map

Approval: Planning Commission adds three new Outer Southeast neighborhoods as recommended by the *Outer Southeast Community* planning process by votes at July 11 and August 8, 1995 hearings. New map is published in 1996 after City Council adopts the plan by Ordinance No.169763.

Criteria for additions to program boundaries:

The Outer Southeast neighborhoods of Foster-Powell, Mt. Scot Arleta and northern 2/3 of Lents were chosen as the plan area neighborhoods in need of revitalization. Factors included:

- Low median home values
- Age of housing
- Involvement of R.O.S.E. Community Development Corporation in area.

Reports: *Outer Southeast Community Plan* Housing Action Chart and Map



Context for 2000 Distressed Area Map

Approval: Planning Commission approves map changes recommended by the Working Group report on November 28, 2000.

Criteria for additions and deletions to program boundaries:

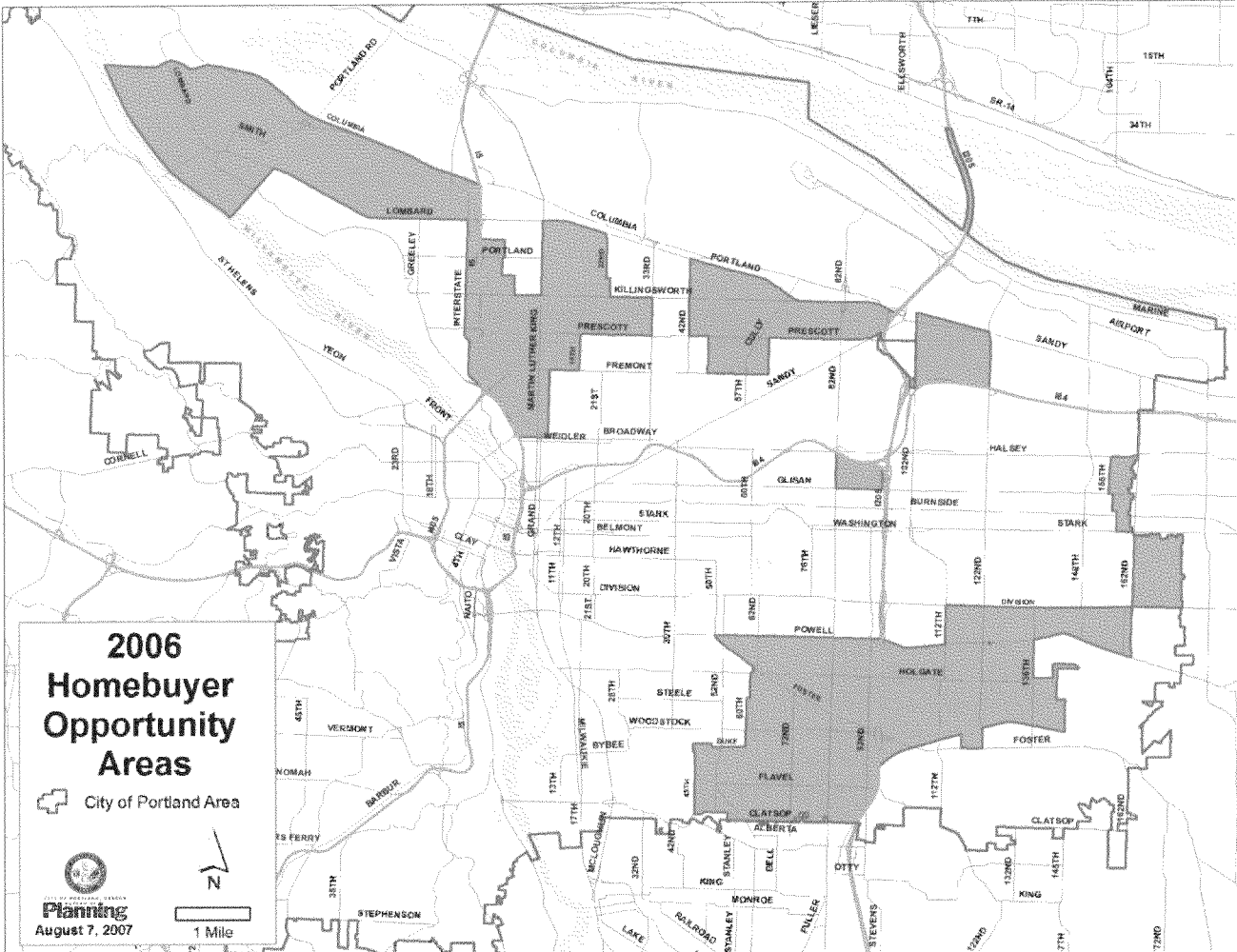
Additions:

- Median household incomes
- Percentage of Households living in poverty
- Vacant land or oversized lots zoned for single-family residential use

Deletions:

- Revitalization, high single-family home prices, and lack of residentially-zoned vacant land
- Industrial or employment zoning designations

Report: Memo on Recommended Changes to the Property Tax Exemption Programs and Hearing on Proposed Changes to the Distressed Areas Map (Chapter 3.102 of the Portland City Code) of November 16, 2000



2006 Map

Context for 2006 Distressed Area Map

Approval: Planning Commission approves map changes recommended by staff. Staff had worked with the Homeownership Advisory Committee, an HCDC subcommittee in compiling the recommended changes on January 10, 2006.

Criteria for additions and deletions to program boundaries:

2000 Census information at the census block group level used in determining median home values and median household incomes. Census block groups are a subset of census tracts.

Additions:

- Predominance of low and moderate income households;
- Median income lower than the City median
- Median housing value lower than City average
- “Distressed” neighborhood conditions such as boarded-up housing and housing in poor condition (determined by visual survey)
- Vacant land availability determined by Bureau of Planning maps of vacant and subdivided land without building permits.

Deletions:

- Median household incomes higher than City median
- Median home values close to , or above, City median
- Visual survey to determine revitalization and lack of development opportunities.

Report: Memo on Proposed Changes to the Map of the “Homebuyer Opportunity” areas of December 29, 2005.

Appendix C

Key Dates in Single Family Program

	Program Creation 1989 – 1990
January 18, 1989	City Council adopted the <i>Vacant and Abandoned Building Task Force Final Report</i> by Resolution 34504 . The report recommended that the Office of Intergovernmental Affairs “Pursue state legislation to provide for limited property tax abatement for owner occupant home repair and newly constructed single-family houses in target areas.”
1989 Legislative Session	Oregon Legislature passed Senate Bill 310 enabling local jurisdictions to grant a 10-year property tax exemption for the rehabilitation of owner occupied homes and new construction of single-family housing in distressed areas.
October 26, 1989	City Council adopted Resolution 34634 calling for amendments to Chapters 3.102 and 3.104 to carry out the provisions of SB 310 and initiate discussions with Portland School District No 1 as required by the State statutes.
February 2, 1990	Portland School District Board adopted a resolution approving the City’s adoption of the owner-occupied rehab and single-family new construction tax exemption programs with a \$10 million cap
March 22, 1990	City Council adopted Ordinance 162854 , which included amendments to Chapter 3.102 creating the Owner-Occupied Rehabilitation and New Construction of Single-Unit Housing in Distressed Areas programs.
May 15, 1990	“ <i>Distressed Area</i> ” map: Planning Commission approved the first program boundaries after a public hearing and report by staff.

	Early Program Review and Map Changes 1993 – 1998
May 1993	<i>"Distressed Area" map</i> : Planning Commission agreed with the staff recommendation to keep the map unchanged and to coordinate with CHAS process and the <i>Outer Southeast Community Plan</i> on the next map changes.
July 14, 1994	Portland School District Board adopted a resolution on approving another \$10 million in value for the owner-occupied rehab and single-family new construction tax exemption programs the authorization of which in State statutes expires in 1998.
August 8, 1995	<i>"Distressed Area" map</i> : Planning Commission added three new Outer Southeast neighborhoods as recommended by the <i>Outer Southeast Community</i> planning process. New map is published in 1996.
1995 Legislative Session	The State Legislature passed SB 756 that extends the authorization of the single-family new construction program to July 1, 2003.
August 2, 1995	City Council accepted the report on the Administration of Housing Property Tax Abatements by the City of Portland . The City had convened an inter-agency Housing Tax Abatement Policy Committee in 1994 to examine several issues related to the programs. The report recommended yearly reports on the effect of the programs housing goals and fiscal impact.
December 31, 1997	City Council passed Ordinance No. 171887 that extends the sunset date of the single-family new construction program to July 1, 2003 and the residential rehab program to July 1, 2008
February 10, 1998	City Council received the results of a survey conducted to assess the need for the program . Market Decisions Corporation surveyed about 100 tax exemption recipients and found that 77 percent were first-time homebuyers and that the exemption was a key factor in their home purchase decision.

	Program Review and Changes to Regulations and Map 2000 – 2002
June 30, 2000	Report to Commissioner Erik Sten on <i>Recommendations of the Property Tax Exemption Policy Work Group</i> published which included changes to the SF Tax Exemption. Proposed changes include buyer income limits, owner-occupancy requirements, condo eligibility, limiting program to first-time homebuyers and map changes. (Steve Skinner of Multnomah County Assessment and Taxation was a member of the Work Group.)
November 28, 2000	<i>"Distressed Area" map</i> : Planning Commission approved map changes recommended by the Working Group report.
April 10, 2002	City Council approved HCDC's recommendations for changes to the single-family program including program name change, owner-occupancy, and income limits and passed Ordinance 176378 . HCDC had reviewed the Working Group report and recommended against a first-time homebuyer requirement.

	Program Authorization Expiration and Renewal 2001 – 2006
2001 Legislative Sessions	Bill to extend the sunset date of the Distressed Area program authorization in ORS is not passed by the State Legislature.
January 1, 2003	City of Portland single-family new construction program becomes inactive.
2003 Legislative Sessions	Bill to extend the Distressed Area program authorization in ORS is not passed by the State Legislature.
Summer 2005	The 2005 State Legislature extended the authorization for the program until 2015 effective November 4, 2005 and allowed condominium eligibility by the passage of Senate Bill 847-1 .
October 12, 2005	City Council adopted Ordinance 179685 to amend Chapter 3.102 of the City Code to extend the sunset date of the program to 2015, allow condo eligibility, and grandfather in applications made while program authorization was expired and other housekeeping changes
January 10, 2006	<i>"Distressed Area" map</i> : Planning Commission approved map changes recommended by staff. Staff had worked with the Homeownership Advisory Committee, an HCDC subcommittee in compiling the recommended changes.

This chart does not include the yearly resolutions setting the maximum price of eligible units.

Transit Oriented Development Program

State Statutes Authorizing Program: ORS 307.600 -.637

City Code Chapter 3.103, Property Tax Exemption for New Transit Supportive Residential or Mixed use Development

Rationale for Adoption of the Program

In 1996, the City adopted the New Transit-Supportive Residential and Mixed-Use (TOD) tax exemption program to promote new transit-oriented development near light rail stations and in other transit-oriented areas. Transit-oriented development is high-density multifamily and mixed-use development designed to be oriented towards pedestrians and transit users. The TOD development incentive is provided to enhance the effectiveness of, and investment in, public transit as well as to achieve other City housing objectives. The TOD program also supports the regional growth management strategy of promoting new multifamily housing and mixed-use development in areas designated by Metro for absorbing new population and job growth. These areas include Regional and Town Centers, Station Communities, and Main Streets.

Significant Program Dates

1995 Oregon Legislative Session	Oregon Legislature passed House Bill 3133 authorizing local jurisdictions to grant local property tax exemptions under ORS 3-7.600-.650 for new multifamily housing in light rail station and other transit-oriented areas outside city core areas.
October 1996	Council adopted Portland's TOD program by passage of Ordinance No. 170667 .
November 7, 1996	The Multnomah County Commission adopted Resolution No. 96-198 supporting the City's adoption of the TOD program.
April 5, 2000	City Council adopted Ordinance No. 174325 which amended the boundaries of the TOD program to include the Hollywood Town Center as implementation of the <i>Hollywood and Sandy Plan</i> .
September 24, 2003	City Council adopted Ordinance No. 177921 which amended the boundaries of the TOD program to include the Northwest Plan District as implementation of the <i>Northwest District Plan</i> .
2005 Oregon Legislative Session	Oregon Legislature passed Senate Bill 839 that extended the sunset date in the authorizing statutes for NMUH and TOD programs until January 1, 2012.
December 21, 2005	City Council passed Ordinance 179844 to change the sunset date of the local NMUH and TOD programs to from January 1, 2006 to January 1, 2012 to reflect the change in the State statutes.
November 8, 2006	City Council amended the TOD program boundaries and regulations by passage of Ordinance No. 180052 . These changes included an affordability requirement for all rental housing projects, the provision of an increased number of public benefits and a requirement for annual financial reporting and partial repayment of property taxes if the rate of return on the project is higher than allowed.

Current Program Requirements

- **Location:** Current MAX light rail station areas, future light rail station areas along 1-205, and other transit-oriented areas for which the City has done planning– the Lents, Hollywood, and Hillsdale Town Centers, the Gateway Regional Center, the Northwest Plan District and portions of NE MLK Jr. Blvd and Foster Road mapped as Main Streets.
- **Eligible Properties:** New multifamily and mixed-use projects that are at least 10 units in size and meet the program's affordability and public benefit requirements.
- **Affordability:** Rental units: 20 percent of units affordable to households at or below 60 percent MFI or 10 percent at or below 30 percent MFI; Owner Units: Households at or below area median income for a family of 4 - \$66,900 for 2007
- **Public benefits:** Three additional public benefits are to be provided from a list of options.
- **Length of exemption:** 10 years
- **Fees:** \$5,000
- **Number of units in 2007:** 987 in 2006 in 18 projects (see attached list)
- **Value of Exempt Property:** \$56,697,752 (6/14/07 Multnomah County Estimate)
- **Total Foregone Revenue:** \$1,201,557 (6/14/07 Multnomah County Estimate)
- **County Foregone Revenue:** \$277,995 (6/14/07 Multnomah County Estimate)

City Goals Addressed:

- **Comprehensive Plan Housing Policy Goals** related to Housing Supply, Housing Opportunity, and Housing Affordability
- Supports the City's **planning for future population and job growth** in areas designated for growth in Metro's 2040 Growth Concept.
- **Portland's Future Focus Goal of absorbing 20 percent of projected regional population growth** in the City of Portland.

Joint City and County Goals Addressed:

- Priorities of the **Consolidated Plan of the Cities of Portland and Gresham and Multnomah County 2005-2010**
 - Priority One: Programs to increase the range of housing opportunities affordable to households with incomes at or below 50 percent MFI and
 - Priority Three: Programs to assist adults and youth to improve their economic condition including first-time homeownership programs for populations that have traditionally faced barriers to homeownership

County Goals Addressed:

- **Basic Living Needs**
- **School Success**

Program Outcomes

- This program has provided an incentive for the development of **almost 1,000 housing units in high-density projects near MAX light rail stations**. Most of the program activity has occurred in the Gateway Regional Center which is located at the intersection of two light rail lines.
- Both for-profit and nonprofit organizations have used this program to provide **housing near transit that is affordable to low and moderate income households**.

Future Need for Tax Exemption Program: This program supports the provision of housing near frequent service transit. The TOD development allows low and moderate income households to live at locations where they can reduce need to rely on automobile travel thereby reducing their overall living costs. The development of housing near light rail station areas and other transit facilities allows the City of Portland to accommodate population growth without unduly increasing traffic congestion and resulting air pollution.

Housing Units Built with TOD Tax Exemption from 1997 to September 2007
(Information on condo units for 2006-2007 tax year)

Property Name	Address	Units	Exempt Units	Expiration Date
Condos				
Gateway Condos	10345 NE Clackamas	24	24	06/30/2009
Center Commons	5827-5934 NE Hoyt	6	6	06/30/2012
Gateway Arbors	737 NE 99th Ave	22	22	06/30/2012
Gateway Arbors II	9817-9837 NE Irving	38	38	06/30/2015
Gateway Towers	400 NE 100th	42	No info	Recently approved
Ash Creek Condos	SE 119 th and Ash St.	54	Under construction	Recently approved
Total Condos		186	90	
Apartment				
		Units	Rent Restrictions or Market Rate ¹	
Floyd Light	849-1031 SE 106th Ave.	51	21 units at 60% MFI 30 Market Rate	06/30/2007
Hazelwood Apartments	11933 NE Davis St.	120	36 at below 50% MFI 4 at 60% MFI 56 at 75% MFI	06/30/2008
Brentwood/Slauson	100 SE 160th Ave.	51	11 units at 60% MFI 40 Market Rate	06/30/2009
Russellville 1	10320 SE Pine	126	Market Rate	06/30/2010
Center Village Apartments	5819 NE Glisan St	60	12 Units at 30% MFI 48 at 60% MFI	06/30/2011
Collins Circle	1704 SW Jefferson	124	52 units at 60% MFI 72 Market Rate	6/30/2011
Bookmark Apartments	2034 W/ NE 40th Ave	51	19 units at 60% MFI 32 Market Rate	06/30/2012
Raven Apartments	340 SE 148TH Ave	36	14 units at 50% MFI 22 units at 80% MFI	06/30/2014
Burnside Station	10610 E Burnside St	25	5 at or below 60% MFI	06/30/2015
Gateway Plaza	9920-9950 NE Glisan St	48	Market Rate	06/30/2015
Russellville 2	10420 E Burnside St	154	Market Rate	06/30/2015
Ventura Apartments	12210 E Burnside	54	Market Rate	06/30/2016
		897		
			Percentages	
	Rent-restricted Units	324	36%	
	Market Rate	673	64%	

¹Information on rent restrictions is taken from Bureau of Planning's files and may be incomplete.

COPTaxingDistricts

Td	TdDesc	Name	Address	Email
101	PORT OF PORTLAND	Steve Schreiber	P O Box 3529, Portland 97208	steven.schreiber@portofportland.com
130	CITY OF PORTLAND	Ken Rust	1120 SW 5th Ave #1250, Portland 97204	no email
143	METRO	Kathy Rutkowski	600 NE Grand, Portland 97232	rutkowskik@metro.dst.or.us
153	PALATINE HILL WATER DIST	Ron Vandehey	P O Box 1193, Lake Oswego 97035	no email
164	EAST MULT SOIL/WATER	Jean Fike	2701 NW Vaughn St #450, Portland 97210	jean.fike@or.nacdn.net
166	WEST MULT SOIL/WATER	Jim Robison	2701 NW Vaughn St #450, Portland 97210	jim.robison@or.nacdn.net
170	MULTNOMAH COUNTY	Karyne Dargan	501 SE Hawthorne #531, Portland 97214	karyne.a.dargan@co.multnomah.or.us
181	RAMSEY-WALMER ROAD DISTRICT	Dana Barron	2211 NW Ramsey Dr, Portland 97229	danapdx@teleport.com
197	ROCKWOOD UTIL DIST	N/A		
198	TRI-MET TRANSPORTATION	David Auxier	4012 SE 17th, Portland 97202-3940	auxierd@trimet.org
304	MULTNOMAH ESD	Edward L Schmitt	P O Box 301039, Portland 97294	edward_schmitt@mesd.k12.or.us
305	NW REGIONAL ESD	Tim Collier	5825 NE Ray Cir, Hillsboro 97124	tcollier@nwresd.k12.or.us
308	MT HOOD COMM COLLEGE	Michael D Wolfe	26000 SE Stark St, Gresham 97030	michael.wolfe@mhcc.edu
309	PORTLAND COMM COLLEGE	Wing-Kit Chung	12000 SW 49th Ave, Portland 97219	no email
311	PORTLAND SCHOOL DIST #1	Heidi Franklin	501 N Dixon, Portland 97227	hfranklin@pps.k12.or.us
312	PARKROSE SCHOOL DIST #3	Katie Larsell	10636 NE Prescott St, Portland 97220	katie_larsel@parkrose.k12.or.us
314	REYNOLDS SCHOOL DIST	Charles Rhoads	1204 NE 201st Ave, Fairview 97024	no email
317	DAVID DOUGLAS SCHOOL DIST #40	Courtney Wilton	1500 SE 130th Ave, Portland 97233	no email
320	SCAPPOOSE SCHOOL DIST #9	Mary Crum	33589 SE High School Way, Scappoose, 97056	mcrum@scappoose.k12.or.us
321	CENTENNIAL SCHOOL DIST	Richard G Larson	18135 SE Brooklyn St, Portland 97236	no email
322	BEAVERTON SCHOOL DIST #48	Joanne Ossanna	16550 SW Merlo Rd, Beaverton 97006	joanne_ossanna@beavton.k12.or.us
323	RIVERDALE SCHOOL DIST #51	Dr Thomas Hagerman	11733 SW Breyman Ave, Portland 97219-8409	thagerman@riverdale.k12.or.us

Notice of 09.20.07
 BOARD MEETING SENT
 09.13.07
 QLS

Tax Impact By Year of Selected Exemption Programs

Shows exempted value coming back onto tax rolls each year as if programs were allowed to expire; years are not cumulative; no assumptions were made about changes over time to tax rates and Changed Property Ratio (CPR).

Program	CURRENT YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR	
	2007 ***		2008		2009		2010		2011		2012		2013		2014		2015		2016		2017	
	Total Exempt RMV	# in Program	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#
ET22 Core Area Multi-Unit	393,013,270	193	16,486,040	3	33,255,380	21	27,098,160	15	57,122,430	48	13,372,750	89	35,078,820	4	50,370,540	2	92,825,990	6	67,403,160	3	--	--
ET23 Residential Rehabilitation	14,192,360	90	1,506,880	12	405,210	5	8,796,270	16	634,590	9	754,220	6	800,230	11	316,170	7	671,830	11	207,620	5	99,340	8
ET37/ET47 Single Unit Housing	234,977,890	2,066	10,086,120	105	23,196,960	252	19,194,780	202	19,120,290	187	31,865,050	317	36,914,530	341	26,587,190	234	15,445,720	102	20,753,950	119	31,813,300	182
ET44 COP Low Income Housing *	543,132,800	582	543,132,800	582	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
ET55 Transit Oriented Development (Portland)	106,438,960	128	11,119,920	1	15,115,930	26	10,575,550	2	27,022,020	3	9,056,580	45	--	--	1,950,240	1	27,795,300	47	3,803,420	2	--	--
Total Exempt Market Value	\$ 1,291,755,280		\$ 582,331,760		\$ 71,973,480		\$ 65,664,760		\$ 103,899,330		\$ 55,048,600		\$ 72,793,580		\$ 79,224,140		\$ 136,738,840		\$ 92,168,150		\$ 31,912,640	
Current Changed Property Ratio (2007 CPR) **			0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159	
Estimated Taxable Value Returned to Roll			\$300,424,955		\$37,131,118		\$33,876,450		\$53,601,664		\$28,399,573		\$37,554,208		\$40,871,734		\$70,543,568		\$47,549,549		\$16,463,731	
Typical Tax Rate (\$20.00 per \$1,000 of value)			0.02		0.02		0.02		0.02		0.02		0.02		0.02		0.02		0.02		0.02	
Estimated Total Taxes Returned to Roll			\$6,008,499		\$742,622		\$677,529		\$1,072,033		\$567,991		\$751,084		\$817,435		\$1,410,871		\$950,991		\$329,275	
Typical Tax Rate For County Only (\$4.90)			0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049	
Estimated County Taxes Returned to Roll			\$1,472,082		\$181,942		\$165,995		\$262,648		\$139,158		\$184,016		\$200,271		\$345,663		\$232,993		\$80,672	

* ET44 COP Low Income Housing: Must file annually to renew exemption.

** The CPR reflects the estimated portion of RMV that may be taxable under Measure 50; the 2007 CPR as a percentage is 51.59%.

*** Data is uncertified and may be incomplete

COPTaxingDistricts

Td	TdDesc	Name	Address	Email
101	PORT OF PORTLAND	Steve Schreiber	P O Box 3529, Portland 97208	steven.schreiber@portofportland.com
130	CITY OF PORTLAND	Ken Rust	1120 SW 5th Ave #1250, Portland 97204	no email
143	METRO	Kathy Rutkowski	600 NE Grand, Portland 97232	rutkowskik@metro.dst.or.us
153	PALATINE HILL WATER DIST	Ron Vandehey	P O Box 1193, Lake Oswego 97035	no email
164	EAST MULT SOIL/WATER	Jean Fike	2701 NW Vaughn St #450, Portland 97210	jean.fike@or.nacdn.net
166	WEST MULT SOIL/WATER	Jim Robison	2701 NW Vaughn St #450, Portland 97210	jim.robison@or.nacdn.net
170	MULTNOMAH COUNTY	Karyne Dargan	501 SE Hawthorne #531, Portland 97214	karyne.a.dargan@co.multnomah.or.us
181	RAMSEY-WALMER ROAD DISTRICT	Dana Barron	2211 NW Ramsey Dr, Portland 97229	danapdx@teleport.com
197	ROCKWOOD UTIL DIST	N/A		
198	TRI-MET TRANSPORTATION	David Auxier	4012 SE 17th, Portland 97202-3940	auxierd@trimet.org
304	MULTNOMAH ESD	Edward L Schmitt	P O Box 301039, Portland 97294	edward_schmitt@mesd.k12.or.us
305	NW REGIONAL ESD	Tim Collier	5825 NE Ray Cir, Hillsboro 97124	tcollier@nwresd.k12.or.us
308	MT HOOD COMM COLLEGE	Michael D Wolfe	26000 SE Stark St, Gresham 97030	michael.wolfe@mhcc.edu
309	PORTLAND COMM COLLEGE	Wing-Kit Chung	12000 SW 49th Ave, Portland 97219	no email
311	PORTLAND SCHOOL DIST #1	Heidi Franklin	501 N Dixon, Portland 97227	hfranklin@pps.k12.or.us
312	PARKROSE SCHOOL DIST #3	Katie Larsell	10636 NE Prescott St, Portland 97220	katie_larsell@parkrose.k12.or.us
314	REYNOLDS SCHOOL DIST	Charles Rhoads	1204 NE 201st Ave, Fairview 97024	no email
317	DAVID DOUGLAS SCHOOL DIST #40	Courtney Wilton	1500 SE 130th Ave, Portland 97233	no email
320	SCAPPOOSE SCHOOL DIST #9	Mary Crum	33589 SE High School Way, Scappoose, 97056	mcrum@scappoose.k12.or.us
321	CENTENNIAL SCHOOL DIST	Richard G Larson	18135 SE Brooklyn St, Portland 97236	no email
322	BEAVERTON SCHOOL DIST #48	Joanne Ossanna	16550 SW Merlo Rd, Beaverton 97006	joanne_ossanna@beavton.k12.or.us
323	RIVERDALE SCHOOL DIST #51	Dr Thomas Hagerman	11733 SW Breyman Ave, Portland 97219-8409	thagerman@riverdale.k12.or.us

Notice of 09.20.07
 Board meeting sent
 09.13.07
 WLS

Tax Impact By Year of Selected Exemption Programs

Shows exempted value coming back onto tax rolls each year as if programs were allowed to expire; years are not cumulative; no assumptions were made about changes over time to tax rates and Changed Property Ratio (CPR).

Program	CURRENT YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR	
	2007 ***		2008		2009		2010		2011		2012		2013		2014		2015		2016		2017	
	Total Exempt RMV	# in Program	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#
ET22 Core Area Multi-Unit	393,013,270	193	16,486,040	3	33,255,380	21	27,098,160	15	57,122,430	48	13,372,750	89	35,078,820	4	50,370,540	2	92,825,990	6	67,403,160	3	--	--
ET23 Residential Rehabilitation	14,192,360	90	1,506,880	12	405,210	5	8,796,270	16	634,590	9	754,220	6	800,230	11	316,170	7	671,830	11	207,620	5	99,340	8
ET37/ET47 Single Unit Housing	234,977,890	2,066	10,086,120	105	23,196,960	252	19,194,780	202	19,120,290	187	31,865,050	317	36,914,530	341	26,587,190	234	15,445,720	102	20,753,950	119	31,813,300	182
ET44 COP Low Income Housing *	543,132,800	582	543,132,800	582	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
ET55 Transit Oriented Development (Portland)	106,438,960	128	11,119,920	1	15,115,930	26	10,575,550	2	27,022,020	3	9,056,580	45	--	--	1,950,240	1	27,795,300	47	3,803,420	2	--	--
Total Exempt Market Value	\$ 1,291,755,280		\$ 582,331,760		\$ 71,973,480		\$ 65,664,760		\$ 103,899,330		\$ 55,048,600		\$ 72,793,580		\$ 79,224,140		\$ 136,738,840		\$ 92,168,150		\$ 31,912,640	
Current Changed Property Ratio (2007 CPR) **			0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159	
Estimated Taxable Value Returned to Roll			\$300,424,955		\$37,131,118		\$33,876,450		\$53,601,664		\$28,399,573		\$37,554,208		\$40,871,734		\$70,543,568		\$47,549,549		\$16,463,731	
Typical Tax Rate (\$20.00 per \$1,000 of value)			0.02		0.02		0.02		0.02		0.02		0.02		0.02		0.02		0.02		0.02	
Estimated Total Taxes Returned to Roll			\$6,008,499		\$742,622		\$677,529		\$1,072,033		\$567,991		\$751,084		\$817,435		\$1,410,871		\$950,991		\$329,275	
Typical Tax Rate For County Only (\$4.90)			0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049	
Estimated County Taxes Returned to Roll			\$1,472,082		\$181,942		\$165,995		\$262,648		\$139,158		\$184,016		\$200,271		\$345,663		\$232,993		\$80,672	

* ET44 COP Low Income Housing: Must file annually to renew exemption.

** The CPR reflects the estimated portion of RMV that may be taxable under Measure 50; the 2007 CPR as a percentage is 51.59%.

*** Data is uncertified and may be incomplete

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Memorializing Action on the City of Portland's Requests for Tax Exemption Programs Adminstrated by the Portland Development Commission and the City of Portland Bureau of Planning

The Multnomah County Board of Commissioners Finds:

- a. By Board Resolution 07-129, on June 28, 2007, the Multnomah County Board of Commissioners authorized properties eligible to receive property tax abatements for the 2007-08 tax year under the single-unit housing program, the rehabilitated residential property program, the transit supportive multiple-unit housing program, the multi-unit housing program/core area (low income only), and the nonprofit corporation low income housing program to continue to receive abatements for the full period authorized by statute. The Board further resolved that abatement of Multnomah County's share for properties where applications are submitted for subsequent tax years required explicit authorization from the Board.
- b. The County's mission is directly served by the provision of low-income housing and homeownership throughout the county to assist clients of County services and the general public. It is in the best interest of the County to authorize participation in programs that directly serve that population.
- c. The single-unit housing program was authorized by the State Legislature under ORS 458.005 to .065 from 1989 to 2003, and was reauthorized in 2005 under ORS 307.651 to .687, until July 1, 2015. This program allows cities and counties to provide a property tax exemption for up to 10 years to stimulate the construction of affordable new single-unit housing in distressed areas, to promote residential infill development on vacant or underutilized lots, to encourage homeownership and to reverse declining property values. Last year, the program exempted \$64,910 in County taxes and \$268,704 in taxes for all local jurisdictions in Multnomah County for 185 homes. In addition, there are approximately 161 homes that will be exempt beginning in 2007-08 and approximately 200 applications pending for exemptions to begin in the 2008-09 tax year. (The 2008-09 tax year is for taxes assessed and collected in the year July 1, 2008 to June 30, 2009). The Portland Development Commission (PDC) only accepts applications in the single unit housing program where the sale is the initial sale of a new unit by a builder or developer to an eligible buyer. After January 1, 2008, the single unit housing program will only accept applications prior to the final approval of the building permit on the structure.

- d. The nonprofit corporation low income housing program is authorized by ORS 307.540 - .548 to enable cities and counties to provide an exemption for low-income housing owned, leased or managed by eligible nonprofit organizations, until July 1, 2014. The City of Portland adopted this program in 1985. The exemption is intended to benefit low-income renters. The program currently has 600 properties that include over 7,000 units, with either a partial or full exemption, and abates \$1,091,737 in County taxes each year and \$4,535,516 in the taxes of all local jurisdictions annually.
- e. The multi-unit housing program/ core area housing is authorized by ORS 307.600-.637 to enable cities and counties to stimulate the construction of transit supportive multiple-unit housing in the core areas of urban centers. The City of Portland adopted this program. There must be a minimum of 10 units and projects of more than 15 rental units must have 15% of units for incomes of 80% of median income or less. Where units are for sale, the price must not exceed 95% of FHA mortgage maximum and household income of the purchaser must be less than 100% of median income for a family of four. Finally, the applicant must demonstrate the exemption is required to make the project feasible. The program currently has 192 current properties and exempts \$1,020,473 in County taxes annually and \$4,192,197 in taxes for all local jurisdictions each year. Three applications were processed for 2006/07 and none for 2007/08. The City of Portland has placed a moratorium on this program except for projects which are 100 percent low income (60 percent or below M.F.I.), and is evaluating their future participation.
- f. The State Legislature amended ORS 307.600 to .637 in 1995 to enable cities and counties to provide a property tax exemption for up to 10 years to promote private investment in transit supportive multiple-unit housing in light rail stations areas and transit oriented areas and to attract new development of multiple-unit housing and commercial and retail property in areas located within a light rail station area or transit oriented area. The City adopted the transit oriented development (TOD) program in 1996 to support the development of the metro regional light rail system and other public transit facilities. Multnomah County passed a resolution agreeing to the program in 1996. There must be a minimum of 10 units and projects of more than 15 units must meet affordability requirements. In addition, when the Board approved this program in November, 1996, it specified that the program provide "additional services at housing sites addressing needs of tenants and occupants, such as child care" and "the ability to monitor and review the program's progress towards these objectives". The City of Portland program currently has 126 properties resulting in \$277,994 in County taxes abated and \$1,201,557 in taxes abated for all local jurisdictions. Two applications were processed for 2006/07 one for 2007/08.

The Multnomah County Board of Commissioners Resolves:

1. Qualifying properties eligible to receive property tax abatements under the single-unit housing program, the nonprofit corporation low income housing program, the multi-unit housing program/ core area housing (limited solely to 100% low income projects), and the multi-family transit oriented program based on applications received during the 2007 calendar year are authorized to receive the abatements for the corresponding statutory abatement period beginning in the 2008/09 tax year.
2. The nonprofit corporation low income housing program is authorized until its statutory sunset date in 2014.
3. The multi-unit housing program/ core area housing (which is currently limited solely to low income projects) is authorized until its statutory sunset date of 2012. If the City of Portland decides to remove or change its current limitations regarding income levels, additional approvals will be required by the County before County taxes can be abated.
4. The multi-family transit oriented program is authorized until its statutory sunset date of 2012.
5. The single-unit housing program is authorized until its statutory sunset date of 2015.
6. During 2008, the City of Portland and Multnomah County will discuss measures that could modify these programs to focus on benefits on low income residents of the County. The City will convene those joint sessions and invite representatives from impacted education districts. The initial focus will be on the Single Unit Housing Program. Key topics regarding the single unit program should include a discussion of maximum eligible home price, whether income should be adjusted by household size, geographic emphasis for the program, and the timing and accepting of applications. Subsequent sessions will examine the policy objectives associated with the limited tax abatement programs to determine whether existing programs need to be removed, re-engineered, or new ones created to better meet the shared objectives and core mission of the City of Portland and Multnomah County.
7. Decisions on the County's participation in the owner occupied rehabilitation program and the rental rehabilitation tax abatement programs will be made after a review by City, PDC, and County staff on program benefits, administration and implementation. A recommendation from the City is expected by November 1, 2007.

8. The City of Portland/ PDC agree to provide annual reports on the programs to the Board of County Commissioners. These reports shall occur on or before November 1 of each year beginning in 2008. Information shall include:
 - (a) The outcomes for each program relative to their policy goals and objectives.
 - (b) Results of monitoring and compliance efforts to insure properties continue to qualify for abatement. Compliance reporting will include an annual compliance certification officially signed off by the Executive Director of the Portland Development Commission and the Director of the Bureau of Planning.
 - (c) How potential shifts in geographic areas serves or other policy changes impact the County's core mission of serving low income families and individuals.
9. The Board also requests that the City and PDC work collaboratively with Multnomah County in the next state legislative session to clarify the state statutes governing these programs. Specifically, the City and County should cooperate on proposals that will increase the supply of affordable housing for low income residents.
10. The Board will provide notice and an invitation to testify to all impacted jurisdictions concerning actions the Board is considering that would result in the abatement of taxes of another jurisdiction.

ADOPTED this 20th day of September 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
John S. Thomas, Deputy County Attorney

SUBMITTED BY:
Ted Wheeler, Multnomah County Chair

BOGSTAD Deborah L

From: BOGSTAD Deborah L**Sent:** Thursday, September 13, 2007 7:21 PM

To: 'Steve Schreiber [steven.schreiber@portofportland.com]'; 'Kathy Rutkowski [rutkowskik@metro.or.us]'; 'Jean Fike [jean.fike@or.nacdn.net]'; 'Jim Robison [jim.robison@or.nacdn.net]'; DARGAN Karyne A; 'Dana Barron [danapdx@teleport.com]'; 'David Auxier [auxierd@trimet.org]'; 'Edward L. Schmitt [edward_schmitt@mesd.k12.or.us]'; 'Tim Collier [tcollier@nwresd.k12.or.us]'; 'Michael D. Wolfe [michael.wolfe@mhcc.edu]'; 'Heidi Franklin [hfranklin@pps.k12.or.us]'; 'Katie Larsell [katie_larsell@parkrose.k12.or.us]'; 'Mary Crum [mcrum@scappoose.k12.or.us]'; 'Joanne Ossanna [joanne_ossanna@beavton.k12.or.us]'; 'Dr. Thomas Hagerman [thagerman@riverdale.k12.or.us]'

Cc: WALRUFF Randy P**Subject:** R-9 on September 20, 2007 Multnomah County Board Meeting Agenda

Greetings. This is to notify you that the Multnomah County Board of Commissioners will be considering a RESOLUTION Memorializing Action on the City of Portland's Requests for Tax Exemption Programs Administred by the Portland Development Commission and the City of Portland Bureau of Planning at **9:45 a.m. on Thursday, September 20, 2007 [agenda item R-9]**. I am attaching the entire Board meeting agenda, as well as the agenda placement request and proposed resolution documents. Additional informational materials for this item are posted at <http://www.co.multnomah.or.us/cc/WeeklyAgendaPacket/>

If you wish to testify on this matter, please fill out a yellow sign up sheet located to your right as you enter the Boardroom and give it to me so I may call your name. Thank you and have a great day.

