



Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

REVISED 06/11/09

BOARD OF COMMISSIONERS

Ted Wheeler, Chair

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-3308 FAX (503) 988-3093
Email: mult.chair@co.multnomah.or.us

Deborah Kafoury, Commission Dist. 1

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5220 FAX (503) 988-5440
Email: district1@co.multnomah.or.us

Jeff Cogen, Commission Dist. 2

501 SE Hawthorne Boulevard, Suite 600
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Phone: (503) 988-5219 FAX (503) 988-5440
Email: district2@co.multnomah.or.us

Judy Shiprack, Commission Dist. 3

501 SE Hawthorne Boulevard, Suite 600
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Phone: (503) 988-5217 FAX (503) 988-5262
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Diane McKeel, Commission Dist. 4

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Portland, Or 97214

Phone: (503) 988-5213 FAX (503) 988-5262
Email: district4@co.multnomah.or.us

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JUNE 16 & 18, 2009

BOARD MEETINGS

FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	9:30 a.m. Thursday Proclaiming 2009 as a Year of Recognition for Oregon's Sesquicentennial in Multnomah County, OR
Pg 3	9:50 a.m. Thursday 1st Reading and Adoption of an Ordinance Relating to County Organization; Concerning Organization and Functions of the Office of Emergency Management
Pg 3	9:55 a.m. Thursday 1st Reading and Adoption of an Ordinance Relating to County Organization; Concerning Organization and Functions of the Office of Information Technology
Pg 4	10:07 a.m. Thursday 1st Reading and Adoption of an Ordinance Amending County Code to Adopt Troutdale's Recent Land Use Code, Plan and Map Revisions
Pg 4	10:15 a.m. Thursday Accepting the Portland Children's Investment Fund Recommendation

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

(Portland & East County)

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

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Saturday, 10:00 AM, Channel 29

Tuesday, 8:15 PM, Channel 29

Produced through MetroEast Community Media
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or: <http://www.metroeast.org>

Tuesday, June 16, 2009 - 9:00 AM
Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

IF NEEDED EXECUTIVE SESSION

- E-1 The Multnomah County Board of Commissioners will meet in Executive Session Pursuant to ORS 192.660(2)(d),(e) and/or (h). Only Representatives of the News Media and Designated Staff are allowed to attend. News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Session. No Final Decision will be made in the Session. Presented by County Attorney Agnes Sowle. 15-55 MINUTES REQUESTED.
-

Thursday, June 18, 2009 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

CONSENT CALENDAR - 9:30 AM **SHERIFF'S OFFICE**

- C-1 Amendment 1 to Intergovernmental Revenue Agreement 0809077 with the Regional Organized Crime and Narcotics Task Force (ROCN) for the Sheriff's Office to Provide a Sheriff's Law Enforcement Captain to ROCN

REGULAR AGENDA **PUBLIC COMMENT - 9:30 AM**

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.

NON-DEPARTMENTAL - 9:30 AM

- R-1 PROCLAMATION Proclaiming 2009 as a Year of Recognition for Oregon's Sesquicentennial in Multnomah County, Oregon

SHERIFF'S OFFICE – 9:40 AM

- R-2 RESOLUTION Establishing the Population Capacity and Adopting a Revised Capacity Management Action Plan for the Multnomah County Sheriff's Office Jail Facilities and Repealing Resolution 09-025
- R-3 BUDGET MODIFICATION MCSO-11 Appropriating \$56,610 from an Extension of a Current Grant Awarded by the Department of Justice, Office of Violence Against Women

COUNTY ATTORNEY'S OFFICE – 9:50 AM

- R-4 First Reading and Possible Adoption of an ORDINANCE Relating to County Organization; Concerning the Organization and Functions of the Office of Emergency Management, Repealing MCC §27.001(G) and Declaring an Emergency
- R-5 First Reading and Possible Adoption of an ORDINANCE Relating to County Organization; Concerning the Organization and Functions of the Office of Information Technology, and Declaring an Emergency

DEPARTMENT OF HEALTH – 10:00 AM

- R-6 NOTICE OF INTENT to Submit a Proposal to the Centers for Disease Control and Prevention Healthy Housing Pilot Grant Competition

DEPARTMENT OF COUNTY HUMAN SERVICES – 10:03 AM

- R-7 NOTICE OF INTENT Authorizing Aging and Disability Services Division to Apply for a \$2,500 Medicare Screening Project Grant To Promote Diabetes Screening for Seniors, Focusing on Underserved Racial and Ethnic Populations that are at High Risk for Diabetes

DEPARTMENT OF COMMUNITY SERVICES – 10:05 AM

- R-8 Second Reading and Possible Adoption of an ORDINANCE Amending Multnomah County Code Chapters 37, Administration and Procedures, and 38, Columbia River Gorge National Scenic Area; and Re-adopting Certain Ordinances, Relating to Notice Requirements for Legislative Items Provided in ORS 203.045(5), 215.060 and 215.503

R-9 First Reading and Possible Adoption of an ORDINANCE Amending County Land Use Code, Plans and Maps to Adopt Troutdale's Recent Land Use Code, Plan and Map Revisions Related to an Applicability Section Pertaining to the Columbia River Gorge National Scenic Area in Compliance with Metro's Functional Plan, and Declaring an Emergency

NON-DEPARTMENTAL - 10:15 AM

R-10 RESOLUTION Accepting the Portland Children's Investment Fund Recommendation to Fund Investments in Early Childhood, Child Abuse Prevention/Intervention, Foster Care, After-School and Mentoring Programs; and Offering Advice and Counsel to the City of Portland Concerning the Recommendations

BOARD COMMENT

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



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

Board Clerk Use Only

Meeting Date: 06/16/09
 Agenda Item #: E-1
 Est. Start Time: 9:00 AM
 Date Submitted: 06/10/09

Agenda Title: If needed Executive Session Pursuant to ORS 192.660(2)(d),(e)and/or(h)

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

Requested Meeting Date: June 16, 2009 Amount of Time Needed: 5-55 mins
 Department: Non-Departmental Division: County Attorney
 Contact(s): Agnes Sowle
 Phone: 503 988-3138 Ext. 83138 I/O Address: 503/500
 Presenter(s): Agnes Sowle and Invited Others

General Information

1. What action are you requesting from the Board?

No final decision will be made in the Executive Session.

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

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.

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

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

ORS 192.660(2)(d),(e)and/or(h)

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

Required Signature

Elected Official or
 Department/
 Agency Director:

Date: **06/10/09**



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

Board Clerk Use Only

Meeting Date: 06/18/09
Agenda Item #: C-1
Est. Start Time: 9:30 AM
Date Submitted: 06/09/09

**Amendment 1 to Intergovernmental Revenue Agreement 0809077 with the
 Agenda Regional Organized Crime and Narcotics Task Force (ROCN) for the Sheriff's
 Title: Office to Provide a Sheriff's Law Enforcement Captain to ROCN**

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

Requested Meeting Date: June 18, 2009 **Amount of Time Needed:** N/A
Department: Sheriff's Office **Division:** Enforcement
Contact(s): Brad Lynch
Phone: 503-988-4336 **Ext.** 84336 **I/O Address:** 503/350
Presenter(s): Consent Calendar

General Information

1. What action are you requesting from the Board?

Approval of the amendment to intergovernmental agreement 0809077.

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

The Multnomah County Sheriff's Office provides a law enforcement captain to ROCN to provide coordination and oversight to the ROCN task force in its efforts to reduce and eliminate the drug trafficking organizations distributing or transporting illegal narcotics throughout the region. This amendment is for fiscal year 2010 and affects MCSO enforcement division administration program offer # 60060A, providing administrative leadership and strategic direction to the Sheriff's Office Enforcement Division.

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

ROCN will pay \$197,973.00 for the salary, fringe, benefits, and expenses of a Law Enforcement Captain for fiscal year 2010. The revenue has been anticipated and is included in the fiscal year 2010 budget.

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

None.

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

None other than those described above.

Required Signature

Elected Official or
Department/
Agency Director:

/s/ *Bob Skipper / L.A.*

Date: 06/05/09

MULTNOMAH COUNTY CONTRACT APPROVAL FORM (CAF)

Contract #: 0809077

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

Amendment #: 1

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

Department: Sheriff's Office Division/Program: Enforcement Date: 06/02/09
 Originator: Chief Deputy Timothy Moore Phone: 503-988-4409 Bldg/Room: 503/350
 Contact: Brad Lynch Phone: 503-988-4336 Bldg/Room: 503/350

Description of Contract: IGA amendment extending the term and payments for the services and expenses of a Sheriff's Office law enforcement captain.

RENEWAL: PREVIOUS CONTRACT #(S)

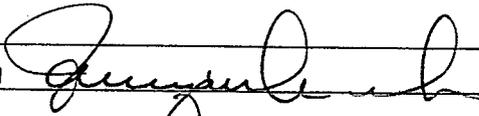
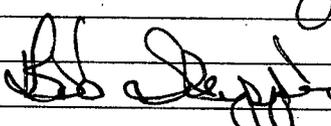
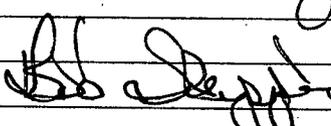
EEO Exhibit 5 required if amount over \$75k

PROCUREMENT EXEMPTION OR CITATION #: 46-0130(1)(f) ISSUE DATE: _____ EFFECTIVE DATE: _____ END DATE: _____

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

Contractor	Regional Organized Crime and Narcotics Task Force			Remittance address (if different)	
Address	PO Box 82209				
City/State	Portland, Oregon				
ZIP Code	97282				
Phone	503-234-5300				
Employer ID# or SS#					
Contract Effective Date	09/22/08	Term Date	06/30/09		
Amendment Effect Date	07/01/09	New Term Date	06/30/10		
Original Contract Amount	\$ 137,736.00			Original PA/Requirements Amount	\$
Total Amt of Previous Amendments	\$			Total Amt of Previous Amendments	\$
Amount of Amendment	\$ 197,973.00			Amount of Amendment	\$
Total Amount of Agreement	\$ 335,709.00			Total PA/Requirements Amount	\$

REQUIRED SIGNATURES:

Department Manager _____ DATE _____
 County Attorney Not Required  DATE 06/17/09
 CPCA Manager _____ DATE _____
 County Chair  DATE 06/18/09
 Sheriff  DATE 06-05-09
 Contract Administration _____ DATE _____

COMMENTS:

**MULTNOMAH COUNTY
INTERGOVERNMENTAL AGREEMENT AMENDMENT
(Amendment 1 to Change Contract Provisions during Contract Term)**

CONTRACT NO. 0809077

This is an amendment to Multnomah County Contract referenced above effective September 22, 2008 between Multnomah County, Oregon, hereinafter referred to as County, and the Regional Organized Crime and Narcotics Task Force hereinafter referred to as ROCN.

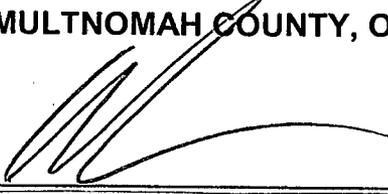
The parties agree:

1. The following changes are made to Contract No. 0809077:

Contract No. 0809077 shall be extended for an additional period beginning July 1, 2009 and ending June 30, 2010. For this additional period ROCN agrees to pay County \$197,973.00 for the salary, fringe, benefits, and expenses of a Law Enforcement Captain for the Multnomah County Sheriff's Office.

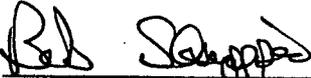
2. All other terms and conditions of the contract shall remain the same.

MULTNOMAH COUNTY, OREGON:



Ted Wheeler, County Chair

Date: JUNE 18, 2009

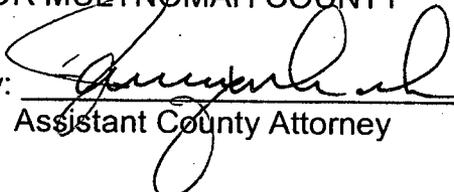
Approved: 

Bob Skipper, Sheriff

Date: 06-05-09

Reviewed:

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

By: 

Assistant County Attorney

06/17/09
Date

**REGIONAL ORGANIZED CRIMES &
NARCOTICS TASK FORCE:**

Signature: _____

Name: _____
Please Print

Title: _____

Date: _____

Approved as to form:

By: _____
Date

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: June 18, 2009

SUBJECT: Court problems

AGENDA NUMBER OR TOPIC: _____

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Roger Weidner

ADDRESS: 3526 S.E. Franklin

CITY/STATE/ZIP: Portland, Ore 97202

PHONE: _____

DAYS: 503-232-6691

EVE: _____

EMAIL: roger.g.weidner@johow.com

FAX: _____

SPECIFIC ISSUE: Threats by judge

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

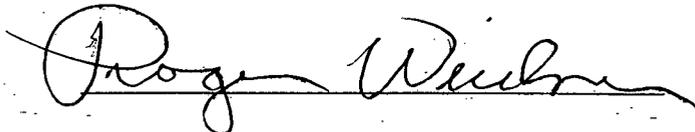
IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

County Atty Bowle

NOTICE TO ALL OREGON PUBLIC OFFICIALS

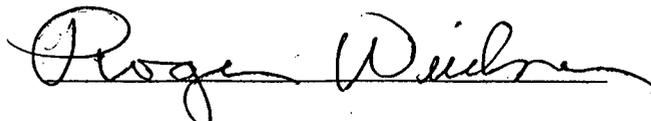
IN THE NAME OF WE THE PEOPLE, AND PURSUANT TO THE PROVISIONS OF ARTICLE 1 SECTION OF THE OREGON CONSTITUTION, NOTICE IS HEREBY GIVEN THAT WE THE PEOPLE DEMAND THAT ALL ELECTED OR APPOINTED PUBLIC OFFICIALS STRICTLY COMPLY WITH THE PROVISIONS OF THEIR OATH OF OFFICE WHEN OFFICIALLY INTERACTING WITH THE CITIZENS OF OREGON, THEIR EMPLOYER.



Roger Weidner-Foreman Special Grand Jury

Re: Oregon State Bar v. Roger Weidner Case No. 1061'212468

Attached for the enlightenment of Oregon public officials receiving a copy of this Notice are letters I have sent to: Multnomah County Circuit Court Judge Janice Wilson; FBI Director Robert Mueller, Deschutes County Sheriff Les Stiles. These letters summarize the unprecedented criminal abuse I and other Oregon citizens have been subjected to by members of the Oregon State Bar, for the past 21 years, for insisting on exercising our absolute constitution right to speak in court, under oath, on the record about the criminal conduct of attorney members of the Oregon State Bar stealing, in often "sham" or "star chamber" type proceedings, the children and property of innocent, naive, Oregon citizens caught up in the Oregon legal system. Notice is hereby given, in the name of We The People of Oregon, that we are demanding that all publicly elected or appointed public officials strictly comply with their Oath of Office when interacting with the citizens of Oregon. Those who will not comply with their Oath of Office We The People will drive from office if they do not resign.



Roger Weidner—In the name of We The People

Gov. Ted Kulongoski
Atty Gen. John Kroker

All members Oregon House and Senate
All members Ore. Ct. Of Apls & Sup. Ct.

The Oregon Observer

DEMANDING ACCOUNTABILITY

December, 2000

Committed to excellence in investigative journalism

Vol 6, No. 10 • \$2.00

Weidner finally allowed to testify about wide-spread corruption

By Investigative Reporter Kelly Stone

After 12 years of ongoing attacks by the Oregon State Bar, attorneys, judges and public officials, to block his testimony, Weidner is allowed to make a full record of his criminal charges against the defendants. The attorneys for the defendants did not deny the truthfulness of the charges Weidner made against their clients.

Prosecution and Intentional Infliction of Emotional Distress. Among the 15 defense attorneys present were: Eric Kekel (who spoke for Milton Brown, Norman Lindstedt, Charles Hahn, Carolyn Brune, Michael Gentry and Joan O'Neill); Frederick Ruby, for Milton Brown; Joshua Sasaki, for Carolyn Brune (did not appear); Mark Molise, for the City of Portland; David Williams, for Michael Gentry; Janet

Schroer, for City of Battleground and Sheriff Roy Butler; William Blair, for Washington County; Bruce Armstrong, for Marion County; Lanie Block, for the Attorney General; representing Governor Kithaber, former Chief Justice Edwin Peterson and 18 other state employees, including 11 judges. Kimberly Ybarra-Maher appeared for Clackamas County and for Sheriff Riz Bradshaw. Peter Bunch appeared for

Charles Hahn, G. Kenneth Siminski for Kettleberg estate PR Norman Lindstedt, Sylvia Stevens for the Oregon State Bar and for Bar counsel Martha Hicks and Jeff Shapiro. Scott Oskroff appeared for Multnomah County.

Also present were Clackamas

Weidner testifies
continued on page 8

Hearing exposes State corruption



1. Pamela Gaston
2. Wilbur Widner
3. Roger Weidner
4. Charles Stewart
5. Janette Kent

Oregon Law Commission members hear testimony about wide-spread government corruption and abuse. From left to right: Symion Symeonides, Steve Blackhurst, Chief Justice Wallace Carson, Senator Kate Brown, Rep. Lane Shetterly, Dave Kanagy, Don Vetr, Hans Linde, Rep. Alan Williams.

On Thursday, September 28, 2000, Roger Weidner, 1998 Oregon Reform Party candidate for Governor appeared with 65 supporters in the Clackamas County Courthouse of Senior Judge-Hollie Pihl. Weidner, a former attorney and public prosecutor was there to argue against the motions of the 15 attorneys present, representing the 28 named defendants, including Governor Kithaber and former Oregon Supreme Court Chief Justice Edwin Peterson, to dismiss his complaint. In his complaint, Weidner charged the 28 defendants with Racketeering, Malicious

Jesse Lott: Demands sheriff arrest "thieving attorneys"

In court, Lott calls attorney Gentry "No good rotten thief"



Sen. Majority Leader Trent Lott (left) and cousin, former Oregon Sen. candidate Jesse Lott (right).

By Investigative Reporter Edward Shunk

On August 29, 2000, Clackamas County politician and former state senate candidate Jesse Lott, cousin of

Senate Majority Leader Trent Lott, announced Clackamas County Sheriff Riz Bradshaw in a Clackamas County meeting room and demanded that he arrest "these thieving attorneys," Milton Brown and Norman Lindstedt.

Lott has been working with Kettleberg heiress Janette Kent and Roger Weidner for the last four years trying to recover the Kettleberg estate assets that were awarded in Kent in 1988 by Multnomah County Judge Charles Crookham and affirmed by the court of appeals in 1989. The *Albino Observer* and *The Oregon Observer* have been covering the outrageous treatment of Kent and Weidner by

Lott makes demands
continued on page 3

Government abuse and corruption exposed before the Oregon law commission

Chief Justice Carson meets with court watchers

Written by Observer Staff

On October 27, 2000, The Oregon Law Commission, composed of Oregon Chief Justice Wallace Carson, Oregon Attorney General Hardy Myers, State Senator Kate Brown, Rep. Lane Shetterly, former Oregon Supreme Court Judge Hans Linde and eight other attorney members met in executive session at 9:00 a.m. in Hearing Room A of the State Capitol. The commission, for the first time and a half heard from their staff personnel who recommended in the commission proposed changes in Oregon Statutes and Rules of Civil Procedure.

Present, but who were not called as witnesses, were Marion County Judge

Terry Leggett and Asst. District Attorney William Howell. Both Leggett and Howell were found by a jury in 1998 to have been involved in a conspiracy against the Gastons. Oregon Judicial Watch President Pamela Gaston, during her testimony before the commission contemptuously referred to Leggett and Howell as pedophiles.

While Senator Kate Brown was testifying about the draft proposals of the juvenile work group's juvenile code, of which Leggett and Howell were members, Pamela Gaston handed a note to Chief Justice Wallace Carson, telling him to arrest Leggett and Howell. The note reminded Carson that he has

Government abuse and corruption
continued on page 6

SOCSE abuse exposed in court

Page 2

Next Month:

Assistant AG, Green Foote/Board of Investigators take on the Oregon Observer. End Result? They lose.

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SUNRISE EDITION

DEC. 5, 1997

PORTLAND, OREGON

35 CENTS

The Oregonian

"Wait longer to marry, and you have a more successful marriage. Though it doesn't mean there aren't couples that beat the odds."

Leo and Frances Frey Weidner are one of those couples. They married 67 years.

She was a 19-year-old salesgirl and he a 24-year-old at the time when they met at a 1929 New Year's Eve party. On their first date the next day, they discussed marriage: she didn't think she'd marry because so many husbands cheat. "You'd marry me, wouldn't you?" he said with a grin.

Four months later, she did. The Southeast Portland couple vowed to love each other forever on May 2, 1930 — and have, with four sons, 18 grandchildren and 12 great-grandchildren. Forty years ago, they became Mormons.



◀ **MARITAL BLITZ:**
Quickie courtships don't lead to marriages with longevity. Or do they? Some couples beat the odds / LIVING, E1

The Oregon Observer • July / August, 2001 • Page 5

An open letter from Frances Weidner

- Frances Weidner's open letter to:
- Gordon Hinkley—President Church of Jesus Christ of LatterDay Saints (Mormons)
 - Orin Hatch—ranking Republican U.S. Senate Judiciary Committee
 - Gordon Smith—United States Senator from Oregon
 - Michael Mossman—United States Attorney for Oregon

All other fellow Mormons and concerned and alarmed citizens of Oregon.

I am the 91 year old widow of Leo Weidner retired Deputy Chief of the Portland Fire Department. We were featured in the "Living" section of The Oregonian on December 5, 1997, and have also been featured in The Oregon Observer newspaper.

My husband and I (he died in July of 1999), along with three of our four sons Leo, Bruce and Stephen are Mormons. My husband and I, along with two of our four sons, Bruce and Stephen, have all served on church missions. My husband and I are also the parents of Roger Weidner, the FBI Reform Party candidate

(290 days in all), sometimes violently in my presence, for speaking out about the corruption, has finally, after all these years, been allowed to freely testify in court. Without challenge or objection Roger has testified under oath about the criminal conduct of attorneys and judges

Kettleberg estate, attorney Ken Schmitz, who stole the New Wine Ministry property and knows pedophiles in the Child Service Division who have sexually abused Malissa Gannon.

Roger, a historian, lawyer and legal scholar has repeatedly told all of us that



Roger Weidner's Mother Frances, giving testimony

involved in the Kettleberg theft: the New Wine Ministry theft and the abduction and sexual abuse of 7 year old Malissa Gannon by employees of the Oregon Child

in this country, since the Revolutionary War, the citizens are the sovereign political authority. He said that our Founding Fathers went to war to insure that in this country the citizens would be ruled by

Roger also said that under both the state and federal constitutions, before the government can take anything from a sovereign citizen that government must provide the citizen with "equal protection of the law" and "due process of law." It is this "equal protection" and "due process" guarantee that is contained in the oath that all public officials take when they are sworn into office.

The corrupt judges and police officers, I have witnessed in our courts, instead of complying with their oath of office are openly, publicly, and aggressively, protecting the thieves and at the same time threatening, attacking and jailing the victims of that thievery when they attempt to enter public courtrooms, here in Oregon, to make a record of their injury.

Our prophet Joseph Smith said: "The day will come when our Constitution will hang as if by a thread and if it is to be saved at all it will be saved by the elders of the Church." From the horrible corruption I have personally witnessed, in our courts here in Oregon, that day has certainly come. It is time for all concerned citizens, particularly Mormons heeding the advice of our prophet Joseph Smith, to speak up loud and clear to all public employees that we will not tolerate any corruption by our public employees. Further, that we will demand, by our constant scrutiny, that our public officials and

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- 1998 Oregon Reform Candidate for Governor
- Past President of Oregon Judicial Watch

January 26, 2009

John Kroger
Oregon Attorney General
Justice Building
Salem, Oregon

Hand-Delivered

Jeff Barker
Chair Oregon House Judiciary Comm.
Oregon State Capitol
Salem, Oregon

Hand-Delivered

Floyd Prozanski
Chair Oregon Senate Judiciary Comm.
Oregon State Capitol
Salem, Oregon

Hand-Delivered

Karen Immergut
Oregon US Attorney
US District Courthouse
Portland, Oregon

Hand-Delivered

Attorney General Kroger, Senator Prozanski, Representative Barker & US Attorney Immergut ,

I am a former attorney and public prosecutor. I ran the Consumer Fraud Department in the Multnomah County District Attorney's Office in 1975-76. I was the 1998 Oregon Reform Party candidate for Governor.

For the past 20+ years I, and other citizens I have been helping, have been the focus of unprecedented persecution and prosecution by the Oregon State Bar and its members for insisting on speaking openly, truthfully and factually, under oath, on the record, about the criminal conduct of bureaucrats and attorneys, some judges, involved in stealing innocent citizens children, land and other property in "sham" often "star chamber" type judicial proceedings. For insisting on speaking truthfully and factually in court, under oath about our victimization I and many of those I have been helping have been repeatedly and violently assaulted, arrested, jailed and in my case thrown into the Oregon Insane Asylum where I was subjected to forced medical examination while shackled hand and foot.

To date I have been arrested 21 times, many times violently, twice in the presence of my elderly parents and other shocked and outraged citizens from around the state. On one of those arrest 14 Portland Police Officers stormed my mother and father's home of 60 years with a snarling dog, forcibly arresting and handcuffing me while they terrorized and maced, in my shower, my mother's terrified care provider and her ten year old terrified daughter. The mother had fled Michigan because the state was trying to take her daughter in retaliation for her outspoken criticism of Child Services Division in Michigan.

I have been civilly and criminal prosecuted 10 times in the last 20 years by the Oregon State Bar and its members on absolutely groundless charges. In each of those 10 prosecutions I have turned the tables and prosecuted the Bar and its corrupt, state licensed attorney members, in court in front of hundreds of stunned and outraged citizens, without challenge or dispute from any of the bureaucrats or attorneys present that I am publicly condemning.

In the most recent persecution of me by the Bar I was prosecuted for helping Patricia Wishon write a letter exposing the fact that her attorney Anthony Albertazzi had turned on her and was actively helping her murderous estranged husband Santiago Torres and his attorneys Claud Ingram and Linda Hasse steal Wishon-Weidner property. The details of that scandalous criminal activity by Oregon State Bar members is set forth in the attached exhibits. After I finished prosecuting Bruce Rubin and the Oregon State Bar, in their most recent prosecution of me in Judge Janice Wilson's courtroom, Miriam Krause, a local business woman who had been victimized by her own corrupt attorney, approached Rubin and with controlled rage said to him, "YOU, you prosecute Roger for helping me write a letter and my attorney forged my signature, stole a half million dollars of my property and you do nothing, may all you treacherous thieving attorneys stealing innocent peoples

property rot in hell!?" Patricia Wishon approached Rubin and with controlled rage and said; "You protect and do nothing to my attorney Anthony Albertazzi and attorneys Claud Ingram and Linda Hasse all trying to steal my property and prosecute Roger for helping me try to protect my property from being stoleln, May God have mercy on you all". Outraged Jason Wheeler told the three, "you are all going to prison!". While Rubin, his assistant and Heirschbeil all stood frozen the reporter for Kaboo Radio held a mike to Rubin's mouth and asked him if he had any response to the charges being leveled against him and the others. In response neither Rubin, his assistant or Semler said a word and were given escort service, by Sheriff Deputies out of the courthouse. This outrageous judicial corruption must end.

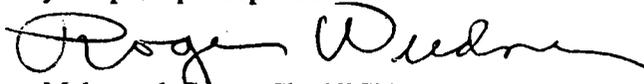
We The People are demanding clean, constitutional government and courts. That is what we The People pay for and that is what all elected or appointed public officials swear, profess and are paid to do, namely to insure that the citizens absolute rights to "equal protection" and "due process" are observed at all times by public employees when they deal with their employers, the sovereign citizens of the State of Oregon. Those publicly elected or appointed officials who can not or will not comply with their oath should resign and get off the public payroll so that honest public employees can see that honest citizens constitutional rights are observed at all times by honest public employees. Abraham Lincoln said it best: Our life our liberty depends on preserving the constitution as our founding fathers made it inviolate, the people are the rightful masters of both the Courts and the Congress, not to overthrow the Constitution but to overthrow those who subvert it".

I and thousands of other concerned and outraged citizens from around the State are most anxious to meet with all of you at your earliest opportunity to discuss how to immediately restore constitutional government to the citizens of Oregon.

For your ready reference I am attaching the following documents:

1. My July 22, 2008 letter to US Asst. Attorney Bud Fitzgerald.
2. News paper article; "Weidner Briefs US Congressman, Senators and Federal Judges.
3. Article, "Weidner, Supporters, Condemn, In Court, Oregon State Bar, No Denial".
4. My July 31, 2007 letter to FBI Director Mueller.
5. My August 19, 2007 letter to Sheriffs Burger and Blanton.
6. Article, "Armed Deputies Break Up Weidner Hearing".
7. Newspaper article, "Weidner Finally Allowed To Testify About Wide-spread Corruption".
8. Newspaper articles, "Attorney Jailed For Fighting System", "Weidner A Political Prisoner The Predatory Oregon State Judicial System".
9. Article, "Weidner Confronts Judge Carson About Court Corruption".

