

ANNOTATED MINUTES

Thursday, August 12, 2004 - 9:00 AM
Multnomah Building, First Floor Commissioners Conference Room 112
501 SE Hawthorne Boulevard, Portland

EXECUTIVE SESSION

Chair Diane Linn convened the meeting at 9:04 a.m., with Vice-Chair Serena Cruz and Commissioners Lisa Naito, Lonnie Roberts and Maria Rojo de Steffey present.

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

EXECUTIVE SESSION HELD.

There being no further business, the meeting was adjourned at 9:25 a.m.

Thursday, August 12, 2004 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

Chair Diane Linn convened the meeting at 9:30 a.m., with Vice-Chair Serena Cruz and Commissioners Lisa Naito, Lonnie Roberts and Maria Rojo de Steffey present.

CONSENT CALENDAR

***UPON MOTION OF COMMISSIONER CRUZ,
SECONDED BY COMMISSIONER ROBERTS, THE***

**CONSENT CALENDAR (ITEMS C-1 THROUGH C-7)
WAS UNANIMOUSLY APPROVED.**

NON-DEPARTMENTAL

- C-1 Appointment of Claudia Burnett and Reappointment of Mary Maletis and Julie Vigeland to the REGIONAL ARTS AND CULTURE COUNCIL

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES

- C-2 RESOLUTION Authorizing Private Sale of Certain Tax Foreclosed Property to the GRESHAM-BARLOW SCHOOL DISTRICT No. 10 JT

RESOLUTION 04-110.

- C-3 RESOLUTION Setting Hearing Date of August 26, 2004, for Consideration of Proposed Transfer of Tax Foreclosed Properties to Local Governments for Non-Housing Purposes and Authorizing Publication of Notice

RESOLUTION 04-111.

- C-4 RESOLUTION Authorizing Private Sale of Certain Tax Foreclosed Property to KEVIN A. AND CATHY A. MURPHY, Husband and Wife

RESOLUTION 04-112.

- C-5 Government Non-Expenditure Contract (190 Agreement) 0405013 with the City of Portland for Management of the Urban Area Security Initiative Grant
- C-6 Amendment 6 to Government Expenditure Contract (190 Agreement) 4600001503 with the City of Portland, Providing Maintenance of County Roads in Unincorporated Western Multnomah County
- C-7 Budget Modification BCS-02 Appropriating Funds from the Office of the Assistant Attorney General, Office of Justice Programs for the State Domestic Preparedness Equipment Program Grant (SHSP 04) in the Amount of \$1,025,145

REGULAR AGENDA
PUBLIC COMMENT

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

***SANDRA MCDANIEL AND MAUREEN WRIGHT
COMMENTED REGARDING A PROPOSED
MONTAVILLA LIBRARY.***

NON-DEPARTMENTAL

R-1 RESOLUTION to Proceed with Phase II of the Transportation Study to Determine the Financial Impacts on All Jurisdictions Based on the Phase I Recommendations. Presented by Commissioner Maria Rojo de Steffey. 30 MINUTES REQUESTED.

***COMMISSIONER ROJO MOVED AND
COMMISSIONER CRUZ SECONDED, APPROVAL
OF R-1. COMMISSIONER ROJO EXPLANATION,
ADVISING THAT SHE HAS INVITED THE
MAYORS TO COME TODAY; THAT NO DECISION
HAS BEEN MADE BY THE COUNTY BOARD; AND
THAT SHE WANTS TO SETTLE THE ROAD ISSUE
ONCE AND FOR ALL. GRESHAM MAYOR
CHARLES BECKER TESTIFIED IN SUPPORT OF A
RESOLUTION ON THIS ISSUE, ADVISING
GRESHAM IS GROWING RAPIDLY AND NEEDS A
SYSTEM-WIDE PROCESS. WOOD VILLAGE
MAYOR DAVID FULLER TESTIMONY IN
SUPPORT OF MAINTAINING TRANSPORTATION
AS THEY ARE, ADVISING WOOD VILLAGE GETS
GOOD SERVICE FROM THE COUNTY.
TROUTDALE MAYOR PAUL THALHOFER
TESTIMONY EXPRESSING CONCERN THAT
GRESHAM WILL GET JURISDICTION OVER THE
EAST COUNTY ROADS AND THE ROAD REPAIR
FUNDS. AND THAT THE COUNTY
TRANSPORTATION DIVISION WILL CLOSE
DOWN, ADVISING TROUTDALE APPRECIATES
THE ROAD MAINTENANCE SERVICES
PROVIDED BY THE COUNTY AND WANTS THEM
TO CONTINUE. AFSCME COUNCIL 75
REPRESENTATIVE BRYAN LALLY WITH KEN
ALLEN TESTIMONY IN OPPOSITION TO ROADS***

STUDY TRANSPORTATION RESOLUTION, AND EXPRESSED CONCERN OVER LOSS OF COUNTY TRANSPORTATION POSITIONS, SUGGESTING THAT THE \$35,000 COST OF THE FEASIBILITY STUDY WOULD BE BETTER SPENT ON COUNTY STAFF. IN RESPONSE TO A QUESTION OF COMMISSIONER CRUZ, MAYOR BECKER REITERATED GRESHAM'S POSITION, ADVISING THEY ARE NOT INTERESTED IN TAKING COUNTY ROAD DEPARTMENT STAFF. COMMISSIONER ROBERTS THANKED MAYORS BECKER, FULLER AND THALHOFER TO COMING AND ADVISED THAT HE IS NOT INTERESTED IN PAYING \$35,000 FOR ANOTHER STUDY; THAT ROAD STUDIES HAVE BEEN DONE SINCE 1984 AND HE WILL NOT SUPPORT THE RESOLUTION. COMMISSIONER NAITO THANKED COMMISSIONER ROJO FOR HER WORK ON THIS ISSUE AND ADVISED SHE WILL NOT SUPPORT THE RESOLUTION. COMMISSIONER CRUZ AND CHAIR LINN COMMENTS IN APPRECIATION OF COUNTY TRANSPORTATION STAFF AND IN SUPPORT OF THE RESOLUTION AND FEASIBILITY STUDY. COMMISSIONER ROJO ADVISED THAT THIS ALSO AFFECTS UNINCORPORATED WEST SIDE AND THE COUNTY BRIDGES, NOT JUST EAST COUNTY. COMMISSIONER CRUZ AND CHAIR LINN EXPRESSED THEIR APPRECIATION FOR THE WORK OF COMMISSIONER ROJO. RESOLUTION 04-113 ADOPTED, WITH COMMISSIONERS CRUZ, ROJO AND LINN VOTING AYE AND COMMISSIONERS ROBERTS AND NAITO VOTING NO.

- R-2 RESOLUTION Establishing Fees and Charges for Chapter 7, Business and Community Services, of the Multnomah County Code and Repealing Resolution No. 03-099**

COMMISSIONER CRUZ MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF R-2. FOLLOWING STAFF REQUEST FOR AN AMENDMENT AND UPON MOTION OF

COMMISSIONER CRUZ, SECONDED BY COMMISSIONER NAITO THE AMENDMENT CHANGING THE RESOLUTION EFFECTIVE DATE TO SEPTEMBER 3, 2004 WAS UNANIMOUSLY APPROVED. DENISE KLEIM EXPLANATION OF AGENDA ITEMS R-2 AND R-3. RESOLUTION 04-114 UNANIMOUSLY ADOPTED, AS AMENDED.

- R-3 RESOLUTION Establishing Fees and Charges for Chapter 29, Building Regulations, of the Multnomah County Code and Repealing Resolution No. 03-028

COMMISSIONER CRUZ MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF RESOLUTION WITH AN AMENDED EFFECTIVE DATE OF SEPTEMBER 3, 2004. DENISE KLEIM EXPLANATION. RESOLUTION 04-115 UNANIMOUSLY ADOPTED, AS AMENDED.

- R-4 Authorizing Settlement of *Multnomah County v. Marcus*, Multnomah County Circuit Court Case No. 0304-04595

COMMISSIONER CRUZ MOVED AND COMMISSIONER ROJO SECONDED, APPROVAL OF R-4. MATT RYAN EXPLANATION. AUTHORIZATION UNANIMOUSLY APPROVED.

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES

- R-5 RESOLUTION Establishing a Portion of NE/SE 257th Drive as County Road No. 4931

COMMISSIONER ROJO MOVED AND COMMISSIONER ROBERTS SECONDED, APPROVAL OF R-5. ROBERT MAESTRE EXPLANATION OF AGENDA ITEMS 4-5 AND R-6. RESOLUTION 04-116 UNANIMOUSLY ADOPTED.

- R-6 RESOLUTION Establishing a Portion of SE Hogan Road as County Road No. 4974

**UPON MOTION OF COMMISSIONER ROJO,
SECONDED BY COMMISSIONER CRUZ,
RESOLUTION 04-117 WAS UNANIMOUSLY
ADOPTED.**

- R-7 Approval of Mount Hood Coordinating Plan [Regional Volcanic Event Response Plan]

**COMMISSIONER ROJO MOVED AND
COMMISSIONER ROBERTS SECONDED,
APPROVAL OF R-7. DOUG MCGILLIVRAY
EXPLANATION AND RESPONSE TO A QUESTION
OF CHAIR LINN. COMMISSIONER NAITO
EXPRESSED HER APPRECIATION OF THE
EFFORTS OF STAFF. PLAN UNANIMOUSLY
APPROVED.**

- R-8 First Reading of a Proposed ORDINANCE Establishing Multnomah County Code Chapter 12, Business Income Tax from MCC §§ 11.500 et seq., Updating and Clarifying Definitions, and Declaring an Emergency

**ORDINANCE READ BY TITLE ONLY. COPIES
AVAILABLE. COMMISSIONER ROBERTS MOVED
AND COMMISSIONER CRUZ SECONDED,
APPROVAL OF FIRST READING. DAVE BOYER
EXPLANATION. NO ONE WISHED TO TESTIFY.
FIRST READING UNANIMOUSLY APPROVED.
SECOND READING THURSDAY, AUGUST 19, 2004.**

There being no further business, the regular meeting was adjourned at 10:30 a.m. and the briefing was convened at 10:46 a.m.

Thursday, August 12, 2004 - 11:00 AM
(OR IMMEDIATELY FOLLOWING REGULAR MEETING)
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

BOARD BRIEFING

- B-1 Briefing and Board Discussion and Input on the Library Director's Recommendations Regarding the Library's Internet Access Policies. Presented

by Molly Raphael, Director of Libraries, and Cindy Gibbon, Senior Library Manager. 1 HOUR REQUESTED.

MOLLY RAPHAEL, CINDY GIBBON AND CITIZEN LIBRARY ADVISORY BOARD MEMBER AND CHAIR OF THE LIBRARY ADVISORY BOARD'S ACCESS POLICY ADVISORY COMMITTEE JOE ARELLANO PRESENTATIONS AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION ON ISSUES INCLUDING HOW INPUT WAS OBTAINED; PROPOSAL REGARDING FILTERED INTERNET ACCESS ON TERMINALS IN CHILDREN'S AREAS FOR LIBRARY PATRONS AGED 12 AND UNDER; PROPOSAL REGARDING THE CHOICE OF USING FILTERED OR UNFILTERED INTERNET ACCESS ON TERMINALS FOR LIBRARY PATRONS AGED 13 TO 16 UNLESS THE PATRON'S PARENT MAKES OTHER ARRANGEMENTS; AND PROPOSAL REGARDING THE CHOICE OF USING FILTERED OR UNFILTERED INTERNET ACCESS ON TERMINALS FOR LIBRARY PATRONS AGED 17 TO ADULT.

MS. RAPHAEL AND MS. GIBBON RESPONSE TO QUESTION OF COMMISSIONER ROBERTS REGARDING HOW THEY CAME UP WITH AGE 17. IN RESPONSE TO A QUESTION OF COMMISSIONER CRUZ, MS. RAPHAEL ADVISED THAT A HEARING TO SOLICIT PUBLIC TESTIMONY ON THIS ISSUE IS SCHEDULED FOR 6:00 PM, TUESDAY, AUGUST 24, 2004, AND THAT THE BOARD IS SCHEDULED TO VOTE ON A PROPOSED RESOLUTION ADOPTING LIBRARY INTERNET ACCESS POLICIES AT 9:30 AM, THURSDAY, SEPTEMBER 9, 2004.

COMMISSIONERS CRUZ, ROJO, NAITO AND CHAIR. LINN COMMENTED IN APPRECIATION OF THE WORK OF MS. RAPHAEL, LIBRARY STAFF, LIBRARY ADVISORY BOARD AND ACCESS POLICY ADVISORY COMMITTEE MEMBERS FOR COMING UP WITH A CREATIVE

**APPROACH AND PROPOSAL THAT INCREASES
OVERSIGHT AND BALANCES THE NEEDS OF
CHILDREN AND PARENTS AND ADVISED THAT
THEY LOOK FORWARD TO HEARING FROM
CITIZENS AND VOTING ON THE ISSUE.**

There being no further business, the meeting was adjourned at 11:28 a.m.

BOARD CLERK FOR MULTNOMAH COUNTY, OREGON

Deborah L. Bogstad



Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

BOARD OF COMMISSIONERS

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AUGUST 12, 2004

BOARD MEETING

FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	9:00 a.m. Executive Session
Pg 3	9:30 a.m. Public Comment Non-Agenda Matters
Pg 3	9:30 a.m. Road Study Resolution
Pg 3	10:00 a.m. Resolutions Establishing Fees and Charges for Chapter 7 and Chapter 29
Pg 3	10:15 a.m. Resolutions Establishing a Portion of NE/SE 257th Drive as County Road 4931 and a Portion of SE Hogan Road as County Road 4974
Pg 4	10:30 a.m. Mount Hood Coordinating Plan
Pg 4	10:45 a.m. First Reading of a Proposed Ordinance Establishing Multnomah County Code Chapter 12, Business Income Tax from MCC §§ 11.500 et seq., Updating and Clarifying Definitions
Pg 4	11:00 a.m. Briefing on Library Director Policy Recommendations Regarding Internet Access

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

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

Friday, 11:00 PM, Channel 30

Saturday, 10:00 AM, Channel 30

Sunday, 11:00 AM, Channel 30

Produced through Multnomah Community Television

(503) 491-7636, ext. 333 for further info

or: <http://www.mctv.org>

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-

Thursday, August 12, 2004 - 9:30 AM
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REGULAR MEETING

CONSENT CALENDAR - 9:30 AM **NON-DEPARTMENTAL**

- C-1 Appointment of Claudia Burnett and Reappointment of Mary Maletis and Julie Vigeland to the REGIONAL ARTS AND CULTURE COUNCIL

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES

- C-2 RESOLUTION Authorizing Private Sale of Certain Tax Foreclosed Property to the GRESHAM-BARLOW SCHOOL DISTRICT No. 10 JT
- C-3 RESOLUTION Setting Hearing Date of August 26, 2004, for Consideration of Proposed Transfer of Tax Foreclosed Properties to Local Governments for Non-Housing Purposes and Authorizing Publication of Notice
- C-4 RESOLUTION Authorizing Private Sale of Certain Tax Foreclosed Property to KEVIN A. AND CATHY A. MURPHY, Husband and Wife
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REGULAR AGENDA - 9:30 AM

PUBLIC COMMENT - 9:30 AM

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NON-DEPARTMENTAL - 9:30 AM

- R-1 RESOLUTION to Proceed with Phase II of the Transportation Study to Determine the Financial Impacts on All Jurisdictions Based on the Phase I Recommendations. Presented by Commissioner Maria Rojo de Steffey. 30 MINUTES REQUESTED.
- R-2 RESOLUTION Establishing Fees and Charges for Chapter 7, Business and Community Services, of the Multnomah County Code and Repealing Resolution No. 03-099
- R-3 RESOLUTION Establishing Fees and Charges for Chapter 29, Building Regulations, of the Multnomah County Code and Repealing Resolution No. 03-028
- R-4 Authorizing Settlement of *Multnomah County v. Marcus*, Multnomah County Circuit Court Case No. 0304-04595

DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES - 10:15 AM

- R-5 RESOLUTION Establishing a Portion of NE/SE 257th Drive as County Road No. 4931
- R-6 RESOLUTION Establishing a Portion of SE Hogan Road as County Road No. 4974

- R-7 Approval of Mount Hood Coordinating Plan [Regional Volcanic Event Response Plan]
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- B-1 Briefing and Board Discussion and Input on the Library Director's Recommendations Regarding the Library's Internet Access Policies. Presented by Molly Raphael, Director of Libraries, and Cindy Gibbon, Senior Library Manager. 1 HOUR REQUESTED.

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: August 12, 2004

Agenda Item #: C-1

Est. Start Time: 9:30 AM

Date Submitted: 08/02/04

Requested Date: 8/12/2004

Time Requested: Consent Calendar

Department: Non-Departmental

Division: Chair's Office

Contact/s: Chair Diane Linn, Delma Farrell

Phone: 503/988-3308

Ext.: 22092

I/O Address: 503/600

Presenters: N/A

Agenda Title: Appointment of Claudia Burnett and reappointment of Mary Maletis and Julie Vigeland to the Regional Arts and Culture Council

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

-
1. **What action are you requesting from the Board? What is the department/agency recommendation?** Recommend the Board approve appointment of Claudia Burnett and reappointment of Mary Maletis and Julie Vigeland to the Regional Arts and Culture Council.
 2. **Please provide sufficient background information for the Board and the public to understand this issue.** The Regional Arts & Culture Council (RACC) is the "arts and cultural agency with responsibility for the stewardship of public investment, and for serving citizens of the region by providing leadership, strategic planning, policy development, coordination, and financial support of the regional arts industry." RACC's four primary services are arts and culture in communities, public art, grants and technical assistance, and arts in the schools. The RACC board of directors consists of 22 members; 6 directors are appointed by the Multnomah County Chair with approval of the Board of County Commissioners; 10 directors are appointed by the Mayor of the City of Portland; 2 directors are appointed by the Clackamas County Board Chair; 2 directors are appointed by the Washington County Board Chair; 2 directors are appointed by the Metro Executive. Members are appointed to 2-year terms expiring in September.
 3. **Explain the fiscal impact (current year and ongoing).** No current year/ongoing fiscal impact.

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

If a budget modification, explain:

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

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

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

If grant application/notice of intent, explain:

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

4. Explain any legal and/or policy issues involved. No legal and/or policy issues.
5. Explain any citizen and/or other government participation that has or will take place. Appointment/reappointment process conducted by the Membership Committee of the Regional Arts & Culture Council.

Required Signatures:

Department/Agency Director:



Date: 7/28/2004

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: August 12, 2004

Agenda Item #: C-2

Est. Start Time: 9:30 AM

Date Submitted: 07/14/04

Requested Date: August 12, 2004

Time Requested: N/A

Department: DBCS

Division: Tax Title

Contact/s: Gary Thomas

Phone: 503-988-3590

Ext.: 22591

I/O Address: 503/4 Tax Title

Presenters: Consent Calendar

Agenda Title: Resolution Authorizing the Private Sale of a Tax Foreclosed Property to the GRESHAM-BARLOW SCHOOL DISTRICT NO. 10 Jt

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

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

The Tax Title Section is requesting the Board to approve the private sale of one tax foreclosed property to the GRESHAM-BARLOW SCHOOL DISTRICT NO. 10 Jt. The Department of Business and Community Services recommends that the private sale be approved.

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

The subject property is an irregular shaped parcel approximately 30' x 51.4' x 40' M/L x 5' that came into Multnomah County ownership through the foreclosure of delinquent property tax liens on November 2, 1989. The school district owns the adjacent property on which West Orient Middle School is located at 29805 SE Orient Dr. The subject property lies adjacent to the school parking lot and other property that the district owns.

The parcel was most likely left off a larger piece of property when the roads were developed or construction took place on the adjacent properties.

The attached plat map, Exhibit A, shows the location of the property. The attached Exhibit B is an aerial photo that shows the proximity of the parcel to the adjacent parking lot and school.

Although no written confirmation from the City of Gresham was obtained, the Tax Title Division is confident the shape and size of the property, i.e., approximately 620 square feet, make it unsuitable for construction or placement of a dwelling thereon under current zoning ordinances and building codes, as provided under ORS 275.225.

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

The Private Sale will allow for a recovery of the delinquent taxes, fees, and expenses. (see Exhibit C).

4. Explain any legal and/or policy issues.

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

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

No citizen or government participation is anticipated.

Required Signatures:

Department/Agency Director:

Robert A. Maestre

Date: 0713/04

Budget Analyst

By:

Date:

Dept/Countywide HR

By:

Date:

EXHIBIT A

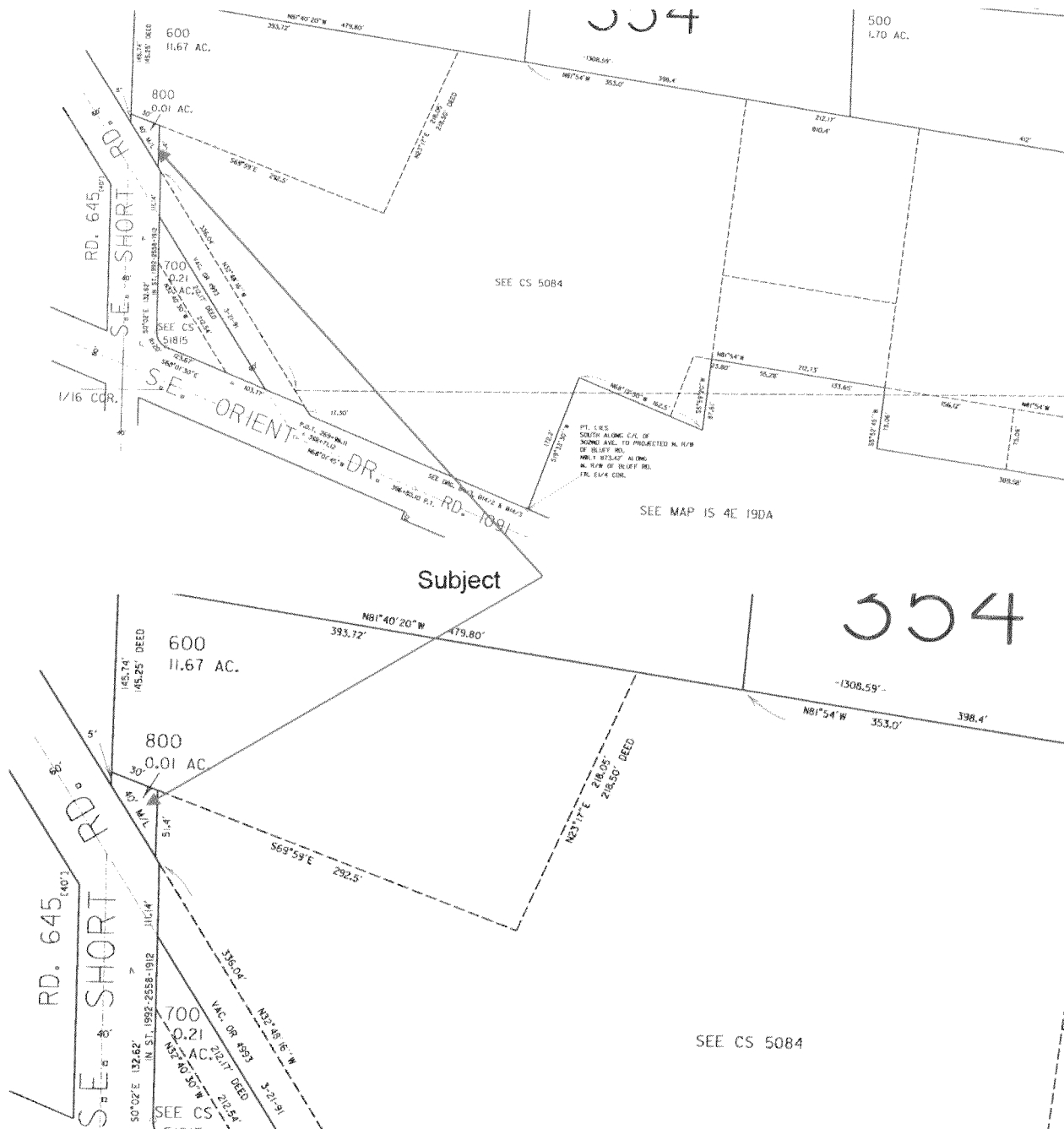


EXHIBIT B



Subject

**EXHIBIT C
PROPOSED PROPERTY LISTED FOR PRIVATE SALE
FISCAL YEAR 2004-5**

LEGAL DESCRIPTION:

A tract of land in the Northeast quarter of Section 19, Township 1 South, Range 4 East, W.M., in Multnomah County, State of Oregon described as follows:

Commencing at the East quarter corner of said Section 19; thence North 0°33'20" East, along the East line of said Section 19, 271.20 feet; thence North 81°54' West 1,308.59 feet to the West line of the Southeast quarter of the Northeast quarter of said Section 19; thence South, along said West subdivision line, 145.25 feet to a point and the true point of beginning of the tract of land to be described; thence South 69°59' East, 30 feet to a point; thence South parallel to the West line of said Southeast quarter of the Northeast quarter of said Section 19, 51.4 feet to the Northeasterly right-of-way line of N.E. Short Road; thence Northwesterly, along said Northeasterly line, 40 feet more or less to the West line of the Southeast quarter of the Northeast quarter of said Section 19; thence North, along the West line of said subdivision, 5 feet to the point of beginning.

ADJACENT PROPERTY ADDRESS:	29805 SE ORIENT DRIVE
TAX ACCOUNT NUMBER:	R342129
GREENSPACE DESIGNATION:	None
SIZE OF PARCEL:	Approximately 620 square feet
ASSESSED VALUE:	\$400.00

ITEMIZED EXPENSES FOR TOTAL PRICE OF PRIVATE SALE

BACK TAXES & INTEREST:	\$58.28
TAX TITLE MAINTENANCE COST & EXPENSES:	-0-
ADVERTISING COST:	-0-
RECORDING FEE:	\$26.00
CITY LIENS:	-0-
SUB-TOTAL	\$84.28
MINIMUM PRICE REQUEST OF PRIVATE SALE	\$100.00

BOGSTAD Deborah L

From: GRACE Becky J
Sent: Tuesday, July 13, 2004 3:01 PM
To: BOGSTAD Deborah L
Subject: FW: Board Agenda Aug 12 Gresham-Barlow Private Sale

Thanks Deb!

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

From: CREAN Christopher D
Sent: Tuesday, July 13, 2004 2:47 PM
To: GRACE Becky J
Cc: 'nasseem moradi'
Subject: RE: Board Agenda Aug 12 Gresham-Barlow Private Sale

Becky -

I have reviewed the attached documents for the private sale to the Gresham-Barlow School District and they may be circulated for signature and board approval. Thanks.

- Chris

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

From: GRACE Becky J
Sent: Tuesday, July 13, 2004 2:24 PM
To: CREAN Christopher D
Cc: 'nasseem moradi'
Subject: Board Agenda Aug 12 Gresham-Barlow Private Sale

Hi Chris,

Attached for your review and approval are the August 12th Board Agenda documents for the private sale of Tax Foreclosed property to the Gresham Barlow School District.

Thank you,

Becky Grace
Tax Title, Multnomah County
501 SE Hawthorne, Suite 310
Portland, OR 97214
503.988.3590 x27145

7/13/2004

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY

RESOLUTION NO. _____

Authorizing Private Sale of Certain Tax Foreclosed Property to the GRESHAM-BARLOW SCHOOL DISTRICT No. 10 JT.

The Multnomah County Board of Commissioners Finds:

- a) Multnomah County acquired the real property described in Exhibit A through the foreclosure of liens for delinquent property taxes.
- b) The property has an assessed value of \$400.00 on the County's current tax roll.
- c) Although no written confirmation from the City of Gresham was obtained, the Tax Title Division is confident the shape and size of the property, i.e., approximately 620 square feet, make it unsuitable for construction or placement of a dwelling thereon under current zoning ordinances and building codes, as provided under ORS 275.225.
- d) The GRESHAM-BARLOW SCHOOL DISTRICT No. 10 JT has agreed to pay \$100, an amount the Board finds to be a reasonable price for the property in conformity with ORS 275.225.

The Multnomah County Board of Commissioners Resolves:

- 1. Upon Tax Title's receipt of the payment of \$100, the Chair on behalf of Multnomah County, is authorized to execute a deed conveying to the GRESHAM-BARLOW SCHOOL DISTRICT No. 10 JT, the real property described in Exhibit A.

ADOPTED this 12th day of August 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Christopher D. Crean, Assistant County Attorney

EXHIBIT A (RESOLUTION)

Legal Description:

A tract of land in the Northeast quarter of Section 19, Township 1 South, Range 4 East, W.M., in Multnomah County, State of Oregon described as follows:

Commencing at the East quarter corner of said Section 19; thence North 0°33'20" East, along the East line of said Section 19, 271.20 feet; thence North 81°54' West 1,308.59 feet to the West line of the Southeast quarter of the Northeast quarter of said Section 19; thence South, along said West subdivision line, 145.25 feet to a point and the true point of beginning of the tract of land to be described; thence South 69°59' East, 30 feet to a point; thence South parallel to the West line of said Southeast quarter of the Northeast quarter of said Section 19, 51.4 feet to the Northeasterly right-of-way line of N.E. Short Road; thence Northwesterly, along said Northeasterly line, 40 feet more or less to the West line of the Southeast quarter of the Northeast quarter of said Section 19; thence North, along the West line of said subdivision, 5 feet to the point of beginning.

Multnomah County Deed No.: D051955

Tax Account No.: R342129

GRESHAM-BARLOW SCHOOL DISTRICT 10 Jt
ATTN MICHELLE GRANGER-MOORE
1331 NW EASTMAN PARKWAY
GRESHAM OR 97030

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

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to the GRESHAM-BARLOW SCHOOL DISTRICT No. 10 Jt, Grantees, that certain real property, located in the City of Gresham, Multnomah County, Oregon more particularly described in the attached Exhibit A.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Diane M. Linn, Chair

EXHIBIT A (DEED)

Legal Description:

A tract of land in the Northeast quarter of Section 19, Township 1 South, Range 4 East, W.M., in Multnomah County, State of Oregon described as follows:

Commencing at the East quarter corner of said Section 19; thence North 0°33'20" East, along the East line of said Section 19, 271.20 feet; thence North 81°54' West 1,308.59 feet to the West line of the Southeast quarter of the Northeast quarter of said Section 19; thence South, along said West subdivision line, 145.25 feet to a point and the true point of beginning of the tract of land to be described; thence South 69°59' East, 30 feet to a point; thence South parallel to the West line of said Southeast quarter of the Northeast quarter of said Section 19, 51.4 feet to the Northeasterly right-of-way line of N.E. Short Road; thence Northwesterly, along said Northeasterly line, 40 feet more or less to the West line of the Southeast quarter of the Northeast quarter of said Section 19; thence North, along the West line of said subdivision, 5 feet to the point of beginning.

Multnomah County Deed No.: D051955

Tax Account No.: R342129

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-110

Authorizing Private Sale of Certain Tax Foreclosed Property to the GRESHAM-BARLOW SCHOOL DISTRICT No. 10 JT

The Multnomah County Board of Commissioners Finds:

- a) Multnomah County acquired the real property described in Exhibit A through the foreclosure of liens for delinquent property taxes.
- b) The property has an assessed value of \$400.00 on the County's current tax roll.
- c) Although no written confirmation from the City of Gresham was obtained, the Tax Title Division is confident the shape and size of the property, i.e., approximately 620 square feet, make it unsuitable for construction or placement of a dwelling thereon under current zoning ordinances and building codes, as provided under ORS 275.225.
- d) The GRESHAM-BARLOW SCHOOL DISTRICT No. 10 JT has agreed to pay \$100, an amount the Board finds to be a reasonable price for the property in conformity with ORS 275.225.

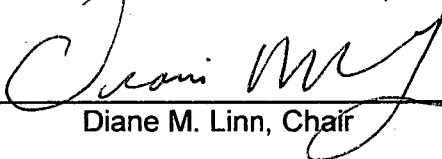
The Multnomah County Board of Commissioners Resolves:

- 1. Upon Tax Title's receipt of the payment of \$100, the Chair on behalf of Multnomah County, is authorized to execute a deed conveying to the GRESHAM-BARLOW SCHOOL DISTRICT No. 10 JT, the real property described in Exhibit A.

ADOPTED this 12th day of August 2004.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON


By 
Christopher D. Crean, Assistant County Attorney

EXHIBIT A (RESOLUTION)

Legal Description:

A tract of land in the Northeast quarter of Section 19, Township 1 South, Range 4 East, W.M., in Multnomah County, State of Oregon described as follows:

Commencing at the East quarter corner of said Section 19; thence North 0°33'20" East, along the East line of said Section 19, 271.20 feet; thence North 81°54' West 1,308.59 feet to the West line of the Southeast quarter of the Northeast quarter of said Section 19; thence South, along said West subdivision line, 145.25 feet to a point and the true point of beginning of the tract of land to be described; thence South 69°59' East, 30 feet to a point; thence South parallel to the West line of said Southeast quarter of the Northeast quarter of said Section 19, 51.4 feet to the Northeasterly right-of-way line of N.E. Short Road; thence Northwesterly, along said Northeasterly line, 40 feet more or less to the West line of the Southeast quarter of the Northeast quarter of said Section 19; thence North, along the West line of said subdivision, 5 feet to the point of beginning.

Multnomah County Deed No.: D051955

Tax Account No.: R342129

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

GRESHAM-BARLOW SCHOOL DISTRICT 10 JT
ATTN MICHELLE GRANGER-MOORE
1331 NW EASTMAN PARKWAY
GRESHAM OR 97030

After recording, return to:

MULTNOMAH COUNTY
TAX TITLE DIVISION
503/4

Deed D051955

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to the GRESHAM-BARLOW SCHOOL DISTRICT No. 10 JT, Grantees, that certain real property, located in the City of Gresham, Multnomah County, Oregon more particularly described in the attached Exhibit A.

The true and actual consideration paid for this transfer; stated in the terms of dollars is \$100.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 12th day of August 2004, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 

Christopher D. Crean, Assistant County Attorney

STATE OF OREGON)

) ss

COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 12th day of August 2004, by Diane M. Linn, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires: 6/27/05

EXHIBIT A (DEED)

Legal Description:

A tract of land in the Northeast quarter of Section 19, Township 1 South, Range 4 East, W.M., in Multnomah County, State of Oregon described as follows:

Commencing at the East quarter corner of said Section 19; thence North 0°33'20" East, along the East line of said Section 19, 271.20 feet; thence North 81°54' West 1,308.59 feet to the West line of the Southeast quarter of the Northeast quarter of said Section 19; thence South, along said West subdivision line, 145.25 feet to a point and the true point of beginning of the tract of land to be described; thence South 69°59' East, 30 feet to a point; thence South parallel to the West line of said Southeast quarter of the Northeast quarter of said Section 19, 51.4 feet to the Northeasterly right-of-way line of N.E. Short Road; thence Northwesterly, along said Northeasterly line, 40 feet more or less to the West line of the Southeast quarter of the Northeast quarter of said Section 19; thence North, along the West line of said subdivision, 5 feet to the point of beginning.

Multnomah County Deed No.: D051955

Tax Account No.: R342129

EXHIBIT A (DEED)

Legal Description:

A tract of land in the Northeast quarter of Section 19, Township 1 South, Range 4 East, W.M., in Multnomah County, State of Oregon described as follows:

Commencing at the East quarter corner of said Section 19; thence North 0°33'20" East, along the East line of said Section 19, 271.20 feet; thence North 81°54' West 1,308.59 feet to the West line of the Southeast quarter of the Northeast quarter of said Section 19; thence South, along said West subdivision line, 145.25 feet to a point and the true point of beginning of the tract of land to be described; thence South 69°59' East, 30 feet to a point; thence South parallel to the West line of said Southeast quarter of the Northeast quarter of said Section 19, 51.4 feet to the Northeasterly right-of-way line of N.E. Short Road; thence Northwesterly, along said Northeasterly line, 40 feet more or less to the West line of the Southeast quarter of the Northeast quarter of said Section 19; thence North, along the West line of said subdivision, 5 feet to the point of beginning.

Multnomah County Deed No.: D051955

Tax Account No.: R342129

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: August 12, 2004

Agenda Item #: C-3

Est. Start Time: 9:30 AM

Date Submitted: 07/13/04

Requested Date: August 12, 2004

Time Requested: Consent Item

Department: DBCS

Division: Tax Title

Contact/s: Gary Thomas

Phone: 503-988-3590

Ext.: 22591 **I/O Address:** 503/4 Tax Title

Presenters: Gary Thomas

Agenda Title: Setting the Public Hearing Date of August 26, 2004 for the Proposed Transfer of Tax Foreclosed Properties to Local Governments for Non Housing Purposes and Authorizing the Publication of the Public Notice in the DJC

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

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

The Department of Community Services, Tax Title Division, requests the Board of County Commissioners to set August 26, 2004 as a date to receive public testimony concerning the proposed transfer of twenty-two Tax Foreclosed Properties identified as Parcel nos. one to twenty-two in the attached Exhibit A, to the local governments identified below for non-housing purposes. Further, the Department requests the board to authorize the publication of the required notice for the proposed hearing. This request is undertaken pursuant to ORS 271.330(5) and MCC Section 7.407(E).

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

On April 15, 2004 in accordance with Multnomah County Code Chapter 7, all of these twenty-two (22) properties were made available on a list of Tax Foreclosed Properties offered to Governmental Agencies for non-housing purposes.

The County received requests for these properties from the following local governments:

- a. The City of Portland Office of Transportation requested Parcel Nos. 1-8 within the sixty days required by MCC Section 7.407. There are no duplicate applications submitted to Tax Title from another Government Agency requesting any of these properties.
- b. The Multnomah County Land Use & Transportation Program requested Parcel Nos. 9 & 10 within the sixty days required by MCC Section 7.407. There are no duplicate applications submitted to Tax Title from another Government Agency requesting these properties.
- c. The City of Gresham Department of Environmental Services requested Parcel Nos. 11-13 within the sixty days required by MCC Section 7.407. There are no duplicate applications submitted to Tax Title from another Government Agency requesting these properties.
- d. The City of Portland Bureau of Parks & Recreation requested Parcel Nos. 14-17 within the sixty days required by MCC Section 7.407. There are no duplicate applications submitted to Tax Title from another Government Agency requesting these properties.
- e. The City of Portland Bureau of Environmental Services requested Parcel Nos. 18-22 within the sixty days required by MCC Section 7.407. There are no duplicate applications submitted to Tax Title from another Government Agency.

The Department has reviewed these requests and has found them to be in compliance with ORS 271.330 and MCC 7.407.

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

The Tax Title Fund has incurred expenses associated with preparation of application materials, newspaper publications, processing transfer requests and preparation of Board documents. Future costs will include newspaper publications, title reports, recording fees and preparation of Board documents. The proposed transfer of these properties at present provides for reimbursement to the County Tax Title Fund for these costs. Property with the Real Market Value of:

- \$2,000 and under will be charged \$100
- \$2,001-\$5,000 will be charged \$200
- \$5,001-\$8,000 will be charged \$300
- \$8,001-\$15,000 will be charged \$400
- \$15,001 and over will be charged \$500

4. Explain any legal and/or policy issues.

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

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

All public agencies of Multnomah County were invited to participate in the Tax Foreclosed Property transfer process. All Neighborhood Associations within the County where the properties are located were notified of the availability of Tax Foreclosed Properties to Government Agencies for possible transfer. Notice of this transfer hearing will be published in a newspaper for one day in two successive weeks.

The Daily Journal of Commerce, Public Notice Section
Dates of publication: August 13th and 20th.

Required Signatures:

Department/Agency Director: *Robert A Maestre*

Date: 07/14/04

Budget Analyst

By:

Date:

Dept/Countywide HR

By:

Date:

EXHIBIT A (AGENDA PLACEMENT REQUEST)

PROPERTIES REQUESTED BY LOCAL GOVERNMENTS

FISCAL YEAR 2003/04

CITY OF PORTLAND, OFFICE OF TRANSPORTATION

PARCEL NO. 1.:

Legal Description:

Tax Lot 4 of Lot 1, Block 53, BURLINGAME, a recorded plat, recorded November 10, 1927, in Plat Book 1074, Page 55 (on S.W. Vincent Place, near S.W. Terwilliger Blvd.), as follows:

Beginning at the initial point of the said BURLINGAME PLAT, said point also being in the northerly right-of-way line of S.W. Vincent Place, thence S 89°39'42" E along said northerly right-of-way line, a distance of 88.20 feet to the beginning of a tangent curve to the right, said curve point also being the true point of beginning; thence southeasterly along said northerly right-of-way line of S.W. Vincent Place, along the arc of a 120.00 foot radius tangent curve to the right through a central angle of 56°37'15" (the chord bears S 61°21'04" E, 113.82 feet), an arc distance of 118.59 feet to the point of tangency; thence S 33°02'27" E, a distance of 30.40 feet to its intersection with the southwesterly right-of-way line of the Oregon State Highway Department; thence N 0°49'21" W along the westerly line of the said highway department right-of-way line a distance of 79.39 feet to a point in the north line of said Lot 1, Block 53, BURLINGAME; thence N 89°39'42" W along said north line, a distance of 115.32 feet to the true point of beginning.

Containing 2,654 square feet, more or less.

Multnomah County Deed No.:	D051956
Tax Account No.:	R124096
Type of Use:	Street Extension
Taxes:	\$81.74
Expenses:	\$0
Amount Paid for Transfer	\$100

PARCEL NO. 2.:

Legal Description:

Except Part in Street-Except Northerly 75 feet of Lot 1, Block 7; GLEN HARBOR

Multnomah County Deed No.:	D051957
Tax Account No.:	R169447
Type of Use:	Street Extension
Taxes:	\$4380.13
Expenses:	\$33.50
Amount Paid for Transfer	\$500

PARCEL NO. 3.:

Legal Description:

A tract of land in the Northeast One-Quarter of Section 17, Township 1 South, Range 2 East of the Willamette Meridian, Multnomah County, Oregon, being a portion of Lot 21 Leonora Place as recorded in Plat Book 151 at Page 31 on April 10, 1890 and described as follows:

All that part of said Lot 21 lying East of the West line of Lot 10, Block 1, Hallers Addition to Portland if extended North to its intersection with S. E. Foster Road.

Multnomah County Deed No.:	D051958
Tax Account No.:	R206384
Type of Use:	Street Extension
Taxes:	\$62.78
Expenses:	\$41.00
Amount Paid for Transfer	\$100

PARCEL NO. 4.:

Legal Description:

Lot C; ROSIER FARM ESTATES

Multnomah County Deed No.:	D051959
Tax Account No.:	R262118
Type of Use:	Access Control Strip
Taxes:	\$65.12
Expenses:	\$0
Amount Paid for Transfer	\$100

PARCEL NO. 5.:

Legal Description:

Lot A, Block 29; SOUTHERN PORTLAND

Multnomah County Deed No.:	D051960
Tax Account No.:	R273422
Type of Use:	Street Extension
Taxes:	\$62.78
Expenses:	\$29.75
Amount Paid for Transfer	\$100

PARCEL NO. 6.:

Legal Description:

Southerly 4.12 feet of Lot 5, Block 2; TAYLOR CREST

Multnomah County Deed No.:	D051961
Tax Account No.:	R283917
Type of Use:	Street Extension
Taxes:	\$451.91

Expenses: \$33.50
Amount Paid for Transfer \$100

PARCEL NO. 7:

Legal Description:

A tract of land in the Southeast one-quarter of Section 19, Township 1 South, Range 1 East, of the Willamette Meridian, Multnomah County, Oregon, described as follows:

All that part of said Section 19 bounded on the North by the Southerly line of that tract of land conveyed by J.L. Perry and Jenette Perry to William Borsch by deed recorded November 26, 1889 in deed book 128 page 324; bounded on the West by S.W. Maplewood road (Co. Rd. 871) and bounded on the East by the Westerly line of S.W. 45th Ave (Co. Rd. 1270).

Multnomah County Deed No.: D051962
Tax Account No.: R329792
Type of Use: Street Extension
Taxes: \$65.20
Expenses: \$1.68
Amount Paid for Transfer \$100

PARCEL NO. 8:

Legal Description:

A tract of land in the Southwest One-Quarter of Section 24, Township 1 South, Range 1 East of the Willamette Meridian, Multnomah County, Oregon, and described as follows:

All that part of the following described Tract 1:

Lying Westerly of the Westerly right-of-way line of S.E. Tacoma St, formerly Willsburg Road Co. Rd. No. 1090 (40 feet wide);

Lying Easterly of the Easterly line of the Andrea Guigliemino tract as described in Deed Book 796 Page 330 and recorded in 1920;

Lying Northerly of the Northerly line of that tract of land described in Deed Book 209 Page 187 recorded January 13, 1965 where said Northerly line intersects the Westerly right-of-way line of S.E. Tacoma St;

Lying Southerly of the Southwesterly projection of the radial line produced from the centerline of the right-of-way of S.E. Tacoma St. at the point where it widens from 40 feet to 60 feet in width.

Tract 1:

Beginning S89°45'E, a distance of 18.28 chains from the Southwest corner of the Jacob Wills DLC; thence Northwest and along the East line of the O and C Railway Company's right-of-way to the center of "B" street in old town of Willsburg; thence N81°30'E, a distance of 8.84 chains; thence S36°East, a distance of 4.32 chains; thence S15°W, a distance of 4.61 chains; thence S23°11'W, a distance of 4.74 chains; thence N89°45'W, a distance of 6.35 chains to the point of beginning.

Multnomah County Deed No.: D051963
Tax Account No.: R330572
Type of Use: Street Extension
Taxes: \$121.97
Expenses: \$29.75
Amount Paid for Transfer \$100

MULTNOMAH COUNTY, LAND USE & TRANSPORTATION PROGRAM

PARCEL NO. 9:

Legal Description:

A tract of land in Section 25, Township 1 North, Range 3 East of the Willamette meridian, Multnomah County, Oregon and described as follows:

A tract of land bounded by:

That portion of the former Depot Grounds of the Oregon and Washington Railroad and Navigation Company conveyed to Marie Bennett by deed recorded November 5, 1987 in Book 2056 Page 26, Deed Records of Multnomah County and conveyed to Multnomah County for road purposes by deed recorded April 12, 1993 in Book 2673 Page 1391.

That tract of land conveyed by Multnomah County to the City of Troutdale by deed recorded in Book 884 at Page 746 in 1972.

The North line of Historic Columbia River Highway.

Multnomah County Deed No.: D051964
Tax Account No.: R320673
Type of Use: Right-of-Way
Taxes: \$61.92
Expenses: \$57.95
Amount Paid for Transfer \$100

PARCEL NO. 10:

Legal Description:

A tract of land in the Northeast One-Quarter of Section 20, Township 1 South, Range 3 East of the Willamette Meridian, Multnomah County, Oregon and described as follows:

A strip of land lying South of the Southerly right-of-way line of S. E. Butler Road, County Road No. 356 and 588 and West of the West line of S.E. Rodlun Road, County Road No. 1089 and North of the North line of the South One-Half of the Southeast One-Quarter of the Northeast One-Quarter of said Section 20.

Multnomah County Deed No.: D051965
Tax Account No.: R340827
Type of Use: Right-of-Way
Taxes: \$74.87
Expenses: \$2.55
Amount Paid for Transfer \$100

CITY OF GRESHAM, DEPARTMENT OF ENVIRONMENTAL SERVICES

PARCEL NO. 11:

Legal Description:

Lot R, WILLOWBROOK

Multnomah County Deed No.:	D051966
Tax Account No.:	R309082
Type of Use:	Right-of-Way
Taxes:	\$134.45
Expenses:	\$37.25
Amount Paid for Transfer	\$100

PARCEL NO. 12:

Legal Description:

Lot S, WILLOWBROOK

Multnomah County Deed No.:	D051967
Tax Account No.:	R309083
Type of Use:	Right-of-Way
Taxes:	\$134.45
Expenses:	\$37.25
Amount Paid for Transfer	\$100

PARCEL NO. 13:

Legal Description:

A tract of land situated in the Southwest one-quarter of Section 10 Township 1 South, Range 3 East of the Willamette Meridian in the County of Multnomah and State of Oregon, more particularly described as follows:

BEGINNING in the one-half section line dividing Section 10 into East and West one-halves, 49.00 feet North of the Southwest corner of the Southeast one-quarter of said Section; thence Easterly parallel to the South line of said section to the center of County road; thence North 42° 01' 45" West along the said road to where the centerline of said County road intersects the one-half Section line dividing Section 10 into East and West halves; thence Southerly along the said one-half Section line to the point of beginning.

EXCEPTING THEREFROM that part lying within the following described tract.

Beginning on the Westerly line of S.E. Roberts Avenue, North 118.29 feet and East 39.65 feet from the South one-quarter corner of Section 10; thence South 33°56' 00" West a distance of 82.31 feet; thence North 88°51'00" East 100.00 feet more or less to the Westerly line of S.E. Roberts Avenue; thence North 40°12'30" West 86.80 feet to the point of beginning.

ALSO EXCEPTING THEREFROM all that portion lying within S.E. Roberts Avenue.

Multnomah County Deed No.:	D051968
Tax Account No.:	R339024
Type of Use:	Right-of-Way
Taxes:	\$80.61
Expenses:	\$2.55
Amount Paid for Transfer	\$100

CITY OF PORTLAND, BUREAU OF PARKS & RECREATION

PARCEL NO. 14:

Legal Description:

A tract of land in the Southeast One-Quarter of Section 11, Township 1 North, Range 1 West of the Willamette Meridian, Multnomah County, Oregon, being a portion of Lot 6, Block 19 Fairmount Addition and described as follows:

All that part of Lot 6, Block 19, Fairmount Addition lying Southwesterly of the following described line: Beginning at the Northwestern corner of said Lot 6 and running thence to a point in the Southeasterly line of said Lot 6 being 71.20 feet Northeasterly from the Southerly corner thereof.

Multnomah County Deed No.:	D051969
Tax Account No.:	R159911
Type of Use:	Park & Recreation Purposes
Taxes:	\$281.57
Expenses:	\$41.00
Amount Paid for Transfer	\$100

PARCEL NO. 15:

Legal Description:

A tract of land in the Northwest One-Quarter of Section 24, Township 1 North, Range 2 East of the Willamette Meridian, Multnomah County, Oregon, being a portion of Parcel 1 of Partition Plat 1992-80 as recorded August 6, 1992 and described as follows:

Commencing at the Northwest corner of said Section 24; thence S06°22'16"E, a distance of 851.55 feet to a 5/8 inch iron rod with a red plastic cap marked "LS 1848" set at the true point of beginning, said point being on the Southwesterly right-of-way line of N.E. Airport Way and is the Northwest corner of said Parcel 1 of Partition Plat 1992-80; thence Easterly along said right-of-way the following courses and distances: S55°52'52"E, a distance of 345.98 feet to a 5/8 inch iron rod with a yellow plastic cap marked "COP Survey"; thence along the arc of 860 foot radius curve to the left, through a central angle of 34°55'55" (the chord bears S73°20'49"E, a distance of 516.24 feet) an arc distance of 524.32 feet; thence leaving said right-of-way line, S01°25'55"E, a distance of 149.86 feet to a 5/8 inch iron rod with a red plastic cap marked "LS 1848" set on the East line of a trail easement granted to City of Portland and recorded as document 94-034058, Multnomah County Deed Records; thence N88°34'05"E, a distance of 50.19 feet to a 5/8 inch iron rod with a red plastic cap marked "LS 1848" set on the East line of said Parcel 1; thence along the Easterly, Southerly and Westerly lines of said

Parcel 1 the following courses and distances: S01°25'55"E, a distance of 457.60 feet; thence N81°15'00"W, a distance of 324.45 feet; thence N55°15'00"W, a distance of 330.00 feet; thence N86°15'00"W, a distance of 240.00 feet to the Southwesterly corner thereof; thence N01°14'31"W, a distance of 695.03 feet to the point of beginning.

Multnomah County Deed No.:	D051970
Tax Account No.:	R237529
Type of Use:	Park & Recreation Purposes
Taxes:	\$10,291.86
Expenses:	\$33.50
Amount Paid for Transfer	\$500

PARCEL NO. 16:

Legal Description:

A portion of Tract 1, R.A. HEINTZ INDUSTRIAL PARK, in the City of Portland, County of Multnomah and State of Oregon, described as follows:

All that portion of the following lying northerly of the Mean High Water Line of the Columbia Slough.

BEGINNING at the Northeasterly corner of said Tract 1; thence North 89°57'16" West along the Southerly line of NE Riverside Way 126.47 feet to a point of the tangent curve; thence along said Southerly line, on the arc of a 850.00 foot radius curve to the right, through a central angle of 3°10'24" an arc distance of 47.08 feet (the chord bears North 88°52'04" West 47.08 feet) to the Northeast corner of a tract of land conveyed to W.S. Dubose, Inc., a Corporation by Deed recorded April 13, 1973 in Book 920, page 968, Deed Records; thence South 25°20'04" West 396.89 feet to the Southeast corner of said W.S. Dubose Inc. Tract and true point of beginning of the tract herein to be described; thence North 75°55'00" West 136.42 feet to an iron rod; thence North 53°35'46" West 195.03 feet to an iron rod; thence North 67°53'30" West 200.32 feet to an iron rod; thence South 25°20'04" West to the South line of said Tract 1; thence Easterly along the Southerly line of said Tract 1 to the Southeast corner thereof; thence North along the East line of said Tract 1, a distance of 139.07 feet to the Southeast corner of a tract conveyed to Coan in Book 1141, page 1263 (November 23, 1976); thence North 68°43'18" West a distance of 372.17 feet to the Southwest corner of said Coan Tract; thence North 25°20'04" East a distance of 15.11 feet to the point of beginning.

Multnomah County Deed No.:	D051971
Tax Account No.:	R251213
Type of Use:	Park & Recreation Purposes
Taxes:	\$29.23
Expenses:	\$97.00
Amount Paid for Transfer	\$100

PARCEL NO. 17:

Legal Description:

A portion of Tract 1 of "R.A. HEINTZ INDUSTRIAL PARK", in the County of Multnomah, State of Oregon, described as follows:

Commencing at the Northeast corner of said Tract 1: thence North 89°57'16" West along the South line of Riverside Way, a distance of 126.47 feet to a point of tangent curve in said South line; thence Northwesterly along said South line on the arc of a 850.00 foot radius curve to the right, through a central angle of 25°17'20", an arc distance of 375.17 feet (the chord bears North 77°18'36" West 372.13 feet) to a point of tangency; thence North 64°39'56" West along said South line a distance of 210.00 feet to the point of beginning of the tract herein to be described; thence continuing North 64°39'56" West along said South line, a distance of 150.00 feet to a point; thence South 27°52'06" West a distance of 399.73 feet to a point in the South line of said Tract 1; thence South 61°22'10" East along said South line, a distance of 167.95 feet to a point; thence North 25°20'04" East a distance of 409.00 feet to the point of beginning.

EXCEPTING therefrom that portion conveyed to Millers of Utah Beef Boning and Fabricating, Inc. by Warranty Deed recorded December 14, 1973 in Book 963 Page 1098 of the Multnomah County Deed Records further described as follows:

A portion of Tract 1 of R.A. HEINTZ INDUSTRIAL PARK, in the City of Portland, County of Multnomah and State of Oregon, described as follows:

Commencing at the Northeast corner of said Tract 1; thence North 89°57'16" West along the South line of Riverside Way, a distance of 126.47 feet to a point of tangent curve in said South line; thence Northwesterly along said South line of the arc of a 850.00 foot radius curve to the right, through a central angle of 25°17'20", an arc distance of 375.17 feet (the chord bears North 77°18'36" West 372.13 feet) to a point of tangency; thence North 64°39'56" West along said South line a distance of 210.00 feet to the North Westerly corner of a tract of land conveyed to the Ohio Knife Company, an Ohio corporation, by deed recorded February 16, 1973 in Book 910 Page 847, Deed Records, and the true point of beginning; thence continuing North 64°39'56" West along said South line, a distance of 150 feet to a point; thence South 27°52'06" West, a distance of 323.55 feet to the top of the bank of the Columbia Slough; thence South 51°31'56" East along the top of the bank a distance of 168.71 feet to the Westerly line of the aforementioned Ohio Knife Company Tract; thence North 25°20'04" East a distance of 361.57 feet to the true point of beginning.

Multnomah County Deed No.:	D051972
Tax Account No.:	R251220
Type of Use:	Park & Recreation Purposes
Taxes:	\$118.14
Expenses:	\$200.00
Amount Paid for Transfer	\$100

CITY OF PORTLAND, BUREAU OF ENVIRONMENTAL SERVICES

PARCEL NO. 18:

Legal Description:

Portion of Lots 1 and 2, Block 41, CAPITOL HILL, a recorded plat, recorded May 29, 1907, in Plat Book 400, Page 39 (on S.W. Capitol Hill Road, near S.W. Spring Garden Street), as follows:

All that portion of said Lots 1 and 2 lying between S.W. Spring Garden Street and S.W. Capitol Hill Road, County Road No. 876.

Multnomah County Deed No.:	D051973
Tax Account No.:	R127054
Type of Use:	Stormwater Management
Taxes:	\$96.10
Expenses:	\$11,472.74
Amount Paid for Transfer	\$200

PARCEL NO. 19:

Legal Description:

Except North 15 feet, Except Part in Street, Lot 9, Block 32; CENTRAL ALBINA

Multnomah County Deed No.:	D051974
Tax Account No.:	R131309
Type of Use:	Stormwater Management
Taxes:	\$14.19
Expenses:	\$0
Amount Paid for Transfer	\$100

PARCEL NO. 20:

Legal Description:

That part of Lot 8, lying Northeasterly of Portland Traction Company's right-of-way, in Block "P", TABOR HEIGHTS, within the corporate limits of the City of Portland, according to the duly recorded plat thereof on file in the office of the County Clerk of the County of Multnomah, State of Oregon, Except Part in Street.