Deb Bogstad, Board Clerk
Multnomah County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, Oregon 97214-3587
(503) 988-3277 phone
(503) 988-3013 fax
deborah.l.bogstad@co.multnomah.or.us
<http://www.co.multnomah.or.us/cc/index.shtml>

BOGSTAD Deborah L

From: BOGSTAD Deborah L
Sent: Thursday, September 13, 2007 7:28 PM
To: 'Kathy Rutkowski [rutkowskik@metro.dst.or.us]'
Subject: FW: R-9 on September 20, 2007 Multnomah County Board Meeting Agenda

Ms. Rutkowski I didn't type in your proper email address before. See my message below.



Deb Bogstad, Board Clerk
Multnomah County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, Oregon 97214-3587
(503) 988-3277 phone
(503) 988-3013 fax
deborah.l.bogstad@co.multnomah.or.us
<http://www.co.multnomah.or.us/cc/index.shtml>

-----Original Message-----

From: BOGSTAD Deborah L
Sent: Thursday, September 13, 2007 7:21 PM
To: 'Steve Schreiber [steven.schreiber@portofportland.com]'; 'Kathy Rutkowski [rutkowskik@metro.or.us]'; 'Jean Fike [jean.fike@or.nacdn.net]'; 'Jim Robison [jim.robison@or.nacdn.net]'; 'DARGAN Karyne A'; 'Dana Barron [danapdx@teleport.com]'; 'David Auxier [auxierd@trimet.org]'; 'Edward L. Schmitt [edward_schmitt@mesd.k12.or.us]'; 'Tim Collier [tcollier@nwresd.k12.or.us]'; 'Michael D. Wolfe [michael.wolfe@mhcc.edu]'; 'Heidi Franklin [hfranklin@pps.k12.or.us]'; 'Katie Larsell [katie_larsell@parkrose.k12.or.us]'; 'Mary Crum [mcrum@scappoose.k12.or.us]'; 'Joanne Ossanna [joanne_ossanna@beavton.k12.or.us]'; 'Dr. Thomas Hagerman [thagerman@riverdale.k12.or.us]'
Cc: WALRUFF Randy P
Subject: R-9 on September 20, 2007 Multnomah County Board Meeting Agenda

Greetings. This is to notify you that the Multnomah County Board of Commissioners will be considering a RESOLUTION Memorializing Action on the City of Portland's Requests for Tax Exemption Programs Administred by the Portland Development Commission and the City of Portland Bureau of Planning at **9:45 a.m. on Thursday, September 20, 2007 [agenda item R-9]**. I am attaching the entire Board meeting agenda, as well as the agenda placement request and proposed resolution documents. Additional informational materials for this item are posted at <http://www.co.multnomah.or.us/cc/WeeklyAgendaPacket/>

If you wish to testify on this matter, please fill out a yellow sign up sheet located to your right as you enter the Boardroom and give it to me so I may call your name. Thank you and have a great day.

Deb Bogstad, Board Clerk
Multnomah County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, Oregon 97214-3587

9/13/2007

(503) 988-3277 phone

(503) 988-3013 fax

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

<http://www.co.multnomah.or.us/cc/index.shtml>

BOGSTAD Deborah L

From: Mail Delivery System [MAILER-DAEMON@mesd.k12.or.us]
Sent: Thursday, September 13, 2007 7:20 PM
To: BOGSTAD Deborah L
Subject: Undelivered Mail Returned to Sender



Delivery report.txt
(559 B)



Undelivered
message Headers.txt

This is the mail system at host mrelay-v1.mesd.k12.or.us.

I'm sorry to have to inform you that your message could not be delivered to one or more recipients. It's attached below.

For further assistance, please send mail to postmaster.

If you do so, please include this problem report. You can delete your own text from the attached returned message.

The mail system

<katie_larsel@parkrose.k12.or.us>: host
mail.parkrose.k12.or.us[198.236.112.249] said: 550
<katie_larsel@parkrose.k12.or.us>: User unknown in local recipient table
(in reply to RCPT TO command)

LIMITED TAX ABATEMENT PROGRAMS
Statutory and Code Compliance and Monitoring Requirements Summary Matrix*
September 19, 2007

(City Code) (State Statute)	New Single Family Housing Construction (3.102) (ORS 307.651)	Transit Oriented Development (3.103) (ORS 307.600-691)	New Multi-Family Housing (3.104) MORATORIUM* (ORS 307.600-691)
CURRENT CODE REQUIREMENTS EFFECTIVE	SEPTEMBER 6, 2002	DECEMBER 8, 2006	AUGUST 10, 2005
Monitoring Requirements	<u>RENTAL UNITS NOT ELIGIBLE</u> <u>OWNERSHIP PROJECTS</u> <ol style="list-style-type: none"> 1. Construction complete within 2 years of approval of application for determination of eligibility (ADE) 2. Initial buyer must submit income documentation and certify intent to occupy 3. Unit must sell at or below the maximum sale price allows by statute, as periodically adjusted. 4. Recording of a Subsequent Homebuyer Notice against the property. 5. Annual review of the tax rolls to determine whether ownership or occupancy may have changed. 6. Subsequent owners must be income qualified and occupy the property. 	<u>RENTAL PROJECTS</u> <ol style="list-style-type: none"> 1. Recording of an Extended Use Agreement (EUA) against the property. 2. Annual review for EUA compliance, including affordable rental requirements. 3. Annual review of financial information and PDC analysis of to-date Internal Rate of Return (IRR) 4. PDC final review of 10 year IRR. If it exceeds 10%, EUA must be extended OR owner must pay an Accrued Payment Liability (APL) payment. <u>OWNERSHIP PROJECTS</u> <ol style="list-style-type: none"> 1. Initial buyer must submit income documentation and certify intent to occupy 2. Unit must sell at or below the maximum sale price allows by statute, as periodically adjusted. 3. Recording of a Subsequent Homebuyer Notice against the property. 4. Annual review of the tax rolls to determine whether ownership or occupancy may have changed. 5. Subsequent owners must be income qualified and occupy the property. 	<u>RENTAL PROJECTS</u> <ol style="list-style-type: none"> 1. Recording of an Extended Use Agreement (EUA) against the property. 2. Annual review for EUA compliance, including affordable rental requirements. 3. Annual review of financial information and PDC analysis of to-date Internal Rate of Return (IRR) 4. PDC final review of 10 year IRR. If it exceeds 10%, EUA must be extended OR owner must pay an Accrued Payment Liability (APL) payment. 5. Owner must provide specific financial data in years 5, 9 and 2 years after the end of the abatement to allow Planning Bureau to evaluate the program. <u>OWNERSHIP PROJECTS</u> <ol style="list-style-type: none"> 1. Initial buyer must submit income documentation and certify intent to occupy 2. Unit must sell at or below the maximum sale price allows by statute, as periodically adjusted. 3. Recording of a Subsequent Homebuyer Notice against the property. 4. Annual review of the tax rolls to determine whether ownership or occupancy may have changed. 5. Subsequent owners must be income qualified and occupy the property.
Cause for Termination	<u>RENTAL PROJECTS NOT ELIGIBLE</u> <u>OWNERSHIP PROJECTS</u> <ol style="list-style-type: none"> 1. Work not completed by January 1, 2015, or within 2 years of approval of ADE 2. Property becomes non-owner occupied or is sold to an ineligible buyer. 3. Subsequent owners must be income qualified and occupy the property 4. Failure to comply with any code requirement. 	<u>RENTAL PROJECTS</u> <ol style="list-style-type: none"> 1. Work not complete by July 1, 2012 2. Failure to comply with any code requirement or the terms of the EUA. <u>OWNERSHIP PROJECTS</u> <ol style="list-style-type: none"> 1. Work not completed by July 1, 2012 2. Property becomes non-owner occupied or is sold to an ineligible buyer. 3. Subsequent owners must be income qualified and occupy the property 4. Failure to comply with any code requirement. 	<u>RENTAL PROJECTS</u> <ol style="list-style-type: none"> 1. Work not complete by July 1, 2012 2. Failure to comply with any code requirement or the terms of the EUA. <u>OWNERSHIP PROJECTS</u> <ol style="list-style-type: none"> 1. Work not completed by July 1, 2012 2. Property becomes non-owner occupied or is sold to an ineligible buyer. 3. Subsequent owners must be income qualified and occupy the property 4. Failure to comply with any code requirement.

LIMITED TAX ABATEMENT PROGRAMS
Statutory and Code Compliance and Monitoring Requirements Summary Matrix*
September 19, 2007

(City Code) (State Statute)	New Single Family Housing Construction (3.102) (ORS 307.651)	Transit Oriented Development (3.103) (ORS 307.600-691)	New Multi-Family Housing (3.104) MORATORIUM* (ORS 307.600-691)
PRIOR CODE REQUIREMENTS	PROJECTS APPROVED PRIOR TO SEPTEMBER 6, 2002	PROJECT APPROVED PRIOR TO DECEMBER 6, 2006	PROJECT APPROVED PRIOR TO AUGUST 10, 2005
Monitoring Requirements	<u>RENTAL and OWNERSHIP UNITS</u> 1. Construction complete within 2 years of approval of application for determination of eligibility (ADE) 2. Unit must sell at or below the maximum sale price allows by statute, as periodically adjusted.	<u>RENTAL PROJECTS</u> 1. Not required by Code or Statute; however all LTA properties with income restricted units are monitored according to PDC asset management requirements. Market rate units are not monitored. <u>OWNERSHIP PROJECTS</u> 1. Initial buyer must submit income documentation and certify intent to occupy 2. Unit must sell at or below the maximum sale price allows by statute, as periodically adjusted. 3. Annual review of the tax rolls to determine whether ownership or occupancy may have changed. 4. Subsequent owners must be income qualified and occupy the property.	<u>RENTAL PROJECTS</u> 1. Not required by Code or Statute; however all LTA properties with income restricted units are monitored according to PDC asset management requirements. Market rate units are not monitored. <u>OWNERSHIP PROJECTS</u> 1. Initial buyer must submit income documentation and certify intent to occupy 2. Unit must sell at or below the maximum sale price allows by statute, as periodically adjusted. 3. Annual review of the tax rolls to determine whether ownership or occupancy may have changed. 4. Subsequent owners must be income qualified and occupy the property.
Cause for Termination	<u>RENTAL and OWNERSHIP UNITS</u> 1. Work not completed by July 1, 2003, or within 2 years of approval of ADE 2. Failure to comply with any code requirement.	<u>RENTAL PROJECTS</u> 1. Work not complete by July 1, 2006 2. Failure to comply with any code requirement. <u>OWNERSHIP PROJECTS</u> 1. Work not completed by July 1, 2006 2. Property becomes non-owner occupied or is sold to an ineligible buyer. 3. Subsequent owners must be income qualified and occupy the property	<u>RENTAL PROJECTS</u> 1. Work not complete by July 1, 2006 2. Failure to comply with any code requirement. <u>OWNERSHIP PROJECTS</u> 1. Work not completed by July 1, 2006 2. Property becomes non-owner occupied or is sold to an ineligible buyer. 3. Subsequent owners must be income qualified and occupy the property

*For full details, refer to specific statute and code language.

Housing Units Built with TOD Tax Exemption from 1997 to September 2007

Condo Projects								
Year Built	Property Name	Property Address	Total Owner Units	Total Units with tax exemption	Expiration Date	PDC Loan #/ Asset Mnmt ID	City Res. #/ Adopted Date**	Last Review/Rating
	Gateway Condos	10345 NE Clackamas	24	24	6/30/09	None	35782 4/19/99	July/Aug 2007
	Center Commons	5827-5934 NE Hoyt	6	6	6/30/12	None	36091 7/31/02	July/Aug 2007
	Gateway Arbors	737 NE 99th Ave	22	22	6/30/12	None	36004 6/27/01	July/Aug 2007
	Gateway Arbors II	9817-9837 NE Irving	38	38	6/30/15	None	36202 3/10/04	July/Aug 2007
	Gateway Towers	400 NE 100th	42	No info	Recently Approved	None	36359 11/30/05	July/Aug 2007
	Ash Creek Condos	SE 119th and Ash St.	54	Under construction	Recently Approved	None	181055 6/13/07	Under Construction
Total Condos			186	90				

Rental Projects								
Year Built	Property Name	Property Address	Units	Rent Restricted or Market Rate	Expiration Date	PDC Loan #/ Asset Mnmt ID	City Res. #/ Adopted Date**	Current Compliance* Date/Rating
	Floyd Light	849-1031 SE 106th Ave.	51	21 units at 60% MFI 30 Market Rate	6/30/07	None ID - 00019	35665 8/3/05	2006 pending reivew
	Hazelwood Apartments	11933 NE Davis St.	120	36 at below 50% MFI 4 at 60% MFI 56 at 75% MFI	6/30/08	13563-97 ID - 00004	35652 11/12/97	Dec-06 Fair
	Brentwood/Slauson	100 SE 160th Ave.	51	11 units at 60% MFI 40 Market Rate	6/30/09	None ID # PENDING	35664 12/17/97	2006 data requested
	Russellville 1	10320 SE Pine	126	Market Rate	6/30/10	None ID - NA - Market Rate	35653 11/12/97	NA
	Center Village Apartments	5819 NE Glisan St	60	12 Units at 30% MFI 48 at 60% MFI	6/30/11	38143-00 ID - 00049	35791 5/12/99	2006 pending review
	Collins Circle	1704 SW Jefferson	124	52 units at 60% MFI 72 Market Rate	6/30/11	38178-99 ID - 00142	172274 4/15/98	Dec-06 Fair
	Bookmark Apartments	2034 W/ NE 40th Ave	47	19 units at 60% MFI 28 Market Rate	6/30/12	38246-01 38247-01 ID - 00140	35974	Oct-05 Fair
	Raven Apartments	340 SE 148TH Ave	36	14 units at 50% MFI 22 units at 80% MFI	6/30/14	None ID - # PENDING	36168 9/17/03	2006 data requested
	Burnside Station	10610 E Burnside St	25	5 at or below 60% MFI	6/30/15	None ID - 10466	36177 10/29/03	2006 pending review
	Gateway Plaza	9920-9950 NE Glisan St	48	Market Rate	6/30/15	None ID - NA - Market Rate	36013 9/13/06	NA
	Russellville 2	10420 E Burnside St	154	Market Rate	6/30/15	None ID - NA - Market Rate	36086 7/17/02	NA
	Ventura Apartments	12210 E Burnside	54	Market Rate	6/30/16	None ID - NA - Market Rate	36203 3/10/04	NA
Total Properties = 12 Total Units =			897					
Rent-restricted Properties = 8 Units =			324	36%				
Market Rate Properties = 4 Units =			673	64%				

*Projects that are monitored by PDC are reviewed annually for compliance, and physically inspected every three years.
**Projects are monitored according to the City Code in force when City Council Resolution was adopted. Code last changed December 8, 2006.

Housing Units Built With the New Multiple Unit Housing (NMUH) Tax Exemption

Condo Projects

Year Built	Property Name	Property Address	Total Owner Units	Total Units with tax exemption	Expiration Date	PDC Loan #/ Asset Mnmt ID	City Res. #/ Adopted Date**	Last Review/Rating
1999	ARBOR VISTA CONDOMINIUMS	2024 SW HOWARD STREET	27	9	2009	None	172233 5/6/98	July/Aug 2007
2000	COOPER STREET BUNGALOWS	8024-8038 SE Cooper St.	12	12	2011	None	173954 12/1/99	July/Aug 2007
2001	CORNERSTONE CONDOS*	1134 SW JEFFERSON	42	40	2011	None	174744 7/26/00	July/Aug 2007
2001	CASCADIAN CONDOMINIUMS	531 NE HOLLADAY ST	59	21	2012	None	176140 12/19/01	July/Aug 2007
2001	OLD TOWN LOFTS	411 NW FLANDERS	60	28	2012	None	175851 8/22/01	July/Aug 2007
2001	STREETCAR LOFTS	1030 NW 12TH AVE	134	13	2012	None	175047 11/8/00	July/Aug 2007
Total (Not all units qualify)			322	123				

Rental Projects

Year Built	Property Name	Property Address	Units	Rent Restricted or Market Rate Units	Expiration Date	PDC Loan #/ Asset Mnmt ID	City Res. #/ Adopted Date**	Current Compliance* Date/Rating
1997	MLK-Wygant Apts. (rental)	4606 NE MLK Blvd.	38	25 at 60% MFI 13 Market Rate	2008	13509-97 13570-97 13569-97 ID - 00009	170841 1/15/97	Dec-05 Fair 2006 pending review
1998	WESTSHORE APARTMENTS	222 SW PINE ST	113	113 at 50% MFI	2008	22039-95 38494-06 22004-90 13524-97 ID - 00003	170447 8/7/96	Dec-05 Good 2006 pending review
1998	STADIUM STATION APTS.	737 SW 17TH AVE	115	115 at 60% MFI	2008	38009-97 ID - 00016	170823 1/8/97	Dec-05 Fair 2006 pending review
1998	WEBB PLAZA	1401-1423 SW ALDER ST	39	3 at 60% MFI	2009	None ID - 00034	169450 11/1/95	NA
1999	VILLAGE AT LOVEJOY FOUNTAIN (Fountain)	245 SW LINCOLN ST	198	40 at 50% MFI	2009	13576-98 ID - 00031	170999 3/19/97	Dec-06 Good
1999	CORNERSTONE (LLOYD)	1425 NE 7TH AVE	116	24 at 80% MFI	2010	None ID - # PENDING	171203 5/28/97	2006 data requested
1999	FIFTH AVENUE COURT APT	221 NW 5TH AVE	96	48 at 60% MFI	2010	38081-99 13574-97 ID - 00038	171776 11/19/97	Nov-05 2006 data requested
1999	FIFTH AVENUE COMMONS	302-314 NW 5TH AVE	70	70 at 60% MFI	2009	22040-95 13575-98 13679-97 22037-94 ID - 00039	171441 7/30/97	Dec-06 Good
2000	KEARNEY PLAZA (Block 4 LLC)	1102 NW Lovejoy	131	Market Rate	2011	None NA - Market Rate	172607 8/19/98	NA
2002	UNION STATION YARDS, PHASE B	707-729 NW NAITO PARKWAY	321	130 at 60% MFI	2013	38114-99 ID - 00072	170139 5/22/96	Dec-06 Fair
2003	UNION STATION YARDS, PHASE S	901 NW Naito	56	10 at 80% MFI	2013	38304-02 ID - 10027	175502 4/25/01	Dec-06 Fair
2003	MUSEUM PLACE SOUTH	1010 SW Jefferson St.	140	28 at 50% MFI	2014	38289-02 38276-02 ID - 10216	175850 8/22/01	Dec-06 Good
2003	PACIFIC TOWER	333 NW 4TH AVENUE	156	17 at 30% MFI 139 at 60% MFI	2014	38181-00 38305-02 38284-02 ID - 00156	176046 11/7/01	Dec-05 Fair 2006 pending review
2004	MULTNOMAH STREET (The Merrick)	1231 NE M L KING BLVD	178	Market Rate	2015	None NA - Market Rate	176959 10/9/02	NA
2004	HOYT STREET APTS	925 NW Hoyt	175	Market Rate	2015	None NA - Market Rate	176958 10/9/02	NA
2004	STATION PLACE	1020 NW 9th	176	76 at 30% MFI 81 at 50% MFI 19 at 80% MFI	2015	38209-00 38329-03 38328-03 ID - 10070	177450 5/7/03	Dec-06 Good
2004	BURLINGTON TOWER (Pearl Block)	900 NW Lovejoy	163	Market Rate	2015	None NA - Market Rate	177152 12/18/02	NA
2005	THE LOUISA (Brewery Block 5)	1202 NW Davis	242	24 at 80% MFI	2016	None ID - 10374	177469 5/14/03	2006 data requested
2005	BLOCK 14 (The Sitka)	1230 NW 12th	210	72 at 50% MFI 126 at 60% MFI 12 Market Rate	2016	38388-04 38387-04 38356-04 38346-03 ID - 10373-B	178579 7/7/04	Dec-06 Good
Total Properties = 19 Total Units =			2733					
Rent-restricted Properties = 15 Units =			2,061	75%				
Market Rate Properties = 4 Units =			672	25%				

*Projects that are monitored by PDC are reviewed annually for compliance, and physically inspected every three years.
**Projects are monitored according to the City Code in force when City Council Resolution was adopted. Code last changed August 10, 2005.

Tax Impact By Year of Selected Exemption Programs

Shows exempted value coming back onto tax rolls each year as if programs were allowed to expire; years are not cumulative; no assumptions were made about changes over time to tax rates and Changed Property Ratio (CPR).

Version A: ET 44 not renewed	CURRENT YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR	
	2007 ***		2008		2009		2010		2011		2012		2013		2014		2015		2016		2017	
	Total Exempt RMV	# in Program	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#
Program																						
ET22 Core Area Multi-Unit	393,013,270	193	16,486,040	3	33,255,380	21	27,098,160	15	57,122,430	48	13,372,750	89	35,078,820	4	50,370,540	2	92,825,990	6	67,403,160	3	--	--
ET23 Residential Rehabilitation	14,192,360	90	1,506,880	12	405,210	5	8,796,270	16	634,590	9	754,220	6	800,230	11	316,170	7	671,830	11	207,620	5	99,340	8
ET37/ET47 Single Unit Housing	234,977,890	2,066	10,086,120	105	23,196,960	252	19,194,780	202	19,120,290	187	31,865,050	317	36,914,530	341	26,587,190	234	15,445,720	102	20,753,950	119	31,813,300	182
ET44 COP Low Income Housing *	543,132,800	582	543,132,800	582	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
ET55 Transit Oriented Development (Portland)	106,438,960	128	11,119,920	1	15,115,930	26	10,575,550	2	27,022,020	3	9,056,580	45	--	--	1,950,240	1	27,795,300	47	3,803,420	2	--	--
Total Exempt Market Value	\$ 1,291,755,280		\$ 582,331,760		\$ 71,973,480		\$ 65,664,760		\$ 103,899,330		\$ 55,048,600		\$ 72,793,580		\$ 79,224,140		\$ 136,738,840		\$ 92,168,150		\$ 31,912,640	
Current Changed Property Ratio (2007 CPR) **			0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159	
Estimated Taxable Value Returned to Roll			\$300,424,955		\$37,131,118		\$33,876,450		\$53,601,664		\$28,399,573		\$37,554,208		\$40,871,734		\$70,543,568		\$47,549,549		\$16,463,731	
Typical Tax Rate (\$20.00 per \$1,000 of value)			0.02		0.02		0.02		0.02		0.02		0.02		0.02		0.02		0.02		0.02	
Estimated Total Taxes Returned to Roll			\$6,008,499		\$742,622		\$677,529		\$1,072,033		\$567,991		\$751,084		\$817,435		\$1,410,871		\$950,991		\$329,275	
Typical Tax Rate For County Only (\$4.90)			0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049	
Estimated County Taxes Returned to Roll			\$1,472,082		\$181,942		\$165,995		\$262,648		\$139,158		\$184,016		\$200,271		\$345,663		\$232,993		\$80,672	

* ET44 COP Low Income Housing: Must file annually to renew exemption.

** The CPR reflects the estimated portion of RMV that may be taxable under Measure 50; the 2007 CPR as a percentage is 51.59%.

*** Data is uncertified and may be incomplete

09.19.07
Amendment

Tax Impact By Year of Selected Exemption Programs

Shows exempted value coming back onto tax rolls each year as if programs were allowed to expire; years are not cumulative; no assumptions were made about changes over time to tax rates and Changed Property Ratio (CPR).

Version B: ET44 renewed	CURRENT YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR	
	2007 ***		2008		2009		2010		2011		2012		2013		2014		2015		2016		2017	
	Total Exempt RMV	# in Program	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#
Program																						
ET22 Core Area Multi-Unit	393,013,270	193	16,486,040	3	33,255,380	21	27,098,160	15	57,122,430	48	13,372,750	89	35,078,820	4	50,370,540	2	92,825,990	6	67,403,160	3	--	--
ET23 Residential Rehabilitation	14,192,360	90	1,506,880	12	405,210	5	8,796,270	16	634,590	9	754,220	6	800,230	11	316,170	7	671,830	11	207,620	5	99,340	8
ET37/ET47 Single Unit Housing	234,977,890	2,066	10,086,120	105	23,196,960	252	19,194,780	202	19,120,290	187	31,865,050	317	36,914,530	341	26,587,190	234	15,445,720	102	20,753,950	119	31,813,300	182
ET44 COP Low Income Housing *	543,132,800	582			--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
ET55 Transit Oriented Development (Portland)	106,438,960	128	11,119,920	1	15,115,930	26	10,575,550	2	27,022,020	3	9,056,580	45	--	--	1,950,240	1	27,795,300	47	3,803,420	2	--	--
Total Exempt Market Value	\$ 1,291,755,280		\$ 39,198,960		\$ 71,973,480		\$ 65,664,760		\$ 103,899,330		\$ 55,048,600		\$ 72,793,580		\$ 79,224,140		\$ 136,738,840		\$ 92,168,150		\$ 31,912,640	
Current Changed Property Ratio (2007 CPR) **			0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159	
Estimated Taxable Value Returned to Roll			\$20,222,743		\$37,131,118		\$33,876,450		\$53,601,664		\$28,399,573		\$37,554,208		\$40,871,734		\$70,543,568		\$47,549,549		\$16,463,731	
Typical Tax Rate (\$20.00 per \$1,000 of value)			0.02		0.02		0.02		0.02		0.02		0.02		0.02		0.02		0.02		0.02	
Estimated Total Taxes Returned to Roll			\$404,455		\$742,622		\$677,529		\$1,072,033		\$567,991		\$751,084		\$817,435		\$1,410,871		\$950,991		\$329,275	
Typical Tax Rate For County Only (\$4.90)			0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049	
Estimated County Taxes Returned to Roll			\$99,091		\$181,942		\$165,995		\$262,648		\$139,158		\$184,016		\$200,271		\$345,663		\$232,993		\$80,672	

* ET44 COP Low Income Housing: Must file annually to renew exemption.

** The CPR reflects the estimated portion of RMV that may be taxable under Measure 50; the 2007 CPR as a percentage is 51.59%.

*** Data is uncertified and may be incomplete

Tax Impact By Year of Selected Exemption Programs

Shows exempted value coming back onto tax rolls each year as if programs were allowed to expire; years are not cumulative; no assumptions were made about changes over time to tax rates and Changed Property Ratio (CPR).

Version A: ET 44 not renewed Program	CURRENT YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR	
	2007 ***		2008		2009		2010		2011		2012		2013		2014		2015		2016		2017	
	Total Exempt RMV	# in Program	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#
ET22 Core Area Multi-Unit	393,013,270	193	16,486,040	3	33,255,380	21	27,098,160	15	57,122,430	48	13,372,750	89	35,078,820	4	50,370,540	2	92,825,990	6	67,403,160	3	--	--
ET23 Residential Rehabilitation	14,192,360	90	1,506,880	12	405,210	5	8,796,270	16	634,590	9	754,220	6	800,230	11	316,170	7	671,830	11	207,620	5	99,340	8
ET37/ET47 Single Unit Housing	234,977,890	2,066	10,086,120	105	23,196,960	252	19,194,780	202	19,120,290	187	31,865,050	317	36,914,530	341	26,587,190	234	15,445,720	102	20,753,950	119	31,813,300	182
ET44 COP Low Income Housing *	543,132,800	582	543,132,800	582	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
ET55 Transit Oriented Development (Portland)	106,438,960	128	11,119,920	1	15,115,930	26	10,575,550	2	27,022,020	3	9,056,580	45	--	--	1,950,240	1	27,795,300	47	3,803,420	2	--	--
Total Exempt Market Value	\$ 1,291,755,280		\$ 582,331,760		\$ 71,973,480		\$ 65,664,760		\$ 103,899,330		\$ 55,048,600		\$ 72,793,580		\$ 79,224,140		\$ 136,738,840		\$ 92,168,150		\$ 31,912,640	
Current Changed Property Ratio (2007 CPR) **			0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159	
Estimated Taxable Value Returned to Roll			\$300,424,955		\$37,131,118		\$33,876,450		\$53,601,664		\$28,399,573		\$37,554,208		\$40,871,734		\$70,543,568		\$47,549,549		\$16,463,731	
Typical Tax Rate (\$20.00 per \$1,000 of value)			0.02		0.02		0.02		0.02		0.02		0.02		0.02		0.02		0.02		0.02	
Estimated Total Taxes Returned to Roll			\$6,008,499		\$742,622		\$677,529		\$1,072,033		\$567,991		\$751,084		\$817,435		\$1,410,871		\$950,991		\$329,275	
Typical Tax Rate For County Only (\$4.90)			0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049	
Estimated County Taxes Returned to Roll			\$1,472,082		\$181,942		\$165,995		\$262,648		\$139,158		\$184,016		\$200,271		\$345,663		\$232,993		\$80,672	

* ET44 COP Low Income Housing: Must file annually to renew exemption.

** The CPR reflects the estimated portion of RMV that may be taxable under Measure 50; the 2007 CPR as a percentage is 51.59%.

*** Data is uncertified and may be incomplete

9/20/07
Amendment

Tax Impact By Year of Selected Exemption Programs

Shows exempted value coming back onto tax rolls each year as if all programs were allowed to expire (except the non-profit Low Income ET44); years are not cumulative; no assumptions were made about changes over time to tax rates and Changed Property Ratio (CPR).

Version B: ET44 renewed	CURRENT YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR		EXPIRATION YEAR	
	2007 ***		2008		2009		2010		2011		2012		2013		2014		2015		2016		2017	
	Total Exempt RMV	# in Program	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#	Exempt RMV	#
ET22 Core Area Multi-Unit	393,013,270	193	16,486,040	3	33,255,380	21	27,098,160	15	57,122,430	48	13,372,750	89	35,078,820	4	50,370,540	2	92,825,990	6	67,403,160	3	--	--
ET23 Residential Rehabilitation	14,192,360	90	1,506,880	12	405,210	5	8,796,270	16	634,590	9	754,220	6	800,230	11	316,170	7	671,830	11	207,620	5	99,340	8
ET37/ET47 Single Unit Housing	234,977,890	2,066	10,086,120	105	23,196,960	252	19,194,780	202	19,120,290	187	31,865,050	317	36,914,530	341	26,587,190	234	15,445,720	102	20,753,950	119	31,813,300	182
ET44 COP Low Income Housing *	543,132,800	582			--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
ET55 Transit Oriented Development (Portland)	106,438,960	128	11,119,920	1	15,115,930	26	10,575,550	2	27,022,020	3	9,056,580	45	--	--	1,950,240	1	27,795,300	47	3,803,420	2	--	--
Total Exempt Market Value	\$ 1,291,755,280		\$ 39,198,960		\$ 71,973,480		\$ 65,664,760		\$ 103,899,330		\$ 55,048,600		\$ 72,793,580		\$ 79,224,140		\$ 136,738,840		\$ 92,168,150		\$ 31,912,640	
Current Changed Property Ratio (2007 CPR) **			0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159		0.5159	
Estimated Taxable Value Returned to Roll			\$20,222,743		\$37,131,118		\$33,876,450		\$53,601,664		\$28,399,573		\$37,554,208		\$40,871,734		\$70,543,568		\$47,549,549		\$16,463,731	
Typical Tax Rate (\$20.00 per \$1,000 of value)			0.02		0.02		0.02		0.02		0.02		0.02		0.02		0.02		0.02		0.02	
Estimated Total Taxes Returned to Roll			\$404,455		\$742,622		\$677,529		\$1,072,033		\$567,991		\$751,084		\$817,435		\$1,410,871		\$950,991		\$329,275	
Typical Tax Rate For County Only (\$4.90)			0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049		0.0049	
Estimated County Taxes Returned to Roll			\$99,091		\$181,942		\$165,995		\$262,648		\$139,158		\$184,016		\$200,271		\$345,663		\$232,993		\$80,672	

* ET44 COP Low Income Housing: Must file annually to renew exemption.
 ** The CPR reflects the estimated portion of RMV that may be taxable under Measure 50; the 2007 CPR as a percentage is 51.59%.
 *** Data is uncertified and may be incomplete

#1

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 9/20/07

SUBJECT: Resolution on City's Tax Exemption Programs

AGENDA NUMBER OR TOPIC: R-9

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Heidi Franklin

ADDRESS: Portland Public Schools 501 N. Dixon St

CITY/STATE/ZIP: Portland OR 97227

PHONE: DAYS: 916-3218 EVES: _____

EMAIL: hfranklin@pps.k12.or.us FAX: 503-916-2123

SPECIFIC ISSUE: _____

support by PPS
WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#2

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 9/20/07

SUBJECT: Limited Tax Abatement

AGENDA NUMBER OR TOPIC: R-9

FOR: ✓ keep program for non profits AGAINST: THE ABOVE AGENDA ITEM

NAME: John Miller

ADDRESS: HOST/CDN 3835 NE Hancock St

CITY/STATE/ZIP: Port. OR. 97212

PHONE: DAYS: 503 3311752 EVES: —

EMAIL: john@hostdevelopment.com FAX: —

SPECIFIC ISSUE: LTA Program

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#3

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 9/20/07

SUBJECT: Limited Tax Abatement

AGENDA NUMBER OR TOPIC: R-9

FOR: ✓ Keeping program for non profits AGAINST: THE ABOVE AGENDA ITEM

NAME: Traci Manning

ADDRESS: Central City Concern, 232 NW 6th

CITY/STATE/ZIP: PHd 97209

PHONE: DAYS: 503-525-8483

EVES:

EMAIL: tmanning@centralcityconcern.org FAX:

SPECIFIC ISSUE: Tax abatement a crucial tool for serving
lowest income, most vulnerable population

WRITTEN TESTIMONY:

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#4

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk
This form is a public record

MEETING DATE: 9-20-07

SUBJECT: TAX ABATEMENT - SINGLE FAMILY HOME

AGENDA NUMBER OR TOPIC: R-9

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: JIM McCULLY - HBA METRO PORTLAND

ADDRESS: 15555 BAWBY RD

CITY/STATE/ZIP: LAKE OSWEGO - OR - 97035

PHONE: DAYS: (503) 684-1880

EVES: 971-219-5963

EMAIL: JIMMC@HBAPDX

FAX: _____

SPECIFIC ISSUE: TAX ABATEMENT

WRITTEN TESTIMONY: NO

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#5

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 9/20/07
SUBJECT: Limited Tax Abatement

AGENDA NUMBER OR TOPIC: R-9

FOR: ✓ keeping the program AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Arlson Handler

ADDRESS: PCLT - 3109 NE Broadway

CITY/STATE/ZIP: Pdx OR

PHONE: _____ DAYS: _____ EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: LTA - please keep this program in place for affordable homeownership

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#6

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 9/20/07

SUBJECT: Limited Tax Abatements

AGENDA NUMBER OR TOPIC: R-9

FOR: ☒ For keeping program for non profits AGAINST: ☐ THE ABOVE AGENDA ITEM

NAME: Michael Anderson

ADDRESS: CDN 12627 NE MLK Jr Blvd

CITY/STATE/ZIP: PDx OR 97212

PHONE: DAYS: 335-9884 EVES: 577-5124

EMAIL: mike@cdnportland.org FAX: _____

SPECIFIC ISSUE: Tax abatements for non profit key
to serving housing needs of lowest income

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#7

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 9/20/07

SUBJECT: Single Family New Construction
Tax Abatement Program

AGENDA NUMBER OR TOPIC: R-9

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Steve Rudman

ADDRESS: 135 SW Ash St.

CITY/STATE/ZIP: Portland, OR 97204

PHONE: _____ DAYS: 503 802 8504 EVES: _____

EMAIL: stewer@hapdx.org FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: yes - attached
also will speak

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.



EXECUTIVE OFFICE

Board of Commissioners

Jeff Bachrach
Chair

Lee Moore
Vice Chair

Catherine Such
Treasurer

Harriet Cormack

Richard Fernández

Chris Lassen

Nathan Teske

Gavin Thayer

Executive Director

Steve Rudman

HOUSING AUTHORITY OF PORTLAND

135 S.W. Ash Street
Portland, OR 97204

Tel 503.802.8300

Fax 503.802.8312

www.hapdx.org



Multnomah County Board of Commissioners Regular Meeting September 20, 2007

Testimony on the Single Family New Construction Tax Abatement Program

Good morning. I am Steve Rudman, Executive Director for the Housing Authority of Portland. I want to thank the Multnomah County Board of Commissioners for this opportunity to testify this morning on behalf of the City of Portland's Single Family New Construction tax abatement program. I want to also commend the Board of Commissioners for their commitment to ensuring that valuable tax dollars are being used wisely and in support of local and regional priorities. This includes the development of affordable housing for low- and moderate-income households.

The Housing Authority of Portland is the largest rental housing provider in the state. We serve over 14,000 low-income households. We work daily to ensure that these households have safe, decent housing as well as access to a variety of programs focused on helping our families to work towards self-sufficiency. One example is HAP's GOALS Program, which provides job training and education opportunities in addition to homebuyer preparation. Homeownership is a goal for many of our families as they move along the housing continuum. To date, HAP has assisted over 200 households to become homeowners.

Another way that HAP has directly assisted in the creation of homeownership opportunities has been with the two HOPE VI Redevelopments, New Columbia and Humboldt Gardens. New Columbia will wrap up at the end of this year with the completion of 228 for sale homes. Humboldt Garden's has a much smaller homeownership program but at completion in 2009 this project will have contributed 21 very affordable for-sale homes.

At New Columbia, the Single Family New Construction program has played a significant role in the project's success. From the project's inception, HAP prioritized the need to create for-sale homes that would be available to first-time homebuyers including HAP clients and residents of the surrounding neighborhoods. HAP worked actively to ensure that the homebuilders connected with these potential homebuyers who are primarily working families with children, many households of color. The Single Family program was key in giving these first-time homebuyers additional buying power in a highly appreciated market making their purchase of a home possible.

Property taxes without any abatement are approximately \$2500 per year. This translates to about \$200 a month. With the single-family abatement program, the monthly tax bill is reduced to approximately \$60 per month. The \$140 per month tax savings translates into almost \$23,000 more buying power. For hard working low- and moderate-income households struggling to afford a home, this has a huge impact.

To give you a sense of how many households were able to utilize this valuable program here is a picture of who purchased at New Columbia:

- 87% of homebuyers earned 100% median family income and below
- 34% of the homebuyers earned 80% median family income and below

Who are these homebuyers?

- 73% are first-time homebuyers.
- 44% moved from North and Northeast Portland.
- 44% are households of color.
- 48% have children that are school age or soon will be.

We all agree that we need to create homeownership opportunities that keep households with children in our neighborhoods while assisting with closing the minority homeownership gap and keeping our neighborhoods economically diverse. The Single Family New Construction tax abatement programs should not be viewed as wasting precious resources but as an investment in the health and stability of our community.

#8

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk
This form is a public record

MEETING DATE: 9/20/07

SUBJECT: PROPERTY TAX ABATEMENT
-SINGLE FAMILY

AGENDA NUMBER OR TOPIC: R-9

FOR: ☒ AGAINST: ☐ THE ABOVE AGENDA ITEM

NAME: TOM WALSH

ADDRESS: 1100 NW OLISAN ST.

