

# **ANNOTATED MINUTES**

Tuesday, January 6, 2004 - 7:30 AM to 9:00 AM  
Multnomah Building, Sixth Floor Commissioners Conference Room 635  
501 SE Hawthorne Boulevard, Portland

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

A quorum of the Multnomah County Board of Commissioners may be attending the Local Public Safety Coordinating Council Executive Committee meeting. This meeting is open to the public. Agenda topics include Update on Alcohol and Drug Task Force; Gang Overview; East County Gang Task Force and Schools and Gangs. For further information, contact Judith Bauman at (503) 988-5894.

***CANCELLED DUE TO INCLEMENT WEATHER.***

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Tuesday, January 6, 2004 - 9:30 AM  
Multnomah Building, Sixth Floor Commissioners Conference Room 635  
501 SE Hawthorne Boulevard, Portland

### **EXECUTIVE SESSION**

- E-1 The Multnomah County Board of Commissioners Will Meet in Executive Session Pursuant to ORS 192.660(1)(h). Only Representatives of the News Media and Designated Staff are allowed to Attend. Representatives of the News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Executive Session. No Final Decision will be made in the Executive Session. Presented by Agnes Sowle. 1 HOUR REQUESTED.

***POSTPONED TO 01/08/04 DUE TO INCLEMENT WEATHER.***

Thursday, January 8, 2004 - 9:30 AM  
Multnomah Building, First Floor Commissioners Boardroom 100  
501 SE Hawthorne Boulevard, Portland

## **REGULAR MEETING**

*Chair Diane Linn convened the meeting at 12:00 p.m., with Vice-Chair Maria Rojo de Steffey and Commissioners Lisa Naito, Serena Cruz and Lonnie Roberts present.*

**CHAIR LINN REPORTED ON THE STATUS OF COUNTY 24/7 ESSENTIAL PERSONNEL, ADVISING THEY ARE CONTINUING TO PROVIDE SERVICES DURING THE WINTER STORM, INCLUDING STAFF AND SWORN OFFICERS, ROAD CREWS; EMERGENCY MANAGEMENT; TRANSPORTATION AND RIVER PATROL. KATHY TURNER REPORTED AND ON THE STATUS OF HEALTH DEPARTMENT CLINICS, LIBRARIES, DISTRICT ATTORNEY, AUDITOR, PAROLE AND PROBATION AND ANIMAL SERVICES. AT THE SUGGESTION OF COMMISSIONER NAITO, THE BOARD TO THANK COUNTY EMPLOYEES FOR THEIR EXTRA EFFORTS DURING THIS STORM.**

Appointment of Commissioner District 2 Serena Cruz as Multnomah County Vice-Chair for the 2004 Calendar Year Pursuant to Section 3.60 of the Home Rule Charter of Multnomah County

**COMMISSIONER ROJO MOVED AND COMMISSIONER NAITO SECONDED, APPROVAL OF APPOINTMENT OF COMMISSIONER SERENA CRUZ AS MULTNOMAH COUNTY VICE-CHAIR FOR CALENDAR YEAR 2004. APPOINTMENT UNANIMOUSLY APPROVED.**

### **CONSENT CALENDAR**

**UPON MOTION OF COMMISSIONER ROBERTS, SECONDED BY COMMISSIONER CRUZ, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-2) WAS UNANIMOUSLY APPROVED.**

**DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES**

- C-1 RESOLUTION Authorizing Private Sale of Certain Tax Foreclosed Property to James R. Raze

***RESOLUTION 04-001.***

**SHERIFF'S OFFICE**

- C-2 Government Non-Expenditure Contract (190 Agreement) 0310505 with the City of Gresham Providing for the Sheriff's Office to Operate the Temporary Hold Area Located at the City of Gresham Public Safety Building

**REGULAR AGENDA**  
**PUBLIC COMMENT**

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

***NO ONE WISHED TO COMMENT.***

**DEPARTMENT OF COUNTY HUMAN SERVICES**

- R-1 NOTICE OF INTENT to Submit a Grant Application to the Robert Wood Johnson Foundation/Community Partnerships for Older Adults

***COMMISSIONER ROBERTS MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF R-1. CHAIR LINN EXPLANATION. NOTICE OF INTENT UNANIMOUSLY APPROVED.***

**DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES**

- R-2 First Reading of a Proposed ORDINANCE Amending Multnomah County Code Chapter 37 Zoning Administration And Procedures and Amending Multnomah County Code Chapter 38 Columbia River Gorge National Scenic Area for the Imposition of Fees and Charges for Land Use Division Services

***ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER ROJO MOVED***

**AND COMMISSIONER NAITO SECONDED, APPROVAL OF FIRST READING. ASSISTANT COUNTY ATTORNEY SANDRA DUFFY EXPLANATION AND RESPONSE TO BOARD QUESTIONS. NO ONE WISHED TO TESTIFY. COMMISSIONERS CRUZ AND ROBERTS EXPRESSED OPPOSITION TO DELEGATING ANNUAL FEE INCREASES TO THE DEPARTMENT DIRECTOR. FOLLOWING DISCUSSION WITH MS. DUFFY, COMMISSIONER CRUZ MOVED AND COMMISSIONER NAITO SECONDED, AMENDMENT DELETING SENTENCE "THE DIRECTOR IS AUTHORIZED TO ADMINISTRATIVELY INCREASE FEES ANNUALLY BASED UPON THE MOST RECENT CONSUMER PRICE INDEX." FROM SECTIONS 37.0850 AND 38.0850. AMENDMENT UNANIMOUSLY APPROVED. BOARD CONSENSUS THAT THE DIRECTOR ANNUALLY REPORT CONSUMER PRICE INDEX TO THE BOARD. FIRST READING UNANIMOUSLY APPROVED, AS AMENDED. SECOND READING THURSDAY, JANUARY 15, 2004.**

- R-3 RESOLUTION Approving First Amendment to Sub-Lease with Wallace Medical Concern of Surplus Leased Space within the Rockwood Neighborhood Access Clinic, 800 SE 181st, Portland, Oregon, and Authorizing County Chair to Execute Appropriate Documents to Complete said Sub-Lease

**COMMISSIONER CRUZ MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF R-3. ASSISTANT COUNTY ATTORNEY MATTHEW RYAN EXPLANATION AND RESPONSE TO BOARD QUESTIONS. RESOLUTION 04-002 UNANIMOUSLY ADOPTED.**

- R-4 RESOLUTION Approving First Amendment to Sub-Lease with National College of Naturopathic Medicine of Surplus Leased Space within the Rockwood Neighborhood Access Clinic, 800 SE 181st, Portland, Oregon, and Authorizing County Chair to Execute Appropriate Documents to Complete said Sub-Lease

**COMMISSIONER NAITO MOVED AND  
COMMISSIONER CRUZ SECONDED, APPROVAL  
OF R-3. ASSISTANT COUNTY ATTORNEY  
MATTHEW RYAN EXPLANATION. RESOLUTION  
04-003 UNANIMOUSLY ADOPTED.**

**DEPARTMENT OF HEALTH**

R-5 NOTICE OF INTENT to Apply to the Oregon Department of Human Services-Health Services for a Tobacco Prevention and Education Program Community-based Program Grant

**COMMISSIONER NAITO MOVED AND  
COMMISSIONER CRUZ SECONDED, APPROVAL  
OF R-5. WENDY RANKIN EXPLANATION AND  
RESPONSE TO BOARD QUESTIONS AND  
COMMENTS IN SUPPORT. NOTICE OF INTENT  
UNANIMOUSLY APPROVED.**

*There being no further business, the meeting was adjourned at 12:25 p.m.*

BOARD CLERK FOR MULTNOMAH COUNTY, OREGON

***Deborah L. Bogstad***

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***POSTPONED TO 01/13/04 DUE TO INCLEMENT  
WEATHER.***



Multnomah County Oregon

# Board of Commissioners & Agenda

connecting citizens with information and services

## BOARD OF COMMISSIONERS

Diane Linn, Chair

501 SE Hawthorne Boulevard, Suite 600  
Portland, Or 97214  
Phone: (503) 988-3308 FAX (503) 988-3093  
Email: mult.chair@co.multnomah.or.us

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Commission Dist. 1

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Email: district1@co.multnomah.or.us

Serena Cruz, Commission Dist. 2

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Lonnie Roberts, Commission Dist. 4

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## JANUARY 6 & 8, 2004

### BOARD MEETINGS - REV

### FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2-5	9:30 a.m. Tuesday Executive Session <b>Postponed to 10:30 a.m. Thursday</b>
Pg 3	9:30 a.m. Thursday Appointment of Commissioner District 2 Serena Cruz as Multnomah County Vice-Chair for 2004
Pg 3	9:30 a.m. Thursday Opportunity for Public Comment on Non-Agenda Matters
Pg 3-4	9:35 a.m. Thursday First Reading of an Ordinance Amending MCC Chapters 37 and 38 Relating to Land Use Fees and Charges
Pg 4	9:40 a.m. Thursday Resolutions Approving Amendment to Real Property Sub-Leases
Pg 4	9:50 a.m. Thursday Health Department Notice of Intent to Apply for Grant

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### **CONSENT CALENDAR - 9:30 AM**

#### **DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES**

C-1 RESOLUTION Authorizing Private Sale of Certain Tax Foreclosed Property to James R. Raze

### **SHERIFF'S OFFICE**

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R-5 NOTICE OF INTENT to Apply to the Oregon Department of Human Services-Health Services for a Tobacco Prevention and Education Program Community-based Program Grant

**BOGSTAD Deborah L**

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**From:** LINN Diane M  
**Sent:** Wednesday, January 14, 2004 6:30 PM  
**To:** #MULTNOMAH COUNTY ALL EMPLOYEES  
**Subject:** Update on Snow Day Compensation

I want to bring you up to date on developments related to the recent snow day compensation decision. I have learned this afternoon that the Chair is not able to grant all County employees an administrative day if they worked on the days we were closed. The attached memo from Gail Parnell explains what happened.

The Chair has the authority to grant administrative days to executive and management employees, but I am unwilling to do that if I can't extend the same recognition to all - especially line - employees.

I apologize for any inconvenience or disappointment this causes. We will continue to keep you updated.

Again, I can't thank you enough for your extraordinary service.

Diane Linn  
Chair

January 14, 2004

To: Multnomah County Employees

From: Gail Parnell, Director of Human Resources

Re: Special Recognition Leave for Employees during the storm

Good evening. On Monday of this week, Chair Linn asked me if we could give an extra day of vacation leave to those employees who braved the dangerous conditions and came in to work on either of the days Multnomah County was officially closed. I advised her that Multnomah County personnel rules allowed for special recognition leave and yes, she could award administrative leave to those employees. As you know, she did just that.

I was wrong. On January 11, 2004, Multnomah County Ordinance No. 1022 became effective. The new ordinance requires action by the full Board of County Commissioners for **any** changes to any type of employee compensation.

What this means is for those employees who did come in on Wednesday and/or Friday, you will *not* be granted the additional day of paid leave.

Ordinance No.1022 is posted on the Multnomah County web page Adopted Documents are posted to the Commissioners and Agenda web site at <http://www.co.multnomah.or.us/cc/index.shtml> or click directly onto the adopted documents page at <http://www2.co.multnomah.or.us/boardclerk/>.

I am so sorry – I have heard from so many of you as to how much you appreciated getting the recognition and value for going the extra mile to provide quality service to the community. Please know that Chair Linn has the deepest appreciation for each of you and your dedication. Words cannot express how badly I feel to have put her in this position. I do want you to know that it was all done with every good intention, but we are all bound by County Ordinances.

If you have any questions don't hesitate to contact me.

## **BOGSTAD Deborah L**

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**From:** LINN Diane M  
**Sent:** Monday, January 12, 2004 4:56 PM  
**To:** #MULTNOMAH COUNTY ALL EMPLOYEES  
**Subject:** Acknowledgement

**Importance:** High



Doc5.doc (28 KB)

s the snow and ice melt, on behalf of the Board of County Commissioners, I would like to acknowledge every employee of Multnomah County for your commitment to the service we provide our community. We continue to be awed by the dedication of county employees to get the job done – sometimes in spite of great obstacles.