I am respectfully awaiting
your prompt response



Multnomah County Sheriff Skipper
Deschutes County Sheriff Blanton
Lane County Sheriff Barge
Ed Snook, US OBSERVER
Des Griffen MIDNIGHT MES.
Ralph Hatley OREGON SPEC.

c: Governor Kulongoski
All members Oregon House and Senate
All members of Oregon Court of
Appeals and Supreme Court
All members Oregon's Congressional Delegation
All Commissioners, Multnomah, Clackamas,
Deschutes, & Marion : Counties

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Director Robert Mueller
Federal Bureau of Investigation
935 Pennsylvania Ave N.W.
Washington D.C. 20535

July 31, 2007

CERTIFIED MAIL

Re: Public corruption- Attorney Albertazzi, and other attorneys and judges, attempting to steal his client Patricia Wishon's property in Lapine, Oregon through the corruption of the Oregon legal system. A hearing to block that theft has been set for August 13, 2007, 9am in the Lane County Courthouse 125 E. 8th Ave. Eugene Ore.

Director Mueller,

I heard you testify before the United States House Judiciary Committee on July 27, 2007 that the number one concern of the FBI is public corruption. Because the elimination of the on-going, wide-spread corruption in the Oregon court system is the number one concern of thousands of us outraged citizens in Oregon I am requesting that you direct FBI Special Agent In Charge, Dan Nelson, in your Portland Oregon Office, to open a full investigation of the on-going attempt by attorneys and judges to steal, through the corruption of the Oregon legal system, property in Lapine, Oregon belonging to Patricia Wishon. I have been in contact with Bud Fitzgerald with the US Attorneys Office in Eugene-Oregon about this problem. At my request he has opened a file on my on-going attempt to block Wishon's former attorney Anthony Albertazzi, and other attorneys and judges, all members of the Oregon State Bar, from stealing her property through the corruption of the Oregon legal system. I am asking that you have your agents present on August 13, 2007 in the Lane County Courthouse.

I am a former attorney and public prosecutor living in Portland, Oregon. I was the 1998 Oregon Reform Party candidate for Governor. For the past 19+ years I and thousands of other concerned and outraged Oregon citizens have been fighting the deep seated culture of corruption in the Oregon judicial system, in order to restore constitutional government to the citizens of Oregon. For the past four years the focus of my activity, and those citizens helping me, has been to stop the attempted theft of millions of dollars of Wishon's property by her own attorney and others. By way of background I am attaching a copy my story appearing in the June 16, 1997 issue of THE SPOTLIGHT and my: September 18, 2001 letter to US Attorney General John Ashcroft; June 7, 2004 letter to Deschutes County Sheriff Les Stiles; July 23, 2005 letter to Oregon Attorney General Meyers; September 27, 2005 letter to Oregon Governor Kulongoski; February 20, 2006 letter to Federal Judge Michael Hogan; February 11, 2007 letter to you, Senator Trent Lott, Asst. US Attorney John Ray and the FBI White Collar Crime Unit; July 18, 2007 letter to Lane County Judge Debra Voght. I am also including the story of my June 22, 2007 hearing in Judge Wilson's court. These letters and story Director Mueller give a clear picture of the dangerous and out-of-control corruption problem in the Oregon legal system.

Exh. (9-1)

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For insisting on speaking in court, on the record, under oath, truthfully, about the corruption in the Oregon court system, I have been repeatedly arrested (21 times in all) many times violently in court, in front of stunned supporters, several times where I thought my life was going to be taken to silence me once and for all. I have spent 300 days in jail, 30 in solitary confinement and 70 days in the maximum security unit of the Oregon Insane Asylum in an attempt by the corrupt system to stop my exposing the corruption. In the Insane Asylum I was subjected to forced blood draws and other forced medical examinations while shackled hand and foot.

I have been run through five sham prosecutions by the Oregon State Bar on fabricated charges in an attempt by the Bar to stop my whistleblowing activity about the corruption in the Oregon legal system. I have been prosecuted on groundless charges by the District Attorneys in Multnomah, Clackamas, Marion and Deschutes County in Oregon and the City Attorney in Battleground Washington in an attempt to block me from speaking truthfully and factually in court, under oath, on the record about the criminal conduct of bureaucrats and attorneys, all either licensed by or employed by the corporate states of Oregon or Washington, stealing innocent citizen's children, land or other property in "sham" often "star chamber" type judicial system. No matter how outrageous or brazen the theft of innocent citizens children, land, or other property, often by his or her own attorney, the victim is blocked from speaking, under threat of arrest by the complicit judge, about their victimization.

As I said when I was brought shackled into Judge Robert P. Jones court in 1996, after being arrested on the orders of Judge Dorothy Baker for serving process on attorneys involved in stealing their own clients property, "I have seen vile, treacherous, shameless thieving bureaucrats and attorneys, all licensed or employed by the corporate State of Oregon, being given armed guard escort service in and out of the courthouse to protect them from their angry victims who are being beaten-up, maced, arrested and jailed, as I and others have repeatedly been, for trying to speak in court, under oath, about our victimization.

I have videos available for your review, if you would like to see them, showing me exposing the corruption in the Oregon Supreme Court and in several Oregon Circuit Courts. I am asking that you direct Agent In Charge Dan Nelson to meet with me prior to the August 13, 2007 hearing so that steps can be immediately taken to end the intolerable abuse the citizens of Oregon have endured at the hands of a corrupt and out of control Oregon judiciary. As has been my practice in the past I am sending copies of this letter to those individuals listed below.

Oregon Governor Kulongoski
Oregon Attorney General Hardy Myers
All members of the Oregon House and Senate
All Oregon Supreme Court and Court of
Appeal Judges
Oregon's Congressional Delegation
Judges Janice Wilson and Debra Voght

Sincerely

US Asst. Attorney Generals Barry
Sheldahl, John Ray, Bud Fitzgerald
Deschutes County Sheriff Larry Blanton
Ralph Hatley OREGON SPECTATOR
Des Griffin MIDNIGHT MESSENGER
Ed Snook US OBSERVER
Bruce Rubin

Mail:

Web Site: Rogerweidner.net
Talk show Host: "Restoring The
Constitution" radio.rogerweidner.net

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• 1998 Oregon Reform Party Candidate for Governor
• Past President of Oregon Judicial Watch

June 18, 2005

Sheriff Stiles
Deschutes County Sheriff's Office
Bend, Oregon

CERTIFIED MAIL

OPEN LETTER

Sheriff Stiles,

*Please read "In Pursuit
of Justice" and my ordeal on
Page 11. Roger Weidner*

On June 7, 2004 I hand delivered to your office a letter, a copy of which is attached hereto as Exhibit 2, describing the unprecedented criminal abuse I have been subjected to, by members of the Oregon judiciary, for exposing in court, on the record, the wide-spread corruption in the Oregon judicial system.

In that letter I indicated I had upcoming court appearances in courtrooms of Judges Forte, Tictin and Billings. I told you in that letter "I am expecting to be able to make a full record of the criminal conduct of those involved in attempting to steal Patricia Wishon's property at those hearings. Your attendance at those hearings would be appreciated".

Instead of your presence as requested I found Captain Edwards and Sargeant McCallister from your Department giving the treacherous thieving attorney Claud Ingram escort service into the courtroom. When I asked McCallister his name he in a professional manner told me his name. When I asked Edwards his name he, in a rude, sarcastic, animated way said, as he sneeringly shook his head slowly, "I'm not going to tell you anything". In the information I am enclosing with your June, 7, 2005 letter is the story appearing in the US OREGON OBSERVER, Exhibit 4, describing my arrest of Claud Ingram for bribery, subornation of perjury, conspiracy and theft in the Deschutes County Courthouse on March 9, 2004.

After my hostile confrontation with Edwards, Patricia Wishon contacted your office and requested a meeting with you. Instead of you attending the meeting as requested you had Edwards and several deputies conduct the meeting. When I walked in the meeting room before I could say a word Edwards' face turned beet-red and he angrily ordered me from the room. When I told him I was a former prosecutor and he needed to hear what I had to say about the corruption in the Deschutes County Court system he angrily ordered the two deputies to forcibly remove me from the meeting. As the deputies, one tightly clutching each arm, marched me down the hall they said I was going to have to wait in the waiting room. Then when we reach the waiting room they asked where my car was then marched me out of the building, each still tightly holding my arm, and told me to go sit in my car. Edwards and the deputies behavior made a mockery of the signs in your lobby describing the high standard and ideals your office stands for.

At a subsequent hearing when I was again threatened by the judge for attempting to speak truthfully in court about the corruption, we returned to your office and again asked to speak to you because we had an afternoon hearing that same day and wanted you or someone from your office to attend. We were told that neither you nor Under Sheriff Blanton were available. We were told that all Sheriff personnel were out on an emergency. When we returned to court the courtroom was filled with deputies. I pointed out Ingram, sitting at the counsel table, to my supporters present and again condemned him for his treacherous, shameless thievery. A plainclothed individual, sitting in the

audience, who later identified himself as Under Sheriff Blanton said: "Oh, sit down Weecedner and your yapping".

On February 7, 2005 I again appeared in the Deschutes County Courthouse for a hearing. I had repeatedly requested, several days before the hearing that I be allowed to video the proceedings. Since I did not know who was going to hear the case I went into presiding Judge Sullivan's office to see if my request to video had been granted. Edwards was sitting in Judge Sullivan's chambers when I entered the office. Before I could say a word Edwards, again snarling and surly, grabbed me by the arm and forcibly removed me from Judge Sullivan's office saying "you get out of here right now".

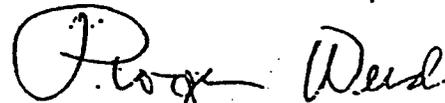
Before the hearing on February 7, 2005 I had my twenty supporters stand with me while I confronted seven deputies from your officer outside the courtroom. I told the deputies I was a former public prosecutor who for the past 17 years had been fighting the corruption in the Oregon court system told those deputies, under the supervision of Sargeant Espinoza, that for attempting to speak in court about the corruption I was being arrested by the deputies on the orders of the corrupt judges protecting thieving attorneys. What happened after I entered the court on February 7, 2005 and March 7, 2005 is forth in Exhibit 3.

Another hearing on the Wishon case is set for 3:30 pm on August 15, 2005 in Judge Brady's courtroom in the Deschutes County Courthouse. I am again requesting a meeting with you before the hearing to insure that I will not be again violently assaulted or arrested by your deputies when I attempt to speak in court about the corruption in the Deschutes County Court system on August 15, 2005.

I want to remind you Sheriff Stiles and your deputies, as well as all the other public officials who are receiving a copy of this letter, that the oath of office that each of you take, as public officials, is not to protect corrupt thieving bureaucrats, attorneys and judges stealing innocent people's children, land and other property in "sham" often "star chamber" proceedings. The oath that all of you public officials take is to uphold and defend the constitutional rights of We The People, your employers, to receive "due process" and "equal protection" of the law in the courts in this state. If you, or the other public officials receiving this letter, are not able to uphold your oath of office you should resign. If you will not uphold your oath and refuse to resign then we in the patriot community will continue to expose your corrupt behavior to the public until you are shamed from office. Please have Mary in your office contact me at your earliest convenience to arrange a meeting before the August 15, 2005 hearing. The other number exhibits I am enclosing for your review are:

1. The Harrassment complaint filed against me.
5. Special-Grand Jury hearing 2-24-04
6. My 8-27-04 letter to Judge Tiktin
7. My incarceration in mental hospital
8. THE SPOTLIGHT story of my persecution
9. My 9-18-01 letter to Atty. Gen. Ashcro
10. My meeting with Sen. Trent Lott
11. My Motion to Reconsider
12. Leg. Hearing exposing corruption
13. US OBSERVER "HALL OF SHAME"

Sincerely



c: Governor Ted Kulongoski
Attorney General Hardy Myers
All members of the Oregon Supreme
Court and Court of Appeals
All members of the Oregon Legislature
All Oregon District Attorneys
All Oregon Sheriffs

US Senators Gordon Smith and Ron Wyden
US Attorney Karin Immergut
FBI Agent-in-charge Jordan
Ed Snook US OBSERVER
Robert Caldwell THE OREGONIAN
Rick Myers Bend, Ore. Channel 22
Eric Lukens BEND BULLETIN
Claud Ingram

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- 1998 Oregon Reform Candidate for Governor
- Past President of Oregon Judicial Watch

Judge Janice Wilson

Rm 508 Multnomah County Courthouse

Portland, Oregon

Re: Oregon State Bar v. Roger Weidner Case No. 1061212468

June 14, 2009

HAND-DELIVERED

Judge Wilson,

Attached please find my Motion to set aside the finding of contempt you entered in the above entitled case on June 11, 2009. You must grant the Motion given there was no credible evidence that I, a former attorney and public prosecutor, had unlawfully engaged in the practice of law. The overwhelming, undisputed evidence presented to you and laid on the record on June 22, 2007, May 14, 2009 and June 11, 2009 in your courtroom, and conclusively proven and detailed in the pleadings and exhibits on file, and not ever denied or disputed by the Plaintiff, is the very obvious fact that I have been the focus of an on-going conspiracy by the Plaintiff, and some of its members, for the past 21 years to silence my whistle-blowing activity. That whistle-blowing activity has primarily focused on the criminal conduct of shameless, treacherous, thieving attorneys, all members of the Plaintiff, stealing the children and property of innocent, naïve Oregon citizens, often their own clients, in "sham" often "star chamber" type judicial proceedings. In those proceedings the innocent citizen is often threaten and violently arrested if he or she attempts to speak in court, on the record, about their victimization while at the same time the thieving bureaucrats and attorneys, stealing their children or property, are given armed guard escort in and out of the courthouse to protect them from their angry victims. This outrageous treatment of innocent Oregon citizens by the Oregon State Bar and its members must end.

The undisputed facts, detailed in the pleadings and exhibits on file in the present case, set forth how attorney members of the plaintiff turned on their clients to steal their children and millions of dollars of their clients property, devastating their naïve, unsuspecting client. I detailed for you in court and in the pleadings how attorney, and pro-temp judge, Norman Lindstedt, whom I hired to help Janette Kent recover the then (1988) 50 million dollar Kettleberg estate, awarded her by Judge Crookham, shamelessly turned on Kent and I and sold, in direct violation of his contract with Kent, all Kettleberg estate assets to attorney Milton Brown for pennies on the dollar. By so doing Kent and I were left with nothing and Lindstedt received a half million dollars in fees for his treachery. You heard from Patricia Wishon how she contacted the Oregon State Bar for the name of a divorce attorney to obtain a divorce from her wife-beating-raping-mutilating-conman husband Santiago Torres. You heard her testify how the Bar gave her the name of attorney Anthony Albertazzi who, after being paid a \$1,500.00 retainer turned on her and went to work with Bar members Claud Ingram and Linda Hasse to steal her 164 acres of property in Lapine Oregon. This is the same Claud Ingram, whom I have twice arrested in court and who the Bar called as a witness against me, in the present proceedings, on June 22, 2009 and who you will recall referred to my courtroom supporters as a "goon squad".

On June 11, 2009 you heard me further detail the unprecedented criminal abuse I have been subjected to, by the Plaintiff and its members, for the past 21 years for exposing the corruption in the Oregon legal system. On June 11, 2009 you also heard from 74 year old, brain-damaged Thomas Sutton and his 77 year old brother Louis Sutton how Tom Sutton was forced to give up all of his property worth several hundred thousand dollars to the Oregon State Bar. I am prepared to testify how the Bar knew her

You heard business woman Miriam Krause detail how her bankruptcy attorney Arndt forged her signature and stole a half million dollars of her property and the Bar would do nothing. In fact during the June 22, 2007 hearing in your courtroom you witnessed Krause confront Rubin during court and say: "You! you prosecute Roger for helping me write a letter and my attorney forged my signature and stole a half million dollars of my property and you do nothing! May all you treacherous thieving attorneys stealing innocent peoples property rot in hell!" As Krause was condemning Rubin I observed you standing in silence behind the bench intensely, without comment, observing the confrontation. You must have observed how Rubin stood frozen, not saying a word while being condemned by Krause, while a reporter for Kaboo Radio held a mike to Rubin's lips asking if he had any response to the charges. As you could observe he said nothing until after eight Sheriff Deputies burst into the courtroom to protect him and Oregon State Bar counsel Helen Heirschbeil from the verbal assaults they were rightfully receiving from many of those in the courtroom, all of whom have had their life savings or children stolen from them by their own treacherous, thieving attorneys. You heard former airline pilot and senior citizen Phil Lane and legally blind 78 year old real estate developer John Guise relate how their own attorneys defrauded them out of millions of dollars in property. You heard from disabled 83 year old Wilbur Gaston how his daughter was taken from him without notice and molested in foster care and how Gaston and his wife Pamela were repeated arrested, many times violently, and jailed for trying to speak in court, under oath on the record about their victimization.

It is this on-going criminal conduct of the members of the Plaintiff, stealing innocent peoples children and property that I have been fighting for the past 21 years. At no time during the past 21 years have I acted as an attorney for anyone. I have for the past 21 years been acting pursuant to the authority of Article 1 Section 1 of the Oregon Constitution to stop the outrageous, shameful, disgraceful and scandalous activity of treacherous thieving attorneys, all members of the Plaintiff, shamelessly stealing from their clients, all citizens of Oregon.

Your Oath of Office, to impartially perform the Duties of Your Office, demands that you protect the rights of the citizens to "equal protection" and "due process" of law when they appear in your court. That oath requires that you act on the facts presented, and not on the groundless fairy tale analysis of the Plaintiff, and grant appropriate remedy for the intentional injury inflicted on me and others, by the Plaintiff and its members, for exposing their criminal conduct in stealing innocent citizens children and property in "sham" often "star chamber" type judicial proceedings.

What I and all members of the Special Grand Jury that I formed while on jury duty in October of 1994 have witnessed in your courtroom so far is your blind, absolute willful refusal to acknowledge the undisputed evidence of the criminal activity of the Plaintiff and its members that I and the witnesses called in your courtroom testified to, on the record, under oath, in detail, without challenge or dispute from the Plaintiff. You, like most of the other Oregon judges I have appeared before in the past 21 years, to expose and eliminate the corruption in the Oregon legal system, have many of the same attributes of the Pharisees of old in that: having eyes you do not see what I have written and submitted on the record without dispute or challenge from the Plaintiff; having ears do not hear what is being said about innocent citizens having their children and property stolen by their own attorney; and having a nose do not smell the rank and foul odor given off by the obvious corruption going on in this case

The evidence of the on-going groundless and malicious prosecution of me by the Plaintiff and its members is undisputed and overwhelming. Accordingly the contempt finding must be reversed and my renewed Motion for Summary Judgment on my filed Counterclaim granted and the matter set for a damage hearing on my Counterclaim.

Sincerely



Ed Snook—US OBSERVER

Des Griffen—MIDNIGHT MES.

Ralph Hatley—OREGON SPEC.

c: Clerk—Multnomah Circuit Court, Bruce Rubin
Governor Kulongoski, Attorney General Kroker
All members Oregon House and Senate

All members Ore. Ct. Of Appeals & Sup. Ct.

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- 1998 Oregon Reform Candidate for Governor
- Past President of Oregon Judicial Watch

Judge Janice Wilson
Room 508 Multnomah County Courthouse
Portland, Oregon

June 9, 2009

HAND-DELIVERED

Re: Oregon State Bar v. Roger Weidner Case No. 1061212468

Judge Wilson,

Attached please find my: Notice Of Special Appearance, with reproduced copies of; Oath of Office for Oregon State Court Judges, and Constitutional Rights Of Oregon Citizens.

As a former attorney and public prosecutor (I was the Director of the Multnomah County Consumer Fraud Department in 1975-76) and a political activist (I was the 1998 Oregon Reform Party candidate for Governor) I am hereby giving notice that I will be appearing by way of Special Appearance in your courtroom on June 11, 2009, and will continue to so appear, until I am not only informed by you, but assured by your courtroom demeanor, that I am truly proceeding in a court of Constitutional Due Process. By Constitutional Due Process Judge Wilson I mean Constitutional Due Process as set forth in Article I Section I of the Oregon Constitution and as set forth in the 5th and 14th amendments of the United States Constitution, namely an "adversary system", Plaintiff-Defendant-neutral judge.

You have in the past, on the record, in response to my courtroom declaration that I was appearing by Special Appearance until informed by you that I was proceeding in a court of Constitutional Due Process stated; "Well Mr. Weidner I try to run a Constitutional court", and on another occasion stated; "Yes, this is a court of Constitutional Due Process and I am a neutral!" as you pointed to yourself while making that statement. Although you have made such statements there was certainly nothing in your hostile and threatening attitude towards me during the May 14, 2009 hearing in your courtroom (recorded and posted on the internet at Oregon State Bar v. Roger Weidner) that would suggest that you were in any way being truly impartial as required by your Oath of Office, a copy of which is attached hereto.

You demonstrated your open hostility toward me, and the on-going open hostility of the Oregon State Bar, of which you are a member, when you abruptly called the guards on me, on May 14, 2009. You called the guards when I insisted (an absolute right I have as the accused) on fully cross examining the Bar's witnesses against me. The reasons I wanted to fully cross-examine the Bar's witnesses was to expose in court, on the record, the Bar's on-going, 21 year conspiracy against me to stop my whistle-blowing activity exposing the judicial corruption in the Oregon court system and the Bar's direct involvement in that corruption. After calling the guards on me you threatened my supporters when they stood at my request. You then openly railed against me falsely accusing me of threatening to arrest you. No such threat was made. Proof of that fact can be confirmed by viewing the video of the hearing. What I did say years ago, before going into Judge Dorothy Baker's courtroom, was that I was prepared at the time, and I was, to arrest any public employed magistrate or Sheriff Deputy who tried to block me, a criminally accused citizen of Oregon, from speaking in court, under oath, on the record about the on-going malicious persecution of me by the Bar and its members. At that hearing in Judge Baker's court in June of 1995 there were 65 police officers and Sheriff Deputies hiding in and around her courtroom. I was told there were snipers on the surrounding buildings. The embarrassed police and deputies all dispersed when I told them on video (video available upon request) and the 40 supporters present that I was their as the accused to make a full record of the on-going conspiracy against me being carried out by the Plaintiff and its members.

Your threatening, openly hostile behavior toward me, is consistent with the on-going threatening judicial behavior I and other innocent Oregon citizens, caught up in the Oregon legal system, have been subjected to by the Plaintiff and its members for the past 21 years for trying to speak in court, under oath, on the record about our victimization by Oregon attorneys, all members of the Plaintiff. For insisting on making a public record of the victimization of innocent Oregon

citizens, I was, in front of stunned supporters, then jailed and thrown into the Oregon Insane Asylum.

This letter puts you on notice that I do intend to make a full record of that victimization and the on-going persecution of me by the Oregon State Bar when the hearing in the above referenced case resumes in your court at 9am on June 11, 2009.

Sincerely



IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF MULTNOMAH

OREGON STATE BAR,)
Plaintiff,)

Case No. Trial Court No. 061212468

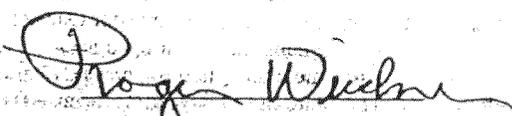
v.)

NOTICE OF SPECIAL APPEARANCE

Roger Weidner,)
Defendant.)

Comes now the Defendant and gives "Notice Of Special Appearance" until informed by the court that he is proceeding in a court of "Constitutional Due Process", as provided for in: Article I Section 10 of the Oregon Constitution, and in the 5th and 14th Amendment of the United States Constitution. "Constitutional Due Process" being an "adversary system", Plaintiff-Defendant-neutral judge.

Dated: June 5, 2009


Roger Weidner Defendant

OATH OF OFFICE FOR OREGON STATE COURT JUDGES

Oregon Constitution—Article VII (amended), Section 7, Oath of office of Judges of Supreme Court. "Every judge of the supreme court, before entering upon the duties of his office, shall take and subscribe, and transmit to the secretary of state, the following oath:

"I, judge _____, do solemnly swear (or affirm) that I will support the constitution of the State of Oregon, and that I will faithfully and impartially discharge the duties of a judge of the supreme court of this state, according to the best of my ability,"

CONSTITUTIONAL RIGHTS OF OREGON CITIZENS

Oregon Constitution—Article I, Section I Natural rights inherent in people. We declare that all men, when they form a social compact are equal in right: that all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety and happiness; and they have at all times a right to alter, reform, or abolish the government in such manner as they may think proper.



**MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST**

Board Clerk Use Only

Meeting Date: 06/18/2009
 Agenda Item #: R-1
 Est. Start Time: 9:30 AM
 Date Submitted: 06/09/2009

Agenda Title: PROCLAMATION Proclaiming 2009 as a Year of Recognition for Oregon's Sesquicentennial in Multnomah County, Oregon

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

Requested Meeting Date: June 18, 2009 **Amount of Time Needed:** 8 minutes
Department: Non-Departmental **Division:** Commissioner District 4
Contact(s): Andrew Olsen
Phone: 503.988.5213 **Ext.** 85213 **I/O Address:** 503/600
Presenter(s): Wendy Gallo, Project Manager, Imagine Oregon 150

General Information

1. **What action are you requesting from the Board?**
 Board Adoption of a Proclamation recognizing 2009 as the YEAR OF OREGON'S SESQUICENTENNIAL.
2. **Please provide sufficient background information for the Board and the public to understand this issue.**
 Oregon is a state worth celebrating every day, let alone on (or around) its 150th birthday.
3. **Explain the fiscal impact (current year and ongoing).**
 None
4. **Explain any legal and/or policy issues involved.**
 None
5. **Explain any citizen and/or other government participation that has or will take place.**

Required Signature

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

Diane McKeel

Date: 06/08/2009

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. _____

Proclaiming 2009 as a Year of Recognition for Oregon's Sesquicentennial in Multnomah County, Oregon

The Multnomah County Board of Commissioners Finds:

- a. Oregon is a state worth celebrating every day, let alone on (or around) its 150th birthday.
- b. February 14, 2009 marked 150 years since Oregon gained statehood.
- c. Oregon 150 is working across our state to promote and encourage partnership in recognition of these facts.

The Multnomah County Board of Commissioners Proclaims:

The year 2009 as a year of recognition for Oregon's sesquicentennial in Multnomah County, Oregon, and joins Oregon 150 in partnership to promote our fair state.

ADOPTED this 18th day of June, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, County Chair

Deborah Kafoury,
Commissioner District 1

Jeff Cogen,
Commissioner District 2

Judy Shiprack,
Commissioner District 3

Diane McKeel,
Commissioner District 4

SUBMITTED BY:
Commissioner Diane McKeel, District 4

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. 09-082

Proclaiming 2009 as a Year of Recognition for Oregon's Sesquicentennial in Multnomah County, Oregon

The Multnomah County Board of Commissioners Finds:

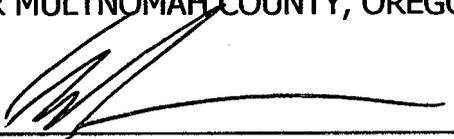
- a. Oregon is a state worth celebrating every day, let alone on (or around) its 150th birthday.
- b. February 14, 2009 marked 150 years since Oregon gained statehood.
- c. Oregon 150 is working across our state to promote and encourage partnership in recognition of these facts.

The Multnomah County Board of Commissioners Proclaims:

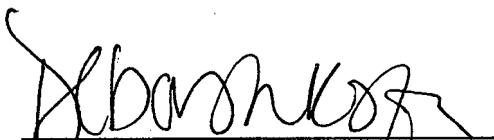
The year 2009 as a year of recognition for Oregon's sesquicentennial in Multnomah County, Oregon, and joins Oregon 150 in partnership to promote our fair state.

ADOPTED this 18th day of June, 2009.

