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### [Click here to visit the State of Black Oregon Website](#)

#### Welcome

The Urban League of Portland welcomes you to our official website, contact and information center.

The Urban League is an **Empowerment Organization**.

Established in 1910, The **National Urban League** is the nation's oldest and largest community-based movement devoted to empowering African Americans to enter the economic and social mainstream. Today, the National Urban League, headquartered in New York City, spearheads the non-partisan efforts of its local affiliates.

The Urban League of Portland is one of the region's most respected social service and civil rights organizations. It is a nonprofit, community-based organization headquartered in north Portland and an affiliate of the National Urban League.


The League helps empower African Americans and others to achieve equality in education, employment and economic security through a combination of direct services, outreach and advocacy.

[Download our 08-09 Annual Report](#)

[Download our 07-08 Annual Report](#)



Urban League of Portland • 10 N. Russell, Portland, OR 97227 • Phone: 503.280.260

Website designed and maintained by [BlackWebDiva.com](#) 

## Featured Speakers:

**Lonnie Jackson, Director,**  
Oregon Youth Authority Office of  
Minority Services

**Portland Mayor Sam Adams**

**State Rep. Lew Frederick**

**Jeff Cogen,** Multnomah County  
Commissioner

**Marcus C. Mundy,** President &  
CEO, Urban League of Portland

**Avel Gordly,** Associate Professor  
Portland State University and  
former State Senator

**Dr. Dalton Miller Jones,** Professor  
of Psychology, PSU

**Sheila Holden,** Economic  
Development Advocate

**Tricia Tillman,** Oregon Office of  
Multicultural Health

**Dr. Karen Gibson,** Associate  
Professor, Toulon School of Urban  
Planning and Studies

**Angela Cause,** Diversity Relations  
Manager, Department of Human  
Services

**Joyce Braden Harris,** Co-Chair African  
American Alliance

And other leading experts.

### **Who should attend?**

All are invited to attend, including  
city, county and state government,  
business, direct service providers,  
educators, students, policy makers,  
community organizations and social  
policy advocates.

**The Symposium is free of charge.**  
**Light refreshments will be served.**

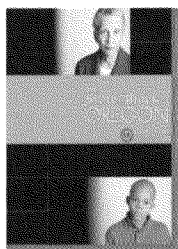
**Please RSVP :**

**Responses preferred by November  
30, 2009**

**RSVP to INFO@ULPDX.ORG**

# State of Black Oregon Symposium: A Call for Action and Accountability

**December 3rd, 2009 | 8:30 am to 1:00 pm**  
**Portland State University | Smith Memorial Hall**



The Urban League of Portland's State of Black Oregon was published in 2009 for the first time in 17 years. It confirmed that social and economic disparities and systemic disadvantage still exist for African Americans and other people of color.

**Now it is time to act.**

## Symposium

◆ The State of Black Oregon Symposium 2009 will highlight the findings in the State of Black Oregon and focus on specific solutions for eliminating disparities in education, employment, health, criminal justice, and child and youth welfare.

◆ State of Black Oregon contributors, elected leaders and agency directors will outline strategies for change in public policy and best practice in service provision.

◆ The State of Black Oregon Symposium will help to facilitate new and stronger partnerships between organizations seeking concrete policy outcomes. JOIN US as we shape a bold policy agenda, and build a network of leaders and service providers committed to advocating for equity.

## Sponsors

The Urban League of Portland  
Portland State University Black Studies Department  
Portland State University Office of the President  
Portland State University Toulon School of Urban Studies and Planning  
Comcast Inclusion Team  
Featherlite, Inc. and Urban Bridges

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. 09-142**

Approving the Troutdale Library Project Plan

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

- a. Measure 26-81, "Renew Five-Year Local Option Levy to Continue Library Services," passed by voters in the November 2006 General Election. The levy language reads: "Continue programs for school age children, story hours for babies and toddlers, summer reading, literacy services for children in child care, programs for teens; Help teachers and students use library resources; provide homework helpers to assist children with school work; Maintain free access to information; Update books and materials; Continue books delivery to homebound seniors and nursing home residents; Open planned libraries in underserved neighborhoods of East County and North Portland; Keep libraries open; maintain current hours and services at Central and neighborhood libraries."
- b. By Resolution 09-034, Multnomah County leases approximately 6,000 square feet of office space located at 2441 SW Cherry Park Road, Troutdale, Oregon, ("Troutdale Library") under a lease commencing April 1, 2010, and expiring on March 31, 2020.
- c. On April 2, 2009, the Board of County Commissioners directed the Library and Facilities & Property Management to prepare and submit to the Board as soon as practicable, the capital planning requirements for the Troutdale Library branch approved in resolution No. 09-034 under Multnomah County Administrative Procedure FAC-1.
- d. The County Board of Commissioners established a policy for Major Facilities Capital Projects by adoption of Resolution No. 02-136, October 17, 2002. The Resolution directed Facilities & Property Management Division to revise the Facilities Capital Project Administrative Procedures to conform to the adopted Policy. This administrative Procedure, FAC-1, establishes a comprehensive process for planning authorization and construction of major Facilities Capital Projects, including capital/tenant improvements exceeding \$1,000,000 in leased facilities.
- e. The Multnomah County Administrative Procedure FAC-1 provides for four phases of Board approval of capital projects. Because of the extensive work done to plan this project and because a lease for the project site has been executed, it is in the best interest of the County to proceed directly with approval of a Project Plan for this project.
- f. To be used as a branch library, the 2441 SW Cherry Park Road site will necessitate capital investment in the form of renovation of an existing space, tenant improvements, furniture, fixtures and equipment. This capital program, along with contingency, arts programs, and related activities, will total approximately \$1.660 million. Funding for this capital program is budgeted within the Library's operating funds.

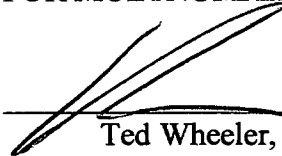
**The Multnomah County Board of Commissioners Resolves:**

1. It is in the best interests of the County to renovate and expand the existing space in the Cherry Park Market, located at 2441 SW Cherry Park Road, Troutdale, Oregon, for the purpose of opening a new library branch in East County, as called for in Measure No. 26-81.
2. The Board approves the attached Troutdale Library Project Plan.
3. The Library and Facilities & Property Management are hereby directed to proceed with the Project Design and Construction phase of the project and are further authorized to obtain bids or proposals and to proceed with construction of the project.
4. If at any time the Project is found to have significant changes in scope of work, cost, operational funding or capital funding, Facilities & Property Management and the Library are directed to provide the information to the Board as soon as it is known and seek and obtain further Board approval to proceed with the project.

ADOPTED this 12th day of November 2009.

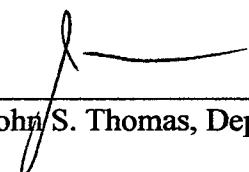


BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
John S. Thomas, Deputy County Attorney

SUBMITTED BY:  
Commissioner Diane McKeel

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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4. If at any time the Project is found to have significant changes in scope of work, cost, operational funding or capital funding, Facilities & Property Management and the Library are directed to provide the information to the Board as soon as it is known and seek and obtain further Board approval to proceed with the project.

ADOPTED this 5th day of November 2009.

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:  
Commissioner Diane McKeel

# **Capital Planning Process (FAC-1)**

## **Troutdale Library**

**November 2, 2009**

### **1. OVERVIEW**

The scope of work for the Troutdale Library includes a full interior build-out including partitions, finishes, furniture, heating cooling and ventilation modifications, and data within the building shell.

### **2. PROGRAM REQUIREMENTS**

Multnomah County plans to lease a 6,000 square foot ground-floor tenant space for long-term use as neighborhood branch library for the East County neighborhood. The County intends to lease a "cold-dry" shell and finish out the interior space through a separate contract.

The Library has certain design parameters and program requirements that the proposed building shell needs to meet in order to be a successful new library branch:

A visible, central location, with off street parking, and a positive pedestrian experience is important to the success of the library. An easily identified ADA accessible, covered entrance; covered book drop; and exterior signage are key features that must be accommodated in the new proposed building shell.

Visibility between the interior and the exterior, as well as natural light, are preferred for the library, but glare and unwanted heat gain must be controlled.

The proposed building needs to have a dedicated truck loading zone in an area that is near and accessible to the work room in the building. The loading zone must accommodate one large van used daily for book deliveries.

A trash and recycling area also needs to be located near the work room and be constructed in accordance with current code requirements.

The interior space in the proposed building shell should meet the square footage requirement, but also be of a regular shape and have little or no obstructions to efficiently accommodate library book stacks and other programmatic features.

Sustainable concepts including the efficient use of energy, longevity of building materials, and low maintenance costs are important factors that the Library, as a public facility, must incorporate.

### **3. PROJECT SCOPE**

The location and size of the library has been determined in a previous planning study. The scope of this project includes the fit-out of the library interior. The area is approximately 6,000 square feet.

The library will be in a leased location in a shopping center.

#### **4. FUNDING SOURCES**

\$1.660 million is budgeted during the current fiscal year for tenant improvements and facilities costs, \$500,000 for the opening day collection, and \$90,000 for computers and peripherals. Funding for operating the new library (with rent included in the facilities costs) is included in the 2006 levy rate.

#### **5. JUSTIFICATION**

Measure No. 26-81 "Renew Five-Year Local Option Levy to Continue Library Services" was passed by voters in the November 2006 General Election. The levy language reads, "Continue programs for school age children, story hours for babies and toddlers, summer reading, literacy services for children in child care, programs for teens; Help teachers and students use library resources; provide homework helpers to assist children with school work; Maintain free access to information; Update books and materials; Continue books delivery to homebound seniors and nursing home residents; **Open planned libraries in underserved neighborhoods of East County and North Portland**; Keep libraries open; Maintain current hours and services at Central and neighborhood libraries."

#### **6. ALTERNATIVES**

##### **a. OPTIONS NOT PREVIOUSLY EXPLORED**

Because funding is not available for a County-owned library building, we did not explore that option.

##### **b. RESULT IF PROJECT IS NOT PURSUED**

Because the 2006 library levy ballot measure included language specifying a new library in East County and funding for operating that library, the County is legally obligated to provide it.

##### **c. CONTRACTING METHOD/OPTION**

Design/Bid/Build

##### **d. COMPLIANCE WITH COUNTY POLICIES, PLANS, STRATEGIES**

The building will comply with all County policies, plans and strategies required for leased properties.

#### **7. RISK ASSESSMENT**

Because the 2006 library levy ballot measure included language specifying a new library in East County and funding for operating that library, the County is legally obligated to provide it.

As with any leased space, there is some risk related to the landlord's performance. Our lease will include language outlining the County's requirements and the landlord's responsibilities.

#### **8. PROJECT CHARTER**

The Troutdale Library Project Charter is attached.

#### **9. DEVELOPMENT PLAN**

##### **a. PROJECT SCOPE**



The project scope includes a full interior fit out within an existing shell (now in the planning stages). The area is approximately 6,000 square feet. The program includes the following spaces indicated with approximate areas:

Entry Vestibule	86 SF
Reading Room with open shelving	3,690 SF
Meeting Room with coat closet, sink and counter, lockable storage	503 SF
Supervisor's Office	104 SF
Staff Room with sink, refrigerator and lockers	135 SF
Men's Toilet Room	117 SF
Women's Toilet Room	117 SF
Staff Toilet Room	61 SF
Janitor's closet	46 SF
Electrical, mechanical	63 SF
Data closet	59 SF
Workroom	720 SF

**TOTAL ASSIGNABLE SF**

**5,701 SF**

**b. PROJECT TEAM**

Client Team:	Library Department
Building Owner:	Regency Centers MCW-RC OR-Cherry Park, LLC
Contractor:	Regency Centers MCW-RC OR-Cherry Park, LLC
A/E Team:	
Architect:	Hennebery Eddy Architects
Structural	HBHT Engineers
Mechanical and electrical	Cundiff Engineers
Cost Consultant	Architectural Cost Consultants

**c. SCHEDULE**

See attached Schedule

**d. COST ESTIMATES**

Tenant improvements:	\$713,541
Design services (A&E, cost estimating, signage):	165,968
Regulatory costs:	9,805
Furniture/fixtures/equipment:	259,800
Miscellaneous costs*:	114,270
Project contingency**:	159,300
<b>Total project cost:</b>	<b>\$1,422,684</b>

\*Telecom equipment, hazardous material removal, special inspections and testing, security cameras, 2% for Art, project management, utilities during construction, control, printing costs

\*\*Construction contingency @ 15% of construction cost; soft cost contingency @ 12% of soft costs

**e. ACCOUNTING CHART**

SAP Cost Center/Group – 805371 – Lib-TDL

Facilities Management tracking Work Order number – 2016244 – B-629

f. **COMMUNICATION PLAN**

Once the lease with the Regency Centers, MCW-RC OR-Cherry Park, LLC is signed, Mike Harrington, Project Manager, will have the primary responsibility of communicating with and among the following, as appropriate:

- The Library Department
  - Vailey Oehlke, Director of Libraries
  - June Mikkelsen, Executive Assistant to the Director
  - Peg Solonika, Neighborhood Libraries Manager
  - Becky Cobb, Library Budget and Finance Manager
- Facilities & Property Management
  - Jon Schrotzberger, Operations & Maintenance Manager
  - John Lindenthal, Capitol Improvement Manager
  - Mike Sublett, Asset Manager
- Information Technology
  - Lance Murty, IT
  - Mel Blanchard, Telecommunications Network Administrator
- Hennebery Eddy Architects
  - Timothy Eddy, Principal
  - David Wark, Associate and Project Architect
- Contractor
  - To be determined
  - Regency Centers, MCW-RC OR-Cherry Park, LLC
  - Kalin Berger, Leasing Agent

Vailey Oehlke, Director of Libraries, will have the responsibility of communicating with the Chair's Office and District 4.

**10. OPERATIONAL FUNDING**

Funding for operations is included in the 2006 library levy. (Budget is calculated for five months of the 2009/2010 fiscal year.)

Cost Elements	Budget Amount	Description
60000 Permanent	138,761	6.0 FTE for 5 months
60100 Temporary (on calls)	10,000	
60110 Overtime	465	
60120 Premium Pay	1,000	Shift differential, Person In Charge and bilingual premium
60130 Salary Related Expenses	43,983	
60140 Insurance Benefits	53,175	
60170 Professional Services	350	Bank of America VISA machine rental
60180 Printing	1,165	Copier rental
60220 Repairs and Maintenance	100	Cash register & fax machine repairs
60240 Supplies	9,000	General office supplies
60260 Travel and Training	200	Local training & workshops

60270 Local Travel/Mileage	200	Local travel & mileage
60340 Dues and Subscriptions	100	Business association dues
60350 Central Indirect	53,862	2.72%
60370 Telecommunications (Telephone)	3,463	1,517 (T-1 line x1) 518 (T7208 Norstar x 3) 466 (County Network DID line x 4) 345 (T7316E x 4) 184 (Fax/modem/alarm jack) 138 (T7100 x 2) 107 (Auto attendant x 1) 97 (Voice mail x 2) 88 (County Network DN line x 1) 3 (Long distance charges)
60430 Building Management	58,264	Maintenance Rate, Lease w/H, Utilities w/OH
<b>Total</b>	<b>\$374,088</b>	For 5 months

## 11. CAPITAL FUNDING

Capital funding for tenant improvements (\$1.660 million) is in the Library's operating budget for the 2009/2010 fiscal year.

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. 09-141**

Authorizing the Repurchase of a Tax Foreclosed Property by the Former Owner First Industrial Limited Partnership

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

- a. First Industrial Limited Partnership is the former owner of certain real property described in the attached Exhibit A (the Property). On or about October 1, 2007 judgment was entered in Multnomah County Circuit Court foreclosing the delinquent taxes levied against the Property.
- b. On October 2, 2009 the County Tax Collector deeded all right, title and interest in the Property to Multnomah County as authorized under ORS 312.200.
- c. First Industrial Limited Partnership has applied to the County in compliance with MCC Section 7.402 to repurchase the property for \$338.88, which amount is not less than that required by ORS 275.180 and MCC Subsection 7.402(C).
- d. It is in the best interest of the County that the property be sold to the former owner.

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

1. The County Chair is authorized to execute deed, in substantial compliance with the attached deed, conveying the Property to First Industrial Limited Partnership.
2. The County's Tax Title Division is authorized to:
  - (a) record the deed upon receipt of \$338.88 and confirmation that all municipal charges due under ORS 307.100 have been paid, or
  - (b) forward the deed to the appropriate Escrow Officer under a letter of instruction that provides that:
    - i. the deed is to be delivered and recorded only upon receipt by the County of all funds the County is due in consideration for the above described property and payment of all municipal charges in compliance with ORS 307.100; and
    - ii. if the escrow is closed without the proper payment to the County or payment of any other municipal charges then due; the deed and any copies must be returned immediately to the County.

ADOPTED this 12th day of November, 2009.



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

Until a change is requested, all tax statements shall be sent to the following address:

FIRST INDUSTRIAL LIMITED PARTNERSHIP  
%FIRST AMERICAN  
222 SW COLUMBIA STREET STE 400  
PORTLAND OR 97201

After recording return to:  
Multnomah County Tax Title 503/1

**Deed D102194 for R275776**

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to FIRST INDUSTRIAL LIMITED PARTNERSHIP, **Grantee**, the following described real property:

See attached Exhibit A.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

The true consideration for this conveyance is \$338.88.

IN WITNESS WHEREOF, the Multnomah County Board of Commissioners by authority of a Resolution of the Board, entered of record; has caused this deed to be executed by the Chair of the of County Board.