Multnomah County Deed No.:	D051975
Tax Account No.:	R283085
Type of Use:	Stormwater Management
Taxes:	\$12.56
Expenses:	\$0
Amount Paid for Transfer	\$100

PARCEL NO. 21:

Legal Description:

Except part taken for Highway, Lot 28 & 29, Block 21; WEST PORTLAND PARK

Multnomah County Deed No.:	D051976
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Tax Account No.:	R302301
Type of Use:	Stormwater Management
Taxes:	\$485.79
Expenses:	\$0
Amount Paid for Transfer	\$100

PARCEL NO. 22:

Legal Description:

A tract of land in the Southeast one-quarter of Section 11 and the Southwest one-quarter of Section 12 all in Township 1 North, Range 1 East, W.M., in Multnomah County, State of Oregon described as follows:

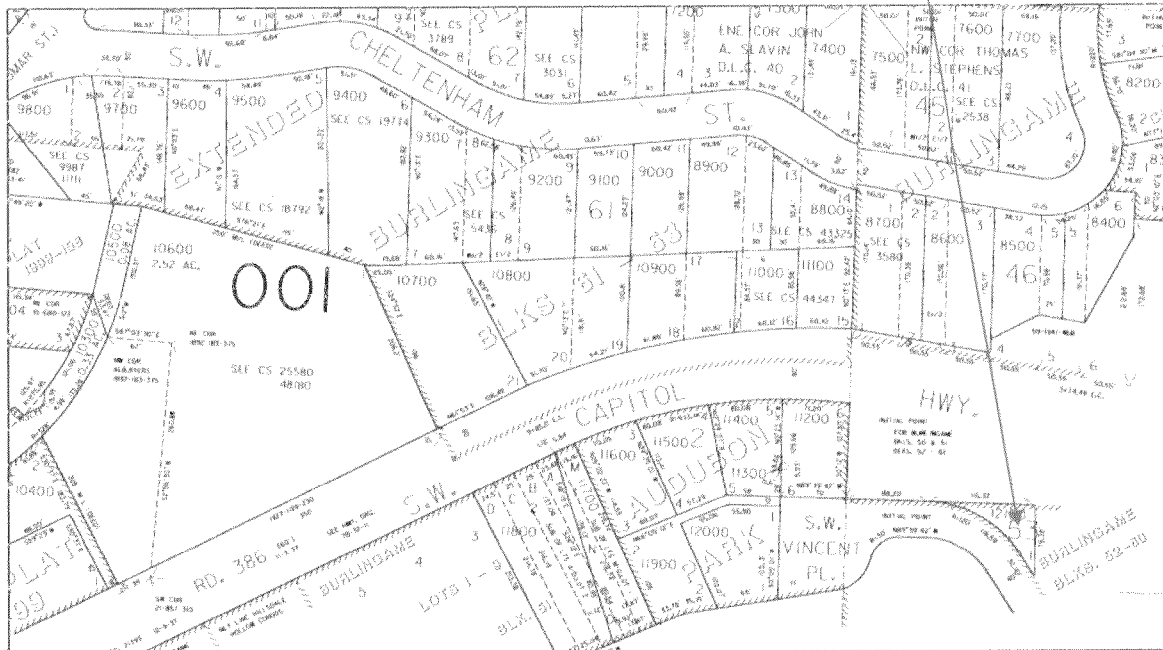
Commencing at the intersection of the Northerly right of way line of N.E. Argyle St. and the Easterly right of way line of N.E. 21st Ave., thence South 89°51'30" East, along the Northerly line of said N.E. Argyle St., 248.50 feet to the beginning of a curve; thence continuing, along said Northerly line, along a 310.00 foot radius curve to the right, through a central angle of 55°44'42" an arc distance of 301.61 feet to a point; tract to be described; thence North 30°36'00" East 230.27 feet to the most Northerly corner of that tract of land conveyed Security Capitol Industrial Trust and described as Parcel 2 in Book 2776 on Page 809 recorded on Nov. 1, 1993, in said County's Records and the TRUE POINT of BEGINNING of the tract of land to be described; thence Northerly, along the Northerly extension of the West line of said Security tract, 116 feet more or less to the centerline of the Columbia Slough; thence Southeasterly, along the said centerline, 290 feet more or less to the most Northerly corner of that tract of land conveyed to Arnold Egger et al, in Book 2015 on Page 7 recorded on June 22, 1960, in said County's Records; thence South, along the West line of said Egger tract, 132 feet more or less to the Northerly line of said Security tract; thence Northwesterly, along the said Northerly line, 320 feet more or less to the point of Beginning.

EXCEPT, therefrom any portion lying below the high water line of the Columbia Slough, per the Oregon Division of State Lands.

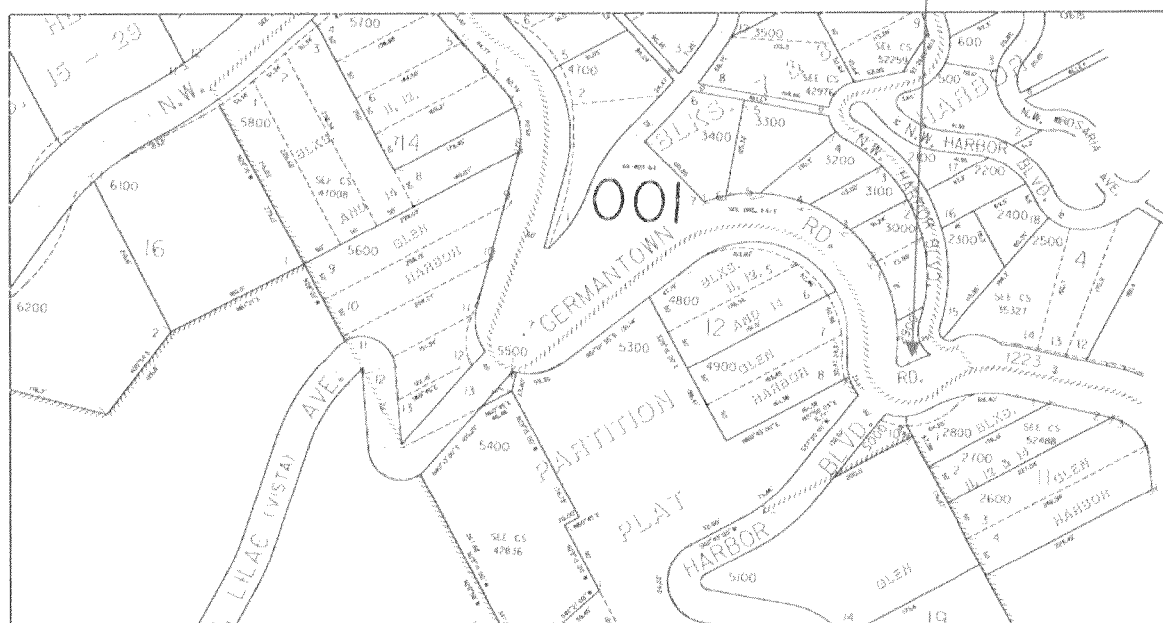
Multnomah County Deed No.:	D051977
Tax Account No.:	R315197
Type of Use:	Stormwater Management
Taxes:	\$728.71
Expenses:	\$169.75
Amount Paid for Transfer	\$100

PROPERTIES REQUESTED BY LOCAL GOVERNMENTS

Property Tax Account Number R124096 / R11940-6220, 1S1E16DB 12100

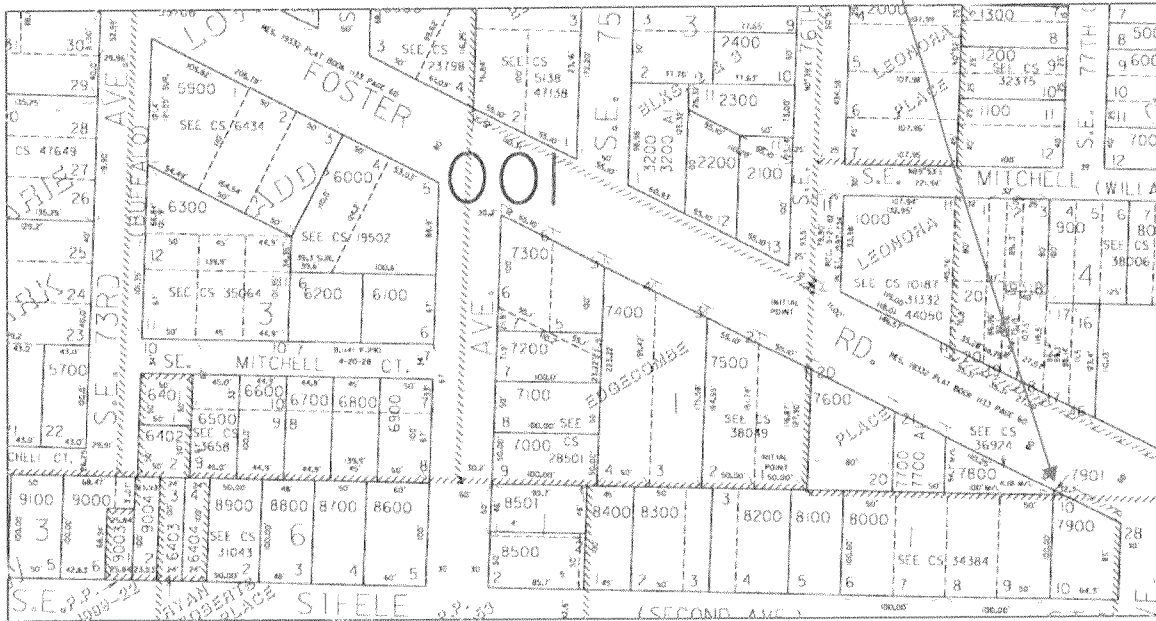


Property Tax Account Number R169447 / R32050-2720; 1N1W11BB 2900



PARCEL NO. 3.:

Property Tax Account Number R206384 / 49130-0480; 1S2E17AC 7901



PARCEL NO. 4.:

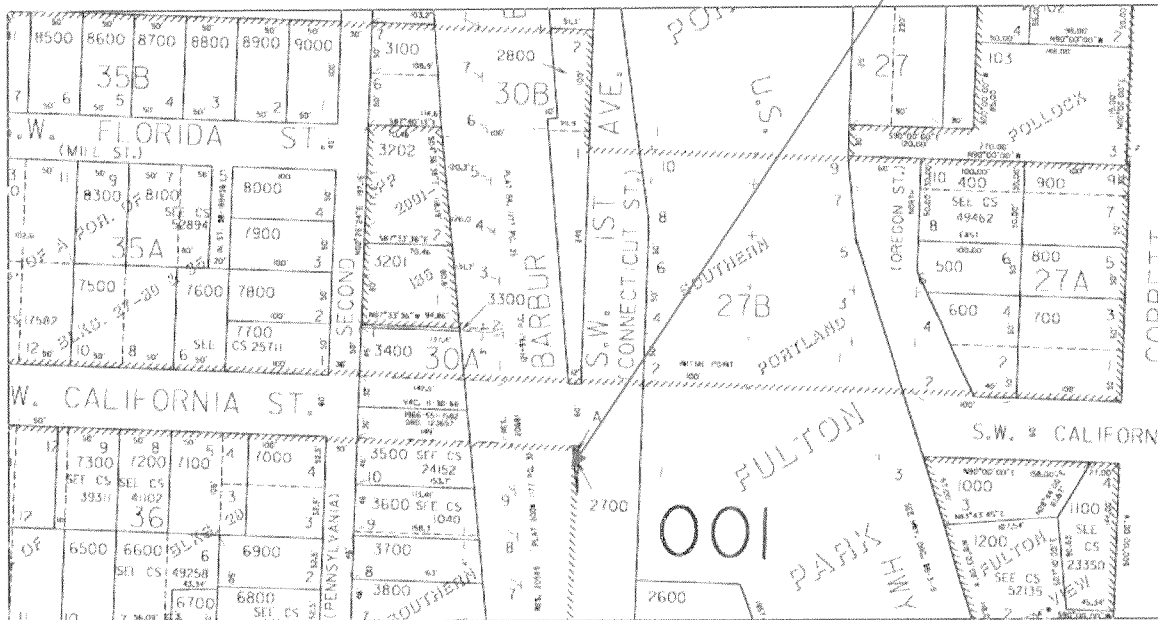
Property Tax Account Number R262118 / R72800-0030 1S2E23BA 103



CANCEL
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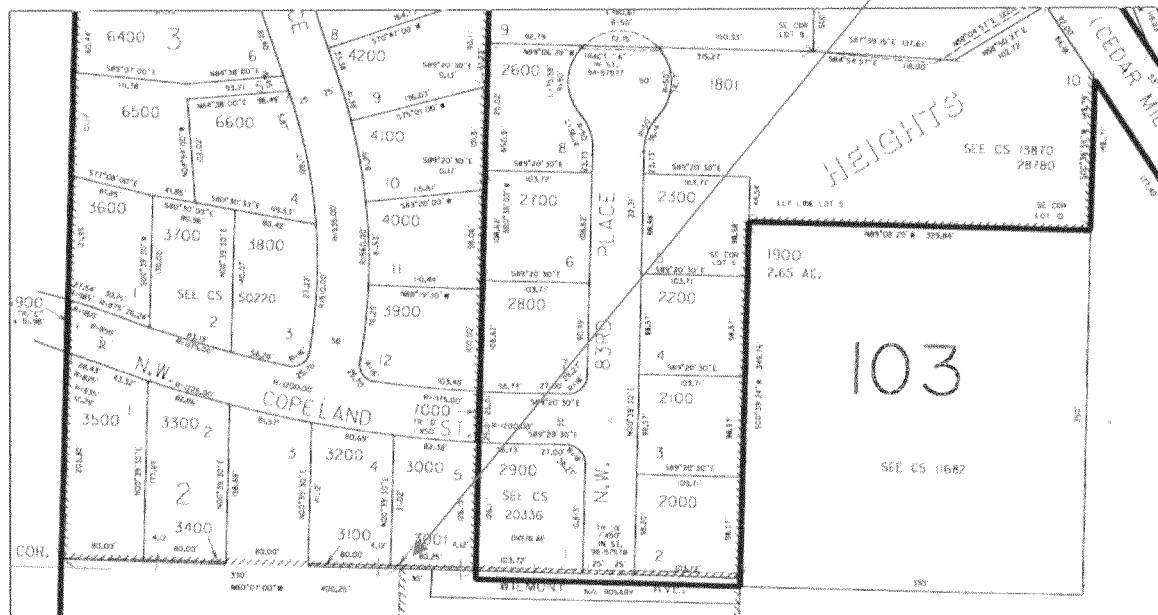
PARCEL NO. 5.:

Property Tax Account Number R273422 / R78020-6850; 1S1E22BB 2700



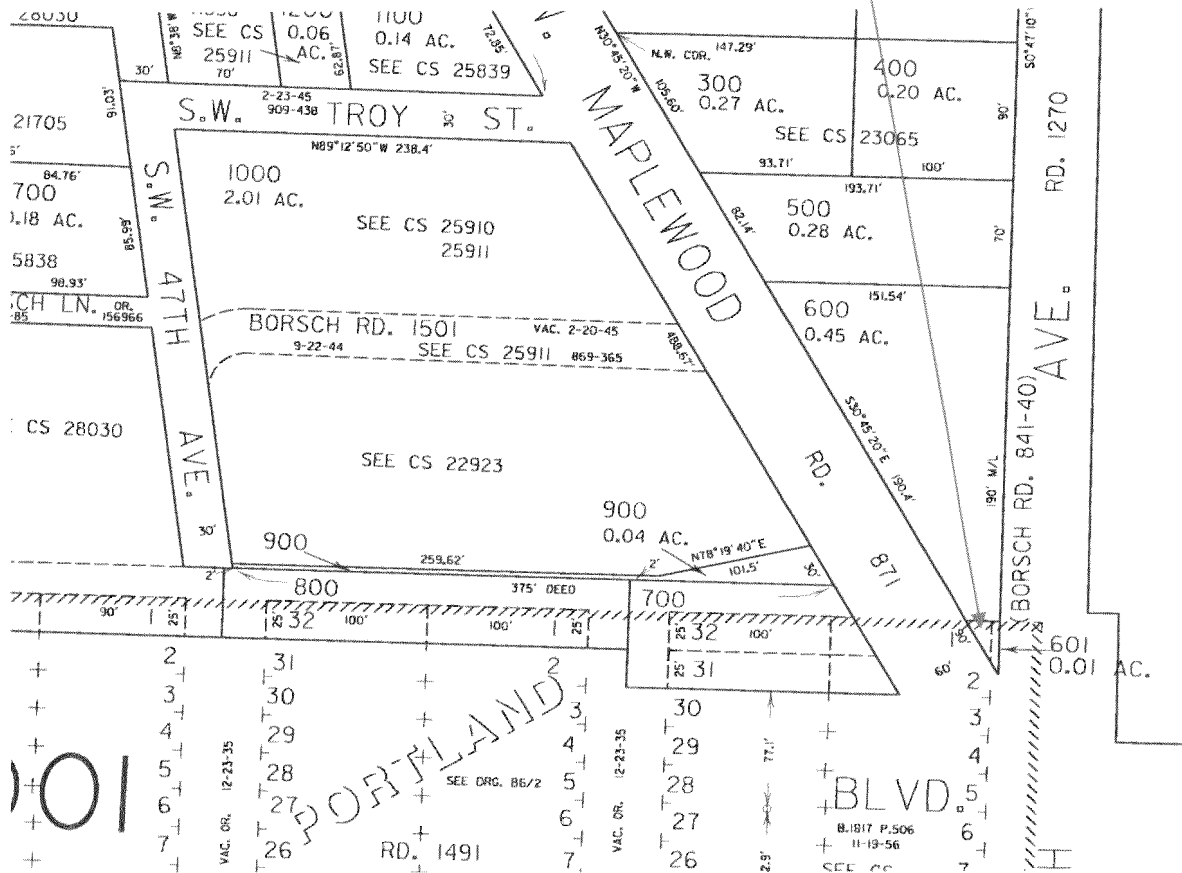
PARCEL NO. 6.:

Property Tax Account Number R283917 / R82200-1600; 1N1W36CB 3001



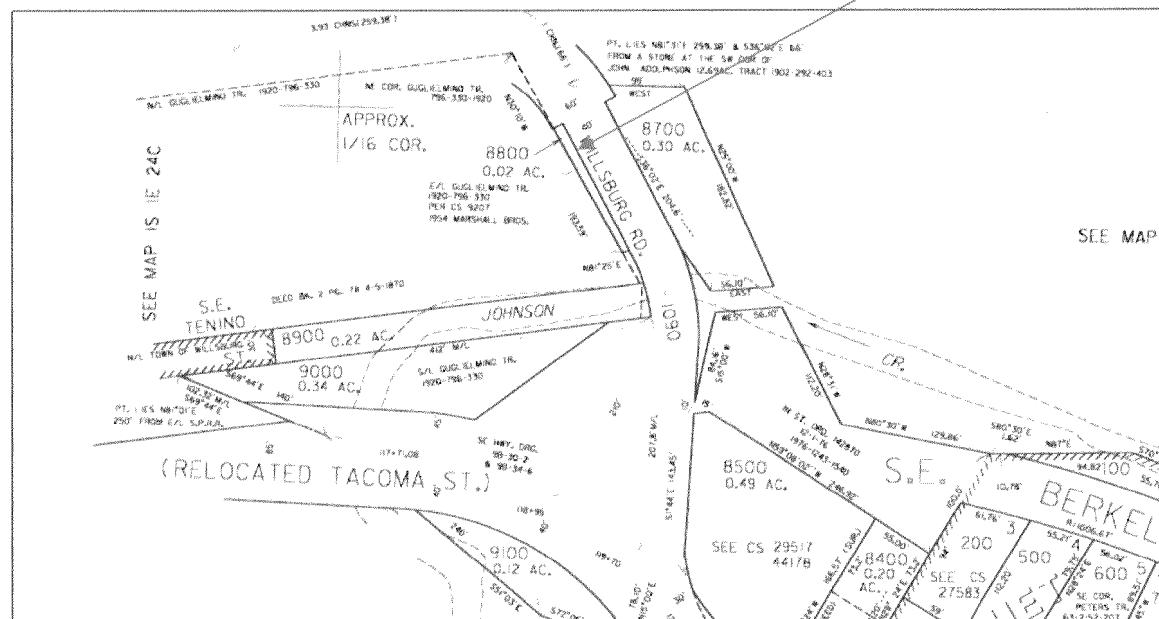
PARCEL NO. 7.:

Property Tax Account Number R329792 / 99119-6560; 1S1E19DA 601



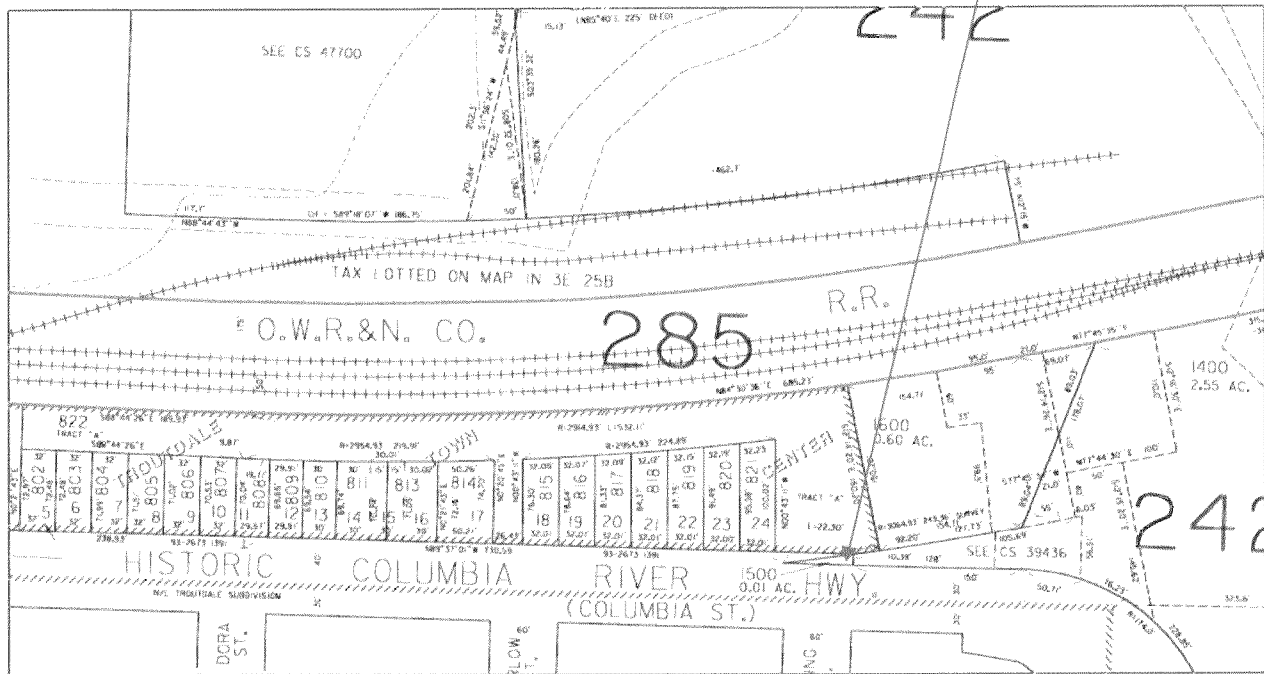
PARCEL NO. 8.:

Property Tax Account Number R330572 / 99124-2330; 1S1E24CD 8800



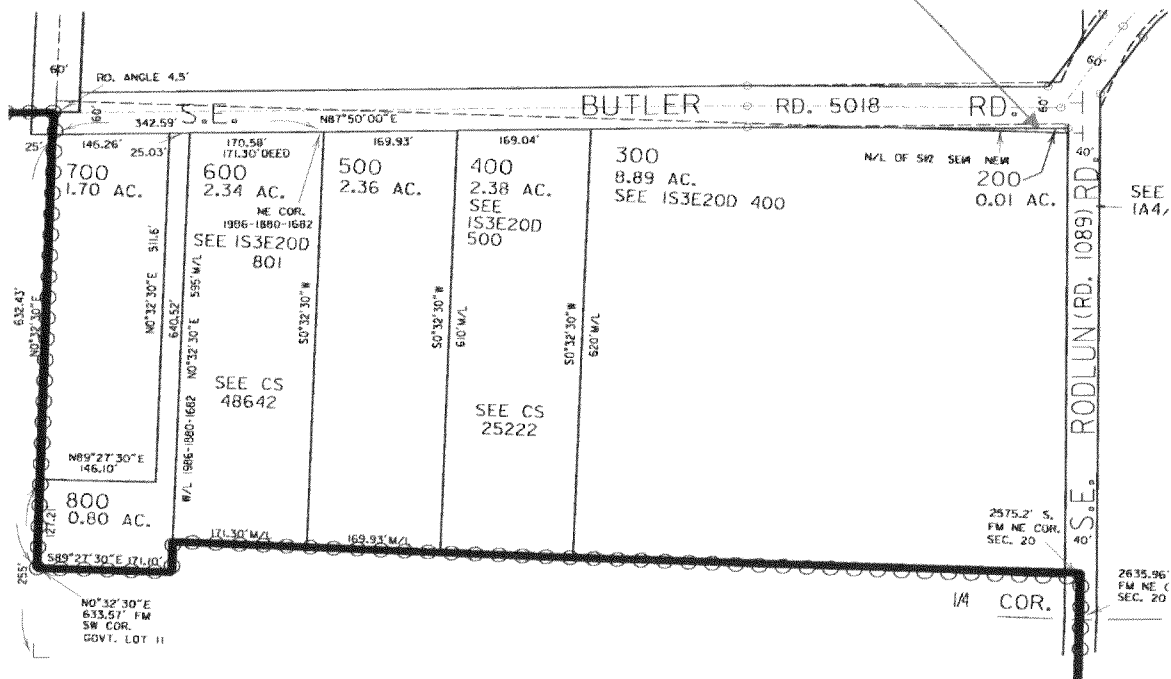
PARCEL NO. 9.:

Property Tax Account Number R320673 / R94325-2360; 1N3E25BD 1500



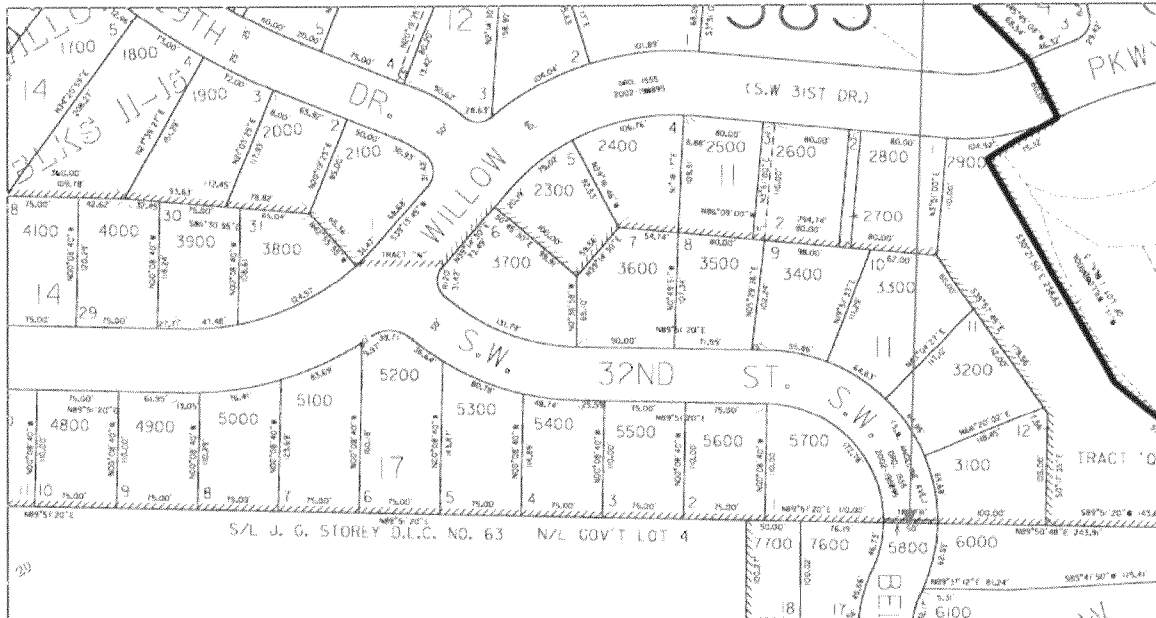
PARCEL NO. 10.:

Property Tax Account Number R340827 / R99320-1050; 1S3E20A 200



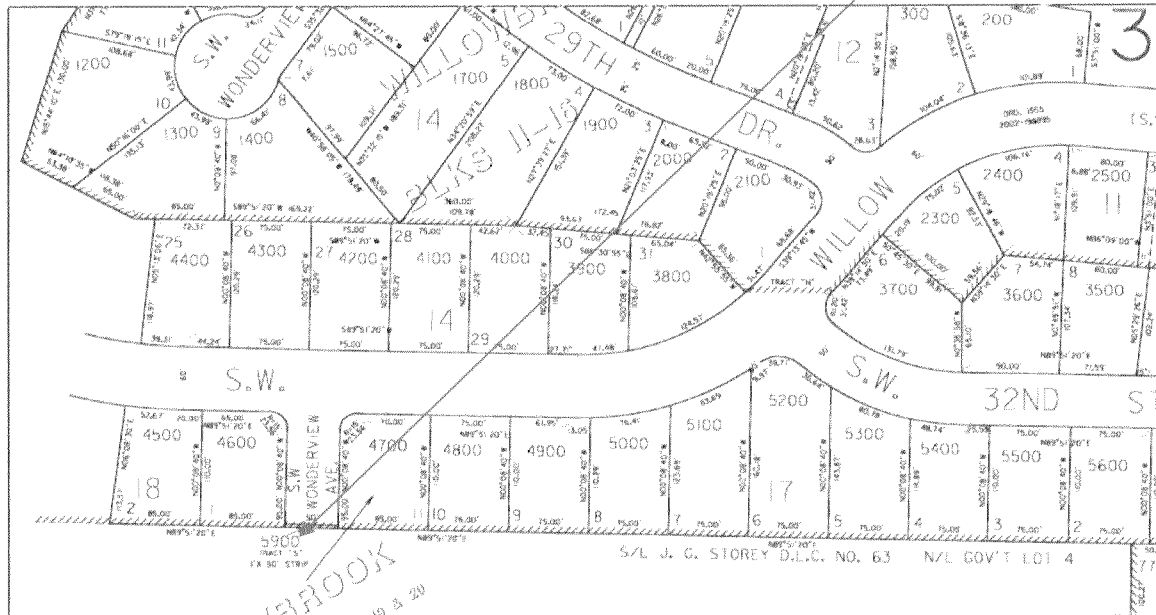
PARCEL NO. 11.:

Property Tax Account Number R309082 / R97120-4734; 1S3E21BB 5800



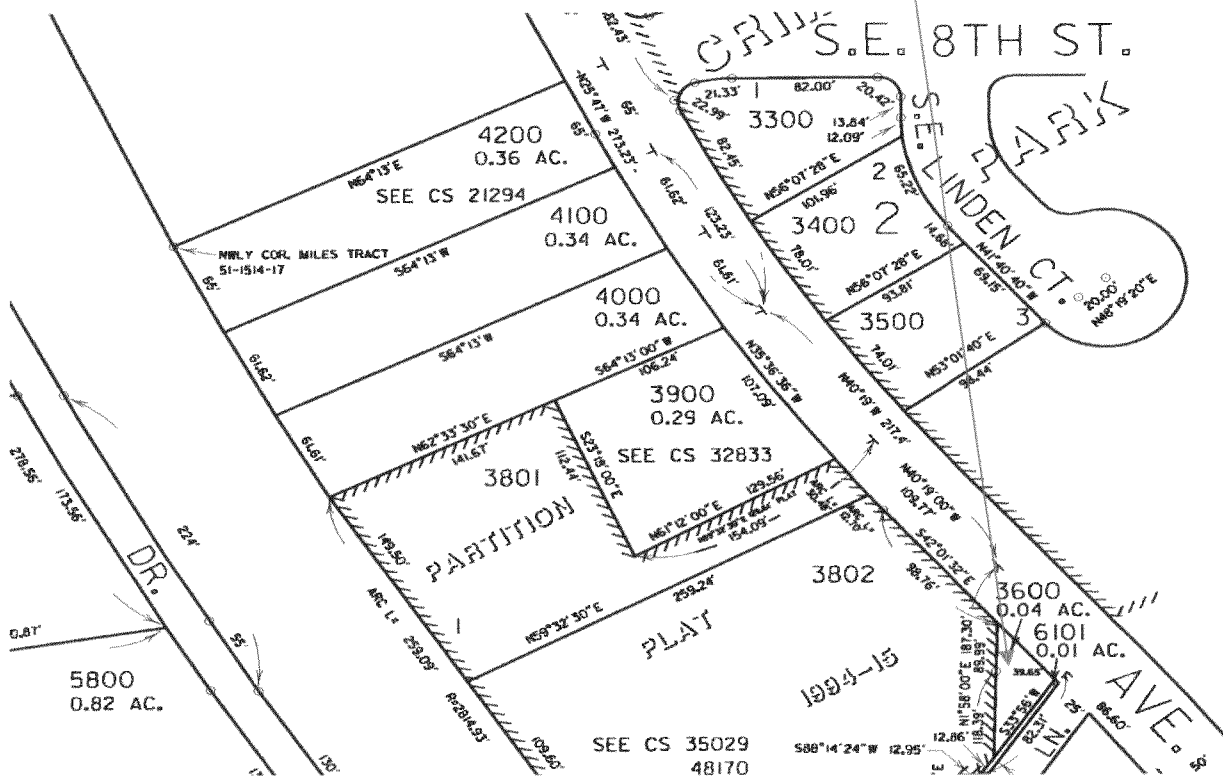
PARCEL NO. 12.:

Property Tax Account Number R309083/ R91720-4736; 1S3E21BB 5900



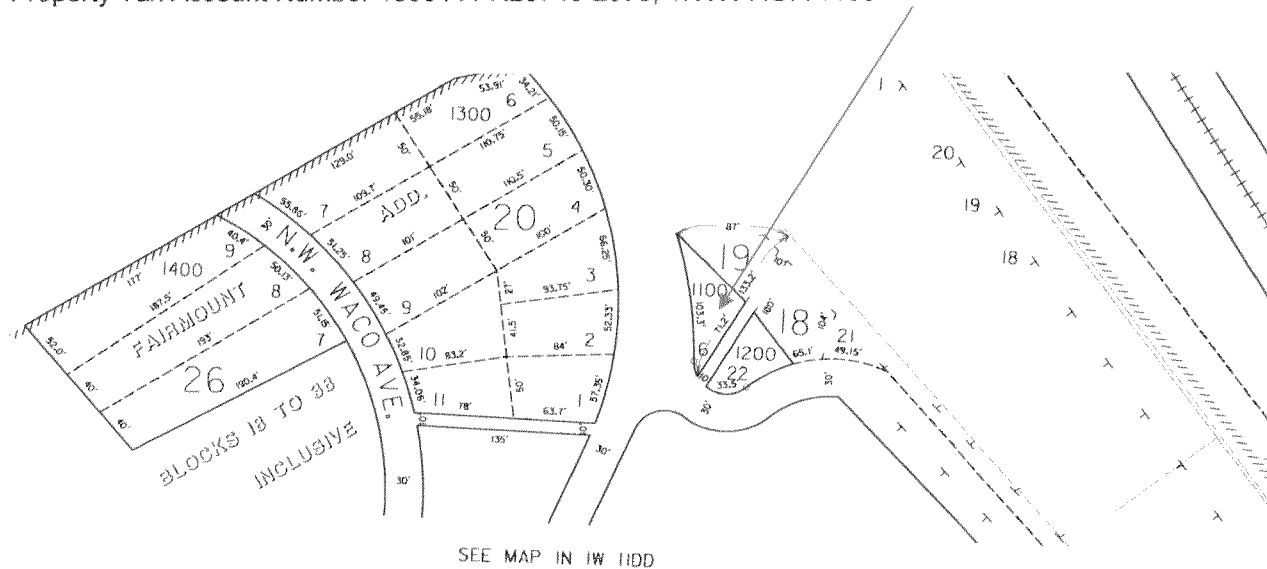
PARCEL NO. 13.:

Property Tax Account Number R339024 / R99310-1180; 1S3E10CD 3600



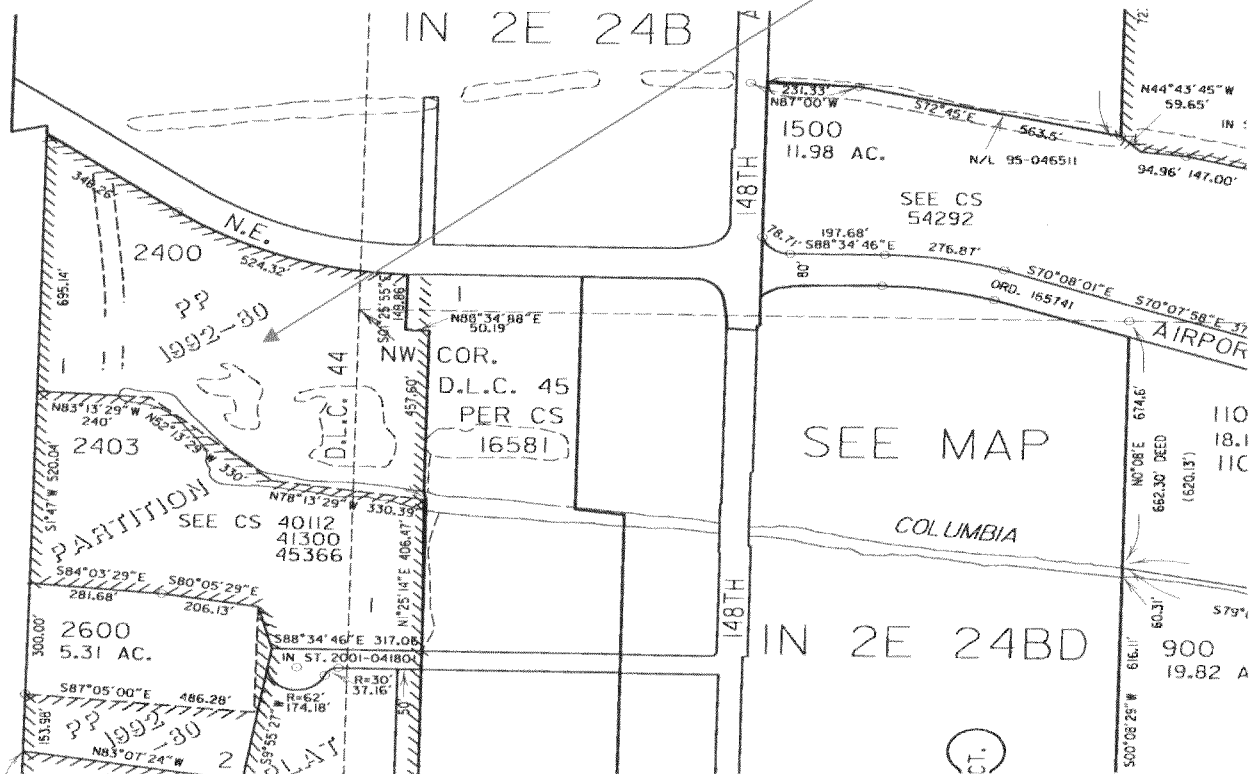
PARCEL NO. 14.:

Property Tax Account Number 159911 / R26740-2670; 1N1W11DA 1100



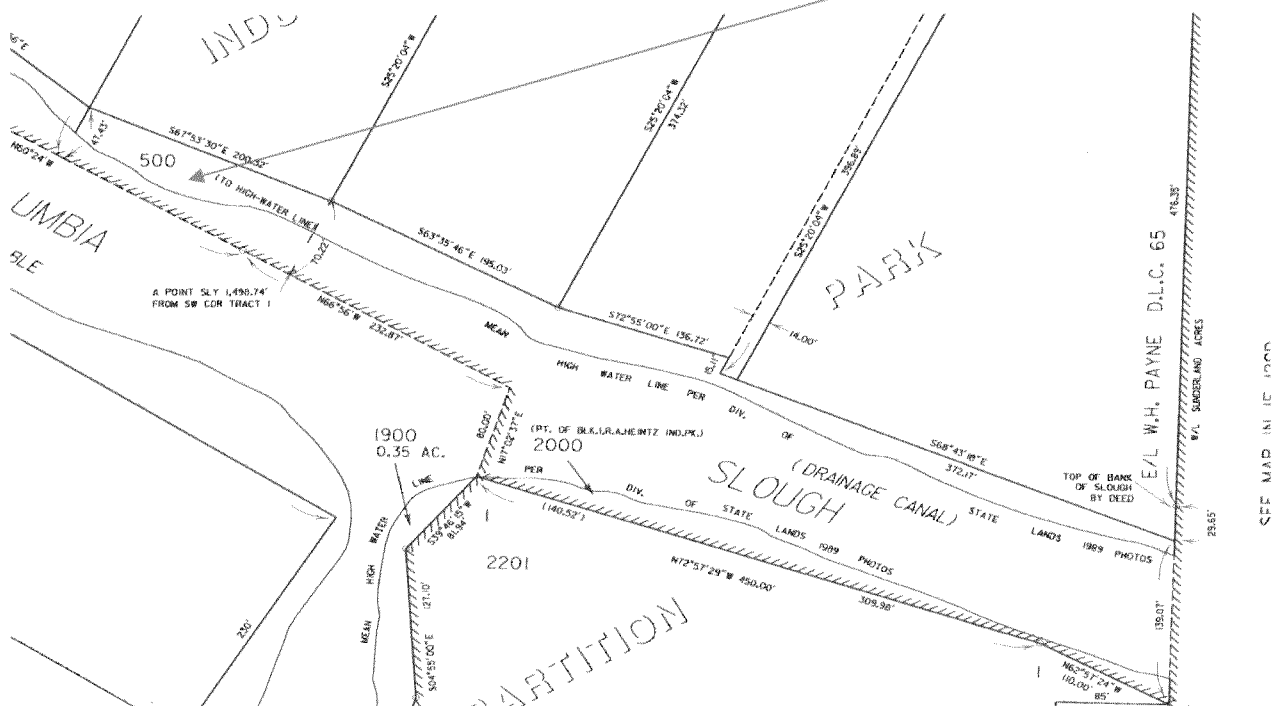
PARCEL NO. 15.:

Property Tax Account Number 237529 / R64972-4760; 1N2E24 2400



PARCEL NO. 16.:

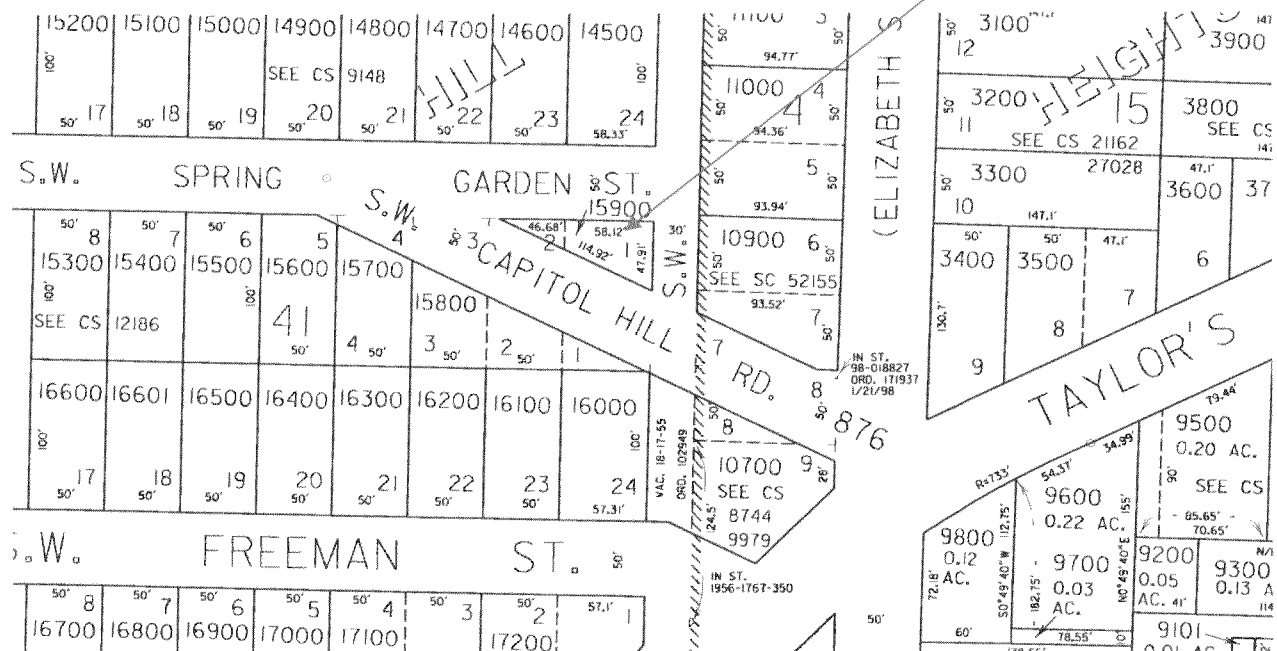
Property Tax Account Number 251213 / R68270-0100; 1N1E12CC 500



Property Tax Account Number 251220 / R68270-0170; 1N1E12CC 600

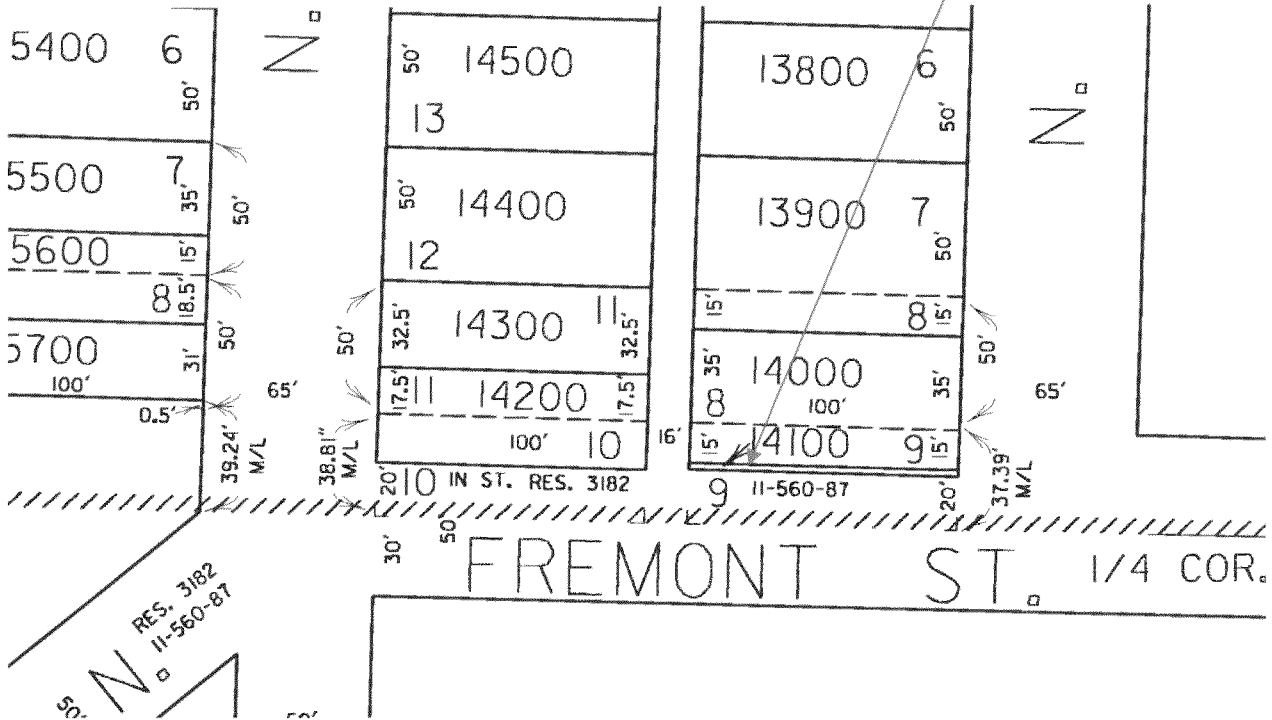


Property Tax Account Number R127054 / R13390-7530; 1S1E21DC 15900



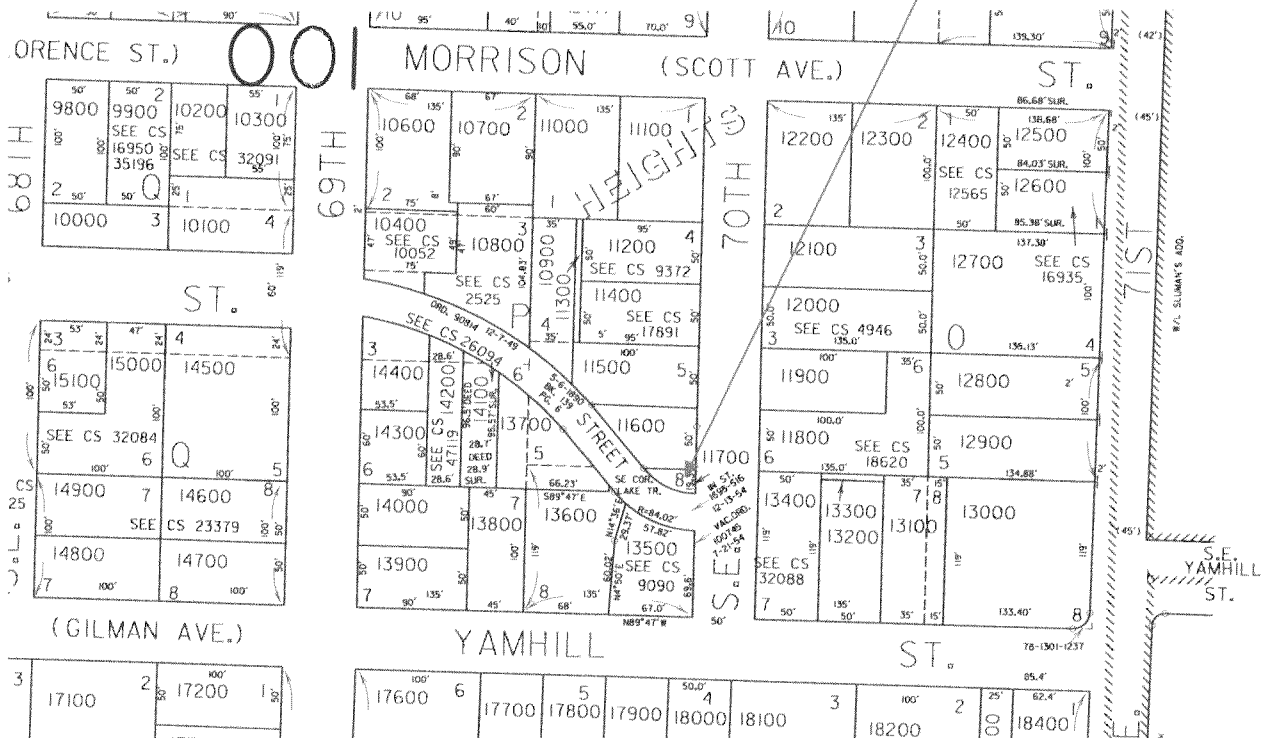
PARCEL NO. 19.:

Property Tax Account Number R131309 / R14680-5610; 1N1E22CD 14100

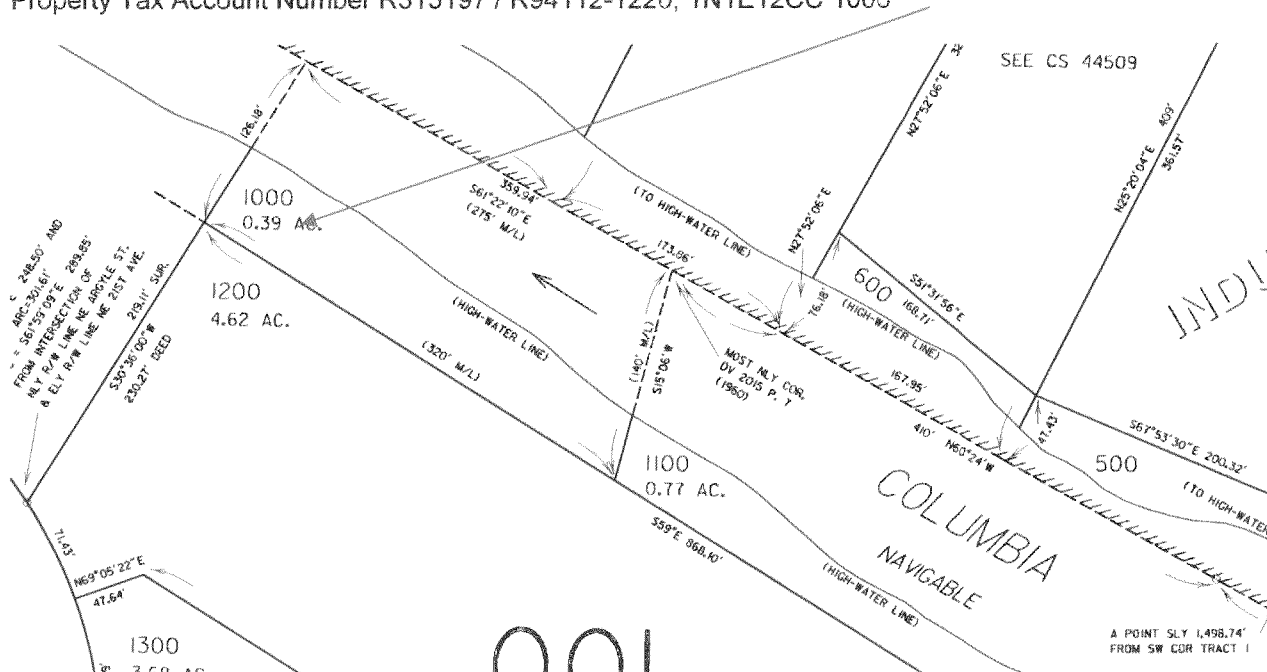
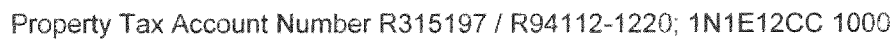


PARCEL NO. 20.:

Property Tax Account Number R283085 / R81860-3620; 1S2E05BA 11700



Property Tax Account Number R302301 / R89460-3940; 1S1E31AB 8000



BOGSTAD Deborah L

From: GRACE Becky J
Sent: Wednesday, July 14, 2004 2:16 PM
To: BOGSTAD Deborah L
Subject: FW: August 12 Board Agenda Govt Transfer Hearing

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

From: CREAN Christopher D
Sent: Wednesday, July 14, 2004 1:51 PM
To: GRACE Becky J
Subject: RE: August 12 Board Agenda Govt Transfer Hearing

Becky -

I reviewed the proposed ordinance and it is fine. Thanks.

- Chris

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

From: GRACE Becky J
Sent: Tuesday, July 13, 2004 3:42 PM
To: CREAN Christopher D
Cc: MORADI Nasseem
Subject: August 12 Board Agenda Govt Transfer Hearing

Hi Chris,

Attached for your approval are the Government Transfer Doc's for August 12th Board agenda requesting a Public Hearing on August 26th. Nasseem has been my proof reader and gave me the okay.

Thanks for your help!

Becky Grace
Tax Title, Multnomah County
501 SE Hawthorne, Suite 310
Portland, OR 97214
503.988.3590 x27145

7/14/2004

BOGSTAD Deborah L

From: GRACE Becky J
Sent: Wednesday, August 04, 2004 4:34 PM
To: BOGSTAD Deborah L
Cc: THOMAS Gary A
Subject: Error on Parcel #22 on Page 24 of the Agenda Placement for August 12

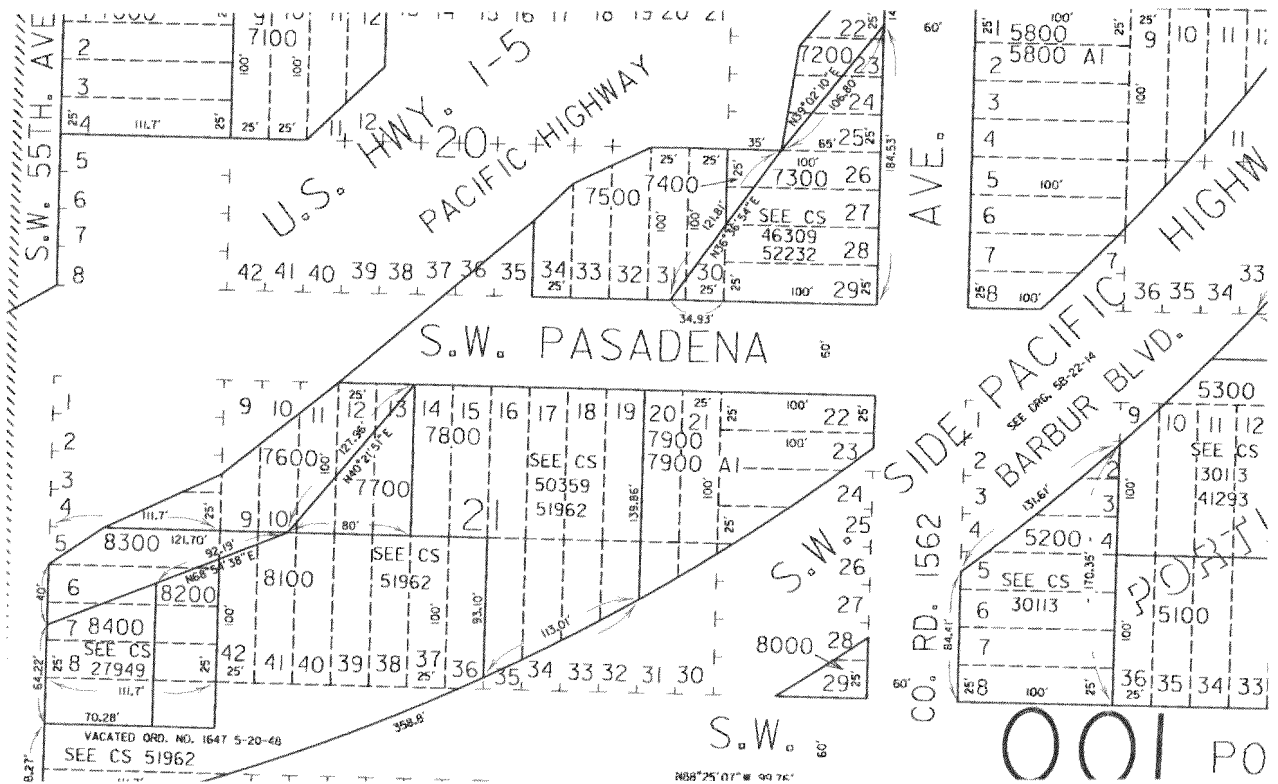
Hi Deb,

Steve March just called Gary to let him know that I may have put the wrong map an on Parcel 22 on Page 24 of the APR for the Government Transfer Hearing Request for August 12. I have made the correction. Sorry for the inconvenience this has caused.