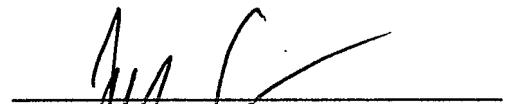
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Ted Wheeler, County Chair



Deborah Kafoury,
Commissioner District 1



Jeff Cogen,
Commissioner District 2

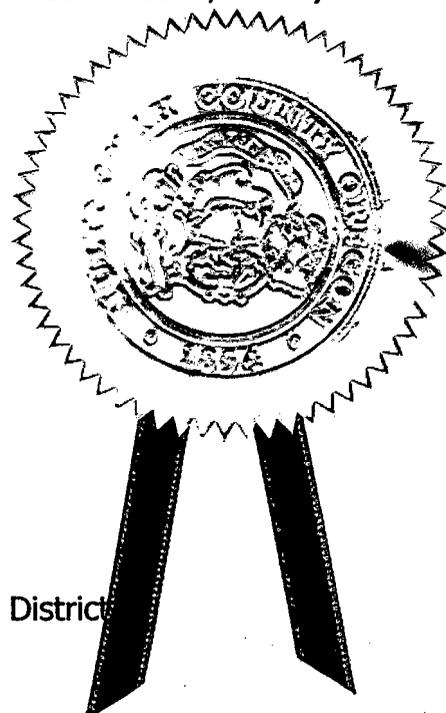


Judy Shiprack,
Commissioner District 3



Diane McKeel,
Commissioner District 4

SUBMITTED BY:
Commissioner Diane McKeel, District 4





MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 06/18/09
Agenda Item #: R-2
Est. Start Time: 9:40 AM
Date Submitted: 06/10/09

Agenda Title: **RESOLUTION Establishing the Population Capacity and Adopting a Revised Capacity Management Action Plan for the Multnomah County Sheriff's Office Jail Facilities and Repealing Resolution 09-025**

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

Requested Meeting Date: June 18, 2009 **Amount of Time Needed:** 5 Minutes
Department: Sheriff's Office **Division:** Corrections
Contact(s): Christine Kirk
Phone: 503.988.4301 **Ext.** 84301 **I/O Address:** 503/350
Presenter(s): Chief Deputy Ron Bishop and Chief of Staff Christine Kirk

General Information

1. What action are you requesting from the Board?

Adoption of the resolution establishing the Population Capacity for Multnomah County Sheriff's Office Jail Facilities which include the Multnomah County Detention Center and Multnomah County Inverness Jail. The resolution will repeal Resolution 09-025.

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

It is necessary to revise the resolution when the population limit changes (budgeted capacity).

The budgeted capacity is set to change on July 1, 2009 based on the Fiscal Year 2010 Adopted Budget. The Budget funds 176 less beds than in the FY 09 Adopted budget. The closure of 126 jail beds was implemented in March of 2008. That change was already adopted within resolution 09-025. On July 1, 2009, the budget capacity for jail beds will change from 1413 to 1367, or 46 less beds.

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

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

ORS 169.042, 169.044 and 169.046 set forth the legal parameters for setting a capacity limit and creating an Capacity Management Plan in correctional facilities.

Creation and compliance with the Plan is important as 169.046 provides that, “[a] sheriff shall be immune from criminal or civil liability for any good faith release of inmates under ORS 169.042 to 169.046.”

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

Required Signature

Elected Official or
Department/
Agency Director:

/s/ *Bob Skipper*

Date: June 10, 2009

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Establishing the Population Capacity and Adopting a Revised Capacity Management Action Plan for the Multnomah County Sheriff's Office Jail Facilities and Repealing Resolution 09-025

The Multnomah County Board of Commissioners Finds:

- a. The Board of County Commissioners and the Sheriff are committed to operating the county's jails in a manner that is consistent with prevailing constitutional standards and statutory provisions regarding conditions of confinement.
- b. The maximum population capacity of the Multnomah County Detention Center (MCDC) has changed over time as a result of design changes, temporary construction and capital improvement projects.
- c. Resolution 06-014 established and amended the maximum jail population and capacity management plan for MCDC.
- d. The Sheriff, District Attorney and the County Attorney reviewed the maximum population capacity as established in Resolution 06-014 and recommended the maximum MCDC capacity remain 676, consistent with the current design capacity, physical condition and program capabilities, prevailing constitutional standards, statutory provisions regarding conditions of confinement.
- e. Multnomah County Inverness Jail (MCIJ) is an integral part of the County jail system. The population capacity at MCIJ is dictated by land use regulations and cannot exceed 1068.
- f. The jail system in Multnomah County has changed significantly over time and now consists of MCIJ, a medium security facility, and MCDC a maximum security facility. The Sheriff, District Attorney and the County Attorney determined that the county jail population is best managed with a system population capacity, taking into account the individual facility capacities as specified above.
- g. The Board has reviewed and considered the recommendations and consulted with the elected and appointed officials identified in ORS 169.046.

The Multnomah County Board of Commissioners Resolves:

1. Pursuant to ORS 169.042 and 169.044 the population limit for the Multnomah County jail system consisting of MCDC and MCIJ is set at 1367.

2. If the number of inmates housed within the Multnomah County Jail System reaches 97% of the population limit, a county jail population emergency will exist.
3. The attached Capacity Management Action Plan (Plan) is adopted and will be implemented in accordance with ORS 169.044 in the event of a county jail population emergency.
4. The Sheriff or designee, in the event the Sheriff is unable to act, will implement the Plan in the event of a county jail population emergency.
5. The Board, the Local Public Safety Coordinating Council, or the Sheriff may request a review of the Population Capacity and/or the Capacity Management Plan.
6. The Board may issue additional orders or resolutions to carry out the functions and authority granted to Multnomah County under ORS 169.042, 169.044 and 169.046.
7. This resolution takes effect and Resolution ~~08-004~~ is repealed on ~~March 8~~, 2009.

ADOPTED this 18th day of June, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Jacqueline A. Weber, Assistant County Attorney

CAPACITY MANAGEMENT ACTION PLAN

- I. This Capacity Management Action Plan ("Plan") is adopted pursuant to ORS 169.044 to resolve a county jail population emergency. A jail population emergency exists when the total jail population exceeds 97 percent of its population limit. In the event of a county jail population emergency, the Sheriff or his designee will implement this Plan.
- II. The intent of this Plan is to resolve a jail population emergency by holding in jail those that have been evaluated and found to represent the greatest threat to the safety of the community and releasing those that pose the least risk. Such evaluations will be based on objective criteria reasonably calculated to:
 - A. Resolve the jail population emergency;
 - B. Ensure community safety; and
 - C. Comply with prevailing constitutional and Oregon jail standards relating to conditions of incarceration.
- III. The Sheriff or his designee will develop and implement policies and procedures in which every person in custody of the Sheriff, and eligible under the Sheriff's authority to release, is evaluated using the following criteria:
 - A. Risk to self or other persons;
 - B. Propensity for violence;
 - C. Criminal Charges (person vs. non person);
 - D. Prior failures to follow court orders;
 - E. Parole, probation, or post-prison revocations; and
 - F. Institutional behavior or classification.
- IV. Persons whose current charge relates to or who have a criminal history involving the following shall receive special consideration:
 - A. Domestic violence;
 - B. Sex abuse;
 - C. Child abuse or crimes relating to children;
 - D. Risk to a known victim;

- E. Gang violence;
 - F. Crimes involving a weapon;
 - G. A history of an inability to comply with release conditions or sentencing orders (including Failure to Appear);
 - H. A history of Driving Under the Influence of an Intoxicants; or
 - I. A history of property crimes.
- V. A numerical score will be assigned to each person in custody and will rank the inmate population from highest to lowest score as indicated in Attachment A.
- VI. As defined in ORS 169.005, the categories in this Plan apply to only to unsentenced offenders. In the event of multiple charges pending against a single inmate, the most serious charge will determine the inmate's primary charge category. Only unsentenced offenders may be released for population reasons. Releases for population reasons will be made based upon the criteria in III, IV, and V above. Also, the Sheriff may release one gender, if releasing the other gender would only make available beds that would not be filled because there are no gender appropriate inmates waiting to be housed or no gender appropriate inmates classified for housing at the available bed.
- a. Each person in custody and designated as a Project 57 arrestee in accordance with the Government Revenue Contract with the City of Portland for the rental of jail beds will be exempted from Emergency Population Release until arraignment unless Project 57 capacity is exceeded and population release is necessary.
 - b. In the event that an Emergency Population Release is required the number of Project 57 detainees, in excess of the number specified in the Government Revenue Contract with the City of Portland for the rental of jail beds, may be considered for release consistent with the Emergency Population Release scoring range under consideration at the time consistent with the charges.
- VII. Both sentenced and unsentenced inmates with a classification status consistent with confinement in a medium security facility will be transferred to MCIJ for housing as the population at MCIJ permits and as needed to reduce the population at MCDC.
- VIII. The Plan shall ensure compliance with ORS 169.046 regarding notice of a county jail population emergency.
- IV. The Sheriff may adopt, amend, and rescind MCSO policies and procedures as necessary to ensure compliance with the intent of section II of this Plan.

ATTACHMENT A – CAPACITY MANAGEMENT PLAN

CHARGE LEVEL	PERSON^{1 2}	NON PERSON²
Measure 11	150	150
Class A Felony	135	100
Exemption	100 points: Burglary 1	35 points: MCS I and all DCS I related charges, with the exception of DCS to a Minor or Using a Minor in a Drug Offense
Class B Felony	80	35
Exemption	135 points: Escape I.	50 points: MCS II, Possession of Precursor 20 points: PCS I
Class C Felony	50	20
Exemption	80 points: <ul style="list-style-type: none"> • Attempted Escape I • Negligent Homicide • Stalking • Violation of a Court Protective Order • Unlawful use of a Weapon • Felony DUII 	35 points: <ul style="list-style-type: none"> • Identity Theft • Forgery • UUMV 50 points: <ul style="list-style-type: none"> • Tampering with a Witness • Riot • Attempted Theft by Extortion
Class A Misd.	25	14
Exemption	50 points: DUII 80 points: <ul style="list-style-type: none"> • Stalking • Violation of a Court Protective Order 	35 points: Mail Theft 50 points: Strangulation
Class B Misd.	14	7
Class C Misd	NA	7
Unclassified Misd/Ordinances	7	7
		170 points: Restraining Order Violation
Violation	NA	7

¹ Person crimes are those defined by the Oregon Criminal Justice Commission, all child abuse and crimes relating to children, including delivering controlled substances to a child, using a child in a drug offense, all sex abuse, firearms related crimes, escape and any conspiring to commit those crimes defined here as person crimes.

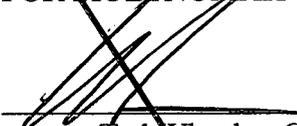
² The charge of Conspiring to Commit a Crime is treated the same the charge for the crime (example Conspiring to Commit a Burglary I is the same score as Burglary I).

2. If the number of inmates housed within the Multnomah County Jail System reaches 97% of the population limit, a county jail population emergency will exist.
3. The attached Capacity Management Action Plan (Plan) is adopted and will be implemented in accordance with ORS 169.044 in the event of a county jail population emergency.
4. The Sheriff or designee, in the event the Sheriff is unable to act, will implement the Plan in the event of a county jail population emergency.
5. The Board, the Local Public Safety Coordinating Council, or the Sheriff may request a review of the Population Capacity and/or the Capacity Management Plan.
6. The Board may issue additional orders or resolutions to carry out the functions and authority granted to Multnomah County under ORS 169.042, 169.044 and 169.046.
7. This resolution takes effect and Resolution 08-094 is repealed on March 8, 2009.

SB 09-025 JUNE 30, 2009

ADOPTED this 18th day of June, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

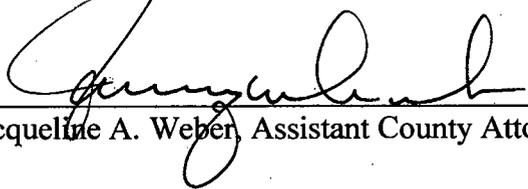


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

DEB READ
CORRECT title

By 

Jacqueline A. Weber, Assistant County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 09-083

Establishing the Population Capacity and Adopting a Revised Capacity Management Action Plan for the Multnomah County Sheriff's Office Jail Facilities and Repealing Resolution 09-025

The Multnomah County Board of Commissioners Finds:

- a. The Board of County Commissioners and the Sheriff are committed to operating the county's jails in a manner that is consistent with prevailing constitutional standards and statutory provisions regarding conditions of confinement.
- b. The maximum population capacity of the Multnomah County Detention Center (MCDC) has changed over time as a result of design changes, temporary construction and capital improvement projects.
- c. Resolution 06-014 established and amended the maximum jail population and capacity management plan for MCDC.
- d. The Sheriff, District Attorney and the County Attorney reviewed the maximum population capacity as established in Resolution 06-014 and recommended the maximum MCDC capacity remain 676, consistent with the current design capacity, physical condition and program capabilities, prevailing constitutional standards, statutory provisions regarding conditions of confinement.
- e. Multnomah County Inverness Jail (MCIJ) is an integral part of the County jail system. The population capacity at MCIJ is dictated by land use regulations and cannot exceed 1068.
- f. The jail system in Multnomah County has changed significantly over time and now consists of MCIJ, a medium security facility, and MCDC a maximum security facility. The Sheriff, District Attorney and the County Attorney determined that the county jail population is best managed with a system population capacity, taking into account the individual facility capacities as specified above.
- g. The Board has reviewed and considered the recommendations and consulted with the elected and appointed officials identified in ORS 169.046.

The Multnomah County Board of Commissioners Resolves:

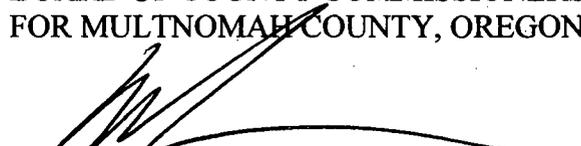
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5. The Board, the Local Public Safety Coordinating Council, or the Sheriff may request a review of the Population Capacity and/or the Capacity Management Plan.
6. The Board may issue additional orders or resolutions to carry out the functions and authority granted to Multnomah County under ORS 169.042, 169.044 and 169.046.
7. This resolution takes effect and Resolution 09-025 is repealed on June 30, 2009.

ADOPTED this 18th day of June, 2009.



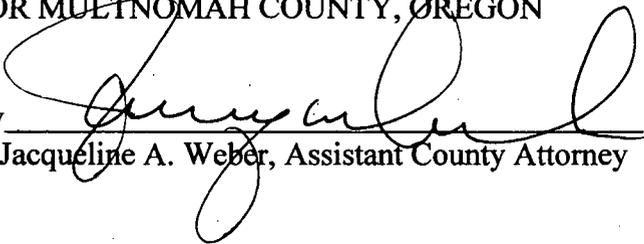
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:
Sheriff Bob Skipper

CAPACITY MANAGEMENT ACTION PLAN

- I. This Capacity Management Action Plan ("Plan") is adopted pursuant to ORS 169.044 to resolve a county jail population emergency. A jail population emergency exists when the total jail population exceeds 97 percent of its population limit. In the event of a county jail population emergency, the Sheriff or his designee will implement this Plan.

- II. The intent of this Plan is to resolve a jail population emergency by holding in jail those that have been evaluated and found to represent the greatest threat to the safety of the community and releasing those that pose the least risk. Such evaluations will be based on objective criteria reasonably calculated to:
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 - B. Ensure community safety; and
 - C. Comply with prevailing constitutional and Oregon jail standards relating to conditions of incarceration.

- III. The Sheriff or his designee will develop and implement policies and procedures in which every person in custody of the Sheriff, and eligible under the Sheriff's authority to release, is evaluated using the following criteria:
 - A. Risk to self or other persons;
 - B. Propensity for violence;
 - C. Criminal Charges (person vs. non person);
 - D. Prior failures to follow court orders;
 - E. Parole, probation, or post-prison revocations; and
 - F. Institutional behavior or classification.

- IV. Persons whose current charge relates to or who have a criminal history involving the following shall receive special consideration:
 - A. Domestic violence;
 - B. Sex abuse;
 - C. Child abuse or crimes relating to children;
 - D. Risk to a known victim;

- E. Gang violence;
 - F. Crimes involving a weapon;
 - G. A history of an inability to comply with release conditions or sentencing orders (including Failure to Appear);
 - H. A history of Driving Under the Influence of an Intoxicants; or
 - I. A history of property crimes.
- V. A numerical score will be assigned to each person in custody and will rank the inmate population from highest to lowest score as indicated in Attachment A.
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 - b. In the event that an Emergency Population Release is required the number of Project 57 detainees, in excess of the number specified in the Government Revenue Contract with the City of Portland for the rental of jail beds, may be considered for release consistent with the Emergency Population Release scoring range under consideration at the time consistent with the charges.
- VII. Both sentenced and unsentenced inmates with a classification status consistent with confinement in a medium security facility will be transferred to MCIJ for housing as the population at MCIJ permits and as needed to reduce the population at MCDC.
- VIII. The Plan shall ensure compliance with ORS 169.046 regarding notice of a county jail population emergency.
- IV. The Sheriff may adopt, amend, and rescind MCSO policies and procedures as necessary to ensure compliance with the intent of section II of this Plan.

ATTACHMENT A – CAPACITY MANAGEMENT PLAN

CHARGE LEVEL	PERSON ^{1 2}	NON PERSON ²
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Class B Felony	80	35
Exemption	135 points: Escape I.	50 points: MCS II, Possession of Precursor 20 points: PCS I
Class C Felony	50	20
Exemption	80 points: <ul style="list-style-type: none"> • Attempted Escape I • Negligent Homicide • Stalking • Violation of a Court Protective Order • Unlawful use of a Weapon • Felony DUII 	35 points: <ul style="list-style-type: none"> • Identity Theft • Forgery • UUMV 50 points: <ul style="list-style-type: none"> • Tampering with a Witness • Riot • Attempted Theft by Extortion
Class A Misd.	25	14
Exemption	50 points: DUII 80 points: <ul style="list-style-type: none"> • Stalking • Violation of a Court Protective Order 	35 points: Mail Theft 50 points: Strangulation
Class B Misd.	14	7
Class C Misd	NA	7
Unclassified Misd/Ordinances	7	7
		170 points: Restraining Order Violation
Violation	NA	7

¹ Person crimes are those defined by the Oregon Criminal Justice Commission, all child abuse and crimes relating to children, including delivering controlled substances to a child, using a child in a drug offense, all sex abuse, firearms related crimes, escape and any conspiring to commit those crimes defined here as person crimes.

² The charge of Conspiring to Commit a Crime is treated the same the charge for the crime (example Conspiring to Commit a Burglary I is the same score as Burglary I).



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-3 DATE 06/10/09
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 06/18/09
 Agenda Item #: R-3
 Est. Start Time: 9:45 AM
 Date Submitted: 06/10/09

BUDGET MODIFICATION: MCSO - 11

BUDGET MODIFICATION MCSO-11 Appropriating \$56,610 from an
Agenda Extension of a Current Grant Awarded by the Department of Justice, Office of
Title: Violence Against Women

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

Requested Meeting Date:	<u>June 18, 2009</u>	Amount of Time Needed:	<u>5 Minutes</u>
Department:	<u>Sheriff's Office</u>	Division:	<u>Law Enforcement</u>
Contact(s):	<u>Wanda Yantis, Budget Manager</u>		
Phone:	<u>503-988-4455</u>	Ext.	<u>84455</u>
		I/O Address:	<u>503/350</u>
Presenter(s):	<u>Wanda Yantis</u>		

General Information

1. What action are you requesting from the Board?

The Sheriff's Office is requesting approval of Budget Modification MCSO-11 to appropriate \$56,610 awarded thru a grant from the Department of Justice Office of Violence Against Women Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program which has been extended.

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

The purpose of this project is to continue and enhance Multnomah County's response to high risk domestic violence cases. The project works to increase victim safety and offender accountability. The Sheriff's Office portion funds a detective as part of the Domestic Violence Enhanced Response Team (DVERT). The Sheriff's Office deputy will provide law enforcement interdiction in DVERT cases, in particular in those cases which are committed in the smaller cities and towns of Gresham, Troutdale, Fairview, Corbett and the non-incorporated areas of Multnomah County. The deputy will attend bi-weekly DVERT meetings, follow the procedures established by DVERT, assist in training,

provide a linkage to other MCSO functions (jail, restraining and stalking order service), and provide consultation to DVERT on specific cases, and participate in the Major Crimes Task Force.

This would affect program offer 60066A: MCSO Detectives and CAT by increasing the resources available for this unit.

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

This will increase the Enforcement Division's revenue by \$56,610 in the Federal/State Fund. The funds also cover the central indirect for administration of the funds.

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

N/A

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

Participants include Multnomah County Sheriff's Office, the Portland Police Bureau and community-based organizations of Raphael House and Volunteers of America. Other agencies that are participating in the larger DVERT project include the District Attorney's Office, Oregon Department of Human Services (Self-Sufficiency and Child Welfare), Legal Aid Services of Oregon, El Programa Hispano and Gresham Police Department.

ATTACHMENT A

Budget Modification

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

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

This will increase the Enforcement Division's revenue by \$56,610 in the Federal/State Fund. The funds also cover the central indirect for administration of the funds.

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

-The Enforcement Division will increase their Fed/State Fund budget by \$56,610

-Increase Dept Indirect by \$2,375

-Increase Central Indirect by \$1,100

-Increase Risk Fund by \$7,404

• **What do the changes accomplish?**

This will increase the Enforcement Division's revenue by \$56,610 in the Federal/State Fund. The funds also cover the central indirect for administration of the funds.

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

This continues to pay for the Detective position for the full fiscal year. Originally this position was only funded thru December 2008.

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

All overhead costs are covered.

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

This funding is secure thru December 2010. When the funding ends, our participation will end. This is tied to program offer 60066A MCSO Detectives and CAT Unit in the FY 09 Budget.

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

FY 09, FY 10 and first half of FY 11.

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

When the grant ends, our participation will end.

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

ATTACHMENT B

BUDGET MODIFICATION: MCSO - 11

Required Signatures

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

/s/ Bob Skipper / L.A.

Date: 06/10/09

Budget Analyst:



Date: 06/10/09

Department HR:



Date: 06/10/09

Countywide HR:

Date:

Budget Modification ID: **MCSO-11**

EXPENDITURES & REVENUES

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

Budget/Fiscal Year: 2009

Line No.	Fund Center	Fund Code	Program #	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Internal Order	Cost Center	WBS Element						
1	60-50	32263	60066A	50			SOENF.DVERT	50170	(53,135)	(109,745)	(56,610)		IG-OP-Direct Fed
2	60-50	32263	60066A	50			SOENF.DVERT	60000	28,338	56,676	28,338		Permanent
3	60-50	32263	60066A	50			SOENF.DVERT	60120	5,308	10,616	5,308		Premium
4	60-50	32263	60066A	50			SOENF.DVERT	60130	12,085	24,170	12,085		Salary-Related
5	60-50	32263	60066A	50			SOENF.DVERT	60140	7,404	14,808	7,404		Insurance
6	60-50	32263	60066A	50			SOENF.DVERT	60350	1,100	2,200	1,100		Central Indirect
7	60-50	32263	60066A	50			SOENF.DVERT	60355	2,375	4,750	2,375		Departmental Indirect
8										0			
9	60-20	1000				604020		50370		(2,375)	(2,375)		Dept Indirect
10	60-20	1000				604020		60240		2,375	2,375		Supplies
11										0			
12	19	1000				9500001000		50310		(1,100)	(1,100)		Central Indirect
13	19	1000				9500001000		60470		1,100	1,100		Contingency
14										0			
15	72-10	3500				705210		50316		(7,404)	(7,404)		Risk Fund
16	72-10	3500				705210		60330		7,404	7,404		Risk Fund
17										0			
18										0			
19										0			
20										0			
21										0			
22										0			
23										0			
24										0			
25										0			
26										0			
27										0			
28										0			
29										0			
										0	0		Total - Page 1
										0	0		GRAND TOTAL

ANNUALIZED PERSONNEL CHANGE

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

							ANNUALIZED			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
32263	2025	SOENF.DVERT		Deputy Sheriff	704267	0.80	56,676	20,358	13,860	90,894
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
TOTAL ANNUALIZED CHANGES						0.80	56,676	20,358	13,860	90,894

CURRENT YEAR PERSONNEL DOLLAR CHANGE

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

							CURRENT YEAR			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
32263	2025	SOENF.DVERT		Deputy Sheriff	704267	0.40	28,338	10,179	6,930	45,447
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
TOTAL CURRENT FY CHANGES						0.40	28,338	10,179	6,930	45,447

MEMORANDUM OF UNDERSTANDING
Department of Justice Office of Violence Against Women
Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program

This Memorandum of Understanding formally establishes collaboration between Multnomah County Domestic Violence Coordinator's Office (DVCO), the Portland Police Bureau (PPB), the Multnomah County Sheriff's Office (MCSO), Volunteers of America (VOA) and Raphael House (RH) for the purposes of the Department of Justice Grant to Encourage Arrest Policies and Enforcement of Protection Orders Program to continue operation of the Domestic Violence Enhanced Response Team (DVERT).

The purpose of this project is to continue and enhance Multnomah County's response to high risk domestic violence cases. The project works to increase victim safety and offender accountability. The project will:

1. Provide intensive collaborative response to 120 high risk/high lethality domestic violence and stalking cases through DVERT annually.
 - a. Increase the level of consequences for offenders in these cases by assuring investigation of crimes committed by perpetrators, aggressive prosecution, and a high level of offender supervision by probation officers. Special focus will continue on cases where the offenders are abusing Spanish-speaking victims, stalking their victims, or living/perpetrating in the most rural areas of the county;
 - b. Provide mobile supportive services to victims, including Spanish-speaking victims, stalking victims and victims living in the more rural areas of the county.
2. Increase the effectiveness of DVERT through training, continued collaboration on DVERT cases, and oversight by the Steering Committee.
3. Increase the response to stalking. Work with DVERT members to develop procedures to improve accessibility to and enforcement of stalking orders. Members will participate in the Family Violence Coordinating Council Stalking Committee to analyze the current system response to stalking, make recommendations for change, assist in implementing changes, and provide training.

Collaborative Relationships:

The partners named above have a long history of collaboration and coordination. All of the partners are long-standing members of the Multnomah County Family Violence Coordinating Council, with memberships going back to the early 1990's. Representatives from these agencies have participated actively in many of the Council's activities, including the victim services assessment completed in 2000, the stalking court watch completed in 2001, local advocacy for programs and funding, evaluation of the criminal justice system response to domestic violence completed in 2000, and the development of a plan for the community-based victim services in 2001. In 1999, the Portland Police Bureau received its first DOJ STOP Violence Against Women grant and began a close working relationship with VOA and RH victim services programs. During the two years of that grant, police/advocate teams followed up on PPB reports of "low-level" domestic violence cases to prevent future crimes, and together significantly improved the likelihood of prosecution of offenders involved in domestic violence crimes. More recently, through a DOJ Project Safe Neighborhood grant, PPB again worked with VOA and RH to form officer/advocate teams that focused on offenders who used firearms in domestic violence crimes.

In 2004 through a local United Way grant the partners came together to develop and implement DVERT in Multnomah County. In July 2006 with DOJ Grant to Encourage Arrests Programs funding DVERT expanded to its current model. The current model includes three officer/advocate teams that focused on misdemeanor domestic violence crimes. All of the partners have participated actively in the current DVERT. In addition, managers from the partner agencies are active members of the DVERT Steering Committee.

Participation in Developing the Application: Each of the agencies has also been actively involved in developing the application and the underlying model of response. DVERT line staff meet bi-weekly, and managers and supervisors from the participating agencies meet at least quarterly as a Steering Committee to discuss the functioning of DVERT, changes to procedures, areas of success and to review what system changes could be made to more effectively respond to both high risk cases and lower risk cases. Specifically for this grant proposal, DVCO held one meeting with the partner agencies to review status of the project, and come to agreement on changes proposed or instituted since the inception of DVERT, the content of this MOU and the proposed budget. The partners were also given an opportunity to review and comment on a draft of this application, including the proposed budget.

Representatives Responsible for Developing and Implementing Project Activities:

<i>Organization</i>	<i>Representatives in Planning and Development</i>	<i>Implementation Role</i>
Multnomah County	Chiquita Rollins, Multnomah County Domestic Violence Coordinator's Office Joslyn Baker, DVERT Coordinator	Hire and supervise the DVERT Coordinator, participate in Steering Committee and regular meetings on grant project; assure that all grant requirements are met. Lead staff on implementation of this project; see specific roles described in the section below.
Multnomah County Sheriff's Office	Deputy James Eriksen	MCSO Deputy will provide law enforcement interdiction in DVERT cases, in particular in those cases which are committed in the smaller cities and towns of Gresham, Troutdale, Fairview, Corbett and the non-incorporated areas of Multnomah County. The Deputy will attend bi-weekly DVERT meetings, follow the procedures established by DVERT, assist in training, provide a linkage to other MCSO functions (jail, restraining and stalking order service), and provide consultation to DVERT on

	Cpt. Monte Reiser, Law Enforcement Division	<p>specific cases, and participate in the Major Crimes Task Force.</p> <p>Enforcement Chief Deputy or Designee will hire/appoint and supervise the Deputy assigned to DVERT, and provide consultation on implementation of project</p>
Portland Police Bureau	<p>Cpt. Chris Uehara, Lieutenant Matt Wagenknecht Family Services Division</p> <p>Sgt. Margaret Bahnson, Domestic Violence Reduction Unit Supervisor</p>	<p>The Captain and/or Lieutenant will provide consultation on implementation of project, attend Steering Committee meetings, and act as a liaisons to other Police Departments and Bureaus within PPB, including to the Chief of Police</p> <p>The Lieutenant will supervise the dedicated PPB Sergeant, manage the administrative functions necessary (billing the County), , and provide consultation on specific cases and on DVERT procedures.</p> <p>The Sergeant funded by GTEAP will supervise the two PPB dedicated officers, provide consultation on specific cases and coordination with other DV Unit officers and with other jurisdictions, assist in training and attend some Steering Committee and all bi-weekly DVERT meetings. See specific roles described in the section below.</p>
Raphaël House	<p>Teri Lorenzen, Executive Director</p> <p>Sarah McDowell, Program Manager</p> <p>Nikki Wolff-Conley and AshlyHinmon</p>	<p>Participate in Steering Committee and regular meetings on grant project</p> <p>Hire and supervise advocates dedicated to DVERT cases; participate in Steering Committee and bi-weekly DVERT meetings ;</p> <p>DVERT Advocates, funded by GTEAP, will provide follow-up support services (see specific roles described in the section below), participate in bi-weekly DVERT meetings, assist in trainings, and provide consultation to the officers and</p>

		DVERT Coordinator on specific cases, lethality indicators or availability of services.
Volunteers of America Home Free	Kris Billhardt, Director of Home Free Lynn Fairweather, DVERT Advocate	Hire, supervise advocate dedicated to DVERT cases; participate in Steering Committee and some bi-weekly DVERT meetings and in interviewing/hiring partner staff. DVERT Advocates, funded by GTEAP, will provide follow-up support services (see specific roles described in the section below), participate in bi-weekly DVERT meetings, assist in trainings, provide consultation to the officers and DVERT Coordinator on specific cases, lethality indicators or availability of services. Lynn currently also acts as "lead advocate."