CITY/STATE/ZIP: PORTLAND, OR 97209

PHONE: DAYS: 503-973-5001 EVES: 503-724-5829

EMAIL: partners@tomwalsh.com FAX: 503-973-5009

SPECIFIC ISSUE: SUPPORT CONTINUATION OF LTA

WRITTEN TESTIMONY: NO

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#9

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 9/20/07

SUBJECT: Tax Abatement

AGENDA NUMBER OR TOPIC: R-9

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Cervald R Engler

ADDRESS: 1975 SW 7th Ave Ste 1A

CITY/STATE/ZIP: PHX 97201

PHONE: _____ DAYS: 503-227-0440 EVES: _____

EMAIL: GerryEngler@GLC FAX: _____

SPECIFIC ISSUE: Renewal of Program

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#10

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

*****This form is a public record*****

MEETING DATE: 9/20/07

SUBJECT: Exemption

AGENDA NUMBER OR TOPIC: R-9

FOR: ☒ AGAINST: ☐ THE ABOVE AGENDA ITEM

NAME: HARRY SCHMACHER

ADDRESS: P.O. Box 66207

CITY/STATE/ZIP: PORTLAND OR 97290

PHONE: DAYS: 756-7335 EVES:

EMAIL: FAX:

SPECIFIC ISSUE:

WRITTEN TESTIMONY:

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#11

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 9-20-07

SUBJECT: Tax abatement

AGENDA NUMBER OR TOPIC: R-9

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Steve Hankins

ADDRESS: P.O. Box 477

CITY/STATE/ZIP: Boring OR

PHONE: _____ DAYS: 503-317-4111

EVES: _____

EMAIL: _____

FAX: 503-658-33826

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#12

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 9/20/07

SUBJECT: ~~Agenda Item~~ Tax Abatement

AGENDA NUMBER OR TOPIC: R-9

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Jeff Fish

ADDRESS: 1834 SW 58th #102

CITY/STATE/ZIP: PORT. 97221

PHONE: _____ DAYS: 292-9891 EVES: _____

EMAIL: Jeff @ Fish Construction NW.com FAX: 292-5801

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 07-153

Memorializing Action on the City of Portland's Requests for Tax Exemption Programs Administred by the Portland Development Commission and the City of Portland Bureau of Planning

The Multnomah County Board of Commissioners Finds:

- a. By Board Resolution 07-129, on June 28, 2007, the Multnomah County Board of Commissioners authorized properties eligible to receive property tax abatements for the 2007-08 tax year under the single-unit housing program, the rehabilitated residential property program, the transit supportive multiple-unit housing program, the multi-unit housing program/core area (low income only), and the nonprofit corporation low income housing program to continue to receive abatements for the full period authorized by statute. The Board further resolved that abatement of Multnomah County's share for properties where applications are submitted for subsequent tax years required explicit authorization from the Board.
- b. The County's mission is directly served by the provision of low-income housing and homeownership throughout the county to assist clients of County services and the general public. It is in the best interest of the County to authorize participation in programs that directly serve that population.
- c. The single-unit housing program was authorized by the State Legislature under ORS 458.005 to .065 from 1989 to 2003, and was reauthorized in 2005 under ORS 307.651 to .687, until July 1, 2015. This program allows cities and counties to provide a property tax exemption for up to 10 years to stimulate the construction of affordable new single-unit housing in distressed areas, to promote residential infill development on vacant or underutilized lots, to encourage homeownership and to reverse declining property values. Last year, the program exempted \$64,910 in County taxes and \$268,704 in taxes for all local jurisdictions in Multnomah County for 185 homes. In addition, there are approximately 161 homes that will be exempt beginning in 2007-08 and approximately 200 applications pending for exemptions to begin in the 2008-09 tax year. (The 2008-09 tax year is for taxes assessed and collected in the year July 1, 2008 to June 30, 2009). The Portland Development Commission (PDC) only accepts applications in the single unit housing program where the sale is the initial sale of a new unit by a builder or developer to an eligible buyer. After January 1, 2008, the single unit housing program will only accept applications prior to the final approval of the building permit on the structure.

- d. The nonprofit corporation low income housing program is authorized by ORS 307.540 - .548 to enable cities and counties to provide an exemption for low-income housing owned, leased or managed by eligible nonprofit organizations, until July 1, 2014. The City of Portland adopted this program in 1985. The exemption is intended to benefit low-income renters. The program currently has 600 properties that include over 7,000 units, with either a partial or full exemption, and abates \$1,091,737 in County taxes each year and \$4,535,516 in the taxes of all local jurisdictions annually.
- e. The multi-unit housing program/ core area housing is authorized by ORS 307.600-.637 to enable cities and counties to stimulate the construction of transit supportive multiple-unit housing in the core areas of urban centers. The City of Portland adopted this program. There must be a minimum of 10 units and projects of more than 15 rental units must have 15% of units for incomes of 80% of median income or less. Where units are for sale, the price must not exceed 95% of FHA mortgage maximum and household income of the purchaser must be less than 100% of median income for a family of four. Finally, the applicant must demonstrate the exemption is required to make the project feasible. The program currently has 192 current properties and exempts \$1,020,473 in County taxes annually and \$4,192,197 in taxes for all local jurisdictions each year. Three applications were processed for 2006/07 and none for 2007/08. The City of Portland has placed a moratorium on this program except for projects which are 100 percent low income (60 percent or below M.F.I.), and is evaluating their future participation.
- f. The State Legislature amended ORS 307.600 to .637 in 1995 to enable cities and counties to provide a property tax exemption for up to 10 years to promote private investment in transit supportive multiple-unit housing in light rail stations areas and transit oriented areas and to attract new development of multiple-unit housing and commercial and retail property in areas located within a light rail station area or transit oriented area. The City adopted the transit oriented development (TOD) program in 1996 to support the development of the metro regional light rail system and other public transit facilities. Multnomah County passed a resolution agreeing to the program in 1996. There must be a minimum of 10 units and projects of more than 15 units must meet affordability requirements. In addition, when the Board approved this program in November, 1996, it specified that the program provide "additional services at housing sites addressing needs of tenants and occupants, such as child care" and "the ability to monitor and review the program's progress towards these objectives". The City of Portland program currently has 126 properties resulting in \$277,994 in County taxes abated and \$1,201,557 in taxes abated for all local jurisdictions. Two applications were processed for 2006/07 one for 2007/08.

The Multnomah County Board of Commissioners Resolves:

1. Qualifying properties eligible to receive property tax abatements under the single-unit housing program, the nonprofit corporation low income housing program, the multi-unit housing program/ core area housing (limited solely to 100% low income projects), and the multi-family transit oriented program based on applications received during the 2007 calendar year are authorized to receive the abatements for the corresponding statutory abatement period beginning in the 2008/09 tax year.
2. The nonprofit corporation low income housing program is authorized until its statutory sunset date in 2014.
3. The multi-unit housing program/ core area housing (which is currently limited solely to low income projects) is authorized until its statutory sunset date of 2012. If the City of Portland decides to remove or change its current limitations regarding income levels, additional approvals will be required by the County before County taxes can be abated.
4. The multi-family transit oriented program is authorized until its statutory sunset date of 2012.
5. The single-unit housing program is authorized until its statutory sunset date of 2015.
6. During 2008, the City of Portland and Multnomah County will discuss measures that could modify these programs to focus on benefits on low income residents of the County. The City will convene those joint sessions and invite representatives from impacted education districts. The initial focus will be on the Single Unit Housing Program. Key topics regarding the single unit program should include a discussion of maximum eligible home price, whether income should be adjusted by household size, geographic emphasis for the program, and the timing and accepting of applications. Subsequent sessions will examine the policy objectives associated with the limited tax abatement programs to determine whether existing programs need to be removed, re-engineered, or new ones created to better meet the shared objectives and core mission of the City of Portland and Multnomah County.
7. Decisions on the County's participation in the owner occupied rehabilitation program and the rental rehabilitation tax abatement programs will be made after a review by City, PDC, and County staff on program benefits, administration and implementation. A recommendation from the City is expected by November 1, 2007.

8. The City of Portland/ PDC agree to provide annual reports on the programs to the Board of County Commissioners. These reports shall occur on or before November 1 of each year beginning in 2008. Information shall include:
- (a) The outcomes for each program relative to their policy goals and objectives.
 - (b) Results of monitoring and compliance efforts to insure properties continue to qualify for abatement. Compliance reporting will include an annual compliance certification officially signed off by the Executive Director of the Portland Development Commission and the Director of the Bureau of Planning.
 - (c) How potential shifts in geographic areas serves or other policy changes impact the County's core mission of serving low income families and individuals.
9. The Board also requests that the City and PDC work collaboratively with Multnomah County in the next state legislative session to clarify the state statutes governing these programs. Specifically, the City and County should cooperate on proposals that will increase the supply of affordable housing for low income residents.
10. The Board will provide notice and an invitation to testify to all impacted jurisdictions concerning actions the Board is considering that would result in the abatement of taxes of another jurisdiction.

ADOPTED this 20th day of September 2007.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 

John S. Thomas, Deputy County Attorney

SUBMITTED BY:

Ted Wheeler, Multnomah County Chair

Page 4 of 4 - Resolution 07-153 Memorializing Action on the City of Portland's Requests for Tax Exemption Programs Administred by the Portland Development Commission



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-10 DATE 9/20/07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: R-10
Est. Start Time: 10:45 AM
Date Submitted: 09/11/07

BUDGET MODIFICATION: DCJ - 05

Agenda Title: Budget Modification DCJ-05 Authorizing Transfer of the Court Appearance Notification System Budget of \$59,332 from the Local Public Safety Coordinating Council to the Department of Community Justice; and Approving a General Fund Contingency Appropriation of \$97,538 to Fund Phase 1 of the Court Appearance Notification System

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

Requested Meeting Date:	<u>September 20, 2007</u>	Amount of Time Needed:	<u>45 minutes</u>
Department:	<u>Dept. of Community Justice</u>	Division:	<u>Adult Services Division</u>
Contact(s):	<u>Shaun Coldwell</u>		
Phone:	<u>503-988-3961</u>	Ext.	<u>83961</u>
	I/O Address:		<u>503 / 250</u>
Presenter(s):	<u>Lori Eville and Matt O'Keefe</u>		

General Information

1. What action are you requesting from the Board?

The Department of Community Justice (DCJ) requests approval of a budget modification to transfer \$59,332 of General Fund out of LPSCC and \$97,538 out of General Fund Contingency for a total of \$156,870 in order to implement Phase 1 of the CANS expansion.

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

This budget modification is in response to a budget note in the FY 2008 adopted budget which earmarked \$240,000 in General Fund Contingency for the expansion of CANS and shifts the administration of the project from LPSCC to DCJ.

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

This budget modification includes expenditures covering the period July 1, 2007 through June 30,

2008. This project is expected to be on-going and included in DCJ's FY 2009 budget.

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

The CANS initiative is designed to reduce the number of cases in which defendants fail to appear (FTA) for their court dates. Approximately 30% of all Multnomah County cases have at least one FTA. These FTAs clog the justice system with additional warrants, bookings and delayed court proceedings, which result in substantial costs, both in staff time and financial resources:

- Warrants lead to subsequent arrest, booking and jailing of low-level offenders unnecessarily using jail beds.
- Research has found that those with FTA's are twice as likely to go to jail compared to those with the same charges who show up — and they spend nearly twice as much time in jail.

CANS is an innovative program that began operating in May 2005, which reduces the incidence of failures to appear (FTA) at court hearings. CANS is based on similar successful initiatives that have been used to reduce FTAs in other jurisdictions, including Seattle.

CANS uses an automated system that calls defendants to remind them of the time, date, and location of their hearing. Up to four reminder calls are made before each scheduled hearing.

To date, the CANS pilot program has been successful in reducing the number of FTA and saving county costs:

- FTA is 41% less likely when CANS call is successful.
- Estimated net \$1.61 million in FTA related costs avoided for FY07.
- FY07 projected 1,620 FTA's avoided w/ CANS.
- FY 07 projected 661 FTA Warrants avoided w/ CANS.

Based on these results, full implementation of CANS could result in greater savings to the local justice system.

- Estimated cost efficiencies for full implementation of CANS: \$6.44 million annually.

Currently CANS notifies approximately 18,000 defendants about their court hearings, which represents approximately 25% of the total pool of potentially eligible cases. Under this proposed Phase 1 expansion, the CANS program would be enhanced by .5 FTE and increased contracted services (\$93,737 – \$104,581 in total personnel and contract costs) and would be expanded to all Multnomah County Circuit Court cases (excluding domestic violence cases). This would result in an additional volume of 54,000 case events in which the CANS system would provide notification.

The goals of this Phase 1 expansion would include:

- 75% Successful Contact Rate
- 16% FTA rate for successfully contacted cases

If these goals are achieved, the County could expect the following outcomes:

- Projected FTAs Avoided: 6,400 annually
- Projected FTA Warrants Avoided: 2,600 annually
- Projected Cost Avoidance: \$6 Million annually

CANS also offers additional opportunities to enhance compliance with pre-trial release and

community supervision programs administered by the Department of Community Justice (Phase 2 expansion). Possible DCJ program areas include:

- Pretrial Services Program
- Victims Restitution Program
- Sex Offender Program
- Drug and Alcohol Treatment
- Post Conviction Supervision

Expansion of CANS to DCJ programs would occur under Phase 2. At this time, we recommend that the Board approve the launch of a comprehensive program planning development process to prepare for the implementation of Phase 2. Under this process, CANS and DCJ staff would:

- Identify appropriate applications of CANS to DCJ program areas;
- Develop baseline data and program performance measures;

We would then return to the Board of County Commissioners in several months with specific recommendations for implementing Phase 2.

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

Implementation of the CANS program has been led by a cross-jurisdictional oversight committee.

ATTACHMENT A

Budget Modification

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

- What revenue is being changed and why?

N/A

- What budgets are increased/decreased?

DCJ Adult Services Division budget is increased by \$156,870.

LPSCC budget is decreased by the following amounts \$59,332.

General Fund Contingency is decreased by \$97,538.

- What do the changes accomplish?

Implementation of phase one of the CANS project which expands the system to all of the circuit courts.

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

Yes, a 0.50 FTE position is added effective 10/1/2007.

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

N/A

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

This function will be ongoing and will impact general fund expenditures in FY 2009.

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

N/A

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

N/A

Contingency Request

If the request is a Contingency Request, please answer all of the following in detail:

- Why was the expenditure not included in the annual budget process?

It was set aside in a budget note in the FY-2008 adopted budget.

- "The existing CANS project was funded for FY 2008, but an additional \$240,000 has been earmarked in Contingency to expand the CANS Project and to shift the responsibility of the project from the Local Public safety Coordinating Council (LPSCC) to the County's Department of Community Justice" (per the FY 2008 Adopted Budget).

- What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?

N/A

- Why are no other department/agency fund sources available?

N/A

- **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account. What are the plans for future ongoing funding?**

N/A

- **Has this request been made before? When? What was the outcome?**

No.

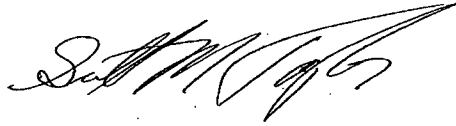
NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

ATTACHMENT B

BUDGET MODIFICATION: DCJ - 05

Required Signatures

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



Date: August 30, 2007

Scott M. Taylor

Budget Analyst:



Date: 09/13/07

Department HR:

Date: _____

Countywide HR:

Date: _____



Department of County Management
MULTNOMAH COUNTY OREGON

Budget Office

501 SE Hawthorne Blvd., Suite 531
Portland, Oregon 97214
(503) 988-3312 phone
(503) 988-4570 fax
(503) 988-5170 TDD

TO: Board of County Commissioners

FROM: Christian Elkin, Senior Budget Analyst

DATE: September 4, 2007

SUBJECT: General Fund Contingency Request for \$97,538 to fund Phase 1 of the Court Appearance Notification System (CANS) expansion (Budget Modification DCJ-05).

A \$97,538 General Fund Contingency request is being proposed to support the expansion of the CANS program to all eligible Circuit Court cases with an estimated increase of 54,000 case events. The costs include increasing the contract to cover increased case event volume and increased personnel costs to manage the program.

A set-aside of \$240,000 was placed in contingency for the CANS program and identified in the following budget note:

The Court Appearance Notification System (CANS) reduces the failure to appear (FTA) rate in Multnomah County. CANS operates by placing automated telephone calls to defendants prior to their court hearing to remind them of where and when to appear.

In the first four months of FY 2007, CANS helped prevent over 550 instances of FTA and 380 FTA warrants, resulting in over \$600,000 of cost avoidance to Multnomah County's criminal justice system. FTA rates for hearings receiving CANS reminder calls are approximately 16%, a 45% reduction versus FTA rates for hearings not receiving reminder calls. This year, CANS is projected to avoid a minimum of \$1.9 million in costs associated with FTA for Multnomah County's criminal justice system.

The existing CANS project was funded for FY 2008, but an additional \$240,000 has been earmarked in Contingency to expand the CANS Project and to shift responsibility of the project from the Local Public Safety Coordinating Council (LPSCC) to the County's Department of Community Justice.

General Fund Contingency Policy Compliance

The Budget Office is required to inform the Board if contingency requests submitted for approval satisfy the financial policies adopted by the Board of County Commissioners for using General Fund Contingency.

- Criteria 1 – States contingency requests should be for one-time-only purposes.

The request is not one time only in nature.

- Criteria 2 – Addresses emergencies and unanticipated situations necessary to keep a public commitment or fulfill a legislative or contractual mandate or which can be demonstrated to result in significant administrative or programmatic efficiencies that cannot be covered by existing appropriations.

The request is not an emergency or unanticipated.

- Criteria 3 – Addresses items identified in Board Budget Notes.

The funding request does address items identified in a budget note (see above).

This request meets the intent of the above contingency financial policies; therefore, assuming the conditions of the budget note have been met to the satisfaction of the Board of County Commissioners, the request should be granted.

Budget Modification ID: **DCJ-05****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
1	50-10	1000	50		502250		60000	-	25,303	25,303		Permanent
2	50-10	1000	50		502250		60100		8,021	8,021		Temporary
3	50-10	1000	50		502250		60130	-	8,120	8,120		Fringe
4	50-10	1000	50		502250		60135		366	366		Non Base Fringe
5	50-10	1000	50		502250		60140	-	5,447	5,447		Insurance
6	50-10	1000	50		502250		60145		133	133		Non Base Insurance
7	50-10	1000	50		502250		60170	-	108,000	108,000		Professional Services
8	50-10	1000	50		502250		60240	-	130	130		Supplies
9	50-10	1000	50		502250		60260	-	350	350		Travel & Training
10	50-10	1000	50		502250		60370	-	1,000	1,000		Telephone
11									0		156,870	Add Phase 1 of CANS to DCJ
12									0			
13	10-01	1000	20			LPSCC.1000	60100	17,363	0	(17,363)		Temporary
14	10-01	1000	20			LPSCC.1000	60135	1,439	0	(1,439)		Non Base Fringe
15	10-01	1000	20			LPSCC.1000	60145	530	0	(530)		Non Base Insurance
16	10-01	1000	20			LPSCC.1000	60170	173,000	133,000	(40,000)		Professional Services
17									0		(59,332)	Reduce LPSCC budget
18									0			
19	19	1000	20		9500001000		60470		(97,538)	(97,538)		Contingency
20									0		(97,538)	Reduce CGF Contingency
21									0			
22	72-60	3503	0020		709525		50310		(1,000)	(1,000)		Increase Reimb Rev
23	72-60	3503	0020		709525		60200		1,000	1,000		Increase offsetting exp
24									0		0	
25									0			
26									0			
27									0			
28									0			
29									0			
										0	0	Total - Page 1
										0	0	GRAND TOTAL

ANNUALIZED PERSONNEL CHANGE

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

						ANNUALIZED			
Fund	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
50	6063	TBD	Project Manager (non-exempt)	TBD	0.50	33,293	10,684	7,167	51,144
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
TOTAL ANNUALIZED CHANGES					0.50	33,293	10,684	7,167	51,144

CURRENT YEAR PERSONNEL DOLLAR CHANGE

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

						CURRENT YEAR			
Fund	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
50	6063	TBD	Project Manager (non-exempt)	TBD	0.38	25,303	8,120	5,447	38,870
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
TOTAL CURRENT FY CHANGES					0.38	25,303	8,120	5,447	38,870

CANS: Reducing FTA in Multnomah County

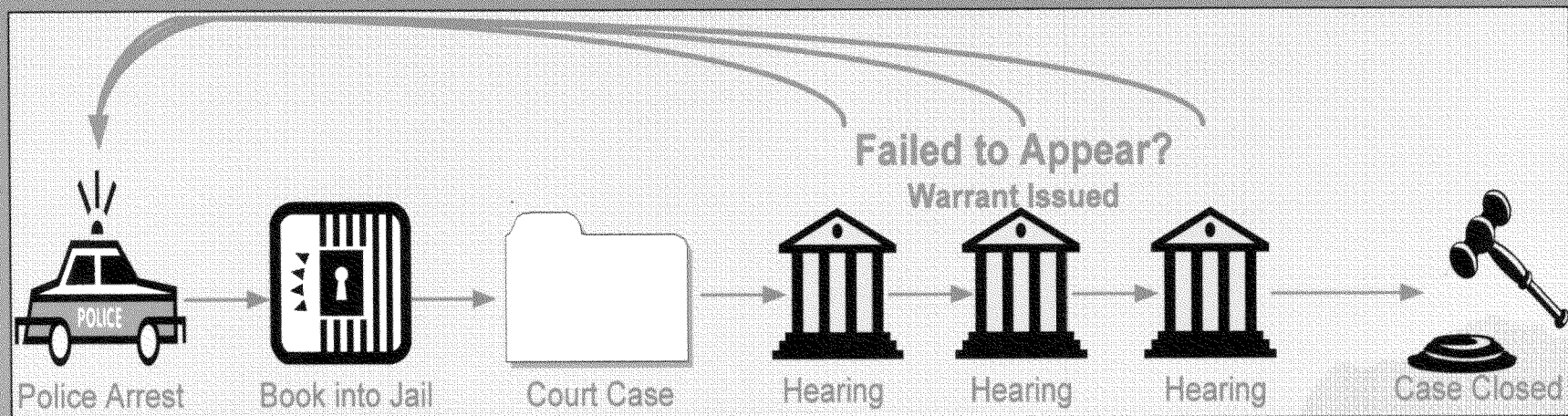
Next Steps and Options for Expanding CANS

September 20, 2007

DRAFT --- FOR DISCUSSION
PURPOSES ONLY

What is FTA?

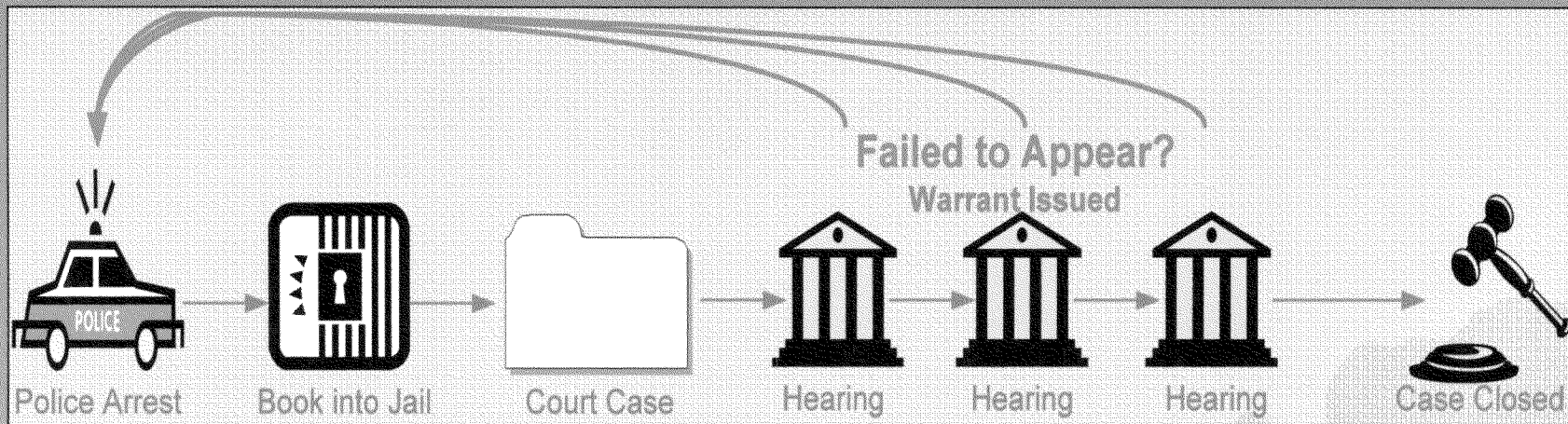
- ◆ *Failure to Appear* (FTA) occurs when a defendant doesn't show at their scheduled court hearing;
- ◆ Most FTAs are for low-level offenses;
- ◆ FTA often leads to issuing new warrants, "backs up" the justice system.



DRAFT --- FOR DISCUSSION
PURPOSES ONLY

Why Does FTA Matter?

- ◆ Warrants lead to subsequent arrest, booking and jailing of low-level offenders unnecessarily using jail beds;
- ◆ Research has found that those with FTA's are twice as likely to go to jail compared to those with the same charges who show up; and they spend nearly twice as much time in jail;
- ◆ Approximately 30% of all Multnomah County cases have at least one FTA;




DRAFT --- FOR DISCUSSION
PURPOSES ONLY

What is *CANS*?

- ◆ *CANS* is an innovative program that began operating in May 2005;
- ◆ Program serves to reduce the failures to appear (FTA) at court hearings;
- ◆ Based on proven King County, WA model;
- ◆ Cross-jurisdictional oversight committee.

How *CANS* Works

- ◆ Just like a doctor's office— it calls people to remind them of upcoming appointments;
- ◆ Computer system reminds defendants of the time, date, and location of their hearing; 
- ◆ Up to four reminder calls are attempted before each scheduled hearing;
- ◆ Calls occur Tuesday through Saturday, 8am – 8pm.

Outcome: *CANS* Reduces FTA



FTA by Group (Persons not in custody at hearing time)					
Group	Appeared	FTA	FTA (%)	New Warrants issued	Warrant (%)
Called (n=281)	233	48	17%	37	73%
Missed (n=242)	171	71	29%	37	51%
Pre Program (n=186)	132	54	29%	34	63%

- ◆ FTA is 41% less likely when *CANS* call is successful.
- ◆ FTA rate for Called group is consistent with 2006 program evaluation.
- ◆ FTA rate for Missed group similar to Pre Program rates.

Outcome: CANS Prevents FTA Related Costs

FTA and Warrant Avoidance Estimate			
	8 Month Period (n=11,747)	FY07 (n=18,000)	Full Implementation (n=72,000)
FTA Avoided w/ CANS	1,057	1,620	6,480
Warrants Avoided w/ CANS	431	661	2,642

FTA and Warrant Cost Avoidance Estimate			
	8 Month Period (n=11,747)	FY07 (n=18,000)	Full Implementation (n=72,000)
FTA Cost	\$755,264	\$1,157,296	\$4,629,182
Warrant Cost	\$295,973	\$453,522	\$1,814,087
Total Cost Avoidance	\$1,051,237	\$1,610,817	\$6,443,269

- ◆ Estimated net \$1.61 million in FTA related costs avoided for FY07.
- ◆ FY07 projected 1,620 FTA's avoided w/ CANS.
- ◆ FY 07 projected 661 FTA Warrants avoided w/ CANS.
- ◆ Estimated cost efficiencies for full implementation of CANS \$6.44 million annually.

CANS Expansion: Current Service Level

- ◆ Current CANS case event volume: 18,000 annually (25% of eligible case events)
- ◆ Personnel for program monitoring, evaluation and reporting: Temporary, on call
- ◆ Total Cost for FY08 CANS Purchased Service Level: **\$59,332**
 - Cost of Service Contract from Vendor: \$40,000
 - Personnel Cost: \$19,332
- ◆ CANS Program Purchased Outcomes:
 - 75% Successful Contact Rate
 - 16% FTA rate for Successfully Contacted Cases
- ◆ Projected cost avoidance: \$1.6 Million

Next Steps: Options for Expanding CANS

- ◆ Published research indicates that call notification is an effective method for increasing client appearance rates and improving program compliance.
- ◆ Automated call notification is a cost effective tool that can compliment existing Multnomah County programs.
- ◆ Several options presently exist to expand CANS to complement DCJ programs.

CANS Expansion: Phase 1

- ◆ Add Permanent .5 FTE: **\$25,927**
 - Permanent staffing is needed for ongoing CANS project activities;
 - Activities included: Implementing efficiency improving measures, collaborating with project partners, managing and reporting project performance.
- ◆ Expand CANS to all eligible Circuit Court Cases: **\$71,611**
 - Eligible cases include cases with phone number information, excluding domestic violence
 - Estimated increase in CANS case volume: 54,000 case events
 - Contract Service Cost: \$68,000
 - Staffing for implementation of Phase 1 expansion: \$3,611 one-time
- ◆ Total Cost to Implement CANS Phase 1 Expansion: **\$97,538**
- ◆ Anticipated CANS Program Outcomes:
 - 75% Successful Contact Rate;
 - 16% FTA rate for Successfully Contacted Cases.
- ◆ Projected FTA Warrants Avoided: 2,600 annually
- ◆ Projected Cost Avoidance: \$6 Million annually

CANS Expansion: Phase 2

- ◆ Determine DCJ program areas for application of CANS model;
 - Collect program development input from DCJ managers and staff;
 - Develop project plan, budget and timeline;
 - Negotiate terms of service with vendors;
- ◆ Possible DCJ program areas include:
 - Pretrial Services Program
 - Victims Restitution Program
 - Sex Offender Program
 - Drug and Alcohol Treatment
 - Post Conviction Supervision
- ◆ Estimated Phase 2 Service Contract Cost: **\$50K - \$200K**
 - Varies depending on annual case event volume;
 - Anticipated program start up fees: \$20K per program;
- ◆ Estimated Phase 2 Personnel Cost: **\$10K - \$30K**
 - Phase 2 projects require one-time staffing for scoping and program development.
 - Personnel will oversee start up CANS Phase 2 projects, solicit feedback from project stakeholders, and implement efficiency improving measures.

CANS Expansion: Recommendations

- ◆ Phased expansion of CANS is recommended;
 - Phase 1: Add permanent .5 FTE and fully expand to Circuit Court cases.
 - Phase 2: Plan and implement expansion of CANS to appropriate DCJ program areas.
- ◆ Circuit Court Expansion can proceed immediately;
 - FTA's at circuit court hearings have a substantial impact on county agency activities and allocation of public safety resources.
 - CANS system is ready to start calling additional hearings.
- ◆ DCJ Expansion can proceed in several months;
 - Allow for a comprehensive scoping and program development process.
 - Identify appropriate applications of CANS to DCJ program areas.
 - Develop baseline data and program performance measures.
 - Return to BOC with specific recommendations.

A Timeline for CANS Expansion

CANS Expansion Time Line												
Circuit Court Expansion (Phase 1)			Start-up Period		Ongoing Program							
FY08 Purchased	Ongoing Program											
FY2008	July	August	September	October	November	December	January	February	March	April	May	June

- ◆ The table above outlines the implementation of CANS Phase 1 expansion to Circuit Courts.
 - The time line distinguishes between start-up and ongoing project activities.
 - 30 day lead time to begin expanded Phase 1 calling.
- ◆ The table below represents an ambitious schedule for CANS Phase 2 expansion.
 - A 5 month start up period for Phase 2 CANS expansion is anticipated.
 - Regular implementation updates and project impact analysis will be provided to multi-jurisdictional oversight groups and project partners.

CANS Expansion Time Line												
DCJ Expansion (Phase 2)	Start-up Period					Ongoing Program						
CANS Expanded	Ongoing Program											
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12

DRAFT --- FOR DISCUSSION
PURPOSES ONLY

Thank You!

For copies of this presentation and its highlights contact:

Matt O'Keefe

CANS Project Manager

503-988-3312 x24527

matthew.o'keefe@multnomah.co.us

PURPOSES ONLY

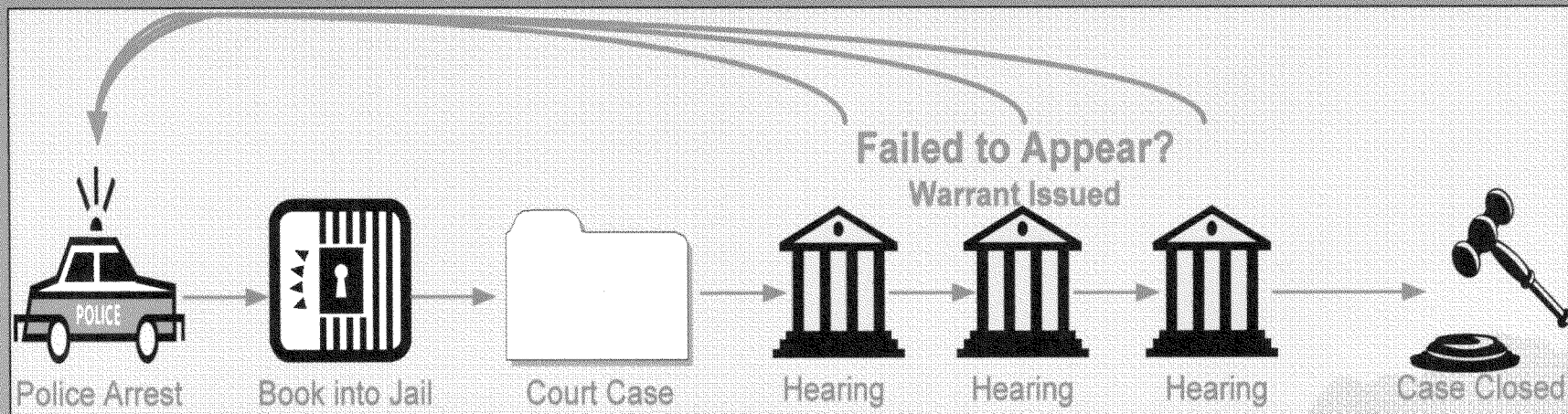
CANS: Reducing FTA in Multnomah County

Next Steps and Options for Expanding CANS

September 20, 2007

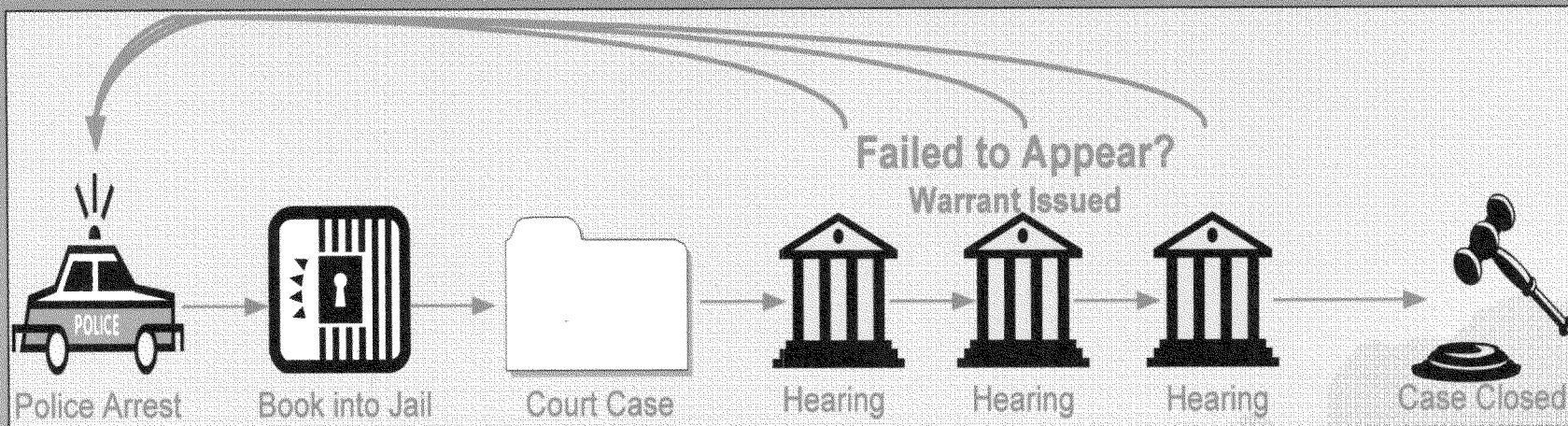
What is FTA?

- ◆ *Failure to Appear* (FTA) occurs when a defendant doesn't show at their scheduled court hearing;
- ◆ Most FTAs are for low-level offenses;
- ◆ FTA often leads to issuing new warrants, "backs up" the justice system.



Why Does FTA Matter?


- ◆ Warrants lead to subsequent arrest, booking and jailing of low-level offenders unnecessarily using jail beds;
- ◆ Approximately 30% of all Multnomah County cases have at least one FTA;
- ◆ Research has found that those with FTA's are twice as likely to go to jail compared to those with the same charges who show up; and they spend nearly twice as much time in jail;



What is *CANS*?

- ◆ *CANS* is an innovative program that began operating in May 2005;
- ◆ Program serves to reduce the failures to appear (FTA) at court hearings;
- ◆ Based on proven King County, WA model;
- ◆ Cross-jurisdictional oversight committee.

How *CANS* Works

- ◆ Just like a doctor's office— it calls people to remind them of upcoming appointments;
- ◆ Computer system reminds defendants of the time, date, and location of their hearing; 
- ◆ Up to four reminder calls are attempted before each scheduled hearing;
- ◆ Calls occur Tuesday through Saturday, 8am – 8pm.

Outcome: *CANS* Reduces FTA



FTA by Group (Persons not in custody at hearing time)

Group	Appeared	FTA	FTA (%)	New Warrants issued	Warrant (%)
Called (n=281)	233	48	17%	37	73%
Missed (n=242)	171	71	29%	37	51%
Pre Program (n=186)	132	54	29%	34	63%

- ◆ FTA is 41% less likely when *CANS* call is successful.
- ◆ FTA rate for Called group is consistent with that of 2006 program evaluation.
- ◆ FTA rate for Missed group similar to Pre Program rates.

Outcome: CANS Prevents FTA Related Costs

FTA and Warrant Avoidance Estimate			
	8 Month Period (n=11,747)	FY07 (n=18,000)	Full Implementation (n=72,000)
FTA Avoided w/ CANS	1,057	1,620	6,480
Warrants Avoided w/ CANS	431	661	2,642

FTA and Warrant Cost Avoidance Estimate			
	8 Month Period (n=11,747)	FY07 (n=18,000)	Full Implementation (n=72,000)
FTA Cost	\$755,264	\$1,157,296	\$4,629,182
Warrant Cost	\$295,973	\$453,522	\$1,814,087
Total Cost Avoidance	\$1,051,237	\$1,610,817	\$6,443,269

- ◆ Estimated net \$1.61 million in FTA related costs avoided for FY07.
- ◆ FY07 projected 1,620 FTA's avoided w/ *CANS*.
- ◆ FY 07 projected 661 FTA Warrants avoided w/ *CANS*.
- ◆ Estimated cost efficiencies for full implementation of *CANS* \$6.44 million annually.