Now, as the reports come in, I am deeply impressed with how well employees balanced personal/family safety while keeping the essential functions of the County operational. I want to personally thank you for going the extra mile during, and now after, the January 2004 Storm.

Our decision to close the County for two days- except for essential functions - was based upon safety concerns for both clients and employees. Despite our closure, many of you rose to the need of the community in so many ways: by braving the weather to keep essential functions operational, by working from home as needed and by keeping the communication channels open 24-hours each day. And now you are faced with catching up on productivity that was lost in the disruptions of this past week.

In acknowledgement of your outstanding service during and continuing after the storm, I support special course of action attached.

We understand that county employees received appropriate information about closures, however, if you did not, we apologize for the confusion and are working diligently to review the process for future purpose.

Diane Linn

January 12, 2004

To: Multnomah County Employees

From: Gail Parnell, Director of Human Resources

Re: Special Acknowledgment for Employees during the storm

The County Chair has made the decision that every employee will receive full pay for last Tuesday, Wednesday, Thursday and Friday, if you were scheduled to work on those days. Furthermore, if you came in to work parts or all of Wednesday and/or Friday, you will be credited with one day of paid administrative leave. The same applies to employees of the Library who worked on Thursday as the Library system was closed on Thursday. Central Payroll will be sending out instructions to timekeepers for coding time for these days.

If you were scheduled to work on Tuesday, Wednesday, Thursday and/or Friday, you should mark your time sheet as one full day of work for each day, thereby receiving full pay. If you worked part or all of Wednesday and/or Friday, (Library employees include Thursday) you should note this on your time sheet. Your signature and your supervisor's will serve as documentation that you worked during the County's closure and you will be credited with one extra day of administrative leave.

This does not apply to people who were on scheduled vacation time, sick leave or other pre-arranged leave during this time period. If you have any additional questions please contact your timekeeper, department human resources staff or central human resources.

**BOGSTAD Deborah L**

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**From:** LINN Diane M  
**Sent:** Thursday, January 08, 2004 3:10 PM  
**To:** #MULTNOMAH COUNTY ALL EMPLOYEES  
**Subject:** Status of Operations  
**Importance:** High

I want to first thank all of you for your commitment and diligence during winter storm. All of our emergency services have been operating – which is a critical service to members of our community.

The majority of the county was open and operating today and I appreciate all of your effort to make it in to work. If you have questions about when your department or service area will close today, please contact your supervisor.

It looks as though we've weathered the worst of the storm and that conditions will continue to improve. Therefore, we are operating under the assumption that the county will be open and operating on a regular business schedule tomorrow.

Your Department Director and/or supervisor will continue to assess the situation and I trust will keep you updated on the status of your office and function.

Thank you again and I hope that you and your loved ones have managed to stay safe and warm.

Diane M. Linn  
Chair

24/7 and emergency services have continued to operate and we very much appreciate the commitment and professionalism from the staff and sworn officers.

- Emergency Management
- Road Crews
- Emergency Shelters
- Jail System
- Mental Health Crisis Line

Core services that are open and available today include:

- Health Clinics opened at 10 am today
- Libraries are closed – sustained some weather damage to a couple of branches – broken pipes
- District Attorney's office is open
- Parole and Probation Offices are open
- Animal Services?? ~~is closed~~ *staffed*
- Mental Health, Senior Services, Disability Services
- Administrative Services
- County Attorney

Weather conditions are very poor in East County, so we may do early closure of those services today, but we will also be reviewing county wide conditions.

# AGENDA PLACEMENT REQUEST

BUD MOD #:

**Board Clerk Use Only:**

**Meeting Date: January 8, 2004**

**Agenda Item #: C-1**

**Est. Start Time: 9:30 AM**

**Date Submitted: 12/15/03**

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**Requested Date:** January 8, 2004

**Time Requested:** N/A

**Department:** DBCS

**Division:** Tax Title

**Contact/s:** Gary Thomas

**Phone:** 503-988-3590

**Ext.:** 22591

**I/O Address:** 503/4 Tax Title

**Presenters:** Gary Thomas

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**Agenda Title:** RESOLUTION Authorizing the Private Sale of a Tax Foreclosed Property to JAMES R. RAZE

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

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**1. What action are you requesting from the Board? What is the department/agency recommendation?**

The Tax Title Section is requesting the Board to approve the private sale of one tax foreclosed property to JAMES R. RAZE. The Department of Business and Community Services recommends that the private sale be approved.

**2. Please provide sufficient background information for the Board and the public to understand this issue.**

The subject property is a strip approximately 1.36' x 454.36' that came into Multnomah County ownership through the foreclosure of delinquent tax liens on June 3, 1971. The strip of property is located between 3330 SE Hillyard Road and 3302 SE Hillyard Road in Gresham. The parcel is mostly in yard area between the two properties.

The attached plat map, Exhibit A, shows the location of the property. The party with whom we propose to enter into the private sale with recently purchased the two adjacent properties and proposes to develop a 28-lot subdivision on the parcels. The attached Exhibit B is an aerial photo that shows the proximity of the strip to the adjacent properties.

Although no written confirmation from the City of Portland was obtained, the Tax Title Division is confident the shape and size of the property, i.e., approximately 1.36' x 436.54' strip make it unsuitable for construction or placement of a dwelling thereon under current zoning ordinances and building codes, as provided under ORS 275.225.

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

The Private Sale will allow for a full recovery of the delinquent taxes, fees, and expenses. The sale will also reinstate the property on the tax roll (see Exhibit C).

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

No legal issues are expected. The parcel will be sold "As Is" without guarantee of clear title.

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

No citizen or government participation is anticipated.

**Required Signatures:**



**Department/Agency Director:**

**Date:**

**Budget Analyst**

**By:**

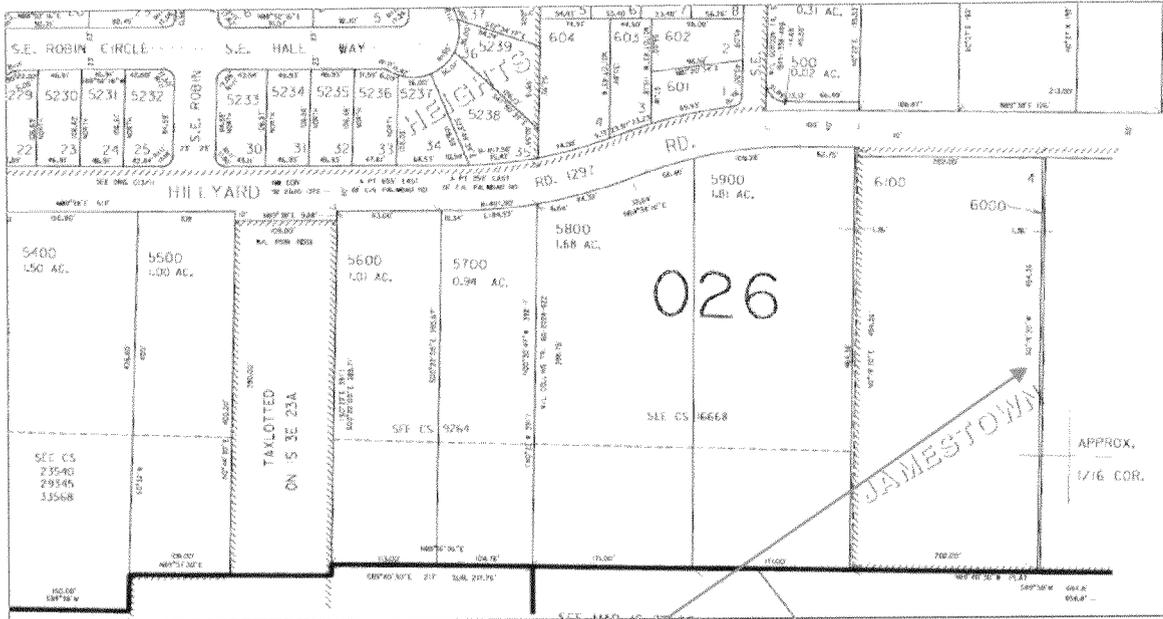
**Date:**

**Dept/Countywide HR**

**By:**

**Date:**

# EXHIBIT A



Subject

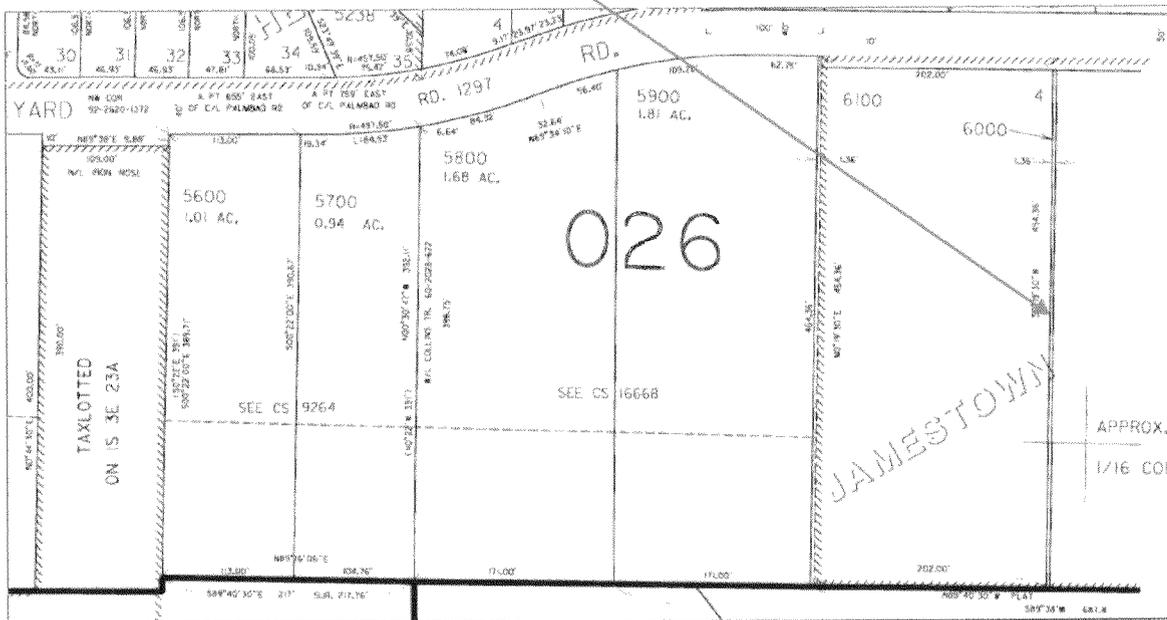


EXHIBIT B



Subject

**EXHIBIT C  
PROPOSED PROPERTY LISTED FOR PRIVATE SALE  
FISCAL YEAR 2003-04**

**LEGAL DESCRIPTION:**

E 1.36' OF LOT 4, JAMESTOWN

**ADJACENT PROPERTY ADDRESS:** 3330 SE Hillyard Rd & 3302 SE Hillyard Rd

**TAX ACCOUNT NUMBER:** R192173

**GREENSPACE DESIGNATION:** None

**SIZE OF PARCEL:** Approximately 1.36' x 454.36' (approx. 618sf)

**ASSESSED VALUE:** \$500.00

<b>ITEMIZED EXPENSES FOR TOTAL PRICE OF PRIVATE SALE</b>
--

<b>BACK TAXES &amp; INTEREST:</b>	\$8.67
<b>TAX TITLE MAINTENANCE COST &amp; EXPENSES:</b>	-0-
<b>ADVERTISING COST:</b>	-0-
<b>RECORDING FEE:</b>	\$26.00
<b>CITY LIENS:</b>	-0-
<b>SUB-TOTAL</b>	\$34.67
<b>MINIMUM PRICE REQUEST OF PRIVATE SALE</b>	\$150.00

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY

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

Authorizing Private Sale of Certain Tax Foreclosed Property to JAMES R. RAZE.