Thank you for your help!

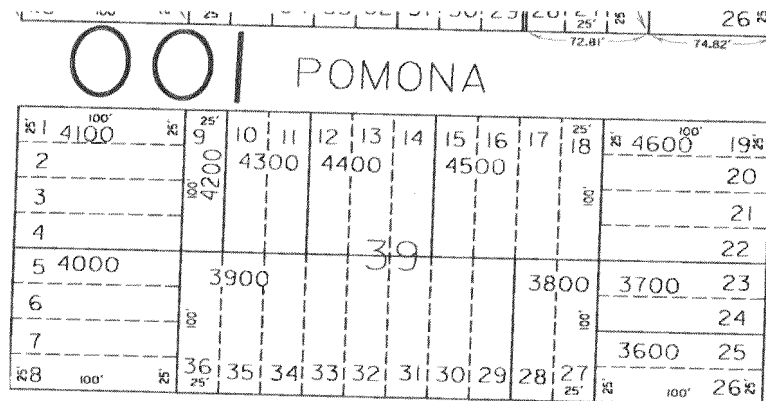
Becky Grace
Tax Title, Multnomah County
501 SE Hawthorne, Suite 310
Portland, OR 97214
503.988.3590 x27145

8/4/2004



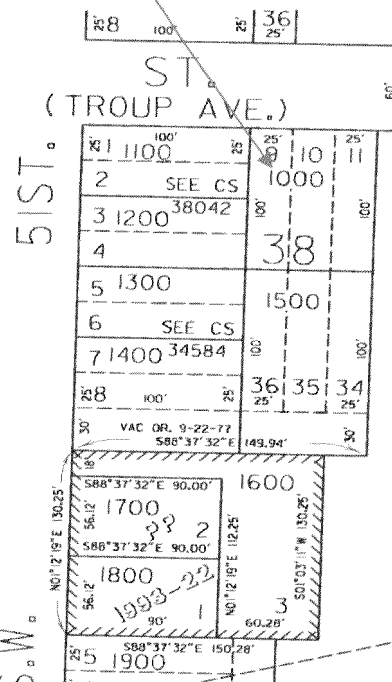
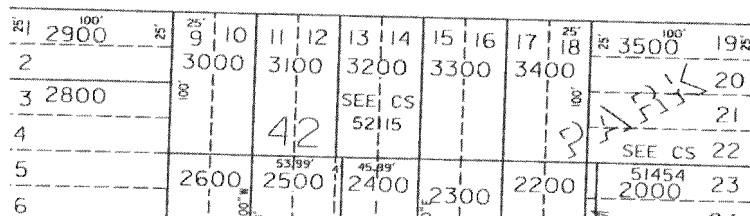
PARCEL NO. 22.:

Property Tax Account Number R315197 / R94112-1220; 1N1E12CC 1000



ARNOLD

ST.



ERROR

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

RESOLUTION NO. _____

Setting Hearing Date of August 26, 2004, for Consideration of Proposed Transfer of Tax Foreclosed Properties to Local Governments for Non-Housing Purposes and Authorizing Publication of Notice

The Multnomah County Board of Commissioners Finds:

- a) ORS 271.330 and Multnomah County Code Chapter 7 allow for transfer of Tax Foreclosed Real Property to governmental bodies provided the property is used for a public purpose. Attached to this Resolution is a list identified as Exhibit A and incorporated by this reference, which describes the twenty-two (22) properties for which the County received requests for transfer as authorized under the cited State Law and the County Code.
- b) The City of Portland Office of Transportation has formally requested the transfer of Parcel Nos. 1-8, certain Tax Foreclosed Property located in Multnomah County, more particularly described in Exhibit A.
- c) The Multnomah County Land Use & Transportation Program has formally requested the transfer of Parcel Nos.: 9 & 10, certain Tax Foreclosed Property located in Multnomah County, more particularly described in Exhibit A.
- d) The City of Gresham Department of Environmental Services has formally requested the transfer of Parcel Nos.: 11-13, certain Tax Foreclosed Property located in Multnomah County, more particularly described in Exhibit A.
- e) The City of Portland Bureau of Parks & Recreation has formally requested the transfer of Parcel Nos.: 14-17, certain Tax Foreclosed Property located in Multnomah County, more particularly described in Exhibit A.
- f) The City of Portland Bureau of Environmental Services has formally requested the transfer of Parcel Nos.: 18-22, certain Tax Foreclosed Property located in Multnomah County, more particularly described in Exhibit A.
- g) Pursuant to MCC Section 7.407(D) the Department of Business and Community Services, Tax Title Division, issued a report dated August 12, 2004 to the County Board of Commissioners regarding the proposed transfers of Tax Foreclosed Properties to the above named local governments. The Department's report is attached and is identified as the "Agenda Placement Request" to this Resolution.

The Multnomah County Board of Commissioners Resolves:

- 1. That pursuant to ORS 271.330(5) and MCC 7.407(E) these requests by local governments for transfer of the above described tax foreclosed properties for non-housing purposes be set for a further hearing before this Board on August 26, 2004 at 9:30 a.m.

2. That the Multnomah County Tax Title Division is directed to publish notice of the public hearing in a newspaper of general circulation for two successive weeks. The notice shall be in a form consistent with that set forth in Exhibit B, attached to this Resolution and incorporated by this reference and shall:
 - a. Advise the public of the County's intention to transfer these properties;
 - b. Describe the properties proposed for transfer;
 - c. Identify the date, time and location of the hearing;
 - d. State that the Board will accept objections and comments concerning the transfer at the hearing;
 - e. Advise how a copy of the Department's report can be obtained.
3. That the Tax Title Division shall mail a copy of the notice to the local government applicants and other persons requesting such notice.

ADOPTED this 12th day of July, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Christopher D. Crean, Assistant County Attorney

**EXHIBIT A (RESOLUTION)
PROPERTIES REQUESTED BY LOCAL GOVERNMENTS**

CITY OF PORTLAND, OFFICE OF TRANSPORTATION

PARCEL NO. 1.:

Legal Description:

Tax Lot 4 of Lot 1, Block 53, BURLINGAME, a recorded plat, recorded November 10, 1927, in Plat Book 1074, Page 55 (on S.W. Vincent Place, near S.W. Terwilliger Blvd.), as follows:

Beginning at the initial point of the said BURLINGAME PLAT, said point also being in the northerly right-of-way line of S.W. Vincent Place, thence S 89°39'42" E along said northerly right-of-way line, a distance of 88.20 feet to the beginning of a tangent curve to the right, said curve point also being the true point of beginning; thence southeasterly along said northerly right-of-way line of S.W. Vincent Place, along the arc of a 120.00 foot radius tangent curve to the right through a central angle of 56°37'15" (the chord bears S 61°21'04" E, 113.82 feet), an arc distance of 118.59 feet to the point of tangency; thence S 33°02'27" E, a distance of 30.40 feet to its intersection with the southwesterly right-of-way line of the Oregon State Highway Department; thence N 0°49'21" W along the westerly line of the said highway department right-of-way line a distance of 79.39 feet to a point in the north line of said Lot 1, Block 53, BURLINGAME; thence N 89°39'42" W along said north line, a distance of 115.32 feet to the true point of beginning.

Containing 2,654 square feet, more or less.

Multnomah County Deed No.:	D051956
Tax Account No.:	R124096
Type of Use:	Street Extension
Taxes:	\$81.74
Expenses:	\$0
Amount Paid for Transfer	\$100

PARCEL NO. 2.:

Legal Description:

Except Part in Street-Except Northerly 75 feet of Lot 1, Block 7; GLEN HARBOR

Multnomah County Deed No.:	D051957
Tax Account No.:	R169447
Type of Use:	Street Extension
Taxes:	\$4380.13
Expenses:	\$33.50
Amount Paid for Transfer	\$500

PARCEL NO. 3.:

Legal Description:

A tract of land in the Northeast One-Quarter of Section 17, Township 1 South, Range 2 East of the Willamette Meridian, Multnomah County, Oregon, being a portion of Lot 21 Leonora Place as recorded in Plat Book 151 at Page 31 on April 10, 1890 and described as follows:

All that part of said Lot 21 lying East of the West line of Lot 10, Block 1, Hallers Addition to Portland if extended North to its intersection with S. E. Foster Road.

Multnomah County Deed No.:	D051958
Tax Account No.:	R206384

Type of Use:	Street Extension
Taxes:	\$62.78
Expenses:	\$41.00
Amount Paid for Transfer	\$100

PARCEL NO. 4.:

Legal Description:
Lot C; ROSIER FARM ESTATES

Multnomah County Deed No.:	D051959
Tax Account No.:	R262118
Type of Use:	Access Control Strip
Taxes:	\$65.12
Expenses:	\$0
Amount Paid for Transfer	\$100

PARCEL NO. 5.:

Legal Description:
Lot A, Block 29; SOUTHERN PORTLAND

Multnomah County Deed No.:	D051960
Tax Account No.:	R273422
Type of Use:	Street Extension
Taxes:	\$62.78
Expenses:	\$29.75
Amount Paid for Transfer	\$100

PARCEL NO. 6.:

Legal Description:
Southerly 4.12 feet of Lot 5, Block 2; TAYLOR CREST

Multnomah County Deed No.:	D051961
Tax Account No.:	R283917
Type of Use:	Street Extension
Taxes:	\$451.91
Expenses:	\$33.50
Amount Paid for Transfer	\$100

PARCEL NO. 7.:

Legal Description:
A tract of land in the Southeast one-quarter of Section 19, Township 1 South, Range 1 East, of the Willamette Meridian, Multnomah County, Oregon, described as follows:

All that part of said Section 19 bounded on the North by the Southerly line of that tract of land conveyed by J.L. Perry and Jenette Perry to William Borsch by deed recorded November 26, 1889 in deed book 128 page 324; bounded on the West by S.W. Maplewood road (Co. Rd. 871) and bounded on the East by the Westerly line of S.W. 45th Ave (Co. Rd. 1270).

Multnomah County Deed No.:	D051962
Tax Account No.:	R329792
Type of Use:	Street Extension
Taxes:	\$65.20
Expenses:	\$1.68
Amount Paid for Transfer	\$100

PARCEL NO. 8:

Legal Description:

A tract of land in the Southwest One-Quarter of Section 24, Township 1 South, Range 1 East of the Willamette Meridian, Multnomah County, Oregon, and described as follows:

All that part of the following described Tract 1:

Lying Westerly of the Westerly right-of-way line of S.E. Tacoma St, formerly Willsburg Road Co. Rd. No. 1090 (40 feet wide);

Lying Easterly of the Easterly line of the Andrea Guigliemino tract as described in Deed Book 796 Page 330 and recorded in 1920;

Lying Northerly of the Northerly line of that tract of land described in Deed Book 209 Page 187 recorded January 13, 1965 where said Northerly line intersects the Westerly right-of-way line of S.E. Tacoma St;

Lying Southerly of the Southwesterly projection of the radial line produced from the centerline of the right-of-way of S.E. Tacoma St. at the point where it widens from 40 feet to 60 feet in width.

Tract 1:

Beginning S89°45'E, a distance of 18.28 chains from the Southwest corner of the Jacob Wills DLC; thence Northwest and along the East line of the O and C Railway Company's right-of-way to the center of "B" street in old town of Willsburg; thence N81°30'E, a distance of 8.84 chains; thence S36°East, a distance of 4.32 chains; thence S15°W, a distance of 4.61 chains; thence S23°11'W, a distance of 4.74 chains; thence N89°45'W, a distance of 6.35 chains to the point of beginning.

Multnomah County Deed No.:	D051963
Tax Account No.:	R330572
Type of Use:	Street Extension
Taxes:	\$121.97
Expenses:	\$29.75
Amount Paid for Transfer	\$100

MULTNOMAH COUNTY, LAND USE & TRANSPORTATION PROGRAM

PARCEL NO. 9:

Legal Description:

A tract of land in Section 25, Township 1 North, Range 3 East of the Willamette meridian, Multnomah County, Oregon and described as follows:

A tract of land bounded by:

That portion of the former Depot Grounds of the Oregon and Washington Railroad and Navigation Company conveyed to Marie Bennett by deed recorded November 5, 1987 in Book 2056 Page 26, Deed Records of Multnomah County and conveyed to Multnomah County for road purposes by deed recorded April 12, 1993 in Book 2673 Page 1391.

That tract of land conveyed by Multnomah County to the City of Troutdale by deed recorded in Book 884 at Page 746 in 1972.

The North line of Historic Columbia River Highway.

Multnomah County Deed No.:	D051964
Tax Account No.:	R320673
Type of Use:	Right-of-Way
Taxes:	\$61.92
Expenses:	\$57.95
Amount Paid for Transfer	\$100

PARCEL NO. 10:

Legal Description:

A tract of land in the Northeast One-Quarter of Section 20, Township 1 South, Range 3 East of the Willamette Meridian, Multnomah County, Oregon and described as follows:

A strip of land lying South of the Southerly right-of-way line of S. E. Butler Road, County Road No.356 and 588 and West of the West line of S.E. Rodlun Road, County Road No. 1089 and North of the North line of the South One-Half of the Southeast One-Quarter of the Northeast One-Quarter of said Section 20.

Multnomah County Deed No.:	D051965
Tax Account No.:	R340827
Type of Use:	Right-of-Way
Taxes:	\$74.87
Expenses:	\$2.55
Amount Paid for Transfer	\$100

CITY OF GRESHAM, DEPARTMENT OF ENVIRONMENTAL SERVICES

PARCEL NO. 11:

Legal Description:

Lot R, WILLOWBROOK

Multnomah County Deed No.:	D051966
Tax Account No.:	R309082
Type of Use:	Right-of-Way
Taxes:	\$134.45
Expenses:	\$37.25
Amount Paid for Transfer	\$100

PARCEL NO. 12:

Legal Description:

Lot S, WILLOWBROOK

Multnomah County Deed No.:	D051967
Tax Account No.:	R309083
Type of Use:	Right-of-Way
Taxes:	\$134.45
Expenses:	\$37.25
Amount Paid for Transfer	\$100

PARCEL NO. 13:

Legal Description:

A tract of land situated in the Southwest one-quarter of Section 10 Township 1 South, Range 3 East of the Willamette Meridian in the County of Multnomah and State of Oregon, more particularly described as follows:

BEGINNING in the one-half section line dividing Section 10 into East and West one-halves, 49.00 feet North of the Southwest corner of the Southeast one-quarter of said Section; thence Easterly parallel to the South line of said section to the center of County road; thence North 42° 01' 45" West along the said road to where the centerline of said County road intersects the one-half Section line dividing Section 10 into East and West halves; thence Southerly along the said one-half Section line to the point of beginning.

EXCEPTING THEREFROM that part lying within the following described tract.

Beginning on the Westerly line of S.E. Roberts Avenue, North 118.29 feet and East 39.65 feet from the South one-quarter corner of Section 10; thence South 33°56' 00" West a distance of 82.31 feet; thence North 88°51'00" East 100.00 feet more or less to the Westerly line of S.E. Roberts Avenue; thence North 40°12'30" West 86.80 feet to the point of beginning.

ALSO EXCEPTING THEREFROM all that portion lying within S.E. Roberts Avenue.

Multnomah County Deed No.:	D051968
Tax Account No.:	R339024
Type of Use:	Right-of-Way
Taxes:	\$80.61
Expenses:	\$2.55
Amount Paid for Transfer	\$100

CITY OF PORTLAND, BUREAU OF PARKS & RECREATION

PARCEL NO. 14:

Legal Description:

A tract of land in the Southeast One-Quarter of Section 11, Township 1 North, Range 1 West of the Willamette Meridian, Multnomah County, Oregon, being a portion of Lot 6, Block 19 Fairmount Addition and described as follows:

All that part of Lot 6, Block 19, Fairmount Addition lying Southwesterly of the following described line: Beginning at the Northwestern corner of said Lot 6 and running thence to a point in the Southeasterly line of said Lot 6 being 71.20 feet Northeasterly from the Southerly corner thereof.

Multnomah County Deed No.:	D051969
Tax Account No.:	R159911
Type of Use:	Park & Recreation Purposes
Taxes:	\$281.57
Expenses:	\$41.00
Amount Paid for Transfer	\$100

PARCEL NO. 15:

Legal Description:

A tract of land in the Northwest One-Quarter of Section 24, Township 1 North, Range 2 East of the Willamette Meridian, Multnomah County, Oregon, being a portion of Parcel 1 of Partition Plat 1992-80 as recorded August 6, 1992 and described as follows:

Commencing at the Northwest corner of said Section 24; thence S06°22'16"E, a distance of 851.55 feet to a 5/8 inch iron rod with a red plastic cap marked "LS 1848" set at the true point of beginning, said point being on the Southwesterly right-of-way line of N.E. Airport Way and is the Northwest corner of said Parcel 1 of Partition Plat 1992-80; thence Easterly along said right-of-way the following courses and distances:

S55°52'52"E, a distance of 345.98 feet to a 5/8 inch iron rod with a yellow plastic cap marked "COP Survey"; thence along the arc of 860 foot radius curve to the left, through a central angle of 34°55'55" (the chord bears S73°20'49"E, a distance of 516.24 feet) an arc distance of 524.32 feet; thence leaving said right-of-way line, S01°25'55"E, a distance of 149.86 feet to a 5/8 inch iron rod with a red plastic cap marked "LS 1848" set on the East line of a trail easement granted to City of Portland and recorded as document 94-034058, Multnomah County Deed Records; thence N88°34'05"E, a distance of 50.19 feet to a 5/8 inch iron rod with a red plastic cap marked "LS 1848" set on the East line of said Parcel 1; thence along the Easterly, Southerly and Westerly lines of said Parcel 1 the following courses and distances: S01°25'55"E, a distance of 457.60 feet; thence N81°15'00"W, a distance of 324.45 feet; thence N55°15'00"W, a distance of 330.00 feet; thence N86°15'00"W, a distance of 240.00 feet to the Southwesterly corner thereof; thence N01°14'31"W, a distance of 695.03 feet to the point of beginning.

Multnomah County Deed No.:	D051970
Tax Account No.:	R237529
Type of Use:	Park & Recreation Purposes
Taxes:	\$10,291.86
Expenses:	\$33.50
Amount Paid for Transfer	\$500

PARCEL NO. 16:

Legal Description:

A portion of Tract 1, R.A. HEINTZ INDUSTRIAL PARK, in the City of Portland, County of Multnomah and State of Oregon, described as follows:

All that portion of the following lying northerly of the Mean High Water Line of the Columbia Slough.

BEGINNING at the Northeasterly corner of said Tract 1; thence North 89°57'16" West along the Southerly line of NE Riverside Way 126.47 feet to a point of the tangent curve; thence along said Southerly line, on the arc of a 850.00 foot radius curve to the right, through a central angle of 3°10'24" an arc distance of 47.08 feet (the chord bears North 88°52'04" West 47.08 feet) to the Northeast corner of a tract of land conveyed to W.S. Dubose, Inc., a Corporation by Deed recorded April 13, 1973 in Book 920, page 968, Deed Records; thence South 25°20'04" West 396.89 feet to the Southeast corner of said W.S. Dubose Inc. Tract and true point of beginning of the tract herein to be described; thence North 75°55'00" West 136.42 feet to an iron rod; thence North 53°35'46" West 195.03 feet to an iron rod; thence North 67°53'30" West 200.32 feet to an iron rod; thence South 25°20'04" West to the South line of said Tract 1; thence Easterly along the Southerly line of said Tract 1 to the Southeast corner thereof; thence North along the East line of said Tract 1, a distance of 139.07 feet to the Southeast corner of a tract conveyed to Coan in Book 1141, page 1263 (November 23, 1976); thence North 68°43'18" West a distance of 372.17 feet to the Southwest corner of said Coan Tract; thence North 25°20'04" East a distance of 15.11 feet to the point of beginning.

Multnomah County Deed No.:	D051971
Tax Account No.:	R251213
Type of Use:	Park & Recreation Purposes
Taxes:	\$29.23
Expenses:	\$97.00
Amount Paid for Transfer	\$100

PARCEL NO. 17:

Legal Description:

A portion of Tract 1 of "R.A. HEINTZ INDUSTRIAL PARK", in the County of Multnomah, State of Oregon, described as follows:

Commencing at the Northeast corner of said Tract 1: thence North 89°57'16" West along the South line of Riverside Way, a distance of 126.47 feet to a point of tangent curve in said South line; thence Northwesterly along said South line on the arc of a 850.00 foot radius curve to the right, through a central angle of 25°17'20", an arc distance of 375.17 feet (the chord bears North 77°18'36" West 372.13 feet) to a point of tangency; thence North 64°39'56" West along said South line a distance of 210.00 feet to the point of beginning of the tract herein to be described; thence continuing North 64°39'56" West along said South line, a distance of 150.00 feet to a point; thence South 27°52'06" West a distance of 399.73 feet to a point in the South line of said Tract 1; thence South 61°22'10" East along said South line, a distance of 167.95 feet to a point; thence North 25°20'04" East a distance of 409.00 feet to the point of beginning.

EXCEPTING therefrom that portion conveyed to Millers of Utah Beef Boning and Fabricating, Inc. by Warranty Deed recorded December 14, 1973 in Book 963 Page 1098 of the Multnomah County Deed Records further described as follows:

A portion of Tract 1 of R.A. HEINTZ INDUSTRIAL PARK, in the City of Portland, County of Multnomah and State of Oregon, described as follows:

Commencing at the Northeast corner of said Tract 1; thence North 89°57'16" West along the South line of Riverside Way, a distance of 126.47 feet to a point of tangent curve in said South line; thence Northwesterly along said South line of the arc of a 850.00 foot radius curve to the right, through a central angle of 25°17'20", an arc distance of 375.17 feet (the chord bears North 77°18'36" West 372.13 feet) to a point of tangency; thence North 64°39'56" West along said South line a distance of 210.00 feet to the North Westerly corner of a tract of land conveyed to the Ohio Knife Company, an Ohio corporation, by deed recorded February 16, 1973 in Book 910 Page 847, Deed Records, and the true point of beginning; thence continuing North 64°39'56" West along said South line, a distance of 150 feet to a point; thence South 27°52'06" West, a distance of 323.55 feet to the top of the bank of the Columbia Slough; thence South 51°31'56" East along the top of the bank a distance of 168.71 feet to the Westerly line of the aforementioned Ohio Knife Company Tract; thence North 25°20'04" East a distance of 361.57 feet to the true point of beginning.

Multnomah County Deed No.:	D051972
Tax Account No.:	R251220
Type of Use:	Park & Recreation Purposes
Taxes:	\$118.14
Expenses:	\$200.00
Amount Paid for Transfer	\$100

CITY OF PORTLAND, BUREAU OF ENVIRONMENTAL SERVICES

PARCEL NO. 18:

Legal Description:

Portion of Lots 1 and 2, Block 41, CAPITOL HILL, a recorded plat, recorded May 29, 1907, in Plat Book 400, Page 39 (on S.W. Capitol Hill Road, near S.W. Spring Garden Street), as follows:

All that portion of said Lots 1 and 2 lying between S.W. Spring Garden Street and S.W. Capitol Hill Road, County Road No. 876.

Multnomah County Deed No.:	D051973
Tax Account No.:	R127054
Type of Use:	Stormwater Management
Taxes:	\$96.10
Expenses:	\$11,472.74
Amount Paid for Transfer	\$200

PARCEL NO. 19:

Legal Description:

Except North 15 feet, Except Part in Street, Lot 9, Block 32; CENTRAL ALBINA

Multnomah County Deed No.:	D051974
Tax Account No.:	R131309
Type of Use:	Stormwater Management
Taxes:	\$14.19
Expenses:	\$0
Amount Paid for Transfer	\$100

PARCEL NO. 20:

Legal Description:

That part of Lot 8, lying Northeasterly of Portland Traction Company's right-of-way, in Block "P", TABOR HEIGHTS, within the corporate limits of the City of Portland, according to the duly recorded plat thereof on file in the office of the County Clerk of the County of Multnomah, State of Oregon, Except Part in Street.

Multnomah County Deed No.:	D051975
Tax Account No.:	R283085
Type of Use:	Stormwater Management
Taxes:	\$12.56
Expenses:	\$0
Amount Paid for Transfer	\$100

PARCEL NO. 21:

Legal Description:

Except part taken for Highway, Lot 28 & 29, Block 21; WEST PORTLAND PARK

Multnomah County Deed No.:	D051976
Tax Account No.:	R302301
Type of Use:	Stormwater Management
Taxes:	\$485.79
Expenses:	\$0
Amount Paid for Transfer	\$100

PARCEL NO. 22:

Legal Description:

A tract of land in the Southeast one-quarter of Section 11 and the Southwest one-quarter of Section 12 all in Township 1 North, Range 1 East, W.M., in Multnomah County, State of Oregon described as follows:

Commencing at the intersection of the Northerly right of way line of N.E. Argyle St. and the Easterly right of way line of N.E. 21st Ave., thence South 89°51'30" East, along the Northerly line of said N.E. Argyle St., 248.50 feet to the beginning of a curve; thence continuing, along said Northerly line, along a 310.00 foot radius curve to the right, through a central angle of 55°44'42" an arc distance of 301.61 feet to a point; tract to be

described; thence North 30°36'00" East 230.27 feet to the most Northerly corner of that tract of land conveyed Security Capitol Industrial Trust and described as Parcel 2 in Book 2776 on Page 809 recorded on Nov. 1, 1993, in said County's Records and the TRUE POINT of BEGINNING of the tract of land to be described; thence Northerly, along the Northerly extension of the West line of said Security tract, 116 feet more or less to the centerline of the Columbia Slough; thence Southeasterly, along the said centerline, 290 feet more or less to the most Northerly corner of that tract of land conveyed to Arnold Egger et al, in Book 2015 on Page 7 recorded on June 22, 1960, in said County's Records; thence South, along the West line of said Egger tract, 132 feet more or less to the Northerly line of said Security tract; thence Northwesterly, along the said Northerly line, 320 feet more or less to the point of Beginning.

EXCEPT, therefrom any portion lying below the high water line of the Columbia Slough, per the Oregon Division of State Lands.

Multnomah County Deed No.:	D051977
Tax Account No.:	R315197
Type of Use:	Stormwater Management
Taxes:	\$728.71
Expenses:	\$169.75
Amount Paid for Transfer	\$100

EXHIBIT B (RESOLUTION)

NOTICE OF PUBLIC HEARING BEFORE THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

TIME: 9:30 a.m., Thursday August 26, 2004

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

SUBJECT: Proposed Transfer of twelve (22) Multnomah County owned properties listed below, to other Governmental bodies to be used for public purposes as authorized under ORS 271.330 and Multnomah County Code Chapter 7. The Governments requesting the properties and the descriptions of the properties proposed for transfer are as follows:

(A) To the CITY OF PORTLAND OFFICE OF TRANSPORTATION for public purposes:

PARCEL NO. 1: 1S1E16DB Tax Lot 12100, also known as Tax Account No.: R124096, a triangular shaped lot located on a curve where SW Vincent PL dead ends.

PARCEL NO. 2: 1N1W11BB Tax Lot 2900, also known as Tax Account NO.:R169447, irregular shaped parcel located next to 9609 NW Harbor Blvd.

PARCEL NO. 3: 1S2E17AC Tax Lot 7901, also known as Tax Account no.: R206384, a small triangular shaped lot adjacent to SE Foster between 5243 SE 77th and 7636 SE Foster.

PARCEL NO. 4: 1S2E23BA Tax Lot 103, also known as Tax Account No.: R262118, a strip of land located between 6498 and 6530 SE 131st.

PARCEL NO. 5: 1S1E22BB Tax Lot 2700, also known as Tax Account No.: R273422, a small triangular strip in the right-of-way of SW Barbur Blvd.

PARCEL NO. 6: 1N1W36CB Tax Lot 3001, also known as Tax Account No.: R283917, a strip of land adjacent. to 8390 NW Copeland St.

PARCEL NO. 7: 1S1E19DA Tax Lot 601, also known as Tax Account No.: 329792, small triangular shaped parcel adjacent to 4535 SW Maplewood RD

PARCEL NO. 8: 1S1E24CD Tax Lot 8800, also known as Tax Account No.: R330572, Triangular shaped strip adjacent to 2700 SE Tacoma ST.

(B) To MULTNOMAH COUNTY LAND USE & TRANSPORTATION PROGRAM, for public purposes:

PARCEL NO. 9: 1N3E25BD Tax Lot 1500, also known as Tax Account No.: R320673, triangular shaped parcel located near 337 E Historical Columbia River Hwy/Troutdale.

PARCEL NO. 10: 1S3E20A Tax Lot 200, also known as Tax Account No.: R340827, irregular shaped strip at corner of SE Butler & SE Rodlun Roads.

(C) To the CITY OF GRESHAM DEPARTMENT OF ENVIRONMENTAL SERVICES, for public purposes:

PARCEL NO. 11: 1S3E21BB Tax Lot 5800, also known as Tax Account No.: R309082, a strip at the end of SW 32nd St in Gresham.

PARCEL NO. 12: 1S3E21BB Tax Lot 5900, also known as Tax Account No.: R309083, a strip at the end of SW Wonderview Ave in Gresham.

PARCEL NO. 13: 1S3E10CD Tax Lot 3600, also known as Tax Account No.: R339024, triangular shaped lot adjacent to 815 SE Roberts.

(D) To the CITY OF PORTLAND BUREAU OF PARKS & RECREATION, for public purposes:

PARCEL NO. 14: 1N1W11DA Tax Lot 1100, also known as Tax Account No.: R159911, lot adjacent to the St Johns Bridge approach.

PARCEL NO. 15: 1N2E24 Tax Lot 2400, also known as Tax Account No.: R237529, lot adjacent to 14626 NE Airport Way

PARCEL NO. 16: 1N1E12CC Tax Lot 500, also known as Tax Account No.: R251213, long narrow vacant lot adjacent to Columbia slough

PARCEL NO. 17: 1N1E12CC Tax Lot 600, also known as Tax Account No.: R251220, irregular shaped lot adjacent to the Columbia slough & 2540 NE Riverside Way

(E) To the CITY OF PORTLAND BUREAU OF ENVIRONMENTAL SERVICES, for public purposes:

PARCEL NO. 18: 1S1E21DC Tax Lot 15900, also known as Tax Account No.: R127054, triangular shaped lot located at SW Spring Garden & SW Capitol Hill RD

PARCEL NO. 19: 1N1E22CD Tax Lot 14100, also known as Tax Account No.: R131309, strip adjacent to 3505 N Kerby.

PARCEL NO. 20: 1S2E05BA Tax Lot 11700, also known as Tax Account No.: R283085, irregular shaped parcel adjacent to 915 SE 70th AVE.

PARCEL NO. 21: 1S131AB Tax Lot 8000, also known as Tax Account No.: R302301, Small triangular shaped parcel at corner of SW 53rd AVE and Barbur Blvd.

PARCEL NO. 22: 1N1E12CC Tax Lot 1000, also known as Tax Account No.: R315197, irregular shaped lot adjacent to and part of Columbia slough

TO OBTAIN A COPY OF THE COUNTY STAFF REPORT ON THESE PROPOSED TRANSFERS CONTACT: Multnomah County Tax Title Division at (503) 988-3590.

OBJECTIONS OR COMMENTS TO THE PROPOSED TRANSFER: Will be heard at the date, time and location set forth above, or as soon thereafter on that date as the matter may be heard, that being the time and place of the regular weekly meeting of the Multnomah County Board of Commissioners.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-111

Setting Hearing Date of August 26, 2004, for Consideration of Proposed Transfer of Tax Foreclosed Properties to Local Governments for Non-Housing Purposes and Authorizing Publication of Notice

The Multnomah County Board of Commissioners Finds:

- a) ORS 271.330 and Multnomah County Code Chapter 7 allow for transfer of Tax Foreclosed Real Property to governmental bodies provided the property is used for a public purpose. Attached to this Resolution is a list identified as Exhibit A and incorporated by this reference, which describes the twenty-two (22) properties for which the County received requests for transfer as authorized under the cited State Law and the County Code.
- b) The City of Portland Office of Transportation has formally requested the transfer of Parcel Nos. 1-8, certain Tax Foreclosed Property located in Multnomah County, more particularly described in Exhibit A.
- c) The Multnomah County Land Use & Transportation Program has formally requested the transfer of Parcel Nos.: 9 & 10, certain Tax Foreclosed Property located in Multnomah County, more particularly described in Exhibit A.
- d) The City of Gresham Department of Environmental Services has formally requested the transfer of Parcel Nos.: 11-13, certain Tax Foreclosed Property located in Multnomah County, more particularly described in Exhibit A.
- e) The City of Portland Bureau of Parks & Recreation has formally requested the transfer of Parcel Nos.: 14-17, certain Tax Foreclosed Property located in Multnomah County, more particularly described in Exhibit A.
- f) The City of Portland Bureau of Environmental Services has formally requested the transfer of Parcel Nos.: 18-22, certain Tax Foreclosed Property located in Multnomah County, more particularly described in Exhibit A.
- g) Pursuant to MCC Section 7.407(D) the Department of Business and Community Services, Tax Title Division, issued a report dated August 12, 2004 to the County Board of Commissioners regarding the proposed transfers of Tax Foreclosed Properties to the above named local governments. The Department's report is attached and is identified as the "Agenda Placement Request" to this Resolution.

The Multnomah County Board of Commissioners Resolves:

- 1. That pursuant to ORS 271.330(5) and MCC 7.407(E) these requests by local governments for transfer of the above described tax foreclosed properties for non-housing purposes be set for a further hearing before this Board on August 26, 2004 at 9:30 a.m.

2. That the Multnomah County Tax Title Division is directed to publish notice of the public hearing in a newspaper of general circulation for two successive weeks. The notice shall be in a form consistent with that set forth in Exhibit B, attached to this Resolution and incorporated by this reference and shall:
 - a. Advise the public of the County's intention to transfer these properties;
 - b. Describe the properties proposed for transfer;
 - c. Identify the date, time and location of the hearing;
 - d. State that the Board will accept objections and comments concerning the transfer at the hearing;
 - e. Advise how a copy of the Department's report can be obtained.
3. That the Tax Title Division shall mail a copy of the notice to the local government applicants and other persons requesting such notice.

ADOPTED this 12th day of August, 2004.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By

Christopher D. Crean, Assistant County Attorney

**EXHIBIT A (RESOLUTION)
PROPERTIES REQUESTED BY LOCAL GOVERNMENTS**

CITY OF PORTLAND, OFFICE OF TRANSPORTATION

PARCEL NO. 1.:

Legal Description:

Tax Lot 4 of Lot 1, Block 53, BURLINGAME, a recorded plat, recorded November 10, 1927, in Plat Book 1074, Page 55 (on S.W. Vincent Place, near S.W. Terwilliger Blvd.), as follows:

Beginning at the initial point of the said BURLINGAME PLAT, said point also being in the northerly right-of-way line of S.W. Vincent Place, thence S 89°39'42" E along said northerly right-of-way line, a distance of 88.20 feet to the beginning of a tangent curve to the right, said curve point also being the true point of beginning; thence southeasterly along said northerly right-of-way line of S.W. Vincent Place, along the arc of a 120.00 foot radius tangent curve to the right through a central angle of 56°37'15" (the chord bears S 61°21'04" E, 113.82 feet), an arc distance of 118.59 feet to the point of tangency; thence S 33°02'27" E, a distance of 30.40 feet to its intersection with the southwesterly right-of-way line of the Oregon State Highway Department; thence N 0°49'21" W along the westerly line of the said highway department right-of-way line a distance of 79.39 feet to a point in the north line of said Lot 1, Block 53, BURLINGAME; thence N 89°39'42" W along said north line, a distance of 115.32 feet to the true point of beginning.

Containing 2,654 square feet, more or less.

Multnomah County Deed No.:	D051956
Tax Account No.:	R124096
Type of Use:	Street Extension
Taxes:	\$81.74
Expenses:	\$0
Amount Paid for Transfer	\$100

PARCEL NO. 2.:

Legal Description:

Except Part in Street-Except Northerly 75 feet of Lot 1, Block 7; GLEN HARBOR

Multnomah County Deed No.:	D051957
Tax Account No.:	R169447
Type of Use:	Street Extension
Taxes:	\$4380.13
Expenses:	\$33.50
Amount Paid for Transfer	\$500

PARCEL NO. 3.:

Legal Description:

A tract of land in the Northeast One-Quarter of Section 17, Township 1 South, Range 2 East of the Willamette Meridian, Multnomah County, Oregon, being a portion of Lot 21 Leonora Place as recorded in Plat Book 151 at Page 31 on April 10, 1890 and described as follows:

All that part of said Lot 21 lying East of the West line of Lot 10, Block 1, Hallers Addition to Portland if extended North to its intersection with S. E. Foster Road.

Multnomah County Deed No.:	D051958
Tax Account No.:	R206384

Type of Use:	Street Extension
Taxes:	\$62.78
Expenses:	\$41.00
Amount Paid for Transfer	\$100

PARCEL NO. 4.:

Legal Description:
Lot C; ROSIER FARM ESTATES

Multnomah County Deed No.:	D051959
Tax Account No.:	R262118
Type of Use:	Access Control Strip
Taxes:	\$65.12
Expenses:	\$0
Amount Paid for Transfer	\$100

PARCEL NO. 5.:

Legal Description:
Lot A, Block 29; SOUTHERN PORTLAND

Multnomah County Deed No.:	D051960
Tax Account No.:	R273422
Type of Use:	Street Extension
Taxes:	\$62.78
Expenses:	\$29.75
Amount Paid for Transfer	\$100

PARCEL NO. 6.:

Legal Description:
Southerly 4.12 feet of Lot 5, Block 2; TAYLOR CREST

Multnomah County Deed No.:	D051961
Tax Account No.:	R283917
Type of Use:	Street Extension
Taxes:	\$451.91
Expenses:	\$33.50
Amount Paid for Transfer	\$100

PARCEL NO. 7.:

Legal Description:
A tract of land in the Southeast one-quarter of Section 19, Township 1 South, Range 1 East, of the Willamette Meridian, Multnomah County, Oregon, described as follows:

All that part of said Section 19 bounded on the North by the Southerly line of that tract of land conveyed by J.L. Perry and Jenette Perry to William Borsch by deed recorded November 26, 1889 in deed book 128 page 324; bounded on the West by S.W. Maplewood road (Co. Rd. 871) and bounded on the East by the Westerly line of S.W. 45th Ave (Co. Rd. 1270).

Multnomah County Deed No.:	D051962
Tax Account No.:	R329792
Type of Use:	Street Extension
Taxes:	\$65.20
Expenses:	\$1.68
Amount Paid for Transfer	\$100

PARCEL NO. 8:

Legal Description:

A tract of land in the Southwest One-Quarter of Section 24, Township 1 South, Range 1 East of the Willamette Meridian, Multnomah County, Oregon, and described as follows:

All that part of the following described Tract 1:

Lying Westerly of the Westerly right-of-way line of S.E. Tacoma St, formerly Willsburg Road Co. Rd. No. 1090 (40 feet wide);

Lying Easterly of the Easterly line of the Andrea Guigliemino tract as described in Deed Book 796 Page 330 and recorded in 1920;

Lying Northerly of the Northerly line of that tract of land described in Deed Book 209 Page 187 recorded January 13, 1965 where said Northerly line intersects the Westerly right-of-way line of S.E. Tacoma St;

Lying Southerly of the Southwesterly projection of the radial line produced from the centerline of the right-of-way of S.E. Tacoma St. at the point where it widens from 40 feet to 60 feet in width.

Tract 1:

Beginning S89°45'E, a distance of 18.28 chains from the Southwest corner of the Jacob Wills DLC; thence Northwest and along the East line of the O and C Railway Company's right-of-way to the center of "B" street in old town of Willsburg; thence N81°30'E, a distance of 8.84 chains; thence S36°East, a distance of 4.32 chains; thence S15°W, a distance of 4.61 chains; thence S23°11'W, a distance of 4.74 chains; thence N89°45'W, a distance of 6.35 chains to the point of beginning.

Multnomah County Deed No.:	D051963
Tax Account No.:	R330572
Type of Use:	Street Extension
Taxes:	\$121.97
Expenses:	\$29.75
Amount Paid for Transfer	\$100

MULTNOMAH COUNTY, LAND USE & TRANSPORTATION PROGRAM

PARCEL NO. 9:

Legal Description:

A tract of land in Section 25, Township 1 North, Range 3 East of the Willamette meridian, Multnomah County, Oregon and described as follows:

A tract of land bounded by:

That portion of the former Depot Grounds of the Oregon and Washington Railroad and Navigation Company conveyed to Marie Bennett by deed recorded November 5, 1987 in Book 2056 Page 26, Deed Records of Multnomah County and conveyed to Multnomah County for road purposes by deed recorded April 12, 1993 in Book 2673 Page 1391.

That tract of land conveyed by Multnomah County to the City of Troutdale by deed recorded in Book 884 at Page 746 in 1972.

The North line of Historic Columbia River Highway.

Multnomah County Deed No.:	D051964
Tax Account No.:	R320673
Type of Use:	Right-of-Way
Taxes:	\$61.92
Expenses:	\$57.95
Amount Paid for Transfer	\$100

PARCEL NO. 10:

Legal Description:

A tract of land in the Northeast One-Quarter of Section 20, Township 1 South, Range 3 East of the Willamette Meridian, Multnomah County, Oregon and described as follows:

A strip of land lying South of the Southerly right-of-way line of S. E. Butler Road, County Road No.356 and 588 and West of the West line of S.E. Rodlun Road, County Road No. 1089 and North of the North line of the South One-Half of the Southeast One-Quarter of the Northeast One-Quarter of said Section 20.

Multnomah County Deed No.:	D051965
Tax Account No.:	R340827
Type of Use:	Right-of-Way
Taxes:	\$74.87
Expenses:	\$2.55
Amount Paid for Transfer	\$100

CITY OF GRESHAM, DEPARTMENT OF ENVIRONMENTAL SERVICES

PARCEL NO. 11:

Legal Description:

Lot R, WILLOWBROOK

Multnomah County Deed No.:	D051966
Tax Account No.:	R309082
Type of Use:	Right-of-Way
Taxes:	\$134.45
Expenses:	\$37.25
Amount Paid for Transfer	\$100

PARCEL NO. 12:

Legal Description:

Lot S, WILLOWBROOK

Multnomah County Deed No.:	D051967
Tax Account No.:	R309083
Type of Use:	Right-of-Way
Taxes:	\$134.45
Expenses:	\$37.25
Amount Paid for Transfer	\$100

PARCEL NO. 13:

Legal Description:

A tract of land situated in the Southwest one-quarter of Section 10 Township 1 South, Range 3 East of the Willamette Meridian in the County of Multnomah and State of Oregon, more particularly described as follows:

BEGINNING in the one-half section line dividing Section 10 into East and West one-halves, 49.00 feet North of the Southwest corner of the Southeast one-quarter of said Section; thence Easterly parallel to the South line of said section to the center of County road; thence North 42° 01' 45" West along the said road to where the centerline of said County road intersects the one-half Section line dividing Section 10 into East and West halves; thence Southerly along the said one-half Section line to the point of beginning.

EXCEPTING THEREFROM that part lying within the following described tract.

Beginning on the Westerly line of S.E. Roberts Avenue, North 118.29 feet and East 39.65 feet from the South one-quarter corner of Section 10; thence South 33°56' 00" West a distance of 82.31 feet; thence North 88°51'00" East 100.00 feet more or less to the Westerly line of S.E. Roberts Avenue; thence North 40°12'30" West 86.80 feet to the point of beginning.

ALSO EXCEPTING THEREFROM all that portion lying within S.E. Roberts Avenue.

Multnomah County Deed No.:	D051968
Tax Account No.:	R339024
Type of Use:	Right-of-Way
Taxes:	\$80.61
Expenses:	\$2.55
Amount Paid for Transfer	\$100

CITY OF PORTLAND, BUREAU OF PARKS & RECREATION

PARCEL NO. 14:

Legal Description:

A tract of land in the Southeast One-Quarter of Section 11, Township 1 North, Range 1 West of the Willamette Meridian, Multnomah County, Oregon, being a portion of Lot 6, Block 19 Fairmount Addition and described as follows:

All that part of Lot 6, Block 19, Fairmount Addition lying Southwesterly of the following described line: Beginning at the Northwestern corner of said Lot 6 and running thence to a point in the Southeasterly line of said Lot 6 being 71.20 feet Northeasterly from the Southerly corner thereof.

Multnomah County Deed No.:	D051969
Tax Account No.:	R159911
Type of Use:	Park & Recreation Purposes
Taxes:	\$281.57
Expenses:	\$41.00
Amount Paid for Transfer	\$100

PARCEL NO. 15:

Legal Description:

A tract of land in the Northwest One-Quarter of Section 24, Township 1 North, Range 2 East of the Willamette Meridian, Multnomah County, Oregon, being a portion of Parcel 1 of Partition Plat 1992-80 as recorded August 6, 1992 and described as follows:

Commencing at the Northwest corner of said Section 24; thence S06°22'16"E, a distance of 851.55 feet to a 5/8 inch iron rod with a red plastic cap marked "LS 1848" set at the true point of beginning, said point being on the Southwesterly right-of-way line of N.E. Airport Way and is the Northwest corner of said Parcel 1 of Partition Plat 1992-80; thence Easterly along said right-of-way the following courses and distances:

S55°52'52"E, a distance of 345.98 feet to a 5/8 inch iron rod with a yellow plastic cap marked "COP Survey"; thence along the arc of 860 foot radius curve to the left, through a central angle of 34°55'55" (the chord bears S73°20'49"E, a distance of 516.24 feet) an arc distance of 524.32 feet; thence leaving said right-of-way line, S01°25'55"E, a distance of 149.86 feet to a 5/8 inch iron rod with a red plastic cap marked "LS 1848" set on the East line of a trail easement granted to City of Portland and recorded as document 94-034058, Multnomah County Deed Records; thence N88°34'05"E, a distance of 50.19 feet to a 5/8 inch iron rod with a red plastic cap marked "LS 1848" set on the East line of said Parcel 1; thence along the Easterly, Southerly and Westerly lines of said Parcel 1 the following courses and distances: S01°25'55"E, a distance of 457.60 feet; thence N81°15'00"W, a distance of 324.45 feet; thence N55°15'00"W, a distance of 330.00 feet; thence N86°15'00"W, a distance of 240.00 feet to the Southwesterly corner thereof; thence N01°14'31"W, a distance of 695.03 feet to the point of beginning.

Multnomah County Deed No.:	D051970
Tax Account No.:	R237529
Type of Use:	Park & Recreation Purposes
Taxes:	\$10,291.86
Expenses:	\$33.50
Amount Paid for Transfer	\$500

PARCEL NO. 16:

Legal Description:

A portion of Tract 1, R.A. HEINTZ INDUSTRIAL PARK, in the City of Portland, County of Multnomah and State of Oregon, described as follows:

All that portion of the following lying northerly of the Mean High Water Line of the Columbia Slough.

BEGINNING at the Northeasterly corner of said Tract 1; thence North 89°57'16" West along the Southerly line of NE Riverside Way 126.47 feet to a point of the tangent curve; thence along said Southerly line, on the arc of a 850.00 foot radius curve to the right, through a central angle of 3°10'24" an arc distance of 47.08 feet (the chord bears North 88°52'04" West 47.08 feet) to the Northeast corner of a tract of land conveyed to W.S. Dubose, Inc., a Corporation by Deed recorded April 13, 1973 in Book 920, page 968, Deed Records; thence South 25°20'04" West 396.89 feet to the Southeast corner of said W.S. Dubose Inc. Tract and true point of beginning of the tract herein to be described; thence North 75°55'00" West 136.42 feet to an iron rod; thence North 53°35'46" West 195.03 feet to an iron rod; thence North 67°53'30" West 200.32 feet to an iron rod; thence South 25°20'04" West to the South line of said Tract 1; thence Easterly along the Southerly line of said Tract 1 to the Southeast corner thereof; thence North along the East line of said Tract 1, a distance of 139.07 feet to the Southeast corner of a tract conveyed to Coan in Book 1141, page 1263 (November 23, 1976); thence North 68°43'18" West a distance of 372.17 feet to the Southwest corner of said Coan Tract; thence North 25°20'04" East a distance of 15.11 feet to the point of beginning.

Multnomah County Deed No.:	D051971
Tax Account No.:	R251213
Type of Use:	Park & Recreation Purposes
Taxes:	\$29.23
Expenses:	\$97.00
Amount Paid for Transfer	\$100

PARCEL NO. 17:

Legal Description:

A portion of Tract 1 of "R.A. HEINTZ INDUSTRIAL PARK", in the County of Multnomah, State of Oregon, described as follows:

Commencing at the Northeast corner of said Tract 1: thence North 89°57'16" West along the South line of Riverside Way, a distance of 126.47 feet to a point of tangent curve in said South line; thence Northwesterly along said South line on the arc of a 850.00 foot radius curve to the right, through a central angle of 25°17'20", an arc distance of 375.17 feet (the chord bears North 77°18'36" West 372.13 feet) to a point of tangency; thence North 64°39'56" West along said South line a distance of 210.00 feet to the point of beginning of the tract herein to be described; thence continuing North 64°39'56" West along said South line, a distance of 150.00 feet to a point; thence South 27°52'06" West a distance of 399.73 feet to a point in the South line of said Tract 1; thence South 61°22'10" East along said South line, a distance of 167.95 feet to a point; thence North 25°20'04" East a distance of 409.00 feet to the point of beginning.

EXCEPTING therefrom that portion conveyed to Millers of Utah Beef Boning and Fabricating, Inc. by Warranty Deed recorded December 14, 1973 in Book 963 Page 1098 of the Multnomah County Deed Records further described as follows:

A portion of Tract 1 of R.A. HEINTZ INDUSTRIAL PARK, in the City of Portland, County of Multnomah and State of Oregon, described as follows:

Commencing at the Northeast corner of said Tract 1; thence North 89°57'16" West along the South line of Riverside Way, a distance of 126.47 feet to a point of tangent curve in said South line; thence Northwesterly along said South line of the arc of a 850.00 foot radius curve to the right, through a central angle of 25°17'20", an arc distance of 375.17 feet (the chord bears North 77°18'36" West 372.13 feet) to a point of tangency; thence North 64°39'56" West along said South line a distance of 210.00 feet to the North Westerly corner of a tract of land conveyed to the Ohio Knife Company, an Ohio corporation, by deed recorded February 16, 1973 in Book 910 Page 847, Deed Records, and the true point of beginning; thence continuing North 64°39'56" West along said South line, a distance of 150 feet to a point; thence South 27°52'06" West, a distance of 323.55 feet to the top of the bank of the Columbia Slough; thence South 51°31'56" East along the top of the bank a distance of 168.71 feet to the Westerly line of the aforementioned Ohio Knife Company Tract; thence North 25°20'04" East a distance of 361.57 feet to the true point of beginning.

Multnomah County Deed No.:	D051972
Tax Account No.:	R251220
Type of Use:	Park & Recreation Purposes
Taxes:	\$118.14
Expenses:	\$200.00
Amount Paid for Transfer	\$100

CITY OF PORTLAND, BUREAU OF ENVIRONMENTAL SERVICES

PARCEL NO. 18:

Legal Description:

Portion of Lots 1 and 2, Block 41, CAPITOL HILL, a recorded plat, recorded May 29, 1907, in Plat Book 400, Page 39 (on S.W. Capitol Hill Road, near S.W. Spring Garden Street), as follows:

All that portion of said Lots 1 and 2 lying between S.W. Spring Garden Street and S.W. Capitol Hill Road, County Road No. 876.

Multnomah County Deed No.:	D051973
Tax Account No.:	R127054
Type of Use:	Stormwater Management
Taxes:	\$96.10
Expenses:	\$11,472.74
Amount Paid for Transfer	\$200

PARCEL NO. 19:

Legal Description:

Except North 15 feet, Except Part in Street, Lot 9, Block 32; CENTRAL ALBINA

Multnomah County Deed No.:	D051974
Tax Account No.:	R131309
Type of Use:	Stormwater Management
Taxes:	\$14.19
Expenses:	\$0
Amount Paid for Transfer	\$100

PARCEL NO. 20:

Legal Description:

That part of Lot 8, lying Northeasterly of Portland Traction Company's right-of-way, in Block "P", TABOR HEIGHTS, within the corporate limits of the City of Portland, according to the duly recorded plat thereof on file in the office of the County Clerk of the County of Multnomah, State of Oregon, Except Part in Street.

Multnomah County Deed No.:	D051975
Tax Account No.:	R283085
Type of Use:	Stormwater Management
Taxes:	\$12.56
Expenses:	\$0
Amount Paid for Transfer	\$100

PARCEL NO. 21:

Legal Description:

Except part taken for Highway, Lot 28 & 29, Block 21; WEST PORTLAND PARK

Multnomah County Deed No.:	D051976
Tax Account No.:	R302301
Type of Use:	Stormwater Management
Taxes:	\$485.79
Expenses:	\$0
Amount Paid for Transfer	\$100

PARCEL NO. 22:

Legal Description:

A tract of land in the Southeast one-quarter of Section 11 and the Southwest one-quarter of Section 12 all in Township 1 North, Range 1 East, W.M., in Multnomah County, State of Oregon described as follows:

Commencing at the intersection of the Northerly right of way line of N.E. Argyle St. and the Easterly right of way line of N.E. 21st Ave., thence South 89°51'30" East, along the Northerly line of said N.E. Argyle St., 248.50 feet to the beginning of a curve; thence continuing, along said Northerly line, along a 310.00 foot radius curve to the right, through a central angle of 55°44'42" an arc distance of 301.61 feet to a point; tract to be

described; thence North 30°36'00" East 230.27 feet to the most Northerly corner of that tract of land conveyed Security Capitol Industrial Trust and described as Parcel 2 in Book 2776 on Page 809 recorded on Nov. 1, 1993, in said County's Records and the TRUE POINT of BEGINNING of the tract of land to be described; thence Northerly, along the Northerly extension of the West line of said Security tract, 116 feet more or less to the centerline of the Columbia Slough; thence Southeasterly, along the said centerline, 290 feet more or less to the most Northerly corner of that tract of land conveyed to Arnold Egger et al, in Book 2015 on Page 7 recorded on June 22, 1960, in said County's Records; thence South, along the West line of said Egger tract, 132 feet more or less to the Northerly line of said Security tract; thence Northwesterly, along the said Northerly line, 320 feet more or less to the point of Beginning.

EXCEPT, therefrom any portion lying below the high water line of the Columbia Slough, per the Oregon Division of State Lands.

Multnomah County Deed No.:	D051977
Tax Account No.:	R315197
Type of Use:	Stormwater Management
Taxes:	\$728.71
Expenses:	\$169.75
Amount Paid for Transfer	\$100

EXHIBIT B (RESOLUTION)

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

TIME: 9:30 a.m., Thursday August 26, 2004

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

SUBJECT: Proposed Transfer of twelve (22) Multnomah County owned properties listed below, to other Governmental bodies to be used for public purposes as authorized under ORS 271.330 and Multnomah County Code Chapter 7. The Governments requesting the properties and the descriptions of the properties proposed for transfer are as follows:

(A) To the CITY OF PORTLAND OFFICE OF TRANSPORTATION for public purposes:

PARCEL NO. 1: 1S1E16DB Tax Lot 12100, also known as Tax Account No.: R124096, a triangular shaped lot located on a curve where SW Vincent PL dead ends.

PARCEL NO. 2: 1N1W11BB Tax Lot 2900, also known as Tax Account NO.:R169447, irregular shaped parcel located next to 9609 NW Harbor Blvd.

PARCEL NO. 3: 1S2E17AC Tax Lot 7901, also known as Tax Account no.: R206384, a small triangular shaped lot adjacent to SE Foster between 5243 SE 77th and 7636 SE Foster.

PARCEL NO. 4: 1S2E23BA Tax Lot 103, also known as Tax Account No.: R262118, a strip of land located between 6498 and 6530 SE 131st.

PARCEL NO. 5: 1S1E22BB Tax Lot 2700, also known as Tax Account No.: R273422, a small triangular strip in the right-of-way of SW Barbur Blvd.

PARCEL NO. 6: 1N1W36CB Tax Lot 3001, also known as Tax Account No.: R283917, a strip of land adjacent. to 8390 NW Copeland St.

PARCEL NO. 7: 1S1E19DA Tax Lot 601, also known as Tax Account No.: 329792, small triangular shaped parcel adjacent to 4535 SW Maplewood RD

PARCEL NO. 8: 1S1E24CD Tax Lot 8800, also known as Tax Account No.: R330572, Triangular shaped strip adjacent to 2700 SE Tacoma ST.

(B) To MULTNOMAH COUNTY LAND USE & TRANSPORTATION PROGRAM, for public purposes:

PARCEL NO. 9: 1N3E25BD Tax Lot 1500, also known as Tax Account No.: R320673, triangular shaped parcel located near 337 E Historical Columbia River Hwy/Troutdale.

PARCEL NO. 10: 1S3E20A Tax Lot 200, also known as Tax Account No.: R340827, irregular shaped strip at corner of SE Butler & SE Rodlun Roads.

(C) To the CITY OF GRESHAM DEPARTMENT OF ENVIRONMENTAL SERVICES, for public purposes:

PARCEL NO. 11: 1S3E21BB Tax Lot 5800, also known as Tax Account No.: R309082, a strip at the end of SW 32nd St in Gresham.

PARCEL NO. 12: 1S3E21BB Tax Lot 5900, also known as Tax Account No.: R309083, a strip at the end of SW Wonderview Ave in Gresham.