Multnomah County Domestic Violence Coordinator's Office (DVCO):

DVCO will supervise DVERT Coordinator and ensure that Department of Justice grant requirements are met. The DVERT Coordinator will be responsible for the following: staffing all meetings (bi-weekly case selection/tracking, steering committee); amending protocols/procedures with input from Steering Committee; engaging new partners; coordinating cross-training opportunities; scheduling of community-based advocates, tracking the activity of all partners on DVERT cases, provide case consultation, solicit from partners and community organizations high risk/high lethality cases, reviewing all referrals, assuring all data entry is completed, reports run, follow-up client satisfaction call/surveys are completed, and that contracts with and payment to partner agencies, work with Portland State University consultant on outcome data relating to reduction in recidivism, and reporting to DOJ and fulfilling other grant requirements. In addition, the DVERT Coordinator will assist in staffing the Family Violence Coordinating Council Stalking Committee to analyze the current response to stalking cases and make recommendations to provide more effective intervention by law enforcement, District Attorney, and the Court. With the PPB Sergeant, the DVERT Coordinator will assign DVERT cases at DVERT meetings and track cases and assigned activity on those cases.

Resources Contributed: Contribution of Dr. Rollins' time for supervision of DVERT Coordinator, participation in Steering Committee and regular partner meetings, and consultation and technical assistance. .75 FTE DVERT Coordinator, through a United Way grant. .

Portland Police Bureau:

PPB will participate in the DVERT process and meetings with DVERT Team members through its Family Services Division. The DVERT Sergeant will supervise the two PPB officers assigned to DVERT and the MCSO Deputy funded through this grant. The Sergeant consults with and act

as a liaison to the PPB detectives investigating felony domestic violence cases, assure that all partners on this grant will have phones (desk and cell), computers, access to databases, cars and space at the site, and, with the DVERT Coordinator, will assign DVERT cases at DVERT meetings and track cases and assigned activity on those cases. PPB will provide supervision and training for the Sergeant and assigned officers and will provide data required by DVERT and for reporting to DOJ. The Sergeant will attend most DVERT meetings. PPB Sergeant and assigned officers will screen police reports using the DVERT assessment tool, follow-up on potential DVERT cases, refer cases to DVERT and participate in discussion regarding the cases at DVERT meetings, as requested by the DVERT Coordinator and/or the Sergeant, and will provide additional investigation and law enforcement response on those cases as part of assigned police/advocate teams. The Sergeant and Officers will provide training, as appropriate.

Resources Contributed: Contribution of Captain Uehara's and Lt. Wagenknecht's time for participation in DVERT, including supervision of DVERT Sergeant, attendance at Steering Committee and bi-weekly meetings, and consultation and technical assistance. Funding for two full-time dedicated police officers, and for office space, phones (desk and cell, computers, and other equipment for all partners, and one car to be shared by the officer/advocate teams.

Multnomah County Sheriff's Office:

MCSO will hire and assign a full-time Deputy Sheriff (law enforcement officer) who will focus on DVERT cases from areas outside the City of Portland. The Deputy Sheriff will screen police reports using the DVERT assessment tool, follow-up on potential DVERT cases, refer cases to DVERT and participate discussion regarding the cases at DVERT meetings, as requested by the DVERT Coordinator and/or the Sergeant, and will provide additional investigation and law enforcement response on those cases as part of assigned police/advocate teams. The Deputy will act as a liaison to MCSO, Gresham, Troutdale and Fairview law enforcement, assist in training DVERT partners on intervention in stalking cases (help develop the curriculum and provide the training) in order to increase the knowledge, skill and abilities of the DVERT members on the topic of stalking and increase their ability to address stalking in DVERT and non DVERT cases. DVERT will provide training on stalking, especially electronic stalking and effective intervention strategies for all DVERT members and will provide data required by DVERT and for reporting to DOJ.

Resources Contributed: Contribution of Enforcement Chief Deputy's (or designee) and Enforcement Detective-Sergeant's time for supervision of MCSO Deputy, participation in Steering Committee and bi-weekly DVERT meetings, and consultation and technical assistance, and of one car and cell phone for use by the Deputy dedicated to DVERT. The MCSO will also provide funding for .25 FTE Deputy.

Volunteers of America:

Hire and supervise DVERT advocates stationed at Family Services Division. The Advocate will attend DVERT meetings, assist in screening police reports based on DVERT criteria, provide supportive services or follow-up on assigned cases, and assist in training DVERT partners on intervention in stalking cases (help develop the curriculum and provide the training). The advocate will provide data required by DVERT and for reporting to DOJ. Advocates will provide outreach, safety planning, accompaniment to court hearings, other advocacy and referrals for

victims in DVERT cases; information about domestic violence; information about police response; information about restraining orders; individualized safety planning; and information/ referrals/ advocacy for community services. If assigned as lead advocate, the advocate will provide additional training for other DVERT advocates, assistance with specific cases and monitoring of their workload.

Resources Contributed: Contribution of Kris Billhardt's time for supervision of DVERT advocate, participation in Steering Committee and bi-weekly DVERT meetings, and consultation and technical assistance.

Raphael House:

Hire and supervise DVERT advocates stationed at Family Services Division. These Advocates will attend DVERT meetings, assist in screening police reports based on DVERT criteria, provide supportive services or follow-up on assigned cases, and assist in training DVERT partners on intervention in stalking cases (help develop the curriculum and provide the training). Advocates will provide data required by DVERT and for reporting to DOJ. Advocates will provide outreach, safety planning, accompaniment to court hearings, other advocacy and referrals for victims in DVERT cases; information about domestic violence; information about police response; information about restraining orders; individualized safety planning; and information/ referrals/ advocacy for community services. If assigned as lead advocate, that advocate will provide additional training for other DVERT advocates, assistance with specific cases and monitoring of their workload.

Resources Contributed: Contribution of Teri Lorenzen's and Sarah McDowell's time for supervision of DVERT advocates, participation in Steering Committee and bi-weekly DVERT meetings, and consultation and technical assistance.

Roles and responsibilities each organization will assume in meeting grant report requirements.

Community partners provide needed data to the DVERT coordinator in the following ways:

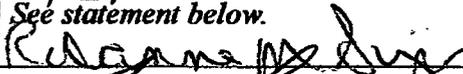
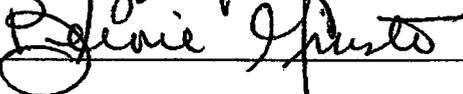
1. Daily – partners email updates about cases including but not limited to arrest, prosecution, victim safety, program updates.
2. Semi –annually –partners provide specific data related arrests, issuance of restraining orders, prosecution.
3. Annually – partners complete a key informant survey and provide feedback about how DVERT is doing at achieving their goals.

No Third Party Rights.

This Memorandum of Agreement establishes a set of aspirations and goals among the partners. It is not legally enforceable and shall not be construed to create any legal obligation on the part of any party. It shall not be construed to create a private right, benefit, or cause of action for or by any person enforceable at law or equity against any partner, their officers, employees, or any other person.

Signatures

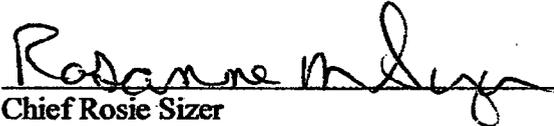
We, the undersigned, as authorized representatives of the agencies listed above, have read and agree to abide by the terms and conditions of this document and the grant application submitted by Multnomah County, including the budget. Our signatures below indicate our commitment on the part of our agency to work together to achieve stated project goals;

<i>Title/Organization</i>	<i>Partner Signature</i>	<i>Printed Name</i>
Multnomah County		Ted Wheeler, Chair, Board of County Commissioners
Portland Police Bureau	See statement below. 	Chief Rosie Sizer
Raphael House		Teri Lorenzen, Executive Director
Volunteers of America Home Free		Kay Toran, President/CEO
Multnomah County Sheriff's Office		Sheriff Bernie Giusto

The City of Portland requires that an ordinance be passed agreeing to the terms of this Memorandum of Agreement, with the following addition:

The Portland Police Bureau retains the right to add or reduce officer staffing at Family Services Division and DVRU, dependent upon organizational demands and priorities and funding, as listed on page 3, which details the number of officers participating in the DVERT model (two officers and one sergeant).

By signing this document, the Chief of Police Rosie Sizer agrees to abide by the terms of this agreement, as amended, if and when such an ordinance is passed.


Chief Rosie Sizer
Portland Police Bureau

1/17/08
Date



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 06/18/09
Agenda Item #: R-4
Est. Start Time: 9:50 AM
Date Submitted: 06/10/09

Agenda Title: **First Reading and Possible Adoption of an ORDINANCE Relating to County Organization; Concerning the Organization and Functions of the Office of Emergency Management, Repealing MCC §27.001(G) and Declaring an Emergency**

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

Requested Meeting Date: June 18, 2009 **Amount of Time Needed:** 5 minutes
Department: Non-Departmental **Division:** County Attorney
Contact(s): Agnes Sowle, County Attorney
Phone: 503-988-3138 **Ext.** 83138 **I/O Address:** 503/500
Presenter(s): Jana McLellan, Chief Operating Officer; Agnes Sowle, County Attorney

General Information

1. What action are you requesting from the Board?

Approve first reading and adoption of ordinance concerning the organization and functions of the Office of Emergency Management.

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

The County FY 2010 Budget adopted June 4, 2009, moved funding for the Office of Emergency Management (Office) from the Department of Community Services (DCS) to a stand alone office. The proposed reorganization would create a separate office to continue to provide County emergency management program services and improve government efficiency. Housekeeping amendments would remove emergency management program and services from DCS functions (MCC 27.001(G)) and correct code references to the renumbered sections.

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

None

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

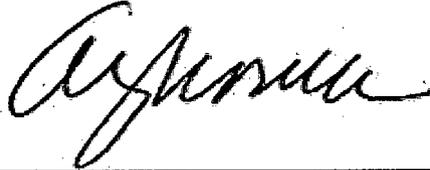
None

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

N/A

Required Signature

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

A handwritten signature in cursive script, appearing to read "A. J. ...", is written over a horizontal line.

Date: June 10, 2009

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Relating to County Organization; Concerning the Organization and Functions of the Office of Emergency Management, Repealing MCC §27.001(G) and Declaring an Emergency

(Language ~~stricken~~ is deleted; double underlined language is new.)

Multnomah County Ordains as follows:

Section 1. MCC §§27.301-27.310 are renumbered and amended or deleted as follows:

EMERGENCY MANAGEMENT

§ ~~27.301-501~~ DEFINITIONS.

For purposes of this subchapter the following definitions apply:

EMERGENCY. As defined by ORS 401.025 (5).

ABSENCE. When the county official cannot be reached by available communications methods in time to respond appropriately to an emergency.

§ ~~27.302-502~~ OFFICE OF EMERGENCY MANAGEMENT.

There is an Office of Emergency Management (Office) ~~within the Department of Community Services (Department).~~ The Office maintains an emergency services coordination system by planning, preparing and providing for the ~~prevention, mitigation, and management response and recovery coordination effort of emergencies and or disasters~~ in the County. The Director of the Office reports directly to the ~~Chair~~ Director of the Department ~~but has direct access to the Chair in emergencies.~~ The Office will simultaneously notify the Chair, and the Sheriff ~~and the Department Director~~ of all emergency response coordination center activations.

The ~~Office~~ Director will:

(A) Establish and identify personnel and material needs and to process, as eligible, requests for federal or state funding;

(B) Represent the county with ~~the Federal Emergency Management Agency in~~ other agencies regarding funding and performance matters;

(C) Represent jurisdictions within the county without emergency management programs;

(D) Develop and maintain emergency operations plans for jurisdictions within the county without emergency management programs;

(E) Adopt operational procedures and practices to prepare county to respond to and recover from major emergencies or disasters;

(F) Guide each county department in development, implementation, review and maintenance of ~~safety action~~emergency response plans for each critical facility, and department ~~business continuation~~continuity of operations plans for Chair approval;

(HG) Provide or arrange for training necessary to support these plans;

(IH) Develop and conduct practice exercises to give county officers and employees practice in directing, coordinating and supporting operations under ~~state of~~ emergency conditions;

(JI) Negotiate intergovernmental agreements for Board approval that further planning and preparedness to meet projected emergencies;

(KJ) Coordinate and apply for state and federal funds to achieve and maintain an effective program;

(LK) Advise county officers and incident commanders during ~~an a state of em~~ergency and in the development of a declaration of an emergency;

(ML) Serve as contact for damage reports during and immediately following emergencies;

(NM) Maintain a plan for the collection, evaluation, and dissemination of emergency incident status information, and for recommending to the Chair whether potential or actual damage justifies a declaration of emergency;

(ON) Administer the county emergency management program.

(PO) Create and train Incident Management Teams that will be responsible for:

(a) Incident management and coordination in an Emergency Coordination Center (EOCC)~~EOC~~ environment. Within the scope of the emergency operations plan approved by the Board;

(b) Participating in Incident Command System (ICS) training;

(c) Participating in county emergency operations plan (EOP) exercises and event-driven ECC activations.

(QP) Designate and train individuals to perform the ICS functions ~~of including~~ incident commander, operations, planning, logistics, finance, public information, safety, liaison and legal counsel as well as other positions that may be needed in a large scale event.

§ 27.303503 INCIDENT COMMAND SYSTEM.

The Board adopts the National Incident Management System (NIMS) and the Incident Command System (ICS) ~~as outlined in Chapter 2 of the NIMS document~~. These are the preferred incident management tool, and will be integrated into all county emergency response and operations plans.

~~§ 27.304 EMERGENCY MANAGEMENT ADVISORY COUNCIL (EMAC).~~

~~(A) The county establishes an Emergency Management Advisory Council chaired by the Director of the Office. The council will develop, review, evaluate and recommend projects and programs for the emergency management program including:~~

- ~~(1) Emergency management program goal setting;~~
- ~~(2) Development, review and maintenance of an all hazard emergency operations plan;~~
- ~~(3) Establishing 'Incident Management Teams' (IMT);~~
- ~~(4) Incident command system training;~~
- ~~(5) Coordinating local and regional exercises to validate the emergency operations plan.~~

~~(B) The EMAC will have a representative from each county elected official and department. Each city in the county, each fire department in the county, the Port of Portland, each public utility in the county, the state Fire Marshall, each school district in the county, and the Willamette Chapter of the American Red Cross may have a representative on the EMAC. The Office Director will also appoint one public, one business and one media representative.~~

§ 27.305-505 SUCCESSION; AUTHORITY.

(A) The Chair or in the Chair's absence or inability to perform the functions of the office, the most senior member of the Board, or in the senior Board member's absence or inability, the Sheriff, or in the Sheriff's absence or inability, the Chair's designated interim, or in the Chair's designated interim's absence or inability, the Sheriff's designated interim, has authority to:

- (1) Declare a state of emergency as defined by state law when conditions exist requiring such declaration;
- (2) Designate an area within the county or over which the county may exercise police jurisdiction, an emergency area;
- (3) Fix the limit of the area in the case of any disaster, catastrophe or civil disorder that warrants the exercise of emergency control in the public interest;
- (4) Fix the time during which the area designated will remain an emergency area;
- (5) Publicly announce or proclaim a curfew for the area that fixes the hours during which all persons other than authorized official personnel are prohibited from being on the streets, in parks or other public places without authorization of the Sheriff.
- (6) Implement authority assigned by the emergency operations plan;
- (7) Commit county resources for emergency response, restoration or recovery;

(8) Redirect county funds for emergency use and suspend standard county procurement procedures;

(9) Suspend any county code, resolution, executive rule, administrative rule, guideline or practice if compliance with such provision would in any way prevent, hinder, or delay necessary action in coping with the emergency;

(10) Direct county officers and employees to perform or facilitate emergency services;

(11) Act on appropriate requests for compensation, commandeer or utilize any private property if deemed necessary to cope with the emergency;

(12) Prescribe routes, modes of transportation, and destinations in connection with evacuation within the county;

(13) Order any other action necessary to address and alleviate the emergency.

(B) The powers of the Chair's successor are limited to those granted by this subchapter and the duration of succession is only until the Chair is able and available to perform the duties or until the emergency is abated.

§ 27.306-506 DECLARATION OF EMERGENCY.

(A) When the county determines that a state of emergency exists, the document declaring a county emergency must:

(1) State the nature of the emergency;

(2) Designate the geographic boundaries of the impacted area;

(3) Certify all local resources have been expended

(4) Provide a preliminary or initial damage assessment including property loss, injuries and deaths;

(5) State the known emergency equipment and supplies, needed to accomplish emergency tasks;

(6) State the duration that the area will remain an emergency area.

(B) The emergency declaration will continue until the Chair finds that emergency conditions no longer exist. The state of emergency may be terminated at any time, but may not last for more than 30 days. A declaration of emergency may be extended or terminated by the Board.

§ 27.307-507 REGULATION OF PERSONS AND PROPERTY.

When an emergency is declared, for its duration the Chair has authority to impose one or more of the following measures within the emergency area:

- (A) Prohibit or limit the number of persons who may congregate in public places;
- (B) Suspend the sale of alcoholic beverages;
- (C) Suspend or restrict the sale of gasoline or other flammable or combustible liquids;
- (D) Suspend or limit the sale, dispensing, or transportation of any firearm or explosives on roads, streets, public places, or any outdoor place;
- (E) Curtail or suspend commercial activity;
- (F) Shut down water, gas or electric utilities;
- (HG) Order measures necessary to protect life or property, or facilitate recovery from the emergency.

§ 27.308-508 PRICE GOUGING PROHIBITED.

During a disaster declared by the Governor or an emergency declared by the Chair, the value received for goods and services sold within the designated disaster area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at, or immediately before, the time of the emergency. However, the value received may include reasonable expenses and a charge for any attendant business risk, in addition to the cost of the goods and services that necessarily are incurred in procuring the goods and services during the emergency. Each sale or offer for sale violating this provision constitutes a separate offense,

§ 27.309-509 VIOLATION OF CURFEW OR EMERGENCY REGULATION.

(A) It is unlawful for any person to violate any curfew established under ~~§ 27.305~~ MCC 7.505 or to violate any measure taken under authority of this subchapter. The provisions of this section do not apply to official personnel authorized to be on the streets or other public places during the period of time for which a curfew has been established or other measures taken.

(B) Any person convicted of violating any provision of this subchapter for which no other specific penalty is provided shall be punished by a fine of not more than \$500 or by imprisonment in the county jail for not more than six months, or both.

§ 27.310-510 EMERGENCY SERVICE WORKERS - VOLUNTEERS.

The Office will maintain a record of enrollment of emergency service workers. Each record will contain the name and address of the worker, the name of the employer of the worker, date of enrollment and authorized classification of assignment to duty, including the times of assigned duty, and changes in enrollment.

Section 2. MCC §§ 15.326 and 15.328 are amended to correct references as follows:

§ 15.326 POWERS OF SHERIFF.

(A) Whenever any area has been designated as an emergency area under § 27.305505, within the boundaries of the area the Sheriff shall have authority to:

* * * * *

§ 15.328 ACCESS PRIOR TO DECLARATION AS EMERGENCY AREA; FINDINGS.

The Board finds that certain emergencies may require the responding peace officers to immediately restrict public access to the areas affected, before the area has been designated as an emergency area under § 27.305505. Peace officers that respond to such emergencies have authority to restrict access to the area affected to protect the health, welfare and safety of the people of the county. Sections 15.328 through 15.330 must be liberally construed to effectuate the purposes expressed herein.

Section 3. This ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and for budget purposes, MCC §27.001(G) is repealed and this ordinance will take effect on July 1, 2009.

FIRST READING AND ADOPTION:

June 18, 2009

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

SUBMITTED BY:
Agnes Sowle, County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1138

Relating to County Organization; Concerning the Organization and Functions of the Office of Emergency Management, Repealing MCC §27.001(G) and Declaring an Emergency

(Language ~~stricken~~ is deleted; double underlined language is new.)

Multnomah County Ordains as follows:

Section 1. MCC §§27.301-27.310 are renumbered and amended or deleted as follows:

EMERGENCY MANAGEMENT

§ ~~27.301~~ 501 DEFINITIONS.

For purposes of this subchapter the following definitions apply:

EMERGENCY. As defined by ORS 401.025 (5).

ABSENCE. When the county official cannot be reached by available communications methods in time to respond appropriately to an emergency.

§ ~~27.302~~ 502 OFFICE OF EMERGENCY MANAGEMENT.

There is an Office of Emergency Management (Office) ~~within the Department of Community Services (Department).~~ The Office maintains an emergency services coordination system by planning, preparing and providing for the ~~prevention, mitigation, and management response and recovery~~ coordination effort of emergencies and or disasters in the County. The Director of the Office reports directly to the Chair ~~Director of the Department but has direct access to the Chair in emergencies.~~ The Office will simultaneously notify the Chair, and the Sheriff and the Department Director ~~of all emergency response coordination center activations.~~

The ~~Office~~ Director will:

- (A) Establish and identify personnel and material needs and to process, as eligible, requests for federal or state funding;
- (B) Represent the county with ~~the Federal Emergency Management Agency in other~~ agencies regarding funding and performance matters;
- (C) Represent jurisdictions within the county without emergency management programs;
- (D) Develop and maintain emergency operations plans for jurisdictions within the county without emergency management programs;
- (E) Adopt operational procedures and practices to prepare county to respond to and recover from major emergencies or disasters;

(F) Guide each county department in development, implementation, review and maintenance of ~~safety action~~emergency response plans for each critical facility, and department ~~business continuation~~continuity of operations plans for Chair approval;

(HG) Provide or arrange for training necessary to support these plans;

(HH) Develop and conduct practice exercises to give county officers and employees practice in directing, coordinating and supporting operations under ~~state of emergency~~ conditions;

(JI) Negotiate intergovernmental agreements for Board approval that further planning and preparedness to meet projected emergencies;

(KJ) Coordinate and apply for state and federal funds to achieve and maintain an effective program;

(~~LK~~) Advise county officers and incident commanders during ~~an a state of em~~emergency and in the development of a declaration of an emergency;

(ML) Serve as contact for damage reports during and immediately following emergencies;

(NM) Maintain a plan for the collection, evaluation, and dissemination of emergency incident status information, and for recommending to the Chair whether potential or actual damage justifies a declaration of emergency;

(ON) Administer the county emergency management program.

(PO) Create and train Incident Management Teams that will be responsible for:

(a) Incident management and coordination in an Emergency Coordination Center (~~ECCC~~)EOC environment. Within the scope of the emergency operations plan approved by the Board;

(b) Participating in Incident Command System (ICS) training;

(c) Participating in county emergency operations plan (EOP) exercises and event-driven ECC activations.

(QP) Designate and train individuals to perform the ICS functions ~~of including~~ incident commander, operations, planning, logistics, finance, public information, safety, liaison and legal counsel as well as other positions that may be needed in a large scale event.

§ 27.303503 INCIDENT COMMAND SYSTEM.

The Board adopts the National Incident Management System (NIMS) and the Incident Command System (ICS) ~~as outlined in Chapter 2 of the NIMS document~~. These are the preferred incident management tool, and will be integrated into all county emergency response and operations plans.

§ 27.304 EMERGENCY MANAGEMENT ADVISORY COUNCIL (EMAC).

~~(A) The county establishes an Emergency Management Advisory Council chaired by the Director of the Office. The council will develop, review, evaluate and recommend projects and programs for the emergency management program including:~~

- ~~(1) Emergency management program goal setting;~~
- ~~(2) Development, review and maintenance of an all hazard emergency operations plan;~~
- ~~(3) Establishing 'Incident Management Teams' (IMT);~~
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- ~~(5) Coordinating local and regional exercises to validate the emergency operations plan.~~

~~(B) The EMAC will have a representative from each county elected official and department. Each city in the county, each fire department in the county, the Port of Portland, each public utility in the county, the state Fire Marshall, each school district in the county, and the Willamette Chapter of the American Red Cross may have a representative on the EMAC. The Office Director will also appoint one public, one business and one media representative.~~

§ 27.305-505 SUCCESSION; AUTHORITY.

(A) The Chair or in the Chair's absence or inability to perform the functions of the office, the most senior member of the Board, or in the senior Board member's absence or inability, the Sheriff, or in the Sheriff's absence or inability, the Chair's designated interim, or in the Chair's designated interim's absence or inability, the Sheriff's designated interim, has authority to:

- (1) Declare a state of emergency as defined by state law when conditions exist requiring such declaration;
- (2) Designate an area within the county or over which the county may exercise police jurisdiction, an emergency area;
- (3) Fix the limit of the area in the case of any disaster, catastrophe or civil disorder that warrants the exercise of emergency control in the public interest;
- (4) Fix the time during which the area designated will remain an emergency area;
- (5) Publicly announce or proclaim a curfew for the area that fixes the hours during which all persons other than authorized official personnel are prohibited from being on the streets, in parks or other public places without authorization of the Sheriff.
- (6) Implement authority assigned by the emergency operations plan;
- (7) Commit county resources for emergency response, restoration or recovery;

(8) Redirect county funds for emergency use and suspend standard county procurement procedures;

(9) Suspend any county code, resolution, executive rule, administrative rule, guideline or practice if compliance with such provision would in any way prevent, hinder, or delay necessary action in coping with the emergency;

(10) Direct county officers and employees to perform or facilitate emergency services;

(11) Act on appropriate requests for compensation, commandeer or utilize any private property if deemed necessary to cope with the emergency;

(12) Prescribe routes, modes of transportation, and destinations in connection with evacuation within the county;

(13) Order any other action necessary to address and alleviate the emergency.

(B) The powers of the Chair's successor are limited to those granted by this subchapter and the duration of succession is only until the Chair is able and available to perform the duties or until the emergency is abated.

§ 27.306-506 DECLARATION OF EMERGENCY.

(A) When the county determines that a state of emergency exists, the document declaring a county emergency must:

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(3) Certify all local resources have been expended

(4) Provide a preliminary or initial damage assessment including property loss, injuries and deaths;

(5) State the known emergency equipment and supplies, needed to accomplish emergency tasks;

(6) State the duration that the area will remain an emergency area.

(B) The emergency declaration will continue until the Chair finds that emergency conditions no longer exist. The state of emergency may be terminated at any time, but may not last for more than 30 days. A declaration of emergency may be extended or terminated by the Board.

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When an emergency is declared, for its duration the Chair has authority to impose one or more of the following measures within the emergency area:

- (A) Prohibit or limit the number of persons who may congregate in public places;
- (B) Suspend the sale of alcoholic beverages;
- (C) Suspend or restrict the sale of gasoline or other flammable or combustible liquids;
- (D) Suspend or limit the sale, dispensing, or transportation of any firearm or explosives on roads, streets, public places, or any outdoor place;
- (E) Curtail or suspend commercial activity;
- (F) Shut down water, gas or electric utilities;
- (HG) Order measures necessary to protect life or property, or facilitate recovery from the emergency.

§ 27.308-508 PRICE GOUGING PROHIBITED.

During a disaster declared by the Governor or an emergency declared by the Chair, the value received for goods and services sold within the designated disaster area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at, or immediately before, the time of the emergency. However, the value received may include reasonable expenses and a charge for any attendant business risk, in addition to the cost of the goods and services that necessarily are incurred in procuring the goods and services during the emergency. Each sale or offer for sale violating this provision constitutes a separate offense,

§ 27.309-509 VIOLATION OF CURFEW OR EMERGENCY REGULATION.

(A) It is unlawful for any person to violate any curfew established under § 27.305 MCC 7.505 or to violate any measure taken under authority of this subchapter. The provisions of this section do not apply to official personnel authorized to be on the streets or other public places during the period of time for which a curfew has been established or other measures taken.