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

- a) Multnomah County acquired the real property described in Exhibit A through the foreclosure of liens for delinquent taxes.
- b) The property has an assessed value of \$500.00 on the County's current tax roll.
- c) Although no written confirmation from the City of Portland was obtained, the Tax Title Division is confident the shape and size of the property, i.e., approximately 1.36' X 454.36' strip make it unsuitable for construction or placement of a dwelling thereon under current zoning ordinances and building codes, as provided under ORS 275.225.
- d) JAMES R. RAZE, has agreed to pay \$150.00, an amount the Board finds to be a reasonable price for the property in conformity with ORS 275.225.

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

1. Upon Tax Title's receipt of the payment of \$150.00, the Chair on behalf of Multnomah County, is authorized to execute a deed conveying to JAMES R. RAZE, the following described real property:

E 1.36' of Lot 4, JAMESTOWN, in the City of Gresham, Multnomah County,  
Oregon.

ADOPTED this 8th day of January 2004.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

\_\_\_\_\_  
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
\_\_\_\_\_  
Christopher D. Crean, Assistant County Attorney



BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY

**RESOLUTION NO. 04-001**

Authorizing Private Sale of Certain Tax Foreclosed Property to JAMES R. RAZE.

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

- a) Multnomah County acquired the real property described in Exhibit A through the foreclosure of liens for delinquent taxes.
- b) The property has an assessed value of \$500.00 on the County's current tax roll.
- c) Although no written confirmation from the City of Portland was obtained, the Tax Title Division is confident the shape and size of the property, i.e., approximately 1.36' X 454.36' strip make it unsuitable for construction or placement of a dwelling thereon under current zoning ordinances and building codes, as provided under ORS 275.225.
- d) JAMES R. RAZE, has agreed to pay \$150.00, an amount the Board finds to be a reasonable price for the property in conformity with ORS 275.225.

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

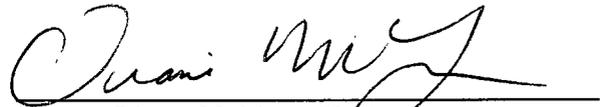
1. Upon Tax Title's receipt of the payment of \$150.00, the Chair on behalf of Multnomah County, is authorized to execute a deed conveying to JAMES R. RAZE, the following described real property:

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Oregon.

ADOPTED this 8th day of January 2004.

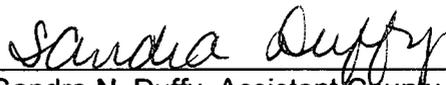


BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
Sandra N. Duffy, Assistant County Attorney

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

JAMES R. RAZE  
20859 NE CADEN ST  
FAIRVIEW OR 97024

After recording, return to:  
MULTNOMAH COUNTY  
TAX TITLE DIVISION  
503/4

**Deed D041938**

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to JAMES R. RAZE, Grantee, that certain real property, located in the City of Gresham, Multnomah County, Oregon more particularly described as follows:

E 1.36' of Lot 4, JAMESTOWN

The true and actual consideration paid for this transfer; stated in the terms of dollars is \$150.00.

**THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.**

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 8<sup>th</sup> day of January 2004, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

\_\_\_\_\_  
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By Sandra N. Duffy  
Sandra N. Duffy, Assistant County Attorney

STATE OF OREGON                    )  
  ) ss  
COUNTY OF MULTNOMAH         )

This Deed was acknowledged before me this 8th day of January 2004, by Diane M. Linn, 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: 6/27/05



# AGENDA PLACEMENT REQUEST

BUD MOD #:

**Board Clerk Use Only:**

**Meeting Date: January 8, 2004**

**Agenda Item #: C-2**

**Est. Start Time: 9:30 AM**

**Date Submitted: 12/16/03**

---

**Requested Date:** January 8, 2004

**Time Requested:** N/A

**Department:** Sheriff's Office

**Division:** Corrections

**Contact/s:** Brad Lynch

**Phone:** 503-988-4336

**Ext.:** 84336

**I/O Address:** 503/350

**Presenters:** Consent Calendar

---

**Agenda Title:** Government Non-Expenditure Contract (190 Agreement) 0310505 with the City of Gresham Providing for the Sheriff's Office to Operate the Temporary Hold Area Located at the City of Gresham Public Safety Building

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

---

- 1. What action are you requesting from the Board? What is the department/agency recommendation?** Approval of intergovernmental agreement.
- 2. Please provide sufficient background information for the Board and the public to understand this issue.** Under this agreement, Sheriff's Office corrections deputies will staff the temporary holding unit at the Gresham Public Safety building four days per week, eight hours each day. The Sheriff's Office will provide prisoner transportation between the temporary hold and the Justice Center jail using Sheriff's Office personnel. This will allow East County police officers a faster method of placing prisoners into jail custody; a trip to the downtown Justice Center will not always be necessary.
- 3. Explain the fiscal impact (current year and ongoing).**  
Funds to fulfill the Sheriff's Office obligations of this agreement will be provided for out of the Sheriff's Office existing budget.  
**NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.**

If a budget modification, explain:

- ❖ What revenue is being changed and why?
- ❖ What budgets are increased/decreased?
- ❖ What do the changes accomplish?
- ❖ Do any personnel actions result from this budget modification? Explain.
- ❖ Is the revenue one-time-only in nature?
- ❖ If a grant, what period does the grant cover?
- ❖ When the grant expires, what are funding plans?

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

- ❖ Why was the expenditure not included in the annual budget process?
- ❖ What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?
- ❖ Why are no other department/agency fund sources available?
- ❖ Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.
- ❖ Has this request been made before? When? What was the outcome?

If grant application/notice of intent, explain:

- ❖ Who is the granting agency?
- ❖ Specify grant requirements and goals.
- ❖ Explain grant funding detail – is this a one time only or long term commitment?
- ❖ What are the estimated filing timelines?
- ❖ If a grant, what period does the grant cover?
- ❖ When the grant expires, what are funding plans?
- ❖ How will the county indirect and departmental overhead costs be covered?

4. Explain any legal and/or policy issues. This agreement has been reviewed by the County Attorney's Office.
5. Explain any citizen and/or other government participation that has or will take place. None, other than above.

**Required Signatures:**

Department/Agency Director:



Date: 12/16/03

Budget Analyst

By:  
Dept/Countywide HR

Date:

By:

Date:

**LYNCH Brad B**

---

**From:** ASPHAUG Scott E [Scott.E.Asphaug@co.multnomah.or.us]  
**Sent:** Tuesday, November 18, 2003 11:02 AM  
**To:** LYNCH Brad B  
**Cc:** DUNAWAY Susan M  
**Subject:** Gresham booking facility contract

**CONFIDENTIALITY STATEMENT**

**Confidentiality:** This e-mail transmission may contain confidential and privileged information. The information contained in this transmission is intended for the addressee only. If you are not the addressee, please do not review, disclose, copy, or distribute this transmission. If you have received this transmission in error, please contact the sender immediately.

Brad

I've reviewed the IGA between the County and Gresham for use of their temporary hold facility. In my first review, I raised the issue of premises liability. Since I was unaware of the age of the facility, I asked whether we should get Gresham to indemnify us if a claim is made against the physical building being used as the temporary hold facility. This is not the same as a failure to clean, etc. Rather, it's a facilities issue.

Was this explored and rejected? If so, that's fine, I just want to know whether it got on the table. Apart from the above, we have no problem with the remainder of the IGA.

One last thing. Will you please address all contracts for review to Susan Dunaway and me. We get them much faster if they are sent directly to us rather than the generic county attorney mailbox.  
thanks

Scott

**BOGSTAD Deborah L**

---

**From:** KIRK Christine A  
**Sent:** Wednesday, December 31, 2003 9:20 AM  
**To:** BOGSTAD Deborah L  
**Subject:** FW: APR\_GreshamTemporaryHold

Deb, just in case you need this.

Christine Kirk  
 503-988-4301

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

**From:** KIRK Christine A  
**Sent:** Wednesday, December 31, 2003 8:34 AM  
**To:** SMITH Andy J  
**Cc:** LEWIS Sharie L; LYNCH Brad B  
**Subject:** RE: APR\_GreshamTemporaryHold

There is no bud mod, internal or external associated with this IGA.

I assume the agenda review committee wanted to know more information than is required for an IGA with no bud mod changes or increased expenditures. I hope that this answers their questions, the estimated costs, and where the money will come from are things that were talked to the Chair's Office, Budget Office, and Commissioners prior to the opening of Gresham Temp Hold. The estimated cost for the 7.5 months that GTH will be open this fiscal year is approximately 62,000 for the four day a week, 8 hours a day operation. The money will come from the Multnomah County Detention Center Budget which also includes the booking functions for the Sheriff's Office.

Christine Kirk  
 503-988-4301

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

**From:** SMITH Andy J [mailto:Andy.J.Smith@co.multnomah.or.us]  
**Sent:** Monday, December 29, 2003 12:32 PM  
**To:** KIRK Christine A  
**Subject:** APR\_GreshamTemporaryHold

**AGENDA PLACEMENT REQUEST**

**BUD MOD #:**

**Board Clerk Use Only:**

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**Agenda Item #:** C-2  
**Est. Start Time:** 9:30 AM  
**Date Submitted:** 12/16/03

12/31/2003

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**Requested Date:** January 8, 2004

**Time Requested:** N/A

**Department:** Sheriff's Office

**Division:** Corrections

**Contact/s:** Brad Lynch

**Date Submitted:**

**Phone:** 503-988-4336

**Ext.:** 84336

**I/O Address:** 503/350

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**If a contingency request, explain:**

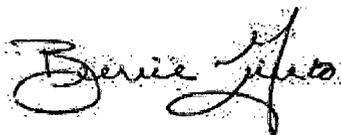
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4. Explain any legal and/or policy issues. This agreement has been reviewed by the County Attorney's Office.
5. Explain any citizen and/or other government participation that has or will take place. None, other than above.



**Required Signatures:**

Department/Agency Director:

Date: 12/16/03

Budget Analyst

By:  
Dept/Countywide HR

Date:

By:

Date:

# MULTNOMAH COUNTY CONTRACT APPROVAL FORM

Pre-approved Contract Boilerplate (with County Attorney signature)  Attached  Not Attached Contract #: 0310505  
 Amendment #: \_\_\_\_\_

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

Department: Sheriff's Office Division: Corrections Date: 11/03/2003  
 Originator: Captain James Turney Phone: 503-988-3051 Bldg/Rm: 119/307  
 Contact: Brad Lynch Phone: 503-988-4336 Bldg/Rm: 503/350

Description of Contract: City of Gresham allows the Sheriff's Office to operate a temporary holding area for arrested individuals destined for the County jail. The Sheriff's Office will staff the holding area with Sheriff's Office personnel.