Next Steps: Options for Expanding CANS

- ◆ Published research indicates that call notification is an effective method for increasing client appearance rates and improving program compliance.
- ◆ Automated call notification is a cost effective tool that can compliment existing Multnomah County programs.
- ◆ Several options presently exist to expand CANS to complement DCJ programs.

CANS Expansion: Current Service Level

- ◆ Current CANS case event volume: 18,000 annually (25% of eligible case events)
- ◆ Personnel for program monitoring, evaluation and reporting: Temporary, on call
- ◆ Total Cost for FY08 CANS Purchased Service Level: **\$59,332**
 - Cost of Service Contract from Vendor: \$40,000
 - Personnel Cost: \$19,332
- ◆ CANS Program Purchased Outcomes:
 - 75% Successful Contact Rate
 - 16% FTA rate for Successfully Contacted Cases
- ◆ Projected cost avoidance: \$1.6 Million

CANS Expansion: Phase 1

- ◆ Add Permanent .5 FTE: **\$22,126 - \$32,920**
 - Permanent staffing is needed for ongoing CANS project activities;
 - Activities included project performance monitoring, analysis, and reporting.
- ◆ Expand CANS to all eligible Circuit Court Cases: **\$71,611**
 - Eligible cases include cases with phone number information, excluding domestic violence
 - Estimated increase in CANS case volume: 54,000 case events
 - Contract Service Cost: \$68,000
 - Staffing for implementation of Phase 1 expansion: \$3,611 one-time
- ◆ Total Cost to Implement CANS Phase 1 Expansion: **\$93,737 – \$104,581**
- ◆ Anticipated CANS Program Outcomes:
 - 75% Successful Contact Rate;
 - 16% FTA rate for Successfully Contacted Cases.
- ◆ Projected FTAs Avoided: 6,400 annually
- ◆ Projected FTA Warrants Avoided: 2,600 annually
- ◆ Projected Cost Avoidance: \$6 Million annually

CANS Expansion: Phase 2

- ◆ Determine DCJ program areas for application of CANS model;
 - Collect program development input from DCJ managers and staff;
 - Develop project plan, budget and timeline;
 - Negotiate terms of service with vendors;
- ◆ Possible DCJ program areas include:
 - Pretrial Services Program
 - Victims Restitution Program
 - Sex Offender Program
 - Drug and Alcohol Treatment
 - Post Conviction Supervision
- ◆ Estimated Phase 2 Service Contract Cost: **\$50K - \$250K**
 - Varies depending on annual case event volume;
 - Anticipated program start up fees: \$20K per program;
- ◆ Estimated Phase 2 Personnel Cost: **\$20K - \$50K**
 - Phase 2 start ups require one-time staffing;
 - Personnel will oversee development and start up of CANS Phase 2 projects;

CANS Expansion: Recommendations

- ◆ Phased Expansion of CANS is recommended;
 - Phase 1: Add permanent .5 FTE and fully expand to Circuit Court cases;
 - Phase 2: Plan and implement expansion of CANS to appropriate DCJ program areas;
- ◆ Priority should be given to Circuit Court Expansion;
 - FTA's at circuit court hearings have a substantial impact on county agency activities and allocation of public safety resources.
 - This expansion can proceed immediately.
- ◆ Second priority should be given to DCJ expansion;
 - Allow for a comprehensive scoping and program development process;
 - Identify appropriate applications of CANS to DCJ program areas;
 - Develop baseline data and program performance measures;
 - Return to BOC in several months with specific recommendations;

A Timeline for CANS Expansion

CANS Expansion Time Line												
Circuit Court Expansion (Phase 1)			Start-up Period		Ongoing Program							
FY08 Purchased	Ongoing Program											
FY2008	July	August	September	October	November	December	January	February	March	April	May	June

- ◆ The table above outlines the implementation of CANS Phase 1 expansion to Circuit Courts.
 - The time line distinguishes between start-up and ongoing project activities.
 - 30 day lead time to begin expanded Phase 1 calling.
- ◆ The table below represents an ambitious schedule for CANS Phase 2 expansion.
 - A 5 month start up period for Phase 2 CANS expansion is anticipated.
 - Regular implementation updates and project impact analysis will be provided to multi-jurisdictional oversight groups and project partners.

CANS Expansion Time Line													
DCJ Expansion (Phase 2)	Start-up Period					Ongoing Program							
CANS Expanded	Ongoing Program												
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12	

Thank You!

For copies of this presentation and its highlights contact:

Matt O'Keefe

CANS Project Manager

503-988-3312 x24527

matthew.g.o'keefe@multnomah.co.us



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/13/07
Agenda Item #: R-11
Est. Start Time: 2:00 PM
Date Submitted: 08/28/07

Agenda Title: First Reading of a Proposed ORDINANCE Amending MCC Chapters 33, 34, 35 and 36 to Clarify What Accessory Structures and Uses are Allowed Outright in the Primary Zoning Districts, and to Provide an Alternative Review Process for Other Uses and Structures

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

Requested Meeting Date: September 20, 2007 Amount of Time Needed: 15 minutes
Department: Department of Community Services Division: Land Use and Transportation
Contact(s): George Plummer and Derrick Tokos @ 22682
Phone: 503-988-3043 Ext. 29152 I/O Address: 455/116
Presenter(s): George Plummer

General Information

1. What action are you requesting from the Board?

Adopt the proposed Ordinance. The Planning Commission, with Resolution PC 06-001, recommends adoption of amendments for all rural areas outside of the National Scenic Area.

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

The proposed ordinance amends the County land use code to clarify the types of accessory structures and uses that are allowed outright versus those that warrant review by the County to ensure that they are customarily accessory or incidental to another permitted use in a zone district.

The Planning Director brought this issue before the Planning Commission, because of the highly discretionary nature of the current code language and length of time it takes to complete reviews (when required). In most zones, the current code lists accessory structures and uses as outright allowed uses when they are customary or incidental to another permitted use. What is customary or incidental is subject to interpretation. The terms are not defined in the County code, and because

discretion is required to determine if development qualifies, any accessory use or structure technically requires land use review. Recognizing that many of these uses and structures are so common that a review would be pointless, staff put together administrative guidelines to distinguish between what can be safely signed off over the counter and what requires a land use decision. However, the guidelines are not always clear and are not readily accessible to the public because they are not a part of the code. Types of development that warrant review has been a point of confusion for the public and staff. The Planning Commission agreed that amendments were needed and conducted several work sessions with staff to develop the proposed language.

The proposed ordinance clarifies the code by listing the types of structures or uses that qualify as accessory to another permitted use and allows them outright, without review, provided the combined footprint does not exceed 2,500 square feet. Development that does not meet these standards may still qualify as accessory, but is subject to a land use review to determine if the activity is customary or incidental to a permitted use in the district. Farm buildings are not subject to these rules because under state law they are considered a component of a for profit farm use, which is subject to other rules. County Assessment data indicates that approximately 95 percent of the existing non-farm buildings in the county are 2,000 square foot in size or less, and 90 percent of these properties have a cumulative accessory building footprint of 2,500 square feet or less. The Planning Commission found that a cumulative size up to 2,500 feet was customary for Multnomah County and the proposed language ensures that most accessory structures will not be subject to review

Due to feedback after the Planning Commission hearing from a citizen involved with the Soil and Water Conservation Districts, staff has expanded the list of qualifying structures to include shelters for horses and livestock and related buildings that are not associated with a farm use. Staff believes this to be a minor change because the activity is similar to shelters for pets and storage buildings which were already on the list. For that reason we have not taken the ordinance amendment back to the Planning Commission for their review.

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

Staff does not anticipate any fiscal impacts associated with these changes.

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

The County has not been requiring a land use review for all accessory structures, which the code technically requires. When the County issues discretionary permits over the counter, without review and notice, it subjects those decisions to appeal at a later date. The proposed amendments correct this problem and reduce the potential for appeals.

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

Three Planning Commission work sessions were held that were open to the public. Copies of all proposed code changes have been sent to the State of Oregon Department Land Conservation and Development giving that agency an opportunity to comment on the proposals. No comments were received from the State.

A public hearing was held before the Planning Commission on December 4, 2006 where the public was invited to speak. Public notice in the Oregonian newspaper was given for the work session and public hearing.

During the Planning Commission hearing a property owner and their representatives provided testimony expressing opposition to a cumulative size limitation for accessory buildings allowed outright. The Planning Commission's vote was unanimous for recommendation of approval to the Board of County Commissioners.

After the Planning Commission hearing concern was expressed from a citizen that works with the Soil and Water Conservation Districts that the proposed list did not include buildings related to horses or other animals not related to a farm use. Staff met with a Soil and Water Conservation District representative and National Resource Conservation Service staff member to discuss the issue before making minor changes to the ordinance discussed above.

Required Signature

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



Date: 08/28/07

BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. PC 06-001

Recommend to the Board of County Commissioners the adoption of an ordinance amending MCC Chapters 33, 34, 35, and 36 making code changes to allowed uses for all the primary zoning districts for accessory uses and structures. The changes clarify what structures and uses are allowed outright and provide for an alternative review process for other uses and structures.

The Planning Commission Finds:

(a). The Planning Commission is authorized by Multnomah County Code Chapter subsections 33.0140, 34.0140, 35.0140, 36.0140, 37.0710 and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.

(b). To streamline permitting and provide a clearer code for accessory structures the Planning Commission finds that the Zoning Code needs to include some guidance on what accessory structures are allowed outright as customarily accessory or incidental to the primary use. The proposed code would provide that guidance through a list of uses that include the majority of accessory structures found in rural areas. Furthermore, the Zoning Code should provide an alternative process for consideration of uses or structures that are not included on the list of outright uses.

(c). County Assessment data indicates that approximately 95 percent of the existing non-farm accessory buildings in the county rural areas are 2000 square foot in size or less, and 90 percent of these properties have a cumulative accessory building footprint of 2500 square feet or less. The Planning Commission finds that a cumulative accessory building footprint of 2500 square feet or less is customarily accessory.

(d). No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required ("Ballot Measure 56" notice). Notice of the Planning Commission hearing was published in the "Oregonian" newspaper and on the Land Use Programs web site.

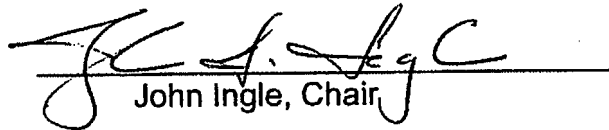
(e). A public hearing was held on December 4, 2006 before the Planning Commission for the proposed amendment where all interested persons were given an opportunity to appear and be heard.

The Planning Commission Resolves:

The proposed Ordinance amending MCC Chapters 33, 34, 35, and 36 is hereby recommended for adoption by the Board of County Commissioners.

ADOPTED this 2nd day of August, 2006.

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON


John Ingle, Chair

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending MCC Chapters 33, 34, 35 and 36 to Clarify What Accessory Structures and Uses are Allowed Outright in the Primary Zoning Districts, and to Provide an Alternative Review Process for Other Uses and Structures

(Language ~~stricken~~ is deleted; double underlined language is new.)

The Multnomah County Board of Commissioners Finds:

- a. The Planning Commission is authorized by Multnomah County Code Chapter subsections 33.0140, 34.0140, 35.0140, 36.0140, 37.0710 and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan. The Planning Commission exercised this authority in recommending the proposed ordinance with Resolution PC-06-001.
- b. The existing Zoning Code applicable to accessory structures allows uses that are customarily accessory or incidental to a primary use as permitted outright. The term “customarily accessory” is undefined in the Code and for some buildings or uses an interpretation through a land use decision is required for approval. This lack of clarity results in uncertainty for staff, confusion for the public, and unanticipated delay for some permits.
- c. The customarily accessory and incidental criteria also related to the size of buildings. If a proposed accessory building is larger than the primary permitted use it would not be incidental and thus would need to meet customarily accessory standard. County Assessment data indicates that approximately 95 percent of the existing non-farm accessory buildings in the county are 2000 square foot in size or less, and 90 percent of these properties have a cumulative accessory building footprint of 2500 square feet or less. The Board finds that a cumulative accessory building footprint of 2500 square feet or less is customarily accessory.
- d. To streamline permitting and provide a clearer Zoning Code applicable to accessory structures and uses the Code should be amended to include guidance on what accessory structures and uses are allowed outright as customarily accessory or incidental to a primary use. The proposed code provides that guidance through a list of uses that include the majority of accessory uses found in rural areas. Furthermore, the Zoning Code should provide an alternative process for consideration of whether uses or structures that are not included on the list of outright uses are customarily accessory to uses in the various zone districts.
- e. Rural property owners commonly keep horses or other animals but do not operate a farm. To meet these needs the list of uses allowed outright should include buildings related to sheltering horses or livestock and associated buildings.
- f. No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required (“Ballot Measure 56” notice). Notice of the Planning Commission hearing was published in the “Oregonian” newspaper and on the Land Use Programs web site.

- g. The provisions of this ordinance were submitted to the State of Oregon Department of Land Conservation and Development and their staff was given an opportunity to comment on the proposed amendments. No comments were received.
- h. Noticed public hearings were held before the Planning Commission on December 4, 2006 and the Board of County Commission on September 13, 2007, and all interested persons were given an opportunity to appear and be heard.

Multnomah County Ordains as follows:

Section 1. §§33.2820 (F), 33.3120 (F), 33.3320 (F), 34.2820 (F), 34.3120 (F), 34.3320 (F), 35.2820 (F), 35.3120 (F), 35.3320 (F), 36.2820 (F), 36.3320 (F), 36.3420 (F), 36.3520 (F)
Allowed Uses are amended to read as follows:

(F) Accessory Structures

(1) Other Structures or uses listed below when customarily accessory or incidental to any use permitted or approved in this district:-

(a) Garages or carports;

(b) Pump houses;

(c) Garden sheds;

(d) Workshops;

(e) Storage sheds;

(f) Greenhouses;

(g) Woodsheds;

(h) Shelter for pets, horses or livestock and associated buildings such as: manure storage, feed storage, tack storage, and indoor exercise area;

(i) Swimming pools, pool houses, hot tubs, saunas, and changing rooms;

(j) Sport courts

(k) Gazebos, pergolas, and detached decks;

(l) Fences, gates, or gate support structures; and

(m) Similar structures.

(2) If the accessory structure is a building, then to be an "allowed use" the foot print of the building in combination with the footprint of all other accessory buildings on the property shall not exceed 2500 square feet.

(3) If the accessory structure has a bathroom or kitchen facilities, then prior to issuance of the building permit the property owner shall record a deed restriction with County Records that states that the owner understands and agrees that the structure cannot be occupied as a dwelling.

(4) Buildings in conjunction with farm uses as defined in ORS 215.203 are not subject to these provisions.

Section 2. §36.3120 (G) Allowed Uses is amended to read as follows:

(G) Accessory Structures

(1) ~~Other~~ Structures or uses listed below when customarily accessory or incidental to any use permitted or approved in this district:-

(a) Garages or carports;

(b) Pump houses;

(c) Garden sheds;

(d) Workshops;

(e) Storage sheds;

(f) Greenhouses;

(g) Woodsheds;

(h) Shelter for pets, horses or livestock and associated buildings such as: manure storage, feed storage, tack storage, and indoor exercise area;

(i) Swimming pools, pool houses, hot tubs, saunas, and changing rooms;

(j) Sport courts

(k) Gazebos, pergolas, and detached decks;

(l) Fences, gates, or gate support structures; and

(m) Similar structures.

(2) If the accessory structure is a building, then to be an "allowed use" the foot print of the building in combination with the footprint of all other accessory buildings on the property shall not exceed 2500 square feet.

(3) If the accessory structure has a bathroom or kitchen facilities, then prior to issuance of the building permit the property owner shall record a deed restriction with County Records that states that the owner understands and agrees that the structure cannot be occupied as a dwelling.

(4) Buildings in conjunction with farm uses as defined in ORS 215.203 are not subject to these provisions.

Section 3. §§ 33.2825, 33.3125, 33.3325, 34.2825, 34.3125, 34.3325, 35.2825, 35.3125, 35.3325, 36.3325, Review Uses are amended as follows:

33.2825 Review Uses

* * *

(K) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 33.2820 Allowed Uses.

33.3125 Review Uses

* * *

(K) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 33.3120 Allowed Uses.

33.3325 Review Uses

* * *

(K) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 33.3320 Allowed Uses.

34.2825 Review Uses

* * *

(K) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 34.2820 Allowed Uses.

34.3125 Review Uses

* * *

(K) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 34.3120 Allowed Uses.

34.3325 Review Uses

* * *

(K) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 34.3320 Allowed Uses.

35.2825 Review Uses

* * *

(K) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 35.2820 Allowed Uses.

35.3125 Review Uses

* * *

(K) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 35.3120 Allowed Uses.

35.3325 Review Uses

* * *

(K) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 35.3320 Allowed Uses.

36.3325 Review Uses

* * *

(K) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 36.2820 Allowed Uses.

Section 4. §§ 36.2825, 36.3125, 36.3425, 36.3525 Review Uses are amended as follows:

36.2825 Review Uses

* * *

(J) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 36.2820 Allowed Uses.

36.3125 Review Uses

* * *

(J) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 36.3120 Allowed Uses.

36.3425 Review Uses

* * *

(J) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 36.3420 Allowed Uses.

36.3525 Review Uses

* * *

(J) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 36.3520 Allowed Uses.

Section 5. §§33.2020 (T), 33.2220 (T), 33.2420(T), 35.2020 (T), 35.2220 (T), 36.2020 (T) Allowed Uses are amended to read as follows:

(T) Accessory Structures

(1) Other structures or uses ~~determined listed below when by the Planning Director to be~~ customarily accessory or incidental to any use permitted or approved in this district.

(a) Garages or carports;

(b) Pump houses;

(c) Garden sheds;

(d) Workshops;

(e) Storage sheds;

(f) Greenhouses;

(g) Woodsheds;

(h) Shelter for pets, horses or livestock and associated buildings such as: manure storage, feed storage, tack storage, and indoor exercise area;

(i) Swimming pools, pool houses, hot tubs, saunas, and changing rooms;

(j) Sport courts

(k) Gazebos, pergolas, and detached decks;

(l) Fences, gates, or gate support structures; and

(m) Similar structures.

(2) If the accessory structure is a building, then to be an "allowed use" the foot print of the building in combination with the footprint of all other accessory buildings on the property shall not exceed 2500 square feet.

(3) If the accessory structure has a bathroom or kitchen facilities, then prior to issuance of the building permit the property owner shall record a deed restriction with County Records that states that the owner understands and agrees that the structure cannot be occupied as a dwelling.

(4) Buildings in conjunction with farm uses as defined in ORS 215.203 are not subject to these provisions.

Section 6. §§ 33.2025, 33.2225, 33.2425, 35.2025, 35.2225, 36.2025 Review Uses are amended as follows:

33.2025 Review Uses

* * *

(M) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the "accessory structures" standard in MCC 33.2020 Allowed Uses.

33.2225 Review Uses

* * *

(M) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the "accessory structures" standard in MCC 33.2220 Allowed Uses.

33.2425 Review Uses

* * *

(M) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 33.2420 Allowed Uses.

35.2025 Review Uses

* * *

(K) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 35.2020 Allowed Uses.

35.2225 Review Uses

* * *

(M) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 35.2220 Allowed Uses.

36.2025 Review Uses

* * *

(M) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 36.2020 Allowed Uses.

Section 5. §§33.2620 (P), 34.2620 (P), MCC 35.2620 (P), MCC 36.2620(P) Allowed Uses are amended as follows:

(P) Accessory Structures

(1) Structures or uses listed below when customarily accessory or incidental to any use permitted or approved in such as garages, carports, studios, pergolas, private workshops, barns, loafing sheds, storage buildings, greenhouses or similar structures, whether attached or detached, when in accordance with the yard requirements of this district;

(a) Garages or carports;

(b) Pump houses;

(c) Garden sheds;

(d) Workshops;

(e) Storage sheds;

(f) Greenhouses;

(g) Woodsheds;

(h) Shelter for pets, horses or livestock and associated buildings such as: manure storage, feed storage, tack storage, and indoor exercise area;

(i) Swimming pools, pool houses, hot tubs, saunas, and changing rooms;

(j) Sport courts

(k) Gazebos, pergolas, and detached decks;

(l) Fences, gates, or gate support structures; and

(m) Similar structures.

(2) If the accessory structure is a building, then to be an “allowed use” the foot print of the building in combination with the footprint of all other accessory buildings on the property shall not exceed 2500 square feet.

(3) If the accessory structure has a bathroom or kitchen facilities, then prior to issuance of the building permit the property owner shall record a deed restriction with County Records that states that the owner understands and agrees that the structure cannot be occupied as a dwelling.

(4) Buildings in conjunction with farm uses as defined in ORS 215.203 are not subject to these provisions.

Section 6. §§33.2625, 34.2625, 35.2625 and 36.2625 Review Uses are amended as follows:

33.2625 Review Uses

* * *

(Q) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 33.2620 Allowed Uses.

34.2625 Review Uses

* * *

(Q) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 34.2620 Allowed Uses.

35.2625 Review Uses

* * *

(Q) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 35.2620 Allowed Uses.

36.2625 Review Uses

* * *

(S) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the "accessory structures" standard in MCC 36.2620 Allowed Uses.

FIRST READING:

September 20, 2007

SECOND READING AND ADOPTION:

September 27, 2007

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By Sandra N. Duffy, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Dept. of Community Services

Customer Information

Account # 2000042775
Multnomah County Land Use Planning
1600 SE 190 AVE #116
Portland OR 97233 USA

Phone 503-988-5276
Fax 503-988-3389
E-mail stuart.l.farmer@co.multnomah.or.

Payer Information

Account # 2000042775
Multnomah County Land Use Planning
1600 SE 190 AVE #116
Portland OR 97233 USA

Phone 503-988-5276

PO Number

Sales Rep.

zzNoticesRep

Ordered By

Stuart L. Farmer

Ad Content Proof

MULTNOMAH COUNTY
BOARD OF
COUNTY COMMISSIONERS
Will hold a hearing on
the following:

TIME: 2:00 p.m., Thursday,
September 20, 2007
PLACE: Multnomah Building,
Room 100
501 SE Hawthorne Blvd.
Portland, Oregon

First reading of an Ordinance
Amending MCC Chapters 33, 34,
35 and 36 to Clarify What Acces-
sory Structures and Uses are Al-
lowed Outright in the Primary
Zoning Districts, and to Provide
an Alternative Review Process
for Other Uses and Structures.

Total Amount	\$114.06	Promo Type	C-Legal Ad 1x	Ad Size	1.0 X 21 Li
Payment Amt	<u>\$0.00</u>	Special Pricing	None	Color	<NONE>
Amount Due	\$114.06	Attributes			

Payment Method

Tear Sheets

0

Proofs

0

Affidavits

1

Blind Box

Materials

Invoice Text Sept 20 hearing

<u>Product:Edition:Zone</u>	<u>Placement</u>	<u>Position</u>	<u># Inserts</u>
Oregonian:All:Full Run	C-Notices - Classified	008-Public Notices	1
Run Dates 9/10/2007			
Sort Text MULTNOMAHCOUNTYBOARD OF COUNTY COMMISSIONERS WILL HOLD A HEARING ON THE FOLLOWING TIME 2:00 PM THURSDAY SEPTEMBER 20 2007 PLACE MULTNOM			
Run Schedule Invoice Text MULTNOMAH COUNTY BOARD OF COUNTY COMMISSIONERS Will hold a hear			

<u>Product:Edition:Zone</u>	<u>Placement</u>	<u>Position</u>	<u># Inserts</u>
Online:All:Full Run	C-Notices - Classified	008-Public Notices	1
Run Dates 9/10/2007			
Sort Text MULTNOMAHCOUNTYBOARD OF COUNTY COMMISSIONERS WILL HOLD A HEARING ON THE FOLLOWING TIME 2:00 PM THURSDAY SEPTEMBER 20 2007 PLACE MULTNOM			
Run Schedule Invoice Text MULTNOMAH COUNTY BOARD OF COUNTY COMMISSIONERS Will hold a hear			



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: R-12
Est. Start Time: 2:10 PM
Date Submitted: 09/12/07

Agenda Title: **RESOLUTION Approving the Sale of Edgefield North, Located at SW Halsey Street and 244th in Troutdale, Oregon, to Red Shed Properties, LLC and the Reynolds School District and Authorizing County Chair to Execute Appropriate Documents to Complete the Sale**

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

Requested Meeting Date: September 20, 2007 **Amount of Time Needed:** 10 minutes
Department: County Management **Division:** Facilities and Property Management
Contact(s): Mike Sublett
Phone: (503) 988-4149 **Ext** 84149 **I/O Address:** FPM / 274
Presenter(s): Doug Butler, FPM

General Information

1. What action are you requesting from the Board?

Approve the Sale of Edgefield North, Located at SW Halsey Street and 244th in Troutdale, Oregon, to Red Shed Properties, LLC and the Reynolds School District and Authorize County Chair to Execute Appropriate Documents to Complete the Sale

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

Multnomah County has long had substantial real property holdings in Troutdale as the site of the former County "poor farm." These holdings have been significantly liquidated in several transactions over the past twenty years. By Resolution 04-169, dated November 18, 2004, the Board declared part of these holdings, Edgefield North, Property ID Number R320821, ("the Property") surplus. The Property is approximately 46 acres and is frequently referred to as the "Pig Farm", a former use on the "poor farm" site. By Resolution 05-056, dated April 14, 2005, the Board directed Facilities and Property Management Division ("Facilities") to sell the Property on the open market. By Resolution 06-062, dated April 27, 2006, the Board approved the sale of Edgefield North to Centex Homes for \$7,401,500. (In February 2005, a County-commissioned outside appraisal valued

the Property at \$5,300,000.) Centex Homes, in conjunction with Michael McMenamin, formulated a mixed-use proposal that would have resulted in substantial economic development and job creation on the site with an integrated residential component. The property currently has a light industrial zoning designation. Michael McMenamin, through a separate corporation, Red Shed Properties, LLC, along with the Reynolds School District, is the approved purchaser of County-owned properties south of the Edgefield North by Resolution 05-131, dated July 28, 2005, and expected to close by December 31, 2007. Michael McMenamin is the operator of a major commercial hospitality complex on former County-owned property directly across from the Property. The combined property sales would have resulted in an integrated "Edgefield District", a use with wide support in the Troutdale community.

Due to the decline in the housing market, the problems posed by the possible 242nd Street Bypass, and certain site development issues, it became clear in early 2007 that the sale of the Property to Centex Homes was not possible under the approved terms. A substantial reduction in the purchase price and additional closing schedule would have been required, making the transaction unattractive for the County. Therefore, Facilities directed the Property to be placed back on the open market in May 2007. Facilities specifically offered the Property to Michael McMenamin and the Reynolds School District.

In August 2007, two purchase offers were received from industrial developers for \$6.3 and \$6.5 million. However, these offers had significant contingency and schedule issues that made completion of a sale under such terms potentially difficult. There is the risk of a failed sale or requests for givebacks. On August 28, 2007, Red Shed Properties, LLC and the Reynolds School District submitted the attached Draft Purchase and Sale Agreement with a purchase offer of \$5,750,000. It has minimal contingencies (just title and approval by the Reynolds Board) and an accelerated close schedule of October 31, 2007. It will preserve the concept of the "Edgefield District" and local elected officials have been quoted in newspapers as being highly supportive of the transaction. Facilities believes that a sale on these terms represents fair market value and recommends approval.

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

While sales proceeds are less than previously approved, Facilities believes it represents fair market value as currently entitled in the current market. However, sales proceeds, net of real estate commissions, have been pledged to the development of the East County Justice Center and this will represent an additional \$1.65 million shortfall in that budget. Facilities is working to identify additional sources to fill the shortfall, however, that is apart from this transaction.

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

None

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

None

Required Signature

Elected Official or
Department/
Agency Director:



Date: 09/12/07



900 S.W. Fifth Avenue, Suite 2600
Portland, Oregon 97204
main 503.224.3380
fax 503.220.2480
www.stoel.com

August 28, 2007

STEVEN W. ABEL
Direct (503) 294-9599
swabel@stoel.com

VIA HAND DELIVERY

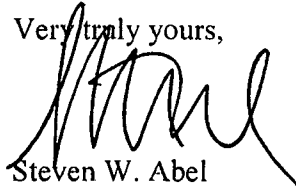
Mr. David Reinhart
CRESA Partners
One SW Columbia Street, Suite 1610
Portland, OR 97258

Re: Multnomah County/Red Shed Properties/Reynolds School District

Dear David:

Enclosed you will find the revised purchase offer reflecting a \$5.75 million proposed purchase price. I understand you will be presenting this to the County over the next couple of weeks. Please note the contingency as to approval by the Reynolds School District School Board on or before September 14, 2007. I hope that contingency is satisfactory with you. If you should have any questions about the terms, please feel free to call.

Very truly yours,



Steven W. Abel

SWA:pjn
Enclosure

cc: Larry Dortmund
Mike McMenamin
Chuck Rhoads

PURCHASE AND SALE AGREEMENT AND RECEIPT FOR EARNEST MONEY

Dated: as of August 24, 2007

BETWEEN: Multnomah County, Oregon

("Seller")

AND: Red Shed Properties LLC and Reynolds School District

("Buyer")

Buyer offers to buy and acquire from Seller the approximately 46.5 acres of real property and all improvements thereon located at 1400 W. Historic Columbia River Highway in the City of Troutdale, County of Multnomah, Oregon legally described on Exhibit A, attached hereto and incorporated herein by reference (the "**Property**"). If no legal description is attached, Buyer and Seller will attach a legal description upon receipt and reasonable approval by both parties of the Preliminary Commitment.

1. Purchase Price. The total purchase price is Five Million Seven Hundred Fifty Thousand and no/100 Dollars (\$5,750,000) (the "**Purchase Price**") payable in cash at Closing.

2. Earnest Money Deposit. Upon execution of this Agreement, Buyer shall deliver to the Escrow Holder as defined in herein, for the account of Buyer **\$57,500** as earnest money (the "**Earnest Money**") in the form of a check. The purchase and sale of the Property shall be accomplished through an escrow (the "**Escrow**") which Seller has established or will establish with First American Title Insurance Company (the "**Title Company**") and the Earnest Money shall be deposited with the Title Company. The Earnest Money shall be applied to the payment of the purchase price for the Property at Closing. Any interest earned on the Earnest Money shall be considered to be part of the Earnest Money. The Earnest Money shall be returned to Buyer in the event any condition to Buyer's obligation to purchase the Property shall fail to be satisfied or waived through no fault of Buyer.

3. Title Insurance. Within 5 days after the Execution Date, Seller shall open the Escrow with the Title Company and deliver to Buyer a preliminary title report from the Title Company (the "**Preliminary Commitment**"), showing the status of Seller's title to the Property, together with complete and legible copies of all documents shown therein as exceptions to title ("**Exceptions**"). Buyer shall have 5 days after receipt of a copy of the Preliminary Commitment and Exceptions within which to give notice in writing to Seller of any objection to such title or to any liens or encumbrances affecting the Property. Within 5 days after the date of such notice from Buyer, Seller shall give Buyer written notice of whether it is willing and able to remove the objected-to Exceptions. Within 5 days after the date of such notice from Seller, Buyer shall elect whether to (i) purchase the Property subject to those objected-to Exceptions which Seller is not willing or able to remove or (ii) terminate this Agreement. On or before the Closing Date (defined below), Seller shall remove all Exceptions to which Buyer objects and which Seller agrees Seller is willing and able to remove. All remaining Exceptions set forth in the Preliminary Commitment and agreed to by Buyer shall be deemed "**Permitted Exceptions**." The title insurance policy to be delivered by Seller to Buyer at Closing shall contain no Exceptions other than the Permitted Exceptions, any Exceptions caused by Buyer and the usual preprinted Exceptions contained in an owner's standard ALTA form title insurance policy.

4. Default; Remedies. Notwithstanding anything to the contrary contained in this Agreement, in the event Buyer fails to deposit the Earnest Money Deposit in Escrow strictly as and when contemplated under Section 2 above, Seller shall have the right at any time thereafter to terminate this Agreement and all further rights and obligations hereunder by giving written notice thereof to Buyer. If the conditions, if any, to Buyer's obligation to consummate this transaction are satisfied or waived by Buyer and Buyer nevertheless fails, through no fault of Seller, to close the purchase of the Property, Seller's sole remedy shall be to retain the Earnest Money paid by Buyer. In the event Seller fails, through no fault of Buyer, to close the sale of the Property, Buyer shall be entitled to pursue any remedies available at law or in equity, including without limitation, the remedy of specific performance. In no event shall Buyer be entitled to punitive or consequential damages, if any, resulting from Seller's failure to close the sale of the Property.

5. Closing of Sale. Buyer and Seller agree the sale of the Property shall be closed (the "Closing") on or before October 31, 2007 (the "Closing Date") in the Escrow. The sale shall be deemed "closed" when the document(s) conveying title to the Property is recorded and the Purchase Price (increased or decreased, as the case may be, by the net amount of credits and debits to Seller's account at Closing made by the Escrow Holder pursuant to the terms of this Agreement) is disbursed to Seller. At Closing, Buyer and Seller shall deposit with the Title Company all documents and funds required to close the transaction in accordance with the terms of this Agreement. At Closing, Seller shall deliver a certification in a form approved by Buyer that Seller is not a "foreign person" as such term is defined in the Internal Revenue Code and the Treasury Regulations promulgated under the Internal Revenue Code. If Seller is a foreign person and this transaction is not otherwise exempt from FIRPTA regulations, the Title Company shall be instructed by the parties to withhold and pay the amount required by law to the Internal Revenue Service. At Closing, Seller shall convey fee simple title to the Property to Buyer by statutory warranty deed (the "Deed"). At Closing, Seller shall pay for and deliver to Buyer a standard ALTA form owner's policy of title insurance (the "Policy") in the amount of the Purchase Price insuring fee simple title to the Property in Buyer subject only to the Permitted Exceptions and the standard preprinted exceptions contained in the Policy.

6. Closing Costs; Prorates. Seller shall pay the premium for the Policy. Seller and Buyer shall each pay one-half of the escrow fees charged by the Title Company. Real property taxes for the tax year in which the transaction is closed and assessments (if a Permitted Exception) shall be prorated as of the Closing Date. Seller shall be responsible for payment of all taxes, interest, and penalties, if any, upon removal of the Property from any special assessment or program.

7. Possession. Buyer shall be entitled to exclusive possession of the Property, on the Closing Date.

8. Condition of Property. Seller represents that, to the best of Seller's knowledge without specific inquiry, Seller has received no written notices of violation of any laws, codes, rules, or regulations applicable to the Property ("Laws"), and Seller is not aware of any such violations or any concealed material defects in the Property. Risk of loss or damage to the Property shall be Seller's until Closing and Buyer's at and after Closing. No agent of Buyer or Seller has made any representations regarding the Property. Except for Seller's representations set forth in this Section 8, Buyer shall acquire the Property "as is" with all faults and Buyer shall rely on the results of its own inspection and investigation in Buyer's acquisition of the Property. It shall be a condition of Buyer's obligation to close, and of Seller's right to retain the Earnest Money as of Closing, that all of the Seller's representations and warranties

stated in this Agreement are materially true and correct on the Closing Date. Seller's representations and warranties stated in this Agreement shall survive Closing.

9. Notices. Unless otherwise specified, any notice required or permitted in, or related to, this Agreement must be in writing and signed by the party to be bound. Any notice will be deemed delivered (i) when personally delivered or delivered by facsimile transmission (with electronic confirmation of delivery), or (ii) on the day following delivery of the notice by reputable overnight courier, or (iii) three (3) days after mailing in the U.S. mails, postage prepaid, by the applicable party in all events, to the address of the other party shown in this Agreement, unless that day is a Saturday, Sunday, or legal holiday, in which event it will be deemed delivered on the next following business day. If the deadline under this Agreement for delivery of a notice or payment is a Saturday, Sunday, or legal holiday, such last day will be deemed extended to the next following business day.

10. Assignment. Buyer may assign this Agreement or Buyer's rights under this Agreement without Seller's prior written consent.

11. Attorneys' Fees. In the event a suit, action, arbitration, or other proceeding of any nature whatsoever, including without limitation any proceeding under the U.S. Bankruptcy Code, is instituted, or the services of an attorney are retained, to interpret or enforce any provision of this Agreement or with respect to any dispute relating to this Agreement, the prevailing party shall be entitled to recover from the losing party its attorneys', paralegals', accountants', and other experts' fees and all other fees, costs, and expenses actually incurred and reasonably necessary in connection therewith (the "Fees"). In the event of suit, action, arbitration, or other proceeding, the amount of Fees shall be determined by the judge or arbitrator, shall include all costs and expenses incurred on any appeal or review, and shall be in addition to all other amounts provided by law.

12. Statutory Land Use Disclaimer. THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS THAT, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND THAT LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, THE EXISTENCE OF FIRE PROTECTION FOR STRUCTURES AND THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

13. Wetlands and Flood Plain Mitigation. The Property includes wetlands and mapped flood plain areas and Buyer intends to develop such areas. Buyer intends to pursue permitting of site plans and facilities using mitigation on site as appropriate for fill or alteration of wetlands. After closing, Seller agrees to discuss with Buyer the possible use of north of the Property by Seller for mitigation of fill or alteration of wetlands. This obligation shall survive closing for such purposes, but Seller shall have no obligation to provide property for such use.

14. Miscellaneous. Time is of the essence of this Agreement. The facsimile transmission of any signed document including this Agreement, in accordance with Section 9, shall be the same as delivery of an original. At the request of either party, the party delivering a

document by facsimile will confirm facsimile transmission by signing and delivering a duplicate original document. This Agreement may be executed in two or more counterparts, each of which shall constitute an original and all of which together shall constitute one and the same Agreement. This Agreement contains the entire agreement and understanding of the parties with respect to the subject matter of this Agreement and supersedes all prior and contemporaneous agreements between them with respect thereto. This Agreement shall be binding upon and shall inure to the benefit of the parties and their respective successors and assigns. The person signing this Agreement on behalf of Buyer and the person signing this Agreement on behalf of Seller each represents, covenants and warrants that such person has full right and authority to enter into this Agreement and to bind the party for whom such person signs this Agreement to the terms and provisions of this Agreement. This Agreement shall not be recorded unless the parties otherwise agree.