(B) Any person convicted of violating any provision of this subchapter for which no other specific penalty is provided shall be punished by a fine of not more than \$500 or by imprisonment in the county jail for not more than six months, or both.

§ 27.310-510 EMERGENCY SERVICE WORKERS - VOLUNTEERS.

The Office will maintain a record of enrollment of emergency service workers. Each record will contain the name and address of the worker, the name of the employer of the worker, date of enrollment and authorized classification of assignment to duty, including the times of assigned duty, and changes in enrollment.

Section 2. MCC §§ 15.326 and 15.328 are amended to correct references as follows:

§ 15.326 POWERS OF SHERIFF.

(A) Whenever any area has been designated as an emergency area under § ~~27.305~~505, within the boundaries of the area the Sheriff shall have authority to:

* * * * *

§ 15.328 ACCESS PRIOR TO DECLARATION AS EMERGENCY AREA; FINDINGS.

The Board finds that certain emergencies may require the responding peace officers to immediately restrict public access to the areas affected, before the area has been designated as an emergency area under § ~~27.305~~505. Peace officers that respond to such emergencies have authority to restrict access to the area affected to protect the health, welfare and safety of the people of the county. Sections 15.328 through 15.330 must be liberally construed to effectuate the purposes expressed herein.

Section 3. This ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and for budget purposes, MCC §27.001(G) is repealed and this ordinance will take effect on July 1, 2009.

FIRST READING AND ADOPTION:

June 18, 2009



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

[Handwritten Signature]
Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By *[Handwritten Signature]*
Agnes Sowle, County Attorney

SUBMITTED BY:

Agnes Sowle, County Attorney



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 06/18/09
 Agenda Item #: R-5
 Est. Start Time: 9:55 AM
 Date Submitted: 06/10/09

Agenda Title: First Reading and Possible Adoption of an ORDINANCE Relating to County Organization; Concerning the Organization and Functions of the Office of Information Technology, and Declaring an Emergency

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

Requested Meeting Date: June 18, 2009 Amount of Time Needed: 5 minutes
 Department: Non-Departmental Division: County Attorney
 Contact(s): Agnes Sowle, County Attorney
 Phone: 503-988-3138 Ext. 83138 I/O Address: 503/500
 Presenter(s): Jana McLellan, Chief Operating Officer; Agnes Sowle, County Attorney

General Information

1. **What action are you requesting from the Board?**
 Approve first reading and adoption of ordinance concerning the organization and functions of the Office of Information Technology.
2. **Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.**
 The County FY 2010 Budget adopted June 4, 2009, moved funding for the Office of Information Technology (Office) from the Department of County Management to a stand alone office. The proposed reorganization would create a separate office to continue to provide County information technology functions, implement the program and improve government efficiency.
3. **Explain the fiscal impact (current year and ongoing).**
 None
4. **Explain any legal and/or policy issues involved.**
 None

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

N/A

Required Signature

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

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

Date: June 10, 2009

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Relating to County Organization; Concerning the Organization and Functions of the Office of Information Technology, and Declaring an Emergency

Multnomah County Ordains as follows:

Section 1. MCC §§7.551 and 7.552 are added as follows:

INFORMATION TECHNOLOGY

§ 7.551 OFFICE ESTABLISHED.

There is an Office of Information Technology (Office). The Chief Information Officer (CIO) of the county is the Office Director. The CIO reports directly to the Chair.

§ 7.552 DUTIES.

The CIO will:

- (A) Maintain secure and reliable IT services, including, but not limited to:
- (1) Server hosting;
 - (2) Data center operations;
 - (3) Network management
 - (4) Help Desk services
 - (5) Telecommunications
 - (6) Desktop services
 - (7) Database design and administration
 - (8) Business applications (packaged software implementation and support, software development, and maintenance)
 - (9) IT security and risk management
 - (10) IT planning and budgeting
 - (11) IT administration and support

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1139

Relating to County Organization; Concerning the Organization and Functions of the Office of Information Technology, and Declaring an Emergency

Multnomah County Ordains as follows:

Section 1. MCC §§7.551 and 7.552 are added as follows:

INFORMATION TECHNOLOGY

§ 7.551 OFFICE ESTABLISHED.

There is an Office of Information Technology (Office). The Chief Information Officer (CIO) of the county is the Office Director. The CIO reports directly to the Chair.

§ 7.552 DUTIES.

The CIO will:

- (A) Maintain secure and reliable IT services, including, but not limited to:
- (1) Server hosting;
 - (2) Data center operations;
 - (3) Network management
 - (4) Help Desk services
 - (5) Telecommunications
 - (6) Desktop services
 - (7) Database design and administration
 - (8) Business applications (packaged software implementation and support, software development, and maintenance)
 - (9) IT security and risk management
 - (10) IT planning and budgeting
 - (11) IT administration and support

- (B) Deliver new technology capabilities required by the approved projects.
- (C) Implement project, resource, application portfolio, performance and service management.

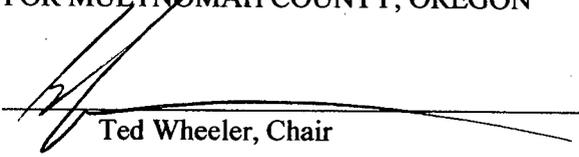
Section 2. This ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and for budget purposes, this ordinance will take effect on July 1, 2009.

FIRST READING AND ADOPTION:

June 18, 2009



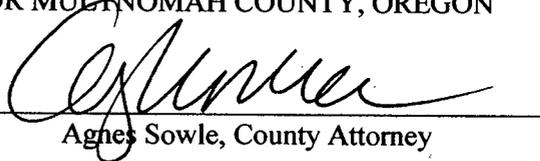
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By


Agnes Sowle, County Attorney

SUBMITTED BY:

Agnes Sowle, County Attorney



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-6 DATE 06.18.09
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 06/18/09
Agenda Item #: R-6
Est. Start Time: 10:00 AM
Date Submitted: 06/10/09

Agenda Title: NOTICE OF INTENT to Submit a Proposal to the Centers for Disease Control and Prevention Healthy Housing Pilot Grant Competition

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

Requested Meeting Date: June 18, 2009 **Amount of Time Needed:** 5 minutes
Department: Health **Division:** Community Health Services – Environmental Health
Contact(s): Lila Wickham, Nicole Hermanns
Phone: 503-988-3663 **Ext.** 26314 **I/O Address:** 160/9
Presenter(s): Lila Wickham and Nicole Hermanns

General Information

1. What action are you requesting from the Board?

Authorize the Director of the Health Department to submit a proposal to the Centers for Disease Control and Prevention (CDC) Building Strategic Alliances for Healthy Housing Pilot grant competition for up to \$110,000 to support the implementation of a Healthy Homes project.

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

Reducing disparities in environmental health and housing has been a priority area of focus for the Multnomah County Health Department's (MCHD) Environmental Health Services Division (EHS) for several years. Substandard housing has been recognized as leading to poor health, and it is a contributing factor leading to health disparities. Experiences within our community have shown that cultural differences play a significant role in practicing healthy home behaviors and developing positive relations between landlords and tenants. For example, newly arrived refugees from Africa face significant acculturation issues as they learn to live with amenities such as running water, electricity, and garbage disposal, in addition to language and cultural barriers. Cultural practices, such as layering several carpets on the floor and covering windows and walls with thick cloths, create mold issues that have an impact on health and on the quality and condition of the housing. Communication and cultural barriers then cause additional conflict between landlords and tenants

when housing conditions are attempted to be addressed.

To respond to this problem, Environmental Health plans to use these grant funds to implement a pilot project within the Kateri Park housing complex to test a model of culturally competent landlord-tenant engagement and education. Kateri Park, an affordable housing complex run by Catholic Charities, has a large immigrant/refugee population and is currently experiencing significant housing issues related to tenant behaviors that are now resulting in the deterioration of the housing structures and tenant evictions. The pilot project will: 1) increase tenants understanding of Healthy Homes principles and the connection between health and housing; 2) reduce structural damage and remediation costs within the housing complex; and 3) result in improved relations between landlords and tenants. The model will be evaluated, and if proven effective, will be packaged and made available for use by other housing complexes and landlords throughout Multnomah County, impacting the health and quality of rental housing within our community.

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

We will request up to \$110,000 a year for two years.

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

None.

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

None.

ATTACHMENT A

Grant Application/Notice of Intent

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

- **Who is the granting agency?**
Centers for Disease Control and Prevention (CDC)
- **Specify grant (matching, reporting and other) requirements and goals.**
The purpose of the grant program is “to reduce or eliminate housing-related health hazards and to promote housing that is safe, healthy, accessible and affordable”. There is no matching requirement. Regular reporting is required.
- **Explain grant funding detail – is this a one time only or long term commitment?**
This grant has a two year project period. When the grant period is over the project will have been completed and additional funding will not be required.
- **What are the estimated filing timelines?**
The grant application is due on June 18th, 2009.
- **If a grant, what period does the grant cover?**
The grant covers a two-year period from 9/1/2009 – 8/31/2011.
- **When the grant expires, what are funding plans?**
When the grant period ends the project will have been completed and additional funding will not be required.
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**
These costs, and any facilities/internal services costs that are not currently budgeted for, will be covered by the grant.

ATTACHMENT B

Required Signatures

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

KaRin Johnson for

Date: 06/09/09

Lillian Shirley

Budget Analyst:

Date: 06/10/09

Angela Burdine



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

Board Clerk Use Only

Meeting Date: 06/18/09
Agenda Item #: R-7
Est. Start Time: 10:03 AM
Date Submitted: 06/09/09

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-7 DATE 06-18-09
 DEBORAH L. BOGSTAD, BOARD CLERK

NOTICE OF INTENT Authorizing Aging and Disability Services Division to Apply for a \$2,500 Medicare Screening Project Grant To Promote Diabetes Screening for Seniors, Focusing on Underserved Racial and Ethnic Populations that are at High Risk for Diabetes

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

Requested Meeting Date:	<u>June 18, 2009</u>	Amount of Time Needed:	<u>5 Minutes</u>
Department:	<u>County Human Services</u>	Division:	<u>Aging & Disability Services</u>
Contact(s):	<u>Kathy Tinkle</u>		
Phone:	<u>503-988-3691</u>	Ext.	<u>26858</u>
		I/O Address:	<u>167/1/620</u>
Presenter(s):	<u>Mary Shortall</u>		

General Information

1. What action are you requesting from the Board?

The Department of County Human Services (DCHS) Aging and Disability Services Division (ADSD) is requesting approval of this Notice of Intent to apply for a \$2,500 Medicare Screening Project grant to promote diabetes screening for seniors, with a particular focus on outreach to underserved racial and ethnic populations that are at high risk for diabetes.

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

National data indicate that as many as half of the 35 million adults 65 years and older enrolled in Medicare have undiagnosed diabetes or pre-diabetes. In Multnomah County, a 2008 survey of low-income older adults conducted by ADSD and Portland State University's Institute on Aging found that one in three respondents had not been screened for diabetes in the past five years and a significant percentage were not aware that Medicare covered diabetes screening. Because African American, Native American, Hispanic, Asian, and Pacific Islander elders are at greater risk for diabetes, ADSD will partner with the Urban League, Native American Family Center, Native

American Rehabilitation Association, Immigrant and Refugee Community Organization, Asian Health and Service Center, and Impact Northwest to help ensure that these populations are informed about diabetes and receive screening from their health care providers. Activities will include presentations at resource fairs, dissemination of a variety of print materials at the aforementioned agencies and other venues such as senior housing sites, and brief interviews with a sample of participants to measure follow-through in receiving diabetic screening.

Project activities will further efforts outlined in Program Offer #25020—ADS Access & Early Intervention Services by helping low-income older adults and people with disabilities maintain and improve their health, independence, and well-being.

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

Grant funding will enable ADSD and its partners to conduct outreach activities in late summer and fall 2009 to educate older adults about diabetes and encourage them to take advantage of Medicare-covered diabetes screening.

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

There are no legal and/or policy issues associated with applying for this grant.

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

ADSD will collaborate with the agencies listed in #2 above, the County Health Department, and Housing Authority of Portland. In addition, ADSD's three advisory councils—Elders in Action, the Multi-Ethnic Action Committee, and Disability Services Advisory Council—will be involved in promoting grant activities.

ATTACHMENT A

Grant Application/Notice of Intent

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

- **Who is the granting agency?**
Medicare Diabetes Screening Project
(American Diabetes Association, Healthcare Leadership Council, Novo Nordisk Inc.)
- **Specify grant (matching, reporting and other) requirements and goals.**
No match is required.
- **Explain grant funding detail – is this a one time only or long term commitment?**
This is a one time only grant.
- **What are the estimated filing timelines?**
July 10, 2009.
- **If a grant, what period does the grant cover?**
Fiscal Year 2010
- **When the grant expires, what are funding plans?**
No plans to continue funding when grant expires.
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**
Grantor pays indirect cost.

ATTACHMENT B

Required Signatures

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

Kathy Linker for Joanne Fuller

Date: 06/09/09

Budget Analyst:

[Signature]

Date: 06/09/09



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

Board Clerk Use Only

Meeting Date: 06/18/09
 Agenda Item #: R-8
 Est. Start Time: 10:05 AM
 Date Submitted: 05/27/09

**Second Reading and Possible Adoption of an ORDINANCE Amending
 Multnomah County Code Chapters 37, Administration and Procedures, and 38,
 Columbia River Gorge National Scenic Area; and Re-adopting Certain
 Ordinances, Relating to Notice Requirements for Legislative Items Provided in
 Title: ORS 203.045(5), 215.060 and 215.503**

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

Requested Meeting Date:	<u>June 18, 2009</u>	Amount of Time Needed:	<u>2 minutes</u>
Department:	<u>DCS</u>	Division:	<u>Land Use & Transportation</u>
Contact(s):	<u>Derrick Tokos, Chuck Beasley</u>		
Phone:	<u>503-988-3043</u>	Ext.:	<u>22682</u>
		I/O Address:	<u>455/1/116</u>
Presenter(s):	<u>Derrick Tokos</u>		

General Information

1. What action are you requesting from the Board?

Adoption of an ordinance amending Chapters 37 and 38 of the Multnomah County Code to include statutory newspaper notice requirements for Board of Commissioners legislative hearings, and the individual mail notice standards that apply when the County amends its Comprehensive Plan, adopts a new Comprehensive Plan or rezones properties. The ordinance also strikes language from Chapter 37 stating that the County has the standing to appeal Hearings Officer decisions to the Land Use Board of Appeals and re-adopts certain land use ordinances where newspaper notice of the Board of Commissioners meetings was not provided.

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

Chapters 37 and 38 of the County code incorporate statutory land use procedures for both quasi-judicial and legislative actions to ensure that the processes the County follows complies with the law and that its constituents receive adequate notice. Legislative work, which is the subject of this

proposal, is identified in the code as “PC reviews” and includes the adoption or amendment of the County’s land use regulations, comprehensive plan, map inventories, and other policy documents that affect the entire county, large areas, or multiple properties (MCC 37.0530(E)). Public hearings are required before the Planning Commission and Board of Commissioners (MCC 37.0710), and the code notes that newspaper notice is required at least 20 days prior to Planning Commission hearings (MCC 37.0720). Ten (10) day advance newspaper notice of Board of Commissioners hearings was included in Chapter 11.05 of the County code; however, the language was not carried over when the County consolidated its procedures into Chapter 37 in 2000 (Ord. #953).

In 2002 LUBA remanded Ord. #967 because the County failed to provide newspaper notice at least 10 days prior to the Board of Commissioners hearing as required by ORS 215.060. That statute applies to amendments to the County Comprehensive Plan. The ordinance in question amended the Comprehensive Plan and Zoning Ordinance for urban unincorporated areas, replacing County policies and regulations with City of Portland policies and regulations, as part of an agreement with the City to administer land use rules for these areas. The defect in the notice was corrected with Ord. #997. Because failure to provide notice required by ORS 215.060 nullifies the affected legislation, the County readopted a number of its prior ordinances at that same time as a precautionary step.

In addition to the newspaper notice requirements of ORS 215.060, which apply to amendments to the Comprehensive Plan, ORS 203.045(5) requires newspaper notice for all ordinances that are read by title only, which is the practice the Board follows in conducting its meetings. However, unlike ORS 215.060, this statute does not nullify legislation if the notice is inadequate.

Since Ord. #997 was adopted, the County has used its administrative processes to provide newspaper notice of Board hearings. Recently, we learned that this has not happened consistently, meaning the County will again need to readopt certain ordinances. Concurrent with that action, staff proposes to adopt the required notice provisions into its code to minimize the chance of this happening in the future. Providing newspaper notice 10 days in advance of a Board hearing satisfies both statutes. It is also consistent with Section 3.50(4) of the County Charter which requires that notice of Board meetings occur as provided by law.

ORS 215.503 requires individual mailed notice to affected property owners when the county amends its Comprehensive Plan, adopts a new Comprehensive Plan, or rezones property in a manner that limits or prohibits allowed uses. The notice must occur at least 20 days but not more than 40 days before the date of the first hearing (i.e. the Planning Commission hearing). This statute implements Measure 56, which was enacted in 1998, and is commonly referred to as “Measure 56” notice. The state provides notice for new state laws and administrative rules pursuant to ORS 197.047, which the County passes through to its constituents. The proposed changes to the County code address the portion of the law that applies to legislation initiated by local governments. The County has been implementing the statute directly since it was enacted.

Staff has reviewed County records for ordinances adopted since 2002 and has not been able to confirm that newspaper notice of Board of Commissioners hearings was provided for 14 of them. However, only three involved Comprehensive Plan amendments where the ramification is that the legislation is nullified. Those ordinances are highlighted in the table below. All of these ordinances should be readopted so that the public has notice of the Board meetings and opportunity to comment.

Ord. #	Adoption Date	Description
999	11/14/02	Made filming activities in EFU zones an allowed use
1007	2/6/03	Technical corrections in the scenic area

1025	1/15/04	Changed procedures and fees
1026	1/22/04	Amended Comprehensive Plan Policy 33C for bike and pedestrian systems
1027	1/22/04	Amended Comprehensive Plan Policy 34 for trafficways
1049	9/16/04	Building code fire flow standards
1065	6/23/05	Added Planning Director appeal process
1080	9/21/06	Related to unlawfully divided lots and parcels
1081	9/28/06	Reduced setbacks for certain agricultural buildings
1082	9/28/06	Related to variances and adjustments
1098	8/16/07	Updated EFU and CFU rules and notice requirements
1107	1/17/08	Related to transportation code enforcement
1114	5/29/08	Related to unlawfully divided parcels, lot sizes for parks, and biofuels
1114	5/29/08	Amended Comprehensive Plan Policy 38A related to surplus schools
1120	9/11/08	Related to flood hazard regulations

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

There are no fiscal impacts. The County budget includes funds for the purpose of providing public notice of it legislative hearings.

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

The three ordinances involving Comprehensive Plan amendments are nullified and must be readopted for those policies to be effective. The re-adoption of the other ordinances provides citizens another opportunity to comment on them. As a matter of policy, the County values citizen participation in its land use processes so it is important that its codes include all of the public notice provisions required by statute.

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

Newspaper notice was provided for a Planning Commission work session held February 2, 2009 and hearing on March 2, 2009. Newspaper notice has also been provided for this hearing.

Required Signature

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



Date: 05/27/09

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending MCC Chapters 37, Administration and Procedures, and 38, Columbia River Gorge National Scenic Area; and Re-adopting Certain Ordinances, Relating to Notice Requirements for Legislative Items Provided in ORS 203.045(5), 215.060 and 215.503

(Language ~~stricken~~ is deleted; double underlined language is new.)

The Multnomah County Board of Commissioners Finds:

- a. The County incorporates statutory land use procedures into its codes to ensure that its processes comply with state law and that its constituents receive adequate notice.
- b. These procedures include legislative work, such as the adoption or amendment of the County Comprehensive Plan, land use regulations, map inventories, and other policy documents that affect the entire county, large areas, or multiple properties.
- c. Public hearings are required before the Planning Commission and Board of Commissioners on all proposed legislation, for which the State has established minimum notice requirements.
- d. While the County Code contains some of the State notice requirements for county land use legislation, it does not include all of them; specifically the newspaper notice provisions outlined in ORS 203.045(5) and 215.060 for Board of Commissioners hearings and the direct mail notice requirements of ORS 215.503.
- e. Implementing state statutes directly has proven ineffective, and it is necessary to add these notice provisions to the Code to minimize the chance that a notice is missed.
- f. The Planning Commission is authorized by Multnomah County Code Section 33.0140 (and its counterparts) and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- g. On March 2, 2009, the Multnomah County Planning Commission held a public hearing regarding the amendment of the Multnomah County Code to provide for notice requirements consistent with state law.
- h. The Planning Commission, in its Resolution No. PC 09-001, recommended that the Board re-notice land use ordinances that were adopted by the Board where newspaper notice was not provided for the hearings, as identified by staff, so that the public will have an opportunity to provide comments.
- i. In addition to adding the notice provisions, the Planning Commission, in its Resolution No. PC 09-001, recommended that the language presently in the code authorizing the County to appeal Hearings Officer decisions should be deleted as it was replaced with a procedure in 2005 allowing the Planning Director to appeal the decisions to the Board of Commissioners.

- j. No regulations are being proposed that further restrict the use of property, therefore no mailed notice to an individual property owner is required ("Ballot Measure 56" notice).
- k. Notice of this Board of County Commissioners' hearing was published in the "Oregonian" newspaper and on the Land Use Program web site. The Board of County Commissioners held a public hearing on June 11, 2009 where all interested persons were given an opportunity to appear and be heard.

Multnomah County Ordains as follows:

Section 1. MCC §37.0720 is amended as follow:

§ 37.0720 Notice of ~~PC~~ Legislative Hearings.

(A) Notice of the date, time, place and subject of a legislative hearing before the Planning Commission shall be published in a newspaper of general circulation within the County at least 20 days prior to the hearing and as required by law. The Planning Director shall also notify the Oregon Department of Land Conservation and Development (DLCD) 45 days prior to the initial public hearing or as required by law.

(B) Notice of the date, time, place and subject of a legislative hearing before the Board of Commissioners shall be published in a newspaper of general circulation within the County at least 10 days prior to the hearing and as required by law.

(C) Individual notice of a legislative hearing before the Planning Commission that amends the Comprehensive Plan, adopts a new Comprehensive Plan, or rezones property shall be mailed at least 20 days but not more than 40 days prior to the hearing to the owners of all affected properties. Such notice shall adhere to the format provided in ORS 212.503.

(D) For the purpose of this section, property is rezoned when the County:

(1) Changes the base zoning classification of the property; or

(2) Adopts or amends an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone.

(E) The provisions of subsection (2) above do not apply to legislative acts by the County resulting from action by the Legislative Assembly or the Land Conservation and Development Commission for which notice is provided under ORS 197.047.

Section 2. MCC §38.0720 is amended as follow:

38.0720 Notice of PC hearings.

(A) Notice of the date, time, place and subject of a legislative hearing before the Planning Commission shall be published in a newspaper of general circulation within the County at least 20 days prior to the hearing and as required by law. The Planning Director shall also notify the Gorge Commission, the US Forest Service, the Indian tribal governments, the State Historic Preservation Office, and the Cultural Advisory Committee.

(B) Notice of the date, time, place and subject of a legislative hearing before the Board of Commissioners shall be published in a newspaper of general circulation within the County at least 10 days prior to the hearing and as required by law.

(C) Individual notice of a legislative hearing before the Planning Commission that amends the Comprehensive Plan, adopts a new Comprehensive Plan, or rezones property shall be mailed at least 20 days but not more than 40 days prior to the hearing to the owners of all affected properties. Such notice shall adhere to the format provided in ORS 212.503.

(D) For the purpose of this section, property is rezoned when the County:

(1) Changes the base zoning classification of the property; or

(2) Adopts or amends an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone.

(E) The provisions of subsection (2) above do not apply to legislative acts by the County resulting from action by the Legislative Assembly or the Land Conservation and Development Commission for which notice is provided under ORS 197.047.

Section 3. MCC §37.0640 is amended as follow:

37.0640 Appeals.

Appeals of any decisions of the county must comply with the requirements of this section.

(A) Appeals by applicants or opponents of an application.

* * *

~~(7) The county has the standing to appeal to LUBA any Hearings Officer decision. The county also has standing to intervene in any appeal to LUBA from a County Hearings Officer decision.~~

* * *

Section 4. The following Ordinances are readopted:

Ord. #	Adoption Date	Description
999	11/14/02	Made filing activities in EFU zones
1007	2/6/03	Technical corrections in the scenic area
1025	1/15/04	Changed procedures and fees
1026	1/22/04	Amended Comprehensive Plan Policy 22 C for bike and pedestrian systems
1027	1/22/04	Amended Comprehensive Plan Policy 34 for the trafficways
1049	9/16/04	Building code fire flow standards
1065	6/23/05	Added Planning Director appeal process
1080	9/21/06	Related to unlawfully divided lots and parcels

Ord. #	Adoption Date	Description
1081	9/28/06	Reduced setbacks for certain agricultural buildings
1082	9/28/06	Related to variances and adjustments
1098	8/16/07	Updated EFU and CFU rules and notice requirements
1107	1/17/08	Related to transportation code enforcement
1114	5/29/08	Related to unlawfully divided parcels, lot sizes for parks and biofuels and Amended Comprehensive Plan Policy 38A related to surplus schools
1120	9/11/08	Related to flood hazard regulations

Section 5. The amendments to Chapter 38 Columbia River Gorge National Scenic Area shall be effective upon notification of approval by the Columbia River Gorge Commission and, if necessary, concurrence by the Secretary of Agriculture.

FIRST READING:

June 11, 2009

SECOND READING AND ADOPTION:

June 18, 2009

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Sandra N. Duffy, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Department of Community Services

BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. PC 09-001

Recommend to the Board of County Commissioners the adoption of an ordinance amending land use procedures in the County Code to include notice requirements for legislative items provided in ORS 203.045(5), 215.060, and 215.503.

The Planning Commission Finds:

- a. The Planning Commission is authorized by Multnomah County Code and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- b. The County incorporates statutory land use procedures into its codes to ensure that its processes comply with the law and that its constituents receive adequate notice.
- c. These procedures include legislative work, such as the adoption or amendment of the County Comprehensive Plan, land use regulations, map inventories, and other policy documents that affect the entire county, large areas, or multiple properties.
- d. Public hearings are required before the Planning Commission and Board of Commissioners on all proposed legislation, for which the State has established minimum notice requirements.
- e. While the County Code contains some of the State notice requirements, it does not include all of them; specifically the newspaper notice provisions outlined in ORS 203.045(5) and 215.060 for Board of Commissioners hearings and the direct mail notice requirements of ORS 215.503.
- f. Implementing statutes directly has proven ineffective, and it is necessary to add these notice provisions to the Code to minimize the chances that notice is missed.
- g. The Board should re-notice land use ordinances where newspaper notice was not provided for the hearings, as identified by staff, so that public will have an opportunity to provide comments.
- h. In addition to adding the notice provisions, language authorizing the County to appeal Hearings Officer decisions should be deleted as it was replaced with a procedure in 2005 allowing the Planning Director to appeal the decisions to the Board of Commissioners.
- i. No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required ("Ballot Measure 56" notice).
- j. Notice of the Planning Commission hearing was published in the "Oregonian" newspaper and on the Land Use Program web site. The Planning Commission held a public hearing on March 2, 2009 where all interested persons were given an opportunity to appear and be heard.

The Planning Commission Resolves:

The proposed Ordinance amending land use procedures in the County Code is hereby recommended for adoption by the Board of County Commissioners.

ADOPTED this 2nd day of March, 2009.

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON


John Ingle, Chair

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1140

Amending MCC Chapters 37, Administration and Procedures, and 38, Columbia River Gorge National Scenic Area; and Re-adopting Certain Ordinances, Relating to Notice Requirements for Legislative Items Provided in ORS 203.045(5), 215.060 and 215.503

(Language ~~stricken~~ is deleted; double underlined language is new.)

The Multnomah County Board of Commissioners Finds:

- a. The County incorporates statutory land use procedures into its codes to ensure that its processes comply with state law and that its constituents receive adequate notice.
- b. These procedures include legislative work, such as the adoption or amendment of the County Comprehensive Plan, land use regulations, map inventories, and other policy documents that affect the entire county, large areas, or multiple properties.
- c. Public hearings are required before the Planning Commission and Board of Commissioners on all proposed legislation, for which the State has established minimum notice requirements.
- d. While the County Code contains some of the State notice requirements for county land use legislation, it does not include all of them; specifically the newspaper notice provisions outlined in ORS 203.045(5) and 215.060 for Board of Commissioners hearings and the direct mail notice requirements of ORS 215.503.
- e. Implementing state statutes directly has proven ineffective, and it is necessary to add these notice provisions to the Code to minimize the chance that a notice is missed.
- f. The Planning Commission is authorized by Multnomah County Code Section 33.0140 (and its counterparts) and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- g. On March 2, 2009, the Multnomah County Planning Commission held a public hearing regarding the amendment of the Multnomah County Code to provide for notice requirements consistent with state law.
- h. The Planning Commission, in its Resolution No. PC 09-001, recommended that the Board re-notice land use ordinances that were adopted by the Board where newspaper notice was not provided for the hearings, as identified by staff, so that the public will have an opportunity to provide comments.
- i. In addition to adding the notice provisions, the Planning Commission, in its Resolution No. PC 09-001, recommended that the language presently in the code authorizing the County to appeal Hearings Officer decisions should be deleted as it was replaced with a procedure in 2005 allowing the Planning Director to appeal the decisions to the Board of Commissioners.