Dated this 12th day of November, 2009.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

\_\_\_\_\_  
Ted Wheeler, Chair

STATE OF OREGON                    )  
  ) ss  
COUNTY OF MULTNOMAH         )

This Deed was acknowledged before me this 12th day of November 2009, by Ted Wheeler, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

\_\_\_\_\_  
Deborah Lynn Bogstad,  
Notary Public for Oregon;  
My Commission expires: 6/27/2013

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Matthew O. Ryan, Assistant County Attorney  
Page 2 of 3- Resolution 09-141 and Deed Authorizing Repurchase

## EXHIBIT A

Tax Account No.:R275776

### Legal Description:

A portion of Block 31, "Stephens Addition To East Portland", a duly recorded plat and that portion of vacated S.E. Caruthers Street which inured thereto, situated in the Southwest One-Quarter of Section 3, Township 1 South, Range 1 East of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon, being more particularly described as follows:

Commencing at an iron pipe marking the intersection of the South right-of-way line of S.E. Caruthers Street with the West right-of-way line of Southeast Fourth Avenue as they now exist; thence North  $88^{\circ}14'30''$  West, along said South right-of-way line, a distance of 329.70 feet to the point of beginning of the tract of land herein to be described; thence South  $1^{\circ}45'30''$  West, parallel with the West right-of-way line of said Southeast Fourth Avenue, a distance of 100 feet to a point; thence North  $88^{\circ}11'40''$  West, a distance of 0.96 to a point; thence North  $1^{\circ}45'30''$  East, parallel with said West right-of-way line a distance of 100 feet to an iron rod in the South right-of-way line of said Southeast Caruthers Street; thence South  $88^{\circ}14'30''$  East, along said right-of-way line, a distance of 0.96 feet to the point of beginning.

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
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- b. On October 2, 2009 the County Tax Collector deeded all right, title and interest in the Property to Multnomah County as authorized under ORS 312.200.
- c. First Industrial Limited Partnership has applied to the County in compliance with MCC Section 7.402 to repurchase the property for \$338.88, which amount is not less than that required by ORS 275.180 and MCC Subsection 7.402(C).
- d. It is in the best interest of the County that the property be sold to the former owner.

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

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  - (a) record the deed upon receipt of \$338.88 and confirmation that all municipal charges due under ORS 307.100 have been paid, or
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ADOPTED this 12th day of November, 2009.



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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

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The true consideration for this conveyance is \$338.88.

IN WITNESS WHEREOF, the Multnomah County Board of Commissioners by authority of a Resolution of the Board, entered of record; has caused this deed to be executed by the Chair of the of County Board.

Dated this 12th day of November, 2009.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

\_\_\_\_\_  
Ted Wheeler, Chair

STATE OF OREGON                    )  
  ) ss  
COUNTY OF MULTNOMAH         )

This Deed was acknowledged before me this 12th day of November 2009, by Ted Wheeler, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

\_\_\_\_\_  
Deborah Lynn Bogstad,  
Notary Public for Oregon;  
My Commission expires: 6/27/2013

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Matthew O. Ryan, Assistant County Attorney  
Page 2 of 3- Resolution 09-141 and Deed Authorizing Repurchase



## EXHIBIT A

Tax Account No.:R275776

Legal Description:

A portion of Block 31, "Stephens Addition To East Portland", a duly recorded plat and that portion of vacated S.E. Caruthers Street which inured thereto, situated in the Southwest One-Quarter of Section 3, Township 1 South, Range 1 East of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon, being more particularly described as follows:

Commencing at an iron pipe marking the intersection of the South right-of-way line of S.E. Caruthers Street with the West right-of-way line of Southeast Fourth Avenue as they now exist; thence North  $88^{\circ}14'30''$  West, along said South right-of-way line, a distance of 329.70 feet to the point of beginning of the tract of land herein to be described; thence South  $1^{\circ}45'30''$  West, parallel with the West right-of-way line of said Southeast Fourth Avenue, a distance of 100 feet to a point; thence North  $88^{\circ}11'40''$  West, a distance of 0.96 to a point; thence North  $1^{\circ}45'30''$  East, parallel with said West right-of-way line a distance of 100 feet to an iron rod in the South right-of-way line of said Southeast Caruthers Street; thence South  $88^{\circ}14'30''$  East, along said right-of-way line, a distance of 0.96 feet to the point of beginning.

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. 09-141**

Authorizing the Repurchase of a Tax Foreclosed Property by the Former Owner First Industrial Limited Partnership

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

- a. First Industrial Limited Partnership is the former owner of certain real property described in the attached Exhibit A (the Property). On or about October 1, 2007 judgment was entered in Multnomah County Circuit Court foreclosing the delinquent taxes levied against the Property.
- b. On October 2, 2009 the County Tax Collector deeded all right, title and interest in the Property to Multnomah County as authorized under ORS 312.200.
- c. First Industrial Limited Partnership has applied to the County in compliance with MCC Section 7.402 to repurchase the property for \$338.88, which amount is not less than that required by ORS 275.180 and MCC Subsection 7.402(C).
- d. It is in the best interest of the County that the property be sold to the former owner.

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

1. The County Chair is authorized to execute deed, in substantial compliance with the attached deed, conveying the Property to First Industrial Limited Partnership.
2. The County's Tax Title Division is authorized to:
  - (a) record the deed upon receipt of \$338.88 and confirmation that all municipal charges due under ORS 307.100 have been paid, or
  - (b) forward the deed to the appropriate Escrow Officer under a letter of instruction that provides that:
    - i. the deed is to be delivered and recorded only upon receipt by the County of all funds the County is due in consideration for the above described property and payment of all municipal charges in compliance with ORS 307.100; and
    - ii. if the escrow is closed without the proper payment to the County or payment of any other municipal charges then due; the deed and any copies must be returned immediately to the County.

ADOPTED this 12th day of November, 2009.



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

Until a change is requested, all tax statements shall be sent to the following address:  
FIRST INDUSTRIAL LIMITED PARTNERSHIP  
%FIRST AMERICAN  
222 SW COLUMBIA STREET STE 400  
PORTLAND OR 97201

After recording return to:  
Multnomah County Tax Title 503/1

**Deed D102194 for R275776**

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to FIRST INDUSTRIAL LIMITED PARTNERSHIP, **Grantee**, the following described real property:

See attached Exhibit A.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

The true consideration for this conveyance is \$338.88.

IN WITNESS WHEREOF, the Multnomah County Board of Commissioners by authority of a Resolution of the Board, entered of record; has caused this deed to be executed by the Chair of the of County Board.

Dated this 12th day of November, 2009.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

---

Ted Wheeler, Chair

STATE OF OREGON                    )  
  ) ss  
COUNTY OF MULTNOMAH         )

This Deed was acknowledged before me this 12th day of November 2009, by Ted Wheeler, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

---

Deborah Lynn Bogstad,  
Notary Public for Oregon;  
My Commission expires: 6/27/2013

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Matthew O. Ryan, Assistant County Attorney  
Page 2 of 3- Resolution 09-141 and Deed Authorizing Repurchase

## EXHIBIT A

Tax Account No.:R275776

### Legal Description:

A portion of Block 31, "Stephens Addition To East Portland", a duly recorded plat and that portion of vacated S.E. Caruthers Street which inured thereto, situated in the Southwest One-Quarter of Section 3, Township 1 South, Range 1 East of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon, being more particularly described as follows:

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# MULTNOMAH COUNTY

## AGENDA PLACEMENT REQUEST (revised 09/22/08)

### Board Clerk Use Only

Meeting Date: 11/12/08  
Agenda Item #: C-1  
Est. Start Time: 9:30 AM  
Date Submitted: 10/29/09

**Agenda Title:** RESOLUTION Authorizing the Repurchase of a Tax Foreclosed Property by the Former Owner First Industrial Limited Partnership

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

Requested Meeting Date:	November 12, 2009	Amount of Time Needed:	Consent Item
Department:	Community Services	Division:	Tax Title
Contact(s):	Jerry Elliott		
Phone:	503-988-4624	Ext.	84624
	I/O Address: 503/1/Tax Title		
Presenter(s):	Jerry Elliott		

### General Information

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

The Tax Title Section is requesting the Board to approve the repurchase of a tax foreclosed property by the former owner First Industrial Limited Partnership.

**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 subject property (as shown in Exhibit A) was foreclosed on for delinquent property taxes and came into County ownership on October 2, 2009. First America Title contacted Tax Title on October 13, 2009, on behalf of the former owner, requesting the payoff information to repurchase the property within the 30 days provided by Multnomah County Code Chapter 7.

This action affects our Vibrant Communities Program Offer by placing a tax foreclosed property back onto the tax roll.

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

The repurchase will allow for the recovery of the delinquent taxes, fees, and expenses. The sale will also reinstate the property on the tax roll.

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

Multnomah County Code Section 7.402 provides for 30 days notice to the former owner of record to repurchase a property foreclosed on for delinquent property taxes and expenses.

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

None is anticipated.

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**Required Signature**

---

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



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**Date: 10/29/09**

---

An aerial photograph of a street intersection. A red arrow points from the top left towards a specific location on the corner of the intersection. The street name "SE CARUTHERS ST" is visible on the horizontal road. The image is grainy and appears to be a photocopy.

**EXHIBIT B**  
**PROPOSED PROPERTY LISTED FOR REPURCHASE**

**LEGAL DESCRIPTION**      A portion of Block 31, "Stephens Addition To East Portland", a duly recorded plat and that portion of vacated S.E. Caruthers Street which inured thereto, situated in the Southwest One-Quarter of Section 3, Township 1 South, Range 1 East of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon, being more particularly described as follows:

Commencing at an iron pipe marking the intersection of the South right-of-way line of S.E. Caruthers Street with the West right-of-way line of Southeast Fourth Avenue as they now exist; thence North 88°14'30" West, along said South right-of-way line, a distance of 329.70 feet to the point of beginning of the tract of land herein to be described; thence South 1° 45'30" West, parallel with the West right-of-way line of said Southeast Fourth Avenue, a distance of 100 feet to a point; thence North 88°11'40" West, a distance of 0.96 to a point; thence North 1°45'30" East, parallel with said West right-of-way line a distance of 100 feet to an iron rod in the South right-of-way line of said Southeast Caruthers Street; thence South 88°14'30" East, along said right-of-way line, a distance of 0.96 feet to the point of beginning.

<b>PROPERTY ADDRESS:</b>	342 WI/ SE Caruthers Street
<b>TAX ACCOUNT NUMBER:</b>	R275776
<b>GREENSPACE DESIGNATION:</b>	No designation
<b>SIZE OF PARCEL:</b>	66 SF
<b>ASSESSED VALUE:</b>	\$400

**ITEMIZED EXPENSES FOR TOTAL PRICE OF PRIVATE SALE**

<b>BACK TAXES &amp; INTEREST:</b>	\$37.85
<b>TAX TITLE MAINTENANCE COST &amp; EXPENSES:</b>	\$250.00
<b>PENALTY &amp; FEE:</b>	\$51.03
<b>MINIMUM PRICE REQUEST FOR REPURCHASE</b>	\$338.88



BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. \_\_\_\_\_

Authorizing the Repurchase of a Tax Foreclosed Property by the Former Owner First Industrial Limited Partnership

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

- a. First Industrial Limited Partnership is the former owner of certain real property described in the attached Exhibit A (the Property). On or about October 1, 2007 judgment was entered in Multnomah County Circuit Court foreclosing the delinquent taxes levied against the Property.
- b. On October 2, 2009 the County Tax Collector deeded all right, title and interest in the Property to Multnomah County as authorized under ORS 312.200.
- c. First Industrial Limited Partnership has applied to the County in compliance with MCC Section 7.402 to repurchase the property for \$338.88, which amount is not less than that required by ORS 275.180 and MCC Subsection 7.402(C).
- d. It is in the best interest of the County that the property be sold to the former owner.

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

1. The County Chair is authorized to execute deed, in substantial compliance with the attached deed, conveying the Property to First Industrial Limited Partnership.
2. The County's Tax Title Division is authorized to:
  - (a) record the deed upon receipt of \$338.88 and confirmation that all municipal charges due under ORS 307.100 have been paid, or
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ADOPTED this 12th day of November, 2009.

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

Page 1 of 3- Resolution and Deed Authorizing Repurchase

Until a change is requested, all tax statements shall be sent to the following address:

FIRST INDUSTRIAL LIMITED PARTNERSHIP  
%FIRST AMERICAN  
222 SW COLUMBIA STREET STE 400  
PORTLAND OR 97201

After recording return to:

Multnomah County Tax Title 503/1

**Deed D102194 for R275776**

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to FIRST INDUSTRIAL LIMITED PARTNERSHIP, **Grantee**, the following described real property:

See attached Exhibit A.

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The true consideration for this conveyance is \$338.88.

IN WITNESS WHEREOF, the Multnomah County Board of Commissioners by authority of a Resolution of the Board, entered of record; has caused this deed to be executed by the Chair of the of County Board.

Dated this 12th day of November, 2009.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

---

Ted Wheeler, Chair

STATE OF OREGON                     )  
  ) ss  
COUNTY OF MULTNOMAH         )

This Deed was acknowledged before me this 12th day of November 2009, by Ted Wheeler, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

---

Deborah Lynn Bogstad,  
Notary Public for Oregon;  
My Commission expires: 6/27/2013

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Matthew O. Ryan, Assistant County Attorney  
Page 2 of 3- Resolution and Deed Authorizing Repurchase

## EXHIBIT A

Tax Account No.:R275776

**Legal Description:**

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**Deed D102194 for R275776**

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The true consideration for this conveyance is \$338.88.

IN WITNESS WHEREOF, the Multnomah County Board of Commissioners by authority of a Resolution of the Board, entered of record; has caused this deed to be executed by the Chair of the of County Board.

Dated this 12th day of November, 2009.




BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Ted Wheeler, Chair

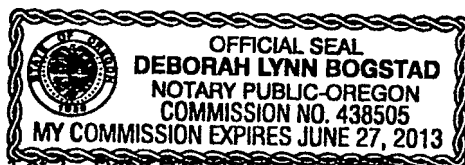
REVIEWED:

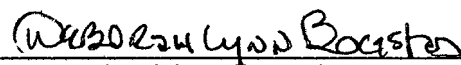
AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
Matthew O. Ryan, Assistant County Attorney

STATE OF OREGON                     )  
  ) ss  
COUNTY OF MULTNOMAH         )

This Deed was acknowledged before me this 12th day of November 2009, by Ted Wheeler, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.



  
Deborah Lynn Bogstad,  
Notary Public for Oregon;  
My Commission expires: 6/27/2013

## EXHIBIT A

Tax Account No.:R275776

Legal Description:

A portion of Block 31, "Stephens Addition To East Portland", a duly recorded plat and that portion of vacated S.E. Caruthers Street which inured thereto, situated in the Southwest One-Quarter of Section 3, Township 1 South, Range 1 East of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon, being more particularly described as follows:

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## MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (short form)

### Board Clerk Use Only

Meeting Date: 11/12/09  
Agenda Item #: R-9  
Est. Start Time: 10:20 AM  
Date Submitted: 11/04/09

**Agenda Title:** RESOLUTION Approving the Troutdale Library Project Plan

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

Requested Meeting Date: November 12, 2009 Amount of Time Needed: 20 minutes  
Department: Non-Departmental Division: Commissioner McKeel  
Contact(s): Corie Wiren, Commissioner Diane McKeel's Office  
Phone: (503) 988-5213 Ext. 26234 I/O Address: 503/600  
Presenter(s): Vailey Oehlke, Library; Mike Harrington, Library/Facilities and Property Management

### General Information

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

Resolution Approving the Troutdale Library Project Plan.

**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.**

Planning for new libraries in North Portland and Troutdale began in 1999, although new branches were not specified in the 1997 or 2002 levy language. The County's previous siting process in both areas ended in 2003, due to County budget cuts. Measure No. 26-81, passed by voters in 2006, specifically calls for new libraries in North Portland and East County.

After the levy passed, a new public siting process for a Troutdale Library began in December 2006, culminating in a negotiated lease for the Discovery Block on Historic Columbia River Hwy. Before the lease could be signed by the Chair, the developer withdrew due to financial considerations.

Subsequently, the Troutdale Siting Committee was reconvened, meeting three times to discuss potential sites. At the end of the public siting process, six potential sites had been identified. On December 18, 2008, the Board directed Multnomah County Library and Facilities & Property Management Division to commence exclusive lease negotiations with the developers of four of those sites. Library and Facilities staff requested proposals from the four developers, and after carefully considering them, reviewed the positives and negatives of each site with the Board of County Commissioners. After discussion, the BCC voted to direct the Department of Libraries and Facilities & Property Management staff to proceed with lease negotiations with the landlord of the

2441 SW Cherry Park Road, Troutdale site.

After a reiterative negotiation process with the landlord, Library and Facilities & Property Management staff returned to the Board of County Commissioners on April 2, 2009, with a draft lease. At that meeting, the BCC approved the lease of Real Property from MCW-RC OR-Cherry Park, LLC and directed the Library and Facilities & Property Management to prepare and submit to the Board as soon as practicable, the capital planning requirements for the new library under Multnomah County Administrative Procedure FAC-1.

The attached materials are in conformance with the required elements outlined in the FAC-1: Program Requirements, Project Scope, Funding Sources, Justification, Alternatives, Risk Assessment, Development Plan, Operational Funding, Project Charter, and Project Budget Estimate (based on 95% construction documents).

This action affects Program Offer 80002, "Neighborhood Libraries," and will result in opening a new Troutdale Library in Spring 2010.

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

\$1.660 million in funding for the Troutdale Library capital project is included in the Library's operating budget, and funding for ongoing operations is part of the 2006 library levy.

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

Because the 2006 library levy ballot measure included language specifying a new library in East County and funding for operating that library, the County is legally obligated to provide it.

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

Planning for a new Troutdale library began in 2001, with a series of meetings with Troutdale community leaders. Before a formal siting process was under way and potential sites had been identified, County budget cuts ended the process. After the passage of Measure 26-81 in November 2006, Commissioner Roberts appointed a Troutdale Siting Committee. After a year-long process, three sites were identified. At the direction of the County Commission, a lease was negotiated with the developer of one of those sites, the Discovery Block in downtown Troutdale. In August 2008, just before the lease was signed by the Chair, the developer withdrew, citing financial considerations.