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

Contractor <u>City of Gresham</u> Address <u>1333 NW Eastman Parkway</u> City/State <u>Gresham OR</u> ZIP Code <u>97030</u> Phone <u>503-618-2724 (Lt. Larry Leeman)</u> Employer ID# or SS# _____ Contract Effective Date <u>when signed</u> Term <u>Term</u> N/A Amendment Effect Date <u>                    </u> New Term Date <u>                    </u>	Remittance address _____ (If different) _____ Payment Schedule / Terms <input type="checkbox"/> Lump Sum \$ _____ <input type="checkbox"/> Due on Receipt <input type="checkbox"/> Monthly \$ _____ <input type="checkbox"/> Net 30 <input type="checkbox"/> Other \$ _____ <input type="checkbox"/> Other <input type="checkbox"/> Requirements Funding Info:																
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Original Contract Amount</td> <td style="width: 50%;">\$ _____</td> </tr> <tr> <td>Total Amt of Previous Amendments</td> <td>\$ _____</td> </tr> <tr> <td>Amount of Amendment</td> <td>\$ _____</td> </tr> <tr> <td><b>Total Amount of Agreement</b></td> <td><b>\$0</b></td> </tr> </table>	Original Contract Amount	\$ _____	Total Amt of Previous Amendments	\$ _____	Amount of Amendment	\$ _____	<b>Total Amount of Agreement</b>	<b>\$0</b>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Original Requirements Amount</td> <td style="width: 50%;">\$ _____</td> </tr> <tr> <td>Total Amt of Previous Amendments</td> <td>\$ _____</td> </tr> <tr> <td>Requirements Amount Amendment:</td> <td>\$ _____</td> </tr> <tr> <td><b>Total Amount of Requirements</b></td> <td><b>\$ _____</b></td> </tr> </table>	Original Requirements Amount	\$ _____	Total Amt of Previous Amendments	\$ _____	Requirements Amount Amendment:	\$ _____	<b>Total Amount of Requirements</b>	<b>\$ _____</b>
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Requirements Amount Amendment:	\$ _____																
<b>Total Amount of Requirements</b>	<b>\$ _____</b>																

REQUIRED SIGNATURES:

Department Manager _____	DATE _____
Purchasing Manager _____	DATE _____
County Attorney <u>S.E.A.</u>	DATE <u>11-18-03</u>
County Chair <u>[Signature]</u>	DATE <u>1.8.04</u>
Sheriff <u>Sheriff Bernie Gusto by TM</u>	DATE <u>12-16-03</u>
Contract Administration _____	DATE _____

COMMENTS: \_\_\_\_\_

APPROVED: MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
 AGENDA # C-2 DATE 01-08-04  
 DEBORAH L. BOGSTAD, BOARD CLERK

**INTERGOVERNMENTAL AGREEMENT**

**GRESHAM TEMPORARY HOLD**

This Agreement is made and entered into pursuant to the authority found in ORS 190.010 et seq. and ORS 206.345 by and between Multnomah County Sheriff's Office (MCSO), jointly with and on behalf of Multnomah County (COUNTY), and City of Gresham (CITY).

**RECITALS**

WHEREAS, the CITY maintains in its police headquarters a temporary hold whereby prisoners may be detained while awaiting transportation to a local correctional facility; and

WHEREAS, MCSO desires to use the CITY's temporary hold as a place where local police officers may transfer custody of arrested persons to MCSO at the temporary hold in lieu of the police officers taking the prisoners to the Multnomah County Detention Center (MCDC), located in downtown Portland.

**TEMPORARY HOLD OPERATION**

1. The CITY agrees to permit MCSO to operate the temporary hold area located in the CITY Public Safety building at 1333 NW Eastman Parkway, Gresham. The CITY further agrees that it will provide such space to MCSO at no charge to MCSO or the COUNTY.
2. The parties agree that MCSO shall operate the temporary hold four days per week, 8 hours per day. The parties agree that the initial schedule shall be Wednesday through Saturday, 8:00 p.m. until 4:00 a.m. (subject to re-evaluation).
3. MCSO agrees to staff the temporary hold with at least one Corrections Deputy who is certified as a corrections officer by the Department of Public Safety Standards and Training (DPSST). MCSO further agrees to provide prisoner transportation between the temporary hold and MCDC using either Corrections Deputies or Deputy Sheriffs.

The deputies provided hereunder shall be referred to hereafter as ASSIGNED PERSONNEL. The parties further agree that prisoner transports may be performed by reserve police officers or reserve deputy sheriffs.

4. The parties agree that police officers from the cities of Gresham, Troutdale and Fairview; Portland Police Bureau and Oregon State Troopers working in East Multnomah County; and Multnomah County Deputy Sheriffs may take prisoners to the CITY's temporary hold and transfer custody of such prisoners to MCSO ASSIGNED PERSONNEL at the temporary hold. The parties further agree that before custody reports, citations, warrant information and such other documents that would be required for a prisoner booking at MCDC.

5. The parties agree that once custody of a prisoner is transferred from a police officer to the MCSO Corrections Deputy assigned to the temporary hold, the MCSO Corrections Deputy shall have primary responsibility for care, custody, control, and safety of such prisoner at all times the prisoner is detained in the temporary hold.

6. The CITY agrees to install and maintain sufficient video cameras and monitors, and audio microphones and speakers, so as to permit sight and sound communication between the temporary hold area and an area of the police Public Safety building that is staffed at all times during which MCSO's ASSIGNED PERSONNEL operate the temporary hold.

7. The CITY agrees that in the event of an emergency situation in the temporary hold, including but not limited to a riot, fire, escape attempt or assault on staff, the CITY will respond by sending available police officers in or near the temporary hold to the emergency scene.

8. The parties further agree that if MCSO is unable to staff the temporary hold for a partial or entire shift, no person, other than a City of Gresham police officer, shall attempt to detain or transfer custody of a prisoner at the temporary hold until such time as the temporary hold is staffed by corrections deputy as provided herein.

**PERSONNEL MATTERS**

9. MCSO agrees to provide the ASSIGNED PERSONEL assigned to the temporary hold with all uniforms, equipment and vehicles necessary to perform the deputies duties required hereunder.

10. The parties agree that the ASSIGNED PERSONNEL provided hereunder by MCSO shall be and remain employees of the COUNTY. The ASSIGNED PERSONNEL shall be supervised by MCSO and shall perform their duties in accordance with the administrative and operational procedures of MCSO. If MCSO operational procedures conflict with the CITY's operational procedures, MCSO and CITY agree to meet and confer to resolve and conflict in procedures.

11. The CITY does not assume any liability for the direct payment of any wages, salaries or other compensation to ASSIGNED PERSONNEL performing services pursuant to the terms of this Agreement or for any other liability not provided for in this Agreement.

12. The COUNTY shall maintain Workers' Compensation insurance coverage for their ASSIGNED PERSONNEL, either as a carrier insured employer or a self-insured employer as provided in ORS chapter 656.

13. The parties agree that matters concerning direct or indirect monetary benefits, hours, vacations, sick leave, grievance procedures and other conditions of employment regarding ASSIGNED PERSONNEL under this Agreement shall be governed by the provisions of existing collective bargaining agreements between the ASSIGNED PERSONNEL's bargaining unit and their public employer.

14. The parties agree that all labor disputes arising out of this Agreement shall be governed by the provisions of applicable collective bargaining agreements in effect during this Agreement, and the personnel rules of the COUNTY.

**CRIMES STATION**

15. MCSO and the COUNTY agree to install and maintain at or near the temporary hold a CRIMES video image station whereby a police

officer may verify the identity of a suspect by searching the CRIMES system's data base. The CRIMES station provided hereunder shall include a monitor, keyboard or other input device and fiber optic transmission lines, or equivalent, required to render the system operative.

16. MCSO agrees to provide at no cost to CITY training on the CRIMES system for police officers and other personnel who are authorized to access the CRIMES system.

#### **EFFECTIVE AND TERMINATION DATES**

17. This Agreement shall be effective on the date it is signed by last party signing the Agreement, and shall remain in effect until terminated by either party as provided in section 18 hereunder.

18. This Agreement may be terminated by either party upon sixty (60) days written notice, delivered in writing to the contact person listed below.

#### **CONTACT PERSON**

19. For information concerning services to be performed under this Agreement, contact shall be made with:

##### If to the CITY:

Lieutenant Larry Leeman  
Gresham Police Department  
1333 NW Eastman Parkway  
Gresham, Oregon 97030  
Telephone: 503 618-2724

##### If to MCSO:

Captain Jim Turney  
Facilities Division  
1120 SW 3<sup>rd</sup> Avenue  
Portland, Oregon 97204  
Telephone: 503 988-3051

#### **NOTICE**

20. Any notice provided for under this Agreement shall be written and delivered personally to the following addressee or deposited in the United States Mail, postage prepaid, certified mail, return receipt requested,

addressed as follows, or to such other address as the receiving party hereafter shall specify in writing:

If to the CITY:

Carla C. Piluso, Chief  
Gresham Police Department  
1333 NW Eastman Parkway  
Gresham, Oregon 97030  
Telephone: 503 618-2606

If to MCSO:

Bernie Giusto, Sheriff  
Multnomah County Sheriff's Office  
1120 SW 3<sup>rd</sup> Avenue  
Portland, Oregon 97204  
Telephone: 503 988-3600

**INDEMNIFICATION**

21. Subject to the limitations of the Oregon Torts Claims Act and the Oregon Constitution, MCSO and the COUNTY shall indemnify, defend and hold harmless CITY, its officers, employees and agents from all claims, suits, actions or expenses of any nature resulting from or arising out of the acts, errors or omissions of MCSO personnel acting pursuant to the terms of this Agreement.

22. Subject to the limitations of the Oregon Torts Claims Act and the Oregon Constitution, CITY shall indemnify, defend and hold harmless COUNTY and MCSO, their officers, employees and agents from all claims, suits, actions or expenses of any nature resulting from or arising out of the acts, errors or omissions of CITY personnel acting pursuant to the terms of this Agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly appointed officers on the date written below.

CITY OF GRESHAM, OREGON

MULTNOMAH COUNTY, OREGON

\_\_\_\_\_  
Charles J. Becker, Mayor

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

\_\_\_\_\_  
Rob Fussell, City Manager

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

APPROVED AS TO FORM:

By: \_\_\_\_\_

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

*Bernie Giusto by Tam*  
\_\_\_\_\_  
Bernie Giusto, Sheriff

DATE: 12-16-03

*Diane M. Linn*  
\_\_\_\_\_  
Diane M. Linn, County Chair

DATE: 1-8-04

REVIEWED:

*S.E.A.*  
\_\_\_\_\_  
Agnes Sowle, County Attorney

DATE: 1-18-03

APPROVED : MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # C-2 DATE 01-08-04  
DEBORAH L. BOGSTAD, BOARD CLERK

# AGENDA PLACEMENT REQUEST

BUD MOD #:

**Board Clerk Use Only:**

**Meeting Date: January 8, 2004**

**Agenda Item #: R-1**

**Est. Start Time: 9:30 AM**

**Date Submitted: 12/15/03**

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**Requested Date:** January 8, 2004

**Time Requested:** 5 minutes

**Department:** DCHS

**Division:** Aging and Disability Services

**Contact/s:** Mary Shortall

**Phone:** (503) 988-3620

**Ext.:** 83770

**I/O Address:** 166/3

**Presenters:** Nancy Harp

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**Agenda Title: Approval of Notice of Intent to submit a grant application to the Robert Wood Johnson Foundation/Community Partnerships for Older Adults.**

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

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- 1. What action are you requesting from the Board? What is the department/agency recommendation?** Approval of the Notice of Intent. The Department supports this initiative.
- 2. Please provide sufficient background information for the Board and the public to understand this issue.** The "Community Partnerships for Older Adults" program fosters efforts of local public-private partnerships to improve long-term care and supportive services systems for older adults. The program challenges communities to build on their experience, share and learn from other communities, and help to shape state and national policy as they develop and implement solutions for the future.
- 3. Explain the fiscal impact (current year and ongoing).** The award of \$150,000 is for an 18 month period of performance for system development. A 20% cash/in-kind match will be shared by the coalition participant organizations. Organizations receiving the \$150,000 development grants are eligible to apply for implementation grants of up to \$750,000 on a competitive basis.

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

**If a budget modification, explain:**

- ❖ **What revenue is being changed and why?**
- ❖ **What budgets are increased/decreased?**
- ❖ **What do the changes accomplish?**
- ❖ **Do any personnel actions result from this budget modification? Explain.**

- ❖ **Is the revenue one-time-only in nature?**
- ❖ **If a grant, what period does the grant cover?**
- ❖ **When the grant expires, what are funding plans?**

**NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)**

**If a contingency request, explain:**

- ❖ **Why was the expenditure not included in the annual budget process?**
- ❖ **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- ❖ **Why are no other department/agency fund sources available?**
- ❖ **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.**
- ❖ **Has this request been made before? When? What was the outcome?**

**If grant application/notice of intent, explain:**

- ❖ **Who is the granting agency?** Robert Wood Johnson Foundation
- ❖ **Specify grant requirements and goals.** Grantees will be given financial and technical assistance to develop and implement community-generated approaches to long-term care and supportive services systems improvements for at-risk older adults. Development and implementation grants will be awarded to community partnerships that mobilize their communities to make improvements in long-term care and supportive services, and promote a better quality of life and care for older adults and their caregivers.
- ❖ **Explain grant funding detail – is this a one time only or long term commitment?** The award of \$150,000 is for an 18 month period of performance for system development. A 20% cash/in-kind match will be shared by the coalition participant organizations. Organizations receiving the \$150,000 development grants are eligible to apply for implementation grants of up to \$750,000 on a competitive basis.
- ❖ **What are the estimated filing timelines?** The application must be submitted electronically to the Robert Wood Johnson Foundation by January 9, 2004.
- ❖ **If a grant, what period does the grant cover?** 18 months from the date of the award.
- ❖ **When the grant expires, what are funding plans?** This initial award is for system design/development activities. When the grant expires, if we are not

awarded an implementation grant then no further funding would be required to sustain the policy infrastructure created during the initial grant award period.