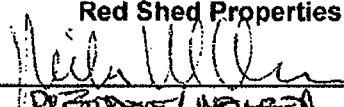
15. Time for Acceptance. Seller has until 5:00 p.m. Pacific Time on September 14, 2007 to accept this offer. Acceptance is not effective until a copy of this Agreement which has been signed and dated by Seller is actually received by Buyer. If this offer is not so accepted, it shall expire and thereafter, neither party shall have any further right or remedy against the other.

16. Execution Date. The Execution Date is the later of the dates shown beneath the parties' signatures below.

17. Governing Law. This Agreement is made and executed under, and in all respects shall be governed and construed by the laws of the State of Oregon.

Buyer: **Red Shed Properties LLC**

Seller: **Multnomah County, Oregon**

By 
Title President / Manager
Execution Date 9/24/07
Time of Execution _____
Office Phone (503) 223-0109
Address 430 N. Laurelhurst
City Portland, OR
Zip 97217
Fax No. (503) 224-0837
Email _____

By _____
Title _____
Execution Date _____
Time of Execution _____
Office Phone _____
Address _____
City _____
Zip _____
Fax No. _____
Email _____

Reynolds School District

By _____
Title _____
Execution Date _____
Time of Execution _____
Office Phone _____
Address _____
City _____
Zip _____
Fax No. _____
Email _____

document by facsimile will confirm facsimile transmission by signing and delivering a duplicate original document. This Agreement may be executed in two or more counterparts, each of which shall constitute an original and all of which together shall constitute one and the same Agreement. This Agreement contains the entire agreement and understanding of the parties with respect to the subject matter of this Agreement and supersedes all prior and contemporaneous agreements between them with respect thereto. This Agreement shall be binding upon and shall inure to the benefit of the parties and their respective successors and assigns. The person signing this Agreement on behalf of Buyer and the person signing this Agreement on behalf of Seller each represents, covenants and warrants that such person has full right and authority to enter into this Agreement and to bind the party for whom such person signs this Agreement to the terms and provisions of this Agreement. This Agreement shall not be recorded unless the parties otherwise agree.

15. Time for Acceptance. Seller has until 5:00 p.m. Pacific Time on September 14, 2007 to accept this offer. Acceptance is not effective until a copy of this Agreement which has been signed and dated by Seller is actually received by Buyer. If this offer is not so accepted, it shall expire and thereafter, neither party shall have any further right or remedy against the other.

16. Execution Date. The Execution Date is the later of the dates shown beneath the parties' signatures below.

17. Governing Law. This Agreement is made and executed under, and in all respects shall be governed and construed by the laws of the State of Oregon.

Buyer: Red Shed Properties LLC

Seller: Multnomah County, Oregon

By _____
Title _____
Execution Date _____
Time of Execution _____
Office Phone _____
Address _____
City _____
Zip _____
Fax No. _____
Email _____

By _____
Title _____
Execution Date _____
Time of Execution _____
Office Phone _____
Address _____
City _____
Zip _____
Fax No. _____
Email _____

Reynolds School District

By Chick Reynolds
Title Ex. Director of Business Services
Execution Date 9/27/07
Time of Execution 3:30 PM
Office Phone 503-661-7220
Address 1204 NE 201st Ave
City Fairview, OR
Zip 97024
Fax No. 503-667-6932
Email Chick_Reynolds@Reynolds.K12.OR.US

This transaction is contingent upon approval of the Reynolds School District School Board on or before September 14, 2007.

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 07-154

Approving the Sale of Edgefield North, Located at SW Halsey Street and 244th in Troutdale, Oregon, to Red Shed Properties, LLC and the Reynolds School District and Authorizing County Chair to Execute Appropriate Documents to Complete the Sale

The Multnomah County Board of Commissioners Finds:

- a. By Resolution 04-169, dated November 18, 2004, the Board declared Edgefield North, Property ID Number R320821, ("the Property") surplus. The Property is approximately 46 acres located in the City of Troutdale and is frequently referred to as the "Pig Farm", a former use on the site.
- b. In February 2005, a County-commissioned outside appraisal valued the Property at \$5,300,000.
- c. By Resolution 05-056, dated April 14, 2005, the Board directed Facilities and Property Management Division ("Facilities") to sell the Property on the open market.
- d. By Resolution 06-062, dated April 27, 2006, the Board approved a proposed sale of Edgefield North to Centex Homes for \$7,401,500.
- e. Due to the decline in the housing market, the problems posed by the cloud of the 242nd Street Bypass overlay over the property and certain site development issues, it became clear in early 2007 that the sale of the Property to Centex Homes was not possible under the approved terms. Therefore, Facilities placed the Property back on the market in May 2007.
- f. Since May 2007, Centex Homes has not actively pursued purchase of the property. In August 2007, purchase offers were received from two industrial developers, one for \$6.3 million and another for \$6.5 million. These offers included long due diligence periods. There is also a significant question whether the development proposed for the property by these potential buyers would be approved. Facilities concluded that pursuing either of these offers would be time consuming and might not result in a sale on the terms that were offered. On August 28, 2007, Red Shed Properties, LLC and the Reynolds School District submitted the attached Draft Purchase and Sale Agreement with a purchase offer of \$5,750,000. It has no contingencies other than approval of title and formal approval of the Reynolds School District Board and proposes an accelerated close schedule of October 31, 2007. Facilities believes that a

sale on these terms represents fair market value and is in the best interests of the County.

- g. It is in the best interests of the County to sell the Property on the terms and conditions set forth in the attached Draft Purchase and Sale Agreement.

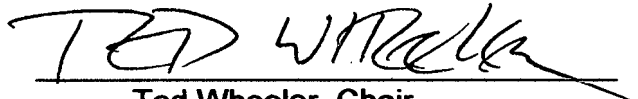
The Multnomah County Board of Commissioners Resolves:

1. It is in the best interests of the County to sell the Property to Red Shed Properties, LLC and the Reynolds School District on the terms and conditions set forth in the attached Draft Purchase and Sale Agreement.
2. The Chair is authorized to execute documents necessary to complete the sale of the Property substantially consistent with the Draft Purchase and Sale Agreement.

ADOPTED this 20th day of September 2007.

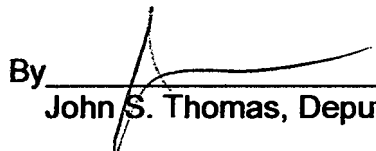
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON




Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
John S. Thomas, Deputy County Attorney

SUBMITTED BY:

Carol M. Ford, Director, Dept. of County Management

EXHIBIT

PURCHASE AND SALE AGREEMENT AND RECEIPT FOR EARNEST MONEY

Dated: as of August 24, 2007

BETWEEN: Multnomah County, Oregon

("Seller")

AND: Red Shed Properties LLC and Reynolds School District

("Buyer")

Buyer offers to buy and acquire from Seller the approximately 46.5 acres of real property and all improvements thereon located at 1400 W. Historic Columbia River Highway in the City of Troutdale, County of Multnomah, Oregon legally described on Exhibit A, attached hereto and incorporated herein by reference (the "Property"). If no legal description is attached, Buyer and Seller will attach a legal description upon receipt and reasonable approval by both parties of the Preliminary Commitment.

1. Purchase Price. The total purchase price is Five Million Seven Hundred Fifty Thousand and no/100 Dollars (\$5,750,000) (the "Purchase Price") payable in cash at Closing.

2. Earnest Money Deposit. Upon execution of this Agreement, Buyer shall deliver to the Escrow Holder as defined in herein, for the account of Buyer \$57,500 as earnest money (the "Earnest Money") in the form of a check. The purchase and sale of the Property shall be accomplished through an escrow (the "Escrow") which Seller has established or will establish with First American Title Insurance Company (the "Title Company") and the Earnest Money shall be deposited with the Title Company. The Earnest Money shall be applied to the payment of the purchase price for the Property at Closing. Any interest earned on the Earnest Money shall be considered to be part of the Earnest Money. The Earnest Money shall be returned to Buyer in the event any condition to Buyer's obligation to purchase the Property shall fail to be satisfied or waived through no fault of Buyer.

3. Title Insurance. Within 5 days after the Execution Date, Seller shall open the Escrow with the Title Company and deliver to Buyer a preliminary title report from the Title Company (the "Preliminary Commitment"), showing the status of Seller's title to the Property, together with complete and legible copies of all documents shown therein as exceptions to title ("Exceptions"). Buyer shall have 5 days after receipt of a copy of the Preliminary Commitment and Exceptions within which to give notice in writing to Seller of any objection to such title or to any liens or encumbrances affecting the Property. Within 5 days after the date of such notice from Buyer, Seller shall give Buyer written notice of whether it is willing and able to remove the objected-to Exceptions. Within 5 days after the date of such notice from Seller, Buyer shall elect whether to (i) purchase the Property subject to those objected-to Exceptions which Seller is not willing or able to remove or (ii) terminate this Agreement. On or before the Closing Date (defined below), Seller shall remove all Exceptions to which Buyer objects and which Seller agrees Seller is willing and able to remove. All remaining Exceptions set forth in the Preliminary Commitment and agreed to by Buyer shall be deemed "Permitted Exceptions." The title insurance policy to be delivered by Seller to Buyer at Closing shall contain no Exceptions other than the Permitted Exceptions, any Exceptions caused by Buyer and the usual preprinted Exceptions contained in an owner's standard ALTA form title insurance policy.

Portland1-2377392.1 0026587-00012

4. Default; Remedies. Notwithstanding anything to the contrary contained in this Agreement, in the event Buyer fails to deposit the Earnest Money Deposit in Escrow strictly as and when contemplated under Section 2 above, Seller shall have the right at any time thereafter to terminate this Agreement and all further rights and obligations hereunder by giving written notice thereof to Buyer. If the conditions, if any, to Buyer's obligation to consummate this transaction are satisfied or waived by Buyer and Buyer nevertheless fails, through no fault of Seller, to close the purchase of the Property, Seller's sole remedy shall be to retain the Earnest Money paid by Buyer. In the event Seller fails, through no fault of Buyer, to close the sale of the Property, Buyer shall be entitled to pursue any remedies available at law or in equity, including without limitation, the remedy of specific performance. In no event shall Buyer be entitled to punitive or consequential damages, if any, resulting from Seller's failure to close the sale of the Property.

5. Closing of Sale. Buyer and Seller agree the sale of the Property shall be closed (the "Closing") on or before October 31, 2007 (the "Closing Date") in the Escrow. The sale shall be deemed "closed" when the document(s) conveying title to the Property is recorded and the Purchase Price (increased or decreased, as the case may be, by the net amount of credits and debits to Seller's account at Closing made by the Escrow Holder pursuant to the terms of this Agreement) is disbursed to Seller. At Closing, Buyer and Seller shall deposit with the Title Company all documents and funds required to close the transaction in accordance with the terms of this Agreement. At Closing, Seller shall deliver a certification in a form approved by Buyer that Seller is not a "foreign person" as such term is defined in the Internal Revenue Code and the Treasury Regulations promulgated under the Internal Revenue Code. If Seller is a foreign person and this transaction is not otherwise exempt from FIRPTA regulations, the Title Company shall be instructed by the parties to withhold and pay the amount required by law to the Internal Revenue Service. At Closing, Seller shall convey fee simple title to the Property to Buyer by statutory warranty deed (the "Deed"). At Closing, Seller shall pay for and deliver to Buyer a standard ALTA form owner's policy of title insurance (the "Policy") in the amount of the Purchase Price insuring fee simple title to the Property in Buyer subject only to the Permitted Exceptions and the standard preprinted exceptions contained in the Policy.

6. Closing Costs; Prorates. Seller shall pay the premium for the Policy. Seller and Buyer shall each pay one-half of the escrow fees charged by the Title Company. Real property taxes for the tax year in which the transaction is closed and assessments (if a Permitted Exception) shall be prorated as of the Closing Date. Seller shall be responsible for payment of all taxes, interest, and penalties, if any, upon removal of the Property from any special assessment or program.

7. Possession. Buyer shall be entitled to exclusive possession of the Property, on the Closing Date.

8. Condition of Property. Seller represents that, to the best of Seller's knowledge without specific inquiry, Seller has received no written notices of violation of any laws, codes, rules, or regulations applicable to the Property ("Laws"), and Seller is not aware of any such violations or any concealed material defects in the Property. Risk of loss or damage to the Property shall be Seller's until Closing and Buyer's at and after Closing. No agent of Buyer or Seller has made any representations regarding the Property. Except for Seller's representations set forth in this Section 8, Buyer shall acquire the Property "as is" with all faults and Buyer shall rely on the results of its own inspection and investigation in Buyer's acquisition of the Property. It shall be a condition of Buyer's obligation to close, and of Seller's right to retain the Earnest Money as of Closing, that all of the Seller's representations and warranties

stated in this Agreement are materially true and correct on the Closing Date. Seller's representations and warranties stated in this Agreement shall survive Closing.

9. Notices. Unless otherwise specified, any notice required or permitted in, or related to, this Agreement must be in writing and signed by the party to be bound. Any notice will be deemed delivered (i) when personally delivered or delivered by facsimile transmission (with electronic confirmation of delivery), or (ii) on the day following delivery of the notice by reputable overnight courier, or (iii) three (3) days after mailing in the U.S. mails, postage prepaid, by the applicable party in all events, to the address of the other party shown in this Agreement, unless that day is a Saturday, Sunday, or legal holiday, in which event it will be deemed delivered on the next following business day. If the deadline under this Agreement for delivery of a notice or payment is a Saturday, Sunday, or legal holiday, such last day will be deemed extended to the next following business day.

10. Assignment. Buyer may assign this Agreement or Buyer's rights under this Agreement without Seller's prior written consent.

11. Attorneys' Fees. In the event a suit, action, arbitration, or other proceeding of any nature whatsoever, including without limitation any proceeding under the U.S. Bankruptcy Code, is instituted, or the services of an attorney are retained, to interpret or enforce any provision of this Agreement or with respect to any dispute relating to this Agreement, the prevailing party shall be entitled to recover from the losing party its attorneys', paralegals', accountants', and other experts' fees and all other fees, costs, and expenses actually incurred and reasonably necessary in connection therewith (the "Fees"). In the event of suit, action, arbitration, or other proceeding, the amount of Fees shall be determined by the judge or arbitrator, shall include all costs and expenses incurred on any appeal or review, and shall be in addition to all other amounts provided by law.

12. Statutory Land Use Disclaimer. THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS THAT, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND THAT LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, THE EXISTENCE OF FIRE PROTECTION FOR STRUCTURES AND THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

13. Wetlands and Flood Plain Mitigation. The Property includes wetlands and mapped flood plain areas and Buyer intends to develop such areas. Buyer intends to pursue permitting of site plans and facilities using mitigation on site as appropriate for fill or alteration of wetlands. After closing, Seller agrees to discuss with Buyer the possible use of north of the Property by Seller for mitigation of fill or alteration of wetlands. This obligation shall survive closing for such purposes, but Seller shall have no obligation to provide property for such use.

14. Miscellaneous. Time is of the essence of this Agreement. The facsimile transmission of any signed document including this Agreement, in accordance with Section 9, shall be the same as delivery of an original. At the request of either party, the party delivering a

document by facsimile will confirm facsimile transmission by signing and delivering a duplicate original document. This Agreement may be executed in two or more counterparts, each of which shall constitute an original and all of which together shall constitute one and the same Agreement. This Agreement contains the entire agreement and understanding of the parties with respect to the subject matter of this Agreement and supersedes all prior and contemporaneous agreements between them with respect thereto. This Agreement shall be binding upon and shall inure to the benefit of the parties and their respective successors and assigns. The person signing this Agreement on behalf of Buyer and the person signing this Agreement on behalf of Seller each represents, covenants and warrants that such person has full right and authority to enter into this Agreement and to bind the party for whom such person signs this Agreement to the terms and provisions of this Agreement. This Agreement shall not be recorded unless the parties otherwise agree.

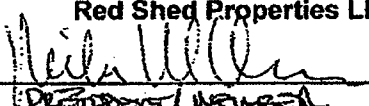
15. Time for Acceptance. Seller has until 5:00 p.m. Pacific Time on September 14, 2007 to accept this offer. Acceptance is not effective until a copy of this Agreement which has been signed and dated by Seller is actually received by Buyer. If this offer is not so accepted, it shall expire and thereafter, neither party shall have any further right or remedy against the other.

16. Execution Date. The Execution Date is the later of the dates shown beneath the parties' signatures below.

17. Governing Law. This Agreement is made and executed under, and in all respects shall be governed and construed by the laws of the State of Oregon.

Buyer: **Red Shed Properties LLC**

Seller: **Multnomah County, Oregon**

By 
Title President / Manager
Execution Date 8/24/07
Time of Execution _____
Office Phone (503) 223-0109
Address 430 N. Louisiana
City Portland, Or
Zip 97217
Fax No. (503) 224-0837
Email _____

By _____
Title _____
Execution Date _____
Time of Execution _____
Office Phone _____
Address _____
City _____
Zip _____
Fax No. _____
Email _____

Reynolds School District

By _____
Title _____
Execution Date _____
Time of Execution _____
Office Phone _____
Address _____
City _____
Zip _____
Fax No. _____
Email _____

document by facsimile will confirm facsimile transmission by signing and delivering a duplicate original document. This Agreement may be executed in two or more counterparts, each of which shall constitute an original and all of which together shall constitute one and the same Agreement. This Agreement contains the entire agreement and understanding of the parties with respect to the subject matter of this Agreement and supersedes all prior and contemporaneous agreements between them with respect thereto. This Agreement shall be binding upon and shall inure to the benefit of the parties and their respective successors and assigns. The person signing this Agreement on behalf of Buyer and the person signing this Agreement on behalf of Seller each represents, covenants and warrants that such person has full right and authority to enter into this Agreement and to bind the party for whom such person signs this Agreement to the terms and provisions of this Agreement. This Agreement shall not be recorded unless the parties otherwise agree.

15. Time for Acceptance. Seller has until 5:00 p.m. Pacific Time on September 14, 2007 to accept this offer. Acceptance is not effective until a copy of this Agreement which has been signed and dated by Seller is actually received by Buyer. If this offer is not so accepted, it shall expire and thereafter, neither party shall have any further right or remedy against the other.

16. Execution Date. The Execution Date is the later of the dates shown beneath the parties' signatures below.

17. Governing Law. This Agreement is made and executed under, and in all respects shall be governed and construed by the laws of the State of Oregon.

Buyer: Red Shed Properties LLC

Seller: Multnomah County, Oregon

By _____
Title _____
Execution Date _____
Time of Execution _____
Office Phone _____
Address _____
City _____
Zip _____
Fax No. _____
Email _____

By _____
Title _____
Execution Date _____
Time of Execution _____
Office Phone _____
Address _____
City _____
Zip _____
Fax No. _____
Email _____

Reynolds School District

By Chuck Reynolds
Title Ex. Director of Business Services
Execution Date 9/21/07
Time of Execution 3:30 PM
Office Phone 503-661-7200
Address 1204 NE 201st Ave
City FAIRVIEW, OR
Zip 97024
Fax No. 503-661-6932
Email Chuck_Reynolds@Reynolds.K12.OR.US

This transaction is contingent upon approval of the Reynolds School District School Board on or before September 14, 2007.

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: R-13
Est. Start Time: 2:15 PM
Date Submitted: 09/12/07

Agenda Title: **RESOLUTION Accepting the Portland Children's Investment Fund Recommendation to Renew Current Investments in After-School and Mentoring Programs; and Offering Advice and Counsel to the City of Portland Concerning the Recommendations**

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

Requested Meeting Date: September 20 2007 Amount of Time Needed: 10 minutes
Department: Non-Departmental Division: Chair's office
Contact(s): Tara Bowen-Biggs, Lorenzo Poe
Phone: 503 988-3308 Ext. 83953 I/O Address: 503/600
Presenter(s): Chair Wheeler; Lisa Pellegrino, Program Director, Children's Investment Fund

General Information

1. What action are you requesting from the Board?

Approval of Resolution to accept CHIF recommendations and to recommend adoption to Portland City Council.

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

In 2002 the citizens of the City of Portland authorized a five-year property tax levy to fund proven children's programs within the City. The ballot language authorizing the Children's Investment Fund requires that investments be made in early childhood programs, child abuse prevention and intervention programs, and after-school and mentoring programs.

The Children's Investment Fund (CHIF) is requesting that the Multnomah County Board of Commissioners approve the decisions of the Allocation Committee to renew current investments in after-school and mentoring programs in the amounts outlined in the attached memo entitled "request for County Board Approval"

The allocations will enhance the quality of local childcare, leverage funds to support childcare subsidies, renew investments in SUN Community middle school programs, and provide 1 year of SUN Community School service to Alder elementary.

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

No fiscal impact to County.

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

No legal issues involved; supports policies previously set by the Board.

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

This is a multi-jurisdictional effort that has involved community stakeholders.

Required Signature

Elected Official or
Department/
Agency Director:



Date: 09/12/07

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Accepting the Portland Children's Investment Fund Recommendation to Renew Current Investments in After-School and Mentoring Programs; and Offering Advice and Counsel to the City of Portland Concerning the Recommendations

The Multnomah County Board of Commissioners Finds:

- a. In 2002 the citizens of the City of Portland authorized a five-year property tax levy to fund proven children's programs within the City.
- b. The City of Portland and Multnomah County entered into an Intergovernmental Agreement to make certain that the funds received from the Levy are allocated in a manner complementary with a coordinated and comprehensive plan, and to ensure accountability and equity throughout the system. As part of the agreement, the City of Portland created the Children's Investment Fund Allocation Committee to provide citizen oversight of the Levy.
- c. Furthermore, the Board of County Commissioners, through its expertise and experience in children's policy and administration, provides the City Council with advice and counsel. In the past the Board has made recommendations regarding allocations for early childhood care and education, for abused and neglected children and for after school and mentoring programs. The Board is now making recommendations to renew current investments in after-school and childcare programs.

The Multnomah County Board of Commissioners Resolves:

1. The Board accepts the attached recommendation and request from the Portland Children's Investment Fund for After School and Childcare Program Investments.
2. Furthermore, the Board forwards the recommendation, with its own recommendation for adoption, to the Portland City Council for its consideration.

ADOPTED this 20th day of September, 2007

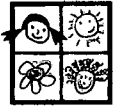
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:
AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

SUBMITTED BY:
Ted Wheeler, Multnomah County Chair



portland children's investment fund

Request for County Board Approval

The Children's Investment Fund (CHIF) is requesting that the Multnomah County Board of Commissioners approve the following decisions of the Allocation Committee:

1. Allocate \$2.7 million over three years to Childcare Resource and Referral of Multnomah County (a division of Mt Hood Community College) for enhancing the quality of childcare at local childcare centers and for making quality childcare more affordable for children of low-income families.
2. Allocate up to \$500,000 million in leverage funds over three years to Neighborhood Partnership Fund to support childcare subsidies to children of families participating in Bridges to Housing program.
3. Renew investments in SUN Community school programs at Fernwood, Jackson and Sellwood middle schools by contracting directly with Portland Impact to provide services at Fernwood and Sellwood, and Neighborhood House to provide services at Jackson.
4. Allocate \$75,000 for SUN Community School services at Alder Elementary School for FY 2007/2008 only with services provided by Metropolitan Family Services.

Background and details regarding each of these allocation decisions is listed below.

1. Childcare Allocation

Background:

During the Spring of 2006, the Allocation Committee convened a workgroup to consider allocating approximately \$6.8 million in excess funds¹ to Head Start and to a childcare project aimed at improving quality and affordability of quality care for low income parents. The workgroup recommended allocating approximately \$3.4 million to a local Head Start expansion, and \$3.4 million to the childcare proposal. The Committee voted to implement the workgroup's proposal.

Later that summer, City Commissioner Dan Saltzman decided not to seek renewal of the Children's Investment Fund levy on the November 2006 ballot, and postponed the levy renewal until the November 2008 ballot. This decision meant that there would be a "gap year" (FY 2008/2009) in which the current levy stopped generating revenue and before the new levy (if passed) would start generating revenue. Staff analyzed grant commitments, accrued revenue and revenue forecasts available as of August 2006, and recommended that the

¹ This amount was based on assessments of accrued revenue as of winter 2006, and existing revenue projections for the life of the fund as of the same date.

Committee hold all accrued revenue and expected future revenue to finance a “6th year” of funding for current grantees, provided that grantees continued to meet performance requirements and standards.

The Allocation Committee voted to reserve all excess funds to support existing grants during the 2008/2009 fiscal year. The Head Start and child care proposals were put on hold until such time as funds became available. The vote also included discontinuing any further Leverage Fund investments so that these funds could be used to finance the 6th year as well.

Since August 2006, staff has received revised revenue forecasts. The Children’s Investment Fund projects it will have \$14.1 million available for FY 2008-09 because of one-time only savings due to a gradual start-up of grants during the Fund’s first year and unexpected higher tax revenues. After all grantees are funded for a sixth year of funding through June 30, 2009 at their current level plus 3 percent for inflation, a balance of \$3.2 million remains. This includes \$500,000 in unspent Leverage Fund dollars.

The Allocation Committee voted on April 24, 2007 to allocate the \$3.2 million in excess funds to the following two projects.

1. Allocation of \$2.7 million to Childcare Resource and Referral of Multnomah County for enhancing quality of childcare and providing childcare subsidies

The Committee voted to allocate \$2.7 million to support the early childhood workgroup’s childcare proposal that had been tabled in during August 2006. That proposal includes two efforts to be funded July 1, 2007 – June 30, 2010:

- **Quality of Care:** Enhancing the quality of childcare at local licensed centers whose assessment through a state-developed “Quality Indicators” tool indicates a need for improvement. Childcare centers would receive staff mentoring and training in areas of child curriculum, health, mental health and business practices; they also would receive wage enhancements and grants to improve their childcare environment. It is estimated that up to 25 centers, serving over 1,000 children, could receive assistance over the three years.
- **Affordability of Care:** Providing annual childcare scholarships (subsidies) for up to 300 children of low-income, working parents earning an income of no more than \$38,000 per year for a family of four (185% of the federal poverty level or just over 50% of local median income). Childcare providers, including centers and family based providers, eligible to receive subsidies must meet various quality assurance criteria, including state licensure and certification, achieving standards on state and local childcare assessments, and having adequate liability insurance.

2. Allocation of \$500,000 to Neighborhood Partnership Fund for childcare scholarships for children of families in Bridges to Housing

The Committee voted to fund childcare subsidies to the 50 families currently in Bridges to Housing. The support will allow the program to leverage local resources and provide case management services for an additional 30 to 35 families. Funds would also be used to provide childcare subsidies to any new families participating in Bridges to Housing. Subsidies would be used only at state licensed or registered/certified providers. Funding period would be July 1, 2007 – June 30, 2010.

Bridges to Housing is a local four-county effort to alleviate family homelessness in the Portland area. The effort is being coordinated by the Neighborhood Partnership Fund, a leader in affordable housing programs and services throughout the state. Other collaborators include the Bill and Melinda Gates Foundation, Meyer Memorial Trust and Multnomah County.

2. Renewal of Investment in SUN Community School Programs

CHIF has contracted with Portland Public Schools (PPS) for provision of SUN Community School services at Fernwood, Sellwood and Jackson Middle schools for the past three years. The initial two year contract was renewed for one year in June 2006. The one year renewal contract expired June 30, 2007. At its July 10, 2007 meeting, The Allocation Committee considered whether and on what terms to renew funding for services at these schools.

Under the terms of the expiring contract, PPS subcontracted the bulk of the funds to Neighborhood House and Portland Impact to provide services at the schools. The Allocation Committee decided to renew its investment in the SUN Community School programs at all three schools, but to contract directly with the non-profits providing the services. The rationale for this was two-fold:

1. Contracting directly with providers would save \$15,000 annually in administrative costs incurred by PPS;
2. Funds saved by contracting directly with providers could be used to provide direct service instead.

The Committee voted to provide each of the SUN sites with \$87,700 in funding for FY 2007/2008. This amount reflects the total contract amount granted to PPS (\$278,100) minus \$15,000 in administrative fees paid to PPS (\$263,100) divided by 3 sites (\$87,700). All other terms of the contract shall remain the same including the number of children served and the outcomes.

3. **Allocation of Funds for SUN Community School Program at Alder Elementary School for FY 2007/2008 ONLY**

The Allocation Committee also voted to provide \$75,000 for FY 2007/2008 only to operate the SUN Community School program at Alder Elementary school. As the board may be aware, the 21st Century School grant funds that are currently funding operation of this site will expire in early 2008. The 2007/2008 approved county budget does not include any funding to continue SUN programming at Alder.

Funds to provide these services will be drawn from the following two sources:

- \$15,000 saved by contracting directly with Neighborhood House and Portland Impact for SUN services at Jackson, Sellwood and Fernwood;
- \$60,000 from the monies CHIF has reserved to fund all current grantees during FY 2008/2009. This will slightly reduce funding available for inflation allowances for current grantees during FY 2008/2009.

The county has sought and received permission from the state to reallocate Alder's 21st Century School grant funds to Davis Elementary instead so that programming will continue at both elementary schools for the full school year. All parties have been advised that CHIF funding for Alder would be available for one year ONLY.

The Committee voted to provide this one-time money based on the following rationales:

1. **SUN Coordinating Council:** The SUN Coordinating Council has begun meeting and has formed sub-committees to recommend an allocation process and formula, and define core services. The Council expects to have adopted recommendations on these issues in the fall of 2007. The County will publish an RFP for SUN services at the beginning of 2008, the terms of which will be informed by the Council's recommendations for allocation of resources and core services. The Committee agreed to provide one-time funding while the Council completes its work in the hopes that resources throughout the system will be reallocated to assure continued program operation at high need schools.
2. **High Poverty at Alder:** At the close of the 2006/2007 school year, Alder was the highest poverty school in the city and county with 92% of its population participating in the Free and Reduced Price Lunch Program, 71% minority students, and 67% English language learners (primarily Latino).
3. **Low Achievement at Alder:** At the close of the 2005/2006 school year, approximately 60% of the student population met state math and reading benchmarks.

4. **Funding is Consistent with CHIF Guidelines:** Providing funding for a SUN program at Alder is consistent with the guidelines established in the original After-School and Mentoring Request for Investment (RFI) published in 2004. Specifically, the RFI noted that CHIF would focus its after-school program investments on “services that address the achievement gap, that serve low income families and children or those who otherwise could not afford to participate in after-school programs, and on culturally competent and culturally specific services.” The SUN program at Alder meets all of these targets.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 07-155

Accepting the Portland Children's Investment Fund Recommendation to Renew Current Investments in After-School and Mentoring Programs; and Offering Advice and Counsel to the City of Portland Concerning the Recommendations

The Multnomah County Board of Commissioners Finds:

- a. In 2002 the citizens of the City of Portland authorized a five-year property tax levy to fund proven children's programs within the City.
- b. The City of Portland and Multnomah County entered into an Intergovernmental Agreement to make certain that the funds received from the Levy are allocated in a manner complementary with a coordinated and comprehensive plan, and to ensure accountability and equity throughout the system. As part of the agreement, the City of Portland created the Children's Investment Fund Allocation Committee to provide citizen oversight of the Levy.
- c. Furthermore, the Board of County Commissioners, through its expertise and experience in children's policy and administration, provides the City Council with advice and counsel. In the past the Board has made recommendations regarding allocations for early childhood care and education, for abused and neglected children and for after school and mentoring programs. The Board is now making recommendations to renew current investments in after-school and childcare programs.

The Multnomah County Board of Commissioners Resolves:

1. The Board accepts the attached recommendation and request from the Portland Children's Investment Fund for After School and Childcare Program Investments.
2. Furthermore, the Board forwards the recommendation, with its own recommendation for adoption, to the Portland City Council for its consideration.

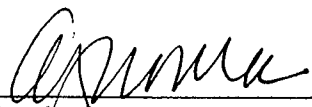
ADOPTED this 20th day of September, 2007



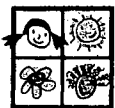
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:
AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Agnes Sowle, County Attorney

SUBMITTED BY:
Ted Wheeler, Multnomah County Chair



portland children's investment fund

Request for County Board Approval

The Children's Investment Fund (CHIF) is requesting that the Multnomah County Board of Commissioners approve the following decisions of the Allocation Committee:

1. Allocate \$2.7 million over three years to Childcare Resource and Referral of Multnomah County (a division of Mt Hood Community College) for enhancing the quality of childcare at local childcare centers and for making quality childcare more affordable for children of low-income families.
2. Allocate up to \$500,000 million in leverage funds over three years to Neighborhood Partnership Fund to support childcare subsidies to children of families participating in Bridges to Housing program.
3. Renew investments in SUN Community school programs at Fernwood, Jackson and Sellwood middle schools by contracting directly with Portland Impact to provide services at Fernwood and Sellwood, and Neighborhood House to provide services at Jackson.
4. Allocate \$75,000 for SUN Community School services at Alder Elementary School for FY 2007/2008 only with services provided by Metropolitan Family Services.

Background and details regarding each of these allocation decisions is listed below.

1. Childcare Allocation

Background:

During the Spring of 2006, the Allocation Committee convened a workgroup to consider allocating approximately \$6.8 million in excess funds¹ to Head Start and to a childcare project aimed at improving quality and affordability of quality care for low income parents. The workgroup recommended allocating approximately \$3.4 million to a local Head Start expansion, and \$3.4 million to the childcare proposal. The Committee voted to implement the workgroup's proposal.

Later that summer, City Commissioner Dan Saltzman decided not to seek renewal of the Children's Investment Fund levy on the November 2006 ballot, and postponed the levy renewal until the November 2008 ballot. This decision meant that there would be a "gap year" (FY 2008/2009) in which the current levy stopped generating revenue and before the new levy (if passed) would start generating revenue. Staff analyzed grant commitments, accrued revenue and revenue forecasts available as of August 2006, and recommended that the

¹ This amount was based on assessments of accrued revenue as of winter 2006, and existing revenue projections for the life of the fund as of the same date.

Committee hold all accrued revenue and expected future revenue to finance a “6th year” of funding for current grantees, provided that grantees continued to meet performance requirements and standards.

The Allocation Committee voted to reserve all excess funds to support existing grants during the 2008/2009 fiscal year. The Head Start and child care proposals were put on hold until such time as funds became available. The vote also included discontinuing any further Leverage Fund investments so that these funds could be used to finance the 6th year as well.

Since August 2006, staff has received revised revenue forecasts. The Children’s Investment Fund projects it will have \$14.1 million available for FY 2008-09 because of one-time only savings due to a gradual start-up of grants during the Fund’s first year and unexpected higher tax revenues. After all grantees are funded for a sixth year of funding through June 30, 2009 at their current level plus 3 percent for inflation, a balance of \$3.2 million remains. This includes \$500,000 in unspent Leverage Fund dollars.

The Allocation Committee voted on April 24, 2007 to allocate the \$3.2 million in excess funds to the following two projects.

1. Allocation of \$2.7 million to Childcare Resource and Referral of Multnomah County for enhancing quality of childcare and providing childcare subsidies

The Committee voted to allocate \$2.7 million to support the early childhood workgroup’s childcare proposal that had been tabled in during August 2006. That proposal includes two efforts to be funded July 1, 2007 – June 30, 2010:

- **Quality of Care:** Enhancing the quality of childcare at local licensed centers whose assessment through a state-developed “Quality Indicators” tool indicates a need for improvement. Childcare centers would receive staff mentoring and training in areas of child curriculum, health, mental health and business practices; they also would receive wage enhancements and grants to improve their childcare environment. It is estimated that up to 25 centers, serving over 1,000 children, could receive assistance over the three years.
- **Affordability of Care:** Providing annual childcare scholarships (subsidies) for up to 300 children of low-income, working parents earning an income of no more than \$38,000 per year for a family of four (185% of the federal poverty level or just over 50% of local median income). Childcare providers, including centers and family based providers, eligible to receive subsidies must meet various quality assurance criteria, including state licensure and certification, achieving standards on state and local childcare assessments, and having adequate liability insurance.

2. Allocation of \$500,000 to Neighborhood Partnership Fund for childcare scholarships for children of families in Bridges to Housing

The Committee voted to fund childcare subsidies to the 50 families currently in Bridges to Housing. The support will allow the program to leverage local resources and provide case management services for an additional 30 to 35 families. Funds would also be used to provide childcare subsidies to any new families participating in Bridges to Housing. Subsidies would be used only at state licensed or registered/certified providers. Funding period would be July 1, 2007 – June 30, 2010.

Bridges to Housing is a local four-county effort to alleviate family homelessness in the Portland area. The effort is being coordinated by the Neighborhood Partnership Fund, a leader in affordable housing programs and services throughout the state. Other collaborators include the Bill and Melinda Gates Foundation, Meyer Memorial Trust and Multnomah County.

2. Renewal of Investment in SUN Community School Programs

CHIF has contracted with Portland Public Schools (PPS) for provision of SUN Community School services at Fernwood, Sellwood and Jackson Middle schools for the past three years. The initial two year contract was renewed for one year in June 2006. The one year renewal contract expired June 30, 2007. At its July 10, 2007 meeting, The Allocation Committee considered whether and on what terms to renew funding for services at these schools.

Under the terms of the expiring contract, PPS subcontracted the bulk of the funds to Neighborhood House and Portland Impact to provide services at the schools. The Allocation Committee decided to renew its investment in the SUN Community School programs at all three schools, but to contract directly with the non-profits providing the services. The rationale for this was two-fold:

1. Contracting directly with providers would save \$15,000 annually in administrative costs incurred by PPS;
2. Funds saved by contracting directly with providers could be used to provide direct service instead.

The Committee voted to provide each of the SUN sites with \$87,700 in funding for FY 2007/2008. This amount reflects the total contract amount granted to PPS (\$278,100) minus \$15,000 in administrative fees paid to PPS (\$263,100) divided by 3 sites (\$87,700). All other terms of the contract shall remain the same including the number of children served and the outcomes.

3. **Allocation of Funds for SUN Community School Program at Alder Elementary School for FY 2007/2008 ONLY**

The Allocation Committee also voted to provide \$75,000 for FY 2007/2008 only to operate the SUN Community School program at Alder Elementary school. As the board may be aware, the 21st Century School grant funds that are currently funding operation of this site will expire in early 2008. The 2007/2008 approved county budget does not include any funding to continue SUN programming at Alder.

Funds to provide these services will be drawn from the following two sources:

- \$15,000 saved by contracting directly with Neighborhood House and Portland Impact for SUN services at Jackson, Sellwood and Fernwood;
- \$60,000 from the monies CHIF has reserved to fund all current grantees during FY 2008/2009. This will slightly reduce funding available for inflation allowances for current grantees during FY 2008/2009.

The county has sought and received permission from the state to reallocate Alder's 21st Century School grant funds to Davis Elementary instead so that programming will continue at both elementary schools for the full school year. All parties have been advised that CHIF funding for Alder would be available for one year ONLY.