PARCEL NO. 13: 1S3E10CD Tax Lot 3600, also known as Tax Account No.: R339024, triangular shaped lot adjacent to 815 SE Roberts.

(D) To the CITY OF PORTLAND BUREAU OF PARKS & RECREATION, for public purposes:

PARCEL NO. 14: 1N1W11DA Tax Lot 1100, also known as Tax Account No.: R159911, lot adjacent to the St Johns Bridge approach.

PARCEL NO. 15: 1N2E24 Tax Lot 2400, also known as Tax Account No.: R237529, lot adjacent to 14626 NE Airport Way

PARCEL NO. 16: 1N1E12CC Tax Lot 500, also known as Tax Account No.: R251213, long narrow vacant lot adjacent to Columbia slough

PARCEL NO. 17: 1N1E12CC Tax Lot 600, also known as Tax Account No.: R251220, irregular shaped lot adjacent to the Columbia slough & 2540 NE Riverside Way

(E) To the CITY OF PORTLAND BUREAU OF ENVIRONMENTAL SERVICES, for public purposes:

PARCEL NO. 18: 1S1E21DC Tax Lot 15900, also known as Tax Account No.: R127054, triangular shaped lot located at SW Spring Garden & SW Capitol Hill RD

PARCEL NO. 19: 1N1E22CD Tax Lot 14100, also known as Tax Account No.: R131309, strip adjacent to 3505 N Kerby.

PARCEL NO. 20: 1S2E05BA Tax Lot 11700, also known as Tax Account No.: R283085, irregular shaped parcel adjacent to 915 SE 70th AVE.

PARCEL NO. 21: 1S131AB Tax Lot 8000, also known as Tax Account No.: R302301, Small triangular shaped parcel at corner of SW 53rd AVE and Barbur Blvd.

PARCEL NO. 22: 1N1E12CC Tax Lot 1000, also known as Tax Account No.: R315197, irregular shaped lot adjacent to and part of Columbia slough

TO OBTAIN A COPY OF THE COUNTY STAFF REPORT ON THESE PROPOSED TRANSFERS CONTACT: Multnomah County Tax Title Division at (503) 988-3590.

OBJECTIONS OR COMMENTS TO THE PROPOSED TRANSFER: Will be heard at the date, time and location set forth above, or as soon thereafter on that date as the matter may be heard, that being the time and place of the regular weekly meeting of the Multnomah County Board of Commissioners.

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: August 12, 2004

Agenda Item #: C-4

Est. Start Time: 9:30 AM

Date Submitted: 07/15/04

Requested Date: August 12, 2004

Time Requested: Consent Item

Department: DBCS

Division: Tax Title

Contact/s: Gary Thomas

Phone: 503-988-3590

Ext.: 22591

I/O Address: 503/4 Tax Title

Presenters: Gary Thomas

Agenda Title: Authorizing the Private Sale of a Tax Foreclosed Property to KEVIN A. AND CATHY A. MURPHY.

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

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

The Tax Title Section is requesting the Board to approve the private sale of one tax foreclosed property to KEVIN A. AND CATHY A. MURPHY. The Department of Business and Community Services recommends that the private sale be approved.

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

The subject property is a strip approximately 1.68' x 105' that came into Multnomah County ownership through the foreclosure of delinquent property tax liens on September 23, 2003. The potential purchasers, the Murphy's, own the adjacent property at 3905 NE Failing St. The property is currently in the yard area and the acquisition of the strip will add slightly to their total yard area.

The attached plat map, Exhibit A, shows the location of the property. The attached Exhibit B is an aerial photo that shows the proximity of the strip to the adjacent properties.

Although no written confirmation from the City of Portland was obtained, the Tax Title Division is confident the shape and size of the property, i.e., approximately 1.68' x 105' strip make it unsuitable for construction or placement of a dwelling thereon under current zoning ordinances and building codes, as provided under ORS 275.225.

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

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

4. Explain any legal and/or policy issues.

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

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

No citizen or government participation is anticipated.

Required Signatures:

Department/Agency Director:

Robert A. Maestre

Date: 07/14/04

Budget Analyst

By:

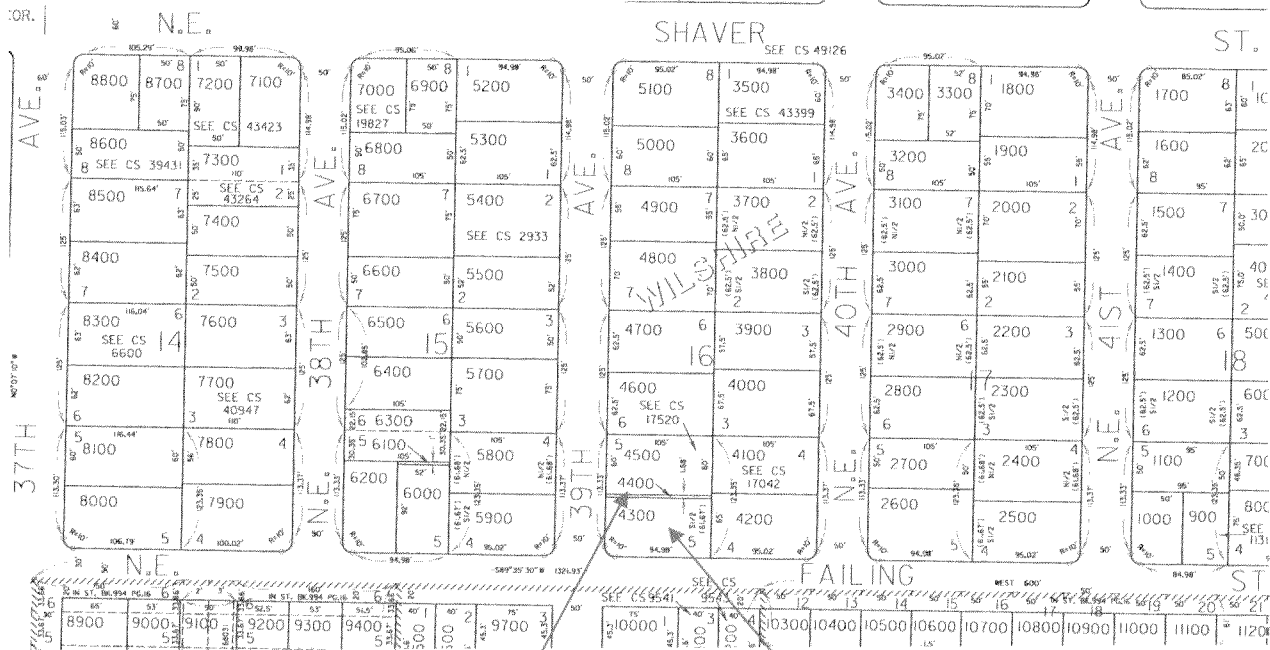
Date:

Dept/Countywide HR

By:

Date:

EXHIBIT A



Subject

3905 NE Failing St

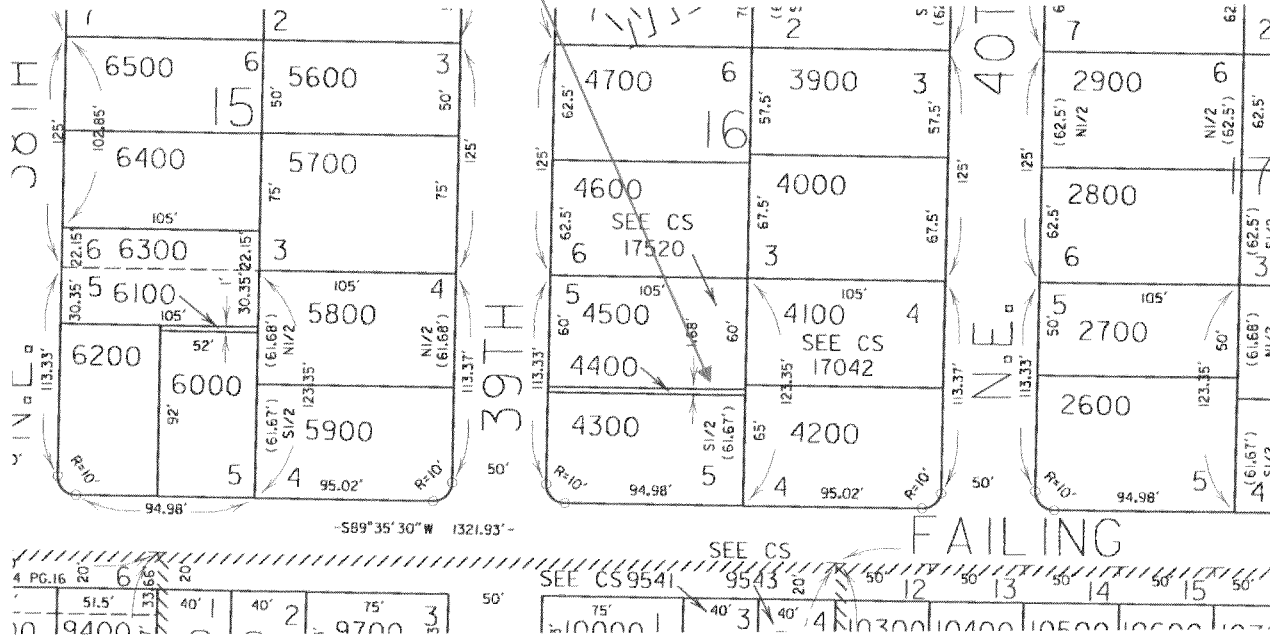


EXHIBIT B



Subject

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

LEGAL DESCRIPTION:

Lot 5, Block 16, except the South one-half of Lot 5 and except the North 60 feet of Lot 5 located in the duly recorded plat of WILSHIRE, in the City of Portland, Multnomah County, Oregon.

ADJACENT PROPERTY ADDRESS: 3905 NE Failing St

TAX ACCOUNT NUMBER: R309577

GREENSPACE DESIGNATION: None

SIZE OF PARCEL: Approximately 1.68' x 105' (approx. 176sf)

ASSESSED VALUE: \$100.00

ITEMIZED EXPENSES FOR TOTAL PRICE OF PRIVATE SALE

BACK TAXES & INTEREST:

\$52.68

TAX TITLE MAINTENANCE COST & EXPENSES:

\$33.50

ADVERTISING COST:

-0-

RECORDING FEE:

\$26.00

CITY LIENS:

-0-

SUB-TOTAL

\$112.18

MINIMUM PRICE REQUEST OF PRIVATE SALE

\$126.00

BOGSTAD Deborah L

From: GRACE Becky J
Sent: Thursday, July 15, 2004 9:21 AM
To: BOGSTAD Deborah L
Subject: FW: August 12 Board Agenda Documents for Murphy Private Sale

Hi Deb,
Here is Chris's approval - thanks

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

From: CREAN Christopher D
Sent: Wednesday, July 14, 2004 4:08 PM
To: GRACE Becky J
Subject: RE: August 12 Board Agenda Documents for Murphy Private Sale

Becky -

These look fine. Thanks.

- Chris

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

From: GRACE Becky J
Sent: Wednesday, July 14, 2004 3:03 PM
To: CREAN Christopher D
Subject: August 12 Board Agenda Documents for Murphy Private Sale

Hi Chris

Attached for your review and approval are the Murphy Private Sale Documents for the August 12 Board Agenda

Becky Grace August 12 Board Agenda Documents for Murphy Private Sale
Tax Title, Multnomah County
501 SE Hawthorne, Suite 310
Portland, OR 97214
503.988.3590 x27145

7/15/2004

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY

RESOLUTION NO. _____

Authorizing Private Sale of Certain Tax Foreclosed Property to KEVIN A. AND CATHY A. MURPHY, Husband and Wife.

The Multnomah County Board of Commissioners Finds:

- a) Multnomah County acquired the real property described below through the foreclosure of liens for delinquent property taxes.
- b) The property has an assessed value of \$100 on the County's current tax roll.
- c) Although no written confirmation from the City of Portland was obtained, the Tax Title Division is confident the shape and size of the property, i.e., approximately 1.68' x 105' strip make it unsuitable for construction or placement of a dwelling thereon under current zoning ordinances and building codes, as provided under ORS 275.225.
- d) KEVIN A. AND CATHY A. MURPHY have agreed to pay \$126, an amount the Board finds to be a reasonable price for the property in conformity with ORS 275.225.

The Multnomah County Board of Commissioners Resolves:

- 1. Upon Tax Title's receipt of the payment of \$126, the Chair on behalf of Multnomah County, is authorized to execute a deed conveying to KEVIN A. AND CATHY A. MURPHY, the following described real property:

Lot 5, Block 16, except the South one-half of Lot 5 and except the North 60 feet of Lot 5 located in the duly recorded plat of WILSHIRE, in the City of Portland, Multnomah County, Oregon.

ADOPTED this 12th day of July 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Christopher D. Crean, Assistant County Attorney

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

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to KEVIN A. & CATHY A. MURPHY, Husband and Wife, Grantees, that certain real property, located in the City of Portland, Multnomah County, Oregon more particularly described as follows:

The true and actual consideration paid for this transfer; stated in the terms of dollars is \$126.

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 12th day of August 2004, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.

Diane M. Linn, Chair

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires: 6/27/05

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-112

Authorizing Private Sale of Certain Tax Foreclosed Property to KEVIN A. AND CATHY A. MURPHY, Husband and Wife

The Multnomah County Board of Commissioners Finds:

- a) Multnomah County acquired the real property described below through the foreclosure of liens for delinquent property taxes.
- b) The property has an assessed value of \$100 on the County's current tax roll.
- c) Although no written confirmation from the City of Portland was obtained, the Tax Title Division is confident the shape and size of the property, i.e., approximately 1.68' x 105' strip make it unsuitable for construction or placement of a dwelling thereon under current zoning ordinances and building codes, as provided under ORS 275.225.
- d) KEVIN A. AND CATHY A. MURPHY have agreed to pay \$126, an amount the Board finds to be a reasonable price for the property in conformity with ORS 275.225.

The Multnomah County Board of Commissioners Resolves:

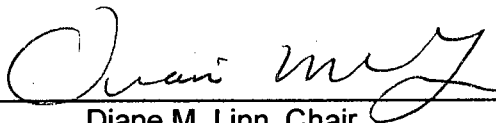
- 1. Upon Tax Title's receipt of the payment of \$126, the Chair on behalf of Multnomah County, is authorized to execute a deed conveying to KEVIN A. AND CATHY A. MURPHY, the following described real property:

Lot 5, Block 16, except the South one-half of Lot 5 and except the North 60 feet of Lot 5 located in the duly recorded plat of WILSHIRE, in the City of Portland, Multnomah County, Oregon.

ADOPTED this 12th day of August, 2004.

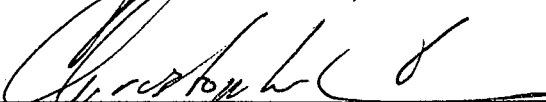


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Christopher D. Crean, Assistant County Attorney

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

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to KEVIN A. & CATHY A. MURPHY, Husband and Wife, Grantees, that certain real property, located in the City of Portland, Multnomah County, Oregon more particularly described as follows:

The true and actual consideration paid for this transfer; stated in the terms of dollars is \$126.

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 12th day of August 2004, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.

Diane M. Linn, Chair

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires: 6/27/05


After recording, return to:
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Diane M. Linn, Chair

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

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

OFFICIAL SEAL
DEBORAH LYNN BOGSTAD
 NOTARY PUBLIC-OREGON
 COMMISSION NO. 345246
 MY COMMISSION EXPIRES JUNE 27, 2005

Deborah Lynn Bogstad
Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires: 6/27/05

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: August 12, 2004

Agenda Item #: C-5

Est. Start Time: 9:30 AM

Date Submitted: 07/19/04

Requested Date: August 12, 2004

Time Requested: Consent Calendar

Department: Business and Community Svcs.

Division: Emergency Management

Contact/s: Tom Simpson

Phone: 503 988-4233

Ext.: 84233

I/O Address: 503/6

Presenters: Tom Simpson

Agenda Title: Government Non-Expenditure Contract (190 Agreement) 0405013 with the City of Portland for Management of the Urban Area Security Initiative Grant

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

-
1. **What action are you requesting from the Board? What is the department/agency recommendation?** Approval of the IGA
 2. **Please provide sufficient background information for the Board and the public to understand this issue.** The Urban Area Security Initiative (UASI) Grant is a Portland regional grant from the Department of Homeland Security. The City of Portland is the management agency for the grant which is supplying funds to 10 different responder and emergency disciplines in order to prepare them for response to emergencies. The steering committee for the grant is made up of the City of Portland, Multnomah County, Clackamas County, Washington County, Columbia County and Clark County Washington.

This agreement lays out the management structure of the grant whereby Portland acts as purchasing agent for multiple jurisdictions and passes the equipment through the County to them. The jurisdictions from the County that will receive funding from UASI include Gresham, Port of Portland, Sheriff, Corbett Fire, and Sauvie Island Fire. While this arrangement may seem cumbersome on the surface, it assures a regional level of

equipment compatibility and cooperation. In addition the purchasing process will be more efficient with only one agency buying for all responders in the region.

3. **Explain the fiscal impact (current year and ongoing).** No funds pass through to the County under this agreement.

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

If a budget modification, explain:

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

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

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

If grant application/notice of intent, explain:

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

4. **Explain any legal and/or policy issues involved.** None. The IGA has been reviewed by the County Attorney

5. Explain any citizen and/or other government participation that has or will take place. UASI will pay for equipment, training and planning for 19 jurisdictions. Each of these jurisdictions are part of the UASI planning process.

Required Signatures:

Department/Agency Director: Robert A Maestre

Date: 07/14/04

Budget Analyst

By: 

Date: 07/21/04

Dept/Countywide HR

By: _____

Date:

Grant	Jurisdiction	Organization	Category	Item	Unit Cost	Quantity	Budget Amou	Discipline
SHSP04	Corbett Fire	Corbett	PPE	3M P100 APR	10	50	\$ 500	FS
SHSP04	Corbett Fire	Corbett	PPE	3M P100 pancake filters for APR	5	100	\$ 500	FS
SHSP04	Corbett Fire	Corbett	Logistics	ANSI Class 2 Premier Traffic Vest	41	50	\$ 2,070	FS
SHSP04	Corbett Fire	Corbett	SAR	Control Package for Paratech Air Bags	900	1	\$ 900	FS
SHSP04	Corbett Fire	Corbett	Detect	Direct Scientific TBM 3SR Radiation Detector	300	2	\$ 600	FS
SHSP04	Corbett Fire	Corbett	PPE	DOT 6,000 psi 4 Bottle Cascade System	\$4,600	1	\$ 4,600	FS
SHSP04	Corbett Fire	Corbett	Logistics	Honda EU2000 Portable Generator	1,000	2	\$ 2,000	FS
SHSP04	Corbett Fire	Corbett	Detect	ISC M40 Four gas Air Monitor	1,000	3	\$ 3,000	FS
SHSP04	Corbett Fire	Corbett	PPE	MAKO BAM06 Breathing Air Compressor	\$16,348	1	\$ 16,348	FS
SHSP04	Corbett Fire	Corbett	Reference	MAKO SFS2 Fill Station	\$4,600	1	\$ 4,600	FS
SHSP04	Corbett Fire	Corbett	Comm	Motorola MCS 2000 Type 2 800 mhz mobile radio	2,786	4	\$ 11,144	FS
SHSP04	Corbett Fire	Corbett	SAR	MSA Evolution 5000 Thermal Imaging Cameras	10,000	1	\$ 10,000	FS
SHSP04	Corbett Fire	Corbett	SAR	Paratech Maxiforce Five air bag kit	4,900	1	\$ 4,900	FS
SHSP04	Corbett Fire	Corbett	SAR	Paratech Vehicle stabilization Kit	2,620	1	\$ 2,620	FS
SHSP04	Fairview	Fairview	Security	Barrier fencing	15,130	1	\$ 15,130	LE
SHSP04	Fairview	Fairview	PPE	Escape Mask bags	30	12	\$ 360	LE
SHSP04	Fairview	Fairview	PPE	Level D escape masks	175	12	\$ 2,100	LE
SHSP04	Fairview	Fairview	COMM	Mobile public address system	300	1	\$ 300	LE
SHSP04	Multnomah County	MC Trans	Security	Camera System Cabling	\$ 5,000	3	\$ 15,000	PW
SHSP04	Multnomah County	MC Trans	Security	Camera System Monitor	\$ 2,000	3	\$ 6,000	PW
SHSP04	Multnomah County	MC Trans	Security	Digital Video Recorder (Camera Control)	\$ 5,000	3	\$ 15,000	PW
SHSP04	Multnomah County	MC Trans	veh	Incident Response Spill Containment - trailer	\$ 2,034	1	\$ 2,034	PW
SHSP04	Multnomah County	MC Trans	Security	PTZ, IP Addressable Day/Night Cameras	\$ 5,000	12	\$ 60,000	PW
SHSP04	Multnomah County	MC Trans	veh	Variable Message Boards (I-Response trucks +)	\$ 9,872	1	\$ 9,872	PW
SHSP04	Multnomah County	MC Trans	veh	Variable Message Boards on solar power trailers	\$ 16,743	3	\$ 50,229	PW
SHSP04	Multnomah County	MC Trans	Comm	VHF interoperable voted repeated system w/ installation (\$6,000)	\$ 39,196	1	\$ 39,196	PW
SHSP04	Multnomah County	MCEM	COMM	800 MHZ MOBILE STATIONS	3,400	3	\$ 10,200	EM
SHSP04	Multnomah County	MCEM	COMM	800 MHZ PACK SET BATTERIES	28	10	\$ 280	EM
SHSP04	Multnomah County	MCEM	COMM	800 MHZ PACK SETS	2,500	10	\$ 25,000	EM
SHSP04	Multnomah County	MCEM	COMM	AVIATION & MARITIME COMSEC EQUIPMENT	1,200	1	\$ 1,200	EM
SHSP04	Multnomah County	MCEM	COMM	BATTERY CHARGER	480	4	\$ 1,920	EM
SHSP04	Multnomah County	MCEM	COMM	BATTERY CONDITIONERS	500	1	\$ 500	EM
SHSP04	Multnomah County	MCEM	Logistics	BINOCULARS	500	3	\$ 1,500	EM
SHSP04	Multnomah County	MCEM	COMM	CRISIS MANAGEMENT SOFTWARE	2,600	3	\$ 7,800	EM
SHSP04	Multnomah County	MCEM	COMM	EOC ANTENNAE & TOWER (non construction)	15,000	1	\$ 15,000	EM

SHSP04	Multnomah County	MCEM	Logistics	EOC Monitors	6,000	2	\$	12,000	EM
SHSP04	Multnomah County	MCEM	Logistics	EQUIPMENT HARNESES	3,100	1	\$	3,100	EM
SHSP04	Multnomah County	MCEM	Prevent	GIS PLOTTER	1,300	2	\$	2,600	EM
SHSP04	Multnomah County	MCEM	Prevent	GIS SOFTWARE	500	2	\$	1,000	EM
SHSP04	Multnomah County	MCEM	Logistics	HEAD LAMPS	80	3	\$	240	EM
SHSP04	Multnomah County	MCEM	Logistics	ICS VESTS	64	36	\$	2,304	EM
SHSP04	Multnomah County	MCEM	Logistics	LIGHT GENERATORS	800	1	\$	800	EM
SHSP04	Multnomah County	MCEM	Logistics	LIGHT SETS	200	3	\$	600	EM
SHSP04	Multnomah County	MCEM	COMM	MOBILE DATA TERMINALS	16,000	2	\$	32,000	EM
SHSP04	Multnomah County	MCEM	Logistics	NIGHT VISION GOGGLES	3,000	1	\$	3,000	EM
SHSP04	Multnomah County	MCEM	Admin	Part time staff to administer the grant and manage the procurement and reporting process.	30,754	1	\$	30,754	EM
SHSP04	Multnomah County	MCEM	COMM	PORTABLE METEROLOGICAL STATION	100	1	\$	100	EM
SHSP04	Multnomah County	MCEM	Logistics	PORTABLE SHELTER UNIT	250	2	\$	500	EM
SHSP04	Multnomah County	MCEM	Prevent	RAINS/Connect and Protect	100,000	1	\$	100,000	EM
SHSP04	Multnomah County	MCEM	SAR	ROPES-500FT	700	1	\$	700	EM
SHSP04	Multnomah County	MCEM	Prevent	SERVER	6,000	2	\$	12,000	EM
SHSP04	Multnomah County	MCEM	Logistics	SMALL HAND TOOLS	100	3	\$	300	EM
SHSP04	Multnomah County	MCEM	SAR	SYSTEM BAGS	1,476	1	\$	1,476	EM
SHSP04	Multnomah County	MCEM	Logistics	TABLET PC'S	4,500	9	\$	40,500	EM
SHSP04	Multnomah County	MCEM	Security	VIDEO CAMERA SYSTEM W/TELESCOPIC CAPABILITY	3,400	1	\$	3,400	EM
SHSP04	Wood Village	MCEM	Planning	Water plan for Wood Village	15000	1	\$	15,000	PW
SHSP04	Multnomah County	MCEM	Logistics	WEATHER TIGHT CONTAINER	200	3	\$	600	EM
SHSP04	Multnomah County	MCEM	COMM	WIFI network for EOC and Mobile Command Post	13,868	1	\$	13,868	EM
SHSP04	Multnomah County	Mult Co Health	Medical	AED	7,000	3	\$	21,000	PH
SHSP04	Multnomah County	Mult Co Health	Logistics	Equipment Trailers	5,000	4	\$	20,000	PH
SHSP04	Multnomah County	Mult Co Health	Logistics	Generator (small Portable)	1,000	6	\$	6,000	PH
SHSP04	Multnomah County	Mult Co Health	PPE	Level C Mask, PAPR	775	10	\$	7,750	PH
SHSP04	Multnomah County	Mult Co Health	PPE	SCBA Fit test equipment	6,000	1	\$	6,000	PH
SHSP04	Multnomah County	Mult Co Health	Detect	Survey Radiation Meters	800	6	\$	4,800	PH
SHSP04	Multnomah County	Mult Co Health	Logistics	Tents	10,000	3	\$	30,000	PH
SHSP04	Multnomah County	Mult Co Health	Decon	Tyvek suits (to use after DECON)	5	200	\$	1,000	PH
SHSP04	Port of Portland	PDX	Comm	800mhz radios, with batteries, chargers	2400	5	\$	12,000	PW
SHSP04	Port of Portland	PDX	Medical	Backboard straps	75	150	\$	11,250	PW
SHSP04	Port of Portland	PDX	Medical	Blood pressure cuffs (15 adults, 5 child, 5 infant)	34	25	\$	850	PW
SHSP04	Port of Portland	PDX	PPE	Butyl Chemical Gloves	55	30	\$	1,650	PW

SHSP04	Port of Portland	PDX	PPE	CBRNE First Responder Kits	5325	5	\$	26,625	PW
SHSP04	Port of Portland	PDX	Prevent	Emergency Notification System	45000	1	\$	45,000	PW
SHSP04	Port of Portland	PDX	Medical	Field trauma kits	100	10	\$	1,000	PW
SHSP04	Port of Portland	PDX	Medical	Maxi Burn kit	200	25	\$	5,000	PW
SHSP04	Port of Portland	PDX	PPE	NBC Overboot	60	55	\$	3,300	PW
SHSP04	Port of Portland	PDX	Medical	O2 field packs	1000	10	\$	10,000	PW
SHSP04	Port of Portland	PDX	Medical	Pulse oximeter	700	10	\$	7,000	PW
SHSP04	Port of Portland	PDX	Medical	Re-usable backboards	150	40	\$	6,000	PW
SHSP04	Port of Portland	PDX	Medical	Stethoscopes	60	20	\$	1,200	PW
SHSP04	Port of Portland	PDX	Medical	Suction kits	600	5	\$	3,000	PW
SHSP04	Port of Portland	PDX	Logistics	Thermal Imaging Camera	8500	1	\$	8,500	PW
SHSP04	Port of Portland	PDX	Comm	Throat Microphones for Radio Handsets	269	55	\$	14,795	PW
SHSP04	Port of Portland	PDX	Medical	Triage area signs (sets)	150	1	\$	150	PW
SHSP04	Port of Portland	PDX	Medical	Triage flag kit (sets)	100	2	\$	200	PW
SHSP04	Port of Portland	PDX	Medical	Triage tarps	500	2	\$	1,000	PW
SHSP04	Port of Portland	PDX	PPE	Tychem Protective Suits	50	100	\$	5,000	PW
SHSP04	Sauvie Island	SIFD	Logistics	1000 watt portable generator	1,000	1	\$	1,000	FS
SHSP04	Sauvie Island	SIFD	Logistics	4000 watt portable generators	4,000	1	\$	4,000	FS
SHSP04	Sauvie Island	SIFD	Decon	5-gallon buckets	10	4	\$	40	FS
SHSP04	Sauvie Island	SIFD	Logistics	Air compressor suitable for refilling self-contained breathing apparatus	22,000	1	\$	22,000	FS
SHSP04	Sauvie Island	SIFD	Agric	Animal handling guideline	400	1	\$	400	FS
SHSP04	Sauvie Island	SIFD	Logistics	Bar code scanner/reader for equipment inventory control	2,000	1	\$	2,000	FS
SHSP04	Sauvie Island	SIFD	Comm	Batteries for communication devices	31	24	\$	744	
SHSP04	Sauvie Island	SIFD	Comm	BATTERY CHARGER	475	2	\$	950	
SHSP04	Sauvie Island	SIFD	Comm	Battery Conditioning System	360	1	\$	360	FS
SHSP04	Sauvie Island	SIFD	SAR	Blocking and bracing materials	350	1	\$	350	FS
SHSP04	Sauvie Island	SIFD	Decon	Boundary Marking System	10	20	\$	200	FS
SHSP04	Sauvie Island	SIFD	SAR	Breaking devices (including spreaders, saws and hammers)	667	3	\$	2,000	FS
SHSP04	Sauvie Island	SIFD	Decon	Brushes	4.00	10	\$	40	FS
SHSP04	Sauvie Island	SIFD	Logistics	Cascade system for refilling SCBA/oxygen cylinders	1,500	1	\$	1,500	FS
SHSP04	Sauvie Island	SIFD	Veh	CBRNE / Mobile Command Vehicle	33,000	1	\$	33,000	FS
SHSP04	Sauvie Island	SIFD	Decon	Clothing Removal Devices (scissor, razor blades, etc.)	10	24	\$	240	FS

SHSP04	Sauvie Island	SIFD	Comm	Computer, laptop, with Modem, projector, screen	4,500	1	\$	4,500	FS
SHSP04	Sauvie Island	SIFD	Decon	Containment Basins-Vehicle and personnel sized)	42	3	\$	125	FS
SHSP04	Sauvie Island	SIFD	Decon	Decontamination system for individuals and mass applications	3,000	1	\$	3,000	FS
SHSP04	Sauvie Island	SIFD	Decon	Disposable Space Blankets	15	24	\$	360	FS
SHSP04	Sauvie Island	SIFD	Logistics	Equipment Bags	50	24	\$	1,200	FS
SHSP04	Sauvie Island	SIFD	Logistics	Equipment harness, belts and vests	35	12	\$	420	FS
SHSP04	Sauvie Island	SIFD	SAR	Evacuation stretchers, baskets and chairs	625	1	\$	625	FS
SHSP04	Sauvie Island	SIFD	Decon	Extrication litters	520	5	\$	2,600	FS
SHSP04	Sauvie Island	SIFD	Reference	Farm Chemicals Handbooks, Meister Publishing	75	4	\$	300	FS
SHSP04	Sauvie Island	SIFD	Reference	First Responder Job Aids	75	4	\$	300	FS
SHSP04	Sauvie Island	SIFD	Reference	First responder's Guide to Agricultural Chemical Accidents, Foden-Weddell	75	4	\$	300	FS
SHSP04	Sauvie Island	SIFD	Logistics	Helmet Mounted Lighting Systems	63	24	\$	1,512	FS
SHSP04	Sauvie Island	SIFD	SAR	Hydraulic tools; hydraulic power unit	6,500	1	\$	6,500	FS
SHSP04	Sauvie Island	SIFD	Reference	Jane's Chem-Bio Handbook	75	4	\$	300	FS
SHSP04	Sauvie Island	SIFD	SAR	Lifting devices (air bag systems and hydraulic rams and jacks)	4,875	4	\$	19,500	FS
SHSP04	Sauvie Island	SIFD	Logistics	Lights, portable area illumination	3,500	1	\$	3,500	FS
SHSP04	Sauvie Island	SIFD	SAR	Listening devices: hearing protection	15	12	\$	180	FS
SHSP04	Sauvie Island	SIFD	Logistics	Megaphone/Public Address System	190	2	\$	380	FS
SHSP04	Sauvie Island	SIFD	Comm	Mobile Display Terminals	6,600	1	\$	6,600	FS
SHSP04	Sauvie Island	SIFD	Reference	NFPA Guide to Hazardous Materials	75	4	\$	300	FS
SHSP04	Sauvie Island	SIFD	Logistics	Night Vision Goggles	2,000	1	\$	2,000	FS
SHSP04	Sauvie Island	SIFD	Reference	NIOSH Hazardous Materials Pocket Guides	75	4	\$	300	FS
SHSP04	Sauvie Island	SIFD	Reference	NIOSH Pocket guide to Chemicals	75	4	\$	300	FS
SHSP04	Sauvie Island	SIFD	Reference	North American Emergency Response Guide	75	4	\$	300	FS
SHSP04	Sauvie Island	SIFD	Detect	Personal dosimeter	13	24	\$	312	FS
SHSP04	Sauvie Island	SIFD	Detect	Pesticide screening Kits	300	2	\$	600	FS
SHSP04	Sauvie Island	SIFD	Detect	pH paper / pH meter	13	4	\$	52	FS
SHSP04	Sauvie Island	SIFD	Comm	Portable Communication Repeater	10,000	1	\$	10,000	FS
SHSP04	Sauvie Island	SIFD	Comm	Portable Global Positioning System (GPS)	300	2	\$	600	FS
SHSP04	Sauvie Island	SIFD	Logistics	Range finder/ spotting scope	950	2	\$	1,900	FS
SHSP04	Sauvie Island	SIFD	SAR	Rescue ropes and ladders	700	6	\$	4,200	FS
SHSP04	Sauvie Island	SIFD	EDM	Shovels, Rakes and Sifting Tools	25	12	\$	300	FS
SHSP04	Sauvie Island	SIFD	Logistics	Small hand tools; hand lights and batteries	42	24	\$	1,008	FS

[illegible]

Priority	(All)
Discipline	(All)
Category	(All)
Jurisdiction	Multnomah County

Sum of Budget Amount		Grant		
Organization	Item	UASI03	UASI04	Grand Total
Corbett Fire	O2, LEL, CO gas monitor	1,500	1,500	3,000
	Tech Assoc Radiation detector TBM-3S	500		500
	Thermal Imaging Camera	8,500	8,500	17,000
Corbett Fire Total		10,500	10,000	20,500
Gresham Fire	1000-watt Honda generator (4 per rig)	4,000		4,000
	1-Hour SCBA bottles (50 per rig)	6,000		6,000
	2-way haz mat suit communications system (8/Team)	4,000		4,000
	4000-watt generator	2,000		2,000
	800 MHz gang battery chargers (2 in cab)	920		920
	Access AED	1,400		1,400
	Airway kit (2/rig)	18,440		18,440
	All Terrain Vehicle	10,000		10,000
	Anthrax Haz Cat Kit (2/Team)	1,000		1,000
	Back boards (80/rig)	12,000		12,000
	Bendix King VHF radios	5,000		5,000
	Binoculars (5 per rig)	2,500		2,500
	Biphasic Automatic External Defibrillator (3/rig)	49,500		49,500
	Body bags (25 per rig)	1,250		1,250
	Butyl gloves for Level B (80 pair /Team)	300		300
	Butyl gloves for Level B (EMS at MCP, 25/rig)	750		750
	Butyl Haz Mat gloves (100 pair per rig)	3,000		3,000
	CBRNE / Haz Mat Team / Medical Support Apparatus	350,000		350,000
	CBRNE Chief First Responder Kits	2,000		2,000
	CBRNE First Responder Kits	5,325		5,325
	CBRNE First Responder Kits (10 kits per rig)	5,325		5,325
	Disposable footwear for deconned pts (250 per rig)	500		500
	Electric cord reels (4 per rig)	4,000		4,000
	Emergency escape hoods (100 per rig)	2,500		2,500
	Ferno kerosene tent heater model CV-125CG	2,500		2,500
	Flashlight batteries (250 per rig)	250		250

Gresham Fire	Flashlights (3 Cell; 20 per rig)	200		200
	FLIR in Chief's Command Vehicle	6,000		6,000
	Hazmat Response Apparatus		420,000	420,000
	Large oxygen tank (1/rig)	500		500
	Level B boots (80/Team)	600		600
	Level B Haz Mat suits (50 per rig)	3,750		3,750
	Level B Haz Mat suits (80/Team)	750		750
	Level B haz mat suits (EMS at MCP, 25/rig)	1,875		1,875
	Medical kit (2/rig)	29,920		29,920
	Mega phones (5 per rig)	950		950
	O2, LEL, CO gas monitor	4,500		4,500
	Over boots for Level B (EMS at MCP, 25/rig)	3,000		3,000
	Over boots for Level B Haz Mat suits (50 pair per rig)	3,000		3,000
	Oxygen manifold system (1/rig)	1,500		1,500
	Paper towels (500 per rig)	500		500
	Personal dosimeter (10/Team)	2,400		2,400
	Personal dosimeters (65 per rig)	3,000		3,000
	Personal property bags (335 per rig)	1,675		1,675
	Photo ionization detector (1/Team)	2,500		2,500
	Portable meteorological station (2/Team)	2,000		2,000
	Portable scene/MCP tent lights (8 per rig)	800		800
	Pressurized sprayer w/ wands & nozzles (5 per rig)	100		100
	Red Fireline tape (10 rolls per rig)	100		100
	Reeves Medical Care Point Tent	15,000		15,000
	Regular Haz Cat Kit (1/Team)	2,000		2,000
	Roll Visqueen (4 per rig)	40		40
	Space blanket (250 per rig)	3,750		3,750
	Spare 800 MHz radio batteries (30 per rig)	900		900
	Spare portable radios (10 per rig)	2,500		2,500
	Special Weapons and Tactics Team Medic Training	5,680		5,680
	Tech Assoc Radiation detector TBM-3S	2,500		2,500
	Tech Assoc Radiation detector TBM-3S (2/ Team)	500		500
	Tech Assoc Radiation detector TBM-3S (20 per rig)	5,000		5,000
	Thermal Imaging Camera	8,500		8,500
	Thermal imaging camera (2/Team)	8,500		8,500
	Trauma Kit (2/rig)	1,000		1,000
	Tyvek suits for deconned patients (250 per rig)	1,250		1,250

Gresham Fire	USAR Technician	63,000		63,000
	Various sized hardened equipment containers (50/rig)	5,000		5,000
	VHF crank-up antenna	3,000		3,000
	VHF repeater	7,500		7,500
	Victoreen radiation detector (2/Team)	6,000		6,000
	Victoreen radiation detector (5 per rig)	6,000		6,000
	Wireless search camera with transceiver (1/Team)	5,000		5,000
	WMD Advantage 1000 filters (MCP EMS, 50 box/rig)	7,250		7,250
	WMD Advantage 1000 masks (50 per rig)	7,000		7,000
	WMD Advantage 1000 masks (EMS at MCP, 25/rig)	3,500		3,500
	WMD Advantage filters (20 boxes of 6 per rig)	2,900		2,900
	WMD Haz Cat Kit (1/Team)	2,000		2,000
	Yellow Caution tape (10 rolls per rig)	100		100
Gresham Fire Total		739,450	420,000	1,159,450
Mult Co Sheriff	Camera Lights - Wireless Video System		10,200	10,200
	Equipment trailer	15,001		15,001
	MRT Backfill Rilea Training		20,000	20,000
	ODPAwareness, and Specialized operations	25,000		25,000
	Repeater		10,000	10,000
	Satellite Comm Link for Command Vehicle		15,000	15,000
	Satellite Phones		3,000	3,000
Mult Co Sheriff Total		40,001	58,200	98,201
Port of Portland, PDX	1000-watt Honda generator		2,000	2,000
	1-Hour SCBA bottles		1,200	1,200
	4000-watt generator		2,000	2,000
	Airway kit		9,220	9,220
	All Terrain Vehicle		10,000	10,000
	Back boards		6,000	6,000
	Bendix King VHF radios		3,000	3,000
	BINOCULARS		500	500
	Biphasic Automatic External Defibrillator		16,500	16,500
	Body bags		500	500
	Butyl gloves for Level B		300	300
	Butyl Haz Mat gloves		900	900
	CBRNE Chief First Responder Kits	1,000		1,000
	CBRNE First Responder Kit		5,325	5,325
	CBRNE Haz Mat Support Apparatus		350,000	350,000

Port of Portland, PDX	Disposable footwear for deconned pts		150	150
	Electric cord reels		2,000	2,000
	Emergency escape hoods		625	625
	Ferno kerosene tent heater model CV-125CG		2,500	2,500
	Flashlight batteries		125	125
	Flashlights (3-Cell)		100	100
	FLIR in Chief's Command Vehicle	6,000		6,000
	Large oxygen tank		500	500
	Level B Haz Mat suits		1,875	1,875
	Medical kit		14,960	14,960
	Mega Phones		380	380
	O2, LEL, CO gas monitor	6,000		6,000
	Over boots for Level B		1,200	1,200
	Over boots for Level B Haz Mat suits		900	900
	Oxygen manifold system		1,500	1,500
	Personal dosimeters		3,000	3,000
	Portable scene/MCP tent lights		400	400
	PPE(Masks)for level C	5,720		5,720
	Reeves Medical Care Point Tent		15,000	15,000
	Tech Assoc Radiation detector TBM-3S	1,500	2,500	4,000
	Trauma Kit		500	500
	Tyvek suits for deconned patients		375	375
	Various sized hardened equipment containers		4,000	4,000
	VHF crank-up antenna		3,000	3,000
	VHF repeater		7,500	7,500
	Victoreen radiation detector		6,000	6,000
	WMD Advantage 1000 filters (box of 6)		2,175	2,175
	WMD Advantage 1000 masks		2,800	2,800
	WMD Advantage filters (box of 6)		725	725
Port of Portland, PDX Total		20,220	482,235	502,455
Sauvie Island Fire	800 MHz Repeater		10,000	10,000
	CBRNE First Responder Kit		5,325	5,325
	Chainsaw w/accessories		950	950
	Hydraulic Rescue Tool (Hurst Style)		30,000	30,000
	O2, LEL, CO gas monitor	1,500	1,500	3,000
	Tech Assoc Radiation detector TBM-3S	500	500	1,000
	Thermal Imaging Camera	8,500	8,500	17,000

Sauvie Island Fire Total	10,500	56,775	67,275
Grand Total	820,671	1,027,210	1,847,881

MULTNOMAH COUNTY CONTRACT APPROVAL FORM

Pre-approved Contract Boilerplate (with County Attorney signature) ☒ Attached ☐ Not Attached Contract #: 0405013
Amendment #:

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

Department: Business and Community Services Division: Emergency Services Date: 7/16/04
 Originator: Tom Simpson Phone: x84233 Bldg/Rm: 503/6th Fl.
 Contact: Cathey Kramer Phone: x22589 Bldg/Rm: 455/Annex
 Description of Contract: Intergovernmental Agreement with the City of Portland for management of the Urban Area Security Initiative (UASI) Grant, a regional grant from the Department of Homeland Security for FY 2003. There are no costs to the County associated with UASI Grant No. 03-071.

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

Contractor	City of Portland Office of Emergency Management			Remittance address	
Address	1001 SW 5 th Ave., Room 650			(If different)	
City/State	Portland OR			Payment Schedule / Terms	
ZIP Code	97209			<input type="checkbox"/> Lump Sum \$	<input type="checkbox"/> Due on Receipt
Phone	(503) 823-2686 (Elise Marshall)			<input type="checkbox"/> Monthly \$	<input type="checkbox"/> Net 30
Employer ID# or SS#				<input type="checkbox"/> Other \$	<input type="checkbox"/> Other
Contract Effective Date	07/01/04	Term Date	06/30/05	<input type="checkbox"/> Requirements Funding Info:	
Amendment Effect Date	New Term Date			Original Requirements Amount	\$
Original Contract Amount	\$			Total Amt of Previous Amendments	\$
Total Amt of Previous Amendments	\$			Requirements Amount Amendment	\$
Amount of Amendment	\$			Total Amount of Requirements	\$
Total Amount of Agreement	\$0				

REQUIRED SIGNATURES:

Department Manager _____ DATE _____
 Purchasing Manager _____ DATE _____
 County Attorney *Sandra H. Duffy* _____ DATE 08.04.04
 County Chair *Frank M. ...* _____ DATE 8.13.04
 Sheriff _____ DATE _____
 Contract Administration _____ DATE _____

COMMENTS:

DATE
 APPROVED: MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # C-5 DATE 08.12.04
 DEBORAH L. BOGSTAD, BOARD CLERK

INTERGOVERNMENTAL AGREEMENT

Between

MULTNOMAH COUNTY, OREGON

And

THE CITY OF PORTLAND, OREGON

Pursuant to ORS Chapter 190, this Inter-Governmental Agreement (IGA) is entered into between the City of Portland (City) and Multnomah County (County) for the distribution of equipment, supplies and services to address certain catastrophic events.

Recitals

WHEREAS, the United States Department of Homeland Security, Office for Domestic Preparedness, under the Urban Area Security Initiative (UASI), awarded Grant # 03-071 (Grant) in the amount of \$6,764,956, to the City of Portland Office of Emergency Management (POEM), as Grantee, for the Fiscal Year 2003; and

WHEREAS, UASI Grant # 03-071 monies are intended to increase the capability of critical urban areas to prevent and respond to chemical, biological, radiological, nuclear and explosive events (CBRNE); and

WHEREAS, under the UASI grant, the City of Portland is required to coordinate the purchase and distribution of specialized equipment, supplies and services to enhance the ability to prevent, deter, respond to and recover from CBRNE events and, in some instances, to provide for the reimbursement of funds, for the same purpose, to the Portland, Oregon Urban Area, which includes jurisdictions in Multnomah, Clackamas, Columbia and Washington counties in Oregon and Clark County in Washington; and

WHEREAS, after extensive, coordinated discussions between state and local officials, a list of specialized equipment, supplies and services to be purchased has been developed that is consistent with the Department of Homeland Security UASI goals and objectives; and

WHEREAS, some jurisdictions are, in turn, providing equipment, supplies and services received from Portland under this Grant to other local entities; and

WHEREAS, reports regarding the use of the USAI Grant are required; and

WHEREAS, each jurisdiction is obligated, on behalf of itself and any other entity with whom it enters an agreement regarding these grant funds or equipment, supplies and services

purchased therewith, to comply with all terms of the Grant including, but not limited to, obligations regarding reporting, access to records, and supplanting of funds.

NOW, THEREFORE, the parties agree as follows:

1. The City of Portland shall purchase and distribute the equipment, supplies and services listed on Exhibit A to this Agreement - Arrangement for delivery shall be made between the parties.
2. The County agrees:
 - a) To timely comply with all reporting obligations required by the Grant's terms and the City;
 - b) To appropriately use and conserve the equipment, supplies and services provided for CBRNE training and response;
 - c) That any public statement by the County referring to the receipt of the equipment, supplies or services shall state that the funds for the purchase came from the U.S. Department of Homeland Security, Office for Domestic Preparedness, Urban Area Security Initiative Grant Program and the percent or dollar amount of federal funds used in the purchase.
 - d) To maintain and retain accounting and financial records in accordance with Generally Accepted Accounting Principles (GAAP) and the standards of the Office of Comptroller set forth in the May 2002 Office of Justice Program (OJP) Financial Guide, including without limitation in accordance with the Office of Management and Budget (OMB) Circulars 87, A-102, A-122, A-128, A-133. All of these documents are to be retained for a minimum of six years after the bid has been awarded and available for review, upon request, to federal, state and City employees or their agents or officers. Review may occur at any time, even after five years, if the records are still available.
 - e) To obtain copies of all federal regulations with which it must comply.
 - f) Not to supplant its local funds with federal and to, instead, use the federal funds to increase the amount of funds that, in the absence of federal aid, would be made available to the County to fund programs within the Urban Area Security Initiative Program Grant guidelines.
 - g) To provide the City with Progress Reports, Financial Reimbursement Reports and Audit Reports when required by the City and in the form required by the City.

- h) To comply with all the obligations, and be bound by any limitations, applicable to the City, as Grantee, under the UASI Grant Award Conditions and Certifications document for Grant No. 03-071 except that in addition, the City shall be listed as a party to be indemnified by the County and any contractor or subcontractor thereof and as a party to whom a listed duty is due.
- i) For all single items of equipment valued over \$5,000 received and retained by the County, the County shall track the items as fixed assets, providing a list to the City and maintaining said list to include date of purchase, description of items including applicable serial numbers, and location of items.
- j) To maintain and store all equipment and supplies, provided or purchased, in the manner that will most prolong the life the same and to keep it in good working order at all times.

3. This agreement may be terminated by either party upon 90 day's written notice.

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

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

6. Each party shall comply with all federal, state and local laws and ordinances applicable to this agreement.

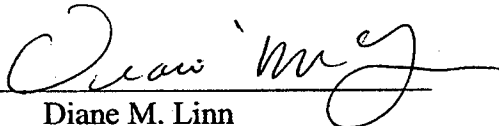
7. Each party shall comply with all requirements of federal and state civil rights and rehabilitation statutes and local non-discrimination ordinances.

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

9. Neither party will subcontract or assign any part of this agreement without the written consent of the other party.

10. This Agreement constitutes the entire Agreement between the parties. This Agreement may be modified or amended only by the written agreement of the parties.

MULTNOMAH COUNTY, OREGON:

By 

Diane M. Linn

Title Multnomah County Chair

Date 08.13.04

Reviewed:

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS

AGENDA # C-5 DATE 08.12.04

DEBORAH L. BOGSTAD, BOARD CLERK

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 

Sandra N. Duffy

Title Assistant County Attorney

Date 08.04.04

CITY OF PORTLAND:

By _____

Title _____

Date _____

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: August 12, 2004

Agenda Item #: C-6

Est. Start Time: 9:30 AM

Date Submitted: 08/02/04

Requested Date: August 12, 2004

Time Requested: N/A

Department: DBCS

Division: Land Use and Transportation

Contact/s: Tom Hansell

Phone: 988-5050

Ext.: 29833

I/O Address: 425

Presenters: Consent Calendar

Agenda Title: Amendment 6 to Government Expenditure Contract (190 Agreement) 4600001503 with the City of Portland, Providing Maintenance of County Roads in Unincorporated Western Multnomah County

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

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

The Department of Business and Community Services recommends approval of an amendment to an Intergovernmental Agreement with the City of Portland for providing road and drainage facility maintenance on county roads in unincorporated western Multnomah County during FY2004-2005.

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

In 1984, Multnomah County and the City of Portland agreed that the City would maintain, through an IGA, all County roads in unincorporated western Multnomah County that were within the Urban Services Boundary. The City of Portland did not receive compensation for these services, since the area was presumed to be annexed to the City shortly. Annexation of the westside unincorporated areas has proceeded at a slower pace than was anticipated in 1984. In 1997 the City informed the County, it

would no longer maintain these roads. During 1997, representatives of the City and County developed the terms of this IGA.

The City and County find the most rational and efficient method for delivery of road and drainage facility maintenance in this Westside area is for the City to continue to provide services. This amendment authorizes the City to provide road and drainage maintenance of the area for an additional year.

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

The City agrees to maintain the roads during FY2004-2005 for approximately \$158,000. This plan is a \$18,000 increase from previous agreement amount. Discussions between County and City Transportation staff outlined a work program that will address the County's western service area. The funds necessary for maintenance of these roads are budgeted in the county road fund.

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

If a budget modification, explain:

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

 - ❖ **Is the revenue one-time-only in nature?**
 - ❖ **If a grant, what period does the grant cover?**
 - ❖ **When the grant expires, what are funding plans?**
- NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)**

If a contingency request, explain:

- ❖ **Why was the expenditure not included in the annual budget process?**

- ❖ **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**
- ❖ **Why are no other department/agency fund sources available?**
- ❖ **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.**

- ❖ **Has this request been made before? When? What was the outcome?**

If grant application/notice of intent, explain:

- ❖ **Who is the granting agency?**
- ❖ **Specify grant requirements and goals.**
- ❖ **Explain grant funding detail – is this a one time only or long term commitment?**
- ❖ **What are the estimated filing timelines?**
- ❖ **If a grant, what period does the grant cover?**

- ❖ When the grant expires, what are funding plans?
- ❖ How will the county indirect and departmental overhead costs be covered?

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

This IGA is an extension of the County policy set in 1983 and 1984 concerning the maintenance of county roads within the Urban Services Boundary.

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

Negotiations of this amendment were discussed with staff from County Transportation and the City Office of Transportation. This Amendment will move to the Portland City Council for review upon approval.

Required Signatures:

Department/Agency Director: Robert A Maestre

Date: 08/02/04

Budget Analyst

Anthony

By: _____

Date: 08/04/04

Dept/Countywide HR

By: _____

Date:

MULTNOMAH COUNTY CONTRACT APPROVAL FORM

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

Contract #: 4600001503
Amendment #: 6

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

Department: Business and Community Services Division: Land Use & Trans Program Date: July 30, 2004
 Originator: Tom Hansell Phone: 988-5050 x29833 Bldg/Rm: 425
 Contact: Cathy Kramer Phone: 988-5050 x22589 Bldg/Rm: 455/Annex
 Description of Contract: Amendment No. 6 to Intergovernmental Agreement with City of Portland to extend maintenance of county roads in unincorporated western Multnomah County during FY 04-05.

RENEWAL: ☐ PREVIOUS CONTRACT #(S): _____

RFP/BID: _____ RFP/BID DATE: _____

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

Contractor City of Portland/Office of Transportation
 Address 1120 SW 5th Avenue, Room 702
 City/State Portland OR
 ZIP Code 97204-1914
 Phone (503) 823-7140 Ken Kinoshita
 Employer ID# or SS# N/A
 Contract Effective Date 7/1/02 Term Date 6/30/03
 Amendment Effect Date 7/1/04 New Term 6/30/05

Remittance address _____
 (If different) _____
 Payment Schedule / Terms
☐ Lump Sum \$ _____ ☐ Due on Receipt
☐ Monthly \$ _____ ☐ Net 30
☒ Other \$ As billed ☐ Other
☐ Requirements Funding Info: _____

Original Contract Amount \$ 360,505.00
 Total Amt of Previous Amendments \$ 721,500.00
 Amount of Amendment \$ 158,000.00
 Total Amount of Agreement \$ 1,240,005.00

Original Requirements Amount \$ _____
 Total Amt of Previous Amendments \$ _____
 Requirements Amount Amendment \$ _____
 Total Amount of Requirements \$ _____

REQUIRED SIGNATURES:

Department Manager Robert Maestre

DATE 8-2-04

Purchasing Manager _____

DATE _____

County Attorney [Signature]

DATE 8/4/04

County Chair [Signature]

DATE 8-12-04

Sheriff _____

DATE _____

Contract Administration _____

DATE _____

COMMENTS: (ROADM2)

APPROVED: MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # C-6 DATE 08-12-04
 DEBORAH L. BOGSTAD, BOARD CLERK

**CONTRACT AMENDMENT NO. 6
TO INTERGOVERNMENTAL AGREEMENT
for Westside Maintenance**

**COUNTY No. 460001503
and CITY No. 51062**

This is an amendment to Intergovernmental Agreement No. 51062 (Portland), No. 4600001503 (Multnomah County), as follows:

Under Article Three, Section V (A): TERM, amend to read:

- A. The term of this agreement shall be from July 1, 2004 to and including June 30, 2005, unless sooner terminated or renewed under the provisions hereof.

Under Article Three, Section VI (5): COMPENSATION, amend to read:

The County agrees to compensate the City as follows:

5. Up to \$158,000 for the performance of work at the rates authorized under this Agreement including up to \$3,500.00 for snow and ice response in fiscal year 2005, in the Westside Contract Maintenance Service Area. The City shall not perform any services that will exceed \$158,000.00 in total billing under this Agreement without the County's prior written consent.

All other terms and conditions of the referenced intergovernmental agreement, excepted as amended herein, shall remain in full force and effect.

CONTRACTOR DATA AND SIGNATURE

Contractor Address: 1120 SW 5th Avenue, Portland OR 97204-1914

Federal Tax ID# or Social Security #: N/A

Is Contractor a nonresident alien? ☐ Yes ☒ No

Business Designation (check one): ☐ Sole Proprietorship ☐ Partnership
☐ Corporation-for profit ☐ Corporation-non-profit
☒ Other [describe here: Governmental Agency]

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

Signature Commissioner of Public Utility
Title

Name (please print) Date

Signature Auditor
Title

Gary Blackmer, Auditor
Name (please print) Date

APPROVED AS TO FORM:

Signature Chief Deputy City Attorney
Title

Linda Meng
Name (please print) Date

MULTNOMAH COUNTY SIGNATURE

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



Diane M. Linn, County Chair Date 8.13.04

Department and County Counsel Approval and Review

Approved: _____
M. Cecilia Johnson, Department Director Date

Reviewed: 

Matthew O. Ryan, Assistant County Attorney Date 8/4/04

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-6 DATE 08.12.04
DEBORAH L. BOGSTAD, BOARD CLERK

AGENDA PLACEMENT REQUEST

BUD MOD #: BCS-02

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-7 DATE 08.12.04
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only:

Meeting Date: August 12, 2004

Agenda Item #: C-7

Est. Start Time: 9:30 AM

Date Submitted: 08/02/04

Requested Date: August 12, 2004

Time Requested: Consent Calendar

Department: DBCS

Division: LUT

Contact/s: Tom Hansell

Phone: 503 988-5050

Ext.: 29833

I/O Address: 425

Presenters: N/A

Agenda Title: Budget Modification BCS-02 Appropriating Funds from the Office of the Assistant Attorney General, Office of Justice Programs for the State Domestic Preparedness Equipment Program Grant (SHSP 04) in the Amount of \$1,025,145

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

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

Approve the budget modifications to appropriate these grant funds in the county FY 2004 2005 operating budget.