- ❖ **How will the county indirect and departmental overhead costs be covered?** Indirect costs will be included in the proposed RWJ budget. Department overhead/admin will be provided by ADS Community Services staff.

4. **Explain any legal and/or policy issues involved.** None anticipated.
5. **Explain any citizen and/or other government participation that has or will take place.** The entire focus of this project is community mobilization so there will be extensive citizen involvement through our advisory groups, neighborhood associations, and other focus groups. As we expand our partnerships (faith-based communities, school partnerships, higher education) and coalitions we will be involving our city partners and civic leaders.

**Required Signatures:**

Department/Agency Director: \_\_\_\_\_ 

Date: 12/12/03

Budget Analyst

By: \_\_\_\_\_ 

Date: 12/12/03

Dept/Countywide HR

By: \_\_\_\_\_

Date:

# AGENDA PLACEMENT REQUEST

BUD MOD #:

**Board Clerk Use Only:**

**Meeting Date: January 8, 2004**

**Agenda Item #: R-2**

**Est. Start Time: 9:35 AM**

**Date Submitted: 12/15/03**

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**Requested Date:** January 8, 2004

**Time Requested:** 5 min

**Department:** Non-Departmental

**Division:** County Attorney

**Contact/s:** Sandra Duffy

**Phone:** 503-988-3138

**Ext.:** 83138

**I/O Address:** 503/500

**Presenters:** Sandra Duffy

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**Agenda Title:** First Reading of an ORDINANCE Amending Multnomah County Code Chapter 37 Zoning Administration and Procedures and amending Multnomah County Code Chapter 38 Columbia River Gorge National Scenic Area for the imposition of fees and charges for Land Use Division services

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

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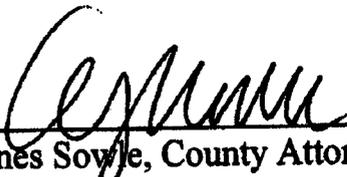
- 1. What action are you requesting from the Board? What is the department/agency recommendation?** Codify authority to impose fees to carry out the land use planning program for Multnomah County. Maintains the flat fee recovery policy, and delegates new authority for the Planning Director to annually raise fees in the amount determined in any increase in the Consumer Price Index.
- 2. Please provide sufficient background information for the Board and the public to understand this issue.** The authority to collect fees needs to be codified into the appropriate zoning ordinance chapters. Authorizing the Planning Director to raise fees as set by the CPI index would help streamline the process of maintaining authorized level of cost recovery. Since the CPI does not fully reflect increases in costs, periodic fee adjustment requests will also be necessary. Allowing CPI based increases will reduce the amount of periodic adjustments, and will capture unrealized revenue.

3. **Explain the fiscal impact (current year and ongoing).** No fiscal impact. A fee Resolution for Board consideration will follow this action.

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

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.** No citizen involvement for the codification of authority to levy fees. The authorization for CPI index increase has been approved and recommended to the Board by the Planning Commission after a public hearing.

**Required Signatures:**

  
\_\_\_\_\_  
Agnes Sowle, County Attorney

**Department/Agency Director:**

**Date:** 12/15/03

**Budget Analyst**

**By:** \_\_\_\_\_

**Date:**

**Dept/Countywide HR**

**By:** \_\_\_\_\_

**Date:**

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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

Amending Multnomah County Code Chapter 37 Zoning Administration And Procedures And  
Amending Multnomah County Code Chapter 38 Columbia River Gorge National Scenic Area  
For The Imposition Of Fees And Charges For Land Use Division Services

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

- a. The flat fee method of recovering costs for land use services is consistent with adjacent jurisdictions.
- b. It is appropriate to establish fees by resolution of the Board.

**The Multnomah County Board of Commissioners Ordains as follows:**

**Section 1.** MCC § 37.0850 is adopted to provide as follows:

**§ 37.0850 Fees.**

Fees shall be imposed for land use services provided pursuant to MCC Chapters 33 – 37. The amount of the fees will be set by Resolution. The Director is authorized to administratively increase fees annually based upon the most recent Consumer Price Index.

**Section 2.** MCC § 38.0850 is adopted to provide as follows:

**§ 38.0850. Fees.**

Fees shall be imposed for land use services provided pursuant to MCC Chapter 38. The amount of the fees will be set by Resolution. The Director is authorized to administratively increase fees annually based upon the most recent Consumer Price Index.

FIRST READING: \_\_\_\_\_ January 8, 2004

SECOND READING AND ADOPTION: \_\_\_\_\_ January 15, 2004

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

\_\_\_\_\_  
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By Sandra Duffy  
Sandra N. Duffy, Assistant County Attorney

# AGENDA PLACEMENT REQUEST

BUD MOD #:

**Board Clerk Use Only:**

**Meeting Date: January 8, 2004**

**Agenda Item #: R-3**

**Est. Start Time: 9:40 AM**

**Date Submitted: 12/15/03**

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**Requested Date: 1/8/04**

**Time Requested: 5 minutes**

**Department: DBCS**

**Division: FPM**

**Contact/s: Greg Herlean**

**Phone: 503-988-4216**

**Ext.: 84216**

**I/O Address: 274/FM**

**Presenters: GREG HERLEAN**

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**Agenda Title: RESOLUTION approving First Amendment to SubLease with Wallace Medical Concern of Surplus Leased Space within the Rockwood Neighborhood Access Clinic, 800 SE 181st, Portland, Oregon, and Authorizing County Chair to Execute Appropriate Documents to Complete Said SubLease**

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

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- 1. What action are you requesting from the Board? What is the department/agency recommendation?** The Department of Business and Community Services requests the Board review the sublease amendment and the resolution approving the first amendment to the sublease with Wallace Medical Concern for space at the Rockwood Neighborhood Access Clinic, and authorize the Chair to sign the sublease amendment on behalf of the County to continue the sublease agreement.

The Department of Business and Community Services, Facilities and Property Management Division, recommends adoption of the Resolution.

- 2. Please provide sufficient background information for the Board and the public to understand this issue.** The County Health Department has had a sublease with Wallace Medical Concern since December 1, 2000 for office space and shared use of exam rooms, reception and other common areas within the building on Monday and Wednesday evenings from 5pm to 11 pm to deliver more health services to uninsured

residents of Multnomah County. The sublease to Wallace Medical Concern included three successive renewal options, the first of which was exercised to extend the sublease through November 30, 2003. The SubLease to Wallace Medical Concern expired November 30, 2003, is currently in holdover period, and Wallace Medical Concern is not in default for their monthly rent. The County Health Department wishes to amend the Wallace Medical Concern sublease agreement in order to: 1) extend the term of the sublease effective December 1, 2003 through June 30, 2005, 2) to increase monthly rent charges from \$50 per month to \$100 per month retroactive to July 1, 2003, 3) provide for annual adjustments to rent based upon changes in permitted use or increase in the Consumer Price Index for Portland, and 4) provide the County with the option for renewal or termination of the sublease dependent upon renewal or termination of the master lease for the building. The Wallace Medical Concern has stated its commitment to continue the sublease for 120 square feet of space from Multnomah County in the Rockwood Neighborhood Access Clinic at an increased rental payment of \$100 per month retroactive to July 1, 2003, and subject to the terms of the first amendment to the sublease.

3. **Explain the fiscal impact (current year and ongoing).** Lease payments during the extended term of this amendment will be increased from \$50 per month to \$100 per month base rent, retroactive to July 1, 2003. The amendment will also allow the County to charge additional rent to cover cost of supplies provided by the County and used by Wallace Medical Group, if the monthly usage cost of such supplies exceeds \$100. Additionally, the sublease will provide for the County to annual adjustment to the monthly rent based upon review the permitted use by Wallace Medical Concern and the CPI-Portland Index.

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

**If a budget modification, explain: N/A**

- ❖ **What revenue is being changed and why? N/A**
- ❖ **What budgets are increased/decreased? N/A**
- ❖ **What do the changes accomplish? N/A**
- ❖ **Do any personnel actions result from this budget modification? Explain.**  
N/A
- ❖ **Is the revenue one-time-only in nature? N/A**
- ❖ **If a grant, what period does the grant cover? N/A**
- ❖ **When the grant expires, what are funding plans? N/A**

**NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)**

**If a contingency request, explain: N/A**

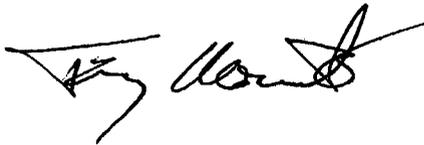
- ❖ **Why was the expenditure not included in the annual budget process? N/A**
- ❖ **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure? N/A**
- ❖ **Why are no other department/agency fund sources available? N/A**
- ❖ **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.**  
N/A
- ❖ **Has this request been made before? When? What was the outcome? N/A**

If grant application/notice of intent, explain: N/A

- ❖ Who is the granting agency? N/A
- ❖ Specify grant requirements and goals. N/A
- ❖ Explain grant funding detail – is this a one time only or long term commitment? N/A
- ❖ What are the estimated filing timelines? N/A
- ❖ If a grant, what period does the grant cover? N/A
- ❖ When the grant expires, what are funding plans? N/A
- ❖ How will the county indirect and departmental overhead costs be covered? N/A

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. Facilities & Property Management has involved the County Health Department program manager in the negotiation process for this sublease amendment, and has worked closely with the Wallace Medical Concern to insure timely payment during the negotiation process.

**Required Signatures:**



Department/Agency Director: \_\_\_\_\_

Date: 12/15/03

Budget Analyst



By: \_\_\_\_\_

Date: 12/15/03

Dept/Countywide HR

By: NOT APPLICABLE

Date:

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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

Approving First Amendment to SubLease with Wallace Medical Concern of Surplus Leased Space within the Rockwood Neighborhood Access Clinic, 800 SE 181st, Portland, Oregon, and Authorizing County Chair to Execute Appropriate Documents to Complete said SubLease

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

- a. The Multnomah County Health Department is currently leasing the building located at 800 SE 181st, Portland, Oregon, also known as the Rockwood Neighborhood Access Clinic, to provide health services to uninsured Multnomah County residents.
- b. The County Health Department has had a sublease with Wallace Medical Concern since December 1, 2000 for office space and shared use of exam rooms, reception and other common areas within the building on Monday and Wednesday evenings from 5pm to 11 pm to deliver more health services to uninsured residents of Multnomah County.
- c. The sublease to Wallace Medical Concern included three successive renewal options, the first of which was exercised to extend the sublease through November 30, 2003.
- d. The sublease to Wallace Medical Concern expired November 30, 2003, is currently in holdover period, and Wallace Medical Concern is not in default for their monthly rent.
- e. The County Health Department wishes to amend the Wallace Medical Concern sublease agreement in order to:
  - 1) extend the term of the sublease effective December 1, 2003 through June 30, 2005,
  - 2) to increase monthly rent charges from \$50 per month to \$100 per month retroactive to July 1, 2003,
  - 3) provide for annual adjustments to rent based upon changes in permitted use or increase in the Consumer Price Index for Portland, and
  - 4) provide the County with the option for renewal or termination of the sublease dependent upon renewal or termination of the master lease for the building.