- j. No regulations are being proposed that further restrict the use of property, therefore no mailed notice to an individual property owner is required ("Ballot Measure 56" notice).
- k. Notice of this Board of County Commissioners' hearing was published in the "Oregonian" newspaper and on the Land Use Program web site. The Board of County Commissioners held a public hearing on June 11, 2009 where all interested persons were given an opportunity to appear and be heard.

Multnomah County Ordains as follows:

Section 1. MCC §37.0720 is amended as follow:

§ 37.0720 Notice of ~~PC~~ Legislative Hearings.

(A) Notice of the date, time, place and subject of a legislative hearing before the Planning Commission shall be published in a newspaper of general circulation within the County at least 20 days prior to the hearing and as required by law. The Planning Director shall also notify the Oregon Department of Land Conservation and Development (DLCD) 45 days prior to the initial public hearing or as required by law.

(B) Notice of the date, time, place and subject of a legislative hearing before the Board of Commissioners shall be published in a newspaper of general circulation within the County at least 10 days prior to the hearing and as required by law.

(C) Individual notice of a legislative hearing before the Planning Commission that amends the Comprehensive Plan, adopts a new Comprehensive Plan, or rezones property shall be mailed at least 20 days but not more than 40 days prior to the hearing to the owners of all affected properties. Such notice shall adhere to the format provided in ORS 212.503.

(D) For the purpose of this section, property is rezoned when the County:

(1) Changes the base zoning classification of the property; or

(2) Adopts or amends an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone.

(E) The provisions of subsection (2) above do not apply to legislative acts by the County resulting from action by the Legislative Assembly or the Land Conservation and Development Commission for which notice is provided under ORS 197.047.

Section 2. MCC §38.0720 is amended as follow:

38.0720 Notice of PC hearings.

(A) Notice of the date, time, place and subject of a legislative hearing before the Planning Commission shall be published in a newspaper of general circulation within the County at least 20 days prior to the hearing and as required by law. The Planning Director shall also notify the Gorge Commission, the US Forest Service, the Indian tribal governments, the State Historic Preservation Office, and the Cultural Advisory Committee.

(B) Notice of the date, time, place and subject of a legislative hearing before the Board of Commissioners shall be published in a newspaper of general circulation within the County at least 10 days prior to the hearing and as required by law.

(C) Individual notice of a legislative hearing before the Planning Commission that amends the Comprehensive Plan, adopts a new Comprehensive Plan, or rezones property shall be mailed at least 20 days but not more than 40 days prior to the hearing to the owners of all affected properties. Such notice shall adhere to the format provided in ORS 212.503.

(D) For the purpose of this section, property is rezoned when the County:

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(2) Adopts or amends an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone.

(E) The provisions of subsection (2) above do not apply to legislative acts by the County resulting from action by the Legislative Assembly or the Land Conservation and Development Commission for which notice is provided under ORS 197.047.

Section 3. MCC §37.0640 is amended as follow:

37.0640 Appeals.

Appeals of any decisions of the county must comply with the requirements of this section.

(A) Appeals by applicants or opponents of an application.

* * *

~~(7) The county has the standing to appeal to LUBA any Hearings Officer decision. The county also has standing to intervene in any appeal to LUBA from a County Hearings Officer decision.~~

* * *

Section 4. The following Ordinances are readopted:

Ord. #	Adoption Date	Description
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1007	2/6/03	Technical corrections in the scenic area
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1065	6/23/05	Added Planning Director appeal process
1080	9/21/06	Related to unlawfully divided lots and parcels

Ord. #	Adoption Date	Description
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1120	9/11/08	Related to flood hazard regulations

Section 5. The amendments to Chapter 38 Columbia River Gorge National Scenic Area shall be effective upon notification of approval by the Columbia River Gorge Commission and, if necessary, concurrence by the Secretary of Agriculture.

FIRST READING:

June 11, 2009

SECOND READING AND ADOPTION:

June 18, 2009



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By

Sandra Duffy

Sandra N. Duffy, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Department of Community Services

BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. PC 09-001

Recommend to the Board of County Commissioners the adoption of an ordinance amending land use procedures in the County Code to include notice requirements for legislative items provided in ORS 203.045(5), 215.060, and 215.503.

The Planning Commission Finds:

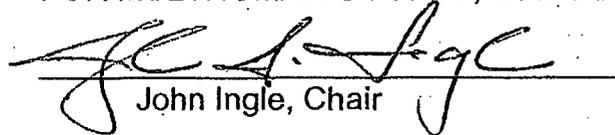
- a. The Planning Commission is authorized by Multnomah County Code and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- b. The County incorporates statutory land use procedures into its codes to ensure that its processes comply with the law and that its constituents receive adequate notice.
- c. These procedures include legislative work, such as the adoption or amendment of the County Comprehensive Plan, land use regulations, map inventories, and other policy documents that affect the entire county, large areas, or multiple properties.
- d. Public hearings are required before the Planning Commission and Board of Commissioners on all proposed legislation, for which the State has established minimum notice requirements.
- e. While the County Code contains some of the State notice requirements, it does not include all of them; specifically the newspaper notice provisions outlined in ORS 203.045(5) and 215.060 for Board of Commissioners hearings and the direct mail notice requirements of ORS 215.503.
- f. Implementing statutes directly has proven ineffective, and it is necessary to add these notice provisions to the Code to minimize the chances that notice is missed.
- g. The Board should re-notice land use ordinances where newspaper notice was not provided for the hearings, as identified by staff, so that public will have an opportunity to provide comments.
- h. In addition to adding the notice provisions, language authorizing the County to appeal Hearings Officer decisions should be deleted as it was replaced with a procedure in 2005 allowing the Planning Director to appeal the decisions to the Board of Commissioners.
- i. No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required ("Ballot Measure 56" notice).
- j. Notice of the Planning Commission hearing was published in the "Oregonian" newspaper and on the Land Use Program web site. The Planning Commission held a public hearing on March 2, 2009 where all interested persons were given an opportunity to appear and be heard.

The Planning Commission Resolves:

The proposed Ordinance amending land use procedures in the County Code is hereby recommended for adoption by the Board of County Commissioners.

ADOPTED this 2nd day of March, 2009.

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON


John Ingle, Chair



**MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST**

Board Clerk Use Only

Meeting Date: 06/18/09
 Agenda Item #: R-9
 Est. Start Time: 10:07 AM
 Date Submitted: 06/03/09

Agenda Title: First Reading and Possible Adoption of an ORDINANCE Amending County Land Use Code, Plans and Maps to Adopt Troutdale's Recent Land Use Code, Plan and Map Revisions Related to an Applicability Section Pertaining to the Columbia River Gorge National Scenic Area in Compliance with Metro's Functional Plan, and Declaring an Emergency

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

Date Requested: June 18, 2009 Time Requested: 5 Minutes
 Department: Community Services Division: Land Use & Transportation
 Contact(s): Adam Barber, Planner
 Phone: 503-988-3043 Ext. 22599 I/O Address: 455 / 116
 Presenter(s): Adam Barber

General Information

1. What action are you requesting from the Board?

Approve first reading and adopt the ordinance as recommended by the Troutdale Citizens Advisory Committee, the Troutdale Planning Commission and Troutdale City Council.

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

In December 19, 2002 the Board adopted Ordinance 1004 adopting, in summary, the Troutdale Comprehensive Plan and zoning ordinance. The County and the City of Troutdale have been engaged in agreements enabling the City of Troutdale to provide planning services to achieve compliance with the Metro Functional Plan for those areas outside the City limits, but within the urban growth boundary and urban service boundary of Troutdale. Since the adoption of Ordinance 1004, the attached ordinance has been passed by the City Council and therefore the County must adopt them pursuant to our intergovernmental agreement to keep the code up to date. Multnomah County and the City of Troutdale entered into an Intergovernmental Agreement (IGA) to transfer

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

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

N/A

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

State law requires a notice be placed in a newspaper of general circulation 10 days prior to the BCC hearing (6/8/09). We request adoption of this ordinance by emergency to coincide as closely as possible with the City of Troutdale adoption date as stated in the IGA. The County Attorney's office was involved in the drafting of the original IGA and has been involved in coordinating our compliance effort through adoption of these code amendments

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

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

Required Signature

**Department/
Agency Director:**



Date: 06/02/09

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending County Land Use Code, Plans and Maps to Adopt Troutdale's Recent Land Use Code, Plan and Map Revisions Related to an Applicability Section Pertaining to the Columbia River Gorge National Scenic Area in Compliance with Metro's Functional Plan, and Declaring an Emergency

The Multnomah County Board of Commissioners Finds:

- a. The Board of County Commissioners adopted Resolution A in 1983 which directed the County services towards rural services rather than urban.
- b. In 1996, Metro adopted the Functional Plan for the region, mandating that jurisdictions be in compliance with the goals and policies adopted by the Metro Council.
- c. In 1998, the County and the City of Troutdale (City) amended the urban services agreement to include an agreement that the City of Troutdale would provide planning services to achieve compliance with the Functional Plan for those areas outside the City limits, but within the urban growth boundary and urban service boundary of Troutdale.
- d. It is impracticable to have the County Planning Commission conduct hearings and make recommendations on land use legislative actions pursuant to MCC 37.0710, within unincorporated areas inside the Urban Growth Boundary for which the City provides urban planning and permitting services. The Board intends to exempt these areas from the requirements of MCC 37.0710, and will instead consider the recommendations of the Troutdale Planning Commission and City Council when legislative matters for these areas are brought before the Board for action as required by intergovernmental agreement (County Contract #4600003407) (IGA).
- e. The Board amended County land use codes, plans and maps to adopt the City's land use codes, plans and maps in compliance with Metro's Functional Plan by Ordinance 1122 (09/25/2008).
- f. Since the adoption of Ordinance 1122, the City's Planning Commission recommended the land use code, plan and map amendments to the City Council through duly noticed public hearings.
- g. The City notified affected County property owners as required by the IGA.

- h. The City Council adopted the land use code, plan and map amendments, set out in Section 1 below and attached as Exhibit 1. The IGA requires that the County adopt these amendments for the City planning and zoning administration within the affected areas.

Multnomah County Ordains as follows:

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

Exhibit No.	Ordinance	Effective Date
1	Ordinance Amending Chapter 1 of the Troutdale Development Code Adding an Applicability Section Pertaining to the Columbia River Gorge National Scenic Area. [Text Amendment No. 41 (City Ord. 796)].	06/12/2009

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

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

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

ORDINANCE NO. 796

AN ORDINANCE AMENDING CHAPTER 1 OF THE TROUTDALE DEVELOPMENT CODE ADDING AN APPLICABILITY SECTION PERTAINING TO THE COLUMBIA RIVER GORGE NATIONAL SCENIC AREA (TEXT AMENDMENT NO. 41)

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. Owners of property within the City of Troutdale but also within the boundaries of the Columbia Gorge National Scenic Area (properties east of the Sandy River) are subject to land use review by Multnomah County for compliance with Scenic Area regulations and by the City for compliance with the Troutdale Development Code regulations. Dual land use review of proposed development of these properties results in additional time, cost and frustration for the land owner.
2. After evaluating various options for relieving these property owners of overlapping land use jurisdiction, the City Council decided that the best remedy for the situation is to waive applicability of the TDC within the National Scenic Area (NSA) thereby allowing the County to exercise sole jurisdiction there. However, because the County's flood management standards and water quality protection standards are independent of the NSA regulations and do not apply to lands within the City of Troutdale, it is necessary that these provisions of the TDC still be applied.
3. The amendment consists of adding an applicability section to Chapter 1 of the Troutdale Development Code to state that, except for Chapters 4.600, 5.600 and 5.800, the code does not apply to that part of the City of Troutdale lying within the boundaries of the NSA.
4. Public need is satisfied by this amendment because it is the best remedy for providing relief to those property owners facing dual land use review caused by overlapping land use jurisdiction.
5. The amendment will not adversely affect the health, safety and welfare of the community because the County's NSA land use regulations will still be applied to these lands. In addition, there will still be some chapters of the TDC relating to resource protection and hazard areas that will remain in effect.
6. The amendment does not conflict with any goals or policies from the Troutdale Comprehensive Plan.

7. Notice of the public hearing has been provided in accordance with applicable law. Additionally, notice of the public hearing was mailed to all affected property owners.

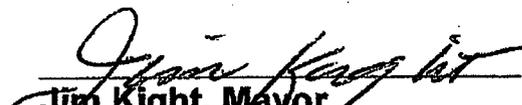
8. The Planning Commission conducted a public hearing on these amendments on February 18, 2009 and has recommended that the City Council adopt them.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. The Troutdale Development Code is hereby amended to add the following section:

1.016 Applicability. This code applies to all property within the incorporated limits of the City of Troutdale as well as to property outside the incorporated city limits but within the City's urban planning area that is subject to that Intergovernmental Agreement transferring land use planning responsibility from Multnomah County to the City of Troutdale, except for those incorporated properties located east of the ordinary high water line of the west bank of the Sandy River, which are within the boundaries of the Columbia River Gorge National Scenic Area (NSA). Property located within both the incorporated limits of the City and the National Scenic Area shall be subject only to the regulations of Chapters 4.600 (Flood Management Area), 5.600 (Erosion Control and Water Quality Standards) and 5.800 (Stormwater Management) of this code, but are also subject to land use review by the Multnomah County Planning Department.

**YEAS: 6
NAYS: 0
ABSTAINED: 0**



Jim Kight, Mayor
May 13, 2009
Date



Debbie Stickney, City Recorder

Adopted: May 12, 2009

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1141

Amending County Land Use Code, Plans and Maps to Adopt Troutdale's Recent Land Use Code, Plan and Map Revisions Related to an Applicability Section Pertaining to the Columbia River Gorge National Scenic Area in Compliance with Metro's Functional Plan, and Declaring an Emergency

The Multnomah County Board of Commissioners Finds:

- a. The Board of County Commissioners adopted Resolution A in 1983 which directed the County services towards rural services rather than urban.
- b. In 1996, Metro adopted the Functional Plan for the region, mandating that jurisdictions be in compliance with the goals and policies adopted by the Metro Council.
- c. In 1998, the County and the City of Troutdale (City) amended the urban services agreement to include an agreement that the City of Troutdale would provide planning services to achieve compliance with the Functional Plan for those areas outside the City limits, but within the urban growth boundary and urban service boundary of Troutdale.
- d. It is impracticable to have the County Planning Commission conduct hearings and make recommendations on land use legislative actions pursuant to MCC 37.0710, within unincorporated areas inside the Urban Growth Boundary for which the City provides urban planning and permitting services. The Board intends to exempt these areas from the requirements of MCC 37.0710, and will instead consider the recommendations of the Troutdale Planning Commission and City Council when legislative matters for these areas are brought before the Board for action as required by intergovernmental agreement (County Contract #4600003407) (IGA).
- e. The Board amended County land use codes, plans and maps to adopt the City's land use codes, plans and maps in compliance with Metro's Functional Plan by Ordinance 1122 (09/25/2008).
- f. Since the adoption of Ordinance 1122, the City's Planning Commission recommended the land use code, plan and map amendments to the City Council through duly noticed public hearings.
- g. The City notified affected County property owners as required by the IGA.

- h. The City Council adopted the land use code, plan and map amendments, set out in Section 1 below and attached as Exhibit 1. The IGA requires that the County adopt these amendments for the City planning and zoning administration within the affected areas.

Multnomah County Ordains as follows:

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

Exhibit No.	Ordinance	Effective Date
1	Ordinance Amending Chapter 1 of the Troutdale Development Code Adding an Applicability Section Pertaining to the Columbia River Gorge National Scenic Area. [Text Amendment No. 41 (City Ord. 796)].	06/12/2009

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

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

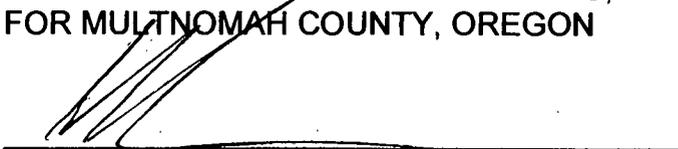
Section 4. Any future amendments to the legislative matters listed in Section 1 above, are exempt from the requirements of MCC 37.0710. The Board acknowledges, authorizes and agrees that the Troutdale Planning Commission will act instead of the Multnomah Planning Commission in the subject unincorporated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

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

FIRST READING AND ADOPTION: June 18, 2009



BOARD OF COUNTY COMMISSIONERS,
FOR MULTNOMAH COUNTY, OREGON



Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, ACTING COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By Sandra Duffy
Sandra N. Duffy, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Department of Community Services

EXHIBIT LIST FOR ORDINANCE

Ordinance Amending Chapter 1 of the Troutdale Development Code Adding an Applicability Section Pertaining to the Columbia River Gorge National Scenic Area. [Text Amendment No. 41 (City Ord. 796)].

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

ORDINANCE NO. 796

AN ORDINANCE AMENDING CHAPTER 1 OF THE TROUTDALE DEVELOPMENT CODE ADDING AN APPLICABILITY SECTION PERTAINING TO THE COLUMBIA RIVER GORGE NATIONAL SCENIC AREA (TEXT AMENDMENT NO. 41)

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. Owners of property within the City of Troutdale but also within the boundaries of the Columbia Gorge National Scenic Area (properties east of the Sandy River) are subject to land use review by Multnomah County for compliance with Scenic Area regulations and by the City for compliance with the Troutdale Development Code regulations. Dual land use review of proposed development of these properties results in additional time, cost and frustration for the land owner.
2. After evaluating various options for relieving these property owners of overlapping land use jurisdiction, the City Council decided that the best remedy for the situation is to waive applicability of the TDC within the National Scenic Area (NSA) thereby allowing the County to exercise sole jurisdiction there. However, because the County's flood management standards and water quality protection standards are independent of the NSA regulations and do not apply to lands within the City of Troutdale, it is necessary that these provisions of the TDC still be applied.
3. The amendment consists of adding an applicability section to Chapter 1 of the Troutdale Development Code to state that, except for Chapters 4.600, 5.600 and 5.800, the code does not apply to that part of the City of Troutdale lying within the boundaries of the NSA.
4. Public need is satisfied by this amendment because it is the best remedy for providing relief to those property owners facing dual land use review caused by overlapping land use jurisdiction.
5. The amendment will not adversely affect the health, safety and welfare of the community because the County's NSA land use regulations will still be applied to these lands. In addition, there will still be some chapters of the TDC relating to resource protection and hazard areas that will remain in effect.
6. The amendment does not conflict with any goals or policies from the Troutdale Comprehensive Plan.

7. Notice of the public hearing has been provided in accordance with applicable law. Additionally, notice of the public hearing was mailed to all affected property owners.

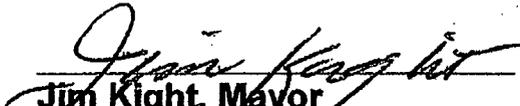
8. The Planning Commission conducted a public hearing on these amendments on February 18, 2009 and has recommended that the City Council adopt them.

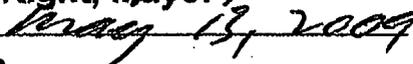
NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. The Troutdale Development Code is hereby amended to add the following section:

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**YEAS: 6
NAYS: 0
ABSTAINED: 0**



Jim Kight, Mayor


Date



Debbie Stickney, City Recorder

Adopted: May 12, 2009



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 06/18/09
Agenda Item #: R-10
Est. Start Time: 10:15 AM
Date Submitted: 06/11/09

RESOLUTION Accepting the Portland Children’s Investment Fund Recommendation to Fund Investments in Early Childhood, Child Abuse Prevention/Intervention, Foster Care, After-School and Mentoring Programs; and Offering Advice and Counsel to the City of Portland Concerning the
Agenda Title: Recommendations

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

Requested Meeting Date: June 18, 2009 **Amount of Time Needed:** 15 minutes
Department: Non-Departmental **Division:** Chair’s office
Contact(s): Tara Bowen-Biggs, Lorenzo Poe
Phone: 503 988-3308 **Ext.** 83953 **I/O Address:** 503/600
Presenter(s): Chair Wheeler; Lisa Pellegrino, Program Director, Children’s Investment Fund

General Information

1. What action are you requesting from the Board?

Approval of Resolution to accept CHIF recommendations and to recommend adoption to Portland City Council.

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

In 2002 the citizens of the City of Portland authorized a five-year property tax levy to fund proven children’s programs within the City. The ballot language authorizing the Children’s Investment Fund requires that investments be made in early childhood programs, child abuse prevention and intervention programs, programs for children in foster care, and after-school and mentoring programs.

The Children’s Investment Fund (CHIF) is requesting that the Multnomah County Board of Commissioners approve the decisions of the Allocation Committee to fund investments in early childhood, child abuse prevention/intervention, foster care and after-school and mentoring programs in the amounts outlined in the attached memo entitled “Request for County Board Approval”.

The allocations will provide a range of early childhood services including Head Start, Early Head

Start, home visiting and early literacy, services; child abuse prevention and intervention services including relief nursery services, services to support teen parents, services to support the children of women who are victims of domestic violence, and medical assessment services to children removed from their homes for abuse and neglect; services for children in foster care that include culturally specific services for African Americans and Native Americans (who are significantly overrepresented in the foster care system), mentoring, adoption services, and medical home services; after-school programs that include culturally specific services, SUN programs, and a variety of enrichment programs; and mentoring programs aimed at providing positive adult role models and academic support.

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

No fiscal impact to County.

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

No legal issues involved; supports policies previously set by the Board.

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

This is a multi-jurisdictional effort that has involved community stakeholders.

Required Signature

Elected Official or
Department/
Agency Director:



Date: 06/11/09

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Accepting the Portland Children's Investment Fund Recommendation to Fund Investments in Early Childhood, Child Abuse Prevention/Intervention, Foster Care, After-School and Mentoring Programs; and Offering Advice and Counsel to the City of Portland Concerning the Recommendations

The Multnomah County Board of Commissioners Finds:

- a. In 2002 the citizens of the City of Portland authorized a five-year property tax levy to fund proven children's programs within the City.
- b. The City of Portland and Multnomah County entered into an Intergovernmental Agreement to make certain that the funds received from the Levy are allocated in a manner complementary with a coordinated and comprehensive plan, and to ensure accountability and equity throughout the system. As part of the agreement, the City of Portland created the Children's Investment Fund Allocation Committee to provide citizen oversight of the Levy.
- c. Furthermore, the Board of County Commissioners, through its expertise and experience in children's policy and administration, provides the City Council with advice and counsel. In the past the Board has made recommendations regarding allocations for early childhood care and education, for abused and neglected children and for after school and mentoring programs. The Board is now making recommendations to invest in these programs and in programs to support children in foster care.

The Multnomah County Board of Commissioners Resolves:

1. The Board accepts the attached recommendation and request from the Portland Children's Investment Fund for investments in early childhood, child abuse prevention/intervention, foster care, after-school and mentoring programs.
2. Furthermore, the Board forwards the recommendation, with its own recommendation for adoption, to the Portland City Council for its consideration.

ADOPTED this 18th day of June, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

SUBMITTED BY:
Ted Wheeler, Multnomah County Chair

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 09-084

Accepting the Portland Children's Investment Fund Recommendation to Fund Investments in Early Childhood, Child Abuse Prevention/Intervention, Foster Care, After-School and Mentoring Programs; and Offering Advice and Counsel to the City of Portland Concerning the Recommendations

The Multnomah County Board of Commissioners Finds:

- a. In 2002 the citizens of the City of Portland authorized a five-year property tax levy to fund proven children's programs within the City.
- b. The City of Portland and Multnomah County entered into an Intergovernmental Agreement to make certain that the funds received from the Levy are allocated in a manner complementary with a coordinated and comprehensive plan, and to ensure accountability and equity throughout the system. As part of the agreement, the City of Portland created the Children's Investment Fund Allocation Committee to provide citizen oversight of the Levy.
- c. Furthermore, the Board of County Commissioners, through its expertise and experience in children's policy and administration, provides the City Council with advice and counsel. In the past the Board has made recommendations regarding allocations for early childhood care and education, for abused and neglected children and for after school and mentoring programs. The Board is now making recommendations to invest in these programs and in programs to support children in foster care.

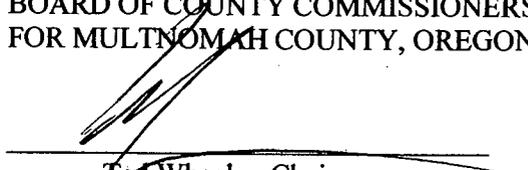
The Multnomah County Board of Commissioners Resolves:

1. The Board accepts the attached recommendation and request from the Portland Children's Investment Fund for investments in early childhood, child abuse prevention/intervention, foster care, after-school and mentoring programs.
2. Furthermore, the Board forwards the recommendation, with its own recommendation for adoption, to the Portland City Council for its consideration.

ADOPTED this 18th day of June, 2009.

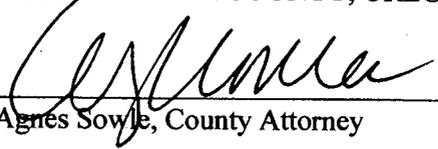


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

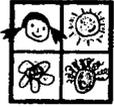

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Agnes Sowle, County Attorney

SUBMITTED BY:
Ted Wheeler, Multnomah County Chair



portland children's investment fund

Children's Investment Fund Background

In November of 2002, Portland voters approved the Children's Levy which created the Children's Investment Fund (CHIF). In the fall of 2008, voters renewed the levy for another five years. The levy generates approximately \$13 million annually for early childhood, after-school and mentoring, child abuse prevention/intervention and foster care programs. Administrative costs for the fund are capped at 5% of revenues and the fund obtains annual audits to assure compliance with the administrative cap. A copy of the 2008 ballot language for the Children's Levy is attached as Exhibit A.

An Allocation Committee governs the Children's Investment Fund and grants funds to programs serving children and families residing in the City of Portland. The Allocation Committee is comprised of a City Commissioner (Dan Saltzman), a County Commissioner (Ted Wheeler), a representative of the Portland Business Alliance (Ron Beltz), a citizen member appointed by the County Board (Adrienne Livingston), and a citizen member appointed by the City Council (Alissa Keny-Guyer).

Request for County Board Approval

CHIF is requesting that the Multnomah County Board of Commissioners approve the decisions of the Allocation Committee to fund investments in early childhood, after-school and mentoring, child abuse prevention/intervention and foster care programs in the amounts specified in the spread sheet titled "Exhibit B: CHIF Investment Decisions."

Below is a description of the planning process that informed the development of the Requests for Investment (similar to a Request for Proposals), and the review and funding decision processes.

Planning Process (May – October 2008)

Staff met with more than 20 policy level groups and organizations working in our funding areas beginning in the spring of 2008 to gather input on emerging community needs, priorities for funding, and systems issues on which CHIF could have an impact. The following is a list of groups consulted:

- Child Abuse Prevention and Treatment Act (CAPTA) Panel of Multnomah County
- Children's Trust Fund of Oregon
- City of Portland Managers (Office of Neighborhood Involvement, Bureau of Housing and Community Development, Bureau of Planning, Offices of Elected Officials)
- Coalition of Communities of Color
- Dependency (Model Court) Committee of Multnomah County
- Disability Advocates (representatives from Northwest Down's Syndrome Association and Family Action Coalition Team)
- District 2 Child Welfare Advisory Committee
- Early Childhood Council of the Commission on Children, Families and Community
- Family Violence Coordinating Council

- Grantmakers of Oregon and Southwest Washington
- Leaders Roundtable
- Multnomah County Commission on Children, Families and Community
- Multnomah County Domestic Violence Coordinator's Office
- Multnomah County Managers (SUN Service System, Touchstone, Anti-Poverty Services)
- Multnomah Youth Commission
- Oregon Mentors Board and Staff
- Portland Parks and Recreation Managers
- Portland Public Schools, After-School Childcare Coordinator
- Portland State, Tom Keller, Campbell Professor for mentoring at School of Social Work
- Portland Schools Foundation, Connected by 25 (Executive Committee)
- WrapAround Oregon Coordinating Committee

In addition to the discussions with policy level groups, CHIF held three Community Input Sessions (September 15, October 13, and October 23) at various locations throughout Portland which the general public was invited to attend. The meetings were publicly noticed, and all of the groups and individuals currently on CHIF's mailing list, over 1,000 people, were invited to attend the meetings. CHIF staff facilitated small group discussions regarding needs, trends and systems issues in our program areas. Attendees also provided written input on the division of funding between program areas and on the funding process used by CHIF.