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

This federal grant originates with the Office of the Assistant Attorney General, Office of Justice Programs. It is designed to provide funds through the State Domestic Preparedness Equipment Program for the purchase of specialized equipment to enhance the capabilities of State and local units of government to respond to acts of terrorism involving chemical and biological agents, as well as radiological, nuclear, and explosive devices.

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

Acceptance of this grant award requires the attached budget modification be approved to increase the FY 2005 appropriations in two departments. From this grant \$400K is passed on to other local governments in Multnomah County. This one time only grant award that may prohibit any administrative or county indirect costs. The grant funds are used to reimburse the County and other jurisdictions for the purchase of equipment only. It's anticipated some equipment purchases will have ongoing maintenance costs that are not covered by the grant (future maintenance costs are unknown at this time)

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

If a budget modification, explain: See Budget Worksheet

- ❖ **What revenue is being changed and why?** Federal thru State revenue account will increase
- ❖ **What budgets are increased/decreased?** Health, Transportation, Emergency Services all experience increases to their budget appropriations with a corresponding revenue.
- ❖ **What do the changes accomplish?** Provides budgetary appropriations to purchase grant approved items.
- ❖ **Do any personnel actions result from this budget modification? Explain.** Yes, grant provides \$30K for the hiring of a temporary employee to assist in administering the grant.
- ❖ **Is the revenue one-time-only in nature?** Yes
- ❖ **If a grant, what period does the grant cover?** 06/01/2004 to 11/30/2005A
- ❖ **When the grant expires, what are funding plans?** No funding plan exists at this time. SHSP 04 grant is designed to provide funding for equipment purchases. The majority of equipment purchases have little to none ongoing expenses to maintain.

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

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

If grant application/notice of intent, explain:

- ❖ **Who is the granting agency?**
- ❖ **Specify grant requirements and goals.**
- ❖ **Explain grant funding detail – is this a one time only or long term commitment?**
- ❖ **What are the estimated filing timelines?**

- ❖ If a grant, what period does the grant cover?
- ❖ When the grant expires, what are funding plans?
- ❖ How will the county indirect and departmental overhead costs be covered?

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

No indirect or administrative charges are allowed by this grant.

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


This grant was achieved through the cooperation of a coalition of Emergency First Responder Organizations in Multnomah County. Multnomah County Office of Emergency Management took the lead to apply for grants funds for the City of Fairview, Corbett Fire, Port of Portland, Sauvie Island Fire and the City of Wood Village. The cities of Portland and Gresham and the Sheriff applied separately and were collectively awarded \$3.5M in funding from this grant source.

Required Signatures:

Department/Agency Director: Robert A Maestre

Date: 08/02/04

Budget Analyst

By: 

Date: 08/02/04

Dept/Countywide HR

By: _____

Date:

Budget Modification: BCS-02

EXPENDITURES & REVENUES

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

Line No.	Fund Center	Fund Code	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
			Internal Order	Cost Center	WBS Element						
1	70-30	32106			EM009CFD	60240	-	53,782	53,782		Corbett Fire
2	70-30	32106			EM009CFD	60550	0	10,000	10,000		Corbett Fire
3	70-30	32106			EM009CFD	50190	0	(63,782)	(63,782)		Corbett Fire
4	70-30	32106			EM009FPD	60240	0	8,154	8,154		City Fairview
5	70-30	32106			EM009FPD	60550	0	15,130	15,130		City Fairview
6	70-30	32106			EM009FPD	50190	0	(23,284)	(23,284)		City Fairview
7	70-30	32106			EM009CEM	60100	0	30,754	30,754		Emergency Management
8	70-30	32106			EM009CEM	60240	0	209,620	209,620		Emergency Management
9	70-30	32106			EM009CEM	60550	0	84,868	84,868		Emergency Management
10	70-30	32106			EM009CEM	50190	0	(325,242)	(325,242)		Emergency Management
11	70-30	32106			EM009SFD	60240	0	67,730	67,730		Sauvie Island Fire
12	70-30	32106			EM009SFD	60550	0	78,100	78,100		Sauvie Island Fire
13	70-30	32106			EM009SFD	50190	0	(145,830)	(145,830)		Sauvie Island Fire
14	70-30	32106			EM009CWV	60240	0	9,606	9,606		City of Wood Village
15	70-30	32106			EM009CWV	50190	0	(9,606)	(9,606)		City of Wood Village
16	70-30	32106			EM009PDX	60240	0	83,395	83,395		Port of Portland
17	70-30	32106			EM009PDX	60550	0	80,125	80,125		Port of Portland
18	70-30	32106			EM009PDX	50190	0	(163,520)	(163,520)		Port of Portland
19	40-20	32106			EM009HOS	60240	0	39,550	39,550		County Health Department
20	40-20	32106			EM009HOS	60550	0	57,000	57,000		County Health Department
21	40-20	32106			EM009HOS	50190	0	(96,550)	(96,550)		County Health Department
22	90-50	32106			EM009MCT	60240	0	17,906	17,906		County Transportation
23	90-50	32106			EM009MCT	60550	0	179,425	179,425		County Transportation
24	90-50	32106			EM009MCT	50190	0	(197,331)	(197,331)		County Transportation
25											
26											
27											
28											
29								0		0	
								0		0	Total - Page 1
								0		0	GRAND TOTAL

#1

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: Aug 12, 2004

SUBJECT: Montavilla Library Getting to Yes

AGENDA NUMBER OR TOPIC: Montavilla Library

FOR: ☒ AGAINST: ☐ THE ABOVE AGENDA ITEM

NAME: Sandra McDaniel

ADDRESS: 1435 NE 73rd

CITY/STATE/ZIP: PHD, OR 97213

PHONE: 232 8304 11AM-5PM

DAYS: 257-3346 630AM-10AM

EVES:

EMAIL:

FAX:

SPECIFIC ISSUE:

WRITTEN TESTIMONY: to follow.

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.

Testimony

Save the Montavilla Library

Sandra Mc Daniel
Chair, Montavilla Neighborhood Association

August 12, 2004

At the Monday, August 9th, Montavilla Neighborhood Association we shared the progress that has been made to re-open Montavilla Library.

The largest neighborhood by population and geography, Montavilla neighborhood chronically is under-served. Montavilla Neighborhood loses public services at a disproportionate rate compared to other neighborhoods.

Our belief is that the restoration of Montavilla Library shows the County Commissioners' commitment to citizen input in land-use decisions, crime prevention, and public involvement.

People are inspired by Montavilla Library as a private public partnership where the County provides the building for perpetuity (forever), and some basic and minimal overhead costs (like the other municipalities in Washington County who pioneered volunteered run-libraries).

Montavilla Library creates the first of its kind volunteer-run library in Multnomah County.

Montavilla Library asks for no County Library money, no new taxes or new levies. The first volunteer-run library in Multnomah County, the elements are similar to the successful partnerships between the governments in Gaston, North Plains, Garden Home and Cedar Mill Library. Montavilla Library is innovative, cost-effective, and efficient.

On Monday evening, August 9, at the Neighborhood Association Meeting, we told about Chair Linn and County Commissioners invitations to an Open House at Montavilla Library on the evening of Monday, October 11 at 7 pm. The crowd was very, were very enthusiastic.

Commissioner Naito wrote Montavilla neighbors that "...the Board of County Commissioners would require a showing that...there was sufficient volunteer and financial support in the neighborhood to sustain long-term" Montavilla Library, as a library, into perpetuity (forever).

People are eager to show their support. Many want to testify on behalf of the Montavilla Library. They feel frustrated by the rigid meeting times and location of regular Board of Commissioners' meetings. When Commissioner Naito challenged Montavilla neighbors to a "showing" of support; she gave us a great idea. The obvious solution was to invite you to an Open House and public "showing," in case by October you still need support for your decision to re-open Montavilla Library. **We are ever mindful that we need at least three votes.**

There are two possible agendas and formats for that evening. One possibility is a celebration.

If by October 11, the agreement to re-open Montavilla Library already been signed that evening, we will celebrate. With a ribbon-cutting ceremony, refreshments, and festivities, we will offer a heartfelt thanks to each of you. That is my vision.

Many residents and businesses have wanted to testify in person about their support for Montavilla Library. They have been frustrated by the rigid times and location of the Board of County Commissioners' meetings. The October Open House is the perfect solution for all concerned.

If an agreement has not been reached by October 11 on how best to re-open Montavilla Library, you are invited to listen. As the Neighborhood Association Chair, I will follow the County Commissioners' format for meetings. The Save Montavilla Library project manager and our engineer will brief the audience about our progress and any obstacles encountered followed by a "Speak Out." The "Speak Out" is strictly a public-participation forum for the County Commissioners. You will hear about the "Montavilla Library: Getting to Yes" grass-roots efforts, commitments and goals. You will learn the perspective of communities that lose services at a disproportionately high rate and who have been chronically under-served.

Montavilla earned its Library in the 1930s when the children of the Great Depression from Montavilla and Vestal Grade Schools gave their pennies and nickels to create a Montavilla Library and as a combined public private partnership spearheaded by the Kiwanis Club of Montavilla. The Montavilla Library exists as a result of grass roots efforts.

Please plan to attend.

#2.

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE:

8/12/09

SUBJECT:

Montavilla Library
Getting to Yes

AGENDA NUMBER OR TOPIC:

FOR:

AGAINST:

THE ABOVE AGENDA ITEM

NAME:

Maureen Wright

ADDRESS:

1505 SE Madison St

CITY/STATE/ZIP:

Portland OR

PHONE:

DAYS:

503 2339383

EVES:

EMAIL:

FAX:

SPECIFIC ISSUE:

Montavilla Library

WRITTEN TESTIMONY:

Yes - to follow

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.

Save Montavilla Library: Getting to Yes

Testimony

Maureen Wright
August 12, 2004

Montavilla Library started from pennies and nickels sacrificed in the 1930s during the Great Depression by children from Montavilla and Vestal Grade Schools. They sacrificed to create a neighborhood Montavilla Library

Montavilla Library is the legacy of "do-gooders" innocent children and service organizations like the Kiwanis Club of Montavilla. The Kiwanis spearheaded the opening of the 1934 Montavilla Library with a deed restriction that Montavilla Library remains a library in its historic site into perpetuity (forever).

No new taxes, new levies or County Library funds are sought to re-open Montavilla Library, in the Fall of 2004, as a volunteer-run non-profit library.

Multnomah County Commissioners have been asked to champion Montavilla Library, a public private partnership.

Montavilla Library is a modest, first-of-its kind in Multnomah County, innovative, cost-effective, and efficient library.

Montavilla Library's model resembles four similar and highly successful volunteer run libraries in Washington County: Gaston, Cedar Mills, Garden Home and North Plains Libraries. All four operate with shoe-string budgets. Each started with from one to four volunteers. The City of Gaston testified about the resounding 14 years of success and solid performance from its volunteer-run library. North Plains Library began in the equivalent of a janitorial closet; and from there circulated over 7,000 volumes annually.

Montavilla Library proponents respectfully request your unanimous support of its proposals to create a volunteer-run Montavilla Library opening in the Fall of 2004.

Most of all, Montavilla Library is ^{about} a public involvement and a matter of governmental accountability.

Politicians may define their constituency narrowly as only the district-voters, who elected the Commissioners. In fact, Oregonians lump the County Commissioners together as "the government."

Last week (8/5/04) the Montavilla Neighborhood Association asked Commissioner Naito for 300 copies of her July 12, 2004 letter.¹

The plan is to hand out the County's initial offer directly to constituents as outreach for Montavilla Library.

The voters' interpretation of the County's Letter was that the County has made a deal. Now the County must do whatever is required to re-open Montavilla Library in its current location. **All that remains are some details.**

The County Chair and Commissioners' representative Commissioner Naito reported that "the Board of County Commissioners would favorably consider the transfer of the property to a nonprofit organization for use as a library given the history of the property as a library for nearly fifty years, from 1934..." as "**an outright donation**" from the taxpayers. Then, Montavilla Library can re-open as a volunteer run library in the Fall of 2004 once the business plan is submitted.

The County set the community's expectation that the business plan is a mere formality. Their expectation is the elected officials have an obligation to the public to respond favorably with approvals because of the unanimous groundswell of support for Montavilla Library. The anticipated approvals include the deed restriction (that the Montavilla Library remains a library at that site into perpetuity (forever)); and that the County champions a cost-effective and efficient, modest, first-of-its kinds in the County volunteer run Montavilla Library.

As of yesterday (8/11), Montavilla Library secured ~~affordable~~ (Sorooptimist Portland-East) as an interim fiscal agent as Save Montavilla Library Getting to Yes coalition pursues the formation of a 501 (c) 3 nonprofit library.

The public grows impatient and wants to get on with the business of running the Montavilla Library.

The most important detail is for the non-profit Montavilla Library to decide what the volunteer-run library can afford. Our initial thought was providing volunteer labor to staff the library and equipment was our fair share. We continue to investigate our options.

Multnomah County patterns and precedents, for example Central Library and Hooper Detox Center, are that organizations may default in their rents for years, or lease a site into perpetuity for zero dollars or \$1 a year. At first glance, that kind of arrangement (control of the property without the burden of property

¹ Thursday, August 5, 2004, conversation with Maureen Wright, Buckman resident, Sandra McDaniel, Montavilla Neighborhood Association, Stephen March, Staff Assistant, Commissioner Naito's Office.

taxes and special assessments) seems like a reasonable accommodation for the modest, volunteer-run Montavilla Library that operates on a shoestring budget as a community benefit to Oregonians. Research by proponents of Montavilla Library of their options continues.

Montavilla Library is located in a chronically under-served neighborhood losing services at a disproportionately high rate compared to other neighborhoods. Montavilla serves a socio-economically disadvantaged population with high unemployment and crime rates and, lower educational levels. The deprivation and reductions of public services and amenities of Montavilla neighborhood have subsidized more affluent neighborhoods, such as NW 23 Library's area.

According to the County Library Director's criteria, NW 23 Library's area is ineligible for County library services because it is within 1.57 miles of another County library, specifically, Central Library (a nearby Westside neighborhood). Yet, they exist within less than two miles of each other contrary to the stated County Library's policy. That policy seems to be selectively enforced against the lower income neighborhoods.

Census data and crimes statistics prove Montavilla Neighborhood's urgent and dire need for Montavilla Library.

There appears to be a double-standard applied to the under-privileged versus the over-privileged populations because of their influence and affluence.

Montavilla Neighborhood offers to contribute to achieve a volunteer-run library as a private public partnership with Multnomah County. A low-income neighborhood, Montavilla is eager to build community and prosperity through sweat equity.

From month to month, the benchmarks and requirements to re-open Montavilla Library have appeared to be a moving target. In June, at the Montavilla Neighborhood Association Meeting, the County established one set of benchmarks. In July, those requirements changed. The County's oral remarks differ from the written.

When the County pretends that a moving and vague target is a requirement to reach an agreement for Montavilla Library that creates an impossible task.

On July 20, a request was made to the Chair and each individual Commissioner to clarify their expectations. None provided the very specific requested information. The Commissioners' failure to respond defeats citizen involvement in governmental processes.

The County's letter (July 12, 2004) has created the public perception that the County was bound by the 1934 deed restriction (that Montavilla Library remain a Library into perpetuity). Consequently, the public demands that the deed restriction be restored in 2004.

A donor agency, Free Geek has offered to provide Montavilla Library with free computers and their maintenance. Free Geek is a non-profit organization that takes donated, discarded and obsolete computers; and then, refurbishes them. Working parts from the dysfunctional units are cannibalized to reconfigure into a functional computer. As a practical matter, that means that the machines feature older technology.

Separately a group of certified network technicians have offered to donate their professional time and services to set up Montavilla Library's networked computers.

By now you have seen, the website montavillalibrary.org.

There are two web designers and developers who have donated their time to create montavillalibrary.org. The domain was purchased for the start-up Montavilla Library by a private donor. One of the web developers is a resident of Washington County.

The volunteer web developer endorses the common sense solution of a volunteer-run Montavilla Library for several reasons. She sees the need of elected officials to obey the public will, respond appropriately to public involvement, and provide for the common good. ~~HA~~ ←

ch Montavilla Library is perceived to be a:

- crime prevention tool for at-risk youth
- support for literacy
- method to achieve equity for a chronically under-served neighborhood that loses services at a disproportionate rate
- way to re-vitalize a neighborhood besieged by social problems and systematically robbed of essential public services

A local business "Clown Printing" is providing discounted copies of Montavilla Library's fliers and brochures.

Reference: Letter 7/12/04 from Lisa Naito, District 3 Commissioner, Multnomah County to Montavilla Neighbor, 3 pages



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
501 S.E. HAWTHORNE BLVD. , Room 600
PORTLAND, OREGON 97204
(503) 988-5217

LISA NAITO • DISTRICT 3 COMMISSIONER

Monday, July 12, 2004

Dear Montavilla Neighbor ,

I was pleased to attend the June 14 meeting of the Montavilla Neighborhood Association to discuss the property owned by Multnomah County at 211 SE 80th Avenue in Portland. I want to make certain we are in concert with respect to future uses of the property.

BACKGROUND

Multnomah County declared the property as surplus property on October 16, 2003 and authorized the sale of the building as part of the County's continuing efforts to sell underutilized properties and be responsive to County taxpayers to operate County government efficiently. Due to neighborhood interest in the disposition of the property, the Board of County Commissioners (BCC) on May 20 suspended the sale of the property to allow for neighborhood input and involvement in the process. The fate of the property is now in the hands of Montavilla neighbors to determine if a neighborhood organization can purchase or otherwise take ownership of the property.

PROPOSED LIBRARY USE --

-- as a *County Library*:

The County has made it clear that the property is not suitable for use as a County library. Director Molly Raphael has said, "The building would not work as a library today." Her memorandum explaining the principal reasons is attached. In summary, her considerations include:

- ☐ Lack of operating funds
- ☐ Small size and scarce parking
- ☐ ADA accessibility
- ☐ Seismic suitability
- ☐ Troutdale and the North Interstate Corridor are next in line for consideration
- ☐ Greater need for library service exist in other areas of the County

-- as a private, neighborhood library:

A group has informally banded together to "Save Montavilla Library" under the leadership of Buckman resident Maureen Wright. Wright has asked the BCC to "champion" an effort to restore the Montavilla Library. For the reasons I have just outlined above, that will not happen. However, I believe the BCC would favorably consider the transfer of the property to a nonprofit organization for use as a library given the history of the property as a library for nearly fifty years, from 1934 to 1981, and the Board's support in general for libraries.

It should be understood that the property is an asset owned by the taxpayers of the County at large and that consideration would need to be given by the BCC as to whether a transfer would be at fair market value, at a reduced price, or as an outright donation to the community. Such transfer would be subject to statutory and other legal requirements regulating the County's disposition of properties.

However, even before that consideration would be appropriate, the BCC would require a showing that the property could, in fact, be used as a library and that there was sufficient volunteer and financial support in the neighborhood to sustain long-term operations in the form of a business plan.

The business plan, at a minimum, would need to demonstrate that:

- A 501(c)(3) nonprofit organization has been formed with a Board of Directors and other statutory requirements.
- City of Portland zoning codes would allow for use of the property as a library.
- The building could and would be satisfactorily renovated to allow for use as a library, i.e. floor loads, seismic, etc.
- The nonprofit organization had the funds and/or the ability to raise the funds for capital improvements.
- The nonprofit organization had the ability to operate the facility in the long term as a library, for a period not less than ten years.

OTHER COMMUNITY USES

There have been discussions by neighbors of other potential uses for the property. For example, a computer/reading room has been floated as an idea if the neighborhood is unable to achieve zoning allowance for a library. Many of the same standards I have just listed would have to be taken under consideration by the BCC whether it is a computer/reading room or other nonprofit use.

It is the advice of the Multnomah County Attorney that it is neither in the County's interest nor in the taxpayers' interest to put a deed restriction on the property limiting its use to a library. The County has no plans to site a library at that location and limiting use would potentially impact the value of the property. Likewise, any nonprofit organization wanting to acquire the property would certainly want a title that was unencumbered even if that transfer were to an organization wishing to operate a nonprofit, neighborhood library.

The interest and enthusiasm of Montavilla neighbors is strong and I look forward toward your progress in achieving the goal of continuing the property as a neighborhood resource. As I stated at the June neighborhood association meeting, the County would expect significant and demonstrated progress with respect to your objectives, in a timely manner no later than October 2004. I look forward to the opportunity to again discuss your objectives for the property and to mark your progress at the October 11 meeting of the Montavilla Neighborhood Association.

Sincerely,



LISA NAITO
Commissioner
Multnomah County
District 3

Attachments.

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: August 12, 2004

Agenda Item #: R-1

Est. Start Time: 9:30 AM

Date Submitted: 08/04/04

Requested Date: August 12, 2004

Time Requested: 30 minutes

Department: Non-Departmental

Division: Commission District 1

Contact/s: Shelli Romero

Phone: (503) 988-4435 **Ext.:** 84435

I/O Address: 503/600

Presenters: Commissioner Maria Rojo de Steffey

Agenda Title: Resolution to Proceed with Phase II of the Transportation Study to Determine the Financial Impacts on All Jurisdictions Based on the Phase I Recommendations

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

-
1. **What action are you requesting from the Board? What is the department/agency recommendation?** Approval of Resolution to Proceed with Phase II of the Transportation Study to determine the financial impacts on all jurisdictions based on the Phase I recommendations. The resolution will authorize Commissioner Maria Rojo de Steffey to oversee a financial feasibility study for transferring the roads to local jurisdictions and report back to the Board on findings seeking further Board action in within six months
 2. **Please provide sufficient background information for the Board and the public to understand this issue.** In 2003, the Board commissioned a transportation study to examine the options for transportation service delivery and jurisdiction of County roads. Vic Rhodes of Rhodes Consulting was commissioned to conduct the transportation study on behalf of Multnomah County. A report was issued by Rhodes Consulting in January 2004 with a number of recommendations.

The Mayors for the Cities of Gresham, Fairview, Wood Village and Troutdale have all provided their perspectives on the proposed recommendations in writing.

3. **Explain the fiscal impact (current year and ongoing).** To conduct the financial feasibility study for each jurisdiction, it is estimated that it will cost \$35,000. Funds have been identified in the FY 05 budget within the Department of Community and Business Services - Division of Land Use and Transportation Road Fund Professional Services.

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

If a budget modification, explain: N/A

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

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

If grant application/notice of intent, explain:

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

4. **Explain any legal and/or policy issues.** Policy issues include the jurisdictions option to exercise their right to transfer roads to the County.
5. **Explain any citizen and/or other government participation that has or will take place.** County staff as well as staff and elected officials from a number of jurisdictions

including METRO, City of Gresham, City of Fairview, City of Wood Village, City of Troutdale, City of Portland and others have all participated in the identification of key issues in the first phase of the study. The Cities of Fairview, Wood Village, Troutdale and Gresham have all provided public comment on how aspects of the recommendations would impact their jurisdiction and our transportation delivery system.

Required Signatures:

Department/Agency Director:



Date: August 4, 2004

Budget Analyst

By:

Date:

Dept/Countywide HR

By:

Date:

Compilation of Comments by East County Cities on Transportation Study

The four cities, Fairview, Gresham, Troutdale and Wood Village have sent responses to the County regarding the Transportation Study Recommendation by Vic Rhodes. In summary, there is no consensus between the four cities: Gresham supports the recommendation of the study; Troutdale opposes the recommendation; and Fairview and Wood Village are willing to study the issue further, each with a number of caveats.

Among the caveats, there is one clear conflict: Fairview recommended that if a city assumed control of the roads within their jurisdiction, sufficient resources must be transferred to the city to provide oversight and administration. Conversely, Wood Village recommended that no funds be transferred from the County to a city assuming control of roads within their jurisdiction.

The remaining caveats are included below, grouped by subject matter.

Further Study

- All parties must agree to the final result or the result is binding on none.
- The road jurisdiction issue should be brought to and end.
- The individual perspectives and needs of each city must be considered and evaluated.
- The oversight committee must be empowered by the Board of County Commissioners to conduct the analysis and not be over-ruled by any individual entity even if that entity is the Board of County Commissioners.
- Provision of a comprehensive listing of the benefits to be derived by the City.

New Governance Structure or Transportation Commission

- The governance structure is an intergovernmental entity which each jurisdiction must adopt by ordinance and cannot be modified without approval from all jurisdictions.
- Policies and Procedures for the new governance structure are adopted by all jurisdictions prior to forming a new governance structure.
- The County shall pay for all employees necessary to staff the new Multnomah County Transportation Commission, including the Executive Director who would be selected by, and directly accountable to, the Commission.
- The Executive Director will serve as the JPACT representative for the cities of East Multnomah County and vote in accordance with the Transportation Commission's priorities.
- Membership of the new Transportation Commission shall be comprised of the Mayors of each of the east county Cities and the County JPACT representative with each member having one vote.
- The County Board will take no action contrary to an agreement of the majority membership of the new Transportation Commission.
- The functional classification of all roads which traverse more than one jurisdiction must be established by the new Transportation Commission.
- Uniform street standards are adopted by all 5 jurisdictions prior to forming a new governance structure.

Local Ownership

- The County will only transfer roads at the request of the municipality.
- The transfer of road jurisdiction from the County to a City is null and void (reversionary clause) if a City fails to adhere to all aspects of the agreement established by all of the East County Cities and the County.

Status Quo

- Current maintenance agreements and responsibilities should remain untouched by the study. The County shall continue to provide, as a minimum, the same level of maintenance services on all roads currently under the County's jurisdiction, including those that may be transferred to a City.
- The County Surveyor, the water quality program and the Willamette Bridges should stay in County jurisdiction.
- Adopt an Intergovernmental Agreement between the County and Wood Village delineating the County's responsibility for arterials and collectors that support regional travel and Wood Village's responsibility for local transportation and access to the regional system.

Funding

- Ensure that the County will continue to receive the funding necessary to maintain its current roads regardless of any transfer of roads.
- No funds are transferred from the County to a City assuming jurisdiction of any roads from the County.
- If a city does decide to assume control of the roads within its jurisdiction then resources sufficient to provide the necessary oversight and administration must be transferred to the city along with the roadway.



MEMORANDUM

Office of the Mayor and Council

RECEIVED

MAY 10 2004

MARIA ROJO de STEFFEY
COMMISSIONER, DISTRICT 1

Date: May 5, 2004

To: Chair Diane Linn
Commissioner Maria Rojo de Steffy ✓

From: Mayor Chuck Becker *CJB*

Subject: Multnomah County Transportation Study

The Gresham City Council has participated in a policy development workshop and reviewed the Roads Study initiated by Multnomah County and conducted by Vic Rhodes Consulting. We are in general agreement regarding the concepts and recommendations that have been presented and would strongly encourage the Board to move forward soon with implementation.

The recommended option appears to address the majority of the issues and concerns raised by the stakeholders. More specifically, those critical transportation issues regarding maintenance, accountability, fiscal impacts, and facilitation of the regional decision-making process are addressed.

We believe an important next step in this process is to commit to the concept of local ownership and transfer of roads as recommended in the study report. To that end, the City of Gresham requests the County Commission direct their consultant to draft a Resolution that would state the intent of the County to transfer roads to those jurisdictions who wish to exercise this option and begin Phase II. With agreement on the transfer concepts, we can then work cooperatively together on the Phase II study that will work through the details of transfer responsibilities. Gresham, its businesses and

Charles J. Becker, Mayor

Jack Horner - Position 1
Dave Shields - Position 4

Jacquenette McIntire - Position 2
Larry Haverkamp - Position 5

Jack Hanna - Position 3
Shane Bemis - Position 6



MEMORANDUM

Office of the Mayor and Council

May 5, 2004 - Page two

Chair Diane Linn - Commissioner Maria Rojo de Steffy
Transportation Study - cont.

citizens, are committed to the concept of a local ownership option, and will work with the County and other East County cities to work through the details necessary to develop and execute a transfer resolution.

We appreciate the thoroughness of the consultant study and the fact that it brought all the East County cities into the decision-making process. Please advise me at your earliest convenience if this is an agreeable approach, and propose a timeline for moving forward.

CJB:dr

cc: Gresham City Council
Mike Weatherby - Mayor of Fairview
Paul Thalhofer - Mayor of Troutdale
David M. Fuller - Mayor of Wood Village

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Charles J. Becker, Mayor

Jack Horner - Position 1
Dave Shields - Position 4

Jacquenette McIntire - Position 2
Larry Haverkamp - Position 5

Jack Hanna - Position 3
Shane Bemis - Position 6

CITY
OF

FAIRVIEW

1300 NE VILLAGE ST., P.O. BOX 337
FAIRVIEW, OREGON 97024
(503) 665-7929 FAX 666-0888

RECEIVED

MAY 19 2004

MARIA ROJO de STEFFEY
COMMISSIONER, DISTRICT 1

May 17, 2004

Multnomah County Board of Commissioners
Multnomah Building
501 SE Hawthorne Blvd.
Portland, Oregon 97214

Dear Board Members:

The Fairview City Council has reviewed the Multnomah County Roads Study and listened with active interest to the presentations made by Commissioner Rojo de Steffey and your consultant Mr. Rhodes. After considerable deliberation and some debate the Council agrees that the County should proceed to the next level of the study.

However, our support is subject to a number of caveats that we consider important to any further activity on this issue:

1. All parties must agree to the final result or the result is binding on none;
2. The individual perspectives and needs of each city must be considered and evaluated;
3. The oversight committee must be empowered by the Board to conduct the analysis and not be over-ruled by any individual entity, even if that entity is the Board;
4. If a city does decide to assume control of the roads within its jurisdiction then resources sufficient to provide the necessary oversight and administration must be transferred to the city along with the roadway;
5. Current maintenance agreements and responsibilities should remain untouched by the study.

We look forward to continued progress with the County as this issue is further reviewed and an appropriate outcome determined.

Sincerely,



Mike Weatherby
Mayor





CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

JUNE 9, 2004

Mayor

Paul Thalhoffer

City Council

Chris Gorsek

David Ripma

Norm Thomas

Jim Kight

Barbara Kyle

Doug Daoust

Commissioner Maria Rojo de Steffey
Multnomah Building, Room 600
501 SE Hawthorne Blvd
Portland, OR 97214

RE: COUNTY ROADS STUDY

Dear Commissioner:

This letter responds to your request for comments from each affected jurisdiction regarding the recommendations contained in the Multnomah County Road Jurisdiction Study Final Report dated January 19, 2004 as commissioned by the County and prepared by Rhodes Consulting, Inc.

The study recommendations (modified Option E) include the following major items:

- 1) The County should transfer jurisdictional responsibility for the roads within the incorporated cities of East Multnomah County at the request of the municipality.
- 2) The County should continue to maintain its current inventory of roads in the rural areas and within the municipalities regardless of jurisdictional transfer.
- 3) Positions necessary for the County to continue services in the rural areas and Cities not selecting the local option for jurisdictional transfer should be identified. This includes those positions needed to support (1) capital projects in the rural areas and non-local option Cities, (2) the Willamette River Bridge Group, and (3) road maintenance. All other positions in this group should transfer to Gresham assuming Gresham exercises the local option for jurisdictional transfer. The funding and equipment associated with these positions should be transferred as well.
- 4) The Office of the County Surveyor, the Willamette River Bridges, and the Water Quality Program should remain with Multnomah County.
- 5) A Multnomah County Transportation Commission (MCTC) should be formed as a governance body for transportation system planning and development of an implementing strategy through a unified capital

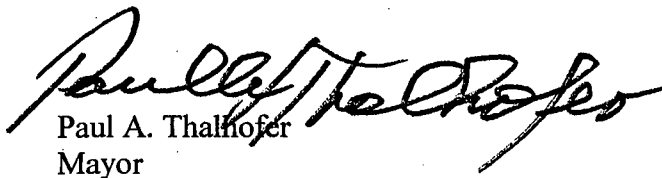
improvement program spanning the jurisdictions. The four (County) positions currently engaged in transportation planning activities should be assigned to staff the MCTC under the guidance of a Director of Transportation Planning. The Director would be a County employee chosen by and accountable to the MCTC. Membership of the MCTC would be comprised of the Mayors of each of the East County Cities and the Multnomah County JPACT (Joint Policy Advisory Committee on Transportation) representative, currently yourself.

The City of Troutdale does not support the above recommendations. We believe, as stated in the Intergovernmental Agreements adopted between each East County City (except Wood Village) and Multnomah County in early 1995, that "The road system is based upon functional class of roads in which generally, the County will be responsible for arterials and collectors that support regional travel, and ... the cities will be responsible for local transportation and access to the regional system". We know of nothing that has occurred which should alter that fundamental arrangement. Neither do we know of anything which should reverse the will of the people as expressed by their rejection of Ballot Measure 26-1 in November, 1993.

We continue to have grave reservations about these recommendations or any similar changes which could diminish the County's ability to plan for, construct, and maintain its roads within our City and to provide reimbursable support to our transportation system. Once again, we urge you to adhere to the maxim "if it ain't broke, don't fix it".

Sincerely,

CITY OF TROUTDALE


Paul A. Thalhoffer
Mayor

C:PWJUN04



CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

JUNE 10, 2004

RECEIVED

JUN 14 2004

MARIA ROJO DE STEFFEY
COMMISSIONER, DISTRICT 1

Mayor

Paul Thalhofer

City Council

Chris Gorsek

David Ripma

Norm Thomas

Jim Kight

Barbara Kyle

Doug Daoust

Commissioner Maria Rojo de Steffey
Multnomah Building, Room 600
501 SE Hawthorne Blvd
Portland, OR 97214

RE: LEADERSHIP IN TRANSPORTATION

Dear Commissioner Rojo de Steffey:

At our regular meeting on June 8th, the Troutdale City Council discussed the County Roads Study prepared by Rhodes Consulting, Inc. Our comments regarding that study were conveyed to you via my letter of June 9th.


During our discussion regarding the study, members of the Council also expressed dismay at the apparent lack of leadership in transportation matters displayed by the County Commissioners. This leadership void manifests itself in the number of County transportation employees who have sought employment elsewhere, the key transportation positions (including Transportation Director) left vacant for extremely long periods of time, confusion as to who is in charge, and the organizational distance between the Land Use and Transportation Division and its titular head, the Department of Business and Community Services. We cannot help but wonder if a Department with over twenty divisions creates an unmanageable span of control.

We believe that the Department of Business and Community Services Director Cecilia Johnson and her Deputy Director, Robert Maestre, are trying to do a good job with very little help or guidance from the Commissioners. We believe the Multnomah County Transportation Division has well-qualified and capable employees who need both a well organized structure in which to work and support from the Commissioners.

We urge you to take swift and decisive action to restore Multnomah County's Transportation Division to the premier organization it once was.

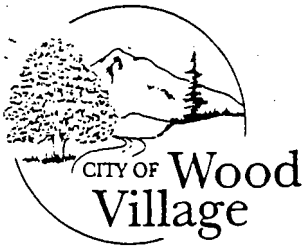
Sincerely,

CITY OF TROUTDALE


Paul A. Thalhofer
Mayor

c: Cecilia Johnson, Director of Business and Community Services

C:PWJUN04



Mayor
David M. Fuller

Council President
Peggy Jo Minter

Councilors
Beverly A. Stone

Kenneth B. Fletcher

Clay Moorhead

RECEIVED

JUN 23 2004

MARIA ROJO de STEFFEY
COMMISSIONER, DISTRICT 1

June 11, 2004.

Commissioner Maria Rojo de Steffey, District 1
Multnomah Building, Room 600
Portland OR 97236

RE: Multnomah County Road Jurisdiction Study

Dear Commissioner:

The Wood Village City Council is willing to consider further details for Option E New Governance Structure as presented in the Multnomah County Road Jurisdiction Study prepared by Rhodes Consulting Inc, in January 2004, as long as the following basic elements are adhered to:

- An Intergovernmental Agreement be formulated and adopted that the County would be responsible for arterials and collectors that support regional travel and the City would be responsible for local transportation and access to the regional system;
- The governance structure is an intergovernmental entity which each jurisdiction must adopt by ordinance and cannot be modified without approval from all 5 jurisdictions;
- Provision of a comprehensive listing of the benefits to be derived by the City;
- Policies and Procedures for the new governance structure are adopted by all 5 jurisdictions prior to forming a new governance structure;
- The County shall continue to provide, as a minimum, the same level of maintenance services on all roads currently under your jurisdiction, including those that may be transferred to a City;
- The County will only transfer roads responsibility at the request of the municipality;

- No funds are transferred from the County to a City assuming jurisdiction of any roads from the County;
- County to continue to maintain its roads within the Cities regardless of jurisdictional transfer.
- The County shall pay for all employees necessary to staff the new Multnomah County Transportation Commission, including the Executive Director who would be selected by, and directly accountable to, the Commission. The Executive Director will serve as the JPACT representative for the cities of East Multnomah County and vote in accordance with the Commission's priorities;
- Membership of the new Transportation Commission shall be comprised of the Mayors of each of the east county Cities and the County JPACT representative with each member having one vote;
- The County Board will take no action contrary to an agreement of the majority membership of the new Transportation Commission;
- The functional classification of all roads which traverse more than one jurisdiction must be established by the new Transportation Commission;
- The County Surveyor, the water quality program and the Willamette Bridges to stay in County jurisdiction;
- Ensure that the County will continue to receive the funding necessary to maintain its current roads regardless of any transfer of roads;
- Uniform street standards are adopted by all 5 jurisdictions prior to forming a new governance structure;
- The transfer of road jurisdiction from the County to a City is null and void (reversionary clause) if a City fails to adhere to all aspects of the agreement established by all of the East County Cities and the County.

The City strongly recommends that finality to the road jurisdiction issue be brought to and end, and that the County not allow this matter to be an interim measure on an ultimate agenda to enhance one jurisdiction at the expense of another.

It is extremely important that the Policies and Procedures development keep in mind that three jurisdictions involved do not have the staffing levels necessary to conduct

endless negotiations over months/years, and that "NO" wear you down approach is used.

We thank you for the opportunity to be involved in this study and we look forward to a successful resolution of this long-standing issue.

Sincerely,



David M. Fuller, Mayor
On behalf of the Wood Village City Council

C: Chair Diane Linn
Commissioner Lonnie Roberts
Commissioner Lisa Naito
Commissioner Serena Cruz

Mayor Becker, City of Gresham
Mayor Thalhofer, City of Troutdale
Mayor Weatherby, City of Fairview



CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

JULY 27, 2004

RECEIVED

JUL 29 2004

MARIA ROJO de STEFFEY
COMMISSIONER, DISTRICT 1

Commissioner Maria Rojo de Steffey
Multnomah Building, Room 600
501 SE Hawthorne Blvd
Portland, OR 97214

RE: COUNTY ROAD ISSUE

Dear Commissioner:

I have received your letter dated July 14th and am disappointed that you are going forward on the transfer of County roads in spite of Troutdale's opposition and the expressed desire of Fairview and Wood Village that any such effort be by unanimous consent (which, with Troutdale's opposition, is not possible).

I am concerned that, if the County proceeds with support from only Gresham, you will strengthen the opinion of many who felt the decision was made before the study was conducted and once again you have thwarted the will of the people as expressed in the 1993 election.

In addition to the above, a significant concern is that once Gresham gains control of Multnomah County arterials within its jurisdiction, Gresham will then ultimately want the road maintenance money along with such a transfer. There is nothing that we have seen which would prevent Gresham from making that request and Multnomah County from honoring such a request. If that scenario occurs it would mean the end of the Multnomah County road department as we know it and the diminution of road service to the three smaller cities and unincorporated Multnomah County.

I will be interested to see the draft resolution and will certainly appear before the Board of County Commissioners on August 12th to oppose it.

Sincerely,

CITY OF TROUTDALE

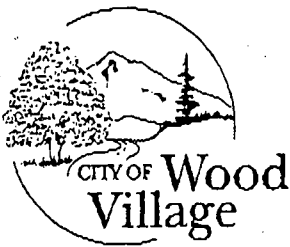
Paul A. Thalhofer
Mayor

c: Chair Linn
Commissioner Cruz
Commissioner Naito
Commissioner Roberts
Mayor Weatherby, Fairview
Mayor Fuller, Wood Village
Mayor Becker, Gresham

C:PWJUL04

104 SE Kibling Avenue • Troutdale, Oregon 97060-2099 • (503) 665-5175

Fax (503) 667-6403 • TTD/TEX Telephone Only (503) 666-7470



Mayor
David M. Fuller

Council President
Peggy Jo Minter

Councilors
Beverly A. Stone Kenneth B. Fletcher Clay Moorhead

August 3, 2004

Commissioner Maria Rojo de Steffey, District 1
Multnomah County
501 SE Hawthorne Blvd., Room 600
Portland, Oregon 97214

RE: Road Jurisdiction Study

Dear Commissioner:

We have reviewed the draft Resolution proposing a financial analysis as phase II of the road jurisdiction study. We cannot support this Resolution as drafted because it does not include a number of points made in our June 11th letter on this issue. For example, we do not see in the Resolution the primary criterion that **no funds are to be transferred from the County to a City assuming jurisdiction of any roads from the County**. There also needs to be assurance that the County will continue to receive the funding necessary to maintain its current roads regardless of any transfer of roads. This includes considering the potential for the City of Gresham, upon receiving ownership of current County roads within their boundaries, to qualify for additional transportation funding directly that may reduce the amount of funds available for the remainder of the regional area.

Also, please note that the City of Wood Village will only support a governance structure which is an intergovernmental entity adopted by each of the 5 jurisdictions by ordinance and can only be modified if all 5 jurisdictions agree to any changes.

Thank you for allowing us to review and comment on the draft Resolution in advance.
We certainly appreciate your cooperation.

Sincerely,

David M. Fuller
Mayor

MULTNOMAH COUNTY
ROAD JURISDICTION STUDY

FINAL REPORT

JANUARY 19, 2004

Prepared by:

Rhodes Consulting, Inc
1325 NW Flanders Street
Portland, Or 97209

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SECTION I: INTRODUCTION

Rhodes Consulting, Inc. has been retained by Multnomah County to perform an examination of the options for transportation service delivery and jurisdiction of County Roads. This study is the most current in a long list of efforts examining this issue dating back to Resolution "A" dealing with Urban Services and passed by the Board of County Commissioners in 1983.

The impetus for this reexamination of transportation services provided by Multnomah County is essentially three-fold and presented here in the relative order of importance:

- Road jurisdiction issues within the urbanized area of East Multnomah County have been, and continue to be, a source of intergovernmental tension. Dating back to the original transfer of roads to the City of Portland, resulting from Resolution "A", there has been a desire on the part of the City of Gresham to have the County Roads within its boundary transferred to Gresham. The City of Gresham has grown to be the fourth largest city in the state and desires to be a full service entity inclusive of local control of the arterial roadway system serving the businesses and residents to which the City Council is accountable. In contrast, the smaller East County Cities of Fairview, Troutdale and Wood Village are satisfied with services being provided by Multnomah County and do not want to assume jurisdiction of the arterials nor become reliant on another entity besides Multnomah County for transportation services.
- The continuing Multnomah County General Fund resource shortfall has led to an interest in focusing the County's mission and to clearly delineate the role of the County and the municipalities in providing public services. Many community leaders view the principal role of Multnomah County as providing County-wide social and human services rather than municipal infrastructure services. However, a number of the current members of the County Board of Commissioners and the Chair have a strong interest in transportation and understand the role transportation plays in shaping the future of the community. It is clear from conversations with members of the Board that they feel a fiduciary responsibility for the transportation system in addition to the other services for which they are responsible.
- Finally, the Willamette River Bridges are a significant liability for Multnomah County. The rehabilitation and capital needs of these facilities out-strip the County's fiscal resources. With the exception of the Sauvie Island Bridge, the transportation system connecting to these bridges is owned and operated by either the City of Portland or Oregon Department of Transportation. This system configuration raises the question of the County's role in operating and

maintaining these bridges. Although the City of Portland is currently prohibited from owning and operating bridges over the Willamette River, there has been some interest in rethinking which jurisdiction should be ultimately accountable for bridge maintenance and operation.

Given these concerns, the Chair and Commissioner Rojo de Steffey made a decision to reexamine the County's role in transportation. However, it is important to note that this study was requested, and has been conducted, with the clear understanding that no preconceived conclusions have been drawn by the Board with respect to the future of transportation service delivery in Multnomah County. In preliminary discussions, Chair Linn provided a succinct summary of the issue: "the question is, is this something we should do, not is this something we don't want to do?"

Prior to proceeding with the study, several "principles" were agreed upon to guide the outcome of this effort:

- Maintain the current role of Multnomah County in regional transportation decision making bodies and processes.
- Hold harmless maintenance service levels in unincorporated areas and the East County Cities.
- Any transfer of jurisdiction for physical facilities will be done in conjunction with the commensurate fiscal, human and equipment resources.
- Any current County employees transferred to other entities as a result of this agreement will be held harmless with respect to wages, benefits and employment rights. Any efficiencies gained in terms of workforce size will be the made by attrition.

As evidenced by the number of prior efforts to seek resolution of the transportation service issues, this is a complex and at times emotionally charged subject matter. Any suggestion of change creates anxiety and concern amongst those who might be affected. For this reason, a companion effort has been undertaken by the Department of Business and Community Services to solicit employee input and feedback through a series of focus groups. The information gained from these sessions has been incorporated in the appropriate places in this report.

SECTION II: PROJECT APPROACH

As originally conceived, this study would have immediately launched into an evaluation of the various options and permutations for delivery of transportation services currently carried out by Multnomah County followed by a review of the results with the stakeholders. However, in several preliminary discussions, it became clear that there is substantial disagreement and fragmentation of opinions surrounding the issue. The reasons for this conflict vary from jurisdiction to jurisdiction and occasionally within one jurisdiction. Therefore, an alternative approach has been undertaken that engaged the stakeholders to better define the issues and concerns with the current governance structure for the County Roads. These informal and earnest conversations with the stakeholders greatly assisted in gaining a full understanding of the current situation and complexity of the issues. The outcome of this process was the capturing of key themes and perspectives surrounding the issue of who should provide transportation services. The perceptions held by stakeholders, whether real or imagined, are the reality on which they base decisions and actions. Acquiring an understanding of these perspectives is essential to evaluating the future role of Multnomah County in transportation services.

In total, over 40 interviews were conducted with elected officials and key personnel from interested organizations. These included the Cities of Fairview, Gresham, Maywood Park, Portland, Troutdale and Wood Village, Metro, the Oregon Department of Transportation, organized labor, and Multnomah County including a number of former County employees. A complete list of participants is attached as Appendix 1. During these sessions participants were promised anonymity although it was made clear that information or opinions offered would be used in a summary fashion for purposes of this report. It should be noted that Commissioner Rojo de Steffey and Duke Shepard from the Chair's Office attended many of these sessions to gain a first hand understanding of the issues.

The next step in the process was the development of a series of options for how transportation services might be delivered in the future. These options range from full divestiture by the County to simply maintaining the status quo. These options were then evaluated against a set of criteria gleaned from the stakeholder interview process and other meetings with key personnel from the jurisdictions. The options are defined and discussed in Section VIII of this report.

Finally, based on the evaluation of the various alternatives, meetings with key officials, and a through understanding of both the spoken and underlying issues, this report recommends a strategy for how transportation services are delivered in the future.

SECTION III: SYSTEM DEFINITION

In order to better understand the perspectives of the stakeholders, it is helpful to have a basic picture of the scope of the transportation system owned, operated and maintained by Multnomah County. The following chart shows the current inventory of Multnomah County road mileage in each of the maintenance districts:

CHART I
TOTAL SYSTEM CENTERLINE MILES

	TOTAL R/W MILES	% OF TOTAL MILES TOTAL MILES	% UNINCORPORATED MILES
Willamete River Bridges	3.15	0.9%	
Maintenance Districts			
MD #1- Northwest of Willamette River	87.32	24.9%	24.9%
MD #2- Southwest of Willamette River	18.69	5.3%	5.3%
MD #4- Urbanized Eastside			
Incorporated	77.35	22.1%	
Unincorporated	31.88	9.1%	9.1%
MD #5- Rural Eastside	131.77	37.6%	37.6%
TOTALS	350.16	100.0%	77.0%

It is important to note from Chart I that 77% of the county owned system is within unincorporated areas. In these unincorporated areas Multnomah County has sole responsibility for land use and transportation decisions. The remaining 33% of the system falls within incorporated cities where land use decisions are municipal while arterial road jurisdiction and operation is the purview of the County. In some cases, such as access permitting, agreements exist which delegate these authorities to the municipality.

Chart II below provides a summary of road mileage within Maintenance District No. 4 that is largely comprised of the urbanized area of East Multnomah County.

CHART II
MAINTENANCE DISTRICT #4

JURISDICTION	R/W MILES OWNED BY COUNTY	% OF MD NO. 4 TOTAL	CITY OWNED MILES	TOTAL MILES	COUNTY OWNED % OF TOTAL MILES
Gresham	48.85	44.8%	230.00	278.85	17.5%
Fairview	10.7	9.8%	8.98	19.68	54.4%
Troutdale	13.47	12.4%	36.65	50.12	26.9%
Wood Village	4.33	4.0%	3.88	8.21	52.7%
Unincorporated	31.88	29.0%	0.00	31.88	100.0%
TOTALS	109.23	100.0%	279.51	388.74	

Note that the County Roads within the City of Gresham represent 44.8%, or roughly one-half, of the MD No. 4 inventory. These roads represent 17.52% or around one-fifth of all roads in Gresham.

In contrast, in the Cities of Fairview and Wood Village, Multnomah County owns, operates and maintains over one-half of the transportation system. In Troutdale the County owns, operates and maintains slightly less than one-third of the system. In addition, Multnomah County provides contract maintenance for the city-owned portions of the system in Fairview, Maywood Park, Troutdale and Wood Village.

Maintenance performed by the County for all roads, regardless of ownership, is uniformly managed through the Pavement Condition Index System (PCI). This system is utilized to rate pavement quality and establish maintenance needs and priorities. The PCI, together with adequate maintenance funding in the past, has served the public well. However, pavement maintenance budgets have been reduced in recent years from an overlay program of \$2 million to around \$200,000 in the current year. While this level of funding may sustain the system in the short term, maintenance backlogs will begin to develop in the not so distant future as increased travel demand and the aging of the inventory begin to take a toll on road quality. This is likely to cause increased pressure from the various jurisdictions for maintenance service priority as facilities deteriorate.

In addition to the road mileage inventories, the County owns, operates and maintains twenty-seven bridge structures, inclusive of various approach ramps and related facilities. The most complex and frequently mentioned structures in these discussions are the six bridges crossing the Willamette River. In terms of the overall system, any discussion about bridge responsibility must address the twenty-one other structures maintained by Multnomah County.

The foregoing information regarding the basic nature of the system is important in providing a context for consideration and understanding of the various comments made, and perspectives held, by the stakeholders.

SECTION IV: STAKEHOLDER INTERVIEW RESULTS

It is interesting to note that all the parties interviewed expressed some level of frustration with the current situation for a wide variety of reasons. The evident conclusion to be drawn from this is that the status quo may not be a desirable state of affairs for the majority of the stakeholders. While some would clearly choose the status quo over any change, the challenge exists to seek improvement and provide the opportunity for improving service delivery.

Universally Common Viewpoints

A number of key and often-repetitive themes emerged through these informal discussions. Despite the jurisdictional conflicts alluded to earlier, there are a remarkable number of areas of commonality of opinion held by all stakeholders.

- Capital needs in the urbanized area far out strip the availability of resources leading to stiff competition for improvements and clashing of priorities amongst the jurisdictions.
- The current system for allocation of capital funding, including Multnomah County funds, regionally prioritized federal funds, and municipal traffic impact fees, is viewed as inequitable.
- There is a need for county-wide coordination of the arterial transportation system.
- There is a strong tie between land use and transportation internal to Multnomah County in the unincorporated areas. Conflicts arise when a jurisdiction other than Multnomah County has land use authority and the County is responsible for the abutting roadway.
- County staff takes pride in the work they do and have a strong commitment to the county road system.
- Maintenance of the county road system is not a significant issue. In fact, maintenance was not brought up in the conversations until raised by the interviewer. County maintenance efforts generally get high marks. There is universal concern about recent reductions in the county road maintenance budget.
- The East Multnomah County Transportation Coordinating Committee (EMCTC) has largely, for a variety of reasons, become ineffective as a forum for the resolution of big picture issues. As stated in one interview, "EMCTC has become a place where the parties put each other on notice of transgressions."
- All parties desire a permanent solution to the road jurisdiction issue. In the words of one elected official, "The 1995 study was World War II, this is World War III."

In the words of a Multnomah County staffer "if nothing else comes out of this we would like permanence in whatever the result is."

In addition to the above "universally" held views, there are areas of agreement between various combinations of stakeholders.

Multnomah County & Gresham Commonalities

With respect to the Multnomah County and City of Gresham relationship, the following are common views held by these stakeholders:

- The land use-transportation tie has been severed in Gresham. Gresham controls land use while the County owns and operates the arterial road system. Stakeholders from both jurisdictions indicated that this is a significant failing of the current governance arrangement.
- There is confusion for the private sector in terms of permitting for improvements and access on the County Road system caused by separation of land use and transportation responsibilities.
- Seemingly needless disagreements between jurisdictions, and in particular, key staff people, are causing needless "friction losses" that result in a high level of staff frustration. As stated by more than one staffer "we spent two weeks arguing about the use of steel sign posts in Gresham when the County standard calls for wood posts."
- Both sides see the other as having failed to honor prior commitments and/or agreements. The 1995 Intergovernmental Agreement is a lightning rod for this issue as is the 1997 Agreement regarding Traffic Impact Fee distribution.
- Some county road standards are out of date and do not adequately address the continued urbanization of Gresham. The road standards are heavily weighted toward the dominance of the automobile and seek to minimize maintenance and operational costs associated with boulevard type improvements.
- There is acknowledgement on the part of both jurisdictions that how densely land is developed in the urban area will impact the need to expand the Urban Growth Boundary. This has significant implications for the economic viability of East Multnomah County agricultural/nursery lands.

Fairview, Troutdale & Wood Village Commonalities

The Cities of Fairview, Troutdale and Wood Village generally agree on the following points:

- The land use disconnect experienced by Gresham does not impact them due to the far smaller number of land use cases processed. There have been disagreements but the lower volume of activity has allowed ample opportunity to work out differences.
- Multnomah County does a good job in providing transportation services and is responsive to their needs. No city wants to create a road maintenance operation and each presently contracts with the County for maintenance services on locally owned streets. There is no desire on the part of these Cities to enter into a similar maintenance arrangement with Gresham.
- These jurisdictions do not have confidence that the City of Gresham would deliver comparable services if the County divested its interest in the road system to Gresham. The status quo is a preferable circumstance to relying on either Portland or Gresham for transportation services.
- Any division or divestiture of the Multnomah County Transportation Department will result in inefficiency and a diminishment in service levels.
- Multnomah County provides a moderating influence in discussions regarding the regional system that protects them from unilateral actions by Gresham in terms of functional classification of north-south roads.
- Economic development investments in the three cities could be jeopardized by changes in the functional classification of north-south roads. There is a need for county-wide coordination of the transportation system.

Areas of Disagreement between Multnomah County & Gresham

This is where the commonality of opinion largely ends and viewpoints tend to become polarized. It comes as no surprise that the City of Gresham is often cited as "a problem" by Multnomah County staffers given the clear position Gresham has taken toward wanting sole jurisdiction of its road system. On the other side Gresham staff are quick to point out the "problems" created by Multnomah County. The following point/counter-point, derived from the interviews, is simply intended to illustrate the degree to which relationships between these jurisdictions have become strained:

- Gresham is viewed as being focused solely on Gresham interests and not the system at large.
- The County is viewed as a road building department only concerned with driving "through not to."
- Gresham is viewed as being "sloppy" in design efforts relying too much on field engineering corrections to plans resulting in mistakes and legal liability for the

owner, Multnomah County. Many say Gresham frequently simply does not involve the County in its activities on the county-owned arterial system.

- The County over-engineers plans and second-guesses Gresham efforts adding extra overhead and time to improvement projects. This is seen as a duplication of effort.
- Gresham “gives away the store” and creates legal liability problems with access on county arterials. Coastal Hardware on 242nd Drive is the poster child for this issue.
- The County is seen as an impediment to agile responses to economic development opportunities.
- Gresham has to spend its Traffic Impact Fee (TIF) funds improving county-owned arterials to accommodate development because the county does not share capital dollars.
- The County can’t fund improvements on the arterials in Gresham because Gresham does not share its TIF funding. Gresham seeks grant funds without telling the County.

How the disconnect pointed out by this summary has come to be is not an issue for this report. The point of this summary is to provide anecdotal context to assist in understanding and defining the issues.

SECTION V: EMPLOYEE FOCUS GROUPS

As noted earlier, focus groups were held during September and October of 2003 to seek Multnomah County employee input to this study. This effort was led by Olympic Performance, Inc. and a complete copy of the report is included in Appendix II. Participants were randomly assigned to table groups and asked to address the following question:

"What should the transportation study recommend?"

The employees were asked to insure their suggestions would result in long term agreement that would be acceptable to the county and cities, as well as the workforce. The transportation and land use leadership team compiled the results and sorted employee comments into six major topic areas or themes:

1) Improve Relationships & Decision Making

There is a general recognition within the county workforce that the relationship between Multnomah County, Gresham and the other East County cities is in need of improvement. There is also a general recognition that transportation plans in the urbanized portion of East Multnomah County should be coordinated and that a better understanding of the cities urban planning goals would be helpful. At the same time, it is clear that the employees feel a strong responsibility for integrity of the arterial street system as evidenced by the comment in the report that states "...regionally running roads stay with an authority that values "keeping traffic moving"..."

2) Funding

It comes as no surprise that the employees think that additional funding is required to both maintain and improve the transportation system. The options suggested by the focus groups range from a renegotiation of the 1984 agreement with the City of Portland to increasing the existing county gas tax. The primary message from the employees related to this study was "a plea to ensure that any recommendations adopted from the study ensure adequate funds remain available for the transportation system work to continue."