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. 04-002**

Approving First Amendment to SubLease with Wallace Medical Concern of Surplus Leased Space within the Rockwood Neighborhood Access Clinic, 800 SE 181st, Portland, Oregon, and Authorizing County Chair to Execute Appropriate Documents to Complete said SubLease

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

- a. The Multnomah County Health Department is currently leasing the building located at 800 SE 181st, Portland, Oregon, also known as the Rockwood Neighborhood Access Clinic, to provide health services to uninsured Multnomah County residents.
- b. The County Health Department has had a sublease with Wallace Medical Concern since December 1, 2000 for office space and shared use of exam rooms, reception and other common areas within the building on Monday and Wednesday evenings from 5pm to 11 pm to deliver more health services to uninsured residents of Multnomah County.
- c. The sublease to Wallace Medical Concern included three successive renewal options, the first of which was exercised to extend the sublease through November 30, 2003.
- d. The sublease to Wallace Medical Concern expired November 30, 2003, is currently in holdover period, and Wallace Medical Concern is not in default for their monthly rent.
- e. The County Health Department wishes to amend the Wallace Medical Concern sublease agreement in order to:
  - 1) extend the term of the sublease effective December 1, 2003 through June 30, 2005,
  - 2) to increase monthly rent charges from \$50 per month to \$100 per month retroactive to July 1, 2003,
  - 3) provide for annual adjustments to rent based upon changes in permitted use or increase in the Consumer Price Index for Portland, and
  - 4) provide the County with the option for renewal or termination of the sublease dependent upon renewal or termination of the master lease for the building.

- f. The Wallace Medical Concern has stated its commitment to continue the sublease for 120 square feet of space from Multnomah County in the Rockwood Neighborhood Access Clinic at an increased rental payment of \$100 per month retroactive to July 1, 2003, and subject to the terms of the first amendment to the sublease.
- g. The County Health Department has no plans to occupy the Rockwood Neighborhood Access Clinic from 5pm to 11pm on weekdays, and the Facilities and Property Management Division has not identified any other County agency or program which has stated an interest in occupying this facility during those hours.
- h. The County is interested in cooperating with the Wallace Medical Concern at the Rockwood Neighborhood Access Clinic and it is in the public's interest to amend the sublease of space to Wallace Medical Concern to extend the lease for an additional term at a higher monthly rate.

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

- 1. Multnomah County shall approve the amendment to the sublease agreement between the Wallace Medical Concern and the County for 120 square feet of space in the Rockwood Neighborhood Access Clinic building.
- 2. The County Chair shall be, and is hereby, authorized to execute a sublease amendment substantially in the form attached with Wallace Medical Concern in the Rockwood Neighborhood Access Clinic building leased by the County.

ADOPTED this 8th day of January, 2004.



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
Matthew Ryan, Assistant County Attorney

## FIRST AMENDMENT TO SUBLEASE

**DATED:** October 9, 2003

**BETWEEN:** BOARD OF COUNTY COMMISSIONERS INC.  
FOR MULTNOMAH COUNTY, **SUBLESSOR**

**AND:** WALLACE MEDICAL CONCERN, AN OREGON NON-PROFIT  
CORPORATION **SUBLESSEE**

Sublease dated June 26, 2001, Sublessee leased from Sublessor approximately 120 square feet of office space and shared use of exam rooms, reception area and other common areas within the building located at 800 SE 181<sup>st</sup> Avenue, Portland, Oregon, 97233, hereinafter referred to as the "Building". By written notice to the County dated November 27, 2002 the Sublease was extended. Such documents are hereinafter referred to as the "Sublease". The Sublease expires November 30, 2003.

NOW, THEREFORE, the parties agree to amend this Sublease as follows:

### **A. Amended Terms And Conditions**

#### **Premises Description:**

The existing Premises Description is deleted and the following provision is substituted:

One hundred twenty (120) square feet of office space with a non-exclusive right to access to the designated exam rooms, reception area and other common areas located at 800 SE 181<sup>st</sup> Avenue Portland, Oregon (the Building) as described and identified on the attached Exhibit A.

#### **Section 2.1: Original Term**

The existing Section 2.1 shall be deleted and the following provision substituted:

The Sublease shall be extended for an additional seventeen (17) months commencing December 1, 2003 and continuing through June 30, 2005.

#### **Section 2.3: Renewal Option**

The existing Section 2.3 shall be deleted and the following provision substituted:

The Master Lease that provides these premises to the Sublessor expires August 31, 2005. If the Sublessor renegotiates a new lease and continues to occupy the space beyond 8/31/05, the Sublessor shall have the option to renew or extend the Sublease by written notice given not less than 60 days prior to the last day of the expiring sublease term so long as the Sublessee is not in default at the time such option is exercised. The giving of such notice shall be sufficient to make the lease binding for the renewal term without further act of the parties, but shall be subject to the following.

- 1) The option to renew shall be valid only for the term the Master Lease is in full force and effect, and in the event the Master Lease is terminated for any reason, this Sublease shall terminate simultaneously.
- 2) All provisions of the Sublease shall apply during the extended term, except that rent for the renewal period shall be equal to the monthly rent of the preceding term increased by the percentage change over the years of the preceding term in the Consumer Price Index-Urban for Portland, Oregon, known as the Portland CPI-U, published by the U.S. Bureau of Labor Statistics.

#### **Section 3.1: Base Rent**

The existing Section 3.1 shall be deleted and the following provision added:

Sublessee shall pay to Sublessor as base rent the sum of \$100 per month subject to Paragraph 4.2 (11) effective July 1, 2003. Rent shall be payable on the first day of each

month in advance at the address for Sublessor first above stated or at such place as may be designated by Sublessor. Sublessee shall pay Sublessor ~~\$300~~ for the period July 1, 2003 through November 30, 2003 in a lump sum by November 1, 2003. \$250 KSA  
ojm

**Section 3.3: Annual Adjustment To Rent**

The Sublease shall be amended to add subsection 3.3 Annual Adjustment to Base Rent as follows:

Sublessor shall have the option to increase the base rent annually effective July 1<sup>st</sup>, by written notice to the Sublessee not less than 30 days before that date. The Sublessor will determine the rental increase based on changes in permitted use of the Subleased space as described in Paragraph 4.1 and 4.2 (11), or the percentage increase in the Consumer Price Index-Urban for Portland, Oregon, known as the Portland CPI-U, published by the U.S. Bureau of Labor Statistics, whichever is greater.

**Section 4.2: Restrictions on Use (11)**

The existing subsection 4.2 (11) shall be deleted and the following provision substituted:

Meet with Sublessor's Rockwood Neighborhood Health Access Clinic representative once each year of the Sublease to review Sublessee's use of supplies provided by Sublessor. If supplies provided under this Sublease cost more than covered by the \$100 per month base rent fee, Sublessee will pay the difference as Additional Rent.

**B. Remainder of Agreement**

Except as expressly amended herein, all other terms of the Sublease shall remain in full force and effect and shall continue through the extended term.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the respective dates set opposite their signatures below, but this Agreement on behalf of such party shall be deemed to have been dated as of the date first above written.

**SUBLESSOR:  
BOARD OF COUNTY COMMISSIONERS INC. FOR  
MULTNOMAH COUNTY, OREGON**

Date: 1-8-04

By:   
Diane Linn, County Chair

**SUBLESSEE:  
THE WALLACE MEDICAL CONCERN, An Oregon Non-  
Profit Corporation**

Date: 12/9/03

By:   
Kathy Hammock, Executive Director

Date: December 15, 2003

Reviewed By:   
Matthew O. Ryan, Asst County Attorney

APPROVED : MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-3 DATE 01-08-04  
DEBORAH L. BOGSTAD, BOARD CLERK

**Floor Information**

TOTAL COUNTY  
OCCUPIED AREA  
3654

Square Footage figures on this Tenant Map represent the occupied space of the various tenants.  
Factors such as Load and Common Spaces are not represented.  
The values do not align with the square footage assigned by the lease agreement.  
The Space Summary form will reconcile the occupied square footage figures with the lease figures.

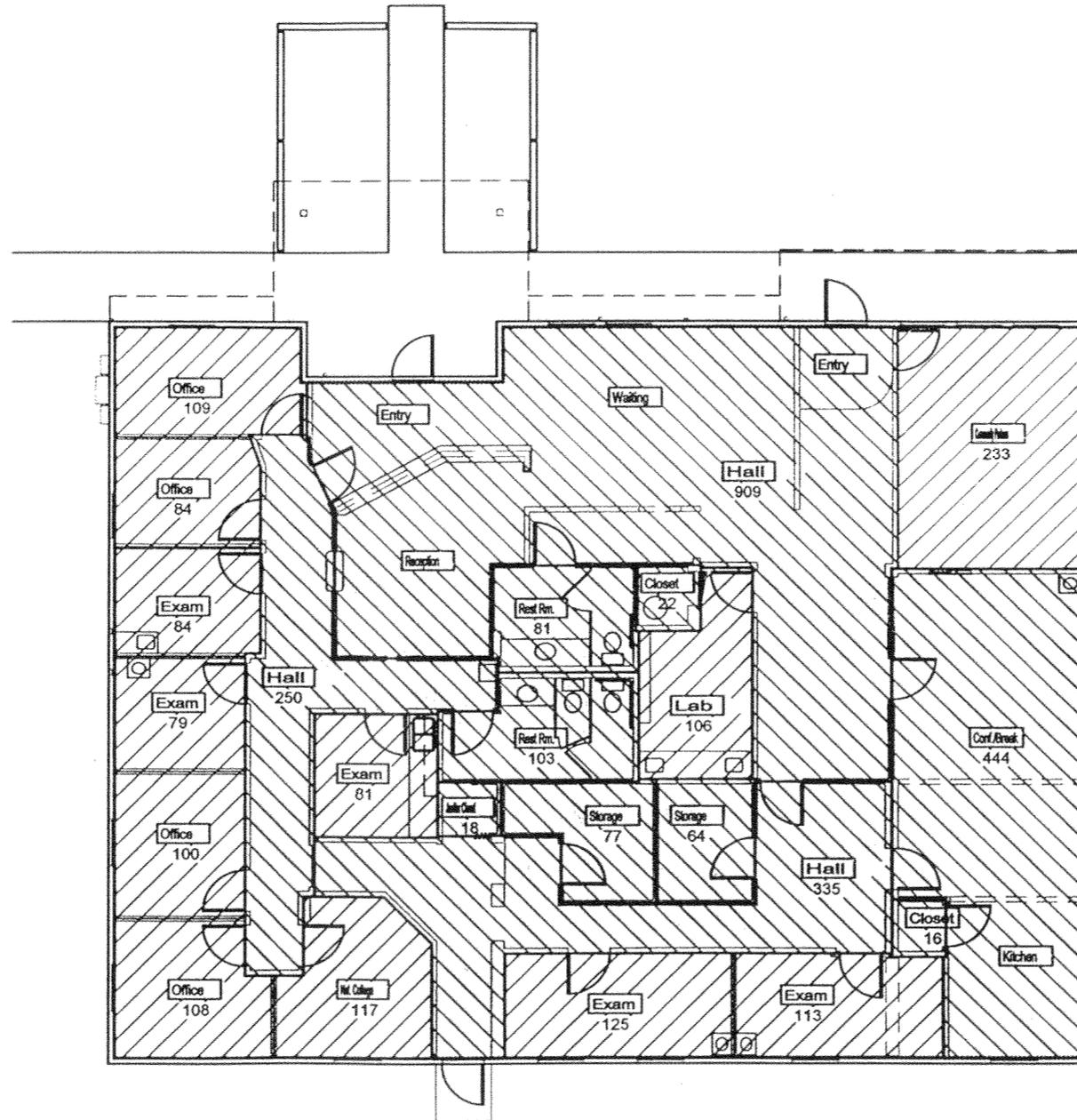
**For BDMC Use Only**

GMA	FCA
3654	2315
BCA	MVP
0	0
TCS	GBA
C	3760
NCS	
0	
(0.1% variance allowance)	
- 4 in FCA	
Control # 410	

Rockwood Health Clininc - b454  
800 Se 181st Avenue  
Portland, OR 97233

**Tenant Information**

- ① L-31 Health - Clinic  
409050  
588 - Clinic
- ② L-31 Health - Office  
409050  
401 - General Use
- ③ R-6 Wallace Medical Center  
N/A  
233 - General Use
- ④ R-48 National College  
N/A  
117 - General Use



*Common areas are pink striped*

March 2003  
Bob Lilly

Main Floor

Measured by: Mary Nguyen  
Date: 13-March-2003



# AGENDA PLACEMENT REQUEST

BUD MOD #:

**Board Clerk Use Only:**

**Meeting Date: January 8, 2004**

**Agenda Item #: R-4**

**Est. Start Time: 9:45 AM**

**Date Submitted: 12/15/03**

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**Requested Date: 1/8/04**

**Time Requested: 5 minutes**

**Department: DBCS**

**Division: FPM**

**Contact/s: Greg Herlean**

**Phone: 503-988-4216**

**Ext.: 84216**

**I/O Address: 274/FM**

**Presenters: GREG HERLEAN**

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**Agenda Title: RESOLUTION approving First Amendment to SubLease with the National College of Naturopathic Medicine of Surplus Leased Space within the Rockwood Neighborhood Access Clinic, 800 SE 181st, Portland, Oregon, and Authorizing County Chair to Execute Appropriate Documents to Complete Said SubLease**

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

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- 1. What action are you requesting from the Board? What is the department/agency recommendation?** The Department of Business and Community Services requests the Board review the sublease amendment and the resolution approving the first amendment to the sublease with the National College of Naturopathic Medicine for space at the Rockwood Neighborhood Access Clinic, and authorize the Chair to sign the sublease amendment on behalf of the County to continue the sublease agreement.