Major themes in the input from policy groups and community members across all of our funding areas included increasing services available in the eastern part of the city, and supporting more culturally specific programming. A complete summary of input gathered in each of the funding areas is attached to this memo as Exhibit C.

Development of Requests for Investment (November 2008-January 2009)

As soon as the voters renewed the Children's Levy in November 2008, the Allocation Committee began making the decisions necessary to disburse the funds generated by the levy renewal. Based on public input gathered, the Committee divided the projected levy revenues of approximately \$36 million over three years between the program areas as follows:

- 33% for early childhood programs
- 20% for after-school programs
- 13.5% for mentoring programs
- 20% for child abuse prevention/intervention
- 13.5% for children in foster care

The Committee decided that all current grantees of the fund would be required to compete for funds to continue current programming, and that new programs (i.e. not currently receiving CHIF funding) would also be eligible to compete for funds. The Committee also decided to continue the Leverage Fund established in the previous levy cycle to match private investments in our funding areas. The Committee allocated \$3 million of fund revenues to the Leverage Fund, but agreed to delay making grants from the Leverage Fund until after the competitive grant

funding rounds are concluded. Last the Committee approved a template of the Request for Investment for use in all funding areas.

Funding Process (January 2009- June 2009)

Requests for Investment in all program areas were published in January 2009 and applications were due in March. A copy of the early childhood Request for Investment is attached as Exhibit D as an example. Requests for Investment in different funding areas differed only slightly. CHIF staff hosted two bidders' conferences to answer potential applicants' questions, and to review the funding process prior to the application due date.

CHIF received 125 applications for funding totaling \$97,178,747 – approximately 2.6 times the funds projected to be available over 3 years. CHIF recruited over 100 community reviewers to score the applications and provided them with an orientation session and a scoring rubric to assist them in scoring the applications. Three reviewers scored each application and the scores were averaged to arrive at the final application score. Each team of reviewers met to discuss the applications they read and arrive at final scores after the discussion. Staff facilitated all review meetings.

Staff provided Allocation Committee members with copies of all applications, summaries of all applications, a data sheet for each program area that ranked the applications by score, and included various data points on each application (e.g. funding requested, number and age of children served, hours of service per child, focus population etc.), and staff recommendations for funding.

Public meetings were held to make funding decisions on May 18, 2009 for after-school and mentoring programs, June 1, 2009 for foster care programs, and June 9, 2009 for child abuse prevention/intervention and early childhood programs. Allocation Committee members submitted individual slates for funding to staff prior to the funding meetings, and staff aggregated the individual slates to determine the level of agreement/disagreement on funding individual applications. Funding decisions were made starting with applications all Committee members wanted to fund and proceeding to applications with lower levels of Committee support for funding. Committee members made preliminary funding decisions, invited public comment on the preliminary decisions, and then made final funding decisions.

Funding decisions were based on several priorities: 1) continuing funding for current programs that were performing well and that scored well in the Request for Investment process, 2) funding highly scoring new programs, 3) creating a balanced and integrated system of city services, and 4) balancing funding geographically and among mainstream and culturally specific programs.

Exhibit A: 2008 Children's Levy Ballot Measure

Measure 26-94

Renew five-year levy for Children's Investment Fund

Question

Shall Portland continue supporting child abuse prevention, foster children, early childhood, after-school programs, renewing five-year levy starting 2009? This measure may cause property taxes to increase by more than 3 percent.

Summary

Measure would continue financing Children's Investment Fund to support proven programs designed to help children arrive at school ready to learn, provide safe and constructive after-school alternatives for kids, helps foster children and prevent child abuse and neglect and family violence.

This Children's Investment Fund can only be used for:

- Child abuse prevention and intervention, addressing juvenile crime, school failure, drug and alcohol abuse and homeless youth.
- Early childhood programs making childcare more affordable and prepare children for success in school.
- After-school, summer and mentoring programs: promoting academic achievement, reducing the number of juveniles victimized by crime and increasing graduation rates.
- Children in foster care programs: helping foster children succeed who have been abused and neglected.

Accountability measures include:

- Programs funded must be cost effective and have a proven record of success.
- Investment fund subject to oversight by a citizen committee
- Investment fund subject to annual audits.
- Administrative costs cannot exceed 5 percent.

Levy is \$0.4026 per \$1,000 of assessed property value and produces an estimated \$14 million per year for five years.

Portland Children's Investment Fund
Grant Awards 2009

Exhibit B: Children's Investment Fund Grant Awards 2009		
Early Childhood Programs		
Applicant Name	Program Name	Funding Awarded
Albertina Kerr Centers	Kerr Early Intervention Program	545,080
Albina Head Start, Inc.	Early Head Start	1,650,000
Cascade AIDS Project	Kids' Connection	112,038
Friendly House	Preschool	241,532
Hacienda CDC	Portland Ninos	480,000
Immigrant & Refugee Community Organization	Parent & Child Success Program	812,601
Impact Northwest	Parent Child Development Services	530,225
Latino Network	Juntos Aprendemos	420,000
Morrison Child & Family Services	Early Childhood Mental Health Consultation	1,650,000
Morrison Child & Family Services	Listos Para Aprender	1,300,416
Mt Hood Community College	Head Start & Early Head Start	968,450
Multnomah County Library Foundation	Raising a Reader	320,000
Neighborhood House	Child Care Improvement Project	372,740
Neighborhood House	Early Oregon Prekindergarten	1,275,000
Peninsula Children's Center	Early Childhood Success Project	486,506
Portland Community College	Child Development Center, Sylvania Campus	467,942
Portland Public Schools	Head Start	906,451
Early Childhood TOTAL		12,538,981

Portland Children's Investment Fund
Grant Awards 2009

Child Abuse Prevention & Intervention Programs		
Applicant Name	Program Name	Funding Awarded
CARES Northwest	Urgent Assessment Program	600,000
Catholic Charities	Parent Child Involvement Project	275,000
Children's Justice Alliance	Family Stabilization Project	517,425
Children's Relief Nursery	Child Abuse & Neglect Prevention	983,019
Janus Youth Programs	Insights SEEDS	377,037
Janus Youth Programs	Project Metamorphosis	942,660
Lifeworks Northwest	Youth Services Team	468,669
Lifeworks Northwest	Family & Community Alliance	495,552
Listen to Kids	Parent Child Involvement Project	275,000
Lutheran Community Services	Family Support for Africans & Eastern Europeans	527,063
Salvation Army	Parent Child Involvement Project	325,000
Volunteers of America	Family Relief Nursery	747,475
Volunteers of America	Home Free	400,000
Child Abuse TOTAL		6,933,900

Portland Children's Investment Fund
Grant Awards 2009

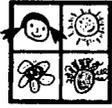
Foster Care Programs		
Applicant Name	Program Name	Funding Awarded
Big Brothers Big Sisters of Metro Portland	Project Hope	352,952
Boys & Girls Aid	Wendy's Wonderful Kids	109,556
Children's Relief Nursery	Helping Children in Foster Care Succeed	175,000
Impact Northwest	Parent Child Development Services - Safe & Together	750,000
Janus Youth Programs	Insights Teen Parent Program - ECHO	470,896
Juvenile Rights Project	School Works	562,643
Legacy Emanuel Children's Hospital	Medical Home for Children in Foster Care	400,000
NAYA Family Center	NAYA Native American Foster Care Services	1,389,027
Self Enhancement, Inc.	SEI Foster Care Program	750,000
Foster Care TOTAL		4,960,074

Portland Children's Investment Fund
Grant Awards 2009

Mentoring Programs		
Applicant Name	Program Name	Funding Awarded
Big Brothers Big Sisters of Metro Portland	Community Based Mentoring	592,796
Big Brothers Big Sisters of Metro Portland	School Based Mentoring	348,044
Boys & Girls Aid	Mentor Portland	483,736
Friends of the Children	Friends of the Children	1,201,655
Immigrant & Refugee Community Organization	African Immigrant Mentoring	255,795
Impact Northwest	Impact Northwest Mentoring	380,934
Lutheran Community Services	Helping a Youth Leap Onward	400,000
Metropolitan Family Services	Experience Corps	535,667
Portland Opportunities Industrialization Center	POIC Mentoring	109,000
Start Making a Reader Today (SMART)	SMART	220,000
Trillium Family Services	Family of Friends	182,000
Mentoring TOTAL		4,709,627

Portland Children's Investment Fund
Grant Awards 2009

After School Programs		
Applicant Name	Program Name	Funding Awarded
Boys & Girls Clubs of Metro Portland	Youth & Family Service Program	450,000
Campfire USA Portland Metro Council	SUN Community Schools - David Douglas School District	618,180
Chess for Success	After-School Chess Club	150,000
Children's Course	First Tee of the Children's Course Outreach Portland	93,600
Community Cycling Center	After School Bike Clubs	207,000
Ethos Music Center	Music Corps	368,313
Girls, Inc. of Northwest Oregon	Comprehensive School Based Program	192,000
Immigrant & Refugee Community Organization	ASPIRE	722,871
Impact Northwest	SUN Community Schools - Whitman ES, Marshall HS	618,180
Metropolitan Family Services	SUN Community Schools - Glenfair MS	275,523
NAYA Family Center	EAGL	500,000
Neighborhood House	SUN Community Schools - Jackson MS	231,817
Northwest Family Services	Latino Family Empowerment	153,940
Open Meadow	Step Up	787,000
Oregon Heath Career Center	aka Science	251,500
Oregon Outreach	Urban Opportunities	251,032
Saturday Academy	After School Program	322,537
Self Enhancement, Inc	SEI After School Program	1,226,211
Tears of Joy Theatre	After School Outreach Program	179,000
After-School TOTAL		7,598,704
GRAND TOTAL		36,741,286



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Exhibit C: PUBLIC INPUT SUMMARY

Background on Input Process

From April through September 2008, Children's Investment Fund (CHIF) staff met with 22 policy level groups and individuals to gather input for the Allocation Committee regarding needs, trends and systems issues related to after-school, mentoring, early childhood, child abuse prevention/intervention and foster care. The questions posed to the various groups are included as Attachment A.

In addition to the discussions with policy level groups, CHIF held three Community Input Sessions (September 15, October 13, and October 23) at various locations throughout Portland. All of the groups and individuals currently on CHIF's mailing list, over 1,000 people, were invited to attend the meetings. A total of 110 people participated in these sessions. CHIF staff facilitated small group discussions regarding needs, trends and systems issues in the following program areas: 1) after school and mentoring; 2) child abuse prevention/intervention and foster care; and 3) early childhood. Attendees also provided written input on the division of funding between program areas and on the funding process used by CHIF. They were also asked to include any general comments.

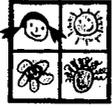
Introduction of Summary

A summary of the most common themes of all the input received through these processes follows. ***The themes in each program area are arranged in order of priority with the first representing the most frequently mentioned input and subsequent entries following in frequency mentioned.***

We greatly appreciate the input and perspectives shared by all groups and individuals. The Allocation Committee will use this information to assist them in setting funding priorities.

Below is a list of the policy groups that provided input as part of this process:

Child Abuse Prevention and Treatment Act (CAPTA) Panel of Multnomah County
Children's Trust Fund of Oregon
City of Portland Managers (Office of Neighborhood Involvement, Bureau of Housing and Community Development, Bureau of Planning, Offices of Elected Officials)
Coalition of Communities of Color
Dependency (Model Court) Committee of Multnomah County
Disability Advocates (representatives from Northwest Down's Syndrome Association and Family Action Coalition Team)
District 2 Child Welfare Advisory Committee
Early Childhood Council of the Commission on Children, Families and Community
Family Violence Coordinating Council
Grantmakers of Oregon and Southwest Washington



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Leaders Roundtable

Multnomah County Commission on Children, Families and Community

Multnomah County Domestic Violence Coordinator's Office

Multnomah County Managers (SUN Service System, Touchstone, Anti-Poverty Services)

Multnomah Youth Commission

Oregon Mentors Board and Staff

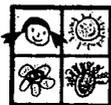
Portland Parks and Recreation Managers

Portland Public Schools, After-School Childcare Coordinator

Portland State, Tom Keller, Campbell Professor for mentoring at School of Social Work

Portland Schools Foundation, Connected by 25 (Executive Committee)

WrapAround Oregon Coordinating Committee



Summary of Most Common Themes from Public Input

I. General Themes

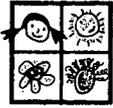
The items included in this section are common issues, needs and trends that cross all program areas, as identified during discussions with policy groups and at the Community Input Sessions. *This list is not prioritized.*

- Fund services in eastern part of the city; increased service needs in all funding areas in East Portland due to the shift of poverty east
- Provide culturally-specific services to improve support for children of color
- Increase cultural competency in assessing and planning intervention based on child's needs and strengths; address disproportionate representation of children of color in multiple systems (child welfare, juvenile justice, school suspension/expulsion)
- Assure children with disabilities are included in and served by CHIF funded programs
- Support and expand existing programs that are effective, including programs at risk of cuts from other funders (i.e. Wraparound Oregon, county-funded services for at-risk children)
- Focus funding on programs that work to prevent children from ever entering the child welfare system
- Fund applicants that demonstrate they are aligning with others to solve complex problems
- Assure programs adequately budget for training pertinent to program models
- Assure adequate budgets for transportation included with services
- Assure adequate funding is available for CHIF to work with other funders (e.g. Multnomah County) to build capacity and training within systems for quality improvements; pool training resources to address common training needs

II. Recommendations for Division of Resources by Program Area

In addition to asking about needs, trends and systems issues, policy groups were asked to make resource allocation recommendations across all program areas. Policy groups did not offer substantial input on this issue.

As part of the Community Input Sessions, participants were asked to respond, in writing, with a percentage recommendation of how the Allocation Committee should distribute the available funding among program areas. Of the 110 people attending the Community Input Sessions, 73 (66%) provided allocation advice. Forms were submitted anonymously, so individual biases that may have influenced recommendations are unknown. Of the people present at the Community Input Sessions, slightly less than half represented After School/Mentoring programs; about one-third Early Childhood and about one-fifth Child Abuse Prevention/Foster Care.



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Based on the recommended percentages given by participants, we calculated the median allocation percentage in each program area. The median figures suggest that funding should be equally distributed, one-third each, across three funding areas; 1) Early Childhood; 2) Child Abuse Prevention & Foster Care; and 3) After School & Mentoring. Within the grouping of Child Abuse Prevention and Foster Care, the median figures suggest that slightly more than half of the funding be focused on prevention. For After School and Mentoring, participants recommend that slightly more than half of the funding be dedicated to After School programming.

III. Program Specific Issues

This section is a summary, by program area, of the most common themes in all the input received through the discussions with policy groups and the Community Input Sessions. *The themes in each program area are arranged in order of priority with the first representing the most frequently mentioned input and subsequent entries following in frequency mentioned.*

Early Childhood

Needs/Gaps

Childcare

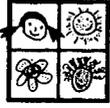
1. Subsidized child care; especially in conjunction with other supportive services (i.e. affordable housing, basic needs assistance)
2. Respite care – especially for evenings, weekends; children with disabilities; children in relative foster care
3. Build capacity of providers to better care for children with disabilities
4. Supports to improve quality of child care
5. Integrate parent education into early care and education programs

Early Education/Literacy

1. Increase capacity of Head Start and Early Head Start, including ability to serve children above 100% of Federal Poverty Level (FPR)
2. Expand early pre-k services for 0-3; only meeting 4% of need in the state
3. Support school readiness of Latino and immigrant children and the education and literacy of their parents
4. Early literacy/school readiness programs; include strong parent engagement component
5. Link early childhood programming to schools; engage elementary principals

Family Support

1. Continue to support family home-visiting and child-development services, and assure that home-visiting child development programs are connected to comprehensive family



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services that help support family basic needs (i.e. housing, food, preventative health care, other forms of assistance)

2. Early prenatal and parent education services for pregnant women

Child Social/Emotional Development

1. Expand early childhood mental health consultation services to reach more childcare providers and preschool sites
2. Access for early childhood services at homeless shelters, transitional housing sites, domestic violence shelters, indoor parks; meet families where they are
3. Outreach to pediatricians to help them understand where to refer families when they see social/emotional issues in children or mental health issues in parents

Child Health

1. Free or affordable dental care for young children

System Issues

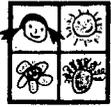
1. Home-visiting programs often not given adequate funding for mileage, translators, case coordination with other service providers; support smaller caseloads for better case coordination with other providers/systems in child/family's life
2. Limited supply of bilingual EC workforce (many languages, need many translators) – teachers, home visitors, parent educators, nurses, mental health counselors, etc; need for materials to be translated into multiple languages translation of materials
3. Coordination between early childhood providers to reduce duplication and better meet the variety of needs of families served; specifically better connections between education-based services (e.g. preschool, Head Start) and specialty programs (e.g. health, mental health, trauma interventions)
4. Need to strengthen the linkage between EC services and schools to better support children transitioning into kindergarten, especially children with delays, behavioral or other challenges; need tools to assess readiness of all children

Child Abuse Prevention

Needs/Gaps

Universal Prevention

1. Extensive local public health campaign intended to change community norms about child abuse/neglect. Messages to address: challenges of parenting and asking for help is ok; averting sexual abuse of adolescent girls
2. Universal prevention education for all families: prenatal care to prevent physical abuse; low and no cost parent education/child development classes for public; deliver prevention services through child care providers



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3. Primary prevention around domestic violence. Education and tools for middle school children and teachers; prevention information in human development and health courses
4. Free/affordable family activities
5. Screening services at birth to identify risk and referrals to support services

Family Support and Preservation Services

1. Respite care services, for all ages, but specifically children 0-5 with disabilities and relatives caring for children
2. Long-term support for families where chronic neglect is a major challenge
3. Client assistance funds for basic needs as a supplement to family support services that include mental health treatment; including teens
4. Family support services to keep families out of the child welfare system; outreach and support to families reported to the child welfare hotline for whom a case is not opened
5. Family preservation services to keep children and youth with their biological families
6. Extended reunification services for families after family is reunited and DHS case closes
7. Support for relatives caring for children who are not formally connected to DHS; flex funds for resources (i.e. childcare, transportation, food) and support services (i.e. mental health, parent support groups)
8. Evidenced-based parenting programs for families with very young children through high school youth

Focus Populations

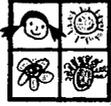
1. Focus on preventing children of color from entering the foster care system; African American and Native American children are especially over-represented in the child welfare and foster care system compared to their proportion of the general population
2. Culturally specific services in all areas especially respite care for families caring for relatives and for foster families, family support and preservation programs, parenting programs; services need to come from within community so families trust providers
3. Programs that serve teen moms, especially teen moms of color
4. Services to children of incarcerated parents to help keep them connected to their parents and services to pregnant women in prison
5. Therapeutic intervention services for children who have been exposed to domestic violence or other traumatic events

Health

1. Dental care for children and older youth

System Issues

1. Need for a seamless service system. Co-location of basic needs supports and family support services
2. Limited supply of culturally specific providers doing child abuse prevention and intervention work; need to support existing providers to develop capacity of other culturally specific groups interested in providing services to their respective communities



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3. Service providers need specialized training and access to consultation to support them in their work with children/families who have experienced domestic violence and children who have experienced trauma
4. Need for centralized case planning for families with multiple service needs (e.g. Wraparound Oregon)
5. Improve training, skills and retention of line staff

Foster Care

Needs/Gaps

Foster Care Youth

1. Transitional services for youth aging out of the foster care system
2. Increased visitation services for foster children with their biological parents and siblings to support successful reunification
3. Mentoring for children in foster care
4. Additional support for children in foster care during all the major school transitions (Kindergarten, 5th to 6th; 8th to 9th, after high school)

Foster Care Families

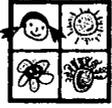
1. Provide additional support services for relative foster care, including respite care
2. Readily accessible flex funds and/or donated slots for foster children to participate in enrichment activities that include transportation
3. Support for relative search services and connection of children to extended family members instead of placements with non-family foster care
4. Services that enhance communications between foster families and biological families
5. Child care for all children in a foster family

Health and Mental Health

1. Health, mental health and dental screening and assessment on all children entering foster care
2. Services that assess and treat children who have experienced trauma to minimize behavioral problems that lead to multiple placements and exacerbate trauma
3. Services to assure children in foster care receive appropriate behavioral supports and services from schools and DHS

Focus Populations

1. Culturally specific services in all areas, especially for Native American and African American children, to address over-representation in the child welfare system
2. Specialized foster care for children and youth who have sexualized behavior to prevent them from being institutionalized
3. If Measure 61 passes, potential for more children entering the foster care system



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System Issues

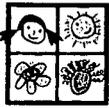
1. Overrepresentation of children of color in foster care
2. Need to increase emphasis on cultural competence of foster families: recruit and retain foster care families of color, and better training/support to improve the cultural competence of mainstream foster families serving children of color
3. Need to increase the supply of quality foster families through enhanced recruitment and training efforts
4. Lack of culturally appropriate assessments for intake in systems working with youth (juvenile justice, child welfare, etc.). Over-representation of children of color in systems due in part to inappropriate assessment of children's needs/strengths at intake
5. Lack of substance-free housing for families who have completed treatment, are working to stay sober, and seeking to reunite with their children
6. Weak connections between DHS child welfare and community service providers resulting in limited referrals of families by DHS to community-based family support services
7. Need for a trauma-informed service system (i.e. assessment tools, training)
8. Need for centralized case planning for families with multiple service needs (i.e. Wraparound Oregon)
9. Improve training, skills and retention of line staff
10. Align CHIF funding with the multiple statewide efforts currently underway to improve the foster care system.

After-School

Needs/Gaps

Programming Needs

1. Summer programming including access to summer food program
2. Services for children in school transitions (between elementary and middle and middle and high school); special focus on 8-9th especially for children coming from K-8 and for youth with failures in core classes at 8th grade level
3. Outdoors/nature and environmentally focused programming
4. Programs that offer a full range of services and are connected to the school day
5. Programs that provide a higher level of engagement and require a higher level of commitment; education for parents/SUN Coordinators on commitment level required
6. College preparation and career exposure; programs that help connect school to real world
7. Drop out prevention programs and services that address children's needs when they fail to attend school
8. Scholarships for income eligible children to get into fee-for-service childcare programs at particular schools
9. Programs focused on health, fitness, and nutrition
10. Teen sports/programs



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11. Service learning projects
12. Academic support
13. Enrichment programs for the newly converted K-8 schools in low resource areas
14. Music programming
15. Computer instruction
16. Credit recovery opportunities for students who have failed a 9th grade class, taking them "off-track" for graduation
17. Gang prevention services

Focus Populations

1. Services for Latino youth (consistently underachieving)
2. Services for immigrant populations.
3. Services for the K-3 population; services for kindergartners at SUN sites because SUN does not typically serve this age group

Geographic

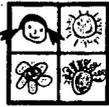
1. Significant need for more services in East Portland due to shift of poverty east

System Issues

1. Involve school districts in planning after school programming in an effort to better connect to academic achievement (address downward slide in academic indicators as children get older)
2. Improve recruiting, training, skills and retention of after-school line staff
3. Transportation to and from after-school activities is a barrier to participation
4. Need to track children and youth through transitions; no one in charge of shepherding children from one institution to another and this is where many at-risk youth lose ground
5. Align with Connected by 25 to assure youth identified as at-risk for dropping out are prioritized for use of existing resources
6. Affordable child care for school aged children of low-income working parents that covers before/after-school, school vacation and in-service days
7. Coordinated data gathering and/or data sharing across systems
8. Need to work at the school district level to coordinate after school efforts
9. Need for better communication between after school providers and classroom teachers
10. Directory of After School programs; opportunities for networking and collaboration

After School Funding Focus

At the three Community Input Sessions, attendees who participated in the After School small group discussions were asked to provide feedback as to whether or not funding for After School programs should continue to be restricted to programs that serve 4th through 8th grade students. Responses ranged from keep the focus on 4th through 8th grade to expand the focus to include students in grades K through 12. The most common recommendation was to expand the focus to include 9th grade students, in an effort to provide additional supports during the transition from 8th to 9th grade.



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Mentoring

Needs/Gaps

1. Male mentors for boys aged 9-12 who are being raised by single mothers who want their child to have a male role model
2. Programs with creative strategies to recruit men; possible focus on group and activity-based mentoring
3. Mentoring programs for immigrant populations, and culturally specific mentoring
4. Need to address teenage coming of age issues in mentoring curriculum
5. Mentoring programs for children who transition out of Head Start

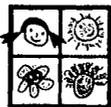
Systems Issues

1. Group mentoring may be more appropriate in many communities of color; best practices for mentoring may differ amongst cultural communities
2. Improve mentor retention by helping mentors move up or down the commitment continuum as their circumstances/talents/needs dictate
3. Advocate for state funds for mentoring
4. Build ways to increase volunteerism
5. Need for risk assessments of children before referral for mentoring services; children with high number of risk factors may not be appropriate for participation in low intensity mentoring programs
6. Need opportunities for mentoring programs to network and partner
7. Increased service costs to overcome language and cultural barriers
8. Challenging to track data on mentees due to high mobility rates; collaboration with school districts needed

IV. Public/Private Collaboration and Leverage Fund

CHIF hosted a special meeting of the members of Grantmakers of Oregon and Southwest Washington to discuss current community needs, and ways in which CHIF might partner with private funders. CHIF provided background and history on the Leverage Fund in which CHIF funds were matched with private foundation funds to invest in projects in CHIF funding areas. The following list represents the suggestions by the group for how CHIF might collaborate with private funders in the future. *This is not a prioritized list.*

- Consider geographic partnerships where a private foundation provides funding for a program outside the city (county or tri-county perhaps) and we provide funding in Portland
- Add a collaboration committee to CHIF to work on creating public/private partnerships
- Consult recent United Way community needs assessment; possibly work with them to jointly RFP



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- Consider using a version of challenge grant approach: grantee makes a proposal to CHIF that includes a plan to garner matching funds from private sources; we approve the grant but don't actually start funding until matching funds are secured. Would allow for more thorough vetting on our side, a more transparent process for potential grantees, and would assure that projects are right-sized – i.e. we're not increasing the size of a grant beyond what a grantee can reasonably handle
- Work with other funders (government and private) to offer joint funding opportunities, joint application review; challenge other funders to partner with CHIF to address and meet system needs

V. Other General Feedback Themes

This section is a compilation of other general feedback themes received throughout the process. Included in this summary is input about the CHIF funding process and other general comments shared on written forms completed at the Community Input Sessions. Additionally, verbal comments from policy groups and the small group discussions, not otherwise captured, are included. *This is not a prioritized list.*

Application and Decision-making Process

- Be clear about expectations and evaluation criteria; how decisions will be made; funding limitations; distribution throughout the City
- Consider collaborative/multi-agency applications
- Open the process to organizations that do not currently receive CHIF funding
- Make sure the applications are reviewed and scored by people from diverse backgrounds, with content expertise
- Population specific needs should be met: immigrants, refugees, fathers, teens
- Make allocation decisions based on the scores, highest scoring proposals are awarded funding
- Consider other factors, not just scores, when making award decisions

Other

- Start a small grants program where youth both serve as reviewers and as beneficiaries of the grants
- Allow funding for computers
- Increase allowable administration rate for agencies; 5% is not enough
- Increase the involvement of schools (e.g. administration, PTAs) with CHIF
- Continue to build networking opportunities amongst CHIF funded grantees
- Need "buy-in" from children, youth, parents and SUN system on the importance of commitment to after school programs

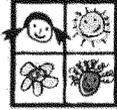


portland children's investment fund

ATTACHMENT A

Questions for Policy Level Groups

1. If group is concerned with children generally:
Over the life of the fund, CHIF has invested 48% in early childhood programs, 17% in child abuse prevention/intervention programs and 35% in after-school and mentoring programs. Should this change or stay the same and why?
2. What are biggest priority needs that you are aware of in relevant funding areas (early childhood, child abuse prevention/intervention, children in foster care, after-school and mentoring)?
3. Any current systems issues or projects addressing systems issues that CHIF should address or build upon in our funding areas?
4. Are there services or types of services that we are currently funding that you feel strongly should not go away?
5. What needs within our funding areas would you prioritize if future revenues exceed expenses for all current programming i.e. if we have "extra" money?
6. CHIF set aside a portion of revenues for a Leverage Fund to encourage private funders to invest in our program areas by matching their investments. Are there other ways CHIF could leverage our funds?
7. Any other groups/people you think we should talk to?



portland children's investment fund

Exhibit D

Invitation to Submit a Request for Investment in Early Childhood Program Services to be Delivered in the City of Portland

Publication Date: January 21, 2009

Summary of RFI

Available Funding:	Approximately \$12,124,624 will be available for a 36-month period through the City of Portland Children's Investment Fund. Individual grants will be capped at \$550,000 per year, per proposal. Total investment by the Children's Investment Fund in an organization will be limited to 30% of annual organization revenue.
Due Date, Time & Place:	Monday, March 2, 2009 by 5 PM <u>The application and all attachments must be submitted in electronic format. No paper submissions will be accepted. Submit applications and all attachments via email to mmcelroy@ci.portland.or.us, OR submit on compact disc to 319 SW Washington St., Ste. 310, Portland, OR 97204.</u>
Bidder's Conference:	Applicants are strongly encouraged to attend one of two Bidders' Conferences which will be held on February 3, 2009 from 9-10 am, and on February 9, 2009 from 12-1 pm in the Auditorium (2 nd Floor) of the Portland Building, 1120 SW 5 th Avenue.
Period of Award:	36 months (7/1/09 – 6/30/12)
Eligible Applicants:	Not for Profit Corporations – 501(c)(3), Schools, Government Agencies, For Profit Entities. These groups may also apply as a consortium of organizations through an identified lead agency/fiscal agent.
Requested Services:	Early childhood program services for children aged 0-5 and their parents or guardians.