3) Structural Change

Participants identified three alternative structures for delivery of transportation services. These range from various transfer scenarios to creating a single entity for the Tri-County area. Employees also expressed a strong desire to take back the entire arterial and collector system from Gresham and Portland. There is an apparent sense of frustration with the 1984 agreement with Portland because the employees do not believe Portland is providing adequate maintenance service to formerly county-owned arterials.

4) Status-Quo

Several recommendations were made to simply maintain the existing structure for service delivery. Simply stated, this is the no change option.

5) Accountability of the Study

There is strong agreement amongst employees that the outcome of this study "should remain in effect for a long period of time." This is an understandable concern given the long parade of prior examinations of the county's role in transportation and the resulting employment uncertainty created for the workforce.

6) Employee Expectations

Somewhat related to the above accountability issue is the desire of employees to feel secure in their employment and the compensation and benefits they receive. At a time when public employees are generally feeling under attack, the diminishment of past security associated with public employment is taking a toll on morale and productivity. Therefore it is no surprise that in addition to maintaining current compensation and benefits, the employees are seeking clear direction and leadership. This theme parallels a number of comments made in individual interviews regarding the lack of clear direction provided to the department.

There are several similarities between employee opinions and those of the other stakeholders. Almost universally there is an understanding that problems exist with the current service delivery model but there is little agreement on what might be done to improve it.

SECTION VI: FINDINGS

There are a number of conclusions that emerge from interaction with county staff, the stakeholder interview process and citation of anecdotal situations. These findings are intended to provide the factual basis for consideration in evaluating possible organizational, structural, governance, or jurisdictional improvements to the current situation:

- Maintenance services provided by Multnomah County are universally acceptable and of high quality as evidenced by the condition of the system.
- Recent budget reductions in the maintenance operation threaten the on-going ability of the County to continue present service levels and will result in a backlog of pavement maintenance needs in the future. This backlog will likely lead to maintenance priority "competition" between all the jurisdictions.
- Three-fourths of the road mileage owned, operated and maintained by Multnomah County is in unincorporated areas for which the Board of County Commissioners has sole responsibility and accountability to the residents.
- Past agreements between the City of Gresham and Multnomah County, while executed with good intention, have never been fully accepted and implemented by either jurisdiction resulting in on-going staff level conflict.
- The East Multnomah County Transportation Coordinating Committee was formed with the best of intentions and for a time provided a valuable forum for the resolution of issues. However, the value of EMCTC has significantly declined in recent years as the competition for funding has intensified in the face of major resource shortfalls. The EMCTC By-Laws are based on a series of principles, but short of purely good faith efforts, there is no method by which to enforce the agreement or hold members accountable for actions not in keeping with the principles or purpose of the organization. The fragmentation of the EMCTC has resulted in a diminishment of the voice of the Cities of East Multnomah County in regional discussions.
- There are significant functional classification questions surrounding access to Interstate 84 from the south including the Springwater area recently approved for inclusion in the Urban Growth Boundary. The National Highway System and Freight Corridor designations are contentious issues that affect all four cities and the metropolitan region. The practical resolution of these functional classification issues will require the participation of all the jurisdictions.
- Certain decision-making authority has been granted to the municipalities regarding access to county roads amongst other things. Decisions made by the

municipalities are seen as resulting in legal accountability for Multnomah County as the owner of the facility. This is a significant source of concern on the part of Multnomah County transportation staff.

- Ideally, the allocation of capital funding, whether county, federal or municipal, should be blind to geographic boundaries spanned by the transportation system. Planning for and the funding of major improvements should be coordinated and agreed upon at a systemic level.
- Continued urbanization, the commensurate growth in travel demand, and the resultant need for improvements to the system outstrip the funding available. Maintenance and operational budget reductions have been necessary to provide the local matching contribution required for grant funding of road and bridge improvements.
- The cost of on-going and long-term rehabilitation of the Willamette River Bridges is a significant fiscal issue. Insufficient County resources are available to match state and federal grant funds for this purpose. These bridges are viewed by the stakeholders as regionally significant facilities warranting investigation of additional funding without respect to jurisdictional boundaries.
- The issue of the land use/transportation disconnect is not a land use/transportation planning issue. Rather, it is a local land use/county road standards conflict. Continued growth and in-fill development will intensify this problem lacking a clarification of accountability, responsibility and authority for decision-making.
- The Multnomah County Transportation Department has lacked the formal empowerment of leadership over the past several years. Various persons, on an ad hoc basis, have assumed leadership roles. In this environment, innovation, partnering and risk-taking have not been rewarded.
- The Board of Commissioners has not been asked to provide policy direction for the Department of Land Use and Transportation regarding county road standards or other issues surrounding the continuing growth and development within the urbanized portion of East Multnomah County.

It is clear from these findings that simply transferring the county-owned roads between jurisdictions will not resolve some of the very significant umbrella issues.

SECTION VII: EVALUATION CRITERIA

These criteria have been developed to assist in evaluating various options for how transportation services might be delivered in the future. The criteria were developed by the consultant with input from County transportation managers and other stakeholders and are listed in random order.

- **Fiscal Impact:** Any recommendation for change should not result in a diminishment of the fiscal resources available for transportation services.
- **Emergency Service Delivery:** The future structure of transportation service delivery must maintain the capacity for emergency service delivery. Maintaining a "critical mass" of response capability to events ranging from ice storms on Larch Mountain to the 1996 flood event is essential.
- **Stakeholder Issues:** Both stakeholder fears and expectations are high. In order to provide for a permanent solution, the issues raised by the stakeholders must be addressed to the maximum extent possible.
- **Reconcile Authority, Responsibility and Accountability:** To one degree or another the authority, responsibility and accountability for delivery of transportation services is fragmented. Further, actions taken by one party frequently lead to liabilities for another provider. The recommended option should seek to clarify and consolidate accountability and responsibility with the requisite authority for management and operation of the system.
- **Sustainable and Permanent Change:** Any change to the status quo should result in a sustainable organization and governance structure to eliminate the on-going uncertainty faced by employees and the jurisdictions.
- **Regional Transportation Decisions:** The quality and adequacy of the regional transportation system has significance to the Multnomah County General Fund regardless of the actual service delivery role played by the County. The transportation system is an essential ingredient to economic development, the creation of employment opportunities and broadening of the tax base. The selected alternative should respect the County's existing role in regional transportation decision-making. In addition, the selected alternative should provide a mechanism for insuring a united position to be communicated by the JPACT Representative for the East County Cities.
- **Efficient Use of Public Funds:** Any option to be chosen should make efficient use of existing transportation funds and be in the public interest. Any recommendation for change should seek to preserve existing service levels for maintenance and operation of the system.

SECTION VIII: SUMMARY OF POTENTIAL SERVICE DELIVERY OPTIONS

The following service delivery options span the range of possibilities. Clearly, within each option there exist any number of permutations that could be considered. It is somewhat difficult for many to resist diving into too much detail at this point and risk losing sight of the larger issues surrounding each alternative. Working out the specific details of a final recommendation adopted by the Board of Commissioners is a Phase II effort

- **Option A: Status Quo**

As indicated by the title, this is the "business as usual" option. No changes would be made in jurisdictional responsibility or governance of the transportation system.

- **Option B: Transfer Roads in Gresham**

Under this option, jurisdiction of county roads and bridges within the City of Gresham would be transferred to Gresham. This transfer represents approximately 15% of the county-owned system. Under this option the commensurate fiscal, human and equipment resources to operate and maintain the transferred facilities would be transferred to Gresham.

- **Option C: Transfer All Roads in Incorporated Areas:**

This option represents the full divestiture by the County of roads and bridges within incorporated areas of East Multnomah County. Each of the four cities would assume jurisdiction of the county roads and bridges within its boundary. The County would retain jurisdiction over roads in unincorporated areas. Under this option one entity, be it the county or one of the cities, would provide maintenance and engineering services for the urbanized and rural areas on a contractual basis. The County would retain jurisdiction of the Willamette River Bridges and bridges in unincorporated areas.

- **Option D: Full Divestiture**

This option would transfer road and bridge jurisdiction within incorporated areas to the cities as in Option C. As with Option C, one entity, be it the county or one of the cities, would provide maintenance and engineering services for the urbanized and rural areas on a contractual basis. The Willamette River Bridges would be transferred to the City of Portland or a new bridge authority with a regional financial base.

- **Option E: New Governance Structure**

This option would transfer jurisdiction of roads and bridges within the incorporated areas of East Multnomah County to the Cities as in Options C and D. Maintenance of the transferred roads and bridges would be performed, under contract, by Multnomah County. The East Multnomah County Transportation Coordinating Committee would be abolished and replaced by a governance structure to be defined in the County Code. Specifically, the Board of Commissioners would codify the creation of the Multnomah County Transportation Commission (MCTC) and delegate responsibility, accountability and authority for allocation of capital dollars, on-going resolution of systemic functional classification and transportation planning issues, representation of the Cities of East Multnomah County on regional decision making bodies, and establishment of road standards for the arterial system. The County would retain responsibility for maintenance of the roads in unincorporated areas and the Willamette River Bridges.

An Executive Director who also is responsible for management of the Land Use and Transportation Program would staff the MCTC together with a small group of employees using existing county staff vacancies. The Executive Director would be hired by the MCTC and would be accountable to that group. The Executive Director would be named as the JPACT representative for the Cities of East Multnomah County and vote in accordance with the MCTC's established priorities. Multnomah County would retain its JPACT seat as well.

Membership of the MCTC would be comprised of the Mayors of each of the East County Cities and the Multnomah County JPACT Representative. The MCTC would be accountable to the County Board with the clear understanding that the Board will take no action contrary to an agreement of the majority membership of the MCTC.

These five options by no means represent all the possible service delivery mechanisms. Rather, they are intended to span "the universe" in order to focus the conversation in an effort to reach a resolution which is satisfactory to the stakeholders.

SECTION IX: EVALUATION OF ALTERNATIVES

The matrix on page 22 has been prepared to provide a visual reference to the degree to which each option meets the evaluation criteria described in Section VII. Admittedly these rankings are subjective. It is the purpose of this section to provide the rationale used to complete the matrix.

Option A

Fiscal Impact: Since no changes in structure, organization or jurisdiction are proposed by this option there is no diminishment of fiscal resources available.

Emergency Service Delivery: No change in capacity.

Efficient Use of Public Funds: No change in service delivery would result from selection of this option.

Stakeholder Issues: The stakeholder circle has been divided into five quadrants to reflect the degree to which key stakeholders (Fairview, Gresham, Troutdale, Wood Village and Multnomah County) issues and concerns are addressed. In the case of Option I the status quo is the clearly articulated choice of Fairview, Troutdale and Wood Village.

Reconcile Authority, Responsibility and Accountability: This option does not address the underlying issue of actions taken by one party causing potential liability for another.

Permanence: This option does not provide for a permanent solution since it fails to address issues raised by the stakeholders, primarily Gresham and Multnomah County.

Regional Transportation Decisions: This option provides for the continuance of Multnomah County's role in regional decision-making. It does not address the issue of providing for a united position by the East County Cities.

Option B

Fiscal Impact: Transferring jurisdiction of roads to Gresham does not have an impact on the fiscal resources available for transportation. It does have a potential impact on other County funds as fixed costs for central services are redistributed to remaining equipment and facilities and therefore has been ranked as only partially meeting this criterion.

Emergency Service Delivery: No significant change in emergency service capacity would result from this transfer.

Efficient Use of Public Funds: Costs to deliver services would likely increase with the transfer of personnel to Gresham. This minor cost differential could well be made up by increased efficiency within Gresham.

Stakeholder Issues: This option addresses the issues raised by Gresham. However, Fairview, Troutdale and Wood Village are adamantly opposed to this approach for the reasons outlined in the findings section, particularly the functional classification issue.

Reconcile Authority, Responsibility and Accountability: This option addresses the primary point of friction caused by actions taken by one party resulting in potential liability for another. This is a Gresham/Multnomah County issue and transfer of jurisdiction would make Gresham accountable for the arterial system. This option does not fully address the issue of public confusion over permitting and development activity caused by overlapping jurisdictions. For these reasons this option was ranked as partially meeting this criterion.

Permanence: This option provides permanence until such time as the other cities may decide to seek jurisdiction of the system within their boundaries. This is not a likely short term prospect given comments made by staff and elected officials of these municipalities.

Regional Transportation Decisions: This option provides for the continuance of Multnomah County's role in regional decision-making. It does not address the issue of providing for a united position by the East County Cities.

Option C

Fiscal Impact: Transferring jurisdiction of all roads to the cities does not have an impact on the fiscal resources available for transportation. If Multnomah County is not the chosen contract service provider there will be impacts on other County Funds as a result of the redistribution of fixed costs for central services. Therefore this option has been ranked as only partially meeting this criterion.

Emergency Service Delivery: No significant change in emergency service capacity would result from this option.

Efficient Use of Public Funds: If Multnomah County is not the chosen contractual service provider labor costs would likely increase.

Stakeholder Issues: This option addresses the issues raised by Gresham. However, Fairview, Troutdale and Wood Village are opposed to accepting ownership and jurisdiction for the arterial system and are not staffed to manage these types of facilities.

Reconcile Authority, Responsibility and Accountability: This option addresses the primary point of friction caused by actions taken by one party resulting in potential liability for another. This is a Gresham/Multnomah County issue and transfer of jurisdiction would make Gresham accountable for liability of the arterial system. This option also addresses the issue of public confusion over permitting and development activity caused by overlapping jurisdictions. Political accountability for service delivery would reside with the local elected officials rather than the current split between the local jurisdictions and the County.

Permanence: This option provides permanence.

Regional Transportation Decisions: This option provides for the continuance of Multnomah County's role in regional decision-making. However, it has the potential to further fragment the voice of the East County Cities and therefore was ranked as not meeting this criterion.

Option D

Fiscal Impact: Under this option there would be no diminishment of funds available for transportation services

Emergency Service Delivery: No change in emergency service capacity.

Efficient Use of Public Funds: If Multnomah County is not the chosen contractual service provider for the roads fixed costs for labor would likely increase. Transfer of the Willamette River Bridges to the City of Portland together with the existing staff, equipment and facilities would increase public costs for the performance of this work.

Stakeholder Issues: This option addresses the issues raised by Gresham. However, Fairview, Troutdale and Wood Village are opposed to accepting ownership and jurisdiction for the arterial system and are not staffed to manage these types of facilities. Under this option the County would transfer the current liability for the Willamette River Bridges to another party willing to accept that obligation.

Reconcile Authority, Responsibility and Accountability: This option addresses the primary point of friction caused by actions taken by one party resulting in potential liability for another. This is a Gresham/Multnomah County issue and transfer of jurisdiction would make Gresham accountable for liability of the arterial system. This option also addresses the issue of public confusion over permitting and development activity caused by overlapping jurisdictions. Political accountability for service delivery would reside with the local elected officials rather than the current split between the local jurisdictions and the County.

Permanence: This option provides permanence.

Regional Transportation Decisions: This option would provide for the continuance of Multnomah County's role in regional decision-making. However, if the County fully divests of its transportation facilities it seems likely that the County's role in the JPACT would be called into question. As with Option C this option has the potential to fragment the voice of the East County Cities, as well as, weakening regional planning efforts. For these reasons this option was ranked as not meeting this criterion.

Option E

Fiscal Impact: This option will not result in a diminishment of funds available for transportation services. Existing staff positions will be redirected to support the Multnomah County Transportation Commission.

Emergency Service Delivery: No change in capacity.

Efficient Use of Public Funds: No additional costs would be incurred under this option. Elimination of the conflicts amongst various jurisdictional staff, as noted earlier, should enhance service delivery.

Stakeholder Issues: This option addresses the majority of the issues and concerns raised by the stakeholders.

Reconcile Authority, Responsibility and Accountability: This option addresses the primary point of friction caused by actions taken by one party resulting in potential liability for another. Political accountability for service delivery on the regional system would rest with the MCTC. This option provides for coordination and priority setting of a unified Capital Improvement Program serving all the local jurisdictions of East Multnomah County.

Permanence: This option provides the opportunity for forging a new partnership between the stakeholders leading to a permanent resolution of the issues.

Regional Transportation Decisions: This option would provide for the continuance of Multnomah County's role in regional decision-making. In addition, this option provides a mechanism for the Cities of East Multnomah County to arrive at a binding position to be represented at JPACT.

OPTION EVALUATION MATRIX

CRITERIA OPTION	FISCAL IMPACT	EMERGENCY SERVICE	EFFICIENT FUND USE	STAKEHOLDER ISSUES	RECONCILE ACCOUNTABILITY	PERMANENCE	REGIONAL DECISIONS
A	●	●	●	◐	○	○	◐
B	◐	●	●	◐	◐	●	◐
C	◐	●	◐	◐	●	●	○
D	◐	○	○	◐	●	●	○
E	●	●	●	●	◐	●	●

LEGEND



Meets criteria



Partially meets criteria



Does not meet criteria

SECTION X: RECOMMENDATIONS

The issue of road jurisdiction is complex and difficult as evidenced by the previous series of efforts attempting to find a solution. There is no "silver bullet." No proposal will meet with 100% mutual satisfaction amongst the stakeholders so compromise will be required on all sides. The following recommendation strives to address the major concerns of each of the stakeholder.

Of the foregoing alternatives the most promising in terms of meeting stakeholder needs is Option E. However, as with the other options, it has serious drawbacks. Therefore, this recommendation builds on Option E and suggests modifications necessary to address the majority of the deficiencies. Organization charts are included in Appendix III for reference.

ORGANIZATIONAL RECOMMENDATIONS

- **Road Jurisdiction:** Cities should have the ability to control and manage the arterial and collector networks within their boundaries. How these facilities are designed, managed and operated has great influence on the character of development, the quality of the urban environment and the accessibility to modes other than the automobile. These are issues for which the local elected officials are accountable to their citizens and they must be empowered with the commensurate authority to improve the built environment inclusive of the transportation system. Therefore, the County should transfer jurisdictional responsibility for the roads within the incorporated Cities of East Multnomah County at the request of the municipality. The "local option" to assume jurisdiction could be exercised by any or all of the Cities at their sole discretion.
- **Road Maintenance:** The current road maintenance provided by Multnomah County gets high marks, as mentioned earlier. The County should continue to maintain its current inventory of roads in the rural areas and those within the municipalities regardless of jurisdictional transfer. Management of the maintenance across political boundaries currently provides a uniform level of service and directs resources on an annual basis where they are most needed. There is no compelling reason to alter this arrangement. Assuming Gresham opts for the local option to transfer jurisdiction, a commensurate transfer of people, equipment and resources would fragment the maintenance operation and significantly impair the ability to continue present service levels. Further, transfer of the entire maintenance operation to Gresham or another entity is unacceptable to a number of the stakeholders. Current service levels should be defined in a subsequent phase of this project to establish a baseline from which to gauge the quality of services going forward. Individual Cities should be permitted to "buy up" service levels above baseline using their resources to contract for additional maintenance with the County. As Cities improve the transportation system and

provide urban amenities the County should be compensated for the additional maintenance costs.

- **Road Engineering and CIP & Support Operations Groups:** Road design and operational management have a significant influence on the ability of municipalities to provide streetscapes in the public realm that attract and foster complementary private sector investment. Continuing to vest control of design and operations in the County denies or complicates the ability of the Cities to control their "destiny." However, some Cities and the rural areas wish to continue to rely on the County for these services. Therefore, positions necessary for the County to continue services in the rural areas and Cities not selecting the local option for jurisdictional transfer should be identified. This includes those positions needed to support: 1) capital projects in the rural areas and non-local option Cities; 2) support the Willamette River Bridge Group; and 3) road maintenance. All other positions in this group should transfer to Gresham assuming Gresham exercises the local option for jurisdictional transfer. The funding and equipment associated with these positions should be transferred as well.
- **Survey:** The Office of the County Surveyor should remain with the County.
- **Bridges:** The Willamette River Bridges and other structures not transferred as a result of the exercising of the local option should remain with Multnomah County.
- **Water Quality Program:** This program should remain with Multnomah County. Cities opting for the local option will assume responsibility for water quality issues related to the transferred roads.
- **Land Use & Transportation Planning:** The coordination of transportation planning between the four cities and their interface with the rural area is essential to provide for connectivity of the system and to meet the access requirements of newly developing areas such as Springwater while accounting for impacts across jurisdictional boundaries. No jurisdiction can plan its transportation system improvements in isolation or ignore its interface with adjacent communities. The three smaller cities lack the staff capacity to perform these functions and have largely relied upon the County for these services. In order to provide for the coordination of planning efforts and assure responsiveness to the needs of the municipalities it is recommended that the Multnomah County Transportation Commission (MCTC) be formed as a governance body for transportation system planning and development of an implementing strategy through a unified capital improvement program spanning the jurisdictions. This arrangement is envisioned to be similar to that described in Option E. The four positions currently engaged in transportation planning activities should be assigned to staff the MCTC under the guidance of a Director of Transportation Planning rather than an Executive Director as described in Option E. The Director would be a County employee (as

the transferred positions would be) but should be chosen by and accountable to, the MCTC. Staff for the MCTC should be physically relocated to an office space central to the urbanized area to further reinforce the notion that they are accountable to the MCTC. The Director would also serve as the JPACT representative for the East County Cities and be bound by the majority vote of the MCTC regarding priorities for regional funding and other issues which may come before JPACT.

Transportation planning services for implementation and maintenance of the rural area plans would continue to be provided by the current staff under agreement with the Land Use Group.

IMPLEMENTATION STRATEGY

Implementation of these recommendations will require the development of new intergovernmental agreements regarding maintenance, County Code language regarding the MCTC, and a detailed examination of the Road Engineering and CIP & Operations Support Groups. This work was not included in this study pending adoption of the conceptual recommendations herein by the Multnomah County Board of Commissioners.

To facilitate implementation of these recommendations the County should place an immediate freeze on filling any existing or future vacancies within the Transportation and Land Use Program to provide for maximum flexibility and protection for existing employees through the organizational transition.

OTHER RECOMMENDATIONS

The above recommendations largely address the Findings detailed in Section VI of this report. However, there are Findings related to the Willamette River Bridges and capital improvements for which the organizational recommendations do not provide resolution.

- **Willamette River Bridges:** These bridges serve a vast population and economy beyond the limits of the City of Portland or Multnomah County. As they have continued to age, the County has done a good job of operating and maintaining the structures. However, current resources have proven inadequate to provide even the local matching share for state and federal bridge funds without diverting road maintenance dollars. These structures are of regional, if not statewide significance, and it is long overdue to begin a discussion of providing a regional financial support base to guarantee continued preventative maintenance and major renovations. Throughout the region there are locally owned bridges that are, or are close to being, weight-restricted. Unfortunately many of these do not qualify for state or federal assistance because they are rated in better condition than other bridges statewide. This is a "negative reward system" for those jurisdictions that somehow manage to keep their

structures from falling into disrepair while jurisdictions that allow their structures to deteriorate are "rewarded" with financial assistance. A broader discussion than just the Willamette River Bridges may be appropriate to begin addressing this issue.

- **Capital Funding:** Infill development and expansion of the urban growth boundary have resulted in need for both the reconfiguration and expansion of the transportation system within the incorporated areas of East Multnomah County. As noted earlier these capital requirements exceed the currently available resources. The Board of Commissioners should direct that the MCTC develop a unified and prioritized capital improvement plan for the urbanized area. When completed the Board should consider funding the plan through a bonded one-cent increase in the county gas tax dedicated strictly to the capital improvements in accordance with the plan. If the increase were to sunset after ten years this would raise in the range of \$22 million to provide matching funds for state and federal funds or for direct investment in the system.

APPENDIX I

INTERVIEWEES

PERSONS INTERVIEWED

Multnomah County

Chair Diane Linn
Commissioner Maria Rojo de Steffey
Commissioner Lonnie Roberts
Charles Martin
Ed Abrahamson
Dan Brown
Doug Butler
Stan Ghezzi
Don Haskins
Cecilia Johnson
Susan Muir
John Replinger
Karen Schilling
April Siebenaler

City of Fairview

Mayor Mike Weatherby
Roger Vonderharr, Former Mayor
John Anderson

City of Gresham

Mayor Charles Becker
John Dorst
Dave Rouse

City of Maywood Park

Mayor Mark Hardie

City of Portland

Commissioner Jim Francesconi
Michael Harrison
Laurel Wentworth
Brant Williams

City of Troutdale

Mayor Paul Thalhofer
Jim Galloway
Erik Kvarstan

City of Wood Village

Mayor David Fuller
Shelia Ritz

METRO

Councilor Rex Burkholder
Councilor Rod Park
President David Bragdon
Andrew Cotugno

Oregon Department of Transportation

Matt Garret
Bruce Warner

Labor Officials

Scott Clark
Gabriela Downey
Joe Esminde
Marla Rosenburger

Port of Portland

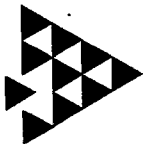
Susie Lashane

Others

Congressman Earl Blumenauer
Tom Markgraf
Kathy Busse

APPENDIX II

EMPLOYEE FOCUS GROUPS



Wednesday, November 05, 2003

Cecilia Johnson
Multnomah County
1600 SE 190th Ave. Rm 224
Portland, OR 97230

Dear Cecilia:

This report presents recommendations from employee focus groups regarding the Multnomah County Transportation Study. It includes a brief section titled Introduction and a larger section titled Findings. In the Introduction section, I describe the timing and methodology used in the study. In the Findings section, I present a short description for each of, along with actual written statements from the participants.

Introduction

During September and October of 2003, focus groups were held with virtually all Multnomah County employees that might be impacted by the Transportation Study currently underway. The first focus group was comprised of managers. All other focus groups were comprised of mixed groups of non-managers.

A short introduction was given to each focus group to help answer any questions participants had about the Transportation Study status and to explain how the focus group would be conducted. All participants were then randomly assigned to table groups consisting of 4 to 5 participants. Everyone was given an ample supply of index cards and asked to address the following question, which was posted on a flip chart:

What should the transportation study recommend?

Make sure your recommendations results in 1) a long-term agreement, 2) an agreement acceptable to the county and cities, and 3) an agreement acceptable to the workforce.

Each participant was challenged to create as many cards as possible, with one recommendation from the study written on each card. Each table group then sorted the cards that were generated at their table into topics of their choosing. Finally, each table group was asked to identify four best recommendations and either flag the cards that state the recommendations, or create new cards to best state each recommendation.

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Each table group reported to the rest of the room the topics they created and their four selected recommendations.

Once all focus group sessions were conducted, the leadership team reviewed the recommendations selected by the focus groups. These were provided on index cards describing the selected, rewritten so no handwriting could be identified. No grammar, spelling or phrasing were modified, however. The leadership team then sorted the cards into topics. This report contains a brief description of each of the resulting topics and a complete listing of the text from all of the cards describing the recommendations from the focus groups, except a few cards that referenced topics outside the scope of the focus group analysis.

Findings

Six unique topics emerged from the focus groups, as follows (listed in no particular order): 1 Improve Relationship/Decision Making, 2 Funding, 3 Different Structure, 4 Status – Quo, 5 Accountability of Study, 6 Employee Expectations. Below is a listing of the cards generated from the focus groups for each of these topics, preceded by a brief summary of the highest-level messages for each topic.

1. Improve Relationships / Decision Making

There is a general recognition that the relationship between Multnomah County, Gresham, and the other East County cities needs improvement. All parties should seek to understand the needs and direction of the other parties and develop collaborative methods to accomplish the best result. This effort will be needed regardless of any other changes that might be implemented as a result of the study.

- Consider involving Gresham and East County cities in transportation planning decisions rather than giving over jurisdiction of County roads. Create a group like MPACT at Metro.
- County should continue control over arterials and collector roads in East County but let cities participate more in future design and development.
- If Gresham wants a better road systems that's pedestrian friendly then the County should comply to the degree which is reasonable but don't give away total control as planning for Gresham affects all Multnomah County.
- The study must lay out a mechanism for conflict resolution between the cities and the County. It should also determine where the final decision is made. There should be consequences for not following any agreements between the cities and County.
- Joint monthly or bi-monthly meetings with all entities within Multnomah County to discuss policies and issues at hand, i.e. COP, bridges, Gresham, all towns and rural, Tri-Met, etc.
- County needs to have better understanding of cities urban planning goals.

- All the agencies need to work together to create coordinated transportation plans.
- Develop (review) service level agreements for services to small cities.
- No change – better working relationship with Gresham – teamwork if possible.
- It is imperative that regionally running roads stay with an authority that values “keeping traffic moving” because congestion pollutes and degrades our standard of living. City streets, downtown, and neighborhood areas should be maintained by cities to develop individual styles. Regular meetings should be held between all parties to discuss overlap.

2. Funding

The desire for increased funding to allow for improved services is high. Several ideas were generated for how to generate new funds or reallocate existing funds. Overall, however, the number one (“loudest”) message related to the study was a plea to ensure that any recommendations adopted from the study ensure adequate funds remain available for the transportation system work to continue.

- Acquire funding (federal/state) to provide improvements (better roads, bike, ped, car, transit friendly) that benefit all members of the public. Use these dollars in a practical, cost effective method. All projects should be consideration of maintenance costs not just initial costs or what “look nice.”
- Better funding, more gas tax money, larger percent of revenue allocated to the County.
- Pursue methods for obtaining increased funding.
- Dedicate gas tax funding with workload; distribute for maximum efficiency.
- Costs of maintaining some rural roads are higher per mile than urban areas. This should be reflected in the gas tax distribution formula.
- The revenue sharing agreement between County and Portland should be re-negotiated. Portland receives a disproportionate amount compared to County and other cities.
- Increase funding with County gas tax to exclude Portland.
- Re-evaluate revenue sharing agreements.
- Money – don’t divide up funds so much that there is not enough money for some municipalities to operate and maintain transportation.
- No matter what happens, build in dedicated, untouched maintenance dollars.

3. Change Structure

The participants identified three alternative structure recommendations, ranging from what we have called Alternative Structures where portions of responsibility are transferred to report somewhere they are not reporting now, to Single Provider, where a Metro-like central body is formed to guide all transportation efforts, to Expand County Role, where Multnomah County takes on a larger level of responsibility for transportation.

Alternative Structures

- Unite all road and bridge departments into three departments only. Save in management and get better work.
 - City of Portland Road Department – all roads in the West
 - City of Gresham Road Department – all roads in the East
 - County Bridge Department – all bridges in the city and County
- Transfer to City of Gresham proportional engineering and support staff, have City of Gresham transfer back all maintenance personnel to Multnomah County (others, small cities, can transfer maintenance operations if they want), dedicate maintenance dollars.
- For some long term or future road construction/maintenance projects there should be some “leasing” or sharing of equipment between the cities and County.
- Share facilities and work force; work within system.
- Direct all transportation districts to their nearest city – with a deadline. Include all working personnel to go with the district.
- Concerning Gresham – engineering services should be their responsibility for contracts for new construction and normal maintenance should remain with Multnomah County.
- Move engineering and land use planning to Gresham, consolidate transportation maintenance crews and takeover all Gresham streets and arterials.
- Move right of way/permits/transportation planning staff to Gresham planning – maintain control of Gresham arterials.
- There should be a permit clearance house (centralized for region).
- Remove duplication of services – this results in the creation of new districts.
- Concentrate road/transportation operations; planning within unincorporated Multnomah County and small East County cities.
- Expanded WRB to include Ross Island, Steel, St. Johns, under regional authority.
- Can an urban road authority be implemented? (3 small cities don’t necessarily want change).

Single Provider

- Control of planning, development, operations and maintenance within roadway should be done by the same agency.
- Seems a regional transportation agency makes the most sense. Let Metro take all roads in Tri-County area instead of all the cities, counties, etc.
- Streamlining services with a centralized agency with a board consisting of representatives from all involved cities and unincorporated areas (such as Metro’s original intention).
- Metro style road department run by Multnomah County for area East of Portland.
- County roads should consolidate under one entity. The cities should have say; medians, lights, trees, etc., and be held accountable for incurred costs.
- Have Multnomah County integrate other jurisdictions work force and road area money into one large organization for centralized transportation coverage.
- There will be one transportation services provider.
- Transportation services should be centralized for Multnomah County.

- There should be one authority whether it is Metro or County that has regional planning/design/maintenance authority to provide consistency and cost effective management and resources.
- One transportation and transportation/land use planning organization, serving cities and County outside Portland.

Expand County Role

- In 1984 the County turned over some roads to the City of Portland. The County should take back those roads since the city is not maintaining by standards. The same with the roads in Gresham that have been transferred. Manage Gresham/County transportation for better East county service.
- Multnomah County re-claims complete authority over arterials and collectors within the City of Gresham.
- Single bridge authority
- The county re-claims the authority for all arterials and collectors in Multnomah County including the City of Portland.
- City of Portland annexes back to County all major collectors and arterials so that the network of roads is continuous thorough out the County.
- Keep all arterials, major collectors, and minor collectors that will become major collectors to include City of Portland. City of Portland maintenance is behind on the roads it has taken over from the County.
- Make Multnomah County responsible for all major arterials in both Gresham and Portland.
- Take arterials and money back from Portland.
- Take back control of all regional roads within Multnomah County, all Willamette River bridges except state controlled bridges. Take back control of all traffic control devices and traffic flow decisions within Multnomah County, take back all monies for mandated control and maintenance of region roads as per state law, and keep maintenance work in house.
- Merge the Gresham roads and smaller cities to the County side along with crews.
- Establish a mini metro type road agency for all governments outside of the City of Portland. Multnomah County should be chief administrator, similar to the Ada County Idaho model.

4. Status-Quo

Several recommendations were made to keep things pretty much as they are. Some of the reasons cited include the expectation that the Cities and Counties can come to an agreement how to work together, the County is doing a better job than any other jurisdiction could, change would be more damaging than helpful, there is no way to satisfy all the cities, and the vote taken in 1993(approving status-quo) should be adhered to.

- The County should be the regional transportation authority for the movement of traffic.

- Example: reorganize the transportation department, there is no reason why the cities and the County can't come to a suitable agreement and save the taxpayers some money.
- Leave transportation system as is since County is doing well with arterial streets and Gresham has input on what we do.
- Don't transfer more roads – County is providing superior and uniform service for the region.
- County should continue control, maintenance, etc., over the bridges that they have now, and not consider contracting out that responsibility to cities.
- The County clean water efforts for storm runoff appear to be ahead of Gresham's efforts. Build on that by keeping control.
- Leave road/traffic/maintenance as status quo.
- Leave everything as is.
- Leave things like they are now.
- Do nothing; there is no action that will make all cities happy.
- Keep status quo for 5-10 years within own organization. Constant upheaval that occurs with each Board or management change and the subsequent organizational changes, re-organization and studies waste much needed funds.
- I recommend we end the study and put the money towards more important issues
- I recommend continuing to manage these bridges by a self-confined organization (not by ODOT or City of Portland) - multi-jurisdictional.
- Splitting to cities would be financially overwhelming to smaller cities and unincorporated areas and would cause the need for more managers, engineers, etc.
- Gresham will not be able to maintain D-1 & D-5 so it is unfair to those communities to transfer any part of roads to Gresham, that just "trims" what the County will have left over to work with
- Respect the voters decision by allowing Multnomah County to keep/gain jurisdiction over East County roads.
- Keep roads and bridges under current jurisdiction and IAW, per the November 93 vote.

5. Accountability of Study

There is a strong desire no new transportation studies anytime soon; changes that result from the study should remain in effect for a long period of time. There were also recommendations that the transportation study be guided by high value principles, resulting in true improvements for citizens.

- A long-term agreement would in the end save taxpayers money and provide better service by work force (by ensuring job security).
- If the study recommends a new agreement between the cities and County, the agreement should include a clause that precludes further studies or discussions about road jurisdiction for a period of at least 20 years.
- The results from this study "shall" be final. No more future studies due to changes in city or County leadership.

- Decisions should have the stipulation that the outcome will stand. Don't keep revisiting the issue over and over.
- Long term agreement, this study should not take place so often as it destroys the morale of work force when employees don't know what the future will be, job stability, etc., make understandable to public and work force.
- The results of agreement should be in effect for at least five years, but not more than 10.
- Funded, well-planned and consistent management, that's accountable in long-term planning and budgeting.
- Regardless of resulting governing bodie(s), a unified, quality control standard is needed to establish, monitor and guide enforcement.
- Transfer roads only to improve the transportation system, not for political or financial reasons.
- This study should require a review of previous studies recommendations as part of current study recommendations.

6. Employee Expectations

Employees want to feel secure in their employment and the compensation and benefits they receive. They additionally want clear leadership and direction.

- No lay offs – period! Keep seniority rights.
- No loss of benefits to employees, no loss of employment even after one year or option of buyout of tier one employees.
- If employees are asked to transfer require County or transfer to carry current benefits package for duration of employment and after retirement.
- Maintain or improve benefits pre and post retirement if any changes are made. Better wages, job security and seniority.
- In the event of road transfer employees should be able to maintain/transfer their seniority to their new employer.
- Must have agreement for labor force at least 10 years.
- Assume job security and job transferability to all workers involved.
- Staff should be able to retain similar responsibilities/duties at their new employer.
- Large buyout of Multnomah County employees early retirement for all effected employees and County pay ½ medical benefits.
- Any transfer or ownership should provide equipment, employment by the new owner.
- No matter who takes the bridges, keep our bridge department intact.
- Support employee needs:
 - Keep them in the loop and have someone speak on their behalf.
 - They need to know stability is coming
 - They need to know how they stand as far as job security
- Within LUT, provide:
 - Consistent leadership
 - Clear Purpose

- Stable organization
- BCC provide clear mission leadership and
 - Direction to LUT
 - Support to LUT

Sincerely,

Ron Sarazin
President

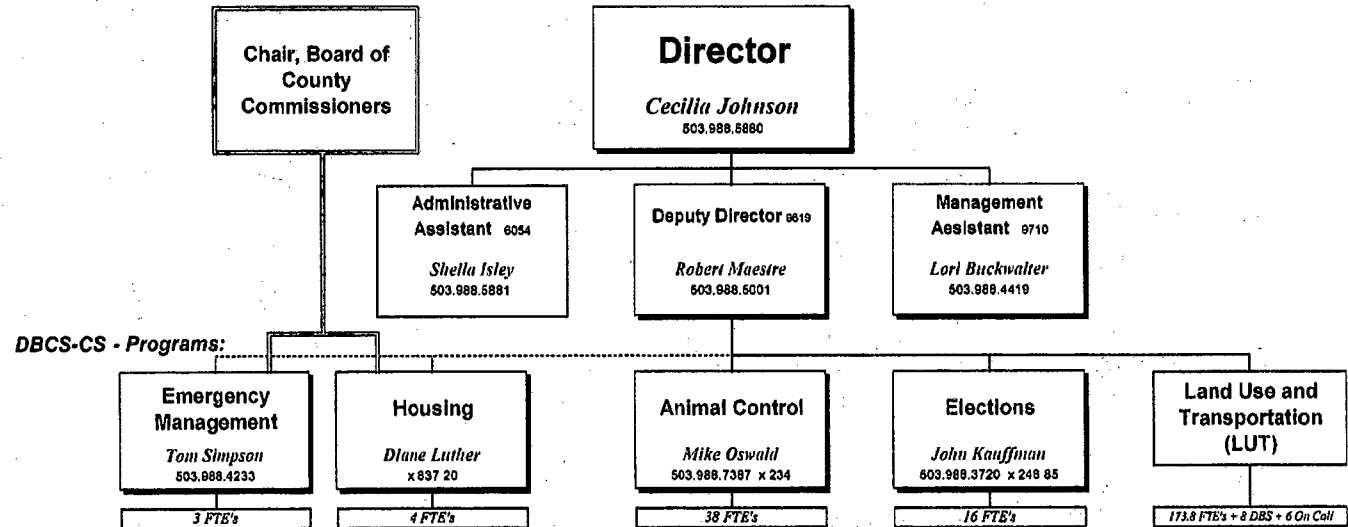
APPENDIX III

ORGANIZATION CHARTS

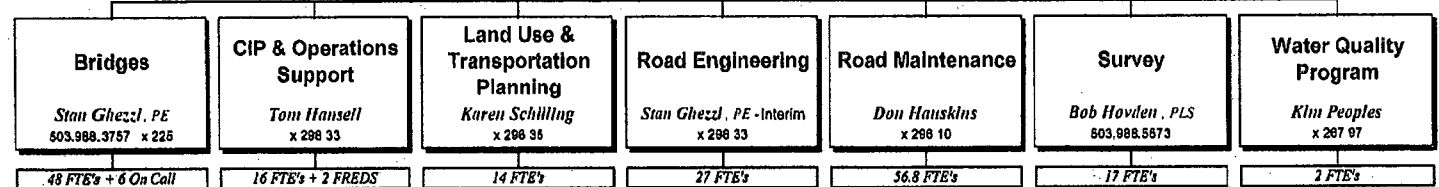
Multnomah County, Oregon - Department of Business and Community Services

Community Services

DBCS-CS - Administration:



LUT - Sections:



DBCS-CS Admin = 4 FTE's; Emergency Management = 3 FTE's; Animal Control = 38 FTE's; Elections = 16 FTE's; Housing = 4 FTE's; LUT = 173.8 FTE's + 8 On Call Operators + 8 DBS FTE's (191 staff positions with DBS)
 DBCS-CS total = 238.8 FTE's + 8 On Call Operators + 8 DBS FTE's = 245 DBCS Staff Positions + 8 DBS staff positions

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. ____

Proceed With Phase II Of The Transportation Study To Determine The Financial Impacts On All Jurisdictions Based On The Phase I Recommendations.

The Multnomah County Board of Commissioners Finds:

- a. In 2003, the Board commissioned a transportation study to examine the options for transportation service delivery and jurisdiction of County roads.
- b. Vic Rhodes of Rhodes Consulting was commissioned to conduct the transportation study on behalf of Multnomah County
- c. Commissioner Maria Rojo de Steffey and Rhodes Consulting have met with elected officials and staff of all impacted jurisdictions and stakeholders and kept in regular communication regarding the progress of the Transportation study
- d. A report was issued by Rhodes Consulting in January 2004 with the following main recommendations:
 - 1) Road Jurisdiction – The County should transfer jurisdictional responsibility for the roads within the incorporated Cities of East Multnomah County at the request of the municipality.
 - 2) Road Maintenance - The County should continue to maintain its current inventory of roads in the rural areas and those within the municipalities regardless of jurisdictional transfer.
 - 3) Road Engineering and CIP & Support Operations Groups - The positions necessary for the County to continue services in the rural areas and Cities not selecting the local option for jurisdictional transfer should be identified and maintained by Multnomah County.
 - 4) Survey – The Office of the County Surveyor should remain with Multnomah County
 - 5) Bridges – The Willamette River Bridges and other structures not transferred as a result of the exercising of the local option should remain with Multnomah County.
 - 6) Water Quality Program – The program should remain with Multnomah County.
 - 7) Land Use & Transportation Planning – The Multnomah County Transportation Commission (MCTC) be formed as a governance body for transportation system planning and development of an implementing

strategy through a unified capital improvement spanning the jurisdictions. Transportation planning services for implementation and maintenance of the rural area plans would continue to be provided by the current staff under the agreement with the Land Use Group.

- e. The report was presented to the Board on January 5, 2004
- f. At that time, the Board did not take further action because it was determined that the East County jurisdictions would need additional time to explore how each recommendation would impact their municipality.
- g. The Mayors of Fairview, Wood Village, Troutdale and Gresham have each provided feedback on the report issued by Rhodes Consulting in January of 2004. The letters from each municipality and a summary are included as an attachment to the Agenda Placement Report and Resolution.

The Multnomah County Board of Commissioners Resolves:

- 1. To authorize Commissioner Maria Rojo de Steffey to oversee a financial feasibility study to address the impacts to the County and local municipalities if the various proposed road transfers are implemented.
- 2. To direct Commissioner Rojo de Steffey to report back to the Board on findings and seek further Board action within six months

ADOPTED this 12th day of August 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By  (for)
Agnes Sowle, County Attorney

#1

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

*****This form is a public record*****

MEETING DATE: 8-12-04

SUBJECT: Road Study Resolution

AGENDA NUMBER OR TOPIC: R-1- Roads Study Resolution

FOR: ☒ **AGAINST:** ☐ **THE ABOVE AGENDA ITEM**

NAME: Chuck Becker

ADDRESS: 1333 NW Eastman Pkwy

CITY/STATE/ZIP: Gresham Or 97030

PHONE: **DAYS:** 503-618-7584 **EVES:** 507-666-2716

EMAIL: _____ **FAX:** _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

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

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

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

#2

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: _____

SUBJECT: COUNTY ROAD STUDY

AGENDA NUMBER OR TOPIC: R-1- Roads Study Resolution

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: DAVID FULLER

ADDRESS: 24121 N.E. HOLLADAY

CITY/STATE/ZIP: WOOD VILLAGE OR 97060

PHONE: DAYS: 503 666 6343 EVES: SAME

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

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#3:

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 8-12-04

SUBJECT: County Roads ~~Transfer~~ Study

AGENDA NUMBER OR TOPIC: R-1 Roads study

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME: Paul Thalhofer

ADDRESS: 104 SE Hibbing

CITY/STATE/ZIP: Troutdale, OR 97060

PHONE: DAYS: 503-665-3842 EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: Roads

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
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**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: 8/12/09

SUBJECT: Gresham Roads

AGENDA NUMBER OR TOPIC: R-1 Roads Study Resolution

FOR: _____ AGAINST: ✓ THE ABOVE AGENDA ITEM

NAME: ~~Bryan~~ Ken Allen & Bryan Lally, AFSCME Council 75

ADDRESS: 123 NE 3rd Ave

CITY/STATE/ZIP: Portland

PHONE: _____ DAYS: 239-9855 EVES: 961-5490

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

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BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-113

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on All Jurisdictions Based on the Phase I Recommendations

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 - 6) Water Quality Program – The program should remain with Multnomah County.

- 7) Land Use & Transportation Planning – The Multnomah County Transportation Commission (MCTC) be formed as a governance body for transportation system planning and development of an implementing strategy through a unified capital improvement spanning the jurisdictions. Transportation planning services for implementation and maintenance of the rural area plans would continue to be provided by the current staff under the agreement with the Land Use Group.
- e. The report was presented to the Board on January 5, 2004
- f. At that time, the Board did not take further action because it was determined that the East County jurisdictions would need additional time to explore how each recommendation would impact their municipality.
- g. The Mayors of Fairview, Wood Village, Troutdale and Gresham have each provided feedback on the report issued by Rhodes Consulting in January of 2004. The letters from each municipality and a summary are included as an attachment to the Agenda Placement Report and Resolution.

The Multnomah County Board of Commissioners Resolves:

1. To authorize Commissioner Maria Rojo de Steffey to oversee a financial feasibility study to address the impacts to the County and local municipalities if the various proposed road transfers are implemented.
2. To direct Commissioner Rojo de Steffey to report back to the Board on findings and seek further Board action within six months

ADOPTED this 12th day of August 2004.



REVIEWED:

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By
Agnes Sowle, County Attorney

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: August 12, 2004

Agenda Item #: R-2

Est. Start Time: 10:00 AM

Date Submitted: 08/12/04

Requested Date: August 12, 2004

Time Requested: 5 minutes

Department: Non-Departmental

Division: Chair's Office

Contact/s: Denise Kleim, Administrative Manger, City of Portland, Bureau of Development Services

Phone: 503-823-7338

Ext.:

I/O Address: 299/5000/Kleim

Presenters: Denise Kleim

Agenda Title: Resolution Establishing MCC Chapter 7, Business and Community Services, Fees and repealing Resolution No. 03-099, effective September 1, 2004

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

-
1. **What action are you requesting from the Board? What is the department/agency recommendation?** Adopt Resolution establishing increased on-site sewage disposal fees throughout Multnomah County, which is served by the City of Portland under IGA for MCC Chapter 7, Business and Community Services, and repealing Resolution No. 03-099, effective September 1, 2004. All other fees are unchanged.
 2. **Please provide sufficient background information for the Board and the public to understand this issue.** The City of Portland Bureau of Development Services (BDS) is proposing an overall revenue increase of 57% in on-site sewage disposal fees. The Portland City Council has directed that BDS' construction-related operations be 100% fee supported. The Environmental Soils program has been severely underfunded for several years, and this fee increase will allow it to approach self-sufficiency. While the total revenue increase is 57%, it is not an across-the-board increase; the amount will be different for each fee in the schedule, with all fees increasing by a minimum of 11.2%.

Fee changes are not made easily – or often. BDS knows these charges affect its customers' work and their willingness to do business in this area. BDS' interests are in maintaining current levels of service, and increasing its effectiveness for its customers and the community.

3. **Explain the fiscal impact (current year and ongoing).** There is no financial impact to Multnomah County to raise these fees. However, if Multnomah County should choose not to raise these fees to the City's level, the program would cease to be cost effective, because costs would exceed revenues. The City would need to review its commitment to provide these services or seek funding support from Multnomah County for services in the unincorporated service area.

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

If a budget modification, explain: N/A

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain: N/A

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

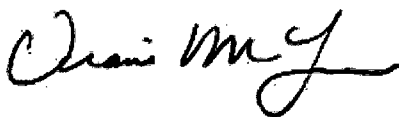
If grant application/notice of intent, explain: N/A

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

4. **Explain any legal and/or policy issues involved.** Conforms with ORS 454.605-454.755 and MCC Chapter 7.
5. **Explain any citizen and/or other government participation that has or will take place.** Citizens may comment on the fee resolution at the Board meeting.

Required Signatures:

Department/Agency Director: _____



Date: 6/17/2004

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Establishing Fees and Charges for Chapter 7, Business and Community Services, of the Multnomah County Code and Repealing Resolution No. 03-099

The Multnomah County Board of Commissioners Finds:

- a. The Multnomah County Code provides that the Board shall establish certain fees and charges by resolution.
- b. The Board adopted Resolution 03-099 establishing fees for MCC Chapter 7, Management and Business Services on July 10, 2003.
- c. Multnomah County has entered into intergovernmental agreements with the cities of Gresham and Portland to administer and enforce MCC § 7.051.
- d. The City of Portland will increase the fees charged for on-site sewage disposal within the Portland Urban Services Boundary effective September 1, 2004.
- e. It is necessary to establish the new fees for MCC Chapter 7, Business and Community Services, by adding the updated on-site sewage disposal fees for the areas of unincorporated Multnomah County covered by the intergovernmental agreement between the County and the City of Portland.
- f. All other fees and charges established by Resolution 03-099 remain the same.

The Multnomah County Board of Commissioners Resolves:

1. The fees and charges for Chapter 7, Business and Community Services, of the Multnomah County Code are set as follows:

Section 7.002. DISHONORED CHECK FEES.

The fee for processing a dishonored check, draft or money order is \$25.00.

Section 7.005. INTEREST FEES.

The interest rate on receivables is 1.5% per month.

Section 7.006: PURCHASING AND HANDLING FEES.

The fee for purchasing and stores services is 10% of the value of goods purchased and handled.

Section 7.008. ASSESSMENT AND TAXATION FEES.

(A) For any printout or copy of an appraisal card for any tax account, the division of assessment and taxation shall charge a fee of \$1.00 per page, provided that where printouts or

appraisal cards are requested and provided for more than one tax year or for any tax year other than the current year, the division shall charge an additional fee of \$1.00 for each such year.

(B) For the division's services in gathering, preparing or providing nonstandard information upon request, the division shall collect a fee equal to its actual cost, as determined by the director of the division.

(C) In addition, the division shall charge the following fees for copies provided by it:

MICROFICHE	
Assessment roll	\$ 100.00
Property owners index	25.00
Property address index	25.00
Sales data—per month	50.00
Individual copies of microfiche:	
First copy	10.00
Each additional copy	1.00
Merged recording indices	100.00
Record indexing fee, per document	1.00
ELECTRONIC FILES	
Assessment roll	200.00
Property Administration	100.00
Tax bills	100.00
Delinquent taxes	50.00
Situs address	75.00
Sales	75.00
Deeds	75.00
Property Owners	75.00
Property Improvement Characteristics	300.00
Property Land Characteristics	75.00

Section 7.051. SUBSURFACE SEWAGE INSPECTION AND PERMIT FEES.

SITE EVALUATION	
Site Evaluation – Land Feasibility Study (LFS)	
Up to 600 gallons	\$625
Large systems (601 – 2,500 gallons) Additional fee charged per 500 gallons	\$215
SINGLE FAMILY DWELLING ONLY	
Evaluation for Temporary or Health Hardship Mobile Home	
Bi-annual inspection	\$410

New Residential Construction – Installation Permit Up to 600 gallons	
Advanced Treatment Technology	\$1,115
Capping Fill	\$1,115
Sandfiltration	\$1,115
Pressure Distribution	\$1,115
Tile Dewatering	\$1,115
Standard On-Site System	\$820
Seepage Trench	\$820
Gray Water Waste Disposal Sump	\$420
Other	\$820
Residential Repair Permit Up to 600 gallons	
Major Septic Tank/Drainfield	\$465
Minor Septic Tank	\$230
SINGLE FAMILY, TWO OR MORE FAMILY, AND COMMERCIAL FACILITIES	
All Pumping Systems With Single Pump, Excluding Sandfilters	
Single Pump Systems	\$65
Alteration Permit	
Major Cesspool	\$825
Major Septic Tank/Drainfield	\$825
Minor Septic Tank	\$420
Authorization Notice	
Without Field Visit	\$215
With Field Visit	\$630
Decommission Cesspool/Septic Tank	
Abandonment – without site visit	\$80
Abandonment – with site visit and another on-site permit	\$80
Abandonment – with site visit, but no other on-site permit	\$165
Existing System Evaluation	
	\$515
Holding Tank, Sand Filtration, or Advanced Treatment Technology	
Annual Inspection	\$410
TWO OR MORE FAMILY AND COMMERCIAL FACILITIES	
Commercial Repair Permit Up to 600 gallons	
Major Alternative System	\$1,115

Major Septic Tank/DF	\$820
Minor Holding Tank	\$820
Minor Septic Tank	\$420
Large system (601 – 2,500 gallons) Additional fee charged per 500 gallons	\$105
Commercial Facilities System Plan Review To be charged in addition to commercial construction and repair permit fees.	
601 – 2,500 gallons	\$500
New Commercial Construction – Installation Permit Up to 600 gallons	
Advanced Treatment Technology	\$1,115
Alternative System	\$1,115
Sandfiltration	\$1,115
Holding Tank	\$820
Septic Tank/Drainfield	\$820
Large systems (601 – 2,500 gallons) Additional fee charged per 500 gallons	\$105
MISCELLANEOUS	
Certification of On-site Sewage Disposal Multnomah County Land Use Sign Off	
Without site visit	\$90
With site visit	\$170
Permit Transfer, Reinstatement or Renewal	
Without Field Visit	\$215
With Field Visit	\$630
Pumper Truck Inspection	
First Truck	\$210
Second Truck	\$85
Reinspection Fee	
Residential	\$425
Commercial	\$425

Section 7.052. MISCELLANEOUS PERMIT FEES.

See Exhibit A attached.

Section 7.053. PLAN REVIEW AND INSPECTION OF
UNDERGROUND INSTALLATIONS AND STREET INTERSECTIONS.

See Exhibit B attached

Section 7.054: ROAD VACATION APPLICATION.

Feasibility study:	\$200.00
Application:	120% of estimated costs
Minimum:	\$1,000.00 plus \$65.00 for posting

Section 7.055. STREET AND ROAD WIDENING PERMITS.

(B) The construction permit deposit schedule for engineering, design, project management, and administration shall be as follows:

Project Cost as Estimated by the County	Deposit
Minimum Deposit at the time of application	800.00
\$4,000.00 to \$10,000.00	20%
\$20,000.00 to \$50,000.00	\$2,000.00 plus 12.0% over \$10,000.00
\$50,000.00 and over	\$6,800.00 plus 10.0% over \$50,000.00

Section 7.056. MISCELLANEOUS PUBLIC WORKS FEES.

For services provided by the department in connection with design, plan review and inspection of items not set forth elsewhere, the department shall charge fees sufficient to cover the actual cost of services. The following are deposits only. The actual charges will be based on actual costs including overhead and other related costs, determined at the completion of the project. The difference between the actual costs and the deposit will either be billed or refunded to the permit holder.

Project cost as Estimated by the county	Deposit
Minimum deposit at the time of application	\$800.00
\$4,000.00 to \$10,000.00	\$20%
\$10,000.00 to \$50,000.00	\$2,000.00 plus 12.0% over \$10,000.00
\$50,000.00 and over	\$6,800.00 plus 10.0% over \$50,000.00

Section 7.059. ZONE REVIEW AND ZONING INSPECTIONS.

For conducting any zone review prior to the issuance of a building or mobile home permit, the department shall charge a fee of \$25.00 or 15 percent of the permit fee, whichever is greater; provided that the fee for review of applications for permits to construct one- or two-family dwellings shall not exceed \$25.00. Zoning review fees are payable upon permit application. For conducting any zoning inspection during construction or after completion of construction, the department shall charge a fee equal to the greater of \$25.00 or 35 percent of the building permit fee, to be collected at the time the permit is issued, provided, however, that no fee for zoning inspection of one- and two-family dwellings shall exceed \$25.00. Zoning inspection fees are payable upon permit issuance.

Section 7.060. FILING OF MAP SURVEYS.

A fee of \$225.00 shall accompany each filing of a map of survey

Section 7.061. FEES FOR CERTAIN DOCUMENTS; PUBLIC LAND CORNER PRESERVATION ACCOUNT.

Document filing fee: \$5.00

Section 7.062. COUNTY SURVEYOR FEES.

(A) Fees are based on the following procedures and requirements on partition, subdivision and condominium plats.