The Siting Committee was expanded and reconvened, meeting three times (September 25, October 16, and November 19, 2008), discussing the pros and cons of more than a dozen potential sites that had been identified. A community-wide public meeting to get input on the potential sites was held on November 24, 2008, with more than 30 people attending. In addition, members of the public were invited to send comments to Commissioner Roberts' Office and/or Multnomah County Library. There was also an opportunity for public testimony to the Board of County Commissioners at the December 18, 2008 and April 2, 2009 Board meetings.

It is the opinion of County staff that the process was conducted in a cooperative and collaborative fashion. At the Board meeting on April 2, 2009, the Board of County Commissioners approved a Real Property Lease with MCW-RC OR-Cherry Park LLC.

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**Required Signature**

Elected Official or  
Department/  
Agency Director:



Date: 11/4/2009

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# MULTNOMAH COUNTY

## AGENDA PLACEMENT REQUEST (revised 09/22/08)

### Board Clerk Use Only

Meeting Date: 11/12/09  
Agenda Item #: R-1  
Est. Start Time: 9:30 AM  
Date Submitted: 11/06/09

**Agenda Title:** **Briefing on the Future of Portland International Airport, Including the Current Status of the City of Portland/Port of Portland Collaborative Airport Futures Initiative and Plans for Ongoing Work**

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

Requested Meeting Date: November 12, 2009 Amount of Time Needed: 15 minutes  
Department: Non-Departmental Division: Chair's Office  
Contact(s): Hector Roche  
Phone: 503 988-5772 Ext. 85772 I/O Address: 503/600  
Presenter(s): Lise Glancy and Sean Loughran, Port of Portland; Jay Sugnet, City of Portland

### General Information

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

No action, informational briefing only.

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

The Airport Futures Initiative is nearing the end of its three year collaboration. The County has had a seat at the Planning Advisory Group (PAG). The PAG is recommending an ongoing public involvement group.

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

N/A

**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.**

The PAG is a 30 member advisory group made up of local governments, businesses, and citizens. The work of PAG and ongoing public involvement is informed by the Public Involvement sub-committee.

### Required Signature

Elected Official or  
Department/  
Agency Director:

TED WHEELER

Date: 11/06/09



**BOGSTAD Deborah L**

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**From:** SCHOLLES Rhys  
**Sent:** Monday, November 09, 2009 2:55 PM  
**To:** BOGSTAD Deborah L  
**Subject:** FW: Board Staff wants small change in order of items at this Thursday's meeting

FYI

**Rhys Scholes**  
Communication Policy Director  
Office of Multnomah County Chair Ted Wheeler  
503-988-5273

---

**From:** RINEHART Tom  
**Sent:** Monday, November 09, 2009 2:54 PM  
**To:** SCHOLLES Rhys  
**Subject:** Re: Board Staff wants small change in order of items at this Thursday's meeting

Fine with Ted.

---

**From:** SCHOLLES Rhys  
**To:** WHEELER Ted; RINEHART Tom  
**Cc:** OZANNE Peter A  
**Sent:** Mon Nov 09 14:50:40 2009  
**Subject:** Board Staff wants small change in order of items at this Thursday's meeting

Three items on Thursday's agenda have to do with drug courts.

R-10 is Commissioner McKeel's Bud Mod for the Drug Court DA

R-7 is a DCS Bud Mod regarding state funding for treatment services for the same Drug Court (STOP)

R-8 is a DCS NOI for a different drug court (M57) (i.e. post-adjudication instead of pre-adjudication)

At the Board Staff meeting it was requested that R-10 be considered before R-7

**Rhys Scholes**  
Communication Policy Director  
Office of Multnomah County Chair Ted Wheeler  
503-988-5273



# MULTNOMAH COUNTY

## AGENDA PLACEMENT REQUEST (revised 09/22/08)

### Board Clerk Use Only

Meeting Date: 11/12/09  
Agenda Item #: R-2  
Est. Start Time: 9:45 AM  
Date Submitted: 10/22/09

**Agenda Title:** **Citizen Involvement Committee Central Citizen Budget Advisory Committee**  
**Review of Dedicated Funds for Public Safety**

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

Requested Meeting Date: November 12, 2009 Amount of Time Needed: 15 minutes  
Department: Non Departmental Division: CIC  
Contact(s): Kathleen Todd  
Phone: 503-988-3450 Ext. 22438 I/O Address: 503/6/CIC  
Presenter(s): Kathleen Todd and Jim Lasher

### General Information

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

Informational Only.

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

The CIC (Citizen Involvement Committee) Central Citizens Budget Advisory Committee (Central CBAC) acting as the Dedicated Fund Review Committee (DFR) has reviewed the dedicated funds of the Multnomah County Department of Community Justice, Multnomah County Sheriff's Office, and District Attorney's Office as directed by Resolution 88-86 adopted May 26, 1988.

The resolution provides that these funds be reviewed by the CIC Central CBAC on a rotating basis to determine at a minimum if the purpose for which the fund is dedicated is being met, whether the level of funds is reasonable for the purpose, and whether the need for the fund has increased or decreased. The Central CBAC formed a sub committee in January of 2009 for this purpose and accepted the DFR's report on September 15, 2009,

with a few minor changes. These changes have been incorporated into the text of the report.

The DFR Committee has reviewed the following funds for 2009/2010.

Department of Community Justice:

- o Family Court Services Fees
- o Criminal Fees
- o Probation Supervision Fees
- o Enhanced Bench Probation Program Fees
- o Adult Community Service Fees
- Multnomah County Sherriff's Office
  - o Emergency Communications Fund
  - o Alarm Permits Fund
  - o Concealed Weapons
- Multnomah County District Attorney's Office
  - o Liquor Control Fund
- Budget Office
  - o Justice Bond Project Fund
- Joint Public Safety Dedicated Funds
  - o Inmate Welfare Fund
    - o Multnomah County Sheriffs Office
    - o Department of Community Justice
  - o Forfeitures Fund
    - o District Attorney
    - o Multnomah County Sherriff's Office

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

N/A

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

Resolution 88-86 adopted May 26, 1988 by the Board of County Commissioners directs the CIC Central Citizens Budget Advisory Committee to review county dedicated funds on a rotating basis to determine at a minimum if the purpose for which the fund is dedicated is being met, whether the level of funds is reasonable for the purpose, and whether the need for the fund has increased or decreased. Results of the review are to be forwarded to the departments holding the reviewed funds and the Board of County Commissioners.

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

The Dedicated Fund Review Committee (DFR) was made up of citizen volunteers from Multnomah County Citizen Budget Advisory Committees (CBACs). Members were Jim Lasher serving as Chair of the DFR Committee, Multnomah County Sheriff's Office CBAC; Helen Williams, Department of County Management and Community Services CBAC; Joe Marrone, Department of Community Justice CBAC; Dick Wegner, Multnomah County District Attorney's Office CBAC; and Ron Saroff, Multnomah County Sheriff's Office CBAC.

Starting its work in January of 2009, the DFR Committee received budgets, financial reports and narrative information on the purpose and any activity within these funds over the last

three years from the following: Wanda Yantis and Larry Aab, Multnomah County Sheriff's Office; Shaun Coldwell, Department of Community Justice; Scott Marcy, Multnomah County District Attorney's Office; and Mark Campbell, Budget Office. Responses to follow up questions and additional information were also provided.

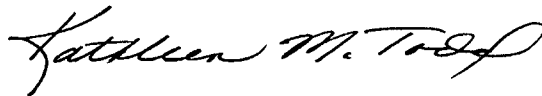
In order to gather additional insight the DFR Committee met with Wanda Yantis and Michelle Hoppel, Multnomah County Sheriff's Office as well as Shaun Coldwell and Joyce Resare from Community Justice. Committee member Dick Wegner took on the task of contacting Scott Marcy, District Attorney's Office and reporting back to the full committee. Kathleen Todd, Office of Citizen Involvement, gathered additional information for the DFR Committee on the Justice Bond Project Fund from Mark Campbell, Multnomah County Budget Office. The Office of Citizen involvement provided on going staff support for this review. Results of the review will be forwarded to the departments holding the reviewed funds, the Board of County Commissioners and the Public Safety CBACs.

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**Required Signature**

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



**Date:** 10/21/09

**2009**

**Central Citizen Budget Advisory  
Committee (CCBAC)**

## **Dedicated Fund Review**

**PUBLIC SAFETY: District Attorney's  
Office, Sheriff's Office, Department of  
Community Justice, Department of  
Management (Budget Office)**



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**Central Citizen Budget Advisory Committee (CCBAC)**

Brad McLean, *Chair*

*(Citizen Involvement Committee (CIC) Liason)*

Virginia Koontz (Library)

Jim Lasher (MCSO CBAC)

Joe Marrone (DCJ CBAC)

Harold Odhiambo (HD CBAC)

Bob Pung (DA CBAC)

Alan Scally (ND CBAC)

Steve Weiss (DHS CBAC)

Helen Williams (DCM/DCS CBAC)

Sarah Willson (DCM/DCS CBAC)

**Dedicated Fund Review Committee**

Jim Lasher (MCSO CBAC), *Chair*

Joe Marrone (DCJ CBAC)

Ron Saroff (MCSO CBAC)

Dick Wegner (DA CBAC)

Helen Williams (DCM/DCS CBAC)

**Staff**

Kathleen Todd, Director

Office of Citizen Involvement

503-988-3450 | [kathleen.m.todd@co.multnomah.or.us](mailto:kathleen.m.todd@co.multnomah.or.us)

Office of  
**Citizen**  
Involvement

## **Background**

The Dedicated Fund Review Committee (DFR) has reviewed the dedicated funds of the Multnomah County Department of Community Justice, Multnomah County Sheriff's Office, and District Attorney's Office as directed by resolution 88-86 adopted May 26, 1988.

The resolution provides that these funds be reviewed by the Central Citizens Budget Advisory Committee (Central CBAC) on a rotating basis to determine at a minimum if the purpose for which the fund is dedicated is being met, whether the level of funds is reasonable for the purpose, and whether the need for the fund has increased or decreased. The Central CBAC formed a sub committee in January of 2009 for this purpose and accepted the DFR's Report on September 15, 2009, with a few minor changes. These changes have been incorporated into the text of this report.

The DFR Committee has reviewed the following funds for 2009/2010.

- Department of Community Justice:
  - o Family Court Services Fees
  - o Criminal Fees
  - o Probation Supervision Fees
  - o Enhanced Bench Probation Program Fees
  - o Adult Community Service Fees
- Multnomah County Sheriff's Office
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  - o Alarm Permits Fund
  - o Concealed Weapons
- Multnomah County District Attorney's Office
  - o Liquor Control Fund
- Budget Office
  - o Justice Bond Project Fund
- Joint Public Safety Dedicated Funds
  - o Inmate Welfare Fund
    - o Multnomah County Sheriffs Office
    - o Department of Community Justice
  - o Forfeitures Fund
    - o District Attorney
    - o Multnomah County Sheriff's Office



## **Methodology**

The Dedicated Fund Review Committee (DFR) was made up of volunteers from Multnomah County Citizen Budget Advisory Committees (CBACs). Members were Jim Lasher serving as Chair of the DFR Committee, Multnomah County Sheriff's Office CBAC; Helen Williams, Department of County Management and Community Services CBAC; Joe Marrone, Department of Community Justice CBAC; Dick Wegner, Multnomah County District Attorney's Office CBAC; and Ron Saroff, Multnomah County Sheriff's Office CBAC.

Starting its work in January of 2009, the DFR Committee received budgets, financial reports and narrative information on the purpose and any activity within these funds over the last three years from the following: Wanda Yantis and Larry Aab, Multnomah County Sheriff's Office; Shaun Coldwell, Department of Community Justice; Scott Marcy, Multnomah County District Attorney's Office; and Mark Campbell, Budget Office. Responses to follow up questions and additional information were also provided.

In order to gather additional insight the DFR Committee met with Wanda Yantis and Michelle Hoppel, Multnomah County Sheriff's Office as well as Shaun Coldwell and Joyce Resare from Community Justice. Committee member Dick Wegner took on the task of contacting Scott Marcy, District Attorney's Office and reporting back to the full committee. Kathleen Todd, Office of Citizen Involvement, gathered additional information for the DFR Committee on the Justice Bond Project Fund from Mark Campbell, Multnomah County Budget Office. The Office of Citizen involvement provided on going staff support for this review.

## **General Findings**

The DFR Committee found the funds to be well managed. The funds are acceptable and no major changes are required currently. Multnomah County personnel were very helpful during the review process.

These funds have internal controls in place and are audited regularly as part of the annual outside financial audit process.

## **General Recommendations**

1. Emphasis should continue to be placed on preventive criminal justice programs, as well as alternative programs in the areas of jails and community corrections. Support of diversion and follow-up/monitoring programs are recommended because they provide cost savings by reducing arrests and diverting individuals from County defense, prosecution, and incarceration resources.
2. It is our understanding that the County Auditor's Office does not currently include dedicated funds in its audit schedule. We recommend that the Auditor explore adding specific dedicated funds where additional evaluation could benefit the county.
3. For many of the funds reviewed, a portion of the fund was intended to be spent on specific crime prevention programs such as drug and alcohol rehabilitation, continuing education, and job skill programs. We again recommend that the portion of these funds earmarked for specific programs continue to be tracked not only to assure that the intended monies are spent on the appropriate programs but also to determine the success or failure of these programs through the collected evaluation data.
4. In order to stretch available funding for these programs, the DFR strongly recommends that the Department of Community Corrections, the Sheriff's and District Attorney's Offices continue to use their connections to the various college intern programs. Undergraduates and a supervising professor are available to tackle problems, offer recommendations, as well as technical assistance in exchange for the opportunity to fulfill graduation requirements. This is a valuable resource in light of the county's current budget shortfall.
5. The DFR Committee again recommends that more emphasis be placed on publicizing the success and value of programs within the justice system.
6. Fee for Service options should continue to be explored where applicable with the recommendation that careful monitoring should take place to ensure that no undue hardship results for the clients or their families.

7. For the purposes of this review we interviewed mostly departmental and electeds' budget staffers. The DFR Committee recommends that for the next review of these funds a member of the line staff for each program funded through these monies be included in the interview process.

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## **Department of Community Justice**

### **Specific Recommendations**

#### **Family Court Services Fees**

Marriage License, Conciliation Court, and Parenting Education fees provide for the Multnomah County Court Family Services Program (FCS). This program provides family counseling and recommendations to the court on child custody and support.

#### **Findings:**

This program is supervised by the presiding judge of the Family Law Court and is accounted for in the Department of Community Corrections. The staff are Multnomah County employees.

The Family Court Services Program provides three distinct services using these funds. They include Conciliation, Mediation, and Custody and/or Parenting Time Evaluations. These services are valued by the Family Law Bench, the Family Law Bar, and parents. These funds make possible efforts to allow resolution outside of the courtroom whenever possible and appropriate.

#### **Recommendations:**

1. Continue to monitor the Marriage License and Divorce Filing Fees in order to provide the necessary support for these valuable services.
2. Continue parent education requirement and fees.
3. Increase publicity of Parent Education and related programs.

### **Criminal Fees**

Criminal fees assessed by the state courts are collected by the court system and transferred to the County. The County's intergovernmental agreement gives 15% to the General Fund of each jurisdiction.

#### **Findings:**

The organizational structure of the programs funded through the Dept of Community Justice have changed since 2000. There is no longer a program specifically for Women's Transition, however this population continues to be served as part of the Adult Services Division.

In Multnomah County monies from criminal fees are now transferred into the general fund programs of two probation offices (Reduced Supervision Team and the Adult Services Division West Office) and the Adult Reporting Center (DRC). The DRC is an alternative to jail or other custody sanctions. The center provides counseling, educational and work programs to violent and drug addicted adult parole and probation violators. This program reduces the use of jail beds, leaving those beds available for more serious offenders.

#### **Recommendations::**

1. Programs that prove to be cost effective through lowering the recidivism rate should be publicized in order to inform the public about the benefits and savings provided by these programs.
2. If the fine levied by the state courts for various crimes does not meet the costs the County should work towards changing the amounts transferred to each jurisdiction to reflect the actual costs of the programs.

### **Probation Supervision Fees**

Under ORS 423.570, a monthly fee is payable by persons on supervised release. The fee is \$35 a month.

#### **Findings:**

The Adult Services Division ensures that offenders submit regular payment of supervision fees. These fees are to offset the costs of supervision.

Supervision fees are to be used only for Community Justice purposes.

#### **Recommendations:**

The county should monitor the fee amount closely to determine if the supervision fee is covering most of the cost of this service.

### **Enhanced Bench Probation Program Fees**

The Enhanced Bench Probation Program monitors adult offenders who have 1 to 3 convictions for Driving Under the Influence of Intoxicants (DUI). Fees are set by the circuit court and ordered by the court as a condition of enhanced bench probation.

#### **Findings:**

All offenders in the bench probation program, whether in warrant or active status, are monitored for police contact by three (3) county staff. The case load for this program averages 3,062 offenders per year. All are DUI offenders convicted in Multnomah County and are on bench probation. The program does not accept cases from other counties. Fees were increased from \$10 to \$15 in 2007 but the fee amounts are not keeping up with the costs of the program.

#### **Recommendations:**

The fee amount should cover the cost of this program. If this program continues to cost more than the fees that are levied the county should work with the circuit court to remedy this situation.

### **Adult Community Services Fees**

Multnomah County Community Corrections charges a fee of \$35 (per Multnomah County Code Chapter 17) to any offender sentenced to a community service sentence of 40 hours or more in addition to probation.

#### **Findings:**

All fees collected are used to fund services provided by the alternative community service program. The fee is waived if manifest hardship or documented indigence is determined.

Community service sentences are increasing and are yielding good results. There are far fewer repeat offenders after serving a community service sentence.

#### **Recommendations:**

Programs that prove to be cost effective through lowering the recidivism rate should be publicized in order to inform the public about the benefits and savings provided by these programs.

---

## **Sheriff's Office Specific Recommendations**

### **Emergency Communication Fund**

This fund consists of telephone excise taxes collected by the State and distributed to the local jurisdictions. This revenue is based on the number of residents in the unincorporated areas of the County.