The Department of Business and Community Services, Facilities and Property Management Division, recommends adoption of the Resolution.

- 2. Please provide sufficient background information for the Board and the public to understand this issue.** The County Health Department has had a sublease with the National College of Naturopathic Medicine since January 8, 2002 for office space and shared use of exam rooms, reception and other common areas within the building on Thursday evenings between the hours of 3pm and 9pm to deliver more health services

to uninsured residents of Multnomah County in conjunction with the usual practices of the National College of Naturopathic Medicine. The sublease to the National College of Naturopathic Medicine included two successive renewal options of one year each, the first of which was exercised to extend the sublease through November 30, 2003. The sublease to the National College of Naturopathic Medicine expired November 30, 2003, is in a holdover period, and the National College of Naturopathic Medicine is not currently in default for their monthly rent. The County Health Department wishes to amend the National College of Naturopathic Medicine sublease agreement in order to 1) extend the term of the sublease effective December 1, 2003 through June 30, 2004, 2) provide an option for one (1) successive renewal term of one year expiring June 30, 2005, 3) provide for annual adjustments to rent based upon changes in permitted use or increase in the Consumer Price Index for Portland, and 4) provide the County with the option for renewal or termination of the sublease dependent upon renewal or termination of the master lease for the building. The National College of Naturopathic Medicine has stated its commitment to continue the sublease for 117 square feet of space from Multnomah County in the Rockwood Neighborhood Access Clinic subject to the terms of the first amendment to the sublease.

3. **Explain the fiscal impact (current year and ongoing).** Lease payments during the extended term of this amendment will be \$50 per month base rent. The amendment will also allow the County to charge additional rent to cover cost of supplies provided by the County and used by the National College of Naturopathic Medicine, if the monthly usage cost of such supplies exceeds \$50. Additionally, the sublease will provide for the County to annual adjustment to the monthly rent based upon review the permitted use by the National College of Naturopathic Medicine and the CPI-Portland Index.

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

**If a budget modification, explain: N/A**

- ❖ **What revenue is being changed and why? N/A**
- ❖ **What budgets are increased/decreased? N/A**
- ❖ **What do the changes accomplish? N/A**
- ❖ **Do any personnel actions result from this budget modification? Explain.**  
N/A
- ❖ **Is the revenue one-time-only in nature? N/A**
- ❖ **If a grant, what period does the grant cover? N/A**
- ❖ **When the grant expires, what are funding plans? N/A**

**NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)**

**If a contingency request, explain: N/A**

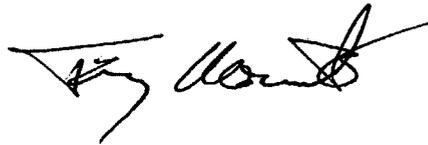
- ❖ **Why was the expenditure not included in the annual budget process? N/A**
- ❖ **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure? N/A**
- ❖ **Why are no other department/agency fund sources available? N/A**
- ❖ **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.**  
N/A
- ❖ **Has this request been made before? When? What was the outcome? N/A**

If grant application/notice of intent, explain: N/A

- ❖ Who is the granting agency? N/A
- ❖ Specify grant requirements and goals. N/A
- ❖ Explain grant funding detail – is this a one time only or long term commitment? N/A
- ❖ What are the estimated filing timelines? N/A
- ❖ If a grant, what period does the grant cover? N/A
- ❖ When the grant expires, what are funding plans? N/A
- ❖ How will the county indirect and departmental overhead costs be covered? N/A

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. Facilities & Property Management has involved the County Health Department program manager in the negotiation process for this sublease amendment, and has worked closely with the National College of Naturopathic Medicine to insure timely payment during the negotiation process.

**Required Signatures:**



Department/Agency Director: \_\_\_\_\_

Date: 12/15/03

Budget Analyst



By: \_\_\_\_\_

Date: 12/15/03

Dept/Countywide HR

By: NOT APPLICABLE

Date:

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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

Approving First Amendment to SubLease with National College of Naturopathic Medicine of Surplus Leased Space within the Rockwood Neighborhood Access Clinic, 800 SE 181st, Portland, Oregon, and Authorizing County Chair to Execute Appropriate Documents to Complete said SubLease

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

- a. The Multnomah County Health Department is currently leasing the building located at 800 SE 181st, Portland, Oregon, also known as the Rockwood Neighborhood Access Clinic, to provide health services to uninsured Multnomah County residents.
- b. The County Health Department has had a sublease with the National College of Naturopathic Medicine since January 8, 2002 for office space and shared use of exam rooms, reception and other common areas within the building on Thursday evenings between the hours of 3pm and 9pm to deliver more health services to uninsured residents of Multnomah County in conjunction with the usual practices of the National College of Naturopathic Medicine.
- c. The sublease to the National College of Naturopathic Medicine included two successive renewal options of one year each, the first of which was exercised to extend the sublease through November 30, 2003.
- d. The sublease to the National College of Naturopathic Medicine expired November 30, 2003, is in a holdover period, and the National College of Naturopathic Medicine is not currently in default for their monthly rent.
- e. The County Health Department wishes to amend the National College of Naturopathic Medicine sublease agreement in order to:
  - 1) extend the term of the sublease effective December 1, 2003 through June 30, 2004,
  - 2) provide an option for one (1) successive renewal term of one year expiring June 30, 2005,
  - 3) provide for annual adjustments to rent based upon changes in permitted use or increase in the Consumer Price Index for Portland, and
  - 4) provide the County with the option for renewal or termination of the sublease dependent upon renewal or termination of the master lease for the building.

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. 04-003**

Approving First Amendment to SubLease with National College of Naturopathic Medicine of Surplus Leased Space within the Rockwood Neighborhood Access Clinic, 800 SE 181st, Portland, Oregon, and Authorizing County Chair to Execute Appropriate Documents to Complete said SubLease

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

- a. The Multnomah County Health Department is currently leasing the building located at 800 SE 181st, Portland, Oregon, also known as the Rockwood Neighborhood Access Clinic, to provide health services to uninsured Multnomah County residents.
- b. The County Health Department has had a sublease with the National College of Naturopathic Medicine since January 8, 2002 for office space and shared use of exam rooms, reception and other common areas within the building on Thursday evenings between the hours of 3pm and 9pm to deliver more health services to uninsured residents of Multnomah County in conjunction with the usual practices of the National College of Naturopathic Medicine.
- c. The sublease to the National College of Naturopathic Medicine included two successive renewal options of one year each, the first of which was exercised to extend the sublease through November 30, 2003.
- d. The sublease to the National College of Naturopathic Medicine expired November 30, 2003, is in a holdover period, and the National College of Naturopathic Medicine is not currently in default for their monthly rent.
- e. The County Health Department wishes to amend the National College of Naturopathic Medicine sublease agreement in order to:
  - 1) extend the term of the sublease effective December 1, 2003 through June 30, 2004,
  - 2) provide an option for one (1) successive renewal term of one year expiring June 30, 2005,
  - 3) provide for annual adjustments to rent based upon changes in permitted use or increase in the Consumer Price Index for Portland, and
  - 4) provide the County with the option for renewal or termination of the sublease dependent upon renewal or termination of the master lease for the building.

- f. The National College of Naturopathic Medicine has stated its commitment to continue the sublease for 117 square feet of space from Multnomah County in the Rockwood Neighborhood Access Clinic subject to the terms of the first amendment to the sublease.
- g. The County Health Department has no plans to occupy the Rockwood Neighborhood Access Clinic from 5pm to 11pm on Thursdays, and the Facilities and Property Management Division has not identified any other County agency or program which has stated an interest in occupying this facility during those hours.
- h. The County is interested in cooperating with the National College of Naturopathic Medicine at the Rockwood Neighborhood Access Clinic and it is in the public's interest to amend the sublease of space to the National College of Naturopathic Medicine to extend the lease for an additional term.

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

- 1. Multnomah County shall approve the amendment to the sublease agreement between the National College of Naturopathic Medicine and the County for 117 square feet of space in the Rockwood Neighborhood Access Clinic building.
- 2. The County Chair shall be, and is hereby, authorized to execute a sublease amendment substantially in the form attached with the National College of Naturopathic Medicine in the Rockwood Neighborhood Access Clinic building leased by the County.

ADOPTED this 8th day of January, 2004.



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

*Diane M. Linn*  
\_\_\_\_\_  
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By *Matthew Ryan*  
\_\_\_\_\_  
Matthew Ryan, Assistant County Attorney

## FIRST AMENDMENT TO SUBLEASE

**DATED:** December 3, 2003

**BETWEEN:** BOARD OF COUNTY COMMISSIONERS INC.  
FOR MULTNOMAH COUNTY, **SUBLESSOR**

**AND:** NATIONAL COLLEGE OF NATUROPATHIC MEDICINE, AN OREGON  
NON-PROFIT CORPORATION **SUBLEESSEE**

Sublease dated January 22, 2002, Sublessee leased from Sublessor approximately 100 square feet of office space, approximately 16 square feet of storage space, and shared use of exam rooms, reception area and other common areas within the building located at 800 SE 181<sup>st</sup> Avenue, Portland, Oregon, 97233, hereinafter referred to as the "Building". By written notice to the County dated August 26, 2002 the Sublease was extended. Such documents are hereinafter referred to as the "Sublease". The Sublease expires November 30, 2003.

NOW, THEREFORE, the parties agree to amend this Sublease as follows:

### **A. Amended Terms And Conditions**

#### **Premises Description:**

The existing Premises Description is deleted and the following provision is substituted:

One hundred seventeen (117) square feet of office space with a non-exclusive right to access the designated exam rooms, closet in the kitchen area, reception area and other common areas located at 800 SE 181<sup>st</sup> Avenue Portland, Oregon (the Building) as described and identified on the attached Exhibit A.

#### **Section 2.1: Original Term**

The existing Section 2.1 shall be deleted and the following provision substituted:

The Sublease shall be extended for an additional seven (7) months commencing December 1, 2003 and continuing through June 30, 2004.

#### **Section 2.3: Renewal Option**

The existing Section 2.3 shall be deleted and the following provision substituted:

##### **2.3 Renewal Options.**

(1) If the Sublease is not in default at the time the option is exercised or at the time the renewal term is to commence, Sublessee shall have the option to renew this Sublease for one (1) successive term of one year expiring June 30, 2005, subject to the following:

(a) The option may be exercised by written notice to Sublessor given not less than 90 days prior to June 30, 2004. The giving of such notice shall be sufficient to make the Sublease binding for the renewal term without further act of the parties.