- (1) Submit a boundary survey to the County surveyor a minimum of 30 days prior to the submission of the final subdivision or condominium plat. If warranted, the county surveyor may waive this requirement.
- (2) In addition to the requirements of ORS 209.250, a survey, and a partition plat if a separate survey has not been filed shall show all obvious encroachments or hiatus created by deeds, buildings, fences, cultivation, previous surveys and plats, or similar means and any other conditions that may indicate that the ownership lines as surveyed may be different than those shown on the survey.
- (3) The county surveyor may refuse to approve a plat if the surveyor finds an encroachment or hiatus. Evidence that the hiatus or encroachment has been eliminated may be required, or the county surveyor may require that it be shown on the plat if it cannot be eliminated.
- (4) All partition, subdivision, and condominium final plats, including those inside city limits, shall be checked and approved by the county surveyor prior to recording. No plat shall be recorded without such approval. This approval by the county surveyor shall be valid for 30 days from the date of approval to the date submitted for recording, after 30 days the approval is withdrawn and must be resubmitted.
- (5) All partition, subdivision, and condominium final plats submitted for approval shall be accompanied by a report, issued by a title insurance company, or authorized agent to perform such service in Oregon, setting forth ownership and all easements of record, together with a copy of the current deed and easements for the platted property, and copies of the deeds for all abutting properties and other documentation as required by the county surveyor. The report shall have been issued no more than 15 days prior to plat submittal to the county surveyor. A supplemental report may be required by the county surveyor.

(B) A deposit for the following county surveyor functions shall be made with the submission of the material. The final fee will be determined at completion of the project based on actual costs incurred by Multnomah County including overhead and other related costs. The difference between the actual costs and the deposit will be paid prior to approval of the final plat or refunded to the applicant except for post-monumented plats, which will not be refunded until after completion of the interior monumentation; the survey filing fee is non-refundable.

- (1) Partition Plat Review, the deposit shall be:

Base Deposit	\$480.00 plus
Survey filing Fee	\$225.00

- (2) Pre-monumented Plat Review, the deposit shall be:

Base Deposit	\$700.00 plus
Survey Filing Fee	\$225.00 plus
Per Lot, Tract, or Parcel	\$ 35.00 each, plus
Per gross acre of the subdivision if the average Lot size exceeds 15,000 sq. ft	\$ 31.00 per acre

- (3) Post-Monumented Plat Review, the deposit shall be:

An estimate by the county surveyor based on the complexity of the plat at 120 percent of the estimate; the minimum deposits shall be:

Base Deposit	\$795.00 plus
Survey Filing Fee	\$225.00 plus
Per Lot, Tract, or Parcel	\$45.00 each, plus
Per gross acre of the subdivision if the average lot size exceeds 15,000 sq. ft.	\$31.00 per acre

- (4) For Condominium Plat Review, the deposit shall be:

Base Deposit	\$770.00 plus
Each Building	\$105.00 each, plus
Survey Filing Fee	\$225.00

- (5) For Condominium Plat Amendment Review, the deposit shall be:

Base Deposit	\$500.00 plus
Survey Filing Fee	\$225.00

- (C) Posting of street vacations in accordance with
ORS 271.230(2)

\$ 65.00

- (D) Review, Approval, and Posting of Affidavits of
correction

\$ 45.00 plus county
clerk's recording fee

- (E) For services required by ORS 100.115 in connection with reclassification or withdrawal of variable property from unit ownership as provided in ORS 100.115(1) or (2), or removal of property from any condominium plat as provided in ORS 100.600(2), the fee will be \$150.00.

- (F) In accordance with ORS 92.070(5), (1997), relating to the reestablishment of Subdivision Plat Monuments and the review and recordation of the required surveyor's affidavit in support thereof, the affidavit recording fee shall be \$100.00 plus the county clerk's recording fee.

- (G) In accordance with ORS 100.115(6), (1997), relating to Declaration Amendment Review service, the fee shall be \$100.00 plus the county clerk's recording fee.

Section 7.064. BOOK OF RECORDS.

Minimum per roll of 16mm:	\$12.00
Minimum per roll for 35mm microfilm:	\$15.00
Minimum for microfiches:	\$ 2.00

Section 7.065. MAP REPRODUCTIONS AND LOANS.

For the services of the department in reproducing and loaning maps, fees shall be charged in accordance with the following schedules:

Standard Weight	Blackline	Sepia
¼ Section		
30 inches x 36 inches	\$3.00	\$5.00
600 Scale		
21 inches x 33 inches	\$2.00	\$3.00
Plat		
18 inches x 24 inches	\$2.00	\$2.00
1,000 Scale		
13 inches x 21 inches	\$1.00	\$2.00

Photostat copy where no tracing exists: \$5.00

Office duplicator copy of a portion of a map: \$1.50

For loaning sepia or plat tracing, 48-hour
limit excluding weekends and holidays: \$0.50 each

Each additional 48 hours excluding weekends and holidays: \$2.00 each

Condominium hardboard and tracing recording: \$9.00 per page.

Section 7.067. BOUNDARY CHANGE APPLICATION.

For services provided by the department in connection with processing a boundary change petition, the department shall charge fees sufficient to cover the actual cost of services. The following is a deposit only and is in addition to any other fees, deposits or charges authorized by law. The actual charges will be based on actual costs including overhead and other related costs, determined at the completion of the process. The difference between the actual costs and the deposit will either be billed or refunded to the applicant. Minimum Deposit: \$2,300 per application (includes Metro mapping service fee).

Section 7.303.

DOMESTIC PARTNERSHIP REGISTRATION FEES:

Filing Fees:		
Registration:	\$60 to be distributed as follows:	
	\$25	to county (General Fund) for processing
	\$25	to the Multnomah County Community and Family Services – Clearinghouse to be used for safe housing for Domestic Violence victims
	\$10	for conciliation services provided under ORS §§ 107.5100 to 107.610
Termination:	\$25.00	to county for processing

Section 7.405. PROCEDURE FOR REQUESTING TRANSFER OF TAX FORECLOSED PROPERTY FOR HOUSING PURPOSES:

Non-refundable Application Fee: \$50.00

Section 7.410. PROCEDURE FOR DISPOSITION OF REQUESTS FOR TRANSFER OF TAX FORECLOSED PROPERTY FOR HOUSING AND FOR OPEN SPACE, PARKS OR NATURAL AREAS:

Non-refundable Transfer Fee: \$200.00

Section 7.505. REAL PROPERTY COMPENSATION APPLICATION FEE AND ADDITIONAL COSTS:

Non-refundable Application Fee: \$1,550
Posting signs: \$5 each

Section 7.605.

PERMITS.

Ammonia storage: \$25.00

Section 7.783.

SEWER USER SERVICE CHARGES.

Per equivalent dwelling unit, per month: \$14.00
Pumping, per 1,000 cubic feet water \$0.50 to \$2.00
consumption per month:

Section 7.784.

SENIOR CITIZENS RATE

Per month: \$7.00

Section 7.788. CONNECTION FEES.

(A) The following fees for connection with a public sewer inside or outside the district shall become effective November 1, 1984, and shall be based on equivalent dwelling units and shall be as follows:

(1) Residential Users:

- | | | |
|------|---|------------|
| (a) | Single-family unit connection fee, October 1, 1984: | \$1,100.00 |
| (b) | Multifamily unit connection fee: | |
| (i) | First living unit: | \$1,100.00 |
| (ii) | Each additional living unit: | \$ 935.00 |

(2) Nonresidential users: The formula for computing the connection fee for a nonresidential user shall be equal to the equivalent dwelling units multiplied by \$1,100.00. Equivalent dwelling units shall be determined by table 2 of MCC 7.783.

(3) Combined dwelling units and others: Where both dwelling units and other occupancies are combined on the same property, the charges for sanitary connection shall be at the living unit rate for the dwelling units required in subsection (A)(1)(b) of this section, plus the rates given in (A)(2) for the nonresidential users of the property.

Section 7.790. EXTRA-STRENGTH INDUSTRIAL WASTE.

(D) *Extra-strength rates.* Effective October 1, 1984:

BOD, per pound	\$0.097
Suspended solids, per pound	\$0.106

(E) *Industrial waste discharge permit fees.*

- (1) The engineer shall determine the effective period for the permit, based upon such factors as concentration, volume, and origin of the discharge. In no case shall an industrial waste permit be effective for a period exceeding five years.
- (2) Except as provided in subsection (F)(2)[sic], fees for industrial waste discharge permits shall be \$75.00 for each permit and \$50.00 for each renewal of a permit. However, permit renewals which involve new or additional discharges from those in the preceding permit shall have a fee of \$75.00. Where a permit is issued as a result of a violation, the permit fee shall be \$150.00. Fees are payable to the county as part of the application for the permit or permit renewal.
- (3) Where the owner of a property is discharging industrial wastes prior to the effective date of the ordinance comprising this subchapter, the owner shall be issued an industrial waste discharge permit at no charge, but will then be subject to the renewal fees and requirements of this section.

- (F) *Minimal charges suspension.* The engineer may establish a minimum limit for monthly extra-strength charges. The billing for all accounts whose monthly extra-strength charges are below this minimum limit will be suspended until such time as they are found to be higher.
- (G) *Adjustments.* The engineer may check sewage strength as outlined in this section and adjust charges where applicable at any time in accordance with the most recent analysis.

Resampling request; fees. Any discharger may request the district to resample wastewater at no charge if 18 months or more have elapsed since the last such sampling. If less than 18 months have elapsed since the last sampling, then requests for the district to resample wastes shall be submitted in writing and accompanied by full payment for the resampling fee. The fee to each account for five days of sampling is \$500.00 per sample, per sampling point. The fee for one day's resampling is \$125.00 per sample, per sampling point.

2. This resolution takes effect and Resolution 03-099 is repealed on September 1, 2004.

ADOPTED this 12th day of August, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

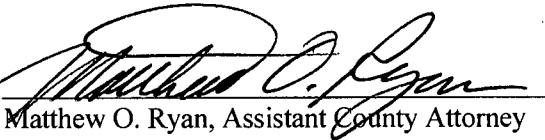
By 
Matthew O. Ryan, Assistant County Attorney

EXHIBIT A

Section 7.052. MISCELLANEOUS PERMIT FEES

Miscellaneous permit fees.

The following fees shall be charged for permits:

- (A) For overweight or over dimensional moves, except for moves as specified in MCC 7.052(A)(2), either single trip or annual permit, the fee shall be \$8.00. Future fee increases by the Oregon Department of Transportation shall automatically increase the county's fee for this service to the same level, without action of the board of county commissioners.
- (B) For building and structure move permits permittee shall post a deposit of \$1,000.00 prior to issuance of a permit. Non-refundable permit application, investigation and issuance fees for structures under 14 feet in width and 15 feet in height shall be \$115.00. For structures exceeding the above dimensions, the non-refundable permit fee shall be \$145.00. Inspection fees to be billed at the actual costs incurred by the county including overhead and equipment costs. For over-dimensional moves other than house moves, the non-refundable permit fees for heights over 17 feet in width shall be \$75.00 for a normal workday, and \$350.00 for holidays and weekends.
- (C) For permits issue for manholes for storm and sanitary sewers, the fee shall be \$30.00 per manhole.
- (D) For permits issued for canopies, awnings and marquees, a fee of \$40.00 shall be charged.
- (E) For permits issued for construction or reconstruction of driveway approaches, the fees shall be:
 - (1) \$90.00 first driveway approach.
 - (2) \$60.00 each additional driveway approach inspected at the same time as first approach.
 - (3) Common access way permit fees for plan review and inspection shall be \$120.00 or \$0.06 per square foot of common access way, whichever is greater. The above fee will include the first driveway approach fee under section 7.052(E)(1).
 - (4) \$90.00 for agriculture approaches.
 - (5) \$90.00 for temporary logging approaches.
- (F) For permits issued for sewer connections, the fee shall be \$120.00 per connection.
- (G) For a drilling or boring test hole permit, the fee shall be \$84.00 each.
- (H) For curb drain outlet construction or reconstruction, including drainage connections to catch basins, a fee of \$20.00 shall be charged.

- (I) For sidewalk construction or reconstruction, the fee shall be \$0.25 per square foot with a minimum fee of \$10.00. For curb construction or reconstruction the fee shall be \$0.35 per lineal foot with a minimum fee of \$10.00.
- (J) The fee to release advertising benches picked up within the right-of-way shall be \$50.00 per bench.
- (K) For any excavation, construction, reconstruction, repair, removal, abandonment, placement or use within the right-of-way, the permit fee shall be a minimum of \$50.00.
- (L) For material filing or excavating within the public right-of-way, the permit fee shall be \$50.00.
- (M) For underground storm or sanitary sewer construction, reconstruction or repair permits, including property service and laterals not maintained by the county, the fees shall be:

<i>Length of Conduit Constructed, Reconstructed, Repaired or Exposed for Repair</i>				<i>Fee</i>
0	-	50	feet	\$50.00
51	-	100	feet	60.00
101	-	200	feet	70.00
201	-	300	feet	75.00
301	-	400	feet	80.00
401	-	500	feet	85.00
501		feet and over		\$85.00 plus \$0.07 per foot over 500 feet

Conduit diameters exceeding 24 inches shall be assessed a surcharge onto the above rates of \$0.01 per foot of diameter per foot of length.

- (N) If work is commenced on a project requiring a permit without first securing the permit, the fee shall be double the fee established in this section. If the fee required by this subsection is not paid directly to the department by the owner of the property, the person paying the penalty shall be required to notify the owner that the penalty was imposed. Payment of the fee shall not relieve or excuse any person from penalties imposed for violation of any applicable statutes or ordinances.
- (O) If work is commenced on a project requiring a permit without first securing the permit, the fee shall be double the fee established in this section. If the fee required by this subsection is not paid directly to the department by the owner of the property, the person paying the penalty shall be required to notify the owner that the penalty was imposed. Payment of the

fee shall not relieve or excuse any person from penalties imposed for violation of any applicable statutes or ordinances.

- (P) A permit deposit for each permit authorizing work under ORS 374.305 not covered in this section shall be 120 percent of estimated amount of charges based on the estimated hours or part thereof for plan review and/or inspection. The final fee will be determined at completion of the project based on the actual costs incurred by Multnomah County including overhead and other related costs. The difference between the two amounts will be billed or refunded to the permit holder with the minimum fee being \$50.00.
- (Q) Permits under this section shall be issued without charge when a permit is required as a direct result of a county public works improvement. For temporary closure of any street or any portion of a street, the fee shall be \$84.00.[Ord. 126 § 9 (1976); Ord. 195 § 6 (1979); Ord. 256 § 2 (1980); Ord. 278 § 3 (1981); Ord. 367 § 1 (1983) (court of appeals held that payment of fee for permit by utility companies was in violation of ORS 758.010 on May 16, 1984, supreme court denied petition for review August 8, 1984, court of appeals decision became enforceable September 10, 1984); Ord. 467 § 2 (1985); Ord 826 § 2(A)--(H) (1995)]

EXHIBIT B

Section 27.053. PLAN REVIEW AND INSPECTION OF UNDERGROUND INSTALLATIONS AND STREET INTERSECTIONS

Fees for plan review and inspection of underground installations and street intersections.

- (A) For plan review and inspection of any storm sewer line installation, when completed facilities are to be maintained by the county, the fee shall be:

<i>Estimated or Bid Construction Cost</i>			<i>Fee</i>
0.00	-	\$1,000.00	\$50.00
\$1,000.00	-	5,000.00	\$50.00 plus 1.25% over \$1,000.00
5,000.00	-	10,000.00	\$100.00 plus 1.00% over \$5,000.00
10,000.00	-	15,000.00	\$150.00 plus 0.90% over \$10,000.00
15,000.00	-	20,000.00	\$195.00 plus 0.80% over \$15,000.00
20,000.00	-	25,000.00	\$235.00 plus 0.70% over \$20,000.00
25,000.00	-	30,000.00	\$270.00 plus 0.60% over \$25,000.00
30,000.00	-	35,000.00	\$300.00 plus 0.50% over \$30,000.00
35,000.00	-	40,000.00	\$325.00 plus 0.40% over \$35,000.00
40,000.00	-	45,000.00	\$345.00 plus 0.30% over \$40,000.00
45,000.00	-	50,000.00	\$360.00 plus 0.20% over \$45,000.00
50,000.00	-	and over	\$370.00 plus 0.74% over \$50,000.00

- (A) When submitting plans for review, the applicant shall submit a copy of the engineer's estimate or the bid construction cost. No plans will be reviewed without the required cost figures. If, in the opinion of the director of the department, the cost figures appear unreasonable, the director shall establish the permit fee based upon the director's cost estimate of the work to be done. The director shall submit a report to the county executive/chair of the board of county commissioners whenever a cost estimate is adjusted and shall state the reasons therefore.
- (B) For utility lines, including storm and sanitary sewers, to be maintained by others, not connecting to a county-maintained system but located within county-controlled right-of-way or easements, the plan review and inspection fee will be \$40.00 plus \$0.10 per foot of line.
- (C) For storm or sanitary sewer line systems located on private land connecting to county maintained systems, the plan review and inspection fee will be a minimum of \$40.00 plus \$10.00 for each acre or fraction thereof within the development area. Developments requiring both storm and sanitary system review will be charged that rate for each.

- (D) A sewer line system for fee purposes means a line with two or more connections including lateral lines, house branches, inlets or any other appurtenance contributing discharge.
- (E) Plan review and inspection fees will be established by the director for connections to a county system where the development area is not discernable or applicable. A deposit shall be 120 percent of estimated amount of charges based on the estimated hours or parts thereof required for plan review and/or inspection. The final fee will be determined at completion of the project based on costs incurred by Multnomah County including overhead and other related costs. The difference between the actual costs and the deposit will be billed or refunded to the permit holder.
- (F) For plan review and inspection of each street intersection or vehicle access, either public or private, other than a standard driveway approach, a fee of \$40.00 will be charged.
- (G) Plans shall be reviewed by Multnomah County under this section for compatibility with the comprehensive plan, conformance to county design criteria, as applicable, and for general protection of county facilities as considered necessary.
- (H) Inspection by Multnomah County under this section will be cursory only and will not relieve the owner, contractor or engineer of responsibility for the project being completed according to plans and specifications.

[Ord. 126 § 10 (1976); Ord. 826 § 2(I), (J)(1995)]

BOGSTAD Deborah L

From: BOGSTAD Deborah L
Sent: Monday, August 09, 2004 10:40 AM
To: SOWLE Agnes; Andy Smith; Carol WESSINGER; Chuck Martin; David Martinez; Delma FARRELL; Gary Walker; Heather Carroll; Iris BELL; Judith Bauman; Kathryn GORDON; Kristen WEST; Mary Carroll; Matthew LASHUA; Robert Gravely; Robert Walker; Shelli Romero; Steve MARCH; Terri Naito; Diane Linn; Lisa Naito; Lonnie Roberts; Maria ROJO DE STEFFEY; Serena Cruz
Cc: KINOSHITA Carol
Subject: R-2 and R-3 on the August 12th agenda
Importance: High

R-2 and R-3 need to be amended on Thursday, to coordinate with the City's effective date. The Board will need to make a motion to amend each Resolution's effective date from September 1 to September 3, 2004. Thank you.

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

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

From: KINOSHITA Carol
Sent: Monday, August 09, 2004 8:59 AM
To: 'Kleim, Denise'
Cc: CARROLL Mary P; RYAN Matthew O; Bayley, Rob; Fetters, Mark; BOGSTAD Deborah L; Lee, JoAnn
Subject: Today's Briefing
Importance: High

Hi Denise!

Here's a copy of today's briefing agenda from Mary, and copies of the docs with the 9/3 effective date. Thanx!

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

From: Kleim, Denise [<mailto:KleimD@ci.portland.or.us>]
Sent: Wednesday, August 04, 2004 4:38 PM
To: KINOSHITA Carol; Kleim, Denise
Cc: CARROLL Mary P; RYAN Matthew O; Bayley, Rob; Fetters, Mark; BOGSTAD Deborah L; Lee, JoAnn
Subject: RE: re: fee increases -- effective date change to Sept 3

Carol, I haven't had a chance to review the attachments yet. But I wanted to let you know that our fees finally passed City Council. BUT the effective date is Friday, September 3. (We didn't have unanimous votes to pass an emergency ordinance that could have been effective Sept 1.) So can you make whatever changes are needed?
 Thanks! -- Denise

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

From: KINOSHITA Carol [<mailto:carol.kinoshita@co.multnomah.or.us>]
Sent: Monday, August 02, 2004 4:40 PM
To: Kleim, Denise
Cc: CARROLL Mary P; RYAN Matthew O; Bayley, Rob; Fetters, Mark; BOGSTAD Deborah L

8/9/2004

Subject: RE: re: fee increases.

Since you don't see any problem with the fees being adopted by the Council on Aug. 4th and we need to submit the final paperwork by noon this Wed. for Aug. 12th, I'm attaching the final docs and will deliver hardcopy to Deb. We've omitted the site development (clearing and tree cutting) fees as they are being handled separately. Please let us know if any changes are needed. Thanx!

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

From: Kleim, Denise [mailto:KleimD@ci.portland.or.us]
Sent: Friday, July 30, 2004 4:16 PM
To: KINOSHITA Carol
Cc: CARROLL Mary P; RYAN Matthew O; Bayley, Rob; Feters, Mark
Subject: RE: re: fee increases.

Carol, Council STILL hasn't passed our fee increases. We had to make some amendments to the land use fee schedule, so the final vote is scheduled for August 4. I don't see any problem with the fees passing. -- Denise

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

From: KINOSHITA Carol [mailto:carol.kinoshita@co.multnomah.or.us]
Sent: Monday, July 26, 2004 9:39 AM
To: Kleim, Denise
Cc: CARROLL Mary P; RYAN Matthew O
Subject: RE: re: fee increases.

Thanx Denise! The briefings are held on the 6th floor of the Multnomah Building, 501 SE Hawthorne Blvd., Pdx. - I believe in conference room 625.

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

From: Kleim, Denise [mailto:KleimD@ci.portland.or.us]
Sent: Monday, July 26, 2004 9:31 AM
To: KINOSHITA Carol; Kleim, Denise
Cc: CARROLL Mary P; RYAN Matthew O
Subject: RE: re: fee increases.

yes, I've put it on my calendar. Where?

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

From: KINOSHITA Carol
[mailto:carol.kinoshita@co.multnomah.or.us]
Sent: Monday, July 26, 2004 9:12 AM
To: KleimD@ci.portland.or.us
Cc: CARROLL Mary P; RYAN Matthew O
Subject: FW: re: fee increases.

Hi Denise!

Are you available to do the briefing on August 9th at 1:30 pm?

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

From: CARROLL Mary P
Sent: Monday, July 26, 2004 8:48 AM
To: KINOSHITA Carol; RYAN Matthew O
Subject: RE: re: fee increases.

Great. How about August 9th at 1:30?

Mary Carroll
Executive Assistant
Commissioner Serena Cruz
501 SE Hawthorne Blvd. Suite 600
Portland OR 97214
(503)988-5275 phn (503)988-5440 fax
mary.p.carroll@co.multnomah.or.us

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

From: KINOSHITA Carol
Sent: Monday, July 26, 2004 8:15 AM
To: CARROLL Mary P; RYAN Matthew O
Subject: RE: re: fee increases.

Hi Mary!

Because Portland postponed hearing this until the end of this month, we've rescheduled for Aug. 12th. So we would like to reschedule the board staff presentation - which Monday do you think would be best? Actually, Denise Kleim of Portland's Building Services Dept. wants to do the briefing so if you'll let us know what date works best, we'll pass the info on to Denise. Thanx much!

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

From: CARROLL Mary P
Sent: Friday, July 23, 2004 11:59 AM
To: RYAN Matthew O; KINOSHITA Carol
Subject: re: fee increases.

You had asked to come to board staff next Monday on the city's proposed sewer fee increases. Since there is no board meeting next week, and you are on later in August, do you want to reschedule your board staff presentation? You can still come on Monday, if you wish.

Mary Carroll
Executive Assistant
Commissioner Serena Cruz
501 SE Hawthorne Blvd. Suite 600
Portland OR 97214
(503)988-5275 phn (503)988-5440 fax
mary.p.carroll@co.multnomah.or.us

8/9/2004

R-2 RESOLUTION Establishing Fees and Charges for Chapter 7, Business and Community Services, of the Multnomah County Code and Repealing Resolution No. 03-099

COMMISSIONER _____ MOVES
COMMISSIONER _____ SECONDS
APPROVAL OF R-2

**WE NEED AN AMENDMENT TO THE EFFECTIVE
DATE IN ORDER TO CONFORM TO THE DATE
SET BY THE PORTLAND CITY COUNCIL - FROM
SEPTEMBER 1 TO SEPTEMBER 3, 2004**

COMMISSIONER _____ MOVES
COMMISSIONER _____ SECONDS
**AMENDMENT CHANGING THE EFFECTIVE
DATE FROM SEPTEMBER 1 TO SEPTEMBER 3,
2004**

**ALL IN FAVOR OF THE AMENDMENT, VOTE
AYE, OPPOSED ____?**

**THE MOTION FAILS
OR
THE AMENDMENT IS ADOPTED**

**DENISE KLEIM EXPLANATION, RESPONSE TO
QUESTIONS**

OPPORTUNITY FOR PUBLIC TESTIMONY

OPPORTUNITY FOR BOARD COMMENTS

**ALL IN FAVOR OF THE RESOLUTION AS
AMENDED, VOTE AYE, OPPOSED ____?**

**THE MOTION FAILS
OR
THE RESOLUTION IS ADOPTED, AS AMENDED**

R-3 RESOLUTION Establishing Fees and Charges for Chapter 29, Building Regulations, of the Multnomah County Code and Repealing Resolution No. 03-028

COMMISSIONER _____ MOVES
COMMISSIONER _____ SECONDS
APPROVAL OF R-3

**WE NEED AN AMENDMENT TO THE EFFECTIVE
DATE IN ORDER TO CONFORM TO THE DATE
SET BY THE PORTLAND CITY COUNCIL - FROM
SEPTEMBER 1 TO SEPTEMBER 3, 2004**

COMMISSIONER _____ MOVES
COMMISSIONER _____ SECONDS
**AMENDMENT CHANGING THE EFFECTIVE
DATE FROM SEPTEMBER 1 TO SEPTEMBER 3,
2004**

**ALL IN FAVOR OF THE AMENDMENT, VOTE
AYE, OPPOSED ____?**

**THE MOTION FAILS
OR
THE AMENDMENT IS ADOPTED**

**DENISE KLEIM EXPLANATION, RESPONSE TO
QUESTIONS**

OPPORTUNITY FOR PUBLIC TESTIMONY

OPPORTUNITY FOR BOARD COMMENTS

**ALL IN FAVOR OF THE RESOLUTION AS
AMENDED, VOTE AYE, OPPOSED ____?**

**THE MOTION FAILS
OR
THE RESOLUTION IS ADOPTED, AS AMENDED**

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-114

Establishing Fees and Charges for Chapter 7, Business and Community Services, of the Multnomah County Code and Repealing Resolution No. 03-099

The Multnomah County Board of Commissioners Finds:

- a. The Multnomah County Code provides that the Board shall establish certain fees and charges by resolution.
- b. The Board adopted Resolution 03-099 establishing fees for MCC Chapter 7, Management and Business Services on July 10, 2003.
- c. Multnomah County has entered into intergovernmental agreements with the cities of Gresham and Portland to administer and enforce MCC § 7.051.
- d. The City of Portland will increase the fees charged for on-site sewage disposal within the Portland Urban Services Boundary effective September 3, 2004.
- e. It is necessary to establish the new fees for MCC Chapter 7, Business and Community Services, by adding the updated on-site sewage disposal fees for the areas of unincorporated Multnomah County covered by the intergovernmental agreement between the County and the City of Portland.
- f. All other fees and charges established by Resolution 03-099 remain the same.

The Multnomah County Board of Commissioners Resolves:

1. The fees and charges for Chapter 7, Business and Community Services, of the Multnomah County Code are set as follows:

Section 7.002. DISHONORED CHECK FEES.

The fee for processing a dishonored check, draft or money order is \$25.00.

Section 7.005. INTEREST FEES.

The interest rate on receivables is 1.5% per month.

Section 7.006: PURCHASING AND HANDLING FEES.

The fee for purchasing and stores services is 10% of the value of goods purchased and handled.

Section 7.008. ASSESSMENT AND TAXATION FEES.

(A) For any printout or copy of an appraisal card for any tax account, the division of assessment and taxation shall charge a fee of \$1.00 per page, provided that where printouts or

appraisal cards are requested and provided for more than one tax year or for any tax year other than the current year, the division shall charge an additional fee of \$1.00 for each such year.

(B) For the division's services in gathering, preparing or providing nonstandard information upon request, the division shall collect a fee equal to its actual cost, as determined by the director of the division.

(C) In addition, the division shall charge the following fees for copies provided by it:

MICROFICHE	
Assessment roll	\$ 100.00
Property owners index	25.00
Property address index	25.00
Sales data—per month	50.00
Individual copies of microfiche:	
First copy	10.00
Each additional copy	1.00
Merged recording indices	100.00
Record indexing fee, per document	1.00
ELECTRONIC FILES	
Assessment roll	200.00
Property Administration	100.00
Tax bills	100.00
Delinquent taxes	50.00
Situs address	75.00
Sales	75.00
Deeds	75.00
Property Owners	75.00
Property Improvement Characteristics	300.00
Property Land Characteristics	75.00

Section 7.051. SUBSURFACE SEWAGE INSPECTION AND PERMIT FEES.

SITE EVALUATION	
Site Evaluation – Land Feasibility Study (LFS)	
Up to 600 gallons	\$625
Large systems (601 – 2,500 gallons)	\$215
Additional fee charged per 500 gallons	
SINGLE FAMILY DWELLING ONLY	
Evaluation for Temporary or Health Hardship Mobile Home	
Bi-annual inspection	\$410

New Residential Construction – Installation Permit	
Up to 600 gallons	
Advanced Treatment Technology	\$1,115
Capping Fill	\$1,115
Sandfiltration	\$1,115
Pressure Distribution	\$1,115
Tile Dewatering	\$1,115
Standard On-Site System	\$820
Seepage Trench	\$820
Gray Water Waste Disposal Sump	\$420
Other	\$820
Residential Repair Permit	
Up to 600 gallons	
Major Septic Tank/Drainfield	\$465
Minor Septic Tank	\$230
SINGLE FAMILY, TWO OR MORE FAMILY, AND COMMERCIAL FACILITIES	
All Pumping Systems With Single Pump, Excluding Sandfilters	
Single Pump Systems	\$65
Alteration Permit	
Major Cesspool	\$825
Major Septic Tank/Drainfield	\$825
Minor Septic Tank	\$420
Authorization Notice	
Without Field Visit	\$215
With Field Visit	\$630
Decommission Cesspool/Septic Tank	
Abandonment – without site visit	\$80
Abandonment – with site visit and another on-site permit	\$80
Abandonment – with site visit, but no other on-site permit	\$165
Existing System Evaluation	
	\$515
Holding Tank, Sand Filtration, or Advanced Treatment Technology	
Annual Inspection	\$410
TWO OR MORE FAMILY AND COMMERCIAL FACILITIES	
Commercial Repair Permit	
Up to 600 gallons	
Major Alternative System	\$1,115

Major Septic Tank/DF	\$820
Minor Holding Tank	\$820
Minor Septic Tank	\$420
Large system (601 – 2,500 gallons) Additional fee charged per 500 gallons	\$105
Commercial Facilities System Plan Review To be charged in addition to commercial construction and repair permit fees.	
601 – 2,500 gallons	\$500
New Commercial Construction – Installation Permit Up to 600 gallons	
Advanced Treatment Technology	\$1,115
Alternative System	\$1,115
Sandfiltration	\$1,115
Holding Tank	\$820
Septic Tank/Drainfield	\$820
Large systems (601 – 2,500 gallons) Additional fee charged per 500 gallons	\$105
MISCELLANEOUS	
Certification of On-site Sewage Disposal Multnomah County Land Use Sign Off	
Without site visit	\$90
With site visit	\$170
Permit Transfer, Reinstatement or Renewal	
Without Field Visit	\$215
With Field Visit	\$630
Pumper Truck Inspection	
First Truck	\$210
Second Truck	\$85
Reinspection Fee	
Residential	\$425
Commercial	\$425

Section 7.052. MISCELLANEOUS PERMIT FEES.

See Exhibit A attached.

**Section 7.053. PLAN REVIEW AND INSPECTION OF
UNDERGROUND INSTALLATIONS AND STREET INTERSECTIONS.**

See Exhibit B attached

Section 7.054: ROAD VACATION APPLICATION.

Feasibility study:	\$200.00
Application:	120% of estimated costs
Minimum:	\$1,000.00 plus \$65.00 for posting

Section 7.055. STREET AND ROAD WIDENING PERMITS.

(B) The construction permit deposit schedule for engineering, design, project management, and administration shall be as follows:

Project Cost as Estimated by the County	Deposit
Minimum Deposit at the time of application	800.00
\$4,000.00 to \$10,000.00	20%
\$20,000.00 to \$50,000.00	\$2,000.00 plus 12.0% over \$10,000.00
\$50,000.00 and over	\$6,800.00 plus 10.0% over \$50,000.00

Section 7.056. MISCELLANEOUS PUBLIC WORKS FEES.

For services provided by the department in connection with design, plan review and inspection of items not set forth elsewhere, the department shall charge fees sufficient to cover the actual cost of services. The following are deposits only. The actual charges will be based on actual costs including overhead and other related costs, determined at the completion of the project. The difference between the actual costs and the deposit will either be billed or refunded to the permit holder.

Project cost as Estimated by the county	Deposit
Minimum deposit at the time of application	\$800.00
\$4,000.00 to \$10,000.00	\$20%
\$10,000.00 to \$50,000.00	\$2,000.00 plus 12.0% over \$10,000.00
\$50,000.00 and over	\$6,800.00 plus 10.0% over \$50,000.00

Section 7.059. ZONE REVIEW AND ZONING INSPECTIONS.

For conducting any zone review prior to the issuance of a building or mobile home permit, the department shall charge a fee of \$25.00 or 15 percent of the permit fee, whichever is greater; provided that the fee for review of applications for permits to construct one-or two-family dwellings shall not exceed \$25.00. Zoning review fees are payable upon permit application. For conducting any zoning inspection during construction or after completion of construction, the department shall charge a fee equal to the greater of \$25.00 or 35 percent of the building permit fee, to be collected at the time the permit is issued, provided, however, that no fee for zoning inspection of one- and two-family dwellings shall exceed \$25.00. Zoning inspection fees are payable upon permit issuance.

Section 7.060. FILING OF MAP SURVEYS.

A fee of \$225.00 shall accompany each filing of a map of survey

Section 7.061. FEES FOR CERTAIN DOCUMENTS; PUBLIC LAND CORNER PRESERVATION ACCOUNT.

Document filing fee: \$5.00

Section 7.062. COUNTY SURVEYOR FEES.

(A) Fees are based on the following procedures and requirements on partition, subdivision and condominium plats.

- (1) Submit a boundary survey to the County surveyor a minimum of 30 days prior to the submission of the final subdivision or condominium plat. If warranted, the county surveyor may waive this requirement.
- (2) In addition to the requirements of ORS 209.250, a survey, and a partition plat if a separate survey has not been filed shall show all obvious encroachments or hiatus created by deeds, buildings, fences, cultivation, previous surveys and plats, or similar means and any other conditions that may indicate that the ownership lines as surveyed may be different than those shown on the survey.
- (3) The county surveyor may refuse to approve a plat if the surveyor finds an encroachment or hiatus. Evidence that the hiatus or encroachment has been eliminated may be required, or the county surveyor may require that it be shown on the plat if it cannot be eliminated.
- (4) All partition, subdivision, and condominium final plats, including those inside city limits, shall be checked and approved by the county surveyor prior to recording. No plat shall be recorded without such approval. This approval by the county surveyor shall be valid for 30 days from the date of approval to the date submitted for recording, after 30 days the approval is withdrawn and must be resubmitted.
- (5) All partition, subdivision, and condominium final plats submitted for approval shall be accompanied by a report, issued by a title insurance company, or authorized agent to perform such service in Oregon, setting forth ownership and all easements of record, together with a copy of the current deed and easements for the platted property, and copies of the deeds for all abutting properties and other documentation as required by the county surveyor. The report shall have been issued no more than 15 days prior to plat submittal to the county surveyor. A supplemental report may be required by the county surveyor.

(B) A deposit for the following county surveyor functions shall be made with the submission of the material. The final fee will be determined at completion of the project based on actual costs incurred by Multnomah County including overhead and other related costs. The difference between the actual costs and the deposit will be paid prior to approval of the final plat or refunded to the applicant except for post-monumented plats, which will not be refunded until after completion of the interior monumentation; the survey filing fee is non-refundable.

(1) Partition Plat Review, the deposit shall be:

Base Deposit	\$480.00 plus
Survey filing Fee	\$225.00

(2) Pre-monumented Plat Review, the deposit shall be:

Base Deposit	\$700.00 plus
Survey Filing Fee	\$225.00 plus
Per Lot, Tract, or Parcel	\$ 35.00 each, plus
Per gross acre of the subdivision if the average Lot size exceeds 15,000 sq. ft	\$ 31.00 per acre

(3) Post-Monumented Plat Review, the deposit shall be:

An estimate by the county surveyor based on the complexity of the plat at 120 percent of the estimate; the minimum deposits shall be:

Base Deposit	\$795.00 plus
Survey Filing Fee	\$225.00 plus
Per Lot, Tract, or Parcel	\$45.00 each, plus
Per gross acre of the subdivision if the average lot size exceeds 15,000 sq. ft.	\$31.00 per acre

(4) For Condominium Plat Review, the deposit shall be:

Base Deposit	\$770.00 plus
Each Building	\$105.00 each, plus
Survey Filing Fee	\$225.00

(5) For Condominium Plat Amendment Review, the deposit shall be:

Base Deposit	\$500.00 plus
Survey Filing Fee	\$225.00

(C) Posting of street vacations in accordance with
ORS 271.230(2)

\$ 65.00

(D) Review, Approval, and Posting of Affidavits of
correction

\$ 45.00 plus county
clerk's recording fee

(E) For services required by ORS 100.115 in connection with reclassification or withdrawal of variable property from unit ownership as provided in ORS 100.115(1) or (2), or removal of property from any condominium plat as provided in ORS 100.600(2), the fee will be \$150.00.

(F) In accordance with ORS 92.070(5), (1997), relating to the reestablishment of Subdivision Plat Monuments and the review and recordation of the required surveyor's affidavit in support thereof, the affidavit recording fee shall be \$100.00 plus the county clerk's recording fee.

- (G) In accordance with ORS 100.115(6), (1997), relating to Declaration Amendment Review service, the fee shall be \$100.00 plus the county clerk's recording fee.

Section 7.064. BOOK OF RECORDS.

Minimum per roll of 16mm:	\$12.00
Minimum per roll for 35mm microfilm:	\$15.00
Minimum for microfiches:	\$ 2.00

Section 7.065. MAP REPRODUCTIONS AND LOANS.

For the services of the department in reproducing and loaning maps, fees shall be charged in accordance with the following schedules:

Standard Weight	Blackline	Sepia
¼ Section		
30 inches x 36 inches	\$3.00	\$5.00
600 Scale		
21 inches x 33 inches	\$2.00	\$3.00
Plat		
18 inches x 24 inches	\$2.00	\$2.00
1,000 Scale		
13 inches x 21 inches	\$1.00	\$2.00

Photostat copy where no tracing exists: \$5.00

Office duplicator copy of a portion of a map: \$1.50

For loaning sepia or plat tracing, 48-hour
limit excluding weekends and holidays: \$0.50 each

Each additional 48 hours excluding weekends and holidays: \$2.00 each

Condominium hardboard and tracing recording: \$9.00 per page.

Section 7.067. BOUNDARY CHANGE APPLICATION.

For services provided by the department in connection with processing a boundary change petition, the department shall charge fees sufficient to cover the actual cost of services. The following is a deposit only and is in addition to any other fees, deposits or charges authorized by law. The actual charges will be based on actual costs including overhead and other related costs, determined at the completion of the process. The difference between the actual costs and the deposit will either be billed or refunded to the applicant. Minimum Deposit: \$2,300 per application (includes Metro mapping service fee).

Section 7.303.

DOMESTIC PARTNERSHIP REGISTRATION FEES:

Filing Fees:

Registration:	\$60 to be distributed as follows:	
	\$25	to county (General Fund) for processing
	\$25	to the Multnomah County Community and Family Services – Clearinghouse to be used for safe housing for Domestic Violence victims
	\$10	for conciliation services provided under ORS §§ 107.5100 to 107.610
Termination:	\$25.00	to county for processing

Section 7.405.

PROCEDURE FOR REQUESTING TRANSFER OF TAX FORECLOSED PROPERTY FOR HOUSING PURPOSES:

Non-refundable Application Fee: \$50.00

Section 7.410.

PROCEDURE FOR DISPOSITION OF REQUESTS FOR TRANSFER OF TAX FORECLOSED PROPERTY FOR HOUSING AND FOR OPEN SPACE, PARKS OR NATURAL AREAS:

Non-refundable Transfer Fee: \$200.00

Section 7.505

REAL PROPERTY COMPENSATION APPLICATION FEE AND ADDITIONAL COSTS:

Non-refundable Application Fee:	\$1,550
Posting signs:	\$5 each

Section 7.605.

PERMITS.

Ammonia storage: \$25.00

Section 7.783.

SEWER USER SERVICE CHARGES.

Per equivalent dwelling unit, per month:	\$14.00
Pumping, per 1,000 cubic feet water consumption per month:	\$0.50 to \$2.00

Section 7.784.

SENIOR CITIZENS RATE

Per month: \$7.00

Section 7.788.

CONNECTION FEES.

(A) The following fees for connection with a public sewer inside or outside the district shall become effective November 1, 1984, and shall be based on equivalent dwelling units and shall be as follows:

(1) Residential Users:

(a)	Single-family unit connection fee, October 1, 1984:	\$1,100.00
(b)	Multifamily unit connection fee:	
(i)	First living unit:	\$1,100.00
(ii)	Each additional living unit:	\$ 935.00

(2) Nonresidential users: The formula for computing the connection fee for a nonresidential user shall be equal to the equivalent dwelling units multiplied by \$1,100.00. Equivalent dwelling units shall be determined by table 2 of MCC 7.783.

(3) Combined dwelling units and others: Where both dwelling units and other occupancies are combined on the same property, the charges for sanitary connection shall be at the living unit rate for the dwelling units required in subsection (A)(1)(b) of this section, plus the rates given in (A)(2) for the nonresidential users of the property.

Section 7.790.

EXTRA-STRENGTH INDUSTRIAL WASTE.

(D) *Extra-strength rates.* Effective October 1, 1984:

BOD, per pound	\$0.097
Suspended solids, per pound	\$0.106

(E) *Industrial waste discharge permit fees.*

- (1) The engineer shall determine the effective period for the permit, based upon such factors as concentration, volume, and origin of the discharge. In no case shall an industrial waste permit be effective for a period exceeding five years.
- (2) Except as provided in subsection (F)(2)[sic], fees for industrial waste discharge permits shall be \$75.00 for each permit and \$50.00 for each renewal of a permit. However, permit renewals which involve new or additional discharges from those in the preceding permit shall have a fee of \$75.00. Where a permit is issued as a result of a violation, the permit fee shall be \$150.00. Fees are payable to the county as part of the application for the permit or permit renewal.
- (3) Where the owner of a property is discharging industrial wastes prior to the effective date of the ordinance comprising this subchapter, the owner shall be issued an industrial waste discharge permit at no charge, but will then be subject to the renewal fees and requirements of this section.

- (F) *Minimal charges suspension.* The engineer may establish a minimum limit for monthly extra-strength charges. The billing for all accounts whose monthly extra-strength charges are below this minimum limit will be suspended until such time as they are found to be higher.
- (G) *Adjustments.* The engineer may check sewage strength as outlined in this section and adjust charges where applicable at any time in accordance with the most recent analysis.

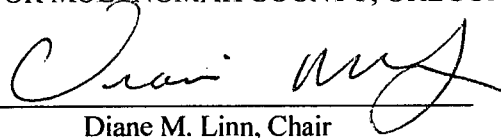
Resampling request; fees. Any discharger may request the district to resample wastewater at no charge if 18 months or more have elapsed since the last such sampling. If less than 18 months have elapsed since the last sampling, then requests for the district to resample wastes shall be submitted in writing and accompanied by full payment for the resampling fee. The fee to each account for five days of sampling is \$500.00 per sample, per sampling point. The fee for one day's resampling is \$125.00 per sample, per sampling point.

2. This resolution takes effect and Resolution 03-099 is repealed on September 3, 2004.

ADOPTED this 12th day of August, 2004.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

EXHIBIT A

Section 7.052. MISCELLANEOUS PERMIT FEES

Miscellaneous permit fees.

The following fees shall be charged for permits:

- (A) For overweight or over dimensional moves, except for moves as specified in MCC 7.052(A)(2), either single trip or annual permit, the fee shall be \$8.00. Future fee increases by the Oregon Department of Transportation shall automatically increase the county's fee for this service to the same level, without action of the board of county commissioners.
- (B) For building and structure move permits permittee shall post a deposit of \$1,000.00 prior to issuance of a permit. Non-refundable permit application, investigation and issuance fees for structures under 14 feet in width and 15 feet in height shall be \$115.00. For structures exceeding the above dimensions, the non-refundable permit fee shall be \$145.00. Inspection fees to be billed at the actual costs incurred by the county including overhead and equipment costs. For over-dimensional moves other than house moves, the non-refundable permit fees for heights over 17 feet in width shall be \$75.00 for a normal workday, and \$350.00 for holidays and weekends.
- (C) For permits issue for manholes for storm and sanitary sewers, the fee shall be \$30.00 per manhole.
- (D) For permits issued for canopies, awnings and marquees, a fee of \$40.00 shall be charged.
- (E) For permits issued for construction or reconstruction of driveway approaches, the fees shall be:
 - (1) \$90.00 first driveway approach.
 - (2) \$60.00 each additional driveway approach inspected at the same time as first approach.
 - (3) Common access way permit fees for plan review and inspection shall be \$120.00 or \$0.06 per square foot of common access way, whichever is greater. The above fee will include the first driveway approach fee under section 7.052(E)(1).
 - (4) \$90.00 for agriculture approaches.
 - (5) \$90.00 for temporary logging approaches.
- (F) For permits issued for sewer connections, the fee shall be \$120.00 per connection.
- (G) For a drilling or boring test hole permit, the fee shall be \$84.00 each.
- (H) For curb drain outlet construction or reconstruction, including drainage connections to catch basins, a fee of \$20.00 shall be charged.

- (I) For sidewalk construction or reconstruction, the fee shall be \$0.25 per square foot with a minimum fee of \$10.00. For curb construction or reconstruction the fee shall be \$0.35 per lineal foot with a minimum fee of \$10.00.
- (J) The fee to release advertising benches picked up within the right-of-way shall be \$50.00 per bench.
- (K) For any excavation, construction, reconstruction, repair, removal, abandonment, placement or use within the right-of-way, the permit fee shall be a minimum of \$50.00.
- (L) For material filing or excavating within the public right-of-way, the permit fee shall be \$50.00.
- (M) For underground storm or sanitary sewer construction, reconstruction or repair permits, including property service and laterals not maintained by the county, the fees shall be:

Length of Conduit

Constructed,

Reconstructed, Repaired

or Exposed for Repair

Fee

0	-	50	feet	\$50.00
51	-	100	feet	60.00
101	-	200	feet	70.00
201	-	300	feet	75.00
301	-	400	feet	80.00
401	-	500	feet	85.00
501		feet and over		\$85.00 plus \$0.07 per foot over 500 feet

Conduit diameters exceeding 24 inches shall be assessed a surcharge onto the above rates of \$0.01 per foot of diameter per foot of length.

- (N) If work is commenced on a project requiring a permit without first securing the permit, the fee shall be double the fee established in this section. If the fee required by this subsection is not paid directly to the department by the owner of the property, the person paying the penalty shall be required to notify the owner that the penalty was imposed. Payment of the fee shall not relieve or excuse any person from penalties imposed for violation of any applicable statutes or ordinances.
- (O) If work is commenced on a project requiring a permit without first securing the permit, the fee shall be double the fee established in this section. If the fee required by this subsection is not paid directly to the department by the owner of the property, the person paying the penalty shall be required to notify the owner that the penalty was imposed. Payment of the

fee shall not relieve or excuse any person from penalties imposed for violation of any applicable statutes or ordinances.

- (P) A permit deposit for each permit authorizing work under ORS 374.305 not covered in this section shall be 120 percent of estimated amount of charges based on the estimated hours or part thereof for plan review and/or inspection. The final fee will be determined at completion of the project based on the actual costs incurred by Multnomah County including overhead and other related costs. The difference between the two amounts will be billed or refunded to the permit holder with the minimum fee being \$50.00.
- (Q) Permits under this section shall be issued without charge when a permit is required as a direct result of a county public works improvement. For temporary closure of any street or any portion of a street, the fee shall be \$84.00.[Ord. 126 § 9 (1976); Ord. 195 § 6 (1979); Ord. 256 § 2 (1980); Ord. 278 § 3 (1981); Ord. 367 § 1 (1983) (court of appeals held that payment of fee for permit by utility companies was in violation of ORS 758.010 on May 16, 1984, supreme court denied petition for review August 8, 1984, court of appeals decision became enforceable September 10, 1984); Ord. 467 § 2 (1985); Ord 826 § 2(A)--(H) (1995)]

EXHIBIT B

Section 27.053. PLAN REVIEW AND INSPECTION OF UNDERGROUND INSTALLATIONS AND STREET INTERSECTIONS

Fees for plan review and inspection of underground installations and street intersections.

- (A) For plan review and inspection of any storm sewer line installation, when completed facilities are to be maintained by the county, the fee shall be:

<i>Estimated or Bid Construction Cost</i>			<i>Fee</i>
0.00	-	\$1,000.00	\$50.00
\$1,000.00	-	5,000.00	\$50.00 plus 1.25% over \$1,000.00
5,000.00	-	10,000.00	\$100.00 plus 1.00% over \$5,000.00
10,000.00	-	15,000.00	\$150.00 plus 0.90% over \$10,000.00
15,000.00	-	20,000.00	\$195.00 plus 0.80% over \$15,000.00
20,000.00	-	25,000.00	\$235.00 plus 0.70% over \$20,000.00
25,000.00	-	30,000.00	\$270.00 plus 0.60% over \$25,000.00
30,000.00	-	35,000.00	\$300.00 plus 0.50% over \$30,000.00
35,000.00	-	40,000.00	\$325.00 plus 0.40% over \$35,000.00
40,000.00	-	45,000.00	\$345.00 plus 0.30% over \$40,000.00
45,000.00	-	50,000.00	\$360.00 plus 0.20% over \$45,000.00
50,000.00	-	and over	\$370.00 plus 0.74% over \$50,000.00

- (A) When submitting plans for review, the applicant shall submit a copy of the engineer's estimate or the bid construction cost. No plans will be reviewed without the required cost figures. If, in the opinion of the director of the department, the cost figures appear unreasonable, the director shall establish the permit fee based upon the director's cost estimate of the work to be done. The director shall submit a report to the county executive/chair of the board of county commissioners whenever a cost estimate is adjusted and shall state the reasons therefore.
- (B) For utility lines, including storm and sanitary sewers, to be maintained by others, not connecting to a county-maintained system but located within county-controlled right-of-way or easements, the plan review and inspection fee will be \$40.00 plus \$0.10 per foot of line.
- (C) For storm or sanitary sewer line systems located on private land connecting to county maintained systems, the plan review and inspection fee will be a minimum of \$40.00 plus \$10.00 for each acre or fraction thereof within the development area. Developments requiring both storm and sanitary system review will be charged that rate for each.

- (D) A sewer line system for fee purposes means a line with two or more connections including lateral lines, house branches, inlets or any other appurtenance contributing discharge.
- (E) Plan review and inspection fees will be established by the director for connections to a county system where the development area is not discernable or applicable. A deposit shall be 120 percent of estimated amount of charges based on the estimated hours or parts thereof required for plan review and/or inspection. The final fee will be determined at completion of the project based on costs incurred by Multnomah County including overhead and other related costs. The difference between the actual costs and the deposit will be billed or refunded to the permit holder.
- (F) For plan review and inspection of each street intersection or vehicle access, either public or private, other than a standard driveway approach, a fee of \$40.00 will be charged.
- (G) Plans shall be reviewed by Multnomah County under this section for compatibility with the comprehensive plan, conformance to county design criteria, as applicable, and for general protection of county facilities as considered necessary.
- (H) Inspection by Multnomah County under this section will be cursory only and will not relieve the owner, contractor or engineer of responsibility for the project being completed according to plans and specifications.

[Ord. 126 § 10 (1976); Ord. 826 § 2(I), (J)(1995)]

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: August 12, 2004

Agenda Item #: R-3

Est. Start Time: 10:05 AM

Date Submitted: 08/02/04

Requested Date: August 12, 2004

Time Requested: 5 minutes

Department: Non-Departmental

Division: Chair's Office

Contact/s: Denise Kleim, Administrative Manger, City of Portland, Bureau of Development Services

Phone: 503-823-7338

Ext.:

I/O Address: 299/5000/Kleim

Presenters: Denise Kleim

Agenda Title: Resolution Establishing MCC Chapter 29, Building Regulations, Fees and repealing Resolution No. 03-028, effective September 1, 2004

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

-
1. **What action are you requesting from the Board? What is the department/agency recommendation?** Adopt Resolution updating building, electrical, mechanical and plumbing and other permit fees and charges in the area served by the City of Portland under IGA for MCC Chapter 29, Building Regulations, and repealing Resolution No. 03-028, effective September 1, 2004. All other fees are unchanged.
 2. **Please provide sufficient background information for the Board and the public to understand this issue.** The City of Portland Bureau of Development Services (BDS) is proposing overall revenue increases in electrical and plumbing of 1.5%. There are no increases to the building permit/plan review or mechanical permit/plan review fees. However, some miscellaneous fees on those schedules are increasing, and fees are being added to support new expedited plan review and inspection services.

The Portland City Council has directed that BDS' construction-related operations be 100% fee supported. The increases in electrical and plumbing fees will allow these programs to remain self-supporting, and will build prudent program reserve balances. The Council has adopted these fee increases, and the fees will be effective on

September 1, 2004, for permits issued within the Portland city limits. Fee changes are not made easily – or often. BDS knows these charges affect its customers' work and their willingness to do business in this area. BDS' interests are in maintaining current levels of service, and increasing it's effectiveness for its customers' and the community.

3. **Explain the fiscal impact (current year and ongoing).** There is no financial impact to Multnomah County to raise these fees. However, if Multnomah County should choose not to raise these fees to the City's level, the program would cease to be cost effective, because costs would exceed revenues. The City would need to review its commitment to provide these services or seek funding support from Multnomah County for services in the unincorporated service area.

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

If a budget modification, explain: N/A

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain: N/A

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

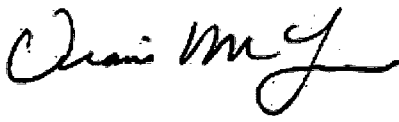
If grant application/notice of intent, explain: N/A

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

4. **Explain any legal and/or policy issues involved.** Complies with ORS 294.160, 455.210(3)(a) and MCC Chapter 29.

5. Explain any citizen and/or other government participation that has or will take place. The County is holding the public hearing as required under ORS 294.160.

Required Signatures:

Department/Agency Director: 

Date: 6/17/2004

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Establishing Fees and Charges for Chapter 29, Building Regulations, of the Multnomah County Code and Repealing Resolution No. 03-028

The Multnomah County Board of Commissioners Finds:

- a. Chapter 29, Building Regulations, of the Multnomah County Code (MCC) provides that the Board shall establish certain fees and charges by resolution.
- b. On February 27, 2003, the Board adopted Resolution No. 03-028 establishing MCC Chapter 29 fees and charges.
- c. Multnomah County has entered into intergovernmental agreements with the cities of Gresham and Portland to administer and enforce MCC Chapter 29.
- d. The City of Portland has approved increases to the fees charged for permits issued within the Portland Urban Services Boundary effective September 1, 2004, under Oregon Building, Plumbing and Electrical Specialty Codes in accordance with OAR 918-020-0220.
- e. It is necessary to establish the new fees for Chapter 29, by updating the building, electrical and plumbing fee Schedule 1 for the areas of unincorporated Multnomah County covered by the intergovernmental agreement between the County and the City of Portland.
- f. All other fees and charges established by Resolution No. 03-028 remain the same.

The Multnomah County Board of Commissioners Resolves:

1. The fees and charges for Chapter 29, Building Regulations, of the Multnomah County Code are set as follows:
 - A. For the areas of unincorporated Multnomah County within the Portland Urban Services Boundary:

<u>Section 29.010</u>	FEES (Building Code) See Schedule 1 attached
<u>Section 29.106</u>	FEES (Electrical Code) See Schedule 1 attached
<u>Section 29.207</u>	FEES (Plumbing Code) See Schedule 1 attached
 - B. For the areas of unincorporated Multnomah County outside of the Portland Urban Services Boundary:

<u>Section 29.010</u>	FEES (Building Code) See Exhibit A attached
<u>Section 29.106</u>	FEES (Electrical Code) See Exhibit B attached
<u>Section 29.207</u>	FEES (Plumbing Code) See Exhibit C attached

C. For all areas of unincorporated Multnomah County:

<u>Section 29.348</u>	PERMIT FEE	
	Grading and Erosion Control Permit	\$344
<u>Section 29.401</u>	FEE FOR REVIEW AND APPROVAL (Condominiums)	
	Condominiums, plat and floor plan:	\$500 Plus \$50 per building
	Buildings greater than two stories or 20 units:	Actual cost of review
<u>Section 29.611</u>	REVIEW FEE	
	Flood Plain Review (one and two family dwellings)	\$27
	Flood Plain Review (all other uses):	\$59
<u>Section 29.712</u>	SPECIAL EVENT PERMIT APPLICATION FEE, DEPOSIT AND COST RECOVERY	
(A)	Special Event Permit Application Fee	\$50
(B)	Minimum Cost Recovery Deposit Based On Categories Of Events Under MCC 29.705	
(1)	Event Under MCC 29.705 (A), If No Event Permit Required No Deposit Is Necessary, Otherwise	\$50
(2)	Event under MCC 29.705 (B)	\$250
(3)	Event under MCC 29.705 (C)	\$500
(4)	Event under MCC 29.705 (D)	\$1,000
	Additional Cost Recovery as authorized under MCC 29.712	
(C)	(C) will be based on actual costs incurred by the County under MCC 29.712 (B) (1)–(4).	