#### **Findings:**

The revenue is used, as required by state statute, to help pay for "911" calls, ambulance dispatch, and Sheriff patrol dispatch costs. The County contracts by "letter of understanding" with the City of Portland for this service.

## **\_2009 Dedicated Fund Review: Public Safety\_**

With the population of the County growing in the unincorporated areas revenue is increasing. However there is still a need for supplements from the General Fund.

The change in technology currently underway continues to reduce dead spots as well as improve security of communications.

### **Recommendations:**

1. The DFR Committee was pleased with improvements in the service and recommends that the County continue to contract with the City of Portland.
2. At some point cell phones need to be added into the cost of this service. The DFR recommends that adding a tax on cell phones for 911 service be added to the county legislative agenda in the next few years.

### **Alarm Permits Fund**

The Board of County Commissioners through ordinance established the Alarm Control Fund in 1975. This fund comes from permit fees for home and business burglary alarm permits and from false alarm fines.

### **Findings:**

The fund is used to operate the alarm permit office and the "profit" is allocated to the General Funds of the five participating jurisdictions within Multnomah County. Policy is made by a consortium of the involved jurisdictions, while the program is administered by the Multnomah County Sheriff's Office. These jurisdictions include Gresham, Troutdale, Maywood Park and Wood Village. Improvements in computer technology have continued with this fund and it was brought into the County SAP accounting system in July of 2007.

Alarm fees are set by the Multnomah County Code ordinance (sections 15.704) which was revised recently to clarify definitions and amend the fees.

### **Recommendations:**

1. The County should continue educating the public on the success and value of the Alarm Ordinance Program, especially in the area of decreasing false alarms and saving police time and resources.

2. The DFR Committee continues to support adequate fees for this program.
3. The DFR was pleased to learn that the Alarm Unit is now totally computerized and recommends that this office continue to keep current on computer technology.

### **Concealed Weapons**

The Board of Multnomah County Commissioners in response to 1990-91 legislation regulating gun purchase and concealed weapons permits established the Concealed Handgun Fund. The fees and regulations are mandated by the State of Oregon as stated in Oregon Revised Statutes 166.291, 166.292, 166.293, and 166.295.

#### **Findings:**

This fund collects fees from persons wanting to purchase a handgun, take training, or have a concealed weapon permit. Fees are used to pay the cost of the Concealed Handgun Licensing Unit. Revenue is on a 4-year cycle that matches renewals. This cycle accounts for shortfalls matching the renewal cycle. Fees have not changed since the inception of the regulations concerning concealed handguns and as a result the unit is not self-supporting. The issue of increasing registration fees has been included in the Chair's legislative initiative list for the past three years, but no change has occurred through the State legislature.

The County has the highest number of licenses in Oregon but also has the highest denial and revocation rate.

There are no medical limitations on receiving a license.

#### **Recommendations:**

1. The DFR Committee commends the Unit's efforts to explore the process for increasing fees so that the program can become self-supporting. The committee recommends that the efforts be continued as appropriate.



## \_2009 Dedicated Fund Review: Public Safety\_

2. In order to correct the need to dip into the General Fund every four years due to the renewal cycle, the DFR Committee once again recommends that the County push for renewals on a 2-year cycle.
  3. The DFR is in support of the Expedited Access Program as a way to provide additional funding for the Unit.
  4. Tuition for the County Safety Class should be set at an affordable rate to ensure attendance.
- 

## **District Attorney's Office**

### **Specific Recommendations**

#### **Liquor Control Fund**

The Liquor Control Fund is a small amount of money collected by the State Courts from payment of Oregon Liquor Control Act fines. The revenue is then transferred to the District Attorney's Office. The funds are to be used for equipment or other enforcement activities that benefit the enforcement of Oregon Liquor Laws and requests are subject to the approval of the District Attorney. The Multnomah County District Attorney has chosen to track this revenue within the Justice Services Special Operations Fund 1516.

#### **Findings:**

Dollars from this fund must be spent on things that will help the enforcement of the Liquor Laws of Multnomah County. The dollars cannot be spent on personnel or personnel related costs such as overtime. The District Attorney is the decision maker on these funds. Requests are submitted in writing to the District Attorney for the use of these funds.

<b>_2009 Dedicated Fund Review: Public Safety_</b>
--

In FY 2006, FY 2007, and FY 2008 no draws were made on these funds. In the current year, 2009, an expenditure of 16k was made for a color copier for the Misdemeanor Unit and the personnel handling DUII cases.

**Recommendations:**

1. Continue to use these funds for items that assist with the enforcement of the county's liquor laws. For example the color copier purchased with these funds should only be used by the Misdemeanor Unit and the personnel handling DUII cases.
  2. Requests for use of these funds should continue to be made in writing.
- 

## Department of County Management

### --- Budget Office

#### **Specific Recommendations**

##### **Justice Bond Project Fund**

This fund was established to account for the proceeds for a General Obligation Bond that paid primarily for construction of the Wapato Jail. The County issued \$79.7 million worth of bonds following passage of Measure 26-4 in May, 1996.

**Findings:**

A bond for these projects was issued for 7.5 million in 1996. The bond has been used for the purchase of the property for the Children's Receiving Center, upgrading current jail facilities including new drug and alcohol beds and data processing equipment, and the addition of a pod at the Juvenile Justice Complex. The selection of the Wapato Jail site was a slow process. Construction of the Wapato Jail has been completed but not opened for use.

## **\_2009 Dedicated Fund Review: Public Safety\_**

There is only about \$900,000 remaining in the fund. In FY 2009 the fund was programmed for capital projects in anticipation that Wapato would be opened in some capacity during the year. FY 2010 should see the closeout out of this fund.

### **Recommendations:**

1. Continue to invest the bond monies until expenditures occur.
  2. With the completion of the Wapato Jail construction project there has been little activity in this fund. The DFR recommends that the county retain the fund only until such time that the bond proceeds and interest earnings have been exhausted.
- 

## **Joint Public Safety Dedicated Funds Specific Recommendations**

### **Inmate Welfare Fund**

The Board of County Commissioners by Ordinance established the Inmate Welfare Fund on September 22, 1988, to account for the purchase and sale of commissary items to inmates of both the County correctional facilities and the Juvenile Detention Center. Separate Reviews of the Sheriff's Office and Community Justice Inmate Welfare Funds were conducted.

### **Multnomah County Sheriff's Office Inmate Welfare Funds**

The Multnomah County Sheriff's Office portion of the Inmate Welfare Fund is actually a trust fund set up to account for the purchase and sale of commissary items to inmates of Multnomah County's correctional facilities. The fund provides services to jail inmates, including banking, commissary, and phone services.

## **\_2009 Dedicated Fund Review: Public Safety\_**

### **Findings:**

Items are sold at current retail market value. The profit provides for essential items for indigent inmates and for recreational and educational items for the inmate population. An Inmate Welfare Safety Committee made up of various corrections personnel oversees purchases. Pay phones continue to add to the revenue in the fund. This fund is reconciled each month.

Commissary sales and profits have increased over the past three years even with the decline in the number of jail beds in the system. The increase in profits is due to the type and number of items offered to inmates and a review of market prices for items.

The 1988 ordinance had an item and product focus. The fund has grown to include recreational items and various programs for inmates. The Sheriff's Office is currently in the process of updating the ordinance to improve its transparency and bring it up to date. The target for revision is July 1<sup>st</sup>.

### **Recommendations:**

1. Inmate input should continue to be sought in the selection of commissary items, equipment, and educational materials purchased with these funds.
2. Staff should continue to publicize the positive outcomes of the various programs that Corrections runs for the offenders.
3. Profit from the fund should continue to be used for essential items for indigent offenders and for recreational and educational items and programs for the inmate population such as the continued maintenance and periodic upgrades of the computer system and drug and alcohol assessment classes.
4. The DFR Committee was pleased to hear that the Sheriff's Office is in the process of reviewing the fund and updating its ordinance. We again suggest that the use of "Welfare" in the name of this fund might project a negative feeling. A name change to the Commissary Fund would add a more positive note.
5. The use of some of the profits for support of inmate drug and alcohol programs should be continued.

**Department of Community Justice Inmate Welfare Funds**  
**(Juvenile Detention Fund)**

**Findings:**

Revenue for the Community Justice portion of the fund is generated from juvenile detainee telephone service for the Juvenile Detention Complex. Under a revenue sharing agreement, Global Telephone and FSH Communications forward the county's portion of the revenue generated by the operation of the phones at detention locations for placement in the fund. Fines for unacceptable behavior also go into this fund. The fund uses these monies towards items such as books, learning materials, videos, clothing, snacks, and special hygiene needs.

Rebates from local and long distance calls going into this fund have decreased due to lower commission rates for the county. Prior to September 2008 there was a 38% commission on long distance and intraLATA collect calls through FSH and a 34% commission on local telephone calls through GlobalTel. At the expiration of these contracts an informal procurement process was completed in August of 2008. At that time only FSH and GlobalTel were found that could or would provide these telephone services for the juvenile detention complex. The new negotiated contracts resulted in continuation of the 34% commission for the county through GlobalTel but a reduction from 38% to 10% for services through FSH.

**Recommendations:**

1. This fund should continue to be used towards the purchase of educational and hygiene needs of the detainees in the Juvenile Justice System.
2. The DFR encourages research into other providers of long distance and collect calls for detainees far in advance of the next contract renewal cycle for these services.

### **Forfeiture Fund**

These funds account for the revenue derived from the sale of goods seized under federal and state statutes that allow seizure of property that has been used for criminal purpose or was purchased with funds from criminal activity. Separate Reviews of the District Attorney's and Sheriff's Offices Forfeiture Funds were conducted.

#### **General Findings:**

According to Multnomah County Ordinance 633, half of the revenue is returned to the seizing agency, 35% goes to the District Attorney for prosecution costs, and 15% is distributed to the General Fund of the seizing jurisdiction.

Federal Law requires the revenue be used to enhance the seizing agency's budget, not for replacement. The state law, until recently, allowed expenditures for justice/law enforcement programs. The recent passage of Measure 53 made some changes in the allowed use of these funds. The effects in Multnomah County are discussed below.

### **District Attorney's Forfeiture Funds**

The fund was established to enable the District Attorney to track forfeiture funds.

#### **Findings:**

The Forfeiture Unit was responsible for processing seized and forfeited property related to the violation of state drug laws.

In November of 2000 Ballot Measure 3 was passed by the voters of Oregon and changed the Oregon Constitution. Measure 3 made the use of civil forfeiture much more difficult. As a result, Multnomah County's District Attorney's Office closed down its forfeiture activity in December 2000. The passage of Measure 53 made some changes to forfeiture regulations

From fiscal year 2006 to fiscal 2008 a total of \$54,133.40 was apportioned to the DA's Office from forfeiture funds. All of these funds were the result of Criminal Forfeiture activity with none resulting from Civil Forfeiture. In addition there was an interest accrual of \$97.06 in FY 2008.

## \_2009 Dedicated Fund Review: Public Safety\_

### **Recommendations:**

1. The DFR Committee congratulates the District Attorney's Office on its efforts and was sorry to discover that the passage of Measure 3 has made the continuation of these activities impossible. If an opportunity arises to support legislation to fund these activities the committee encourages the County to do so.
2. If there is any activity on forfeiture regulations via the legislature or other means the District Attorney's Office should notify the Central CBAC via the Multnomah County Citizen Involvement Office as soon as it happens.
3. DFR Committee recommends discontinuing reviewing these funds unless the current regulations are changed.

### **Sheriff's Office Forfeiture Funds**

The MCSO Special Investigations Unit has a dedicated fund utilized for the following and was recently impacted by Measure 53:

- Purchasing equipment necessary for the enforcement of laws relating to the unlawful delivery, distribution , manufacture of possession of controlled substances;
- Cash for use in law enforcement activities (Confidential Funds)
- Drug awareness and drug education programs offered in middle schools, high schools and community groups
- The expenses of a forfeiting agency in operation joint narcotic operations with other forfeiting agencies pursuant to the terms of an intergovernmental agreement including paying for rental space, utilities and office equipment

### **Findings:**

Monies received over the past three years and monies remaining in this fund have and will be used primarily to fund the drug enforcement efforts of Multnomah County Sheriff's Special Investigation Unit. The fund has been used specifically for buy money, informant fees, equipment, vehicle purchase and maintenance, overtime, and ongoing training for the Special Investigations Unit and others associated with the drug enforcement effort.

<p><b>_2009 Dedicated Fund Review: Public Safety_</b></p>
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Funds have also been allocated to drug and alcohol awareness programs, specifically the "Every 15 Minutes" program. This effort is aimed at high school aged students and is designed to make them aware of the dangers and hazards of use and abuse of alcohol and illegal drugs.

MCSO is currently partnering with the County Attorney's Office in the processing of forfeitures.

The passage of Measure 53 allows for 62.5% of the forfeiture to go to law enforcement. Money is to be used for counter drug enforcement.

**Recommendations:**

1. The DFR Committee congratulates the Sheriff's Office on its efforts and was sorry to discover that the passage of Measure 3 has cut these activities so severely. If an opportunity arises to support legislation to restore funding of these types of activities the committee encourages the County to do so.
2. Publicize the negative impacts of the loss of these funds on drug enforcement as well as drug awareness and treatment programs.
3. If there is any activity on forfeiture regulations via the legislature or other means the Sheriff's Office should notify the Central CBAC via the Multnomah County Citizen Involvement Office as soon as it happens.
4. Continue the Sheriff's Office support of drug and alcohol abuse awareness education in our community.
5. Continue to work with high schools on prevention programs



æ85881

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**From:** ISLEY Sheila L  
**Sent:** Thursday, November 05, 2009 2:25 PM  
**To:** RINEHART Tom  
**Subject:** BCC November 19 Submission: APR-HWY 43 Traffic Signal Upgrade  
**Importance:** High

Good Afternoon Tom,

Please find attached the electronic documents for the November 19 BCC agenda for your review and approval. Cecilia has signed the hard copy which is being forwarded to Deb.

Respectfully,

*Sheila*

æ85881

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**From:** KRAMER Cathey M  
**Sent:** Thursday, November 05, 2009 11:55 AM  
**To:** ISLEY Sheila L  
**Subject:** APR-HWY 43 Traffic Signal Upgrade  
**Importance:** High

Attached are the electronic files for the APR packet I am now delivering to your office. Thanks, Cathey

11/6/2009

**BOGSTAD Deborah L**

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**From:** VINCENT Brian S  
**Sent:** Friday, November 06, 2009 7:15 AM  
**To:** BOGSTAD Deborah L; ISLEY Sheila L  
**Cc:** PEOPLES Kim E  
**Subject:** RE: BCC November 19 Submission: APR-HWY 43 Traffic Signal Upgrade

Deb

Thanks for getting this on the agenda. Our partner in this IGA (ODOT) is opening bids on the 12<sup>th</sup> for a project for which this IGA is part of. Is there any way to get signatures right away so that I can get them to ODOT by noon on the 12<sup>th</sup>? Possibly signing in advance but not issuing until the BOC meets?

Brian

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

**From:** BOGSTAD Deborah L  
**Sent:** Thursday, November 05, 2009 2:34 PM  
**To:** ISLEY Sheila L  
**Cc:** PEOPLES Kim E; VINCENT Brian S  
**Subject:** RE: BCC November 19 Submission: APR-HWY 43 Traffic Signal Upgrade

The November 17 and 19 Board meetings are cancelled for lack of a quorum. Do you want me to try to sneak it on the November 12 Board meeting? Because of the Thanksgiving holiday the next Regular meeting after that is December 3.

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



Please consider the environment before printing this e-mail

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**From:** ISLEY Sheila L  
**Sent:** Thursday, November 05, 2009 2:26 PM  
**To:** BOGSTAD Deborah L  
**Cc:** PEOPLES Kim E; VINCENT Brian S  
**Subject:** FW: BCC November 19 Submission: APR-HWY 43 Traffic Signal Upgrade  
**Importance:** High

Sorry...I forgot to include you in the e-mail to Tom.

*Sheila*

11/6/2009



# MULTNOMAH COUNTY

## AGENDA PLACEMENT REQUEST (revised 09/22/08)

### Board Clerk Use Only

Meeting Date: 11/12/09  
Agenda Item #: R-11  
Est. Start Time: 10:55 AM  
Date Submitted: 10/08/09

**Agenda Title:** Urban League of Portland's "State of Black Oregon 2009" Report

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

Requested Meeting Date: 11/12/2009 Amount of Time Needed: 45 minutes  
Commissioner Kafoury,  
District 1  
Department: Non-Departmental Division:  
Contact(s): Beckie Lee  
Phone: 503 988-6796 Ext. 86796 I/O Address: 503/600  
Presenter(s): Marcus Mundy, Tricia Tillman, Joyce Harris and Sheila Holden

### General Information

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

None, informational briefing only.

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

*The State of Black Oregon* report, published for the first time in 17 years, contains a bleak inventory of statistics that show a persistent gap in living standards between black and white Oregonians – a gap that is growing wider as a result of the current economic downturn. The Urban League of Portland will share the findings of this report and their policy recommendations with the Board.

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

None.

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

None.

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

None.

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**Required Signature**

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

*Deborah Kofmy*

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**Date: October 8, 2009**

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## **Multnomah County Charter Review Committee**

**REGULAR MEETING – November 12, 2009**

**5:15 – 7:15 p.m.**

**Multnomah Building, Boardroom  
501 SE Hawthorne Blvd.**

### **AGENDA**

- Facilitators:** Brian Wilson, CRC Chair  
Agnes Sowle, Multnomah County Attorney  
Jacquie Weber, Assistant County Attorney
- 5:15            Call to Order**
- 5:15            Review and Approval of 10/29/09 Minutes**
- 5:20            Public Testimony**
- 5:35            Invited Guests:**  
Chair Ted Wheeler  
Steve March, Multnomah County Auditor  
Joanne Fuller, Director County Human Services  
Vailey Oehlke, Director Library
- 7:15            Adjourn Meeting**

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Carol Kinoshita in the County Attorney's Office (503) 988-3138 or TTY Phone (503) 823-6868.