(b) The renewal term shall commence on the day following expiration of the preceding term.

(c) The option to renew shall be valid only for the term the Master Lease is in full force and effect, and in the event the Master Lease is terminated for any reason, this Sublease shall terminate effectively the same date as the master lease, further there shall be no right of the Sublessee to hold over beyond any effective termination date.

(d) All provisions of the Sublease shall apply during the extended term, except that rent for the renewal period shall be equal to the last monthly rent of the preceding term increased by the percentage change over the years of the preceding term in the Consumer Price Index-Urban for Portland, Oregon, known as the Portland CPI-U, published by the U.S. Bureau of Labor Statistics.

(2) The Master Lease that provides these premises to the Sublessor expires August 31, 2005. If the Sublessor renegotiates a new lease and continues to occupy the space beyond 8/31/05, the Sublessor shall have the option to renew or extend the Sublease by written notice given to Sublessee not less than 60 days prior to June 30, 2005, so long as the Sublessee is not in default at the time such option is exercised. The giving of such notice shall be sufficient to make the lease binding for the renewal term without further act of the parties, but shall be subject to the following:

(a) The renewal term shall commence on the day following expiration of the preceding term.

(b) The option to renew shall be valid only for the term the Master Lease is in full force and effect, and in the event the Master Lease is terminated for any reason, this Sublease shall terminate effectively the same date as the master lease, further there shall be no right of the Sublessee to hold over beyond any effective termination date.

(c) All provisions of the Sublease shall apply during the extended term, except that rent for the renewal period shall be equal to the last monthly rent of the preceding term increased by the percentage change over the years of the preceding term in the Consumer Price Index-Urban for Portland, Oregon, known as the Portland CPI-U, published by the U.S. Bureau of Labor Statistics.

### Section 3.1: Base Rent

The existing Section 3.1 shall be deleted and the following provision added:

Sublessee shall pay to Sublessor as base rent the sum of \$100 per month subject to Paragraph 4.2 (11) effective December 1, 2003. Rent shall be payable on the first day of each month in advance at the address for Sublessor first above stated or at such place as may be designated by Sublessor.

### Section 3.3: Annual Adjustment To Rent

The Sublease shall be amended to add subsection 3.3 Annual Adjustment to Base Rent as follows:

Sublessor shall have the option to increase the base rent annually effective July 1<sup>st</sup>, by written notice to the Sublessee not less than 30 days before that date. The Sublessor will determine the rental increase based on changes in permitted use of the Subleased space as described in Paragraph 4.1 and 4.2 (11), or the percentage increase in the Consumer Price Index-Urban for Portland, Oregon, known as the Portland CPI-U, published by the U.S. Bureau of Labor Statistics, whichever is greater.

### Section 4.2: Use of the Premises

The existing Section 4.2 (11) shall be deleted and the following provision substituted:

Meet with Sublessor's Rockwood Neighborhood Health Access Clinic representative once each year of the Sublease to review Sublessee's use of supplies provided by Sublessor. If supplies provided under this Sublease cost more than covered by the \$100.00 a month base rent fee, Sublessee will pay the difference as Additional Rent.

### B. Remainder of Agreement

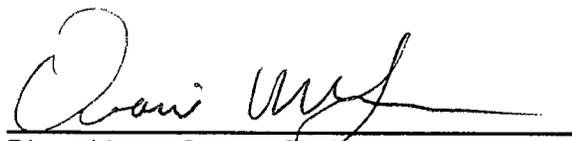
Except as expressly amended herein, all other terms of the Sublease shall remain in full force and effect and shall continue through the extended term.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the respective dates set opposite their signatures below, but this Agreement on behalf of such party shall be deemed to have been dated as of the date first above written.

**SUBLESSOR:  
BOARD OF COUNTY COMMISSIONERS INC. FOR  
MULTNOMAH COUNTY, OREGON**

Date: JANUARY 8, 2004

By:

  
Diane Linn, County Chair

**SUBLESSEE:  
NATIONAL COLLEGE OF NATUROPATHIC MEDICINE,  
A NonProfit Corporation**

Date: 15 December 2003

By: William J. Keppler, President  
William Keppler PhD, President NCNM

Date: December 23, 2003

Reviewed By: Matthew O. Ryan  
Matthew O. Ryan, Asst County Attorney

**Floor Information**

TOTAL COUNTY  
OCCUPIED AREA  
3654

Square Footage figures on this Tenant Map represent the occupied space of the various tenants.

Factors such as Load and Common Spaces are not represented.

The values do not align with the square footage assigned by the lease agreement.

The Space Summary form will reconcile the occupied square footage figures with the lease figures.

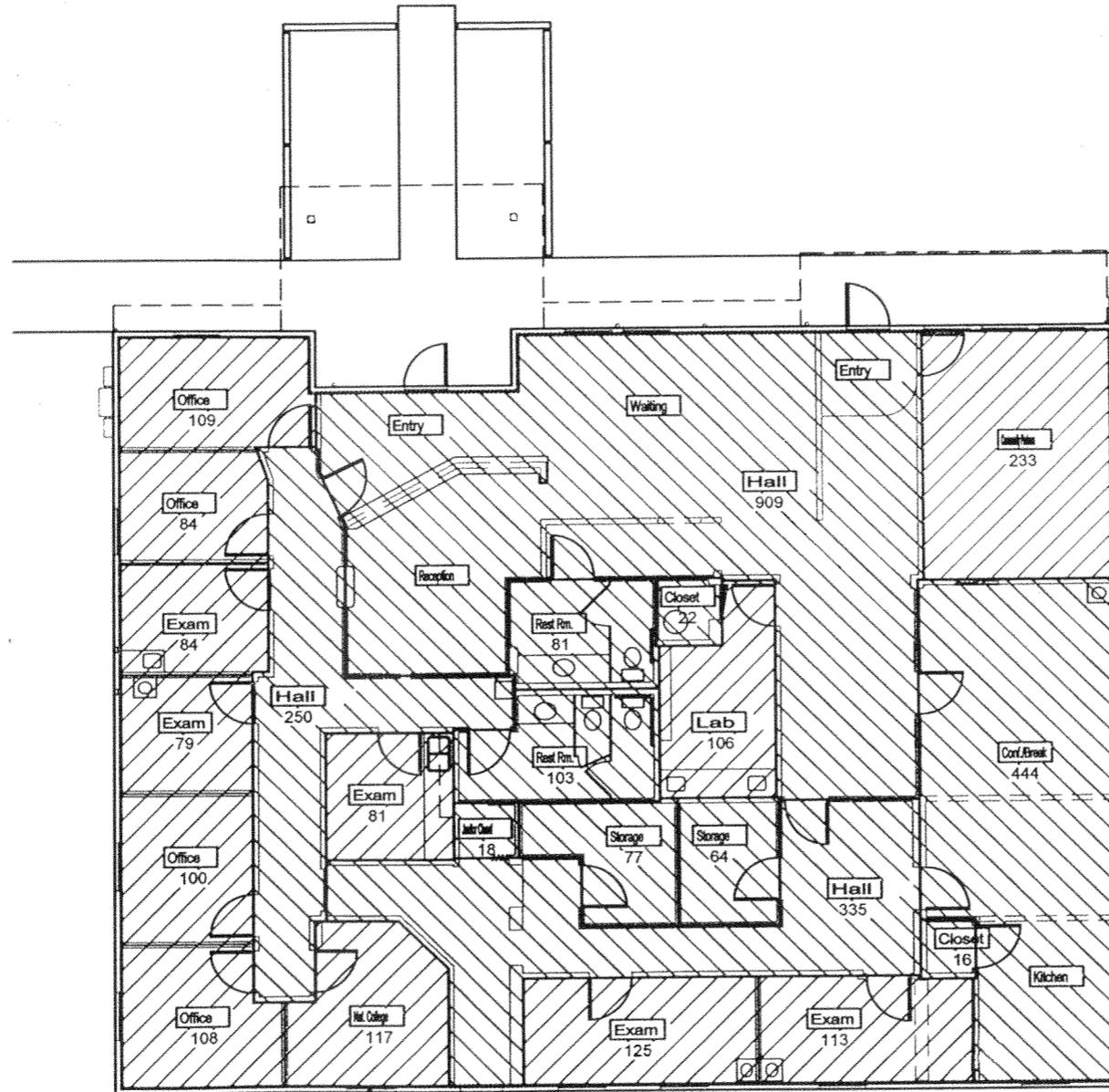
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GMA	FCA
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800 Se 181st Avenue  
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**Tenant Information**

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588 - Clinic
- ② L-31  
Health - Office  
409050  
401 - General Use
- ③ R-6  
Wallace Medical Concern  
N/A  
233 - General Use
- ④ R-48 \*  
National College  
N/A  
117 - General Use



*Common Areas are pink striped*

March 2003  
Bob Lilly



Main Floor

Measured by: Mary Nguyen  
Date: 13-March-2003



# AGENDA PLACEMENT REQUEST

**BUD MOD #:**

**Board Clerk Use Only:**

**Meeting Date: January 8, 2004**

**Agenda Item #: R-5**

**Est. Start Time: 9:50 AM**

**Date Submitted: 12/17/03**

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**Requested Date:** January 8, 2004

**Time Requested:** 10 minutes

**Department:** Health Department

**Division:** Community Health  
Promotion, Partnership & Planning

**Contact/s:** Wendy Rankin/Jodi Davich

**Phone:** 503-988-3663

**Ext.:** 26221 WR  
26561 JD

**I/O Address:** 106/14/1410

**Presenters:** Jodi Davich

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**Agenda Title:** Notice of Intent to Apply for Tobacco Prevention and Education Program  
Community-based Program Grant

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

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**1. What action are you requesting from the Board? What is the department/agency recommendation?**

The Multnomah County Health Department (MCHD) is requesting approval to submit a proposal to DHS-Health Services for a Tobacco Prevention and Education grant. The Health Department recommends that this request be approved.

**2. Please provide sufficient background information for the Board and the public to understand this issue.**

Multnomah County Health Department has a seven year history of involvement in tobacco prevention with a focus on reducing youth access to tobacco, creating smoke-free environments, reducing tobacco advertising and promoting linkages to cessation services. Rates of smoking continue to decline in Multnomah County however 32.7% of 18 to 24 year olds are currently smokers and 19% of 11<sup>th</sup> graders in our county report that they use

tobacco. There is still much work to be done to maintain community collaborations that promote tobacco free environments and counter pro-tobacco influences.

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

It is expected that the grant will be \$42,000 in this fiscal year and \$85,000 in FY '04-'05

**If grant application/notice of intent, explain:**

- ❖ **Who is the granting agency?** DHS-Health Services
- ❖ **Specify grant requirements and goals.**

Multnomah County Health Department will:

1. Facilitate and maintain the coordination of the Tobacco Prevention Coalition
2. Implement science-based community interventions to promote Tobacco Free Environments
3. Implement science-based community interventions to counter Pro-Tobacco Influences
4. Promote the Oregon Quit line Resources

It is expected that the award will be \$127,000 for a 17 month period. Award will begin in February 2004.

- ❖ **What are the estimated filing timelines?** Proposals are due January 19, 2004.
- ❖ **If a grant, what period does the grant cover?** Award will begin on February 1, 2004 and continue until June 30, 2005
- ❖ **When the grant expires, what are funding plans?** It is anticipated that the project will demonstrate interventions that will merit future grant opportunities.
- ❖ **How will the county indirect and departmental overhead costs be covered?** Indirect costs will be built into the project budget.

**4. Explain any legal and/or policy issues.** There are no legal and/or policy issues.

**5. Explain any citizen and/or other government participation that has or will take place.** The project will involve working with the existing tobacco prevention coalition. Members include, among others, the American Cancer Society, the American Lung Association, the American Heart Association, Portland State University, Asian Family Center, the African American Health Coalition, Just Out, and TOFCO.

**Required Signatures:**

Department/Agency Director:  Date: 12/16/03

Budget Analyst:  Date: 12/17/03

Dept/Countywide HR: Kathleen Fuller Poe Date: 12/17/03