The Committee voted to provide this one-time money based on the following rationales:

1. **SUN Coordinating Council:** The SUN Coordinating Council has begun meeting and has formed sub-committees to recommend an allocation process and formula, and define core services. The Council expects to have adopted recommendations on these issues in the fall of 2007. The County will publish an RFP for SUN services at the beginning of 2008, the terms of which will be informed by the Council's recommendations for allocation of resources and core services. The Committee agreed to provide one-time funding while the Council completes its work in the hopes that resources throughout the system will be reallocated to assure continued program operation at high need schools.
2. **High Poverty at Alder:** At the close of the 2006/2007 school year, Alder was the highest poverty school in the city and county with 92% of its population participating in the Free and Reduced Price Lunch Program, 71% minority students, and 67% English language learners (primarily Latino).
3. **Low Achievement at Alder:** At the close of the 2005/2006 school year, approximately 60% of the student population met state math and reading benchmarks.

4. **Funding is Consistent with CHIF Guidelines:** Providing funding for a SUN program at Alder is consistent with the guidelines established in the original After-School and Mentoring Request for Investment (RFI) published in 2004. Specifically, the RFI noted that CHIF would focus its after-school program investments on “services that address the achievement gap, that serve low income families and children or those who otherwise could not afford to participate in after-school programs, and on culturally competent and culturally specific services.” The SUN program at Alder meets all of these targets.



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: R-14
Est. Start Time: 2:25 PM
Date Submitted: 09/05/07

Agenda Title: RESOLUTION Authorizing Distribution of Multnomah County Business Income Tax Revenue to the City of Fairview

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

Requested Meeting Date: September 20, 2007 Amount of Time Needed: 10 mins
Department: Non-Departmental Division: District 3 - Naito
Contact(s): Matthew Lieuallen
Phone: 503.988.5217 Ext. 84576 I/O Address: 503/600
Presenter(s): Mark Campbell

General Information

1. What action are you requesting from the Board?

A resolution agreeing to continue to pass through County Business Income Tax revenue to the City of Fairview in the amount that was agreed to under the 1998 Intergovernmental Agreement for FY 2008/2009.

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

In 1998, Multnomah County entered into a Business Income Tax Intergovernmental Agreement with the City of Gresham, City of Troutdale, City of Fairview and City of Wood Village that provides the County allocate a portion of its net business income tax cash receipts to the Cities.

The Board of County Commissioners authorized termination of this IGA by adopting Resolution 06-102 on August 22, 2006.

The County Attorney issued timely notice to the cities of the board action authorizing termination. The intergovernmental agreement is set to expire on July 1, 2008 and the County will no longer be obligated to pass through revenue to the City of Fairview.

The City of Fairview had its own Business Income Tax at the time it entered into the 1998 Intergovernmental Agreement with Multnomah County. It forgave collection of such revenues at

the start of the agreement.

The City of Fairview has a population of 9,585. The pass through revenue is necessary to support basic public safety services for the City of Fairview. The City and County are preparing for their FY 2008/2009 budgets and without action by the Board, the City of Fairview will receive no revenue from the County.

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

The County will continue to pass through County Business Income Tax revenue to the City of Fairview in the amount that was agreed to under the 1998 Intergovernmental Agreement for FY 2008/2009 and in years thereafter.

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

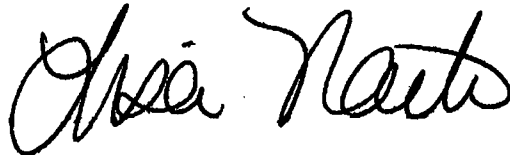
Policy memo to follow.

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

The County has met with all the cities to discuss the Business Income Tax.

Required Signature

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



Date: 09/05/07

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Authorizing Distribution of Multnomah County Business Income Tax Revenue to the City of Fairview

The Multnomah County Board of Commissioners Finds:

- a. In 1998, Multnomah County entered into a Business Income Tax Intergovernmental Agreement with the City of Gresham, City of Troutdale, City of Fairview and City of Wood Village that provides the County allocate a portion of its net business income tax cash receipts to the Cities.
- b. The Board of County Commissioners authorized termination of this IGA by adopting Resolution 06-102 on August 22, 2006.
- c. The County Attorney issued timely notice to the cities of the board action authorizing termination. The intergovernmental agreement is set to expire on July 1, 2008 and the County will no longer be obligated to pass through revenue to the City of Fairview.
- d. The City of Fairview had its own Business Income Tax at the time it entered into the 1998 Intergovernmental Agreement with Multnomah County. It forgave collection of such revenues at the start of the agreement.
- e. The City of Fairview has a population of 9,585. The pass through revenue is necessary to support basic public safety services for the City of Fairview. The City and County are preparing for their FY 2008/2009 budgets and without action by the Board, the City of Fairview will receive no revenue from the County.

The Multnomah County Board of Commissioners Resolves:

1. The Board of County Commissioners resolves to continue to pass through County Business Income Tax revenue to the City of Fairview in the amount that was agreed to under the 1998 Intergovernmental Agreement for FY 2008/2009 and in years thereafter.

ADOPTED this 20th day of September, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

SUBMITTED BY:
Multnomah County Commissioner Lisa H. Naito

SEPTEMBER 20, 2007
AGENDA ITEMS R-14, R-15, AND R-16

Attached you will find the “Final Report on the BUSINESS INCOME TAX and Distributions to Four East County Cities” that is part of Agenda items R-14, R-15, and R-16.

**Final Report on the
Business Income Tax
And Distributions to Four East County Cities
September 18, 2007**

- I. Executive Summary
 - II. Summary of the Task
 - III. Background
 - IV. Historical Distributions
 - V. Summary of the Meetings
 - VI. Summary of the Issues
 - VII. Next Steps and Recommendations
 - VIII. Appendix
-

I. Executive Summary

Background

In 2006, the Multnomah County Board of Commissioners passed Resolution 06-102. That resolution gave notice to the four East County cities – Gresham, Troutdale, Fairview, and Wood Village – of the County’s intent to dissolve the Business Income Tax (BIT) revenue sharing agreement. Under the terms of that agreement the County was required to give the cities two years’ notice before terminating transfer payments. The revenue sharing agreement, therefore, expires at the end of the current fiscal year. In June 2007, the County Chair tasked the Budget Office with meeting with each of the four impacted cities in order to:

- document the history of the agreement and the tax,
- understand the current impact of the BIT on the General Fund of each city,
- determine the role of the BIT in providing City services, and
- clarify the level of County services provided in each city.

Summary of Issues

The following issues were consistent across all of the conversations that the Budget Office staff had with the four cities:

- The main impact of eliminating the transfer of BIT revenue is decreased capacity for public safety in East County.
- The conversation about the BIT should be part of a larger discussion about regional taxes, especially since the BIT is a revenue source that is paid by businesses throughout the state and region.
- The County BIT replaced existing business tax revenue from three of the four cities. Furthermore, property tax limitations enacted since 1990 have restricted local jurisdictions ability to grow their revenue base.
- Determining the level of County service in each city and/or recalculating a distribution formula would be difficult and would involve some highly subjective assumptions.

Summary of Options

The memo from Chair Wheeler to the East County elected officials listed three possible outcomes related to Resolution 06-102:

- Do nothing - let the agreement terminate as described in the resolution.
- Repeal the repeal - let the existing agreement continue without changes.
- Negotiate a new agreement.

The following is a list of some of the potential changes that were suggested during the course of this analysis:

- Base future BIT distributions on where tax revenue was generated.
- Lower the distribution to cities by some amount or percentage.
- Negotiate intergovernmental agreements with the four cities that describe the services to be funded by BIT revenue.
- Continue the revenue sharing agreement with the three cities that previously had a business tax. Do not share BIT revenue with Gresham.
- Analyze and develop potential alternative source(s) that could generate as much revenue as the BIT and be replicated regionally, and eliminate the current tax.
- Have Multnomah County, or some other countywide jurisdiction, administer business taxes for the entire region.

II. Summary of Task

In June of 2006, facing the sunset of the personal income tax (ITAX) and forecasts of large budget deficits, the Multnomah County Board of Commissioners passed Resolution 06-102. The effect of the resolution was to terminate the revenue sharing agreement that distributed Business Income Tax (BIT) revenues to four East County cities. As mandated in the agreement with Gresham, Troutdale, Fairview, and Wood Village, the County gave a two-year notice that transfer payments would be discontinued after June 30, 2008.

The dissolution of what has been a 30-year intergovernmental agreement will become effective for FY 2008-09 unless the parties take further action to modify or renegotiate the agreement. The portion of the BIT revenue previously shared with the four cities will be retained by Multnomah County for use as a general revenue source. In FY 2006-07 the County transferred approximately \$5.9 million to the East County cities.

In January 2007, a new County Chair, supported by a new composition of the Board of County Commissioners, decided to research issues involved with the BIT and discuss the matter with each of the East County cities before the agreement expired. In June 2007, the County Chair tasked the Budget Office with meeting with each of the four impacted cities in order to:

- document the history of the agreement and the tax,
- understand the current impact of the BIT on the General Fund of each city,
- determine the role of the BIT in providing City services, and
- clarify the level of County services provided in each city.

III. Background

Although there have been many clarifying ordinances passed in the 30 years of its existence, the intergovernmental agreement between Multnomah County and the cities of Gresham, Troutdale, Fairview, and Wood Village has remained essentially the same since the parties entered into the agreement.

The BIT was imposed through passage of Ordinance 121 in April, 1976 and it replaced a County Business License Fee that had been in place for the two prior years. The BIT was originally set at .6% (six-tenths of one percent) of business net income generated within Multnomah County. A business with Multnomah County income of \$100,000, for example, would pay \$600 in tax. Payments are determined in the following manner:

- begin with net income from federal tax return,
- deduct an owner's compensation allowance (currently set at \$61,500) for each owner or shareholder who controls 5% or more of business assets,
- calculate apportionment of income generated within Multnomah County,
- deduct up to 75% of net operating loss (if any) as an offset to county income, and
- apply the tax rate to the amount calculated from the above steps.

Upon collection of the tax by Multnomah County, it was to be shared with the four East County cities. By terms of the original agreement, if the County collected less than \$2.5 million in total revenue, \$136,250 would be transferred to the cities. This represented a minimum of 5.45% distribution for East County cities (which would be a higher percentage of the BIT if less than \$2.5 million was collected). If the County collected more than \$2.5 million an additional 20% of any amount over \$2.5 million would be distributed to the cities. If the County collected \$10 million in BIT, for example, the four cities would share \$2,045,000 – which would represent more than 20% of the total BIT revenue.

The allocation of tax revenue to be shared between the four cities is determined by a two-part formula. Half of the tax is distributed based on an annual Portland State University population survey while half is distributed on the basis of the annual assessed value of each city.

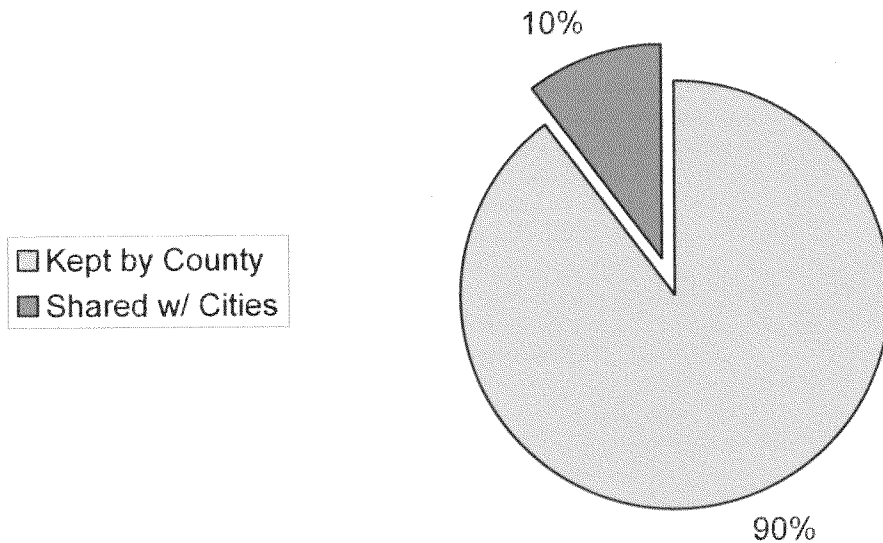
There has been only one major change to the agreement during its 30-year history. In 1986, at the height of a deep economic recession and faced with the loss of federal revenue sharing funds, the County raised the percentage of business income that was taxed from .6% to .95%. It was raised once again, in 1987 to 1.46% of business income. The BIT has remained at approximately that rate, with the exception of a temporary rate increase in 1998, for the past twenty years.

The County originally distributed the revenue from the .35% increase to the cities according to their respective allocation percentage. In 1988, however, the County decided that the amount of tax collected above the original .6% would not have to be shared with the cities, and the County requested that the funds already distributed be returned. The cities felt that the intent of the agreement was to share all BIT revenue with their jurisdictions. They collectively sued the County to retain the share of the revenue they believed they were entitled to. The court sided with the cities and no funds were returned to the County.

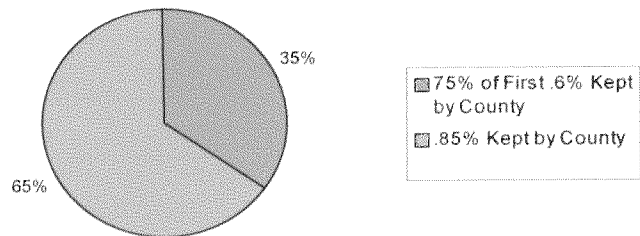
In 1988, however, a new revenue sharing agreement was negotiated. The new agreement clarified the County's original intent to share only revenue from the first .6% BIT increment. That agreement, which continues to this day, specifies that the four cities share one-quarter of the first .6% of BIT collections.

The chart on the following page offers a graphic representation of how the BIT revenue is shared with the East County cities. It also demonstrates how the revenue sharing agreement relates to the percentage of total revenue kept by the County.

2007 BIT Revenue Sharing per \$1,000,000



County Share of BIT per \$1,000,000

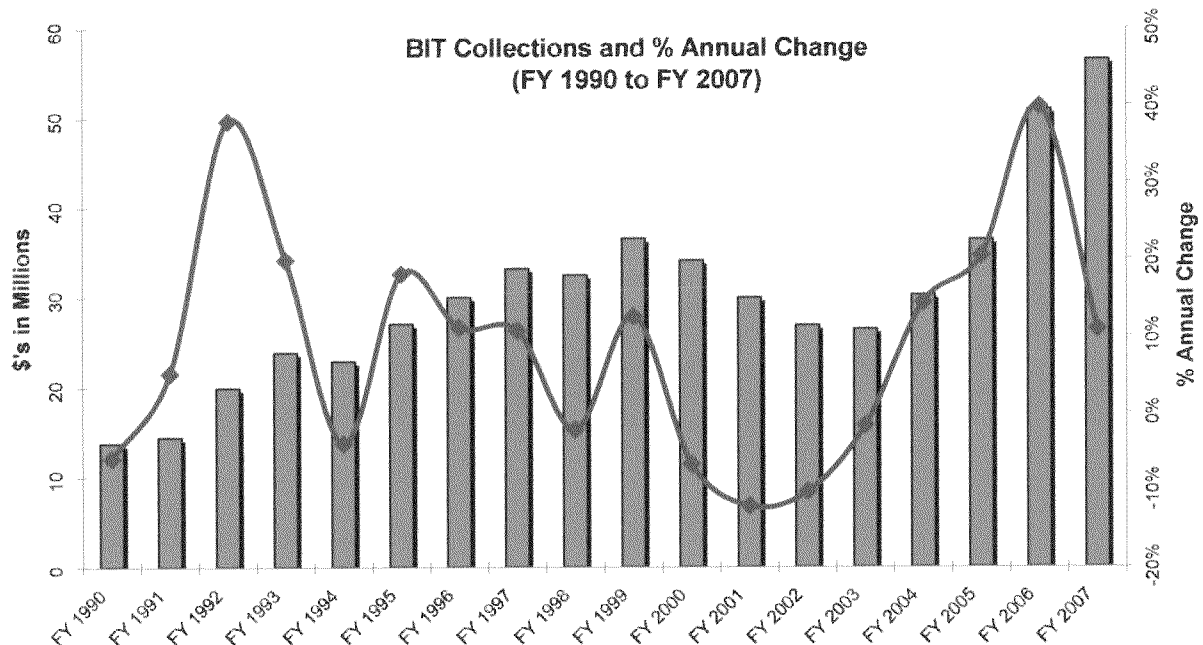


Two other changes to the BIT code occurred during the 1990's. In 1993, responsibility for the collection of the Multnomah County BIT and the City of Portland's Business License Fee (BLF) were consolidated within the City of Portland's License - now Revenue - Bureau. The rate was lowered from 1.46% to 1.45% (the rate it is set at today) in order to simplify filing requirements. In 1998, the rate was temporarily raised to 1.95% to support local school districts. Proceeds from the temporary rate increase were passed through in their entirety to all of the school districts within the county. Several other ordinances have made minor changes over the years. A list of all ordinances pertaining to the BIT is included in the Appendix.

IV. Historical distributions

Over the 30 years of its existence, the BIT has proven to be a volatile source of revenue. Because it is a tax on business, it typically follows the cycles in the regional economy. Since it is based on the percentage of income earned in Multnomah County, annual collections are also highly susceptible to the way in which individual companies treat their tax liability.

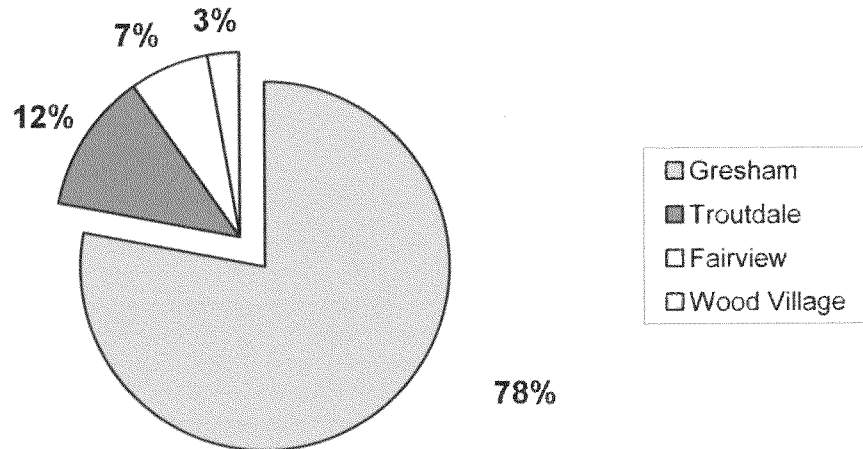
The chart below shows actual BIT collections since FY 1989-90. It serves to highlight the enigmatic nature of this revenue source. The bars highlight actual annual collections. Those have ranged from a **low of \$14.4 million** in FY 1989-90 to a high **of about \$57 million** received in the last fiscal year. The line reflects the annual percentage change in collections. The line, therefore, offers a more graphic representation of the relative changes in the regional economy over time.



Annual tax receipts have increased dramatically since FY 2002-03. Some year-over-year revenues have grown by as much as 40%. The FY 2006-07 revenues were actually about \$6 million higher than the previous year but it is interesting to note that the rate of change has dropped sharply. This is, perhaps, a signal that the regional economy is heading into a slower growth period. But, the “rollercoaster” effect of the BIT makes it difficult to predict on an annual basis. Since it is such a large portion of each jurisdiction’s General Fund forecasting, the BIT presents a challenge in the development of long range financial plans.

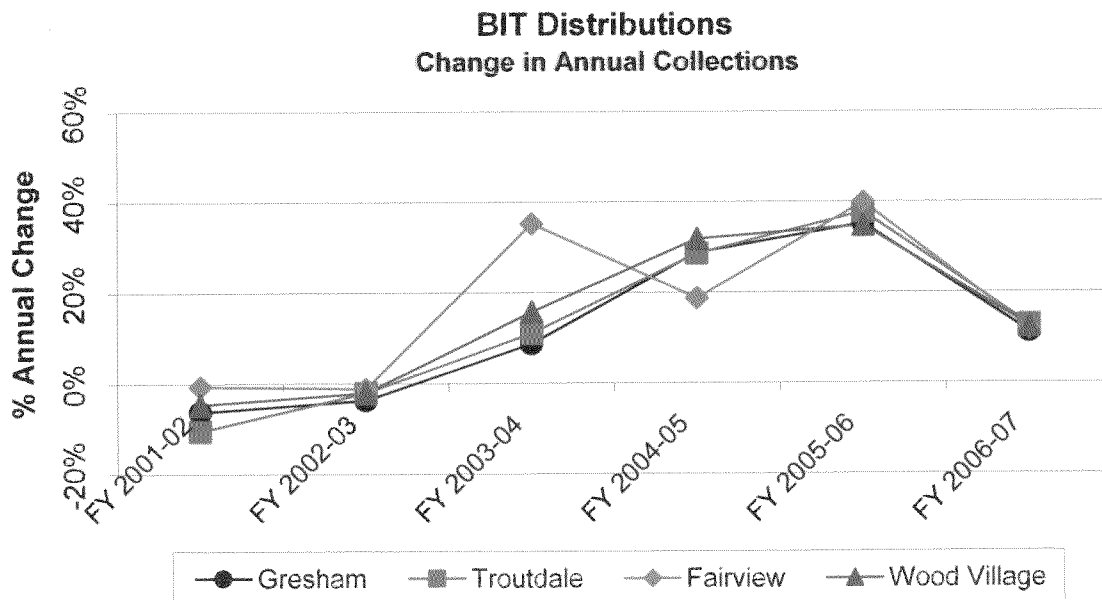
The amount of revenue transferred to the East County cities has followed the overall growth patterns. However, it is interesting to note that the percentage distributed to each city has remained relatively constant over the last six years. As shown in the graph below, Gresham has typically received more than 78% of the BIT revenue distributed to all four cities while Wood Village has accounted for about 3%.

BIT Distribution to Cities (*)
FY 2000-01 to FY 2006-07



* Distribution Ranged by < 2% Between FY 1999-00 and FY 2006-07

The following chart highlights the annual percentage change in BIT distributions over that same timeframe.



V. Summary of Meetings

Over the course of the summer, the Deputy Budget Director and a Budget Analyst met with each of the four East County cities that are signatories to the BIT revenue sharing agreement. The purpose of these meetings was to gain a mutual understanding of the financial and service delivery impact which the potential loss of BIT revenue would have for each of the cities.

A meeting with John Anderson, City Manager of Troutdale, was held on Wednesday **June 27th**. Troutdale raised the issue that, although the BIT is categorized as "revenue sharing" by Multnomah County, the cities of Troutdale, Fairview, and Wood Village had their own business tax before the County did. In that respect, in Mr. Anderson's view, the BIT agreement more accurately reflects the collection of tax revenue that each city agreed to forego in order to streamline the tax system.

He described a presentation prepared by the City of Wood Village which shows that the three smaller cities would generate more revenue if they had continued to levy their own tax. Troutdale also believes that a business tax should support business retention and development. Thus, it may make more sense for cities that provide "hard" services (like police and fire) to levy a tax that would directly benefit their business community. However, Mr. Anderson also expressed the view that deconstructing the BIT and having the individual cities administer their own tax would be contrary to the goal of efficiency in government that has been espoused by Chair Wheeler.

Abandoning the agreement wholesale will also create some hardship for the cities in their ability to fund services. Property tax revenues are now capped and limited by Measure 5 and Measure 47/50, whereas those limits were not in place when the revenue sharing agreement was first implemented. Many of the concerns expressed by Troutdale were echoed in subsequent meetings with the other cities.

Staff next met with Sheila Ritz, City Administrator, and Wyatt Parno, former Finance Director, of the City of Wood Village. That meeting took place on Monday, **July 16th**. Because of Wood Village's size, many city services are provided under contract with neighboring jurisdictions. For example, fire services are provided by the City of Gresham and police services are contracted through the Multnomah County Sheriff's Office.

Prior to 1976, Wood Village imposed a 1.5% city business tax which was repealed when the County began collecting the BIT. Wood Village also felt that business taxes should support business needs which, they noted, most often meant that BIT revenues have been spent on public safety. They expressed the notion that crime has spread eastward but revenue to support public safety programs has not followed that trend.

Since the majority of BIT revenue transferred to Wood Village is spent on public safety, it is safe to assume that any reduction in that revenue would have an adverse impact on the City's ability to support those services. Conversely, if there were additional revenue available, Wood Village would contract with the Sheriff's Office to provide additional patrol services.

Wood Village outlined a distinction between the three smaller cities and Gresham. They believe that, as the largest city in East County, Gresham is different in the scope and level of services it provides from the other three cities. For example, all three cities contract with Gresham to provide Fire services. The perception is that Gresham can draw on a larger amount of resources and its residents expect the city to provide a higher level of services than the other three cities.

Wood Village has articulated a need for a different method of generating revenue for public services. In fact, the City Council briefly considered imposing a sales tax two years ago. Ms. Ritz expressed the view that a regional sales tax could provide a good alternative to existing tax structures and would spur the State of Oregon to consider such an approach. She mentioned an analysis which indicated that the County's ITAX would have had to have been over 9% in order to generate the same amount of revenue as a 1% regional sales tax when applied to an "average" family with \$50,000 in annual income.

The City of Gresham was consulted on Wednesday, **July 18th**. Attending that meeting were Deborah Bond, Deputy Director of Finance & Management Services, and Ron Papsdorf, Government Affairs Officer, for the City. Just as the other two cities had indicated, Gresham's perspective is that the BIT is not a subsidy or a revenue sharing mechanism. It is seen, rather, as a more efficient way to tax businesses so they do not have to comply with different requirements within the region.

Approximately 94% of Gresham's discretionary General Fund supports public safety services. The BIT revenue alone does not cover the entire cost of police and fire budgets which are supported primarily by the Property Tax. As noted earlier, Gresham receives the largest share of the BIT revenue shared by the cities. City staff mentioned that they would be faced with some difficult funding decisions if the BIT revenue were no longer available because the City has limited options for replacement revenue.

Gresham staff made the point that the intergovernmental agreement to share the BIT had been established long before the passage of constitutional property tax limitations. The limits on Property Tax growth place a burden on all local governments and Gresham has one of the lowest permanent rates of any city in the state. In addition, when permanent rates were set the Department of Revenue considered other revenues, such as the BIT, in establishing those rates. To reduce or eliminate the BIT would tend to compound the Property Tax limitations for Gresham.

Because most jurisdictions rely heavily on the Property Tax, and because of the growth restrictions imposed on it, Gresham felt that a cooperative effort was needed to address changes to the current system of taxation. As Ron Papsdorf succinctly put it, we should be looking at ways to increase the revenue base rather than trying to figure out different ways to share existing revenues.

A discussion ensued about whether Gresham could realize as much revenue from a city-specific tax as it receives from the BIT. Staff indicated that there was no analysis to indicate how much the City would need to levy to make up for the BIT, but they would be interested in reviewing any data that would help to address that question.

Gresham also offered a historical perspective. The four cities received one-quarter of total BIT revenue when the tax was established. Now, the cities only share 10% of the total BIT revenue even though there is evidence to suggest that East County has experienced faster economic growth than Portland.

A meeting with Joe Gall, City Manager for the City of Fairview, was held on **August 1st**. Similar to the other three cities, Fairview spends the majority of its General Fund on public safety services. As noted earlier, Fairview contracts with Gresham to provide fire services, and they are also considering asking voters to support a local option levy in order to increase the level of police services.

Fairview was one of the few cities in the region to see some positive impact from the implementation of Measure 47. New construction buoyed the City's assessed value and allowed property taxes to increase somewhat faster than surrounding jurisdictions. However, as the pace of growth has slowed, Fairview has begun to see some of the negative impacts associated with the Property Tax limitations.

It is a priority of the City Council to grow the community's business base, but Mr. Gall expressed a concern that the BIT may serve as a disincentive for new businesses to locate in the county. Because of the volatility of the tax revenue and the difficulty in estimating annual collections, it is likely that Fairview would be willing to support a revenue source that is more stable and does not directly impact the ability of the region to attract new businesses.

VI. Summary of Issues

Impact of Eliminating the BIT as a City Revenue Source

Most cities indicated that the BIT revenue directly supports public safety services. Some cities, such as Gresham, were clearly able to articulate which programs would be reduced if the BIT revenue were no longer available. Other cities, such as Wood Village, could not specifically identify which programs would be impacted. But, they did uniformly voice the concern that losing approximately 10% of their discretionary General Fund would have a significant impact on their respective budgets. None of the cities would state for certain what action(s) their City Councils might take if the BIT agreement was terminated. Some indicated that they may pursue alternative revenue sources but they have also not done any polling to determine if there is community support for tax increases.

This is Part of a Bigger Discussion about Regional Taxation

Each of the cities expressed slightly different concerns and suggestions about the BIT as a revenue source. However all cities contributed important input that could serve as the basis for a regional discussion about taxation and the provision of government services. Some cities expressed a preference for eliminating the BIT in favor of an alternative revenue source that could draw from a broader base. Others were interested in recalculating how the existing BIT revenue is allocated. There was also some discussion of how the East County cities could align their efforts to look at alternatives which would provide a more direct benefit to local residents.

As a result, all of the comments and suggested changes about the BIT as a revenue source indicated that there is a need to have a regional discussion about tax policy. This was seen as something that could be of benefit to all local jurisdictions.

Data on County Services Provided in East County

Developing a methodology for calculating the dollar value of County services received by residents of each city is difficult and would require a number of subjective assumptions. To determine the amount of public safety services provided within each city, for example, one might use any of the following types of calculations:

- The total budget for the Multnomah County Sheriff, District Attorney, and Department of Community Justice, divided by the entire population of the County and then multiplied by city population. This method makes the assumption that each resident of the county receives the same level of services.
- The number of arrests in each city, divided by the total number of arrests in the County, multiplied by the County's costs to prosecute and supervise individuals in custody. This method is subjective in that it assumes that all arrests require the same level of service provision.
- The ratio of a city's population, minus the ratio of its arrests, multiplied by the cost of crime to the city. This method makes the assumption that the proportion of arrests should equal the proportion of the population and that fewer arrests would indicate a reduced need for public safety services.

There are many other ways that costs could be allocated. Because of this, and because the level of services provided to each city is not directly related to BIT revenue, a cost analysis has not been undertaken at this time. It is recommended that if it is desirable to analyze where (or whether) service subsidies occur, a larger group be convened to determine an allocation methodology that would have consensus support.

Recalculating the BIT Distribution Formula

Tax data and information is collected and maintained by the City of Portland. Because of confidentiality requirements, data on individual taxpayers has not been disseminated. Most analysis of the BIT conducted to date has been limited to high level overviews by types of businesses.

As part of the exploration of this issue, the Budget Office requested specific taxpayer data from the City of Portland. The data from each business was geographically coded to the primary location of the business, thus providing an estimate of how much BIT revenue was generated within each city. This methodology provides the most objective general picture of where revenues were generated, but there is a significant discrepancy in the data which makes a complete picture difficult.

Due to the inconsistent availability of multiple addresses for each business, it is not possible to apportion BIT taxes for a single business to more than one location. Large retail and utility companies, for example, report their income from only one primary location although they operate throughout the state and region. Until more consistent data can be made available, it is not possible to break the tax collection data down further. The analysis that has been performed, therefore, potentially understates the amount of tax revenue generated in the East County cities. But at this time, it is not possible to determine how much the revenue associated with each city is understated. If it is important that this estimate captures the source of revenue more precisely, the County will need to work with the City of Portland to modify the reporting process.

The following table shows the estimate of revenue breakdown for 2005 – the most recent year for which there is complete tax data.

	BIT Transfer by Jurisdiction	2005 Revenue by Primary Location	2005 Revenue by External Locations
Gresham	\$ 4,086,345	\$ 1,497,036	\$ 2,589,309
Troutdale	635,345	223,557	411,788
Fairview	361,955	109,290	252,665
Wood Village	138,425	98,047	40,378
Total - East County	\$ 5,222,070	\$ 1,927,930	\$ 3,294,140
County (Other Cities and Unincorporated)		36,620,961	
Total w/in County		\$ 38,548,891	
From Outside County		8,823,929	
TOTAL Revenue		\$ 47,372,820	

This analysis attributes the 2005 BIT paid to the geographic location of the business' primary address as reported on the tax return. Rather than attempt an artificial apportionment, we have simply noted that \$3.3 million of tax revenue distributed to the cities is derived from businesses which report their income from some other place.

There are a number of methodologies that could be used to estimate the distribution of BIT revenue between jurisdictions. The following are just a few examples of how the revenue could be apportioned:

- Total employment within each city;
- Distribution of revenue from businesses with multiple sites equally based on location (i.e., if a business has five locations, each location would be credited with 20% of the tax revenue);
- Real Market Value associated with Commercial, Industrial/Utility, and Personal Property in each city;
- Distribute all non-city specific revenue to the four cities in the same proportion they are of the population of the County as a whole.

The current method used to distribute BIT revenues has been in place, with minor modifications, for 30 years. Any changes to the methodology could result in increased revenues for some jurisdictions and decreased revenues for others, and thus it could make it difficult to reach a new agreement.

Business License Fees

Analysis of the BIT is complicated by the existence of business license fees. In addition to the BIT, the City of Portland assesses a Business License Fee (BLF) that is very similar to the BIT. Businesses that operate within Portland pay a minimum BLF of \$100 annually. But, the BLF is set at 2.2% of net income, determined on the same basis as the BIT, so most businesses pay more than the minimum fee.

The four East County cities also have business license fees, but they are very minimal in comparison, and most operate as a fixed fee. Although there are different rates for specialty businesses such as lottery devices or amusement businesses, the annual business license fee for each city is as follows:

- Fairview \$50
- Gresham \$75 (plus \$3 for each employee more than 2)
- Troutdale \$65
- Wood Village \$50 (only if above \$25,000 in gross earnings)

Revenue from the various business license fees is relatively minimal – each city receives more in BIT revenue sharing than is generated by its respective license fee.

VII. Next Steps and Recommendations

The memo from Chair Wheeler to the East County elected officials listed three possible outcomes related to Resolution 06-102:

- Do nothing - let the agreement terminate as described in the resolution.
- Repeal the repeal - let the existing agreement continue without changes.
- Negotiate a new agreement.

If Option 3 – negotiate a new agreement – is chosen, there are a number of changes that might be made to the agreement.

Options Within Multnomah County's Control

Base the revenue distribution on where income was generated:

Rationale:	The tax should benefit the jurisdiction from where it was raised
PRO:	Addresses equity issues raised by East County cities
CON:	Would require taxpayers to report income by jurisdiction, thereby creating a potential administrative burden on businesses

Reduce the amount distributed to the East County cities:

Rationale:	Analysis of taxpayer data suggests that businesses headquartered elsewhere (Portland, other Oregon cities, or out of state) contribute disproportionately to the overall BIT revenue stream:
PRO:	More revenue for the County's General Fund
CON:	Less revenue for cities; cities may choose to establish separate business taxes

Negotiate intergovernmental agreements to identify which programs BIT revenue supports:

Rationale:	County tax dollars should align with County priorities:
PRO:	Creates a sense of shared program responsibility between the County and cities
CON:	Cities lose discretion over use of BIT revenues, priorities are overlapping

Continue sharing the BIT with the three smaller cities, stop sharing with Gresham:

Rationale:	As a full-service city, Gresham has more resources to draw upon and a greater ability to diversify its revenue base:
PRO:	Additional revenue for the County's General Fund, continue sharing with cities that gave up existing taxing authority in 1976
CON:	BIT makes up 10% of Gresham's General Fund, which is spent primarily on public safety

Options Outside Multnomah County Control

Analyze and evaluate alternative revenue sources with the dual goals of implementing a regional tax solution and repealing the BIT altogether:

- Rationale: The BIT disadvantages the region's ability to recruit new businesses, businesses pass the expense to consumers and clients, and it is a very volatile revenue source
- PRO: A regional tax spread across many jurisdictions could generate much more revenue than the current BIT
- CON: Political and public support for taxes of any kind is difficult to muster in Oregon

Have Multnomah County, or another jurisdiction with countywide taxing authority, administer the entire BIT/BLF as a regional tax and determine a distribution formula:

- Rationale: The BIT/BLF impacts multiple cities and it is paid by businesses throughout the region; a jurisdiction with countywide taxing authority may be able to administer the tax more efficiently
- PRO: May reduce costs of collection and administration, businesses could still file a single tax form, and reporting data could be tailored to individual cities' needs
- CON: The City of Portland has tax collection and administrative processes in place already, capacity may not exist in other jurisdictions

For both of these options, a significant challenge is that cities would need to come to agreement regarding revenue distributions, among other things.

Recommendations

Based on the research into the BIT issues it is recommended that the Board of County Commissioners adopt a resolution that repeals resolution 06-102 for two to three years, thus continuing the 30-year revenue sharing agreement with the East County cities. In addition, such a resolution should also address the following issues:

- Develop a way to more accurately determine where BIT revenue is generated
- Investigate whether the tax could be collected more efficiently by the County or some other jurisdiction with countywide taxing authority
- Schedule regular sessions between the Board of County Commissioners and the elected officials of the four East County cities to discuss taxation and revenue issues
- Explore alternative revenue sources that could be implemented regionally and could be a replacement for the BIT.

VIII. Appendix

- A. Resolution # 06-102
- B. Letter from Chair Wheeler to East County Elected Officials (May 4, 2007)
- C. Summary of Revenue Distributed to East County Cities
- D. List of Resolutions and Ordinances Related to the Business Income Tax

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 06-102

Authorizing Termination of the Current Multnomah County Business Income Tax Intergovernmental Agreement Effective July 1, 2008 and Directing Notice to Cities

The Multnomah County Board of Commissioners Finds:

- a. In 1988, Multnomah County entered into a Business Income Tax Intergovernmental Agreement with the City of Gresham, City of Troutdale, City of Fairview and City of Wood Village (the Cities) that provides the County allocate a portion of its net business income tax cash receipts (the Cities' Collective Share) to the Cities.
- b. Under subsection 2.6.2 of the agreement, the County may terminate the agreement effective on July 1 of any year by giving not less than two years written notice to the Cities.
- c. The County's revenues have been adversely affected by numerous events during the past few years, causing cuts in programs and services. Future revenue sources are unknown.
- d. The County should have the option of retaining its revenue sources to help protect the County from having to make further cuts to programs and services.
- e. It is in the best interest of the County to negotiate new individual agreements with the Cities that preserves its ability to annually review their collective share.

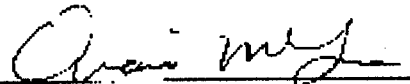
The Multnomah County Board of Commissioners Resolves:

1. The County approves termination of the current Multnomah County Business Income Tax Intergovernmental Agreement effective on July 1, 2008.
2. The County Attorney is directed to give written notice to each of the Cities before July 1, 2008.
3. While continuing to provide the Cities Collective share over the next two years, the County intends to negotiate new business income tax agreements that provide the County with the ability to review each Cities' share annually, effective July 1, 2008.