# MULTNOMAH COUNTY

## AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-4 DATE 11/12/09  
DEBORAH L. BØGSTAD, BOARD CLERK

### Board Clerk Use Only

Meeting Date: 11/12/09  
Agenda Item #: R-4  
Est. Start Time: 10:05 AM  
Date Submitted: 10/27/09

**NOTICE OF INTENT to Submit an \$875,000 Grant Request to the US**  
**Agenda Department of Housing and Urban Development to Implement a Healthy Homes**  
**Title: Demonstration Project**

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

Requested Meeting Date: November 12, 2009 Amount of Time Needed: 5 minutes  
Department: Health Division: Environmental Health  
Contact(s): Kim Tierney, Program Supervisor  
Phone: 503-988-3674 Ext. 22850 I/O Address: 420/1/Env  
Presenter(s): Kim Tierney

### General Information

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

Authorize the Director of the Health Department to submit an \$875,000 grant request to US Department of Housing and Urban Development to implement a three year healthy homes demonstration project.

**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 purpose of the Multnomah County Healthy Homes Demonstration Project is to decrease the severity of health conditions experienced by low income residents living in unhealthy home environments. The project will identify environmental triggers that exacerbate adverse health conditions, and provide education and remediation assistance to tenants and property owners to reduce risks to children and vulnerable populations. Components of the project include the following:

- **Intake:** The Health Department will use an online referral system that will enable project partners to refer housing occupants to access project services. This intake process will support the maintenance of a database of occupants and housing units that have participated in the project, and be used as a tool to monitor and evaluate project outcomes.

- Home Assessments: Two Community Health Workers (0.8 FTE each) will be located with community-based organizations (Self Enhancement Inc. and Human Solutions) to conduct environmental health and housing assessments for each household participating in the program. Community Health Workers will be trained in the requirements of Housing Quality Standards, as well as in local housing codes enforced by Portland, Gresham and in the unincorporated areas of Multnomah County. The Community Health Workers will not be housing code inspectors; and the assessments they conduct will be for educational and health intervention purposes (this project is not a code enforcement initiative).
- Education: The project's Community Health Workers will provide educational materials to property owners and tenants to address issues identified during the healthy homes assessments. Community Health Workers will follow-up with occupants to emphasize educational messages that support measurable behavioral change(s). Existing educational materials will be utilized, and the project will also work with local rental housing organizations to identify the most effective methods to distribute educational materials to property owners.
- Remediation Assistance: As housing concerns are identified (e.g., toxic mold, lead-based paint, hazardous chemicals, etc.) that are contributing to health problems of the occupants, the Community Health Workers (along with the supervising Environmental Health Specialist) will work with the property owner and tenant(s) to provide access to available community resources to conduct appropriate remediation. Remediation resources include the Multnomah County Weatherization Program, the PDC Lead Hazard Control Grant, the PDC Small Rental Rehab Program, and the Portland Housing Bureau CDBG program (the Portland Housing Bureau has set a side CDBG funding to support remediation activities associated with this project of up to \$5,000 per unit for minor structural rehabilitation).
- Uncontrolled Health Issues: Occupants that continue to have uncontrolled health issues will be referred to the project's Community Healthy Nurse for follow up and ongoing care as needed.
- Target Populations/Communities: This project will provide services to low income families throughout Multnomah County. However, targeted outreach will occur within specific geographic areas to address the needs of high risk or vulnerable residents (i.e., those with health conditions that can be exacerbated as a result of hazards often found in the home environment). High risk populations also include those experiencing health disparities. Geographic areas of focus include residents living in economic enterprise zones, African Americans in N/NE Portland and persons living in the Rockwood area of east Multnomah County.

Asthma disparities in the African American community include the following statistics:

- African Americans have the highest asthma prevalence of any racial/ethnic group. The asthma prevalence rate in African Americans was almost 38% higher than that of Whites.
- African Americans represent 12.7 percent of the U.S. population, yet they account for 26% of all asthma deaths.
- The age-adjusted death rate for asthma in the African-American population is three times the rate for Whites, and African-American females had the highest mortality rate due to asthma in 2001.
- The asthma age-adjusted death rate in African-American males was 3.2 per 100,000 compared with 0.9 per 100,000 in White men.
- African Americans are hospitalized for asthma at more than three times the rate of Whites.

The area known as Rockwood in East Multnomah County is identified as a large medically

underserved area. Rockwood is represented by two Zip Codes (97233 and 97230). Of the 71,000 residents who make the Rockwood area their home, minorities (primarily Latino families) represent a disproportionately high percentage of the population (44% compared to 33% of the county's population). Census tract data indicates that the area is disproportionately poor, with some census tracts reporting as many as 29.5% of the residents at or below the federal poverty level, which is nearly twice that of the countywide poverty rate of 15.6%. Residents in the Rockwood area are disproportionately uninsured with 20% to 30% of the residents lacking health insurance (compared to a countywide rate of 17%); 40% to 60% of children in the area live in single parent households; and 9% to 12% of residents in the area live in households with limited English use. According to a recent study of community need in Multnomah, Washington and Yamhill Counties conducted by Providence Health Services, the Rockwood Zip Code 97233 has a Community Need Index of 4.6; this is the highest need ranking of all Zip Codes in the three county area, and only one other Zip Code in the tri-county region shares this level of need.

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

No direct County funding is required. However, additional financial and inkind contributions will be provided by partnering organizations to ensure the project's success.

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

None identified.

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

Projects partners that have committed to this project include Portland Housing Bureau, Self-Enhancement Inc. (SEI) and Human Solutions. SEI is a community based organization located in NE Portland and will target services to the African American community; and Human Solutions serves low income residents of the Rockwood area. Additional partners are being recruited.



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## ATTACHMENT A

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### Grant Application/Notice of Intent

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

- **Who is the granting agency?**

Housing and Urban Development "Healthy Homes Demonstration Program" (Notice of Funding Availability No. FR-5300-N-17).

- **Specify grant (matching, reporting and other) requirements and goals.**

Matching funds are not required. However, project partners will contribute financial and in-kind support to ensure project success (e.g., the Portland Housing Bureau will contribute \$100,000 to support housing remediation). Grantees are required to monitor expenses, evaluate outcomes, and report activities on regular intervals as established in the grant agreement and provide a final report upon completion of the project.

- **Explain grant funding detail – is this a one time only or long term commitment?**

This is a one-time commitment.

- **What are the estimated filing timelines?**

Grant applications are due on, or before, November 24, 2009 (applications must be submitted electronically).

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

Grants are for a period of three years beginning February 1, 2010.

- **When the grant expires, what are funding plans?**

This is a three year project. However, it is expected that the project results will translate into improved practices and housing conditions as long-term outcomes.

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

Administrative costs (including the cost of facilities) will be covered in the grant.

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## ATTACHMENT B

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### Required Signatures

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Elected Official or  
Department/  
Agency Director:

Jillian Shirley / W2

Date: 10/27/2009

Budget Analyst:

SDurant

Date: 10/27/2009



## MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

APPROVED : MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-5 DATE 11/12/09  
DEBORAH L. BOGSTAD, BOARD CLERK

### Board Clerk Use Only

Meeting Date: 11/12/09  
Agenda Item #: R-5  
Est. Start Time: 10:09 AM  
Date Submitted: 11/02/09

**NOTICE OF INTENT to Submit a Proposal for up to \$10,000,000 to the**  
**Agenda American Recovery and Reinvestment Act of 2009 Communities Putting**  
**Title: Prevention to Work Grant Opportunity**

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

<b>Requested Meeting Date:</b>	<u>November 12, 2009</u>	<b>Amount of Time</b>	<u>5 minutes</u>
<b>Department:</b>	<u>Health</u>	<b>Division:</b>	<u>Community Health Services/ Chronic Disease Prevention</u>
<b>Contact(s):</b>	<u>Sonia Manhas, Nicole Hermanns</u>		
<b>Phone:</b>	<u>503-988-3663</u>	<b>Ext.</b>	<u>26314</u>
<b>Presenter(s):</b>	<u>Rachael Banks and Nicole Hermanns</u>		
<b>I/O Address:</b>	<u>160/9</u>		

### General Information

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

Authorize the Director of the Health Department to submit a proposal for up to \$10,000,000 to the American Recovery and Reinvestment Act of 2009 Communities Putting Prevention to Work grant opportunity.

**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.**

As part of the American Recovery and Reinvestment Act of 2009, the CDC has released a funding opportunity to support intensive community approaches to chronic disease prevention and control. Applicants may apply for a grant to address either Obesity/Physical Activity/Nutrition or Tobacco Prevention and Control.

The CDC will make a total of 30-40 awards, divided between the 2 program categories and 4 jurisdiction size categories (if split evenly, this equates to **5 awards per category nationwide** if 40 awards are made), resulting in an **extremely competitive selection process**. Only state health departments, local health departments and tribes are eligible to apply. Multnomah County is eligible

to apply as an Urban Area (based on population), with a possible award range of \$4 million - \$10 million for a two year project period.

The MCHD Chronic Disease Prevention Program (CDPP), under the direction of Sonia Manhas, has been working in the areas of obesity/physical activity/nutrition and tobacco prevention and control, with a particular focus on policy change in both the community and schools, for many years. After an analysis of the requirements of the funding announcement, the criteria for selection, the level of competition for these funds, and the previous work of the CDPP, *the strategic decision to apply under the Obesity/Physical Activity/ Nutrition category was made.* Recent work through the Healthy Eating Active Living (HEAL) Coalition, the ACHIEVE project, chain-restaurant nutrition labeling policy initiative, and the Healthy Active Multnomah County Community Planning Process provide the CDPP with the experience, strong partnerships, and community engagement that is required for this grant.

The grant application will include a comprehensive Community Action Plan based on planning processes the Chronic Disease Prevention Program convened over the last year. These community planning activities helped to identify and prioritize key policy and systems change strategies to promote healthy eating and physical activity that closely align with the strategies emphasized by the CDC in this request for applications. Examples of such strategies include policies that increase access to healthy food in underserved neighborhoods, establish standards for regular physical activity in after-school programs for children, and require health impact assessments to be completed as a part of community planning. This important planning could not have happened without the participation of many community partners, and the grant will include resources to support and enhance the capacity of many community partners, including community-based non-profit organizations, other governmental entities, and school districts, in their Healthy Eating Active Living activities.

The purpose of this grant is to create healthier communities through sustainable, proven, population-based approaches such as broad-based policy, systems, organizational, and environmental change in schools and communities. The grant funding is intended to support intensive community approaches to achieve the following prevention outcomes:

- Increased levels of physical activity
- Improved nutrition (e.g. increased fruit / vegetable consumption, reduced salt)
- Decreased overweight/obesity rates

Awardees will be expected to implement interventions across five evidence-based MAPPS strategies identified by the CDC. Proposals will be measured by evidence that the intervention area encompasses the entire jurisdiction of the health department; the communities have selected interventions that address all five areas of the MAPPS strategies; and the interventions have broad reach and impact in the community. In addition, it is expected that the project includes the full engagement of the leadership of local government, schools, businesses, community and faith-based organizations, transportation and land use planners, and other stakeholders working together to promote health and prevent chronic diseases. It is recommended that awardees include a strong focus on the needs of populations who suffer disproportionately from the burden of disease. The CDC emphasizes that proposals should focus on **broad-based policy outcomes**. Funds cannot be used for research, clinical care, planning, furniture/equipment, construction, such as construction of bike paths, or program and pilot projects.

This grant will provide the County with dedicated funds to implement far-reaching, sustainable changes within our policies and systems to positively impact our environments and reduce the rates of obesity and associated chronic diseases in our community.

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

We will request up to \$10,000,000 for a two year project period.

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

The focus of the grant is to advance policy and systems changes to support healthy eating and active living and prevent obesity within Multnomah County.

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

The program has been communicating with potential grant partners, including school districts, government organizations, and community organizations, to develop a comprehensive strategy and action plan for the grant proposal.

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## ATTACHMENT A

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### Grant Application/Notice of Intent

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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 U.S. Department of Health and Human Services, Center for Disease Control and Prevention (CDC).
- **Specify grant (matching, reporting and other) requirements and goals.**  
The Health Department is eligible to apply as an Urban Area for a grant award of up to \$10 million. The goal of the funding opportunity is to achieve the following prevention outcomes: Increased levels of physical activity; Improved nutrition; and Decreased overweight/obesity prevalence. Stimulus grants require rigorous financial and programmatic reporting. CDC monitoring and evaluation of the project will focus on the implementation of community-wide policy, systems, and environmental changes. There is no matching requirement. The grant requires school district willingness to participate in the Youth Risk Behavior Surveillance System (YRBSS) survey.
- **Explain grant funding detail – is this a one time only or long term commitment?**  
This is one-time only funding to support a two year project period. As part of the project plan, the Health Department will be subcontracting with several community and government organizations to carry out the work of the grant.
- **What are the estimated filing timelines?**  
The grant application is due on December 1<sup>st</sup>, 2009.
- **If a grant, what period does the grant cover?**  
The grant covers a two year project period from 2/26/2010 – 2/25/2012.
- **When the grant expires, what are funding plans?**  
When the grant expires the project will have been completed. The intent of the grant and the Chronic Disease Prevention Program is to implement policy and systems change that will result in behavior change and improved prevention outcomes that do not require on-going grant funding.
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**  
These costs, and any facilities/internal services costs, will be covered by the grant. This grant will result in the hiring of several new county employees. All employees hired for this project will be hired as limited duration positions that will expire when the grant is over.

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## ATTACHMENT B

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### Required Signatures

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Elected Official or  
Department/  
Agency Director:

*Lillian Shirley*

Date: 11/02/09

Budget Analyst:

*SDurant*

Date: 11/02/09



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

APPROVED : MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-6 DATE 11/12/09  
DEBORAH L. BOGSTAD, BOARD CLERK

## Board Clerk Use Only

Meeting Date: 11/12/09  
Agenda Item #: R-6  
Est. Start Time: 10:12 AM  
Date Submitted: 10/23/09

**BUDGET MODIFICATION: HD - 10-09**

**Agenda Title: BUDGET MODIFICATION HD-09 Appropriating \$45,000 in Revenue from the Coalition of Community Health Clinics**

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

Requested Meeting Date:	<u>November 12, 2009</u>	Amount of Time Needed:	<u>5 minutes</u>
Department:	<u>Health Department</u>	Division:	<u>Integrated Clinical 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>Pam Olbrich, Program Manager</u>		

## General Information

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

Approval of increased appropriation of \$45,000 due to funding received from the Coalition of Community Health Clinics.

### 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 demand for dental services by low-income, uninsured residents of Multnomah County far outweighs the resources available to meet that demand. The Health Department's Clinical Dental Program strives to provide dental services to as many residents as possible who meet the following eligibility requirements:

- ☒ Multnomah County resident
- ☒ No dental insurance
- ☒ >200% of Federal Poverty Guidelines

The Coalition of Community Health Clinics has obtained a grant specifically to provide dental services to established patients of their health clinics who meet these eligibility requirements, and



the Coalition has requested Multnomah County Health Department's (MCHD) help in providing that service. Patients who require urgent dental care will be referred to an MCHD dental clinic where they will receive a \$500 account for the required treatment. After all grant funds have been exhausted, future visits at a discounted rate based on the patient's Federal Poverty Level will become the financial responsibility of the patient.

This increase in funding affects Program Offer 40017 – Dental Services.

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

Approval of this budget modification will increase the Health Department's federal/state FY 2010 budget by \$45,000.

**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 Community Health Council has been notified of this award.

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## ATTACHMENT A

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### Budget Modification

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

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

The Health Department's federal/state revenue budget will be increased by \$45,000 in FY 2010 as a result of the work performed under this grant.

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

As a result of these changes, the Health Department's budget will have the following changes:

- Temporary budget will increase by \$36,612
- Non Base Fringe budget will increase by \$6,832
- Non Base Insurance budget will increase by \$1,556

- **What do the changes accomplish?**

The goal of this grant is to provide urgent and comprehensive dental services to patients screened by the Coalition of Community Health Clinics and meeting the established eligibility criteria.

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

No additional FTE will result from this budget modification. Existing FTE or on-call staff will perform services and will be covered by other contracts and grants when this project ends.

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

The grant revenue does not cover these costs. Indirect and overhead charges will be paid from existing department resources.

- **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?**

These grant funds are one-time only. Patients may continue treatment on a sliding fee scale basis, and additional grant funding may be sought as necessary.

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

These grant funds became available on June 1, 2009, and will remain available until the full award is exhausted.

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

When the grant funds expire, patients may continue treatment on a sliding fee scale basis. Additional grant funding may also be sought.