**Goal of
Services:**

**To help children arrive at school ready to learn and succeed
in school.**

Request for Investment in Early Childhood Programs

Guidelines and Requirements

Introduction

In November 2002, Portland voters passed Measure 26-33, known as the Portland Children's Initiative. The measure established the Portland Children's Investment Fund (CHIF). CHIF invested an average of \$10.3 million per year over five years in proven programs located in the City of Portland to help prepare young children for school, prevent child abuse and neglect, provide safe and constructive before and after-school alternatives and mentoring relationships for children.

In November 2008, Portland voters renewed the Portland Children's Initiative for an additional five years beginning July 1, 2009. Depending upon annual tax receipts, CHIF will invest approximately \$13 million per year in proven programs in early childhood, child abuse prevention/intervention, foster care, after school and mentoring. All investment recommendations are made by a five-member Allocation Committee that is composed of one City of Portland Commissioner, one Multnomah County Commissioner, one representative of the business community, and two citizens with expertise in children's issues.

CHIF seeks to increase the capacity for selected programs to deliver services and to implement proven programs, thereby improving outcomes for young people and for the community. These improved outcomes may be reflected in increased school success and graduation rates, decreased juvenile crime and substance abuse rates, and lower rates of child maltreatment.

RFI Objective, Community Input and Funding Priorities

After an extensive community input process in which CHIF consulted with policy level groups, school districts, service providers and the community, the Allocation Committee decided to invest in proven early childhood programs that help children arrive at school ready to learn and succeed in school including, **but not limited to**, the following services prioritized in public input: Head Start, Early Head Start, scholarships to quality childcare settings on a sliding fee scale for low-income families, childcare quality improvement services, early childhood mental health consultation, home visiting services that offer intensive, longer term child development and family support services, parenting support and education, and early literacy.

CHIF is releasing Requests for Investment (RFI) for programs in five funding areas (early childhood, child abuse prevention/intervention, after school, mentoring, and foster

care) in early 2009. Some programs may be eligible to receive funding under the Guidelines and Requirements of more than one RFI (e.g. a child abuse prevention program that serves children aged 0-5 may fit under the Guidelines and Requirements of both the Early Childhood RFI and the Child Abuse Prevention/Intervention RFI). Programs may submit the same application for funding in more than one category. The application will be scored by one review committee, and if the program is funded in one category, it will be removed from consideration for funding in the second category in which it was eligible to request funding. If the application is considered but not funded in one category, it will be considered for funding in the second category for which it was eligible to apply.

Funding Guidelines

Available Funding and Funding Limitations

Approximately \$12,124,624 will be available for a 36-month period. Individual investments will be capped at \$550,000 per year, per application. All applicants must request at least \$30,000 per year.

Applicants must demonstrate that CHIF funding will comprise no more than 30% of the applicant's revenues for its last closed fiscal year. Applicants must include all funding they are requesting from CHIF in all program areas in calculating this amount.

Eligible Service Population

Children aged 0-5 and their parents or guardians.

Duration of Investment

CHIF funding is available for 36 months of service provision beginning July 1, 2009 and ending June 30, 2012.

City of Portland Residency

All beneficiaries of CHIF investments (i.e. children served) must be residents of the City of Portland.

Eligible Forms of Assistance

Proposed programs should directly serve children and families.

City of Portland Rules and Guidelines

Funded organizations will be required to follow City of Portland EEO hiring guidelines and contracting rules¹, provide proof of liability, automobile and workers compensation insurance and provide additional assurances as required by CHIF staff.

¹ PCC 3.100.005 provides in part: It is unlawful to discriminate on the basis of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation or source of income in programs, activities, services, benefits, and employment whether carried out by the City of Portland, directly or through a contractor or any other entity with whom the City of Portland arranges to carry out its programs and activities except as allowed by federal law, rules and regulations.

Application Components

Application Cover Sheet

Applicants must include a complete application coversheet using the form attached in Exhibit A.

Narrative Response and Formatting Requirements

Applicants must submit responses to each numbered section and lettered subsection of the RFI. Narrative responses must be formatted as follows:

- One-inch margins on each page
- No less than 12-point type
- Page number and program name listed at the bottom of each page
- Comply with page limits listed for each section

Required Attachments

All applicants must submit the Checklist of Required Enclosures (Exhibit B) with the following documents:

- Proof of 501(c)(3) status (where applicable)
- Detailed FY 9/10, FY10/11 and FY11/12 proposed program budgets including sources and uses for all funds using the attached budget form in Exhibit C.
- Annual organization-wide budgets for the current operating fiscal year, and the most recent closed fiscal year that include sources and uses of all funds. Please clearly state the starting and ending months of the organization's fiscal year.
- If the applicant has revenues of at least \$1 million for the last closed fiscal year, applicant must submit a recent audited financial statement.
- If the applicant has annual revenues of less than \$1 million for the last closed fiscal year, the applicant is not required to submit an audited financial statement with the application, but will be required to obtain an audit prior to receiving any funding from CHIF.

Failure to submit required enclosures may disqualify the application from consideration.

Application Process

Bidders' Conference

CHIF will hold two Bidders' Conferences on February 3, 2009 from 9 – 10am, and February 9, 2009 from 12 -1pm, both in the Auditorium (2nd Floor) of the Portland Building located at 1120 SW 5th Avenue, Portland, OR. The bidders' conference is not mandatory, but it is highly recommended that all potential applicants attend. The purpose of the Bidders' Conference is to review the requirements and necessary forms for the RFI, and answer any questions from potential applicants regarding the

application components and/or process. Questions and answers from the bidders' conference will be available at www.childrensinvestmentfund.org within 5 business days of each conference.

Application Submission

Applications will be due by 5 pm on March 2, 2009. Applicants may submit their completed application electronically to Meg McElroy at the following email address: mmcelroy@ci.portland.or.us. All attachments to the application must also be submitted electronically.

Alternatively, applicants may submit completed applications on a compact disc by delivering the compact disc to 319 SW Washington Ave., Ste. 310, Portland, OR 97204. All attachments to the application must be included on the compact disc.

Please do not submit a PDF of the entire application so that staff can separate attachments as necessary. No paper applications will be accepted and all applications must be received in person or electronically by 5 pm. Staff will acknowledge receipt of all applications via email within 5 working days of receipt.

Review and Scoring

Each proposal will be scored by review committees composed of volunteers from the academic community, the business community, private foundation staff, government agency staff, non-profit staff and the community. These individuals will read, review, and score each proposal based on the criteria defined in the following Application Directions.

Funding Decisions

The Allocation Committee will make funding recommendations based on scores and other community conditions in order to foster a balanced and integrated citywide system of services. The Committee will make funding recommendations in late May and early June. CHIF staff will notify all applicants of the time, date, and place of Allocation Committee meetings in which the Committee will make funding decisions affecting the applicant by April 1, 2009. The Allocation Committee's funding recommendations will then be reviewed by the Multnomah County Commission and submitted for final approval by the Portland City Council. Final funding decisions shall be made at the sole discretion of the Portland City Council. The offering of this RFI does not constitute a commitment to fund by the City of Portland or CHIF.

Notification

CHIF intends to notify all applicants of the results of the selection process promptly upon the decision of the City Council. It is anticipated that notification will occur no later than June 30, 2009, with contracts to begin on July 1, 2009.

Applicants selected for funding will receive written confirmation of selection. Funds will be available for use by selected projects after grant agreements with the City of Portland have been executed.

Questions or Comments

Questions or comments about this Request for Investment may be addressed to Lisa Pellegrino, Program Director, at epellegrino@ci.portland.or.us, 503.823.2939 or 503.740.1993, or Lisa Hansell, Manager, Child Abuse Prevention/Foster Care Portfolio at lisa.hansell@ci.portland.or.us, 503. 823.4133.

Application Directions

Rating Criteria and Instructions

Applicants must respond to each of the following numbered sections. Each numbered section below is worth a portion of 100 possible points. In addition, applicants may be eligible to receive 6 possible bonus points as described below. Please be clear and specific in your responses and assure that you have responded to all parts of the question. Applicants who fail to address a portion of the question will receive fewer points.

PLEASE USE A SEPARATE PAGE(S) FOR EACH RESPONSE AND LABEL EACH RESPONSE WITH THE SECTION TITLE AND NUMBER.

I. Program Design (25 points)

Please answer all subparts and label your responses to correspond to the appropriate subpart. [4 page maximum]

A. Provide a one paragraph summary of the program for which you are requesting funding that includes a general description of the services you intend to offer.

B. Please provide the specific program information requested using the headings listed below in your response.

1. **Number Served:** Provide the number of children, and if applicable parents, you intend to serve annually for each of the grant years. Explain the basis for this projection and whether the number represents a duplicated count or an unduplicated count. If there are several different service components in the proposed program, include numbers served for each program component.

Example:

We expect to serve 70 children per year with home-visiting services and parent-child interaction group services. Home-visiting services will be offered to the primary child enrolled and his/her family throughout the year based on the family's needs. Parent-child interaction group services will be available to the child/parent throughout the year. This projection is based on the number of slots we have allotted for these services. Actual numbers of children served may be higher if there is turnover among the slots.

Some families have multiple children and our services may also benefit those children, but we only count the primary child enrolled in our program toward our goals for children served. We do not count siblings as part of our numbers served unless the sibling is also enrolled as a primary client in our program.

2. **Target Population and Geographic Location:** Identify the target population and geographic area the program proposes to serve and explain why you have made these choices. Applicants who predominantly serve children residing in the eastern part of Portland (roughly east of 82nd Avenue), or offer services at a site located in this area, will receive three bonus points.
3. **Client Recruitment:**
 - a. Describe the outreach methods you intend to use to recruit clients for the proposed program, including any specific methods to assure effective outreach to children with disabilities.²
 - b. Describe any processes in place to assess effectiveness of outreach methods.
 - c. If applicable, describe how clients will be referred to the program by others, and describe any processes that will be used to track referral sources.
4. **Client Enrollment, Eligibility and Exit:**
 - a. Describe the child/client intake and/or enrollment process including any eligibility requirements.
 - b. Describe whether and how the program obtains informed consent from children or their parents, and obtains a release of information from clients.
 - c. Describe any processes in place for exiting participants from the program.
5. **Service Activities:**
 - a. Describe the service activities that will be provided by your proposed program.
 - b. Include a description of any curriculum that will be used in the program.
 - c. Describe how you plan to accommodate children with disabilities who enroll in the program.
 - d. If applicable to your program design, describe how the service activities support children through key transitions such as birth, entering foster care or entering kindergarten.
6. **Service Intensity:** Describe the total amount of service (unit and duration) you will make available to each child/client. Of the total service you make available to children/clients, what amount or percentage of the service do you expect the typical child/client to participate in and why?

² An individual with a disability is a person who has a physical or mental impairment that substantially limits one or more of the major life activities of such individual, has a record of impairment, and is regarded as having such an impairment.

Example:

Our service goal is that the child/family will complete 2 home visits per month for a 12-month period and each home visit will last 1-hour per visit per child/family; each child/family would complete a total of 24 home visits during a year. We will offer more visits or fewer visits to child/family based on their needs. We expect that the typical child/family will complete a minimum of 18 home visits per year due to canceling visits, illness, or no show to visits.

Our service goal is also that child/family will complete one monthly parent/child interaction group session per year. Group sessions are provided each week for 1.5 hours per group. We expect that the typical child/family will complete a minimum of 10 group sessions due to their schedule, interest, illness or other obligations.

We expect families to enroll and remain in service for at least a 12-month period. In total, our service goal is that each child/family will complete 24 hours of home visiting services per year and 18 hours of group services per year. At minimum, we believe the typical child/family will complete 18 hours of home visit services and 15 hours of group services per year.

In a program year, we expect that 10% of child/family served will complete the total service goals for home visits and groups; 70% of child/family served will complete the minimum number of home visits and groups; and 20% of child/family served will not complete the minimum amount of home visits and groups. We anticipate that some will not complete the minimum service amount due to turnover of child/family in the program, child/family enrolling mid-year during a reporting period, and lack of engagement by some families.

7. Staffing:

- Provide a list of key direct service and management positions that will deliver and supervise the proposed program. Direct service positions are defined as staff that works face-to-face with children/clients.
- List the job responsibilities, education level and years of experience required for each position.
- Provide the current ratio of direct service staff to children [or caseload of staff if applicable], or the ratio you plan to implement if you are proposing a new program. If there are several different service components in the proposed program, provide ratios for each component.
- Discuss how your proposed staffing plan may need to be adjusted to assure inclusion of children with disabilities.

Example (for one staff position):

3 full-time Parent Educators

Job responsibilities: visits child/family in home. Provides child development activities, instruction, and support to child and family; offers coaching to parent to support positive parent-child interaction and models behaviors; uses screening and assessment tools to determine family needs and goals; works with family to create family goals and case plan; supports family to implement case plan, monitors child development and parent-child interaction.

- *Minimum level of Education: Bachelor's Degree in early childhood education and development or related field. Degree requirement can be waived in cases of substantial experience in the field, or in cases where program needs culturally specific/multilingual staff.*
- *Staff to client ratio: Caseload per full time home visitor is 20 families. Caseloads for part-time parent educators are pro-rated based on part-time status (e.g. .75 FTE Parent Educator would have a caseload of 15 families). Case loads for Parent Educators are occasionally adjusted if a Parent Educator is working with a very high needs client/family or if the Parent Educator is working with a child/family with disabilities. In those cases, one Parent Educator may have a slightly smaller caseload while another Parent Educator has a slightly higher caseload.*

For group services, there is 1 staff person present for 5 families attending. Due to the nature of group work in which a parent may bring more than one child to group sessions, there are typically two staff working together on each group session and between 4 – 8 families (8 – 16 total parents and children) attending group sessions.

II. Proven and Effective Programs (30 points)

Please answer all subparts and label your responses to correspond to the appropriate subpart. [4 page maximum]

CHIF will invest in proven programs and programs employing best practices shown to be effective in improving the lives of children and/or families. Proven and effective programs and practices have three main features:

- They are based on best practice standards, have processes in place to monitor fidelity to standards and consistently demonstrate fidelity to standards.
- They have processes in place to assess and monitor intended client outcomes, and they achieve intended client outcomes.

- They use some or all of these processes and data to gauge program quality and make program improvements.

A. Design Rationale and Monitoring Fidelity to Standards

In Section I above, you provided extensive details on the design of the program you are proposing CHIF fund. In this section we are seeking information on the practices, standards and rationale behind the program design elements you discussed in Section I and the processes in place to assure that the program is carried out as designed.

1. Program Design Rationale

Describe the best practices, standards in the field, and/or other rationales upon which the program design is based. Please reference relevant research that validates the practices or standards upon which the program design is based. Please refer to www.childrensinvestmentfund.org/funding/ on our website for current research articles. CHIF recommends referring to the research referenced on our website wherever applicable. If no research is available on some design elements of your program, discuss your rationale for the particular design element.

Address the following elements of program design in your response:

- a. Client recruitment (methods)
- b. Client enrollment, eligibility, and exit
- c. Service activities
- d. Intended service intensity and expected participation levels
- e. Staffing (types of positions, level of education/experience required, and ratios)

2. Process for Monitoring Program Participation

- a. Describe any processes the program uses, or will use, for tracking attendance. If the proposed program has multiple components, describe the process for tracking attendance for each component.
- b. Describe how the program has used, or plans to use, attendance information to calculate and monitor participation rates of children/clients in the program. If the program was offered in the past, provide participation data from the previous year of program delivery.

Example:

We track the scheduled home visits and completed home visits for each primary child enrolled in our program. This information is tracked individually in his/her client chart. We also track group attendance for each primary child enrolled and that information is also tracked individually in each client's chart.

From their charts, their scheduled and completed home visits and group attendance data are entered into a data base that tracks service

implementation across all children/families enrolled in our program. We aggregate those data for various service periods (e.g. during a quarter, every six months, during an annual period) to look at how our clients are doing in the aggregate in completing services compared to the overall service goals for our program.

Participation Data from July 1, 2007 – June 30, 2008:

Home Visits Participation

We served a total of 82 children and their families during the year (our service goal was 70 children/families). Among those children/families:

- *5% (n=4 children/families) completed home visits to meet the full service goals.*
- *60% (n=49 children/their families) completed home visits to meet the minimum service goals.*
- *35% (n=29 children/their families) completed fewer home visits than the minimum service goals.*

Group Participation

- *0% met the full service goal (attending 18 groups)*
- *44% (n=36 families) met the minimum service goal (attended 15 groups sessions).*
- *66% (n=46) did not complete the minimum service goal (attended fewer than 15 groups sessions).*

3. Process for Monitoring Program Implementation

Describe any processes the program uses, or will use, for tracking and monitoring program implementation. At minimum, include the following in your description:

- The kind of information that is tracked and monitored about program implementation.
- The methods by which the information is tracked and monitored.
- The frequency with which the information is tracked and monitored.

Example (of two types of information a program might track on program implementation; this example is not a complete answer):

Each month, parent educators submit a report to the program manager detailing the total number of families on their caseload, the number of continuing families and the number of families that have exited the program. They also report the number of families where one or more family member has a developmental disability. The program manager uses this information to assure staff members carry caseloads consistent with the model.

Twice a year, the program manager accompanies each of the parent educators on at least one home visit. The program manager, utilizing a standardized assessment form, evaluates the quality of the home visit. Assessment findings, strengths and areas for improvement, are reviewed with each parent educator.

B. Assessing, Monitoring and Achieving Client Outcomes

Based on the proposed program that you described in Section I (Program Design), respond to the questions below by describing the processes the program has for assessing, monitoring and achieving client outcomes. If the program you are proposing is new, then respond to the questions below by describing the processes the program plans to use for assessing, monitoring and achieving client outcomes.

1. Client Outcomes

Consult Exhibit D for a menu of outcomes that CHIF currently tracks, or plans to track, in this program area. List any outcomes from this menu that you currently track, or would plan to track, for participants in this program.

2. Assessing and Monitoring Client Outcomes:

- a. Describe any processes and tools the program uses, or plans to use, for assessing whether children/clients have achieved the intended outcomes. Include a description of any surveys, screening tools, assessment tools, interview protocols, and/or case note forms you currently use or plan to use and specify the frequency of administration.
- b. Discuss how the survey or assessment instrument responses are scored to determine whether the child/client achieved the specified outcome.
- c. If you have offered this program in the past, provide data demonstrating your program's outcomes with children/clients in the past program year.
- d. If you have a logic model for program inputs and outcomes, please include it with your response to this question.

We understand some organizations have limited capacity to evaluate and report outcomes. Proposals should include provisions for as much of the information requested above as possible.

C. Gauging Program Quality and Effectiveness

Describe the processes that the program uses or will use to review the quality and effectiveness of program services. At minimum, include in your description how the program will use the processes and data gathered as described in Sections II.(A)(2)(a) and II.(A)(2)(b) above to assess the quality of the program delivery. Address how you determine, or will determine, which elements of the program are working well and which are not, and explain how you change or will change the program to make improvements.

If you have offered this program in the past, provide examples demonstrating how you used the processes described above to make program changes and improvements.

III. Program Budget, Budget Narrative and Cost Effectiveness (15 points)

A. Budget

All applicants must submit a detailed FY 09/10, FY 10/11 and FY 11/12 proposed program budgets including sources and uses for all funds using the attached budget form in Exhibit C.

The following expenses will **not** be reimbursed by CHIF:

- Out of town travel (unless training is required for a funded project);
- Phone systems or other significant office equipment;
- Fundraising expenses;
- Fees or dues to a statewide, national or international organization;
- Depreciation;
- Interest;
- Expenses categorized as "other" or otherwise not delineated.

B. Cost Effectiveness and Budget Justification

Please answer all subparts and label your responses to correspond to the appropriate subpart. [4 page maximum]

1. *Salaried and Hourly Personnel*

List the job title, staff member name, (if known), part time or full time status, and percentage of that time working on the CHIF funded program. Indicate how this person is essential to the proposed program and why it is necessary for CHIF to pay this person's salary. All positions listed in Section I.(B)(7) should be included in the budget. List the salary or the hourly rate of pay for each position. List the total other costs associated with each employee such as taxes and benefits.

2. *Contracted Services*

Please identify any community organization(s) that are proposed to receive funds as subcontractors under this proposal and briefly describe what services they will provide. Please break down how subcontractor funds will be spent. For any staff positions that will be funded through the sub-contract, please include the position titles, percentage full-time equivalent that will be paid for with CHIF funds, and the hourly pay rate for each position.

3. *Program Materials and Supplies*

Please indicate what types of materials and supplies you will purchase for your program with CHIF funds and why they are necessary for the proposed work.

4. *Other Program Expenses*

Other program expenses are expenses incurred in delivering the program that are not materials and supplies. These expenses may be direct (e.g. client

assistance fund, participation incentives, volunteer recognition), or indirect (e.g. rent for space in which program activities are conducted, utility expenses for program space or program staff offices, equipment leases for equipment used to create program materials, phone expenses for program staff). All expenses listed in this category must relate to program delivery and each line item must be justified.

If indirect other program expenses are included in your budget, please explain how these costs are allocated across programs and show how you calculated the amount you have budgeted for the particular line item. Any reasonable allocation method is acceptable including allocation of expenses per employee, allocation using time records or time studies, or allocation using square footage. If different methods are used for different types of indirect other program expenses, please specify.

Other program expenses cannot include administrative expenses.

Example (allocation method for indirect other program expenses):

Telephone expenses are allocated by the FTE associated with the program. The proposed program will use 2.5 FTE. The organization employs 10 FTE so we are allocating 25% of telephone costs to the proposed program. Typical annual phone costs are \$3,600 so we have budgeted \$900 for this line item.

5. Data Management and Evaluation Expenses

Applicants can charge up to 5% of their program cost for data gathering and management and/or evaluation expenses. Please breakdown data management and/or evaluation expenses you are requesting CHIF fund. Explain how expenses listed in the budget are related to the data gathering and analysis tasks you described in your response to Section II.(B) above. If staff and or subcontractors are listed, describe their duties and explain why their time is necessary for data collection, management and/or evaluation.

6. Administrative Expenses

Administrative expenses will be reimbursed by CHIF at the rate of up to 15% of program expenses.

- Administrative expenses are defined as those that are incurred in the general operation and management of the agency and are listed on the IRS Form 990 as "Management and General Expenses." Administrative costs can include, but are not limited to, the following: salaries and expense of the chief officer of the organization and that officer's staff; general legal services; accounting; general liability insurance; office management; auditing; bookkeeping, accounting services, payroll, prorated administrative postage, janitorial services.
- Administrative expenses must be broken down by line item.

Explain why the administrative expenses listed are necessary and justified. Describe the basis upon which administrative expenses are allocated for the proposed program. Any reasonable allocation method is acceptable and may include allocation of expenses per employee, allocation using time records or time studies, or allocation using square footage. If different methods are used for different types of administrative expenses, please specify.

Example (of allocation method):

Payroll expenses are allocated by employee. The proposed program will employ 3 FTE, and the agency has a total of 15 FTE. Therefore 3/15 or 20% of payroll expenses are allocated to the administrative expense of operating the proposed program. Typical annual payroll expenses are \$3,000 so we have budgeted \$600 for this line item.

7. Other Resources

Please detail other sources of funding and non-monetary resources your organization owns or has access to that will contribute to the success of the program. Examples of non-monetary resources include computers, facilities, program space, equipment, vehicles, volunteers, etc. Please also describe any elements of partnerships or collaborative relationships that the applicant believes enhances its cost-effectiveness (e.g. donated or subsidized facilities, donations of staff time, location at a SUN Community School that provides a coordinator for extended day programs).

IV. Organizational Capacity (15 points)

Please answer all subparts and label your responses to correspond to the appropriate subpart. [2 page maximum]

CHIF is interested in investing in organizations that have sufficient capacity to successfully implement and maintain a cost effective, proven program. Describe the organization's capacity to implement the proposed program including the following:

- A. Evidence of organizational track record of providing the type of service or actual service for which you are requesting CHIF funding.
- B. A description of the process for recruiting and hiring staff for the program.
- C. A description of the process by which staff is supervised (e.g. number and frequency of meetings between direct service staff and supervisory staff; performance reviews).
- D. A description of any training provided for staff and any processes used to assess effectiveness of training.
- E. A description of any processes in place for performance evaluation of staff.
- F. A description of how the proposed program fits into the organization's short and long-term strategic plans, and how the organization's current operations will be impacted by receipt of the requested CHIF funds.

V. Culturally Competent and Culturally Specific Programs and Organizations (15 points)

Please answer all subparts and label your responses to correspond to the appropriate subpart. [3 page maximum not including chart]

CHIF values equity, access and diversity among the children served by the programs it funds. In order to support its values and invest in quality programs for children, CHIF is interested in funding the following types of programs:

- Culturally specific programs offered by culturally specific organizations
- Culturally specific programs offered by culturally competent mainstream organizations
- Culturally competent programs offered by culturally competent mainstream organizations

Definition of Culturally Competent Program and/or Organization: A program or organization that values diversity and provides for the full acceptance of cultural differences by establishing environments, resources, and supports that incorporate the strengths of different cultural groups in the design and implementation of public policy and programming.

Definition of Culturally Specific Program and/or Organization:

- Majority of clients served are from a specific cultural community (e.g. African American, African, Asian-Pacific Islander, Native American/Alaska Native, Latino/Hispanic, Slavic).
- Predominance of bilingual and/or bicultural staff that reflects the community served (e.g. African American, African, Asian-Pacific Islander, Native American/Alaska Native, Latino/Hispanic, Slavic).
- Organizational or program environment is culturally focused and identifiable by consumer as such.
- Established and successful community engagement and involvement with the culturally specific community being served.

Please provide the information requested in each subpart below. In order to make the proposal easier to read and score, the narrative should follow the structure outlined below and each section should include the titles listed below.

A. Demographic Characteristics of Clients, Direct Service Staff, Management Staff, and Board Members

Create the table (on the following page) in your application and complete it for your proposed program.

1. If the program you are proposing currently exists, complete the table with data as of January 1, 2009.

2. If the program you are proposing is a new program to your agency, then complete the program client and direct service staff data sections as projections, and complete the organizational client, management staff and board data sections based on actual data as of January 1, 2009.
3. You may add additional demographic variables as additional rows to the table if you choose (please do not add additional columns). Additional demographic variables may include primary language spoken, income level, sexual orientation, and any other uniquely identifiable population.

B. Staff and Board Training

1. Describe how the organization trains staff and board members to deliver culturally competent services to the cultural groups it serves.
2. How frequently did staff and board members attend training last year related to cultural competency?
3. What effects did training have on service delivery?

C. Program Materials and Resources

Does the organization use program and resource materials based in the language and customs of the population(s) it serves? If so, describe the types of materials that are translated and/or adapted to be culturally relevant to the service population. If materials are translated, please specify into which languages they are translated.

D. Community Engagement

1. If the program focuses on specific populations for service, describe how the program uses culturally competent methods to recruit and engage the intended population.
2. Describe evidence of the organization's track record of providing services to the population you intend to serve with CHIF funds.

E. Program Designation and Justification

State whether your program is a culturally specific program offered by a culturally specific organization, a culturally specific program offered by a culturally competent mainstream organization or a culturally competent program offered by a culturally competent mainstream organization. Using the definition of culturally competent organizations/programs, and, if applicable, the definition of culturally specific organizations and programs, as well as the information discussed in your responses to questions in Section V. (A-D), explain why you have chosen this designation.

Applicants who successfully demonstrate (based on the definition of culturally specific organizations and programs and on the information provided in response to questions in Section V (A-D) above), that they are a culturally specific program offered either by a culturally specific agency or a mainstream agency will receive 3 bonus points.

	# people served by program	% of people served by program	#people served by organization	% of people served by organization	# direct program staff	% of direct program staff	# of management staff	% of management staff	# of board of directors	% of board of directors
Racial/Ethnic										
African American										
African										
Asian/ Pacific Islander										
Latino/Hispanic										
Native American/ Alaska Native										
White (non-Hispanic)										
Slavic										
Other (please specify)										
TOTAL										
Gender										
Female										
Male										
Transgender										
TOTAL										