ADOPTED this 22nd day of June 2006.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Agnes Sowle, County Attorney

Page 1 of 1 - Resolution 06-102 Authorizing Termination of the Current Multnomah County Business Income Tax Intergovernmental Agreement Effective July 1, 2008 and Directing Notice to Cities



Ted Wheeler, Multnomah County Chair

501 SE Hawthorne Blvd., Suite 600
Portland, Oregon 97214
Phone: (503) 988-3308
Email: mult.chair@co.multnomah.or.us

May 4, 2007

To: Board of County Commissioners

c. Elected Officials of East County Cities

From: Ted Wheeler

Re: BIT IGA with East County cities

At our Wednesday joint meeting with the Gresham City Council, we are scheduled to discuss the status of our Inter-governmental Agreement on the Business Income Tax with East County cities.

After speaking with each of you, there are basically three approaches that have been suggested by various Commissioners: 1) support the status quo (i.e. let the termination of the BIT pass-through to East County jurisdictions take effect per the prior notice given by the board); 2) cancel the notice of termination and continue the pass-through as specified in the IGA; or 3) negotiate a new agreement with the East County jurisdictions that falls somewhere in the middle.

I believe that the Board needs a more in depth discussion of the implications of the Board's termination notice of last June in order to establish what our next steps are with regard to this issue. Given the complexity of this issue and the workload associated with the current budget process, I suggest we take this up after the final budget is adopted in early June.

In the meanwhile, I have asked the budget office and county counsel to compile a report for us providing the following information.

- a) Clarify the history of the intergovernmental agreement and the business income tax involving the Cities.
- b) Clarify the current financial impact of the BIT and the portion of general revenue that the BIT offers to the County and the Cities. Explain other actual and potential revenue sources for the respective jurisdictions.
- c) Clarify current services provided by the Cities to their residents and the role of the BIT in providing those services.
- d) Clarify current services provided by the County to residents of the Cities.

Secondly, I would ask the budget office to evaluate the following three options, based on revenue impact, service impact, and institutional impact on the local governments involved:

- a) Support the status quo – BIT terminates in July, 2008
- b) Cancel notice of termination and continue current IGA
- c) New agreement

I will ask the Budget office to consult with all impacted cities and to solicit other information from concerned civic bodies as appropriate. (e.g. Chambers of Commerce).

When the report is complete and following the adoption of our budget, I will schedule a Board work session to hear from the budget office and from representatives of each of the cities and others who would like to provide input on this subject. It is my expectation that having that factual information and input from the cities will help us decide on our next steps.

As always, do not hesitate to contact me with any further questions.

Summary of Revenue Distributed to East County Cities

Actual Receipts (FY 2000-01 to FY 2005-06); Estimated FY 2006-07

	BIT Revenue	Total GF ⁽¹⁾	% BIT of Total
Gresham			
FY 2000-01	2,395,988	33,466,249	7.16%
FY 2001-02	2,243,882	34,989,909	6.41%
FY 2002-03	2,159,626	34,372,318	6.28%
FY 2003-04	2,346,436	35,180,259	6.67%
FY 2004-05	3,022,779	38,233,792	7.91%
FY 2005-06	4,086,345	39,836,916	10.26%
FY 2006-07 (Estimate)	4,544,539	38,263,438	11.88%
Troutdale			
FY 2000-01	369,035	6,067,406	6.08%
FY 2001-02	330,139	6,094,893	5.42%
FY 2002-03	323,192	6,028,731	5.36%
FY 2003-04	358,774	6,470,548	5.54%
FY 2004-05	461,314	7,643,643	6.04%
FY 2005-06	635,345	8,384,730	7.58%
FY 2006-07 (Estimate)	716,419	8,692,071	8.24%
Fairview			
FY 2000-01	164,428	3,997,463	4.11%
FY 2001-02	163,265	3,886,482	4.20%
FY 2002-03	161,263	3,994,638	4.04%
FY 2003-04	218,024	4,430,067	4.92%
FY 2004-05	258,841	4,529,242	5.71%
FY 2005-06	353,066	5,384,917	6.56%
FY 2006-07 (Estimate)	405,055	5,442,199	7.44%
Wood Village			
FY 2000-01	72,195	1,220,978	5.91%
FY 2001-02	68,802	1,241,577	5.54%
FY 2002-03	67,326	1,142,367	5.89%
FY 2003-04	77,918	1,146,103	6.80%
FY 2004-05	102,719	1,419,538	7.24%
FY 2005-06	138,425	1,819,094	7.61%
FY 2006-07 (Estimate)	155,539	1,648,845	9.43%
Total Distributions			
FY 2000-01	3,001,646	44,752,096	6.71%
FY 2001-02	2,806,088	46,212,861	6.07%
FY 2002-03	2,711,407	45,538,054	5.95%
FY 2003-04	3,001,152	47,226,977	6.35%
FY 2004-05	3,845,653	51,826,215	7.42%
FY 2005-06	5,213,180	55,425,657	9.41%
FY 2006-07 (Estimate)	5,821,552	54,046,553	10.77%

List of Resolutions and Ordinances Related to the Business Income Tax

No.	Date	Title
84	12/05/1974	RELATING TO THE IMPOSITION OF BUSINESS LICENSES FOR REVENUE; PROVIDING FOR ADMINISTRATION AND COLLECTION; AND PROVIDING FOR ALL OTHER MATTERS RELATING THERETO
95	3/20/1975	AN ORDINANCE AMENDING ORDINANCE NO. 84, TO CHANGE THE DATE FOR FILING THE FIRST APPLICATION AND FEE.
96	03/25/1975	"AMENDING ORDINANCE NO. 84, TO CHANGE THE DATES FOR FILING FIRST APPLICATIONS AND FEES FOR BUSINESS LICENSE TAX, REPEALING ORDINANCE 95 AND DECLARING AN EMERGENCY"
103	06/19/1975	"RELATING TO THE IMPOSITION OF BUSINESS LICENSES FOR REVENUE; AMENDING ORDINANCE NO. 84, AS AMENDED BY ORDINANCE NO. 96; AND DECLARING AN EMERGENCY"
119	12/30/1975	"AMENDING ORDINANCE NO. 84, THE BUSINESS LICENSE ORDINANCE; CORRECTING ERRORS; CONFORMING TO THE PORTLAND BUSINESS LICENSE CODE; AND DECLARING AN EMERGENCY"
121	04/15/1976	IMPOSING A BUSINESS INCOME TAX FOR REVENUE; PROVIDING FOR ADMINISTRATION AND COLLECTION AND ALL RELATED MATTERS; IMPOSING PENALTIES; AND PRESCRIBING AN OPERATIVE DATE
123	04/15/1976	IMPOSING A BUSINESS LICENSE FEE ON MOTOR VEHICLE FUEL DEALERS; FIXING RATES; REQUIRING LICENSES; IMPOSING PENALTIES; AND PROVIDING FOR ADMINISTRATION, ENFORCEMENT AND COLLECTION OF THE FEE AND RELATED MATTERS
131	09/23/1976	"RELATING TO BUSINESS INCOME TAXATION, AND AMENDING ORDINANCE NO. 121"
158	01/26/1978	"RELATING TO BUSINESS INCOME TAXATION, AND AMENDING ORDINANCE NO. 121, AS AMENDED BY ORDINANCE NO. 131"
265	01/29/1981	"RELATING TO THE BUSINESS INCOME TAX, AND AMENDING MCC 5.70"
397	09/15/1983	REPEALING MULTNOMAH COUNTY CODE 5.70.020 RELATING TO TAX EXEMPT INCOME FOR MULTNOMAH COUNTY BUSINESS INCOME TAX PURPOSES
447	12/20/1984	"RELATING TO THE BUSINESS INCOME TAX, AND AMENDING MCC 5.70"
506	03/27/1986	"RELATING TO THE BUSINESS INCOME TAX, AND AMENDING MCC 5.70"
512	04/24/1986	RELATING TO THE BUSINESS INCOME TAX; AMENDING MCC 5.70.045
552	05/07/1987	RELATING TO THE BUSINESS INCOME TAX; AMENDING MCC 5.70.045
586	07/21/1988	RELATING TO THE BUSINESS INCOME TAX, AND AMENDING MCC 5.70
644	03/01/1990	"RELATING TO THE BUSINESS INCOME TAX, AND AMENDING MCC 5.70"
91-64	05/09/1991	SUPPORTING CONSOLIDATION OF THE COUNTY BUSINESS INCOME TAX AND THE CITY OF PORTLAND BUSINESS LICENSE FEE SYSTEM AND THE CREATION OF A JOINT IMPLEMENTATION COMMITTEE TO CARRY OUT CONSOLIDATION
702	10/24/1991	RELATING TO THE BUSINESS INCOME TAX: AMENDING MCC 5.70.045 AND 5.70.075 TO PROVIDE FOR QUARTERLY TAX PAYMENTS AND COLLECTION
93-105	04/08/1993	CONTINUING EFFORT OF DEVELOPING COMPATIBLE CODES AND CONSOLIDATED ADMINISTRATION FOR THE PORTLAND BUSINESS LICENSE PROGRAM AND THE MULTNOMAH COUNTY BUSINESS INCOME TAX
768	06/24/1993	AMENDING MULTNOMAH COUNTY CODE CHAPTER 5.70, BUSINESS INCOME TAX; CREATING MULTNOMAH COUNTY CODE CHAPTER 5.60, MULTNOMAH COUNTY BUSINESS INCOME TAX LAW; PROVIDING FOR ADMINISTRATION AND COLLECTION AND ALL RELATED MATTERS

List of Resolutions and Ordinances Related to the Business Income Tax (cont)

No.	Date	Title
93-233	06/24/1993	CONSOLIDATING ADMINISTRATION OF THE MULTNOMAH COUNTY BUSINESS INCOME TAX AND THE PORTLAND BUSINESS LICENSE FEE
779	12/09/1993	AMENDING MULTNOMAH COUNTY CODE CHAPTER 5.60, BUSINESS INCOME TAX LAW FOR MINOR CLARIFICATION CHANGES AND DECLARING AN EMERGENCY
97-203	12/02/1997	SUBMITTING TO THE VOTERS AN ORDINANCE IMPOSING A TEMPORARY EDUCATION SURCHARGE ON THE BUSINESS INCOME TAX TO BENEFIT PUBLIC SCHOOLS IN MULTNOMAH COUNTY
97-212	12/18/1997	ACCEPTING THE DISTRIBUTION FORMULA RECOMMENDED BY THE MULTNOMAH COUNTY SCHOOL SUPERINTENDENTS
897	01/08/1998	AMENDING MULTNOMAH COUNTY BUSINESS INCOME TAX MCC 5.60 TO INCORPORATE TECHNICAL AND HOUSEKEEPING CHANGES
901	02/19/1998	AMENDING MULTNOMAH COUNTY BUSINESS INCOME TAX MCC 5.60 TO INCORPORATE CHANGES IN THE OWNERS COMPENSATION DEDUCTION AND GROSS RECEIPTS EXEMPTION
902	03/30/1998	AMENDING MCC 5.60, IMPOSING TEMPORARY EDUCATION SURCHARGE ON BUSINESS INCOME TAX, RECEIPTS TO BENEFIT PUBLIC SCHOOLS
03-036	03/13/2003	ACCEPTING RECOMMENDATIONS OF THE COMMUNITY PARTNERSHIP STEERING COMMITTEE FOR REFORM OF THE MULTNOMAH COUNTY BUSINESS INCOME TAX, AND AUTHORIZING THE CHAIR TO WORK WITH THE CITY OF PORTLAND TO IMPLEMENT THE STEERING COMMITTEE'S RECOMMENDATIONS
1046	08/19/2004	ORDINANCE ESTABLISHING MULTNOMAH COUNTY CODE CHAPTER 12, BUSINESS INCOME TAX FROM MCC §§ 11.500 ET SEQ., UPDATING AND CLARIFYING DEFINITIONS, AND DECLARING AN EMERGENCY
1068	10/13/2005	ORDINANCE AMENDING MULTNOMAH COUNTY CODE CHAPTER 12.100, DOING BUSINESS DEFINITION, RETROACTIVE TO AUGUST 19, 2004
1072	03/30/2006	AMENDING MULTNOMAH COUNTY CODE §§ 12.200 AND 12.230 RELATING TO BUSINESS INCOME TAX COLLECTION
06-102	06/22/2006	AUTHORIZING TERMINATION OF THE CURRENT MULTNOMAH COUNTY BUSINESS INCOME TAX INTERGOVERNMENTAL AGREEMENT EFFECTIVE JULY 1, 2008 AND DIRECTING NOTICE TO CITIES
07-041	03/01/2007	ESTABLISHING A WORK GROUP TO STUDY REFORM OPTIONS FOR MULTNOMAH COUNTY'S BUSINESS INCOME TAX
07-054	04/12/2007	ACCEPTING THE RECOMMENDATIONS OF THE BUSINESS INCOME TAX (BIT) REFORM WORKGROUP TO EASE THE BURDEN ON SMALL BUSINESS, STABILIZE BIT REVENUES, IMPROVE OUR LOCAL BUSINESS CLIMATE, AND DIRECTING THE CHAIR TO IMPLEMENT BIT REFORMS

9.20.07
R-14, 15 & 16
FINAL REPORT

**Final Report on the
Business Income Tax
And Distributions to Four East County Cities
September 18, 2007**

- I. Executive Summary
 - II. Summary of the Task
 - III. Background
 - IV. Historical Distributions
 - V. Summary of the Meetings
 - VI. Summary of the Issues
 - VII. Next Steps and Recommendations
 - VIII. Appendix
-

I. Executive Summary

Background

In 2006, the Multnomah County Board of Commissioners passed Resolution 06-102. That resolution gave notice to the four East County cities – Gresham, Troutdale, Fairview, and Wood Village – of the County's intent to dissolve the Business Income Tax (BIT) revenue sharing agreement. Under the terms of that agreement the County was required to give the cities two years' notice before terminating transfer payments. The revenue sharing agreement, therefore, expires at the end of the current fiscal year. In June 2007, the County Chair tasked the Budget Office with meeting with each of the four impacted cities in order to:

- document the history of the agreement and the tax,
- understand the current impact of the BIT on the General Fund of each city,
- determine the role of the BIT in providing City services, and
- clarify the level of County services provided in each city.

Summary of Issues

The following issues were consistent across all of the conversations that the Budget Office staff had with the four cities:

- The main impact of eliminating the transfer of BIT revenue is decreased capacity for public safety in East County.
- The conversation about the BIT should be part of a larger discussion about regional taxes, especially since the BIT is a revenue source that is paid by businesses throughout the state and region.
- The County BIT replaced existing business tax revenue from three of the four cities. Furthermore, property tax limitations enacted since 1990 have restricted local jurisdictions ability to grow their revenue base.
- Determining the level of County service in each city and/or recalculating a distribution formula would be difficult and would involve some highly subjective assumptions.

Summary of Options

The memo from Chair Wheeler to the East County elected officials listed three possible outcomes related to Resolution 06-102:

- Do nothing - let the agreement terminate as described in the resolution.
- Repeal the repeal - let the existing agreement continue without changes.
- Negotiate a new agreement.

The following is a list of some of the potential changes that were suggested during the course of this analysis:

- Base future BIT distributions on where tax revenue was generated.
- Lower the distribution to cities by some amount or percentage.
- Negotiate intergovernmental agreements with the four cities that describe the services to be funded by BIT revenue.
- Continue the revenue sharing agreement with the three cities that previously had a business tax. Do not share BIT revenue with Gresham.
- Analyze and develop potential alternative source(s) that could generate as much revenue as the BIT and be replicated regionally, and eliminate the current tax.
- Have Multnomah County, or some other countywide jurisdiction, administer business taxes for the entire region.

II. Summary of Task

In June of 2006, facing the sunset of the personal income tax (ITAX) and forecasts of large budget deficits, the Multnomah County Board of Commissioners passed Resolution 06-102. The effect of the resolution was to terminate the revenue sharing agreement that distributed Business Income Tax (BIT) revenues to four East County cities. As mandated in the agreement with Gresham, Troutdale, Fairview, and Wood Village, the County gave a two-year notice that transfer payments would be discontinued after June 30, 2008.

The dissolution of what has been a 30-year intergovernmental agreement will become effective for FY 2008-09 unless the parties take further action to modify or renegotiate the agreement. The portion of the BIT revenue previously shared with the four cities will be retained by Multnomah County for use as a general revenue source. In FY 2006-07 the County transferred approximately \$5.9 million to the East County cities.

In January 2007, a new County Chair, supported by a new composition of the Board of County Commissioners, decided to research issues involved with the BIT and discuss the matter with each of the East County cities before the agreement expired. In June 2007, the County Chair tasked the Budget Office with meeting with each of the four impacted cities in order to:

- document the history of the agreement and the tax,
- understand the current impact of the BIT on the General Fund of each city,
- determine the role of the BIT in providing City services, and
- clarify the level of County services provided in each city.

III. Background

Although there have been many clarifying ordinances passed in the 30 years of its existence, the intergovernmental agreement between Multnomah County and the cities of Gresham, Troutdale, Fairview, and Wood Village has remained essentially the same since the parties entered into the agreement.

The BIT was imposed through passage of Ordinance 121 in April, 1976 and it replaced a County Business License Fee that had been in place for the two prior years. The BIT was originally set at .6% (six-tenths of one percent) of business net income generated within Multnomah County. A business with Multnomah County income of \$100,000, for example, would pay \$600 in tax. Payments are determined in the following manner:

- begin with net income from federal tax return,
- deduct an owner's compensation allowance (currently set at \$61,500) for each owner or shareholder who controls 5% or more of business assets,
- calculate apportionment of income generated within Multnomah County,
- deduct up to 75% of net operating loss (if any) as an offset to county income, and
- apply the tax rate to the amount calculated from the above steps.

Upon collection of the tax by Multnomah County, it was to be shared with the four East County cities. By terms of the original agreement, if the County collected less than \$2.5 million in total revenue, \$136,250 would be transferred to the cities. This represented a minimum of 5.45% distribution for East County cities (which would be a higher percentage of the BIT if less than \$2.5 million was collected). If the County collected more than \$2.5 million an additional 20% of any amount over \$2.5 million would be distributed to the cities. If the County collected \$10 million in BIT, for example, the four cities would share \$2,045,000 – which would represent more than 20% of the total BIT revenue.

The allocation of tax revenue to be shared between the four cities is determined by a two-part formula. Half of the tax is distributed based on an annual Portland State University population survey while half is distributed on the basis of the annual assessed value of each city.

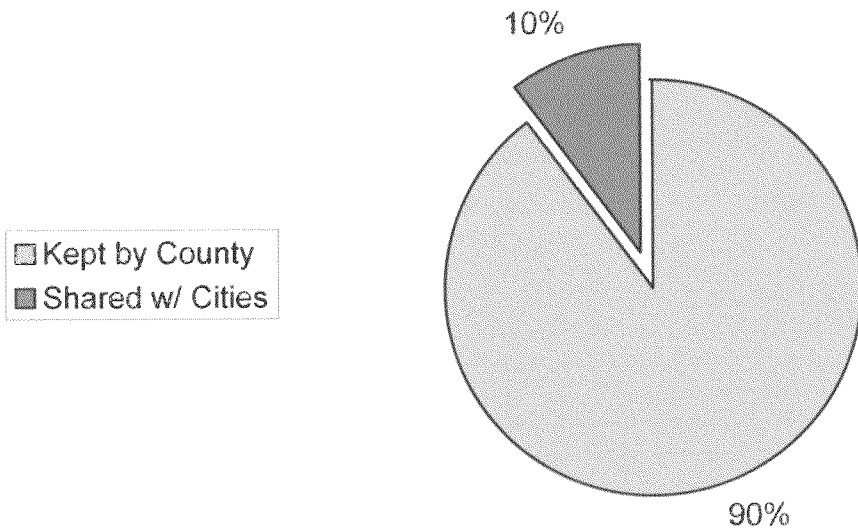
There has been only one major change to the agreement during its 30-year history. In 1986, at the height of a deep economic recession and faced with the loss of federal revenue sharing funds, the County raised the percentage of business income that was taxed from .6% to .95%. It was raised once again, in 1987 to 1.46% of business income. The BIT has remained at approximately that rate, with the exception of a temporary rate increase in 1998, for the past twenty years.

The County originally distributed the revenue from the .35% increase to the cities according to their respective allocation percentage. In 1988, however, the County decided that the amount of tax collected above the original .6% would not have to be shared with the cities, and the County requested that the funds already distributed be returned. The cities felt that the intent of the agreement was to share all BIT revenue with their jurisdictions. They collectively sued the County to retain the share of the revenue they believed they were entitled to. The court sided with the cities and no funds were returned to the County.

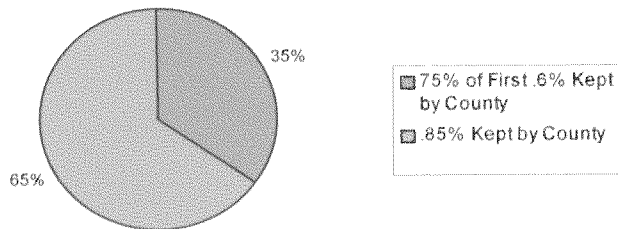
In 1988, however, a new revenue sharing agreement was negotiated. The new agreement clarified the County's original intent to share only revenue from the first .6% BIT increment. That agreement, which continues to this day, specifies that the four cities share one-quarter of the first .6% of BIT collections.

The chart on the following page offers a graphic representation of how the BIT revenue is shared with the East County cities. It also demonstrates how the revenue sharing agreement relates to the percentage of total revenue kept by the County.

2007 BIT Revenue Sharing per \$1,000,000



County Share of BIT per \$1,000,000

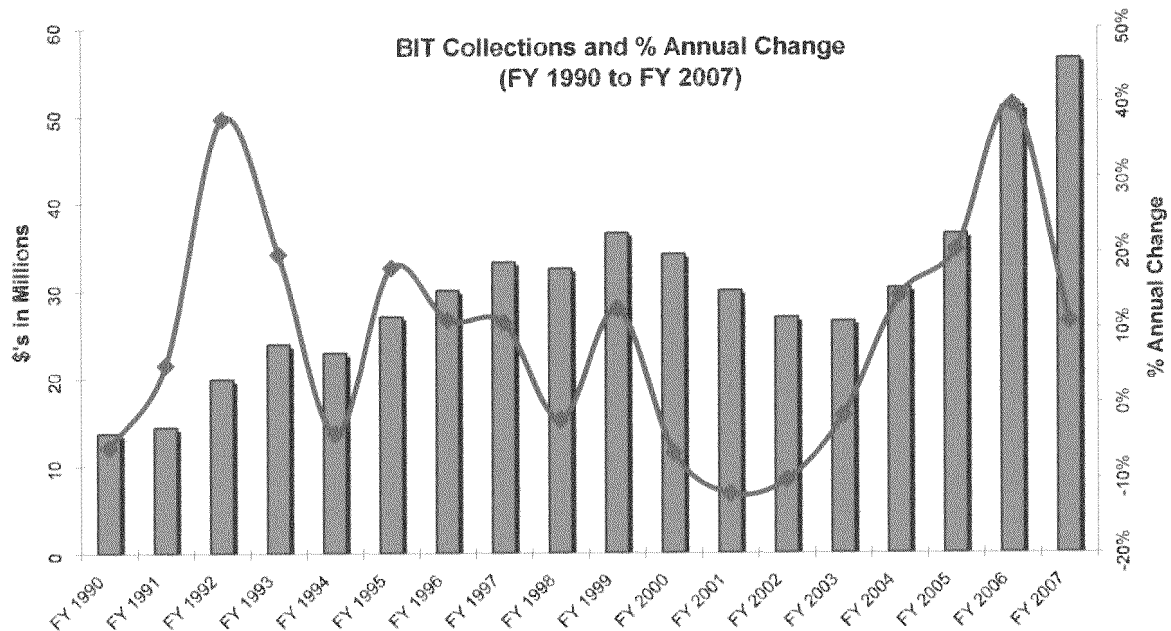


Two other changes to the BIT code occurred during the 1990's. In 1993, responsibility for the collection of the Multnomah County BIT and the City of Portland's Business License Fee (BLF) were consolidated within the City of Portland's License - now Revenue - Bureau. The rate was lowered from 1.46% to 1.45% (the rate it is set at today) in order to simplify filing requirements. In 1998, the rate was temporarily raised to 1.95% to support local school districts. Proceeds from the temporary rate increase were passed through in their entirety to all of the school districts within the county. Several other ordinances have made minor changes over the years. A list of all ordinances pertaining to the BIT is included in the Appendix.

IV. Historical distributions

Over the 30 years of its existence, the BIT has proven to be a volatile source of revenue. Because it is a tax on business, it typically follows the cycles in the regional economy. Since it is based on the percentage of income earned in Multnomah County, annual collections are also highly susceptible to the way in which individual companies treat their tax liability.

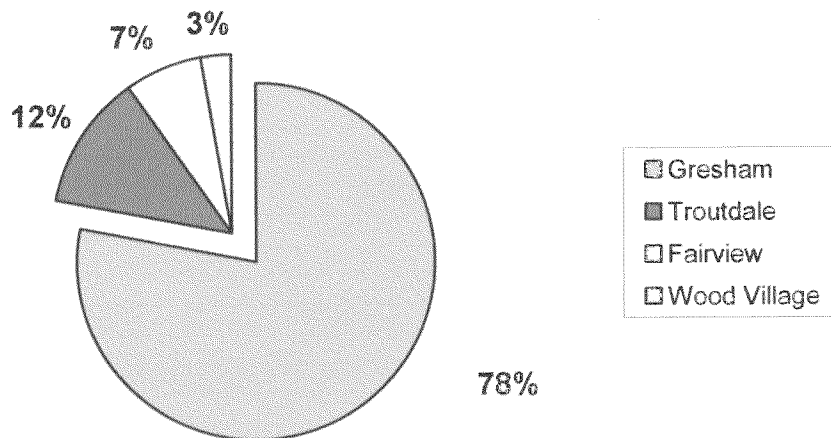
The chart below shows actual BIT collections since FY 1989-90. It serves to highlight the enigmatic nature of this revenue source. The bars highlight actual annual collections. Those have ranged from a low of \$14.4 million in FY 1989-90 to a high of about \$57 million received in the last fiscal year. The line reflects the annual percentage change in collections. The line, therefore, offers a more graphic representation of the relative changes in the regional economy over time.



Annual tax receipts have increased dramatically since FY 2002-03. Some year-over-year revenues have grown by as much as 40%. The FY 2006-07 revenues were actually about \$6 million higher than the previous year but it is interesting to note that the rate of change has dropped sharply. This is, perhaps, a signal that the regional economy is heading into a slower growth period. But, the “rollercoaster” effect of the BIT makes it difficult to predict on an annual basis. Since it is such a large portion of each jurisdiction’s General Fund forecasting, the BIT presents a challenge in the development of long range financial plans.

The amount of revenue transferred to the East County cities has followed the overall growth patterns. However, it is interesting to note that the percentage distributed to each city has remained relatively constant over the last six years. As shown in the graph below, Gresham has typically received more than 78% of the BIT revenue distributed to all four cities while Wood Village has accounted for about 3%.

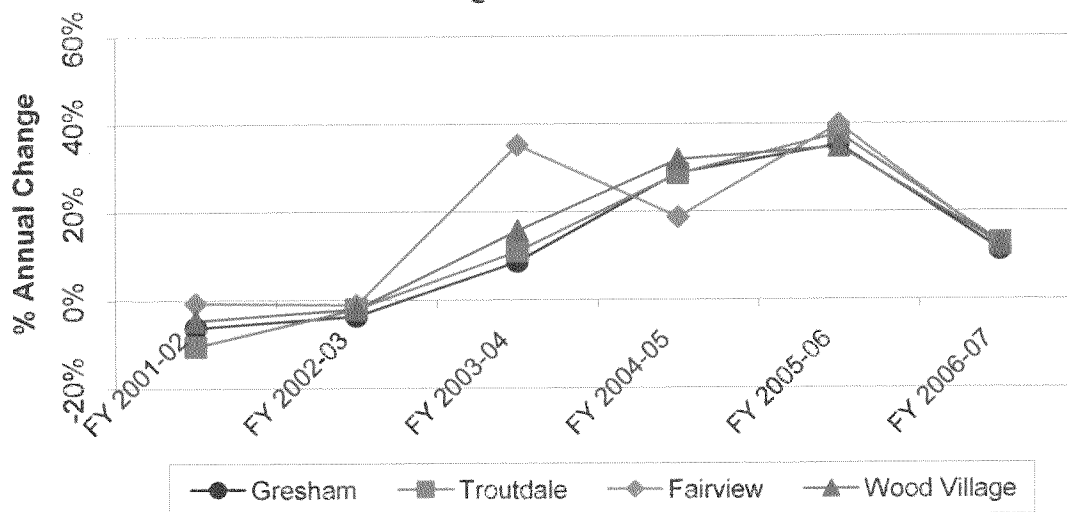
BIT Distribution to Cities (*)
FY 2000-01 to FY 2006-07



* Distribution Ranged by < 2% Between FY 1999-00 and FY 2006-07

The following chart highlights the annual percentage change in BIT distributions over that same timeframe.

BIT Distributions
Change in Annual Collections



V. Summary of Meetings

Over the course of the summer, the Deputy Budget Director and a Budget Analyst met with each of the four East County cities that are signatories to the BIT revenue sharing agreement. The purpose of these meetings was to gain a mutual understanding of the financial and service delivery impact which the potential loss of BIT revenue would have for each of the cities.

A meeting with John Anderson, City Manager of Troutdale, was held on Wednesday **June 27th**. Troutdale raised the issue that, although the BIT is categorized as "revenue sharing" by Multnomah County, the cities of Troutdale, Fairview, and Wood Village had their own business tax before the County did. In that respect, in Mr. Anderson's view, the BIT agreement more accurately reflects the collection of tax revenue that each city agreed to forego in order to streamline the tax system.

He described a presentation prepared by the City of Wood Village which shows that the three smaller cities would generate more revenue if they had continued to levy their own tax. Troutdale also believes that a business tax should support business retention and development. Thus, it may make more sense for cities that provide "hard" services (like police and fire) to levy a tax that would directly benefit their business community. However, Mr. Anderson also expressed the view that deconstructing the BIT and having the individual cities administer their own tax would be contrary to the goal of efficiency in government that has been espoused by Chair Wheeler.

Abandoning the agreement wholesale will also create some hardship for the cities in their ability to fund services. Property tax revenues are now capped and limited by Measure 5 and Measure 47/50, whereas those limits were not in place when the revenue sharing agreement was first implemented. Many of the concerns expressed by Troutdale were echoed in subsequent meetings with the other cities.

Staff next met with Sheila Ritz, City Administrator, and Wyatt Parno, former Finance Director, of the City of Wood Village. That meeting took place on Monday, **July 16th**. Because of Wood Village's size, many city services are provided under contract with neighboring jurisdictions. For example, fire services are provided by the City of Gresham and police services are contracted through the Multnomah County Sheriff's Office.

Prior to 1976, Wood Village imposed a 1.5% city business tax which was repealed when the County began collecting the BIT. Wood Village also felt that business taxes should support business needs which, they noted, most often meant that BIT revenues have been spent on public safety. They expressed the notion that crime has spread eastward but revenue to support public safety programs has not followed that trend.

Since the majority of BIT revenue transferred to Wood Village is spent on public safety, it is safe to assume that any reduction in that revenue would have an adverse impact on the City's ability to support those services. Conversely, if there were additional revenue available, Wood Village would contract with the Sheriff's Office to provide additional patrol services.

Wood Village outlined a distinction between the three smaller cities and Gresham. They believe that, as the largest city in East County, Gresham is different in the scope and level of services it provides from the other three cities. For example, all three cities contract with Gresham to provide Fire services. The perception is that Gresham can draw on a larger amount of resources and its residents expect the city to provide a higher level of services than the other three cities.

Wood Village has articulated a need for a different method of generating revenue for public services. In fact, the City Council briefly considered imposing a sales tax two years ago. Ms. Ritz expressed the view that a regional sales tax could provide a good alternative to existing tax structures and would spur the State of Oregon to consider such an approach. She mentioned an analysis which indicated that an "average" family with \$50,000 in annual income paid an amount of County ITAX that was equivalent to a 9% goods and services tax. The point Ms. Ritz wanted to make was that a very nominal regional sales tax could produce a large amount of revenue and would not burden local residents to the extent that the ITAX did.

The City of Gresham was consulted on Wednesday, **July 18th**. Attending that meeting were Deborah Bond, Deputy Director of Finance & Management Services, and Ron Papsdorf, Government Affairs Officer, for the City. Just as the other two cities had indicated, Gresham's perspective is that the BIT is not a subsidy or a revenue sharing mechanism. It is seen, rather, as a more efficient way to tax businesses so they do not have to comply with different requirements within the region.

Approximately 94% of Gresham's discretionary General Fund supports public safety services. The BIT revenue alone does not cover the entire cost of police and fire budgets which are supported primarily by the Property Tax. As noted earlier, Gresham receives the largest share of the BIT revenue shared by the cities. City staff mentioned that they would be faced with some difficult funding decisions if the BIT revenue were no longer available because the City has limited options for replacement revenue.

Gresham staff made the point that the intergovernmental agreement to share the BIT had been established long before the passage of constitutional property tax limitations. The limits on Property Tax growth place a burden on all local governments and Gresham has one of the lowest permanent rates of any city in the state. In addition, when permanent rates were set the Department of Revenue considered other revenues, such as the BIT, in establishing those rates. To reduce or eliminate the BIT would tend to compound the Property Tax limitations for Gresham.

Because most jurisdictions rely heavily on the Property Tax, and because of the growth restrictions imposed on it, Gresham felt that a cooperative effort was needed to address changes to the current system of taxation. As Ron Papsdorf succinctly put it, we should be looking at ways to increase the revenue base rather than trying to figure out different ways to share existing revenues.

A discussion ensued about whether Gresham could realize as much revenue from a city-specific tax as it receives from the BIT. Staff indicated that there was no analysis to indicate how much the City would need to levy to make up for the BIT, but they would be interested in reviewing any data that would help to address that question.

Gresham also offered a historical perspective. The four cities received one-quarter of total BIT revenue when the tax was established. Now, the cities only share 10% of the total BIT revenue even though there is evidence to suggest that East County has experienced faster economic growth than Portland.

A meeting with Joe Gall, City Manager for the City of Fairview, was held on **August 1st**. Similar to the other three cities, Fairview spends the majority of its General Fund on public safety services. As noted earlier, Fairview contracts with Gresham to provide fire services, and they are also considering asking voters to support a local option levy in order to increase the level of police services.

Fairview was one of the few cities in the region to see some positive impact from the implementation of Measure 47. New construction buoyed the City's assessed value and allowed property taxes to increase somewhat faster than surrounding jurisdictions. However, as the pace of growth has slowed, Fairview has begun to see some of the negative impacts associated with the Property Tax limitations.

It is a priority of the City Council to grow the community's business base, but Mr. Gall expressed a concern that the BIT may serve as a disincentive for new businesses to locate in the county. Because of the volatility of the tax revenue and the difficulty in estimating annual collections, it is likely that Fairview would be willing to support a revenue source that is more stable and does not directly impact the ability of the region to attract new businesses.

VI. Summary of Issues

Impact of Eliminating the BIT as a City Revenue Source

Most cities indicated that the BIT revenue directly supports public safety services. Some cities, such as Gresham, were clearly able to articulate which programs would be reduced if the BIT revenue were no longer available. Other cities, such as Wood Village, could not specifically identify which programs would be impacted. But, they did uniformly voice the concern that losing approximately 10% of their discretionary General Fund would have a significant impact on their respective budgets. None of the cities would state for certain what action(s) their City Councils might take if the BIT agreement was terminated. Some indicated that they may pursue alternative revenue sources but they have also not done any polling to determine if there is community support for tax increases.

This is Part of a Bigger Discussion about Regional Taxation

Each of the cities expressed slightly different concerns and suggestions about the BIT as a revenue source. However all cities contributed important input that could serve as the basis for a regional discussion about taxation and the provision of government services. Some cities expressed a preference for eliminating the BIT in favor of an alternative revenue source that could draw from a broader base. Others were interested in recalculating how the existing BIT revenue is allocated. There was also some discussion of how the East County cities could align their efforts to look at alternatives which would provide a more direct benefit to local residents.

As a result, all of the comments and suggested changes about the BIT as a revenue source indicated that there is a need to have a regional discussion about tax policy. This was seen as something that could be of benefit to all local jurisdictions.

Data on County Services Provided in East County

Developing a methodology for calculating the dollar value of County services received by residents of each city is difficult and would require a number of subjective assumptions. To determine the amount of public safety services provided within each city, for example, one might use any of the following types of calculations:

- The total budget for the Multnomah County Sheriff, District Attorney, and Department of Community Justice, divided by the entire population of the County and then multiplied by city population. This method makes the assumption that each resident of the county receives the same level of services.
- The number of arrests in each city, divided by the total number of arrests in the County, multiplied by the County's costs to prosecute and supervise individuals in custody. This method is subjective in that it assumes that all arrests require the same level of service provision.
- The ratio of a city's population, minus the ratio of its arrests, multiplied by the cost of crime to the city. This method makes the assumption that the proportion of arrests should equal the proportion of the population and that fewer arrests would indicate a reduced need for public safety services.

There are many other ways that costs could be allocated. Because of this, and because the level of services provided to each city is not directly related to BIT revenue, a cost analysis has not been undertaken at this time. It is recommended that if it is desirable to analyze where (or whether) service subsidies occur, a larger group be convened to determine an allocation methodology that would have consensus support.

Recalculating the BIT Distribution Formula

Tax data and information is collected and maintained by the City of Portland. Because of confidentiality requirements, data on individual taxpayers has not been disseminated. Most analysis of the BIT conducted to date has been limited to high level overviews by types of businesses.

As part of the exploration of this issue, the Budget Office requested specific taxpayer data from the City of Portland. The data from each business was geographically coded to the primary location of the business, thus providing an estimate of how much BIT revenue was generated within each city. This methodology provides the most objective general picture of where revenues were generated, but there is a significant discrepancy in the data which makes a complete picture difficult.

Due to the inconsistent availability of multiple addresses for each business, it is not possible to apportion BIT taxes for a single business to more than one location. Large retail and utility companies, for example, report their income from only one primary location although they operate throughout the state and region. Until more consistent data can be made available, it is not possible to break the tax collection data down further. The analysis that has been performed, therefore, potentially understates the amount of tax revenue generated in the East County cities. But at this time, it is not possible to determine how much the revenue associated with each city is understated. If it is important that this estimate captures the source of revenue more precisely, the County will need to work with the City of Portland to modify the reporting process.