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

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**BUDGET MODIFICATION: HD-10 - 09**

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### Required Signatures

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

**KaRin Johnson for**

**Date: 10-22-09**

*Lillian Shirley*

---

**Budget Analyst:**

**Date: 10/23/2009**

*SDmant*

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**Department  
HR:**

**Date: 10/21/2009**

*L. Brown L. BROWN*

---

**Countywide  
HR:**

**Date:**

Budget Modification ID: **HD-10-09****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2010

Line No.	Fund Center	Fund Code	Program #	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Internal Order	Cost Center	WBS Element						
1	40-60	32346	40017	0030			4CA130-01-1	50210	0	(30,000)	(30,000)		Increase OP-Nongovt'l Prog
2	40-60	32346	40017	0030			4CA130-01-1	60100	0	24,408	24,408		Increase Temporary
3	40-60	32346	40017	0030			4CA130-01-1	60135	0	4,555	4,555		Increase Non Base Fringe
4	40-60	32346	40017	0030			4CA130-01-1	60145	0	1,037	1,037		Increase Non Base Insurance
5										0			
6	40-60	32346	40017	0030			4CA130-01-2	50210	0	(5,000)	(5,000)		Increase OP-Nongovt'l Prog
7	40-60	32346	40017	0030			4CA130-01-2	60100	0	4,068	4,068		Increase Temporary
8	40-60	32346	40017	0030			4CA130-01-2	60135	0	759	759		Increase Non Base Fringe
9	40-60	32346	40017	0030			4CA130-01-2	60145	0	173	173		Increase Non Base Insurance
10										0			
11	40-60	32346	40017	0030			4CA130-01-3	50210	0	(5,000)	(5,000)		Increase OP-Nongovt'l Prog
12	40-60	32346	40017	0030			4CA130-01-3	60100	0	4,068	4,068		Increase Temporary
13	40-60	32346	40017	0030			4CA130-01-3	60135	0	759	759		Increase Non Base Fringe
14	40-60	32346	40017	0030			4CA130-01-3	60145	0	173	173		Increase Non Base Insurance
15										0			
16	40-60	32346	40017	0030			4CA130-01-4	50210	0	(5,000)	(5,000)		Increase OP-Nongovt'l Prog
17	40-60	32346	40017	0030			4CA130-01-4	60100	0	4,068	4,068		Increase Temporary
18	40-60	32346	40017	0030			4CA130-01-4	60135	0	759	759		Increase Non Base Fringe
19	40-60	32346	40017	0030			4CA130-01-4	60145	0	173	173		Increase Non Base Insurance
20										0			
21	72-10	3500		0020		705210		50316		(1,556)	(1,556)		Service reimbursement
22	72-10	3500		0020		705210		60330		1,556	1,556		Offsetting expenditure
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 (revised 09/22/08)

APPROVED : MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-7 DATE 11/12/09  
DEBORAH L. BOGSTAD, BOARD CLERK

## Board Clerk Use Only

Meeting Date: 11/12/09  
Agenda Item #: R-7  
Est. Start Time: 10:15 AM  
Date Submitted: 11/14/09

## BUDGET MODIFICATION: DCJ- 10

**BUDGET MODIFICATION DCJ- 10 Appropriating \$241,089 in State of  
Oregon Criminal Justice Commission Funds to Provide Continued Program  
Agenda Enhancement for the Sanction Treatment Opportunity Progress (STOP) Drug  
Title: Court**

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

Requested Meeting Date:	<u>November 12, 2009</u>	Amount of Time Needed:	<u>5 minutes</u>
Department:	<u>Dept. of Community Justice</u>	Division:	<u>Employee, Community &amp; Clinical Services</u>
Contact(s):	<u>Shaun Coldwell</u>		
Phone:	<u>503-988-3961</u>	Ext.	<u>83961</u>
Presenter(s):	<u>John Turner</u>	I/O Address:	<u>503 / 250</u>

## General Information

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

The Department of Community Justice (DCJ) requests approval of budget modification DCJ-10, appropriating \$241,089 from the Oregon Criminal Justice Commission (CJC) to provide continued program enhancement for the Sanction Treatment Opportunity Progress (STOP) Drug Court.

Multnomah County pays for the base rate of outpatient treatment for individuals in the STOP Court. This additional money provides a more intensive model of treatment, supported housing and access to one residential treatment bed.

### 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 Multnomah County STOP (Sanction Treatment Opportunity Progress) Drug Court Program provides opportunities for clients who have been charged with felony drug possession, and who meet eligibility requirements, to work toward having a conditional discharge by attending prescribed

treatment services, appearing in court, providing random drug testing, and paying program fees.

DCJ has been receiving CJC STOP Drug Court Enhancement funding since Fiscal Year 2007, and this \$241,089 award is a continuation of that funding. This award will provide continuation of one residential treatment bed for a STOP Court client requiring such treatment, short-term transitional drug-free housing for STOP clients who are either homeless or are transitioning out of residential care with no available permanent housing, a Matrix Intensive Outpatient Program Counselor (an evidence based curriculum originally designed for methamphetamine addicts) at InAct, Matrix training and review, and additional drug testing to support the Matrix model.

This grant enhances FY 2010 program offer 50042A - DCJ Addiction Services-Adult Drug Court Program by providing additional treatment beds and housing to give clients a greater chance of succeeding and graduating in Drug Court.

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

This budget modification will increase DCJ's Fiscal Year 2010 budget by \$241,089

**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.**

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## ATTACHMENT A

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### Budget Modification

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

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

DCJ's FY-2010 budget will be increased by \$241,089 in grant funding from the State of Oregon Criminal Justice Commission.

At the time that the Fiscal Year 2010 budget was submitted, it was not yet determined whether this grant would be renewed, and therefore this funding was not included in the Adopted budget.

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

DCJ's program offer 50042A - DCJ Addiction Services-Adult Drug Court Program will be increased by \$241,089 in the Federal/State Fund. Of this amount \$217,994 will be contracted to Volunteers of America-InAct and other service providers, \$2,500 will be spent on positive incentives to clients, and the remaining \$20,595 will pay for Central and Departmental Indirect.

- **What do the changes accomplish?**

Appropriation of State of Oregon Criminal Justice Commission STOP Drug Court Enhancement funds.

- **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?**

This grant will fully pay Central and Departmental Indirect

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

There is potential for renewal at the end of the grant period. In the interim, applications will be submitted for similar grants from other sources.

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

This award will end June 30, 2010

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

Ongoing efforts are being made to procure similar grants to enhance and continue this program. In the event that enhancement funds are no longer available, services will be reduced.

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

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**BUDGET MODIFICATION: DCJ - 10**

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### Required Signatures

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

*John McInerney for Scott Taylor*

**Date:** 11/04/09

**Budget Analyst:**



**Date:** 11/04/09

**Department HR:**

**Date:**

**Countywide HR:**

**Date:**



Budget Modification ID: **DCJ-10****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2010

Line No.	Fund Center	Fund Code	Program #	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
						Cost Center	WBS Element						
1	50-05	32212	50042A	50			CJ044.STOP	50180	-	(241,089)	(241,089)		IG-OP-Direct State
2	50-05	32212	50042A	50			CJ044.STOP	60155	-	2,500	2,500		Direct Client Assistance
3	50-05	32212	50042A	50			CJ044.STOP	60170	-	217,994	217,994		Professional Services
4	50-05	32212	50042A	50			CJ044.STOP	60350	-	5,997	5,997		Central Indirect
5	50-05	32212	50042A	50			CJ044.STOP	60355	-	14,598	14,598	0	Departmental Indirect
6										0			
7	50-00	1000	50001	50		509600		50370	(1,792,760)	(1,807,358)	(14,598)		Dept Indirect Revenue
8	50-00	1000	50001	50		509600		60240	25,794	40,392	14,598		Supplies
9										0			
10	19	1000		20		9500001000		50310		(5,997)	(5,997)		Internal Svc Reimbursement
11	19	1000		20		9500001000		60470		5,997	5,997		Contingency
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 (revised 09/22/08)

APPROVED : MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-8 DATE 11/12/09  
DEBORAH L. BOGSTAD, BOARD CLERK

## Board Clerk Use Only

Meeting Date: 11/12/09  
Agenda Item #: R-8  
Est. Start Time: 10:17 AM  
Date Submitted: 11/05/09

**Agenda Title:** **NOTICE OF INTENT to Apply for Recovery Act Funding through the Oregon Criminal Justice Commission Measure 57 Drug Court Grant**

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

**Requested Meeting Date:** November 12, 2009 **Amount of Time Needed:** 15 minutes  
**Department:** Department of Community Justice **Division:** Director's Office  
**Contact(s):** Scott Taylor  
**Phone:** (503) 988-5590 **Ext.** 85590 **I/O Address:** 503 / 250  
**Presenter(s):** Scott Taylor & Kathleen Treb

## General Information

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

The Department of Community Justice (DCJ) requests approval to apply for a recovery act grant from the State of Oregon Criminal Justice Commission in an amount that is determined by the number of individuals supervised by the Measure 57 Drug Court. This amount could vary between \$500,000 and \$2,000,000 per year for a period of up to two years.

### 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 State of Oregon Criminal Justice Commission offers funding under the Measure 57 Drug Court Grant Program to support funding to new or existing adult drug court programs in order for mandated post-adjudication intensive drug court services to be made available to high risk drug dependent offenders who are convicted, or on felony supervision for a specific list of property crimes.

The goal of the Program is to reduce recidivism among the drug dependent members of this population at a higher rate than "business as usual". Eligible participants will be selected through a randomization process.

Per the application, "Grant funds are to be primarily used to fund treatment capacity, probation officers, sanctions and rewards, and court coordinators."

At the time of writing the details of the proposal are still being developed. This has been a cooperative process completed by an entire drug court team consisting of representation from: the District Attorney's Office, Public Defender's Office, Judges, Court Administrator, Volunteers of America, and the Department of Community Justice. By design DCJ is the only eligible applicant for the monies.

This grant would be a part of the DCJ Addiction Services series of program offers, but would create a new intensive drug court. If approved, this program would appear on a new program offer.

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

DCJ may receive \$15.00 per active participant in the drug court. The amount will vary, and is dependent on the number of people in the program. Although the details are not yet determined, the majority of the money will be spent on treatment, drug testing and intensive supervision. The other costs associated include a Judge, defense attorney, prosecutor and administrative costs. In some cases individual departments will re-direct current staff to accomplish the goals of this program. The design of the program has taken into account any unintended expenses (increase in jail beds).

**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

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## ATTACHMENT A

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### Grant Application/Notice of Intent

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

- **Who is the granting agency?**  
Oregon Criminal Justice Commission
- **Specify grant (matching, reporting and other) requirements and goals.**  
There is no match required for this grant. The grant reimburses at a rate of \$15.00 per participant per day. The amount of money will vary depending on number of people.
- **Explain grant funding detail – is this a one time only or long term commitment?**  
This is one time only funding. Applicants may not use program funding to supplant existing resources.
- **What are the estimated filing timelines?**  
The proposal is due November 19, 2009.
- **If a grant, what period does the grant cover?**  
The grant period is October 1, 2009 through March 31, 2013.
- **When the grant expires, what are funding plans?**  
When the grant expires, if other funding is not available, the Drug Court will discontinue operations.
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**  
This is still under discussion with the Drug Court Team.

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## ATTACHMENT B

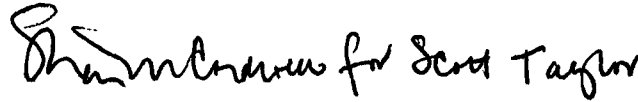
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### Required Signatures

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Elected Official or  
Department/  
Agency Director:

Handwritten signature of Scott Taylor

Date: 11/05/09

Budget Analyst:

Handwritten signature of Budget Analyst

Date: 11/05/09



# MULTNOMAH COUNTY

## AGENDA PLACEMENT REQUEST (revised 09/22/08)

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-10 DATE 11/12/09  
DEBORAH L. BOGSTAD, BOARD CLERK

### Board Clerk Use Only

Meeting Date: 11/12/09  
Agenda Item #: R-10  
Est. Start Time: 10:40 AM  
Date Submitted: 11/04/09

### BUDGET MODIFICATION: DA 2010-04

**BUDGET MODIFICATION DA 2010-04 Appropriating \$84,020 from the**  
**Agenda County's General Fund Contingency to Support a Drug Court Deputy District**  
**Title: Attorney**

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

Requested Meeting Date:	<u>November 12, 2009</u>	Amount of Time Needed:	<u>15 minutes</u>
Department:	<u>District Attorney's Office</u>	Division:	<u>Administration</u>
Contact(s):	<u>Corie, Wiren, D. Scott Marcy</u>		
Phone:	<u>503-988-3863</u>	Ext.	<u>83863</u>
		I/O Address:	<u>101/600</u>
Presenter(s):	<u>Commissioner Diane McKeel, Michael D. Schrunk</u>		

### General Information

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

Request that the Board appropriate \$84,020 from the Contingency Fund to pay for a .75 Deputy District Attorney 2 position assigned to Drug Court.

**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.**

During the 2010 budget process the District Attorney's Office lost its general fund support for the Drug Court Deputy District Attorney. Since July the office has submitted three separate grant applications in an attempt to obtain funding to continue the position and has supported that position during the grant review process. On October 30, 2009 the office received notice that the final grant opportunity was not successful. In order to continue to have a Deputy District Attorney assigned to the Drug Court function additional general fund will be needed in the amount of \$84,020. This will allow the position to continue through the end of the County's fiscal year.

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

This will increase the District Attorney's general fund budget by a total of \$84,020, the County's

Insurance fund by \$15,023, the contingency fund will be reduce by \$84,020.

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

This decision involves the continuation of the Drug Court program.

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

None

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## ATTACHMENT A

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### Budget Modification

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

- What revenue is being changed and why?

No revenues are affected.

- What budgets are increased/decreased?

The District Attorney's Office program offer 15009 Unit B Drug/Vice Unit will be increased by \$84,020 and the County's General Fund Contingency fund will be reduced by \$84,020.

- What do the changes accomplish?

The change allows the DA Office to add a .75 FTE Deputy DA 2 position to Unit B Drug and Vice unit and continue its ability to support Drug Court.

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

Yes, allows for the creation of a .75 FTE Deputy DA 2 position in the DA Office. .

- 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 &amp; Revenues Worksheet and/or a Budget Modification Personnel Worksheet.</i></p>
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## ATTACHMENT B

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**BUDGET MODIFICATION: DA 2010-04**

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### Required Signatures

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

*Diane McKel*

**Date:** 11/4/2009

**Budget Analyst:**

*Chris Hy*

**Date:** 11/04/09

**Department HR:**

**Date:**

**Countywide HR:**

*Joe E. Doi*

**Date:** 11/05/2009

Budget Modification ID: **DA 2010-4****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2010

Line No.	Fund Center	Fund Code	Program #	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Internal Order	Cost Center	WBS Element						
1	19	1000		20		9500001000		60470		(84,020)	(84,020)		reduce available contingency
2	15-10	1000	15009	50		151200		60000	189,179	242,673	53,494		permanent
3	15-10	1000	15009	50		151200		60130	56,699	72,202	15,503		fringe
4	15-10	1000	15009	50		151200		60140	48,343	63,366	15,023		Insurance
5	72-10	3500		20		705210		50316			(15,023)		insurance fund revenue
6	72-10	3500		20		705210		60330			15,023		insurance fund expense
7													
8										0			
9										0			
10										0			
11										0			
12										0			
13										0			
14										0			
15										0			
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17										0			
18										0			
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27										0			
28										0			
29										0			
											0	0	Total - Page 1
											0	0	GRAND TOTAL

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

							ANNUALIZED			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1000	6252	61078		Deputy District Attorney 2		1.00	80,242	23,254	16,883	120,379
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
TOTAL ANNUALIZED CHANGES						1.00	80,242	23,254	16,883	120,379

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

							CURRENT YEAR			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1000	6252	61078		Deputy District Attorney		0.75	53,494	15,503	15,023	84,020
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
TOTAL CURRENT FY CHANGES						0.75	53,494	15,503	15,023	84,020



# MULTNOMAH COUNTY

## DEPUTY DISTRICT ATTORNEY 2

Multnomah County District Attorney's Office

**CLASS CODE: 6252**

### **DEFINITION:**

The Multnomah County District Attorney's Office prosecutes crimes committed in Multnomah County and provides legal and support services to ensure expedient criminal prosecutions, child support enforcement, neighborhood prosecution, assistance to crime victims, juvenile delinquency and dependency representation, and prosecution on behalf of the State of Oregon.

The District Attorney's Office is divided into two divisions: The Felony Division and the Family and Community Justice Division. Under direction, the Deputy District Attorney 2 evaluates and prosecutes felony cases; provides legal advice to law enforcement agencies investigating these crimes, and does other work as required.

### **DISTINGUISHING CHARACTERISTICS:**

The Deputy District Attorney 2 performs professional legal work and is the journey level classification in the Deputy District Attorney Series. Deputy District Attorney 2's are assigned to either criminal prosecution or child support enforcement. Incumbents evaluate a variety of criminal or nonsupport felony cases and determine what actions to pursue, including negotiating pleas or settlements, pursuing forced collection options, trying cases and presenting sentencing recommendations. Specialized criminal prosecution duties may be assigned, such as intake evaluation, arson and hazardous waste prosecution, special advisory group or board liaison and review of returned search warrants and expungements.

### **EXAMPLES OF DUTIES:**

**ESSENTIAL FUNCTIONS** (Essential functions, as defined under the Americans with Disabilities Act, may include the following duties and responsibilities, knowledge, skills and other characteristics. Depending upon assignment, the incumbent may perform a combination of some or all of the following duties, which are a representative sample of the level of work appropriate to this classification.)

Determines if sufficient evidence exists to approve cases for presentation to the Grand Jury; examines and analyzes police reports and evidence; reviews legal issues; participates and requests further investigation when necessary.

Investigates non-payment of child support; initiates court actions to establish judgments; negotiates settlements and payment arrangements; enforces child support orders through persuasion, forced collections and contempt and criminal actions.

Pursues formal indictment process; presents evidence and examines witnesses before Grand Jury for a charging decision; interviews, prepares and subpoenas witnesses to testify; provides legal instruction to jury members.

Processes return indictments and conducts court arraignment appearances; presents indictments to judge and recommends bail amounts; makes pre-trial release recommendations; negotiates case resolution with defense counsel; conducts plea appearances.

Litigates pre-trial notions and prepares trial strategy to prosecute criminal cases; analyzes admissibility and determines presentation of witnesses and evidence; subpoenas and prepares witnesses for testifying; prepares legal briefs and oral arguments; coordinates prosecution of multi-jurisdictional felonies and felons.

Litigates criminal cases; contacts, subpoenas and schedules trial witnesses; examines prospective trial jurors to select an impartial jury; examines and cross-examines witnesses; argues objections and mid-trial motions; presents closing arguments.

Formulates and recommends appropriate sentences based on criminal conviction; evaluates pre-sentence investigation reports; presents evidence and witnesses to support sentencing recommendations.

Provides support and assistance to victims; assists in obtaining counseling and other victim services; informs victims of case proceedings; releases case information to the media.

Analyzes probation violation reports to determine whether to proceed with probation violation hearings; presents evidence and examines witnesses; recommends sentencing.

### **SUPERVISION RECEIVED AND EXERCISED:**

Receives direction from a Deputy District Attorney 4.

### **KNOWLEDGE/SKILLS/ABILITIES REQUIRED:**

Thorough knowledge of: Principles and practices of criminal law; child support enforcement laws, regulations, policies and procedures; judicial and administrative proceedings; rules of evidence; statutes, rules and case law relating to grand jury proceedings, criminal pleading, detention, arrest, search and seizure, self-incrimination, right-to-counsel, other criminal procedures and prosecutorial immunity and liability; techniques of persuasion; sentencing guidelines; child support forced collection techniques; laws and procedures of extradition; legal research procedures and methods; principles and techniques of negotiation; police investigation techniques; professional responsibility and ethics.

Working knowledge of: Basic principles of forensics; principles of psychology and psychiatry related to criminal behavior; laws relating to forfeiture of property by felons.

Skill to: Interpret and apply legal principles and procedures; analyze and organize facts, evidence and other case documentation; research, analyze and prepare legal documents; develop effective strategies and legal pleadings; effectively and persuasively present facts, evidence, precedents and recommendations to judges and juries; provide accurate and practical legal advice; obtain cooperation from young, reluctant and/or traumatized crime victims; negotiate, settle and force collections of child support judgments; communicate effectively, both orally and in writing; establish and maintain cooperative working relationships with government officials, law enforcement and court personnel, prosecuting and defense attorneys and the public.

### **MINIMUM QUALIFICATIONS:**

Any satisfactory combination of experience and training that demonstrates possession of the required knowledge and skills is qualifying. Must be a current member of the Oregon State Bar in good standing.

### **CLASSIFICATION TYPE/FLSA/HISTORY:**

Type: Union Classification.

**PSG:**  
6252



**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: November 4th, 2009

SUBJECT: General Fund Contingency Request of \$84,020 for 0.75 FTE Deputy District Attorney 2 Assigned to the Drug Court.

During the 2010 budget process the District Attorney's Office lost its general fund support for the Drug Court Deputy District Attorney. The District Attorney's Office has submitted three separate grant applications to obtain funding to continue the position and has supported that position during the grant review process. On October 30th the office received notice that the final grant opportunity was not successful. In order to continue to have a Deputy District Attorney assigned to the Drug Court function additional general funds will be needed in the amount of \$84,020. This will allow the position to continue through the end of the County's fiscal year.

**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.

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 request is not for a one-time-only purpose**
- Criteria 2 Addresses emergencies and unanticipated situations. **This request meets this criterion. The County intended to keep the drug court operating and this request is needed to fulfill this commitment.**
- Criteria 3 addresses items identified in Board Budget Notes. **This request does not address this.**



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

## Board Clerk Use Only

Meeting Date: 11/12/09  
Agenda Item #: R-3  
Est. Start Time: 10:00 AM  
Date Submitted: 11/05/09

**Intergovernmental Non-Financial Agreement 4710000323 with ODOT for a**  
**Agenda Traffic Signal Upgrade on Highway 43 (Oswego Highway) at the SW Breyman**  
**Title: Avenue/SW Greenwood Avenue Intersection**

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

Requested Meeting Date: November 12, 2009 Amount of Time Needed: 10 Minutes  
Department: Community Services Division: Land Use & Trans Program  
Contact(s): Brian Vincent, PE, County Engineer  
Phone: (503) 988-5050 Ext. 29642 I/O Address: #425/2nd Floor  
Presenter(s): Brian Vincent, PE, County Engineer

## General Information

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

The Department of Community Services' Land Use and Transportation Program requests approval of an Intergovernmental Agreement with Oregon Department of Transportation (ODOT) for a Traffic Signal upgrade at Highway 43 (Oswego Highway) and SW Breyman Avenue/SW Greenwood Avenue intersection.

### 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 intersection has experienced chronic traffic confusion and safety issues for many years. ODOT and Multnomah County have collaboratively worked with the local community to design an upgraded traffic signal system and traffic management plan. Once constructed, this new signal will alleviate much of the confusion to drivers that the intersection and street layout impart. New signal phasing will provide a safer traffic flow into and out of Hwy 43.

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

No direct impact. Project funds are ODOT only. The County will not incur any additional costs for this upgrade. Operational costs for the county should be no greater than historic expenses and could be reduced.

**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.**

This project was reviewed and approved by the local neighborhood through a series of public meetings hosted by ODOT. Multnomah County Land Use and Transportation actively participated in those discussions.

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**Required Signature**

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



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**Date: 11/05/09**

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# MULTNOMAH COUNTY CONTRACT APPROVAL FORM (CAF)

Contract #: 4710000323

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
<b>PCRB Contract</b> <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	<b>PCRB Contract</b> <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"/> <b>INTER-DEPARTMENTAL AGREEMENT (IDA)</b>

Department: Community Services

Division/

Program: Land Use & Transportation Program

Date: 10/26/09

Originator: Brian Vincent

Phone: (503) 988-5050 x29642

Bldg/Room: #425/Yeon

Contact: Cathey Kramer

Phone: (503) 988-5050 x22589

Bldg/Room: #425/Yeon

**Description of Contract:** Intergovernmental Agreement between Multnomah County and Oregon Dept. of Transportation for a Traffic Signal Update on Oswego Highway (Hwy 43) at SW Breyman Avenue/SW Greenwood Road. The project is financed with State and Federal funds. There is no cost to the 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	Oregon Dept. of Transportation			Remittance address (If different)	
Address	123 NW Flanders St.				
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/Fax: (503) 731-8259 (Devorah Hannah)			<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30
Employer ID# or SS#	N/A			<input type="checkbox"/> Other \$ _____	<input checked="" type="checkbox"/> NO COST
Contract Effective Date	11/16/2009	Term Date	11/15/2029	<input type="checkbox"/> Price Agreement (PA) or Requirements Funding Info:	
Amendment Effect Date		New Term Date			
Original Contract Amount	\$	Original PA/Requirements Amount	\$		
Total Amt of Previous Amendments	\$	Total Amt of Previous Amendments	\$		
Amount of Amendment	\$	Amount of Amendment	\$		
Total Amount of Agreement	\$ 638,000 (State/Fed Funds)	Total PA/Requirements Amount	\$		

**REQUIRED SIGNATURES:**

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

DATE \_\_\_\_\_

County Attorney */s/ Matthew O. Ryan*

DATE 11-04-09

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

DATE \_\_\_\_\_

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

DATE \_\_\_\_\_

Sheriff \_\_\_\_\_

DATE \_\_\_\_\_

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

DATE \_\_\_\_\_

COMMENTS: (ROAD )

ODOT Project Mgr: Wayne Statler, 3700 SE 92<sup>nd</sup> Ave, Rm 105, Portland OR 97255-1951/(503) 731-3197

CON 1 - Exhibit A, Rev. 1/24/06 dg

**COOPERATIVE IMPROVEMENT AGREEMENT**  
**Region 1 Traffic Signal Upgrade Unit 4**  
**Oswego Highway at S.W. Breyman Avenue \S.W. Greenwood Road**

**THIS AGREEMENT** is made and entered into by and between the State OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "State"; and the Multnomah County, acting by and through its elected officials, hereinafter referred to as "County," collectively hereinafter referred to as the "Parties."

**RECITALS**

1. Oswego Highway (OR 43), is a part of the state highway system under the jurisdiction and control of the Oregon Transportation Commission (OTC). The portion of OR 43 referenced herein is also designated as Riverside Drive, which passes through County jurisdiction. Breyman Avenue and S.W. Greenwood Road are a part of the county road system under the jurisdiction and control of the County.
2. By the authority granted in ORS 190.110, 366.572 and 366.576, State may enter into cooperative agreements with counties, cities and units of local governments for the performance of work on certain types of improvement projects with the allocation of costs on terms and conditions mutually agreeable to the contracting Parties.
3. By the authority granted in ORS 810.210, State is authorized to determine the character or type of traffic control devices to be used, and to place or erect them upon state highways at places where State deems necessary for the safe and expeditious control of traffic. No traffic control devices shall be erected, maintained, or operated upon any state highway by any authority other than State, except with its written approval. Traffic signal work on this Project will conform to the current State standards and specifications.
4. By the authority granted in ORS 374.305 and 374.310, State may regulate construction of any approach onto the state highway and require mitigation for approaches that the State determines to be in the best interest of the traveling public.
5. The purpose of this Agreement is to make safety improvements to reduce driver confusion and minimize potential vehicle conflicts when approaching the three-way intersection of OR 43 with SW Greenwood Road and SW Breyman Avenue by signal and intersection improvements to better direct vehicles into the correct travel lanes.

**NOW THEREFORE**, the premises being in general as stated in the foregoing recitals, it is agreed by and between the Parties hereto as follows:

## **TERMS OF AGREEMENT**

1. Under such authority and for the purpose of improving safety on public highways, State and County agree to intersection construction and signal improvements at OR 43 and its intersection with S.W. Breyman Avenue and S.W. Greenwood Road, hereinafter referred to as "Project". The Project shall include signal modifications, improved signing and striping, sidewalks, curbing, American Disabilities Act compliant curb ramps, adjustments to access, and retaining walls. The location of the Project is approximately as shown on the sketch map attached hereto, marked Exhibit A, and by this reference made a part hereof.
2. The Project will be financed at an estimated cost of \$638,000 in state and federal funds. The estimate for the total Project cost is subject to change. State shall be responsible for any costs beyond the estimate.
3. This Agreement shall become effective on the date all required signatures are obtained and shall remain in effect for the purpose of ongoing maintenance and power responsibilities for the useful life of the facilities constructed as part of the Project. The useful life is defined as twenty (20) calendar years. The Project shall be completed within ten (10) calendar years following the date of final execution of this Agreement by both Parties.

## **STATE OBLIGATIONS**

1. State, or its consultant, shall conduct the necessary field surveys, environmental studies, traffic investigations, preliminary engineering and design work required to produce and provide final plans, specifications and cost estimates for the highway Project; identify and obtain all required permits; any property acquisition necessary; perform all construction engineering, including all required materials testing and quality documentation; prepare all bid and contract documents; advertise for construction bid proposals; award all contracts; pay all contractor costs, provide technical inspection, project management services and other necessary functions for sole administration of the construction contract entered into for this Project. State shall design and construct the Project to State standards.
2. State shall be responsible for all costs associated with construction and installation of the Project. Upon completion of the Project, State shall retain ownership of all traffic signal equipment.
3. State shall lay out and paint the necessary lane lines and erect the required directional and traffic control signing for the Project.
4. State shall maintain the asphaltic concrete pavement surrounding the vehicle detector loops installed in OR 43 in such a manner as to provide adequate protection for said detector loops.
5. Consistent with the 2002 Policy Statement for Cooperative Traffic Control Projects, Agreement 19179, between State and the agencies belonging to the Association of Oregon

Multnomah County  
Agreement No. 25,209

Counties (AOC) or the League of Oregon Cities (LOC), State and County shall each be responsible for fifty percent (50%) percent of the cost for maintenance, operation and electricity for the signal equipment, excluding the detector loops that are covered by the proceeding paragraph and County Obligation 8. State shall perform the maintenance and be responsible for payment for signal power to the power company. The power company shall send power bills directly to State. State shall annually bill County for their fifty percent (50 %) of the combined maintenance, operations and electricity for the Project.

6. Upon completion of the Project, State hereby grants the County or others designated by the County and approved by State District 2A permitting office, permission to access State right of way for the purpose of maintaining Project related sidewalks or retaining walls. In lieu of State district permits for each occasion, State grants County, or others designated by County, the right to enter and occupy State right of way for the purpose of routine maintenance for the County responsibilities listed for the Project improvements. All other activities beyond the listed routine maintenance or that may intrude upon the the state highway shall require State District 2A issued permits prior to said activities.
7. State may conduct periodic inspections during the life of the Project to verify that Project is being properly maintained.
8. State's Project Manager for this Project is Wayne Statler, 3700 SE 92nd Ave Rm 105, Portland, OR 97266-1951, Phone: 503-731-3197 or assigned designee upon individual's absence.

#### **COUNTY OBLIGATIONS**

1. County hereby grants State, and/or its contractor, the right to enter onto and occupy County right of way within the Project limits for the performance of field work, Project construction, as well as future maintenance of the traffic signal equipment constructed on County right of way.
2. County shall identify and, at no expense to the Project, provide State with any and all County required permits for the Project. County shall expedite the processing of electrical permits required by State and/or its contractors as needed for the Project.
3. County and State shall work jointly in resolving any conflicts with private utilities presently located on County or State right of way, to be relocated or reconstructed at the utility's expense.
4. County shall relocate or cause to be relocated, at no expense to the Project, all County-owned utility conduits, lines, poles, mains, pipes, and other such facilities where such relocation is necessary in order to conform said utilities and facilities with the plans and ultimate requirements of the Project. State will arrange for utility relocations/adjustments in areas lying within jurisdiction of State, if State is performing the preliminary engineering. County

Multnomah County  
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shall follow established State utility relocation policy and procedures. In the event that State performs the necessary utility relocations or needed improvements on behalf of the County, County shall reimburse State the total estimated cost of said relocations at the time of the request. State shall notify the County in writing of any County-owned utility that needs relocation at County expense. In the event that the County performs any work on behalf of State, State shall reimburse the County the total cost of services upon receipt of invoice and accounting records. Should the County need utility improvements and desire State to perform the improvement, the County shall pay State the total cost of the improvement at the time the County's request and final payments made after all requested work has been completed.

5. County shall close or cause to be closed the access onto County right of way located in the north west quadrant of the intersection of OR 43 and SW Breyman Ave, at no expense to the Project. State shall construct curb and proceed to physically close the subject access at the location approximately as shown on the sketch map attached hereto, marked Exhibit B, and by this reference made a part hereof.
6. County shall be responsible for 50% of the combined costs for the maintenance, operations and electricity for the Project after contract completion and signal turn on. Upon receipt from State of an itemized statement of the actual total annual costs for maintenance, operation and power for the Project signal equipment, County shall pay, the amount equal to 50% of the listed costs.
7. County shall be responsible for the sidewalk and retaining wall improvements identified on Exhibit C, plan sheet number 2, located by arrows, and by this reference made a part hereof. The sidewalks and retaining walls constructed as part of the Project shall be maintained at the same level as are similar facilities owned by County. County may require adjacent property owners to fund or perform maintenance of the behind the curb improvements, as may be provided by County charter or ordinance. County shall remain responsible for compliance with the terms of this Agreement, and responsible for the performance of such work, even when maintenance is performed by County contractors or property owners, or if right of way behind the curb is partly or in whole on State right of way.
8. County shall, upon completion of the Project and at its own expense, maintain the pavement surrounding the vehicle detector loops installed as part of the Project in the County roads in such a manner as to provide adequate protection for said detector loops. Failure to do so may result in State requiring County to repair or replace the damaged loops at County expense. Future County roadwork activities involving the detector loops may also result in the same State requirements. County shall also adequately maintain the pavement markings and signing installed in County roads in accordance with current Manual of Uniform Traffic Control Devices (MUTCD) standards.
9. County certifies and represents that the individual(s) signing this Agreement has been authorized to enter into and execute this Agreement on behalf of County, under the direction

Multnomah County  
Agreement No. 25,209

or approval of its governing body, commission, board, officers, members or representatives, and to legally bind County.

10. County's Project Manager for this Project is Brian Vincent, County Engineer, 1620 SE 190<sup>th</sup> Ave, Portland, OR 97233, phone: (503) 988-5050 x29642, email: [brian.s.vincent@co.multnomah.or.us](mailto:brian.s.vincent@co.multnomah.or.us), or assigned designee upon individuals absence.

## GENERAL PROVISIONS

1. This Agreement may be terminated by mutual written consent of both Parties.
2. State may terminate this Agreement effective upon delivery of written notice to County, or at such later date as may be established by State, under any of the following conditions:
  - a. If County fails to provide services called for by this Agreement within the time specified herein or any extension thereof.
  - b. If County fails to perform any of the other provisions of this Agreement, or so fails to pursue the work as to endanger performance of this Agreement in accordance with its terms, and after receipt of written notice from State fails to correct such failures within thirty (30) days or such longer period as State may authorize.
  - d. If State fails to receive funding, appropriations, limitations or other expenditure authority sufficient to allow State, in the exercise of its reasonable administrative discretion, to continue to make payments for performance of this Agreement.
  - e. If federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the work under this Agreement is prohibited or State is prohibited from paying for such work from the planned funding source.
3. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the Parties prior to termination.
4. Both Parties shall, to the extent permitted by the Oregon Constitution and the Oregon Tort Claims Act, indemnify, defend, save, and hold harmless each other, their officers and employees from any and all claims, suits, and liabilities which may occur in their respective performance of this Project.
5. Notwithstanding the foregoing defense obligations under the paragraph above, neither Party nor any attorney engaged by either Party shall defend any claim in the name of the other Party or any agency/department/division of such other Party, nor purport to act as legal representative of the other Party or any of its agencies/departments/divisions, without the

Multnomah County  
Agreement No. 25,209

prior written consent of the legal counsel of such other Party. Each Party may, at anytime at its election assume its own defense and settlement in the event that it determines that the other Party is prohibited from defending it, or that other Party is not adequately defending it's interests, or that an important governmental principle is at issue or that it is in the best interests of the Party to do so. Each Party reserves all rights to pursue any claims it may have against the other if it elects to assume its own defense.

6. If County fails to maintain facilities in accordance with the terms of this Agreement, State, at its option, may maintain the facility and bill County, seek an injunction to enforce the duties and obligations of this Agreement or take any other action allowed by law.
7. This Agreement may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of this Agreement so executed shall constitute an original.
8. This Agreement and attached exhibits constitute the entire agreement between the Parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind either Party unless in writing and signed by both Parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of State to enforce any provision of this Agreement shall not constitute a waiver by State of that or any other provision.

**The Parties**, by execution of this Agreement, hereby individually acknowledge that they have read this Agreement, understand it, and agree to be bound by its terms and conditions.

This Project is in the 2006-2009 Statewide Transportation Improvement Program, (Key #10874) that was approved by the Oregon Transportation Commission on August 17, 2005, or subsequently approved by amendment to the STIP.