The following table shows the estimate of revenue breakdown for 2005 – the most recent year for which there is complete tax data.

	BIT Transfer by Jurisdiction	2005 Revenue by Primary Location	2005 Revenue by External Locations
Gresham	\$ 4,086,345	\$ 1,497,036	\$ 2,589,309
Troutdale	635,345	223,557	411,788
Fairview	361,955	109,290	252,665
Wood Village	138,425	98,047	40,378
Total - East County	\$ 5,222,070	\$ 1,927,930	\$ 3,294,140
County (Other Cities and Unincorporated)		36,620,961	
Total w/in County		\$ 38,548,891	
From Outside County		8,823,929	
TOTAL Revenue		\$ 47,372,820	

This analysis attributes the 2005 BIT paid to the geographic location of the business' primary address as reported on the tax return. Rather than attempt an artificial apportionment, we have simply noted that \$3.3 million of tax revenue distributed to the cities is derived from businesses which report their income from some other place.

There are a number of methodologies that could be used to estimate the distribution of BIT revenue between jurisdictions. The following are just a few examples of how the revenue could be apportioned:

- Total employment within each city;
- Distribution of revenue from businesses with multiple sites equally based on location (i.e., if a business has five locations, each location would be credited with 20% of the tax revenue);
- Real Market Value associated with Commercial, Industrial/Utility, and Personal Property in each city;
- Distribute all non-city specific revenue to the four cities in the same proportion they are of the population of the County as a whole.

The current method used to distribute BIT revenues has been in place, with minor modifications, for 30 years. Any changes to the methodology could result in increased revenues for some jurisdictions and decreased revenues for others, and thus it could make it difficult to reach a new agreement.

Business License Fees

Analysis of the BIT is complicated by the existence of business license fees. In addition to the BIT, the City of Portland assesses a Business License Fee (BLF) that is very similar to the BIT. Businesses that operate within Portland pay a minimum BLF of \$100 annually. But, the BLF is set at 2.2% of net income, determined on the same basis as the BIT, so most businesses pay more than the minimum fee.

The four East County cities also have business license fees, but they are very minimal in comparison, and most operate as a fixed fee. Although there are different rates for specialty businesses such as lottery devices or amusement businesses, the annual business license fee for each city is as follows:

- Fairview \$50
- Gresham \$75 (plus \$3 for each employee more than 2)
- Troutdale \$65
- Wood Village \$50 (only if above \$25,000 in gross earnings)

Revenue from the various business license fees is relatively minimal – each city receives more in BIT revenue sharing than is generated by its respective license fee.

VII. Next Steps and Recommendations

The memo from Chair Wheeler to the East County elected officials listed three possible outcomes related to Resolution 06-102:

- Do nothing - let the agreement terminate as described in the resolution.
- Repeal the repeal - let the existing agreement continue without changes.
- Negotiate a new agreement.

If Option 3 – negotiate a new agreement – is chosen, there are a number of changes that might be made to the agreement.

Options Within Multnomah County's Control

Base the revenue distribution on where income was generated:

Rationale:	The tax should benefit the jurisdiction from where it was raised
PRO:	Addresses equity issues raised by East County cities
CON:	Would require taxpayers to report income by jurisdiction, thereby creating a potential administrative burden on businesses

Reduce the amount distributed to the East County cities:

Rationale:	Analysis of taxpayer data suggests that businesses headquartered elsewhere (Portland, other Oregon cities, or out of state) contribute disproportionately to the overall BIT revenue stream:
PRO:	More revenue for the County's General Fund
CON:	Less revenue for cities; cities may choose to establish separate business taxes

Negotiate intergovernmental agreements to identify which programs BIT revenue supports:

Rationale:	County tax dollars should align with County priorities:
PRO:	Creates a sense of shared program responsibility between the County and cities
CON:	Cities lose discretion over use of BIT revenues, priorities are overlapping

Continue sharing the BIT with the three smaller cities, stop sharing with Gresham:

Rationale:	As a full-service city, Gresham has more resources to draw upon and a greater ability to diversify its revenue base:
PRO:	Additional revenue for the County's General Fund, continue sharing with cities that gave up existing taxing authority in 1976
CON:	BIT makes up 10% of Gresham's General Fund, which is spent primarily on public safety

Options Outside Multnomah County Control

Analyze and evaluate alternative revenue sources with the dual goals of implementing a regional tax solution and repealing the BIT altogether:

- Rationale: The BIT disadvantages the region's ability to recruit new businesses, businesses pass the expense to consumers and clients, and it is a very volatile revenue source
- PRO: A regional tax spread across many jurisdictions could generate much more revenue than the current BIT
- CON: Political and public support for taxes of any kind is difficult to muster in Oregon

Have Multnomah County, or another jurisdiction with countywide taxing authority, administer the entire BIT/BLF as a regional tax and determine a distribution formula:

- Rationale: The BIT/BLF impacts multiple cities and it is paid by businesses throughout the region; a jurisdiction with countywide taxing authority may be able to administer the tax more efficiently
- PRO: May reduce costs of collection and administration, businesses could still file a single tax form, and reporting data could be tailored to individual cities' needs
- CON: The City of Portland has tax collection and administrative processes in place already, capacity may not exist in other jurisdictions

For both of these options, a significant challenge is that cities would need to come to agreement regarding revenue distributions, among other things.

Recommendations

Based on the research into the BIT issues it is recommended that the Board of County Commissioners adopt a resolution that repeals resolution 06-102 for two to three years, thus continuing the 30-year revenue sharing agreement with the East County cities. In addition, such a resolution should also address the following issues:

- Develop a way to more accurately determine where BIT revenue is generated
- Investigate whether the tax could be collected more efficiently by the County or some other jurisdiction with countywide taxing authority
- Schedule regular sessions between the Board of County Commissioners and the elected officials of the four East County cities to discuss taxation and revenue issues
- Explore alternative revenue sources that could be implemented regionally and could be a replacement for the BIT.

VIII. Appendix

- A. Resolution # 06-102
- B. Letter from Chair Wheeler to East County Elected Officials (May 4, 2007)
- C. Summary of Revenue Distributed to East County Cities
- D. List of Resolutions and Ordinances Related to the Business Income Tax

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 06-102

Authorizing Termination of the Current Multnomah County Business Income Tax Intergovernmental Agreement Effective July 1, 2008 and Directing Notice to Cities

The Multnomah County Board of Commissioners Finds:

- a. In 1986, Multnomah County entered into a Business Income Tax Intergovernmental Agreement with the City of Gresham, City of Troutdale, City of Fairview and City of Wood Village (the Cities) that provides the County allocate a portion of its net business income tax cash receipts (the Cities' Collective Share) to the Cities.
- b. Under subsection 2.6.2 of the agreement, the County may terminate the agreement effective on July 1 of any year by giving not less than two years written notice to the Cities.
- c. The County's revenues have been adversely affected by numerous events during the past few years, causing cuts in programs and services. Future revenue sources are unknown.
- d. The County should have the option of retaining its revenue sources to help protect the County from having to make further cuts to programs and services.
- e. It is in the best interest of the County to negotiate new individual agreements with the Cities that preserves its ability to annually review their collective share.

The Multnomah County Board of Commissioners Resolves:

1. The County approves termination of the current Multnomah County Business Income Tax Intergovernmental Agreement effective on July 1, 2008.
2. The County Attorney is directed to give written notice to each of the Cities before July 1, 2008.
3. While continuing to provide the Cities Collective share over the next two years, the County intends to negotiate new business income tax agreements that provide the County with the ability to review each Cities' share annually, effective July 1, 2008.


ADOPTED this 22nd day of June 2006.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Agnes Sowle, County Attorney

Page 1 of 1 - Resolution 06-102 Authorizing Termination of the Current Multnomah County Business Income Tax Intergovernmental Agreement Effective July 1, 2008 and Directing Notice to Cities



Ted Wheeler, Multnomah County Chair

501 SE Hawthorne Blvd., Suite 600
Portland, Oregon 97214
Phone: (503) 988-3308
Email: mult.chair@co.multnomah.or.us

May 4, 2007

To: Board of County Commissioners

c. Elected Officials of East County Cities

From: Ted Wheeler

Re: BIT IGA with East County cities

At our Wednesday joint meeting with the Gresham City Council, we are scheduled to discuss the status of our Inter-governmental Agreement on the Business Income Tax with East County cities.

After speaking with each of you, there are basically three approaches that have been suggested by various Commissioners: 1) support the status quo (i.e. let the termination of the BIT pass-through to East County jurisdictions take effect per the prior notice given by the board); 2) cancel the notice of termination and continue the pass-through as specified in the IGA; or 3) negotiate a new agreement with the East County jurisdictions that falls somewhere in the middle.

I believe that the Board needs a more in depth discussion of the implications of the Board's termination notice of last June in order to establish what our next steps are with regard to this issue. Given the complexity of this issue and the workload associated with the current budget process, I suggest we take this up after the final budget is adopted in early June.

In the meanwhile, I have asked the budget office and county counsel to compile a report for us providing the following information.

- a) Clarify the history of the intergovernmental agreement and the business income tax involving the Cities.
- b) Clarify the current financial impact of the BIT and the portion of general revenue that the BIT offers to the County and the Cities. Explain other actual and potential revenue sources for the respective jurisdictions.
- c) Clarify current services provided by the Cities to their residents and the role of the BIT in providing those services.
- d) Clarify current services provided by the County to residents of the Cities.

Secondly, I would ask the budget office to evaluate the following three options, based on revenue impact, service impact, and institutional impact on the local governments involved:

- a) Support the status quo – BIT terminates in July, 2008
- b) Cancel notice of termination and continue current IGA
- c) New agreement

I will ask the Budget office to consult with all impacted cities and to solicit other information from concerned civic bodies as appropriate. (e.g. Chambers of Commerce).

When the report is complete and following the adoption of our budget, I will schedule a Board work session to hear from the budget office and from representatives of each of the cities and others who would like to provide input on this subject. It is my expectation that having that factual information and input from the cities will help us decide on our next steps.

As always, do not hesitate to contact me with any further questions.

Summary of Revenue Distributed to East County Cities

Actual Receipts (FY 2000-01 to FY 2005-06); Estimated FY 2006-07

	BIT Revenue	Total GF ⁽¹⁾	% BIT of Total
Gresham			
FY 2000-01	2,395,988	33,466,249	7.16%
FY 2001-02	2,243,882	34,989,909	6.41%
FY 2002-03	2,159,626	34,372,318	6.28%
FY 2003-04	2,346,436	35,180,259	6.67%
FY 2004-05	3,022,779	38,233,792	7.91%
FY 2005-06	4,086,345	39,836,916	10.26%
FY 2006-07 (Estimate)	4,544,539	38,263,438	11.88%
Troutdale			
FY 2000-01	369,035	6,067,406	6.08%
FY 2001-02	330,139	6,094,893	5.42%
FY 2002-03	323,192	6,028,731	5.36%
FY 2003-04	358,774	6,470,548	5.54%
FY 2004-05	461,314	7,643,643	6.04%
FY 2005-06	635,345	8,384,730	7.58%
FY 2006-07 (Estimate)	716,419	8,692,071	8.24%
Fairview			
FY 2000-01	164,428	3,997,463	4.11%
FY 2001-02	163,265	3,886,482	4.20%
FY 2002-03	161,263	3,994,638	4.04%
FY 2003-04	218,024	4,430,067	4.92%
FY 2004-05	258,841	4,529,242	5.71%
FY 2005-06	353,066	5,384,917	6.56%
FY 2006-07 (Estimate)	405,055	5,442,199	7.44%
Wood Village			
FY 2000-01	72,195	1,220,978	5.91%
FY 2001-02	68,802	1,241,577	5.54%
FY 2002-03	67,326	1,142,367	5.89%
FY 2003-04	77,918	1,146,103	6.80%
FY 2004-05	102,719	1,419,538	7.24%
FY 2005-06	138,425	1,819,094	7.61%
FY 2006-07 (Estimate)	155,539	1,648,845	9.43%
Total Distributions			
FY 2000-01	3,001,646	44,752,096	6.71%
FY 2001-02	2,806,088	46,212,861	6.07%
FY 2002-03	2,711,407	45,538,054	5.95%
FY 2003-04	3,001,152	47,226,977	6.35%
FY 2004-05	3,845,653	51,826,215	7.42%
FY 2005-06	5,213,180	55,425,657	9.41%
FY 2006-07 (Estimate)	5,821,552	54,046,553	10.77%

List of Resolutions and Ordinances Related to the Business Income Tax

No.	Date	Title
84	12/05/1974	RELATING TO THE IMPOSITION OF BUSINESS LICENSES FOR REVENUE; PROVIDING FOR ADMINISTRATION AND COLLECTION; AND PROVIDING FOR ALL OTHER MATTERS RELATING THERETO
95	3/20/1975	AN ORDINANCE AMENDING ORDINANCE NO. 84, TO CHANGE THE DATE FOR FILING THE FIRST APPLICATION AND FEE.
96	03/25/1975	"AMENDING ORDINANCE NO. 84, TO CHANGE THE DATES FOR FILING FIRST APPLICATIONS AND FEES FOR BUSINESS LICENSE TAX, REPEALING ORDINANCE 95 AND DECLARING AN EMERGENCY"
103	06/19/1975	"RELATING TO THE IMPOSITION OF BUSINESS LICENSES FOR REVENUE; AMENDING ORDINANCE NO. 84, AS AMENDED BY ORDINANCE NO. 96; AND DECLARING AN EMERGENCY"
119	12/30/1975	"AMENDING ORDINANCE NO. 84, THE BUSINESS LICENSE ORDINANCE; CORRECTING ERRORS; CONFORMING TO THE PORTLAND BUSINESS LICENSE CODE; AND DECLARING AN EMERGENCY"
121	04/15/1976	IMPOSING A BUSINESS INCOME TAX FOR REVENUE; PROVIDING FOR ADMINISTRATION AND COLLECTION AND ALL RELATED MATTERS; IMPOSING PENALTIES; AND PRESCRIBING AN OPERATIVE DATE
123	04/15/1976	IMPOSING A BUSINESS LICENSE FEE ON MOTOR VEHICLE FUEL DEALERS; FIXING RATES; REQUIRING LICENSES; IMPOSING PENALTIES; AND PROVIDING FOR ADMINISTRATION, ENFORCEMENT AND COLLECTION OF THE FEE AND RELATED MATTERS
131	09/23/1976	"RELATING TO BUSINESS INCOME TAXATION, AND AMENDING ORDINANCE NO. 121"
158	01/26/1978	"RELATING TO BUSINESS INCOME TAXATION, AND AMENDING ORDINANCE NO. 121, AS AMENDED BY ORDINANCE NO. 131"
265	01/29/1981	"RELATING TO THE BUSINESS INCOME TAX, AND AMENDING MCC 5.70"
397	09/15/1983	REPEALING MULTNOMAH COUNTY CODE 5.70.020 RELATING TO TAX EXEMPT INCOME FOR MULTNOMAH COUNTY BUSINESS INCOME TAX PURPOSES
447	12/20/1984	"RELATING TO THE BUSINESS INCOME TAX, AND AMENDING MCC 5.70"
506	03/27/1986	"RELATING TO THE BUSINESS INCOME TAX, AND AMENDING MCC 5.70"
512	04/24/1986	RELATING TO THE BUSINESS INCOME TAX; AMENDING MCC 5.70.045
552	05/07/1987	RELATING TO THE BUSINESS INCOME TAX; AMENDING MCC 5.70.045
586	07/21/1988	RELATING TO THE BUSINESS INCOME TAX, AND AMENDING MCC 5.70
644	03/01/1990	"RELATING TO THE BUSINESS INCOME TAX, AND AMENDING MCC 5.70"
91-64	05/09/1991	SUPPORTING CONSOLIDATION OF THE COUNTY BUSINESS INCOME TAX AND THE CITY OF PORTLAND BUSINESS LICENSE FEE SYSTEM AND THE CREATION OF A JOINT IMPLEMENTATION COMMITTEE TO CARRY OUT CONSOLIDATION
702	10/24/1991	RELATING TO THE BUSINESS INCOME TAX: AMENDING MCC 5.70.045 AND 5.70.075 TO PROVIDE FOR QUARTERLY TAX PAYMENTS AND COLLECTION
93-105	04/08/1993	CONTINUING EFFORT OF DEVELOPING COMPATIBLE CODES AND CONSOLIDATED ADMINISTRATION FOR THE PORTLAND BUSINESS LICENSE PROGRAM AND THE MULTNOMAH COUNTY BUSINESS INCOME TAX
768	06/24/1993	AMENDING MULTNOMAH COUNTY CODE CHAPTER 5.70, BUSINESS INCOME TAX; CREATING MULTNOMAH COUNTY CODE CHAPTER 5.60, MULTNOMAH COUNTY BUSINESS INCOME TAX LAW; PROVIDING FOR ADMINISTRATION AND COLLECTION AND ALL RELATED MATTERS

List of Resolutions and Ordinances Related to the Business Income Tax (cont)

No.	Date	Title
93-233	06/24/1993	CONSOLIDATING ADMINISTRATION OF THE MULTNOMAH COUNTY BUSINESS INCOME TAX AND THE PORTLAND BUSINESS LICENSE FEE
779	12/09/1993	AMENDING MULTNOMAH COUNTY CODE CHAPTER 5.60, BUSINESS INCOME TAX LAW FOR MINOR CLARIFICATION CHANGES AND DECLARING AN EMERGENCY
97-203	12/02/1997	SUBMITTING TO THE VOTERS AN ORDINANCE IMPOSING A TEMPORARY EDUCATION SURCHARGE ON THE BUSINESS INCOME TAX TO BENEFIT PUBLIC SCHOOLS IN MULTNOMAH COUNTY
97-212	12/18/1997	ACCEPTING THE DISTRIBUTION FORMULA RECOMMENDED BY THE MULTNOMAH COUNTY SCHOOL SUPERINTENDENTS
897	01/08/1998	AMENDING MULTNOMAH COUNTY BUSINESS INCOME TAX MCC 5.60 TO INCORPORATE TECHNICAL AND HOUSEKEEPING CHANGES
901	02/19/1998	AMENDING MULTNOMAH COUNTY BUSINESS INCOME TAX MCC 5.60 TO INCORPORATE CHANGES IN THE OWNERS COMPENSATION DEDUCTION AND GROSS RECEIPTS EXEMPTION
902	03/30/1998	AMENDING MCC 5.60, IMPOSING TEMPORARY EDUCATION SURCHARGE ON BUSINESS INCOME TAX, RECEIPTS TO BENEFIT PUBLIC SCHOOLS
03-036	03/13/2003	ACCEPTING RECOMMENDATIONS OF THE COMMUNITY PARTNERSHIP STEERING COMMITTEE FOR REFORM OF THE MULTNOMAH COUNTY BUSINESS INCOME TAX, AND AUTHORIZING THE CHAIR TO WORK WITH THE CITY OF PORTLAND TO IMPLEMENT THE STEERING COMMITTEE'S RECOMMENDATIONS
1046	08/19/2004	ORDINANCE ESTABLISHING MULTNOMAH COUNTY CODE CHAPTER 12, BUSINESS INCOME TAX FROM MCC §§ 11.500 ET SEQ., UPDATING AND CLARIFYING DEFINITIONS, AND DECLARING AN EMERGENCY
1068	10/13/2005	ORDINANCE AMENDING MULTNOMAH COUNTY CODE CHAPTER 12.100, DOING BUSINESS DEFINITION, RETROACTIVE TO AUGUST 19, 2004
1072	03/30/2006	AMENDING MULTNOMAH COUNTY CODE §§ 12.200 AND 12.230 RELATING TO BUSINESS INCOME TAX COLLECTION
06-102	06/22/2006	AUTHORIZING TERMINATION OF THE CURRENT MULTNOMAH COUNTY BUSINESS INCOME TAX INTERGOVERNMENTAL AGREEMENT EFFECTIVE JULY 1, 2008 AND DIRECTING NOTICE TO CITIES
07-041	03/01/2007	ESTABLISHING A WORK GROUP TO STUDY REFORM OPTIONS FOR MULTNOMAH COUNTY'S BUSINESS INCOME TAX
07-054	04/12/2007	ACCEPTING THE RECOMMENDATIONS OF THE BUSINESS INCOME TAX (BIT) REFORM WORKGROUP TO EASE THE BURDEN ON SMALL BUSINESS, STABILIZE BIT REVENUES, IMPROVE OUR LOCAL BUSINESS CLIMATE, AND DIRECTING THE CHAIR TO IMPLEMENT BIT REFORMS

#1

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 9-20-07

SUBJECT: M B I T

AGENDA NUMBER OR TOPIC: R-14, R-15 & R-16

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Paul Thalhoffer

ADDRESS: P.O. Box 177

CITY/STATE/ZIP: Trousdale OR 97060

PHONE: _____

DAYS: 503-674-7234

EVES: _____

EMAIL: _____

FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#2

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 9/20/07

SUBJECT: MBIT

AGENDA NUMBER OR TOPIC: R-14, R-15, R-16

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: DAVID M FULLER

ADDRESS: 24121 NE HOLLADAY

CITY/STATE/ZIP: WOOD VILLAGE OR 97060

PHONE: DAYS: 503 666 6343 EVES: SAME

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: MBIT SHARING SHOULD BE

RE INSTATED TO CITIES WHERE CANCELLED

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#3

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

*****This form is a public record*****

MEETING DATE: 9/20/07

SUBJECT: MCBIT

AGENDA NUMBER OR TOPIC: R 14, R 15, R 16

FOR: ☒ AGAINST: ☐ THE ABOVE AGENDA ITEM

NAME: TRAVIS STOVALL

ADDRESS: 773 NW 12th

CITY/STATE/ZIP: GRESHAM OR 97030

PHONE: DAYS: 971-506 1493

EVES: Same

EMAIL: travis@stovallgroup.com

FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

RESOLUTION OF THE EAST METRO ECONOMIC ALLIANCE

September 20, 2007

SUBJECT: Multnomah County Business Income Tax Revenue Sharing IGA with the Cities of Fairview, Gresham, Troutdale, and Wood Village

SUBMITTED TO: Multnomah County Board of Commissioners

RESOLUTION 01-2007

WHEREAS, Multnomah County ("County") has maintained an inter-governmental agreement ("IGA") to share Business Income Tax ("BIT") revenues with the Cities of Fairview, Gresham, Troutdale, and Wood Village ("Cities") for the past 30 years; and

WHEREAS, the percentage share of BIT revenue received by the Cities since 1977 has remained unchanged while the rate of taxation has increased; and

WHEREAS, the revenues received by the Cities under this IGA provide vital funding for public safety and other essential services; and

WHEREAS, the termination of the IGA would impair economic development efforts in the Cities at a time when they represent one of the fastest growing components of the regional economy; and

WHEREAS, the September 5, 2007 "Report on BIT Revenue Sharing Agreement" released by the County Budget Office uses a fundamentally flawed methodology to determine the origin of BIT revenue and fails to accurately report how much BIT revenue was generated by businesses located within each of the Cities.

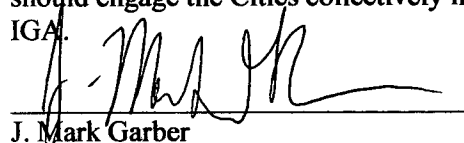
NOW, THEREFORE,

BE IT RESOLVED by the East Metro Economic Alliance: that the Multnomah County Board of Commissioners should repeal Resolution No. 06-102 and reinstate the current BIT revenue sharing IGA with the Cities; and

BE IT FURTHER RESOLVED that the Cities and County should jointly develop a methodology for accurately determining the origin of BIT revenue; and

BE IT FURTHER RESOLVED that the Cities and County should conduct a joint study utilizing the aforementioned new methodology, to be completed by April 30, 2008, in order to correctly identify the amount of BIT revenue generated by businesses operating within each of the Cities; and

BE IT FURTHER RESOLVED that, upon completion of the aforementioned study, the County should engage the Cities collectively in a discussion regarding the future of the revenue sharing IGA.



J. Mark Garber
President

East Metro Economic Alliance

#4

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE:

9/20/07

SUBJECT:

BIT

AGENDA NUMBER OR TOPIC:

R 14, 15 & 16

FOR:

AGAINST:

X

THE ABOVE AGENDA ITEM

NAME:

Shirley Craddick

ADDRESS:

City of Gresham

CITY/STATE/ZIP:

Gresham OR 97030

PHONE:

DAYS:

503 666 1657

EVES:

EMAIL:

shirley.craddick@ci.gresham.or.us

SPECIFIC ISSUE:

WRITTEN TESTIMONY:

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.



City of Gresham

Mayor Shane T. Bemis

1333 N.W. Eastman Parkway
Gresham, Oregon 97030-3813
(503) 618-2306
Fax (503) 665-7692

September 20, 2007

Ted Wheeler, Chair
and Multnomah County Commissioners
501 SE Hawthorne
Portland, OR 97214

Dear Chair Wheeler and Commissioners:

First, we would like to thank the Chair for his efforts to explore the history and impact of the County Business Income Tax (BIT) and to seek an acceptable solution to this important issue. Given the history of the BIT, and the large proportion of our General Fund that it supports, we firmly oppose the resolutions on the table today. Revenue sharing among jurisdictions under the original 1977 agreement took the place of individual local business income taxes. It is not a subsidy to any city. Every version of the agreement has specifically prohibited any city from imposing a local business income tax.

It is also important to note that when the first BIT agreement was enacted, the four cities shared 25% of the total County BIT revenue. As the County raised the rate from 0.6% in 1976 to 1.45% in 1993, the cities share has remained 25% of the first 0.6% of the total rate, meaning the cities now share 10% of the total County BIT revenue.

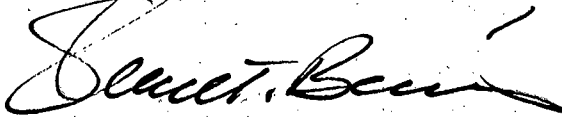
So why can't the City simply increase local taxes to make up this revenue? Because like every other jurisdiction in Oregon, the City's property tax rate is capped by Measure 50. The permanent rate assumed the County BIT revenue sharing in lieu of a local business tax or a higher local property tax rate. Gresham's permanent property tax rate is the lowest of any comparable city in Oregon at \$3.61 per \$1,000 assessed value. By comparison, the Portland rate is \$6.91 per \$1,000 assessed value, Salem's is \$5.83, Eugene's is \$7.01, and Beaverton's is \$4.62. Even Multnomah County's permanent rate is higher than Gresham's at \$4.34 per \$1,000.

Gresham has had to make difficult choices about services to the community, just as the County has. A further \$4 million reduction to Gresham's general fund will affect many essential community services, including forensic computer investigations, neighborhood crime response team (which tackles drug issues in our community), child abuse investigations, hazardous materials team, Rockwood crime prevention services, and property crime investigations. These cuts in essential public safety services will have impacts beyond Gresham and will increase demands for County services.

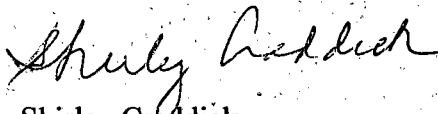
If the County is struggling to provide essential services within its current resource stream, it should weigh its revenue raising options – not look to raid revenues to the cities from a County tax that is in lieu of local taxes. This is the same as if the State decided to stop sharing cigarette and liquor taxes with Multnomah County, even though that long standing practice is based on the State collecting those taxes in lieu of a collection of individual local cigarette and liquor taxes.

The logic that led to the first BIT agreement – that it is more efficient for the County to assess a business income tax county-wide and share a portion of the revenue with the cities in lieu of a hodge-podge system of individual business taxes – is still true today. But more importantly, no one wins with this dispute – no matter the outcome. We are all facing financial problems from Oregon's property tax structure. We should be working together to fix those systemic problems rather than fighting over an issue that ultimately won't solve any of our underlying service issues. We stand ready to work vigorously with you and other interested jurisdictions to do just that.

Sincerely,



Shane T. Bemis
Mayor



Shirley Craddick
Council President

c: City Council
City of Fairview
City of Troutdale
City of Wood Village



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: R-15
Est. Start Time: 2:25 PM
Date Submitted: 09/05/07

Agenda Title: RESOLUTION Authorizing Distribution of Multnomah County Business Income Tax Revenue to the City of Troutdale

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

Requested Meeting Date: September 20, 2007 Amount of Time Needed: 10 mins
Department: Non-Departmental Division: District 3 - Naito
Contact(s): Matthew Lieuallen
Phone: 503.988.5217 Ext. 84576 I/O Address: 503/6
Presenter(s): Mark Campbell

General Information

1. What action are you requesting from the Board?

A resolution agreeing to continue to pass through County Business Income Tax revenue to the City of Troutdale in the amount that was agreed to under the 1998 Intergovernmental Agreement for FY 2008/2009.

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

In 1998, Multnomah County entered into a Business Income Tax Intergovernmental Agreement with the City of Gresham, City of Troutdale, City of Fairview and City of Wood Village that provides the County allocate a portion of its net business income tax cash receipts to the Cities.

The Board of County Commissioners authorized termination of this IGA by adopting Resolution 06-102 on August 22, 2006.

The County Attorney issued timely notice to the cities of the board action authorizing termination. The intergovernmental agreement is set to expire on July 1, 2008 and the County will no longer be obligated to pass through revenue to the City of Troutdale.

The City of Troutdale had its own Business Income Tax at the time it entered into the 1998 Intergovernmental Agreement with Multnomah County. It forgave collection of such revenues at

the start of the agreement.

The City of Troutdale has a population of 15,110. The pass through revenue is necessary to support basic public safety services for the City of Troutdale. The City and County are preparing for their FY 2008/2009 budgets and without action by the Board, the City of Troutdale will receive no revenue from the County.

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

The County will continue to pass through County Business Income Tax revenue to the City of Troutdale in the amount that was agreed to under the 1998 Intergovernmental Agreement for FY 2008/2009 and in years thereafter.

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

Policy memo to follow.

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

The County has met with all the cities to discuss the Business Income Tax.

Required Signature

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

Date: _____

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Authorizing Distribution of Multnomah County Business Income Tax Revenue to the City of Troutdale

The Multnomah County Board of Commissioners Finds:

- a. In 1998, Multnomah County entered into a Business Income Tax Intergovernmental Agreement (IGA) with the Cities of Gresham, Troutdale, Fairview and Wood Village (the Cities) that provides the County allocate a portion of its net business income tax cash receipts to the Cities.
- b. The Board of County Commissioners authorized termination of the IGA effective July 1, 2008, by adopting Resolution 06-102 on August 22, 2006.
- c. The County Attorney issued timely notice to the Cities of the board action terminating the IGA. The IGA expires on July 1, 2008, and the County will no longer be obligated to pass through revenue to the Cities.
- d. The City of Troutdale imposed a Business Income Tax within its boundaries at the time it entered into the 1998 IGA with Multnomah County. Under the IGA, it could no longer collect such revenues.
- e. The City of Troutdale has a population of 15,110. The pass through revenue is necessary to support basic public safety services for the City of Troutdale. The City and County are preparing for their FY 2008/2009 budgets and without action by the Board, the City of Troutdale will receive no revenue from the County.

The Multnomah County Board of Commissioners Resolves:

1. The Board of County Commissioners resolves to continue to pass through County Business Income Tax revenue to the City of Troutdale in the same amount that Troutdale received under the 1998 IGA for FY 2008/2009 and in years thereafter.

ADOPTED this 20th day of September, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

SUBMITTED BY:
Multnomah County Commissioner Lisa H. Naito



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 09/20/07
Agenda Item #: R-16
Est. Start Time: 2:25 PM
Date Submitted: 09/05/07

Agenda Title: **RESOLUTION Authorizing Distribution of Multnomah County Business Income Tax Revenue to the City of Wood Village**

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

Requested Meeting Date: September 20, 2007 Amount of Time Needed: 10 mins
Department: Non-Departmental Division: Commissioner Dist 3 - Naito
Contact(s): Matthew Lieuallen
Phone: 503.988.5217 Ext. 84576 I/O Address: 503/6
Presenter(s): Mark Campbell

General Information

1. What action are you requesting from the Board?

A resolution agreeing to continue to pass through County Business Income Tax revenue to the City of Wood Village in the amount that was agreed to under the 1998 Intergovernmental Agreement for FY 2008/2009.

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

In 1998, Multnomah County entered into a Business Income Tax Intergovernmental Agreement with the City of Gresham, City of Troutdale, City of Fairview and City of Wood Village that provides the County allocate a portion of its net business income tax cash receipts to the Cities.

The Board of County Commissioners authorized termination of this IGA by adopting Resolution 06-102 on August 22, 2006.

The County Attorney issued timely notice to the cities of the board action authorizing termination. The intergovernmental agreement is set to expire on July 1, 2008 and the County will no longer be obligated to pass through revenue to the City of Wood Village.

The City of Wood Village had its own Business Income Tax at the time it entered into the 1998 Intergovernmental Agreement with Multnomah County. It forgave collection of such revenues at

the start of the agreement.

The City of Wood Village has a population of 2,965. The pass through revenue is necessary to support basic public safety services for the City of Wood Village. The City and County are preparing for their FY 2008/2009 budgets and without action by the Board, the City of Wood Village will receive no revenue from the County.

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

The County will continue to pass through County Business Income Tax revenue to the City of Wood Village in the amount that was agreed to under the 1998 Intergovernmental Agreement for FY 2008/2009 and in years thereafter.

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

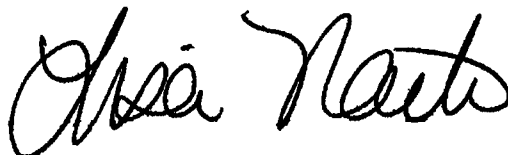
Policy memo to follow.

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

The County has met with all the cities to discuss the Business Income Tax.

Required Signature

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



Date: 09/05/07

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Authorizing Distribution of Multnomah County Business Income Tax Revenue to the City of Wood Village

The Multnomah County Board of Commissioners Finds:

- a. In 1998, Multnomah County entered into a Business Income Tax Intergovernmental Agreement (IGA) with the Cities of Gresham, Troutdale, Fairview and Wood Village (the Cities) that provides the County allocate a portion of its net business income tax cash receipts to the Cities.
- b. The Board of County Commissioners authorized termination of the IGA effective July 1, 2008, by adopting Resolution 06-102 on August 22, 2006.
- c. The County Attorney issued timely notice to the Cities of the board action terminating the IGA. The IGA expires on July 1, 2008, and the County will no longer be obligated to pass through revenue to the Cities.
- d. The City of Wood Village imposed a Business Income Tax within its boundaries at the time it entered into the 1998 IGA with Multnomah County. Under the IGA, it could no longer collect such revenues.
- e. The City of Wood Village has a population of 2,965. The pass through revenue is necessary to support basic public safety services for the City of Wood Village. The City and County are preparing for their FY 2008/2009 budgets and without action by the Board, the City of Wood Village will receive no revenue from the County.

The Multnomah County Board of Commissioners Resolves:

1. The Board of County Commissioners resolves to continue to pass through County Business Income Tax revenue to the City of Wood Village in the same amount that Wood Village received under the 1998 IGA for FY 2008/2009 and in years thereafter.

ADOPTED this 20th day of September, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

SUBMITTED BY:
Multnomah County Commissioner Lisa H. Naito



PUBLIC SAFETY
COORDINATING
COUNCIL OF
MULTNOMAH
COUNTY

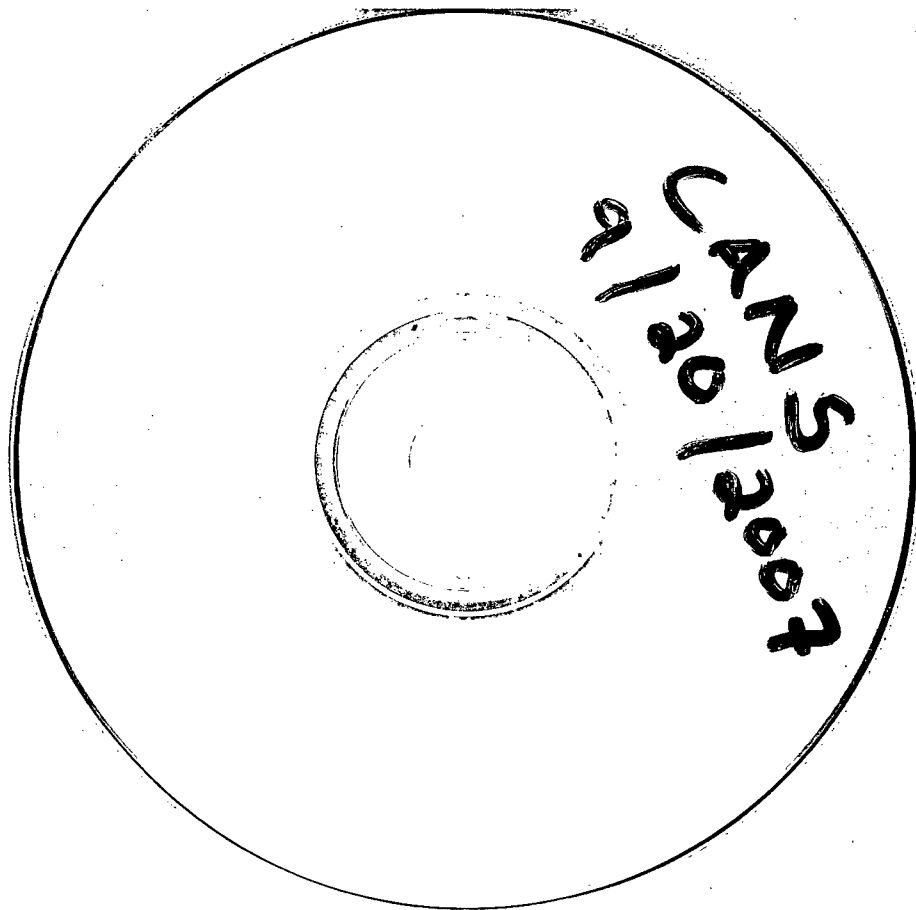
Matthew G. O'Keefe
Project Manager

503-988-3312 x24527
503-988-4570 fax
501 SE Hawthorne, Suite 531
Portland, Oregon 97214-3586
matthew.g.o'keefe@co.multnomah.or.us
www.lpscc.org

Serving Public Safety Agencies in Multnomah County

R-10 9.20.07

CANUS
9/20/07



Matthew G. O'Keefe
Project Manager

503-988-3312 x24527
503-988-4570 fax
501 SE Hawthorne, Suite 531
Portland, Oregon 97214-3586
matthew.g.o'keefe@co.multnomah.or.us
www.lpscc.org

Serving Public Safety Agencies in Multnomah County

R-10 9.20.07