The Oregon Transportation Commission on December 29, 2008, 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.

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  
Agreement No. 25,209

**Multnomah County**, by and through its elected officials

By \_\_\_\_\_  
Chair

Date \_\_\_\_\_

**APPROVED AS TO LEGAL SUFFICIENCY**

By \_\_\_\_\_  
County Counsel

Date \_\_\_\_\_

**County Contact:**

Brian Vincent, County Engineer  
1620 SE 190<sup>th</sup> Ave  
Portland, OR 97233  
(503) 988-5050 x29642  
[brian.s.vincent@co.multnomah.or.us](mailto:brian.s.vincent@co.multnomah.or.us)

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

By \_\_\_\_\_  
Deputy Director, Highways

Date \_\_\_\_\_

**APPROVAL RECOMMENDED**

By \_\_\_\_\_  
Region 1 Manager

Date \_\_\_\_\_

By \_\_\_\_\_  
Technical Services Manager, Chief Engineer

Date \_\_\_\_\_

By \_\_\_\_\_  
District 2A Manager

Date \_\_\_\_\_

By \_\_\_\_\_  
State Traffic Engineer

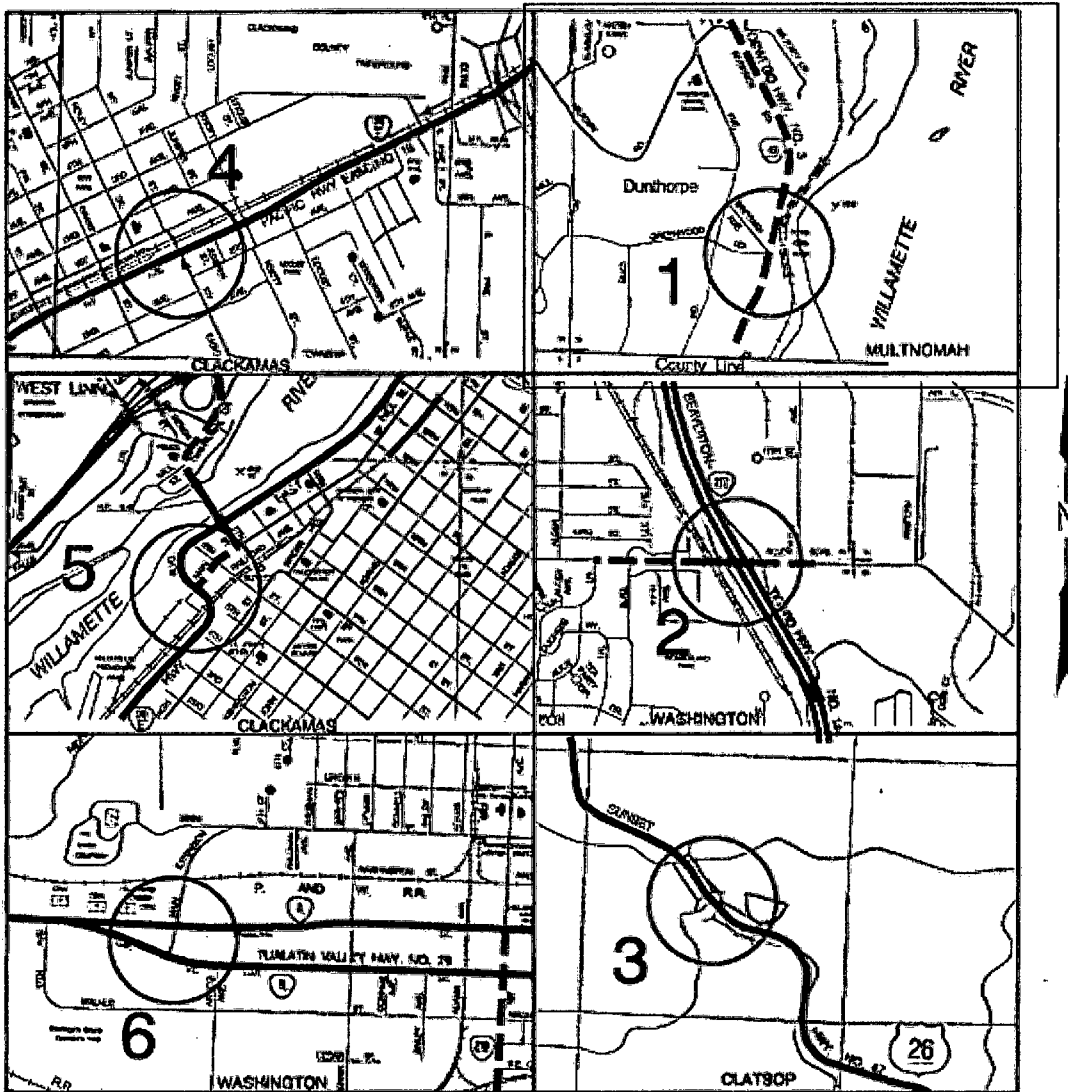
Date \_\_\_\_\_

**APPROVED AS TO LEGAL SUFFICIENCY**

By \_\_\_\_\_  
Assistant Attorney General

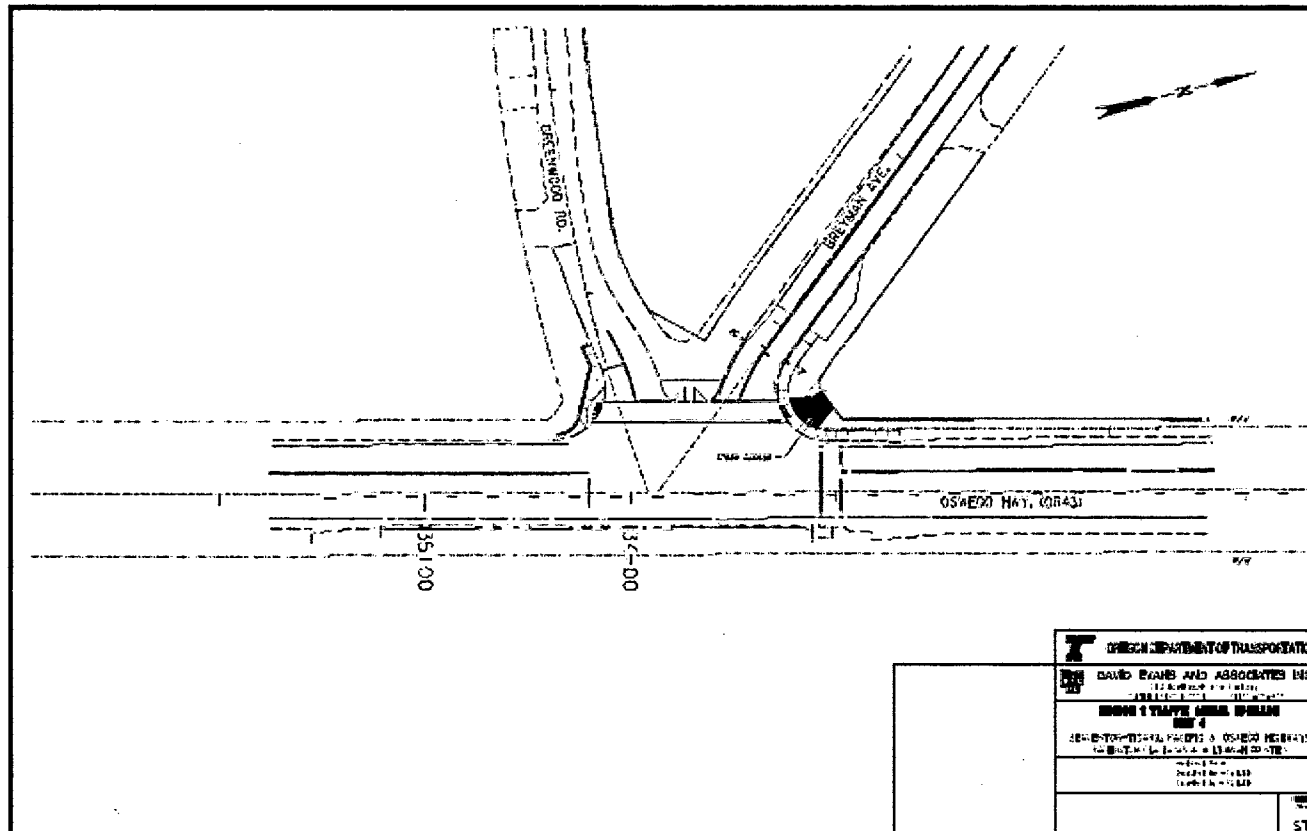
Date: \_\_\_\_\_

**EXHIBIT A – M.C. & A. No. 25,209 (highlighted map)**  
**Region 1 Traffic Signal Upgrade Unit 4**  
**Oswego Hwy at S.W. Breyman Avenue \S.W. Greenwood Road**

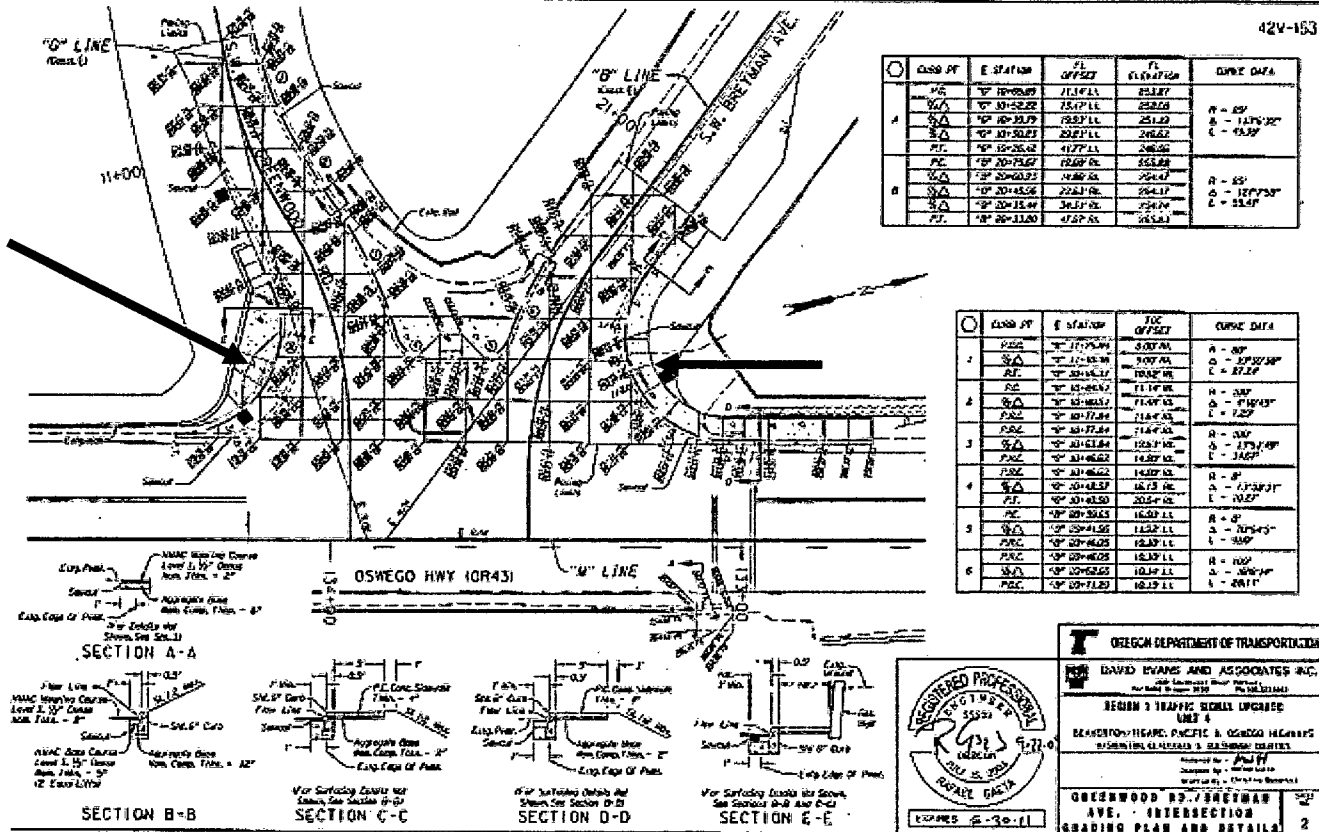


PROJECT	R-1 TRAFFIC SIGNAL UPGRADE UNIT 4
COUNTY	CLACKAMAS, CLATSOP, MULTNOMAH & WASHINGTON
DATE	MARCH 2006
PROJECT SITES	
1	ORE 43 M.P. 4.90, Greenwood Rd.
2	ORE 217 M.P. 2.43, Allen Blvd.
3	US 26 M.P. 24.33, Main St.
4	ORE 99E M.P. 21.14, Ivy St.
5	ORE 99E M.P. 12.53, Main Street (52%)
6	ORE 8 M.P. 13.02, Main St @ (Baseline)
KEY NUMBER 10874	

**EXHIBIT B – M.C. & A. No. 25,209**  
**Region 1 Traffic Signal Upgrade Unit 4**  
**Oswego Hwy at S.W. Breyman Avenue \S.W. Greenwood Road**  
**Location of Access Closure.**



**EXHIBIT C – M.C. & A. No. 25,209**  
**Region 1 Traffic Signal Upgrade Unit 4**  
**Oswego Hwy at S.W. Breyman Avenue \S.W. Greenwood Road**  
**Behind the Curb – Sidewalk and Retaining Wall Improvement Maintenance**





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

Dept. initials  
+ Director's  
signature on  
APR & CAF  
only -

## Board Clerk Use Only

Meeting Date: \_\_\_\_\_  
Agenda Item #: \_\_\_\_\_  
Est. Start Time: \_\_\_\_\_  
Date Submitted: \_\_\_\_\_

**Agenda Title:** Intergovernmental Agreement with ODOT for a Traffic Signal Upgrade on Highway 43 (Oswego Highway) at the SW Breyman Avenue/SW Greenwood Avenue Intersection

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

<b>Requested Meeting Date:</b>	<u>November 19, 2009</u>	<b>Amount of Time Needed:</b>	<u>10 Minutes</u>
<b>Department:</b>	<u>Community Services</u>	<b>Division:</b>	<u>Land Use &amp; Trans Program</u>
<b>Contact(s):</b>	<u>Brian Vincent, PE, County Engineer</u>		
<b>Phone:</b>	<u>(503) 988-5050</u>	<b>Ext.</b>	<u>29642</u>
<b>Presenter(s):</b>	<u>Brian Vincent, PE, County Engineer</u>		
<b>I/O Address:</b>	<u>#425/2<sup>nd</sup> Floor</u>		

## General Information

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

The Department of Community Services' Land Use and Transportation Program requests approval of an Intergovernmental Agreement with Oregon Department of Transportation (ODOT) for a Traffic Signal upgrade at Highway 43 (Oswego Highway) and SW Breyman Avenue/SW Greenwood Avenue intersection.

### 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 intersection has experienced chronic traffic confusion and safety issues for many years. ODOT and Multnomah County have collaboratively worked with the local community to design an upgraded traffic signal system and traffic management plan. Once constructed, this new signal will alleviate much of the confusion to drivers that the intersection and street layout impart. New signal phasing will provide a safer traffic flow into and out of Hwy 43.

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

No direct impact. Project funds are ODOT only. The County will not incur any additional costs for this upgrade. Operational costs for the county should be no greater than historic expenses and could be reduced.

**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.**

This project was reviewed and approved by the local neighborhood through a series of public meetings hosted by ODOT. Multnomah County Land Use and Transportation actively participated in those discussions.

---

**Required Signature**

---

Elected Official or  
Department/  
Agency Director:

 Cecilia Johnson

Date:

11/5/09

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

**From:** RYAN Matthew O  
**Sent:** Wednesday, November 04, 2009 8:07 AM  
**To:** KRAMER Cathey M  
**Cc:** VINCENT Brian S  
**Subject:** FW: Legal Approval for IGA

Cathey,

The email below from me was corrected by a subsequent email that same day. This is **not** a consent agenda item; as it is a new IGA that requires elected officials action to approve; it is a regular agenda item.

All that being said the attached IGA is approved for submission to the BCC for its consideration. Thanks.

Matthew O. Ryan  
Assistant County Attorney  
Office of Multnomah County Attorney  
501 SE Hawthorne Blvd, Suite 500  
Portland, Oregon 97214  
Tel: 503-988-3138; Fax: 503-988-3377  
[matthew.o.ryan@co.multnomah.or.us](mailto:matthew.o.ryan@co.multnomah.or.us)

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**From:** KRAMER Cathey M  
**Sent:** Monday, November 02, 2009 10:57 AM  
**To:** RYAN Matthew O  
**Subject:** Legal Approval for IGA

Good morning, Matt. Brian Vincent is out of the office until Thursday, the 5<sup>th</sup>. If the attached IGA and APR meet your approval, please send an e-mail approving it for placement before the Board and execution. Please confirm that it's a Consent Calendar IGA. Thanks, Cathey Kramer

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

**From:** RYAN Matthew O  
**Sent:** Tuesday, October 20, 2009 9:11 AM  
**To:** VINCENT Brian S  
**Cc:** SOWLE Agnes  
**Subject:** RE: Consent or Regular for ODOT IGA 25209 MultCoHwy43-FNL

Brian,

The "190 agreements" reference is to ORS Chapter 190; which generally regulates intergovernmental agreements (IGA's). ORS 190.110(1) specifically allows IGA's between

the State and the County; so yes this State/County IGA would appear to qualify as consent agenda item.

Matthew O. Ryan  
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-----Original Message-----

**From:** RYAN Matthew O  
**Sent:** Monday, October 19, 2009 10:13 AM  
**To:** VINCENT Brian S  
**Subject:** RE: 25209 MultCoHwy43-FNL-Signature by PDF-19oct09.doc

Brian,

You are correct, the preamble says the County by and through its "elected officials", this needs to go to the BCC; and consistent with that interpretation is the requirement that the Chair sign. Thanks.

Matthew O. Ryan  
Assistant County Attorney  
Office of Multnomah County Attorney  
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Portland, Oregon 97214  
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