2. Resolution No. 03-028 is repealed and this Resolution takes effect on September 1, 2004.

ADOPTED this 12th day of August 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

Schedule 1 – For Areas of Unincorporated Multnomah County
Within the Portland Urban Services Boundary

Section 29.010. FEES (Building Code)

§ 29.010 FEES.

The fees shall apply under this subchapter in addition to those provided in the state building code. Where conflicts occur with fees provided in the state building code, the fees in this subchapter shall prevail.

I. Building Fees:

(A) Building permit fees shall be charged based on the total valuation of work to be performed.

Total Valuation¹ of Work to be Performed	Fees
\$1 to \$500	\$50 minimum fee
\$501 to \$2,000	\$50 for the first \$500, plus \$2.25 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$83.75 for the first \$2,000, plus \$8.82 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$286.61 for the first \$25,000 plus \$6.56 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$450.61 for the first \$50,000, plus \$4.37 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 and up	\$669.11 for the first \$100,000, plus \$3.68 for each additional \$1,000 or fraction thereof

(B) **Plan Review/Process Fee.** 65% of the building permit fee
For the original submittal and one revision, unless the revision increases the project valuation.

¹ Definition of Valuation: The valuation to be used in computing the permit fee and plan check/process fee shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and other permanent work or equipment, and the contractor's profit.

(C) **Fire and Life Safety Review Fee:** 40% of the building permit fee.

(D) **Miscellaneous Fees:**

Additional Plan Review Fee

For changes, additions or revisions to approved plans

Plan review time ½ hour or less: \$55
Plan review time greater than ½ hour: \$110 per hour or fraction thereof.

Appeal Fees (per appeal):

One- and two-family dwellings	\$100.00
All other occupancies	\$200.00
plus for each appeal item over 4	\$ 50.00

Approved Fabricators Certification Fee

Initial Certification	\$1,000
Annual Renewal - without modifications	\$ 250
Annual Renewal – with modifications	\$ 500
Field audits and inspections	\$ 120 per hour or fraction of an hour. Minimum – 1 hour

Whenever an inspection is conducted by OPDR staff at a facility more than 50 miles from the City of Portland's BDS office, the applicant shall reimburse the City for travel costs including auto travel, air travel, lodging and meals.

Approved Testing Agency Certification Fee

Initial Certification	\$1,000
Annual Renewal – without modifications	\$ 250
Annual Renewal – with modifications	\$ 500
Field audits and inspections	\$ 120 per hour or fraction of an hour. Minimum – 1 hour

Whenever an inspection is conducted by OPDR staff at a facility more than 50 miles from the City of Portland's OPDR office, the applicant shall reimburse the City for travel costs including auto travel, air travel, lodging and meals.

Circus Tent Fee	\$160
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Deferred Submittal Fee

For processing and reviewing deferred plan submittals

10% of the building permit fee calculated using the value of the particular deferred portion or portions of the project

The fee is in addition to the project plan review fee based on the total project value.

Minimum fee -
\$100 for 1 & 2 family dwelling projects
\$250 for commercial and all other projects

Energy Plan Review

Applies to all building permits with valuation over \$2.5 million and to any subsequent tenant improvements.

Actual plan review costs, plus 10% administrative processing fee.

Express Start Program Fee

Fee for accelerated plan review and the issuance of an authorization to proceed with construction prior to completion of the full plan review process

\$120 per hour or fraction of an hour

Fee for Examination of Filed Plans:

If more than 2 plans, \$1 per added plan.

Field Issuance Remodel Program

For 1 & 2 family dwelling alterations/remodels.

One-time Registration Fee:

\$200 per contractor

Inspection, plan review, administrative and project management activities:

\$125 per hour or fraction of an hour
Minimum – 1 hour for each inspection

Fees for services provided by bureaus other than the Bureau of Development Services necessary for construction authorization will be billed to the Owner as assessed by those bureaus.

Fees shall be billed monthly. Fees not paid within 30 days of billing shall be assessed a 5% penalty fee for each 30-day period until paid in full.

Inspections Outside of Normal Business Hours.

\$150 per hour or fraction of an hour
Minimum - \$150

Intake Fee

For 1 & 2 family dwellings with engineer/architect certified as plans examiner

\$275

Investigation Fee

For commencement of work before
obtaining a permit

Equal to the permit fee or the actual
investigation costs at \$110 per hour,
whichever is greater, plus \$250

Limited Consultation Fee

For an optional meeting held prior to application for building permits for projects with
complex and fairly detailed issues in one or two areas of expertise (e.g., building and fire codes).
The meeting will be limited to two City staff members. \$150

Manufactured Dwelling Installation on Individual Lot

Installation and set up \$315

Earthquake-resistant bracing when not
installed under a Manufactured dwelling installation permit \$ 85

Additional fees are required for separate permits which may include but are not limited to
the following: building, plumbing, electrical, water, sewage, public right of way approaches and
improvements, and plan review.

Manufactured Dwelling Installation in a Park

Installation and set up \$315

Earthquake-resistant bracing when not
installed under a Manufactured dwelling installation permit \$ 85

Additional fees are required for separate permits which may include but are not limited to
the following: building, plumbing, electrical, water, sewage, public right of way approaches and
improvements, and plan review.

Manufactured Dwelling Park

(Development or enlargement of a manufactured dwelling park)

Permit Fee:

10 spaces or fewer	\$45 each space
11 - 20 spaces	\$450 plus \$25 for each space over 10
more than 20 spaces	\$700 plus \$20 for each space over 20

Plan review	65% of the permit fee
Zoning inspection	15% of the permit fee
Cabana installation	\$100

Additional fees are required for separate permits which may include but are not limited to the following: building, plumbing, electrical, water, sewage, public right of way approaches and improvements, and plan review.

Master Permit/Facilities Permit

Program

Annual Registration Fee:

Site with one building	\$150
Site with two buildings	\$250
Site with three buildings	\$350
Site with four buildings	\$425
Site with five or more buildings	\$500

For projects valued at \$600,000 or less: Building orientations, inspection, plan review and administrative activities:	\$142 per hour or fraction of an hour Minimum – 1 hour for each inspection
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For projects exceeding \$600,000 value: Building inspection and plan review:	Fee based on project valuation and building permit fee schedule
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Fees for services provided by bureaus other than the Bureau of Development Services necessary for construction authorization will be billed to the Owner as assessed by those bureaus.

Fees shall be billed monthly. Fees not paid within 30 days of billing shall be assessed a 5% penalty fee for each 30-day period until paid in full.

Minor Structural Labels	\$100 per set of 10 labels
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Other Inspections Not Specifically Identified Elsewhere	\$110 per hour or fraction of hour Minimum – 1 hour
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Permit Reinstatement Processing Fee Fee for renewal of a permit that has been expired for six months or less provided no changes have been made in the original plans and specifications for such work. A permit may be renewed only once. The renewal fee shall be one-half the amount required for a new permit. Minimum Fee - \$50.

Phased Project Plan Review Fee For plan review on each phase of a phased project: 10% of the total project building permit fee not to exceed \$1,500 for each phase, plus \$250.

Pre-Development Conference Fee \$950

For an optional meeting held prior to application for building permits for projects that contain complete or multiple issues.

Recreational Park

(Development or enlargement of a recreational park)

Permit Fee:

10 spaces or fewer	\$26 each space
11 - 20 spaces	\$260 plus \$16 for each space over 10
21 - 50 spaces	\$420 plus \$12 for each space over 20
more than 50 spaces	\$780 plus \$9 for each space over 50

Plan review	65% of the permit fee
Zoning inspection	15% of the permit fee
Cabana installation	\$100

Additional fees are required for separate permits which may include but are not limited to the following: building, plumbing, electrical, water, sewage, public right of way approaches and improvements, and plan review.

Reinspection Fee	\$ 75 per inspection
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Reproduction Fees	\$2 per plan and \$.50 per page of correspondence
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Requested Inspection Fees

One and Two-family dwellings	\$110
Apartment Houses	\$160 + \$10 for each dwelling unit in excess of three
Hotels/Motels	\$160 + \$5 for each sleeping room in excess of five
All other occupancies one and two stories in height	\$160 + \$10 for each additional 1,000 square feet over 10,000 square feet
All other occupancies three stories in height and above	\$160 + \$20 for each story in excess of three

Re-roof Permit and Inspection Fee

Re-roof permits are available in multiples of five to commercial roofing contractors who pre-register with the City of Portland Bureau of Development Services.

Permit Fee	\$750
Plan review / process fee	\$125

Special Inspection Certification Fee

Initial Certification	\$ 60
Annual Renewal	\$ 25
Re-examination	\$ 50

Special Program Processing Fee \$250

Temporary Certificate of Occupancy \$175.00

Zoning Inspection Fee Applies to all new construction and any other permit requiring Planning/Zoning approval.

For 1 & 2 family dwellings	\$68
For commercial and all other	15% of the building permit or \$68 whichever is greater

Zoning Permit Fee Fee for ensuring conformance of zoning code standards.

For 1 & 2 family dwellings	\$26
For commercial and all other	Fee is based on the project valuation and the commercial building permit fee table, plus 65% plan review/process fee. Minimum commercial zoning permit fee is \$87.

II. Mechanical Permit Fee Schedule

One & Two Family Dwelling Fees

HVAC

Air handling unit	\$19
Air Conditioning (site plan required)	\$19
Alteration/repair of existing HVAC system	\$24
Boiler/compressors	\$24
Heat pump (site plan required)	\$38
Install/replace furnace/burner (including ductwork / vent / liner)	\$40
Install/replace/relocate heaters – suspended, wall or floor mounted	\$19
Vent for appliance other than furnace	\$16

Environmental exhaust and ventilation

Appliance vent	\$16
Dryer Exhaust	\$10
Hoods, Type I/II/Res. Kitchen/Hazmat Hood Fire Suppression System	\$10
Exhaust fan with single duct (bath fans)	\$10
Exhaust system apart from heating or AC	\$16

Fuel Piping and Distribution (up to 4 outlets)

Fuel piping each additional over 4 outlets	\$2
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Other listed appliance or equipment

Decorative fireplace	\$19
Insert	\$42
Woodstove/Pellet Stove	\$42

Other: (including oil tanks, gas and diesel generators, gas and electric ceramic kilns, gas fuel cells, jewelry torches, crucibles, and other appliance/equipment not included above)	\$24
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Minimum Fee	\$50
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Commercial Fees

Commercial Mechanical Permit Fee

For commercial installation, replacement or relocation of non-portable mechanical equipment or mechanical work.

Valuation:

\$1 to \$1,000	\$35
\$1,001 to \$10,000	\$35.00 plus \$1.78 for each additional \$100 over \$1,000
\$10,001 to \$100,000	\$195.20 plus \$10.98 for each additional \$1,000 over \$10,000
\$100,001 and above	\$1,183.40 plus \$7.54 for each additional \$1,000 over \$100,000

Valuation includes the dollar value of all mechanical materials, equipment, labor overhead and profit.

Commercial Plan Review

60% of mechanical permit fee

Miscellaneous Fees

Additional Plan Review Fee

For changes, additions or revisions to approved plans

Plan review time ½ hour or less: \$55
Plan review time greater than ½ hour:
\$110 per hour or fraction thereof

Appeal Fees (per appeal)

One and Two-Family Dwellings	\$100
All other occupancies	\$200
Each appeal item over 4	\$50

Field Issuance Remodel Program

For 1 & 2 family dwelling alterations/remodels.

One-time Registration Fee: \$200 per contractor

Inspection, plan review, administrative and project management activities: \$125 per hour or fraction of an hour
Minimum – 1 hour for each inspection

Fees for services provided by bureaus other than the Bureau of Development Services necessary for construction authorization will be billed to the Owner as assessed by those bureaus.

Fees shall be billed monthly. Fees not paid within 30 days of billing shall be assessed a 5% penalty fee for each 30-day period until paid in full.

Inspections Outside of Normal Business Hours	\$150 per hour or fraction of hour
Investigation Fee For commencement of work before obtaining a permit	Equal to the permit fee or the actual investigation costs at \$110 per hour, whichever is greater, plus \$250
Master Permit/Facilities Permit Program Inspection, plan review, and administrative activities	\$142 per hour or fraction of hour. Minimum – 1 hour for each inspection
Minor Mechanical Labels	\$100 for set of 10 labels
Other Inspections Not Specifically Identified Elsewhere	\$110 per hour or fraction of hour. Minimum – 1 hour
Permit Reinstatement Processing Fee Fee for renewal of a permit that has been expired for six months or less provided no changes have been made in the original plans and specifications for such work. A permit may be renewed only once.	The renewal fee shall be one-half the amount required for a new permit. Minimum Fee - \$50
Reinspection Fee	\$75 per inspection
Requested Inspection Fee	
One and Two-Family Dwellings	\$110
3 or More Family Dwellings	\$160 + \$10 for each dwelling unit in excess of three
Hotels/Motels	\$160 + \$5 for each sleeping room in excess of five
All other occupancies one and two stories in height up to 10,000 sq. ft.	\$160 + \$10 for each additional 1,000 square feet
All other occupancies 3 stories in height and above	\$160 + \$20 for each story in excess of three

Schedule 1 – For Areas of Unincorporated Multnomah County
Within the Portland Urban Services Boundary

Section 29.106. FEES (Electrical Code)

§ 29.106 FEES.

New Residential

Single or multi-family, per dwelling unit. Include attached garage. Service included.	\$178
1,000 square feet or less	
Each additional 500 sq ft or portion thereof	\$38
Limited Energy Install 1 & 2 Family	\$38
Limited Energy Install Multi-Family	\$38
Each Manufactured Home or Modular Dwelling Service and/or Feeder	\$100

Services or Feeders

Installation, alteration or relocation	
200 amps \ 5 kva or less	\$ 92
201 to 400 amps \ 5.01 to 15 kva	\$127
401 to 600 amps \ 15.01 to 25 kva	\$170
601 amps to 1,000 amps	\$255
Over 1,000 amps or volts	\$477
Reconnect only	\$ 76

Temporary Services or Feeders

Installation, alteration or relocation	
200 amps or less	\$ 76
201 amps to 400 amps	\$122
401 amps to 600 amps	\$152
Over 600 amps or 1,000 volts (see above)	

Branch Circuits

New, alteration or extension per panel

The fee for branch circuits with the purchase of service or feeder fee \$ 7

The fee for branch circuits without the purchase of service or feeder fee:

First branch circuit \$ 76

Each additional branch circuit \$ 7

Miscellaneous

(Service or feeder not included)

Each pump or irrigation circle \$ 64

Each sign or outline lighting \$ 64

Signal circuit(s) or a limited energy panel, alteration or extension \$ 64

Swimming Pools. Fees shall be based upon **Services or Feeders** or **Branch Circuits** (see above). The inspection of the grounding of the pool shall be included in the permit for the pool and counted as one of the number of allowed inspections under the permit.

Borderline Neon \$132 per elevation

Wall washing of non-illuminated signs \$.51 per square foot

Plan Review Fee 25% of total electrical permit fees

Miscellaneous Fees

Additional Plan Review Fee

For changes, additions or revisions to approved plans

Plan review time ½ hour or less: \$55

Plan review time greater than ½ hour: \$110 per hour or fraction thereof

Appeal Fees (per appeal)

One and Two-Family Dwellings \$100

All other occupancies \$200

Each appeal item over 4 \$ 50

Field Issuance Remodel Program

For 1 & 2 family dwelling alterations/remodels.

One-time Registration Fee:

\$200 per contractor

Inspection, plan review, administrative and
project management activities:

\$125 per hour or fraction of an hour
Minimum – 1 hour for each inspection

Fees for services provided by bureaus other than the Bureau of Development Services necessary for construction authorization will be billed to the Owner as assessed by those bureaus.

Fees shall be billed monthly. Fees not paid within 30 days of billing shall be assessed a 5% penalty fee for each 30-day period until paid in full.

**Inspections Outside of Normal
Business Hours**

\$150 per hour or fraction of hour

Investigation Fee

For commencement of work before
obtaining a permit

Equal to the permit fee or the actual
investigation costs at \$110 per hour,
whichever is greater, plus \$250

**Master Permit (Industrial Plant)
Program Fees**

Registration

\$100 per facility

Each additional off-site location

\$100

Inspection, plan review and
administrative activities

\$105 per hour or fraction of hour

**Master Permit/Facilities Permit
Program**

Inspection, plan review and
administrative activities

\$142 per hour or fraction of hour.
Minimum – 1 hour

**Other Inspections Not Specifically
Identified Elsewhere**

\$110 per hour or fraction of hour. Minimum
– 1 hour

Permit Reinstatement Processing Fee

Fee for renewal of a permit that has been
expired for six months or less provided no
changes have been made in the original plans
and specifications for such work. A permit may
be renewed only once.

The renewal fee shall be one-half the
amount required for a new permit.
Minimum fee - \$50

Reinspection and Additional Fees	
Reinspections or inspections above the number covered by original permit	\$75 per inspection
Requested Inspection Fee	
One and Two-Family Dwellings	\$110
Apartment Houses	\$160 + \$10 for each dwelling unit in excess of three
Hotels/Motels	\$160 + \$5 for each sleeping room in excess of five
All other occupancies one and two stories in height	\$160 + \$10 for each additional 1,000 square feet over 10,000 square feet
All other occupancies three stories in height and above	\$160 + \$20 for each story in excess of three

Schedule 1 – For Areas of Unincorporated Multnomah County
Within the Portland Urban Services Boundary

Section 29.207. FEES (Plumbing Code)

§ 29.207 FEES.

New 1 & 2 Family Dwellings Only

(includes 100 feet for each utility connection)	\$365
With one bath	
With two baths	\$548
With three baths	\$639
Each additional bath/kitchen	\$152

Site Utilities

Catch basin/area drain inside building	\$ 26.50
Manufactured home utilities	\$ 65
First 100 feet of:	
Rain drain (no. of linear feet)	\$ 81
Sanitary sewer (no. of linear feet)	\$ 81
Storm sewer (no. of linear feet)	\$ 81
Water service (no. of linear feet)	\$ 81
Each additional 100 feet or portion thereof	\$ 61

Interior Mainline Piping

Water Piping – first 100 feet	\$81
Drainage Piping – first 100 feet	\$81
Each additional 100 feet of portion thereof	\$61

Fixture or Item

Back flow preventer	\$ 26.50
Backwater valve	\$ 26.50
Basins/lavatory	\$ 26.50
Clothes washer	\$ 26.50
Dishwasher	\$ 26.50
Drinking fountains	\$ 26.50
Ejectors/Sump	\$ 26.50
Expansion tank	\$ 26.50
Fixture/sewer cap	\$ 26.50
Floor drains/floor sinks/hubb	\$ 26.50
Garbage disposal	\$ 26.50
Hose bibb	\$ 26.50
Ice maker	\$ 26.50
Interceptor/grease trap	\$ 26.50
Primer(s)	\$ 26.50
Replacing in-building water supply lines:	
Residential:	
First floor	\$ 58
Each additional floor	\$ 23

Commercial:

Up to first 5 branches	\$ 58
Each fixture ranch over five	\$ 14

Roof drain (commercial)	\$ 26.50
Sewer cap	\$ 72
Sink(s) Basin(s) Lav(s)	\$ 26.50
Solar units (potable water)	\$ 62
Stormwater retention/detention tank/facility	\$ 73
Sump	\$ 26.50
Tubs/shower/shower pan	\$ 26.50
Urinal	\$ 26.50
Water closet	\$ 26.50
Water heater	\$ 26.50
Other	\$ 26.50

Minimum Fee \$ 58

Plan Review Fee

For commercial and multi-family structures with new outside installations and/or more than five fixtures, food service or for medical gas systems 25% of the permit fee

Miscellaneous Fees

Additional Plan Review	Plan review time ½ hour or less: \$500.
For changes, additions or revisions to approved plans	Plan review time greater than ½ hour: \$110 per hour or fraction thereof
Appeal Fees (per appeal)	
One and Two-Family Dwellings	\$100
All other occupancies	\$200
Each appeal item over 4	\$ 50

Field Issuance Remodel Program

For 1 & 2 family dwelling alterations/remodels.

One-time Registration Fee:	\$200 per contractor
Inspection, plan review, administrative and project management activities:	\$125 per hour or fraction of an hour Minimum – 1 hour for each inspection

Fees for services provided by bureaus other than the Bureau of Development Services necessary for construction authorization will be billed to the Owner as assessed by those bureaus.

Fees shall be billed monthly. Fees not paid within 30 days of billing shall be assessed a 5% penalty fee for each 30-day period until paid in full.

Inspections Outside of Normal Business Hours \$150 per hour or fraction of hour

Investigation Fee
For commencement of work before
obtaining a permit

Equal to the permit fee or the actual
investigation costs at \$110 per hour,
whichever is greater, plus \$250

**Master Permit/Facilities Permit
Program**
Inspection, plan review and
administration activities

\$142 per hour or fraction of hour.
Minimum – 1 hour

Medical Gas Systems
Total Value of Construction Work to be
Performed:

\$1 - \$500

\$ 52 minimum fee

\$501 - \$2,000

\$ 52 for the first \$500, plus \$5 for each
additional \$100 or fraction thereof, to and
including \$2,000

\$2,001 - \$25,000

\$127 for the first \$2,000, plus \$18 for each
additional \$1,000 or fraction thereof, to
and including \$25,000

\$25,001 - \$50,000

\$541 for the first \$25,000, plus \$14 for
each additional \$1,000 or fraction thereof,
to and including \$50,000

\$50,001 - \$100,000

\$891 for the first \$50,000, plus \$9 for each
additional \$1,000 or fraction thereof, to
and including \$100,000

\$100,001 and up

\$1,341 for the first \$100,000, plus \$8 for
each additional \$1,000 or fraction thereof

**Other Inspections Not Specifically
Identified Elsewhere**

\$110 per hour or fraction of hour.
Minimum – 1 hour

Permit Reinstatement Processing Fee
Fee for renewal of a permit that has been
expired for six months or less provided no
changes have been made in the original plans
and specifications for such work. A permit may
be renewed only once.

The renewal fee shall be one-half the
amount required for a new permit.
Minimum Fee - \$50

Rainwater Harvesting Systems

Total Value of Construction Work to be Performed:

\$1 - \$500

\$52 minimum fee

\$501 - \$2,000

\$52 for the first \$500, plus \$5 for each
additional \$100 or fraction thereof, to and
including \$2,000

\$2,001 - \$25,000

\$127 for the first \$2,000, plus \$18 for each
additional \$1,000 or fraction thereof, to
and including \$25,000

\$25,001 - \$50,000

\$541 for the first \$25,000, plus \$14 for each additional \$1,000 or fraction thereof, to and including \$50,000

\$50,001 - \$100,000

\$891 for the first \$50,000, plus \$9 for each additional \$1,000 or fraction thereof, to and including \$100,000

\$100,001 and up

\$1,341 for the first \$100,000, plus \$8 for each additional \$1,000 or fraction thereof.

Reinspection Fee

\$75 per inspection

Requested Inspections

One and Two-Family Dwellings

\$110

Apartment Houses

\$160 + \$10 for each dwelling unit in excess of three

Hotels/Motels

\$160 + \$5 for each sleeping room in excess of five

All other occupancies one and two stories, up to 10,000 sq. ft.

\$160 + \$10 for each additional 1,000 square feet

All other occupancies 3 stories in height and above

\$160 + \$20 for each story in excess of three

Residential Fire Suppression Systems

Residential multi-purpose and stand alone fire suppression system fees are based on the square footage of the structure as follows:

0 to 2,000 sq. ft.

\$ 53

2,001 to 3,600 sq. ft.

\$ 78

3,601 to 7,200 sq. ft.

\$104

7,201 sq. ft and greater

\$129

EXHIBIT A

Section 29.010. FEES (Building Code)

§ 29.010 FEES.

The fees shall apply under this subchapter in addition to those provided in the state building code. Where conflicts occur with fees provided in the state building code, the fees in this subchapter shall prevail.

(A) Building permit fees shall be charged based on the total valuation of work to be performed.

Total Valuation of Work to be Performed	Fees
\$1.00 to \$500.00	\$15.00
\$501.00 to \$2,000.00	\$15.00 for the first \$500.00, plus \$1.90 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$43.50 for the first \$2,000.00, plus \$7.60 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$218.30 for the first \$25,000.00 plus \$5.70 for each additional \$1,000 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$360.80 for the first \$50,000.00, plus \$3.80 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 and up	\$550.80 for the first \$100,000.00, plus \$3.20 for each additional \$1,000.00 or fraction thereof

(B) Exempt area fire and life safety plan review and inspection: 40 percent of the required building permit fee.

(C) Requested inspection fees. Requested inspections that are not part of the regular inspection program will be made as soon as practical after payment to the building official of the fee specified below:

- | | |
|--|-------|
| (1) Single- and two-family dwellings (occupancy class R3) | \$100 |
| (2) Apartment houses (occupancy class R1) (plus \$7 for each dwelling unit in excess of three) | \$160 |
| (3) Hotels (occupancy class R1) (plus \$5 for each sleeping room in excess of five) | \$160 |

- | | | |
|-----|---|------------|
| | All other occupancies one and two stories in height up to | |
| (4) | 10,000 square feet (plus \$7 for each additional 1,000 square feet) | \$160 |
| (5) | All other occupancies three stories in height and above (plus \$20 for each story in excess of three) | \$160 |
| (D) | Demolition of structure | \$40 |
| (E) | Temporary permit or temporary certificate of occupancy | \$50 |
| (F) | Hearing fee, board of appeals: | |
| (1) | One- and two-family dwellings | \$50 |
| (2) | All other buildings | \$100 |
| (G) | Certificate of occupancy (new permit not required) | \$50 |
| (H) | Automatic sprinkler system: | |
| (1) | Minimum charge | \$40 |
| (2) | Per sprinkler head for first 100 | \$0.50 |
| (3) | Per sprinkler head in excess of first 100 | \$0.30 |
| (I) | Heating and ventilating fees under the Uniform mechanical Code. The minimum permit fee under this subsection shall be \$23. | |
| | New single- and two-family residences. The following fees for each dwelling unit shall include all heating and ventilating installations within or attached to the building at the time of occupancy. | |
| (a) | Conditioned floor space under 1,000 square feet | \$29 each. |
| (b) | Conditioned floor space under 2,000 square feet | \$42 each. |
| (c) | Conditioned floor space 2,000 square feet or more | \$52 each. |

- Residential permit fees (other than (1) above). The following fees are for single-family and two-family dwellings (R-3 and S.R. occupancies) and each individual dwelling within an apartment building, condominium building, hotel or motel (R-1 occupancy), which is individually heated and/or air conditioned. Central mechanical systems in multifamily buildings or appliances and systems not identified in this subsection shall be assessed fee(s) in accordance with paragraph (3).
- (2)

- (a) Furnaces: For the installation, relocation, or replacement of each furnace:

(i)	Forced air or gravity type furnace	\$13
(ii)	Floor furnace	\$10
(iii)	Vented wall furnace or recessed wall heater	\$10
(iv)	Room heater (non-portable)	\$13

- (b) Woodstoves: for the installation, relocation or replacement of each woodstove, fireplace stove or factory built fireplace (including hearth and wall shield) \$23

- (c) Chimney vent: For the installation, relocation, or replacement of each factory built chimney or appliance vent \$9

- (d) Boiler: For the installation, relocation or replacement of each boiler (water heater) no exceeding 120 gallons, water temperature of 210 degrees Fahrenheit, for 200,000 Btu input \$13

- (e) Air handler or heat exchanger: For the installation, relocation or replacement of each air handler or heat exchanger \$10

- (f) Heat pumps: For the installation, relocation or replacement of ducted heat pump (including compressor, exchanger and ducts attached thereto) \$21

- (g) Air conditioners: For the installation, relocation or replacement of each condensing or evaporating air conditioner (except portable type) \$10

- (h) Ventilation fan: For the installation, relocation or replacement of each ducted ventilation fan \$5

- (i) Range hood: For the installation, relocation or replacement of each domestic range hood, including duct \$10

- (j) Gas piping: For the installation, relocation or replacement of gas piping:

(i)	One to four outlets	\$6
(ii)	Each additional outlet	\$1

(3) Commercial permit fees. Any equipment or system regulated by this code and not classified residential under paragraph (1) or (2) of this section shall be assessed permit fee(s) in accordance with the following:

Valuation of Work	Permit Fee
\$1.00 to \$1,000.00	\$23.00
\$1,001.00 to \$10,000.00	\$23.00 plus \$1.35 for each additional \$100.00 over \$1,000.00
\$10,001.00 to \$100,000.00	\$144.50 plus \$8.30 for each additional \$1,000.00 over \$10,000.00
\$100,001.00 and up	\$891.50 plus \$5.70 for each additional \$1,000 over \$100,000.00

(4) Administrative fees. An administrative fee equal to 65 percent of the permit fee shall be added to each permit fee for every permit issued. The administrative fee shall cover the cost of plan and specification review, permit processing and recording, and applicable state surcharges.

(5) Additional plan review fees. An additional plan review fee may be assessed whenever plans are incomplete, revised or modified to the extent that additional review is required.

Additional plan review fee (minimum charge \$30.00): \$50.00/hour.

(6) Reinspection fees. A reinspection fee may be assessed whenever additional inspections are required due to, but not limited to, failure to provide access to the equipment, work incomplete and not ready for inspection, failure to have approved plans on the job, deviations from the approved plans, etc. In those instances where a reinspection fee has been assessed, no additional inspection of the work will be performed, nor will the certificate of occupancy be issued, until required fees are paid.

Reinspection fee (minimum charge \$30.00): \$50.00/hour.

(7) Replacement of a hot water heater in kind shall not require a heating and ventilation permit when the hot water heater installation is the only work requiring such a permit. Such permit is covered under the plumbing permit.

(J) Charge for partial permits. When complete plans and specifications are not available, the building official may issue partial permits to assist in the commencement of the work, provided that a partial permit charge is paid to the building official. The number of partial permits issued shall not exceed six on any individual project, except that in special circumstances the building official may allow this number to be exceeded. Partial building permits issued under this section shall be subject to a \$250.00 charge for each permit so issued.

(K) Inspection outside of normal business hours. A fee of \$50.00 per hour or fraction thereof shall be charged for inspections outside of normal business hours.

('90 Code § 9.10.100) (Ord. 164, passed 1978; Ord. 195, passed 1979; Ord. 256, passed 1980; Ord. 278, passed 1981; Ord. 400, passed 1983; Ord. 467, passed 1985; Ord. 557, passed 1987; Ord. 583, passed 1988; Ord. 623, passed 1989; Ord. 728, passed 1992)

EXHIBIT B

Section 29.106. FEES (Electrical Code)

§ 29.106 FEES.

(A) *Plan review.*

(1) A plan checking fee shall be paid at the time of permit application. Fees for plans shall be 25 percent of the total electrical permit fee.

(2) A fee of \$50.00 per hour, with a minimum charge of \$30.00 for the first half hour or fraction thereof, shall be charged for additional plan reviews required by changes, additions or revisions to approved plans.

(B) *Permits.*

(1) The minimum permit fee shall be \$33 unless otherwise stated in this chapter.

(2) Residential wiring (exclusive of service):

Residence wiring less than 1,000 square feet	\$45
Residence wiring less than 2,000 square feet	\$68
Residence wiring over 2,000 square feet	\$90
Electric heat installation in existing residence	\$33

(3) Service installations:

Temporary construction service up to 200 amperes	\$33
Temporary construction service 201--600 amperes	\$56
Temporary construction service 601--3,000 amperes (temporary construction services do not require plan submittal)	\$90
Service not over 100 amperes	\$45
Service over 100 amperes, but not more than 200 amperes	\$68
Service over 200 amperes, but not more than 400 amperes	\$90
Service over 400 amperes, but not more than 600 amperes	\$135
Service over 600 amperes, but not more than 800 amperes	\$158
Service over 800 amperes, but not more than 1,200 amperes	\$203

Service over 1,200 amperes, but not more than 3,000 amperes	\$249
	\$249
	Plus \$45 for each 1,000 amperes or fraction over 3,000 amperes
Service over 3,000 amperes	
Service over 600 volts	\$338

(4) Commercial and industrial feeders:

Installation of, alteration or relocation of distribution feeders:

Not more than 100 amperes	\$33
Over 100 amperes, but not more than 200 amperes	\$45
Over 200 amperes, but not more than 400 amperes	\$68
Over 400 amperes, but not more than 600 amperes	\$84
Over 600 amperes, but not more than 800 amperes	\$102
Over 800 amperes, but not more than 1,200 amperes	\$135
Over 1,200 amperes, but not more than 3,000 amperes	\$170
	\$170
	Plus \$33 for each 1,000 amperes in excess of 3,000 amperes
Feeder over 3,000 amperes	
Feeder over 600 volts	\$156

After the ten largest feeders, each feeder shall be charged 50 percent of the above rate.

(5) Miscellaneous (exclusive of service):

Each farm building other than residence	\$33
Each irrigation pump	\$33
Each electrical sign or outline lighting circuit	\$33
Each swimming pool (including bonding)	\$56
Each low energy system	\$33
Each alarm system	\$33

- (6) Branch circuits (shall be additional to plan check, service and feeder fees):
- | | |
|--|------|
| One new circuit, alteration or extension | \$32 |
| Two new circuits, alteration or extension | \$42 |
| Each circuit over two circuits | \$5 |
| Each circuit in excess of 50 ampere rating | \$42 |

- (7) Requested inspections that are not a part of the regular inspection program will be made as soon as practical after payment to the building official of the fee specified below:
- | | |
|---|-------|
| Single- and two-family dwellings (occupancy class R3) | \$100 |
| Apartment houses (occupancy class R1)(plus \$7 for each dwelling unit in excess of three) | \$160 |
| Hotels (occupancy class R1) (plus \$5 for each sleeping room in excess of five) | \$160 |
| All other occupancies one and two stories in height up to 10,000 square feet (plus \$7 for each additional 1,000 square feet) | \$160 |
| All other occupancies three stories in height and above (plus \$20 for each story in excess of three) | \$160 |

(8) For any inspection not covered elsewhere in this chapter, or for a pre-permit onsite consultation, the fee shall be \$50 per hour. The minimum charge shall be \$30.

(9) Whenever any work for which a permit is required by this chapter has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

(10) An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this chapter. The minimum investigation fee shall be the same as the permit fee set forth in this section but not less than \$150. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this chapter, nor from any penalty prescribed by law.

Exception: Electrical work of an emergency nature, for which a permit application with appropriate permit fees is submitted to the permit office within 48 hours, exclusive of Saturdays, Sundays and holidays, after the work was performed.

(11) A fee of \$50 per hour or fraction thereof, with a minimum charge of three hours, shall be charged for inspections outside of normal business hours.

EXHIBIT C

Section 29.207. FEES (Plumbing Code)

§ 29.207 FEES.

(A) Before a permit may be issued for the installation, alteration, renovation or repair of a plumbing or sewage disposal system, fees shall be collected as set by Board resolution. Fees charged in this section relate to individual building or structure systems. Multiple service, private plumbing or sewage disposal systems, included but not limited to planned unit developments, shall be subject to plan review fees as set forth Chapter 27 of this code.

(B) Where an application is made and a plan is required, in addition to the fees under subsection (C) of this section, the applicant shall pay a plan review fee equal to 25 percent of the permit fee. Payment shall be made at the time of application.

(C) Before a permit may be issued for the installation, renovation, alteration or repair of a plumbing or drainage system, fees in accordance with the following table shall be paid:

- | | | |
|-----|---|---|
| (1) | New construction for a single-family dwelling and duplex, each unit with one bathroom | \$235 |
| (2) | New construction for a single-family dwelling and duplex, each unit with two bathrooms | \$317 |
| (3) | New construction for a single-family dwelling and duplex, each unit with three bathrooms | \$374 |
| (4) | For repair, remodel or new construction with more than three bathrooms, per fixture | \$17
plus water
service, rain
drains, sanitary
and storm
sewer fees in
accordance
with subsection
(8) of this
section. |
| (5) | Mobile home service connections (sewer, water and storm), per space | \$42 |
| (6) | Commercial/industrial. The fee shall be \$16 per fixture, plus any water service, sanitary and storm fees as required by subsection (8) of this section. | |
| (7) | Multifamily and multiplex rowhouses. The fee shall be \$17 per fixture, plus water service, rain drains, sanitary and storm sewers as required in subsection (8) of this section. | |

(8) Water service/sanitary/storm sewer/rain drains:	
(a) Water service (first 100 feet or fraction thereof)	\$47
(b) Water service (each additional 100 feet or portion thereof)	\$36
(c) Building sewer (first 100 feet or fraction thereof)	\$47
(d) Building sewer (each additional 100 feet or fraction thereof)	\$36
(e) Building storm sewer or rain drain (first 100 feet or fraction thereof)	\$36
(f) Building storm sewer or rain drain (each additional 100 feet or fraction thereof)	\$36
(9) Miscellaneous:	
(a) Building storm sewer or rain drain (first 100 feet or fraction thereof)	\$47
(b) Replacement water heater (includes electrical and/or mechanical heating fee for an in-kind replacement)	\$15
(c) for replacement of existing water supply lines, drain lines or conductors within the building:	
(i) Single-family residence:	\$35 minimum first floor
(ii) Commercial/industrial structure:	\$35 for up to the first five fixture branches Each additional fixture branch shall be \$8 (fixture branch shall include both hot and cold water)
(d) Each solar unit	\$42
(e) Minimum fee	\$35

(D) Special inspection.

- (1) Prefabricated structural site inspection, the fee shall be 50 percent of applicable category (includes site development and connection of the prefabricated structure).
- (2) Requested inspections that are not part of the regular inspection program will be made as soon as practical after payment to the building official of the fee specified below:
 - (a) Single- and two-family dwellings (occupancy class R3) \$100
 - (b) Apartment houses (occupancy class R1) (plus \$7 for each dwelling unit in excess of three) \$160
 - (c) Hotels (occupancy class R1) (plus \$5 for each sleeping rooms in excess of five) \$160
 - (d) All other occupancies one and two stories in height up to 10,000 square feet (plus \$7 for each additional 1,000 square feet) \$160
 - (e) All other occupancies three stories in height and above (plus \$20 for each story in excess of three) \$160

(E) Plumbing permit fees shall be doubled if installation is commenced prior to issuance of a permit, except that this provision will not apply to proven emergency installations when a permit is obtained within 24 hours, excluding Saturdays, Sundays and holidays.

(F) A fee of \$50 per hour, with a minimum charge of \$30 for the first half hour or fraction thereof, shall be charged for reinspections for which no fee is specifically indicated.

(G) the minimum charge for any permit issued pursuant to this section shall be \$29.

(H) A fee of \$50 per hour or fraction thereof shall be charged for inspections outside of normal business hours.

(I) A fee of \$50 per hour, with a minimum charge of \$30 for the first half hour or fraction thereof, shall be charged for additional plan reviews required by changes, additions, or revisions to approved plans.

BOGSTAD Deborah L

From: BOGSTAD Deborah L
Sent: Monday, August 09, 2004 10:40 AM
To: SOWLE Agnes; Andy Smith; Carol WESSINGER; Chuck Martin; David Martinez; Delma FARRELL; Gary Walker; Heather Carroll; Iris BELL; Judith Bauman; Kathryn GORDON; Kristen WEST; Mary Carroll; Matthew LASHUA; Robert Gravely; Robert Walker; Shelli Romero; Steve MARCH; Terri Naito; Diane Linn; Lisa Naito; Lonnie Roberts; Maria ROJO DE STEFFEY; Serena Cruz
Cc: KINOSHITA Carol
Subject: R-2 and R-3 on the August 12th agenda
Importance: High

R-2 and R-3 need to be amended on Thursday, to coordinate with the City's effective date. The Board will need to make a motion to amend each Resolution's effective date from September 1 to September 3, 2004. Thank you.

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

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

From: KINOSHITA Carol
Sent: Monday, August 09, 2004 8:59 AM
To: 'Kleim, Denise'
Cc: CARROLL Mary P; RYAN Matthew O; Bayley, Rob; Fetters, Mark; BOGSTAD Deborah L; Lee, JoAnn
Subject: Today's Briefing
Importance: High

Hi Denise!

Here's a copy of today's briefing agenda from Mary, and copies of the docs with the 9/3 effective date. Thanx!

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

From: Kleim, Denise [<mailto:KleimD@ci.portland.or.us>]
Sent: Wednesday, August 04, 2004 4:38 PM
To: KINOSHITA Carol; Kleim, Denise
Cc: CARROLL Mary P; RYAN Matthew O; Bayley, Rob; Fetters, Mark; BOGSTAD Deborah L; Lee, JoAnn
Subject: RE: re: fee increases -- effective date change to Sept 3

Carol, I haven't had a chance to review the attachments yet. But I wanted to let you know that our fees finally passed City Council. BUT the effective date is Friday, September 3. (We didn't have unanimous votes to pass an emergency ordinance that could have been effective Sept 1.) So can you make whatever changes are needed?
 Thanks! -- Denise

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

From: KINOSHITA Carol [<mailto:carol.kinoshita@co.multnomah.or.us>]
Sent: Monday, August 02, 2004 4:40 PM
To: Kleim, Denise
Cc: CARROLL Mary P; RYAN Matthew O; Bayley, Rob; Fetters, Mark; BOGSTAD Deborah L

8/9/2004

Subject: RE: re: fee increases.

Since you don't see any problem with the fees being adopted by the Council on Aug. 4th and we need to submit the final paperwork by noon this Wed. for Aug. 12th, I'm attaching the final docs and will deliver hardcopy to Deb. We've omitted the site development (clearing and tree cutting) fees as they are being handled separately. Please let us know if any changes are needed. Thanx!

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

From: Kleim, Denise [mailto:KleimD@ci.portland.or.us]
Sent: Friday, July 30, 2004 4:16 PM
To: KINOSHITA Carol
Cc: CARROLL Mary P; RYAN Matthew O; Bayley, Rob; Feters, Mark
Subject: RE: re: fee increases.

Carol, Council STILL hasn't passed our fee increases. We had to make some amendments to the land use fee schedule, so the final vote is scheduled for August 4. I don't see any problem with the fees passing. -- Denise

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

From: KINOSHITA Carol [mailto:carol.kinoshita@co.multnomah.or.us]
Sent: Monday, July 26, 2004 9:39 AM
To: Kleim, Denise
Cc: CARROLL Mary P; RYAN Matthew O
Subject: RE: re: fee increases.

Thanx Denise! The briefings are held on the 6th floor of the Multnomah Building, 501 SE Hawthorne Blvd., Pdx. - I believe in conference room 625.

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

From: Kleim, Denise [mailto:KleimD@ci.portland.or.us]
Sent: Monday, July 26, 2004 9:31 AM
To: KINOSHITA Carol; Kleim, Denise
Cc: CARROLL Mary P; RYAN Matthew O
Subject: RE: re: fee increases.

yes, I've put it on my calendar. Where?

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

From: KINOSHITA Carol
[mailto:carol.kinoshita@co.multnomah.or.us]
Sent: Monday, July 26, 2004 9:12 AM
To: KleimD@ci.portland.or.us
Cc: CARROLL Mary P; RYAN Matthew O
Subject: FW: re: fee increases.

Hi Denise!

Are you available to do the briefing on August 9th at 1:30 pm?

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

From: CARROLL Mary P
Sent: Monday, July 26, 2004 8:48 AM
To: KINOSHITA Carol; RYAN Matthew O
Subject: RE: re: fee increases.

Great. How about August 9th at 1:30?

8/9/2004

Mary Carroll
Executive Assistant
Commissioner Serena Cruz
501 SE Hawthorne Blvd. Suite 600
Portland OR 97214
(503)988-5275 phn (503)988-5440 fax
mary.p.carroll@co.multnomah.or.us

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

From: KINOSHITA Carol
Sent: Monday, July 26, 2004 8:15 AM
To: CARROLL Mary P; RYAN Matthew O
Subject: RE: re: fee increases.

Hi Mary!

Because Portland postponed hearing this until the end of this month, we've rescheduled for Aug. 12th. So we would like to reschedule the board staff presentation - which Monday do you think would be best? Actually, Denise Kleim of Portland's Building Services Dept. wants to do the briefing so if you'll let us know what date works best, we'll pass the info on to Denise. Thanx much!

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

From: CARROLL Mary P
Sent: Friday, July 23, 2004 11:59 AM
To: RYAN Matthew O; KINOSHITA Carol
Subject: re: fee increases.

You had asked to come to board staff next Monday on the city's proposed sewer fee increases. Since there is no board meeting next week, and you are on later in August, do you want to reschedule your board staff presentation? You can still come on Monday, if you wish.

Mary Carroll
Executive Assistant
Commissioner Serena Cruz
501 SE Hawthorne Blvd. Suite 600
Portland OR 97214
(503)988-5275 phn (503)988-5440 fax
mary.p.carroll@co.multnomah.or.us

8/9/2004

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-115

Establishing Fees and Charges for Chapter 29, Building Regulations, of the Multnomah County Code and Repealing Resolution No. 03-028

The Multnomah County Board of Commissioners Finds:

- a. Chapter 29, Building Regulations, of the Multnomah County Code (MCC) provides that the Board shall establish certain fees and charges by resolution.
- b. On February 27, 2003, the Board adopted Resolution No. 03-028 establishing MCC Chapter 29 fees and charges.
- c. Multnomah County has entered into intergovernmental agreements with the cities of Gresham and Portland to administer and enforce MCC Chapter 29.
- d. The City of Portland has approved increases to the fees charged for permits issued within the Portland Urban Services Boundary effective September 3, 2004, under Oregon Building, Plumbing and Electrical Specialty Codes in accordance with OAR 918-020-0220.
- e. It is necessary to establish the new fees for Chapter 29, by updating the building, electrical and plumbing fee Schedule 1 for the areas of unincorporated Multnomah County covered by the intergovernmental agreement between the County and the City of Portland.
- f. All other fees and charges established by Resolution No. 03-028 remain the same.

The Multnomah County Board of Commissioners Resolves:

1. The fees and charges for Chapter 29, Building Regulations, of the Multnomah County Code are set as follows:
 - A. For the areas of unincorporated Multnomah County within the Portland Urban Services Boundary:

<u>Section 29.010</u>	FEES (Building Code) See Schedule 1 attached
<u>Section 29.106</u>	FEES (Electrical Code) See Schedule 1 attached
<u>Section 29.207</u>	FEES (Plumbing Code) See Schedule 1 attached
 - B. For the areas of unincorporated Multnomah County outside of the Portland Urban Services Boundary:

<u>Section 29.010</u>	FEES (Building Code) See Exhibit A attached
<u>Section 29.106</u>	FEES (Electrical Code) See Exhibit B attached
<u>Section 29.207</u>	FEES (Plumbing Code) See Exhibit C attached

C. For all areas of unincorporated Multnomah County:

Section 29.348 PERMIT FEE

Grading and Erosion Control Permit \$344

Section 29.401. FEE FOR REVIEW AND APPROVAL (Condominiums)

Condominiums, plat and floor plan: \$500
Plus \$50 per building

Buildings greater than two stories or 20 units: Actual cost of review

Section 29.611 REVIEW FEE

Flood Plain Review (one and two family dwellings) \$27

Flood Plain Review (all other uses): \$59

Section 29.712 SPECIAL EVENT PERMIT APPLICATION FEE, DEPOSIT AND COST RECOVERY

(A) Special Event Permit Application Fee \$50

(B) Minimum Cost Recovery Deposit Based On Categories Of Events Under MCC 29.705

(1) Event Under MCC 29.705 (A), If No Event Permit Required No Deposit Is Necessary, Otherwise \$50

(2) Event under MCC 29.705 (B) \$250

(3) Event under MCC 29.705 (C) \$500

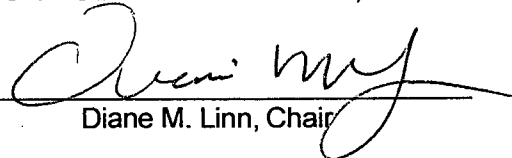
(4) Event under MCC 29.705 (D) \$1,000

Additional Cost Recovery as authorized under MCC 29.712
(C) (C) will be based on actual costs incurred by the County under MCC 29.712 (B) (1)-(4).

2. Resolution No. 03-028 is repealed and this Resolution takes effect on September 3, 2004.

ADOPTED this 12th day of August 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair



AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

Schedule 1 – For Areas of Unincorporated Multnomah County
Within the Portland Urban Services Boundary

Section 29.010. FEES (Building Code)

§ 29.010 FEES.

The fees shall apply under this subchapter in addition to those provided in the state building code. Where conflicts occur with fees provided in the state building code, the fees in this subchapter shall prevail.

I. Building Fees:

(A) Building permit fees shall be charged based on the total valuation of work to be performed.

Total Valuation¹ of Work to be Performed	Fees
\$1 to \$500	\$50 minimum fee
\$501 to \$2,000	\$50 for the first \$500, plus \$2.25 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$83.75 for the first \$2,000, plus \$8.82 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$286.61 for the first \$25,000 plus \$6.56 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$450.61 for the first \$50,000, plus \$4.37 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 and up	\$669.11 for the first \$100,000, plus \$3.68 for each additional \$1,000 or fraction thereof

(B) **Plan Review/Process Fee.** 65% of the building permit fee
For the original submittal and one revision, unless the revision increases the project valuation.

¹ Definition of Valuation: The valuation to be used in computing the permit fee and plan check/process fee shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and other permanent work or equipment, and the contractor's profit.

(C) **Fire and Life Safety Review Fee:** 40% of the building permit fee.

(D) **Miscellaneous Fees:**

Additional Plan Review Fee

For changes, additions or revisions to approved plans

Plan review time ½ hour or less: \$55
Plan review time greater than ½ hour: \$110 per hour or fraction thereof.

Appeal Fees (per appeal):

One- and two-family dwellings	\$100.00
All other occupancies	\$200.00
plus for each appeal item over 4	\$ 50.00

Approved Fabricators Certification Fee

Initial Certification	\$1,000
Annual Renewal - without modifications	\$ 250
Annual Renewal – with modifications	\$ 500
Field audits and inspections	\$ 120 per hour or fraction of an hour. Minimum – 1 hour

Whenever an inspection is conducted by OPDR staff at a facility more than 50 miles from the City of Portland's BDS office, the applicant shall reimburse the City for travel costs including auto travel, air travel, lodging and meals.

Approved Testing Agency Certification Fee

Initial Certification	\$1,000
Annual Renewal – without modifications	\$ 250
Annual Renewal – with modifications	\$ 500
Field audits and inspections	\$ 120 per hour or fraction of an hour. Minimum – 1 hour

Whenever an inspection is conducted by OPDR staff at a facility more than 50 miles from the City of Portland's OPDR office, the applicant shall reimburse the City for travel costs including auto travel, air travel, lodging and meals.

Circus Tent Fee	\$160
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Deferred Submittal Fee

For processing and reviewing deferred plan submittals

10% of the building permit fee calculated using the value of the particular deferred portion or portions of the project

The fee is in addition to the project plan review fee based on the total project value.

Minimum fee -
\$100 for 1 & 2 family dwelling projects
\$250 for commercial and all other projects

Energy Plan Review

Applies to all building permits with valuation over \$2.5 million and to any subsequent tenant improvements.

Actual plan review costs, plus 10% administrative processing fee.

Express Start Program Fee

Fee for accelerated plan review and the issuance of an authorization to proceed with construction prior to completion of the full plan review process

\$120 per hour or fraction of an hour

Fee for Examination of Filed

Plans:

If more than 2 plans, \$1 per added plan.

Field Issuance Remodel Program

For 1 & 2 family dwelling alterations/remodels.

One-time Registration Fee:

\$200 per contractor

Inspection, plan review, administrative and project management activities:

\$125 per hour or fraction of an hour
Minimum – 1 hour for each inspection

Fees for services provided by bureaus other than the Bureau of Development Services necessary for construction authorization will be billed to the Owner as assessed by those bureaus.

Fees shall be billed monthly. Fees not paid within 30 days of billing shall be assessed a 5% penalty fee for each 30-day period until paid in full.

Inspections Outside of Normal Business Hours.

\$150 per hour or fraction of an hour
Minimum - \$150

Intake Fee

For 1 & 2 family dwellings with engineer/architect certified as plans examiner

\$275

Investigation Fee

For commencement of work before
obtaining a permit

Equal to the permit fee or the actual
investigation costs at \$110 per hour,
whichever is greater, plus \$250

Limited Consultation Fee

For an optional meeting held prior to application for building permits for projects with
complex and fairly detailed issues in one or two areas of expertise (e.g., building and fire codes).
The meeting will be limited to two City staff members. \$150

Manufactured Dwelling Installation on Individual Lot

Installation and set up \$315

Earthquake-resistant bracing when not
installed under a Manufactured dwelling installation permit \$ 85

Additional fees are required for separate permits which may include but are not limited to
the following: building, plumbing, electrical, water, sewage, public right of way approaches and
improvements, and plan review.

Manufactured Dwelling Installation in a Park

Installation and set up \$315

Earthquake-resistant bracing when not
installed under a Manufactured dwelling installation permit \$ 85

Additional fees are required for separate permits which may include but are not limited to
the following: building, plumbing, electrical, water, sewage, public right of way approaches and
improvements, and plan review.

Manufactured Dwelling Park

(Development or enlargement of a manufactured dwelling park)

Permit Fee:

10 spaces or fewer	\$45 each space
11 - 20 spaces	\$450 plus \$25 for each space over 10
more than 20 spaces	\$700 plus \$20 for each space over 20

Plan review	65% of the permit fee
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Zoning inspection	15% of the permit fee
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Cabana installation	\$100
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Additional fees are required for separate permits which may include but are not limited to the following: building, plumbing, electrical, water, sewage, public right of way approaches and improvements, and plan review.

Master Permit/Facilities Permit

Program

Annual Registration Fee:

Site with one building	\$150
Site with two buildings	\$250
Site with three buildings	\$350
Site with four buildings	\$425
Site with five or more buildings	\$500

For projects valued at \$600,000 or less: Building orientations, inspection, plan review and administrative activities:	\$142 per hour or fraction of an hour Minimum – 1 hour for each inspection
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For projects exceeding \$600,000 value: Building inspection and plan review:	Fee based on project valuation and building permit fee schedule
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Fees for services provided by bureaus other than the Bureau of Development Services necessary for construction authorization will be billed to the Owner as assessed by those bureaus.

Fees shall be billed monthly. Fees not paid within 30 days of billing shall be assessed a 5% penalty fee for each 30-day period until paid in full.

Minor Structural Labels	\$100 per set of 10 labels
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Other Inspections Not Specifically Identified Elsewhere	\$110 per hour or fraction of hour Minimum – 1 hour
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Permit Reinstatement Processing Fee Fee for renewal of a permit that has been expired for six months or less provided no changes have been made in the original plans and specifications for such work. A permit may be renewed only once. The renewal fee shall be one-half the amount required for a new permit. Minimum Fee - \$50.

Phased Project Plan Review Fee For plan review on each phase of a phased project: 10% of the total project building permit fee not to exceed \$1,500 for each phase, plus \$250.

Pre-Development Conference Fee \$950

For an optional meeting held prior to application for building permits for projects that contain complete or multiple issues.

Recreational Park

(Development or enlargement of a recreational park)

Permit Fee:

10 spaces or fewer	\$26 each space
11 - 20 spaces	\$260 plus \$16 for each space over 10
21 - 50 spaces	\$420 plus \$12 for each space over 20
more than 50 spaces	\$780 plus \$9 for each space over 50
Plan review	65% of the permit fee
Zoning inspection	15% of the permit fee
Cabana installation	\$100

Additional fees are required for separate permits which may include but are not limited to the following: building, plumbing, electrical, water, sewage, public right of way approaches and improvements, and plan review.

Reinspection Fee \$ 75 per inspection

Reproduction Fees \$2 per plan and \$.50 per page of correspondence

Requested Inspection Fees

One and Two-family dwellings	\$110
Apartment Houses	\$160 + \$10 for each dwelling unit in excess of three
Hotels/Motels	\$160 + \$5 for each sleeping room in excess of five
All other occupancies one and two stories in height	\$160 + \$10 for each additional 1,000 square feet over 10,000 square feet
All other occupancies three stories in height and above	\$160 + \$20 for each story in excess of three

Re-roof Permit and Inspection Fee

Re-roof permits are available in multiples of five to commercial roofing contractors who pre-register with the City of Portland Bureau of Development Services.

Permit Fee	\$750
Plan review / process fee	\$125

Special Inspection Certification Fee

Initial Certification	\$ 60
Annual Renewal	\$ 25
Re-examination	\$ 50

Special Program Processing Fee \$250

Temporary Certificate of Occupancy \$175.00

Zoning Inspection Fee Applies to all new construction and any other permit requiring Planning/Zoning approval.

For 1 & 2 family dwellings	\$68
For commercial and all other	15% of the building permit or \$68 whichever is greater

Zoning Permit Fee Fee for ensuring conformance of zoning code standards.

For 1 & 2 family dwellings	\$26
For commercial and all other	Fee is based on the project valuation and the commercial building permit fee table, plus 65% plan review/process fee. Minimum commercial zoning permit fee is \$87.

II. Mechanical Permit Fee Schedule

One & Two Family Dwelling Fees

HVAC

Air handling unit	\$19
Air Conditioning (site plan required)	\$19
Alteration/repair of existing HVAC system	\$24
Boiler/compressors	\$24
Heat pump (site plan required)	\$38
Install/replace furnace/burner (including ductwork / vent / liner)	\$40
Install/replace/relocate heaters – suspended, wall or floor mounted	\$19
Vent for appliance other than furnace	\$16

Environmental exhaust and ventilation

Appliance vent	\$16
Dryer Exhaust	\$10
Hoods, Type I/II/Res. Kitchen/Hazmat Hood Fire Suppression System	\$10
Exhaust fan with single duct (bath fans)	\$10
Exhaust system apart from heating or AC	\$16

Fuel Piping and Distribution (up to 4 outlets)

Fuel piping each additional over 4 outlets	\$11
	\$2

Other listed appliance or equipment

Decorative fireplace	\$19
Insert	\$42
Woodstove/Pellet Stove	\$42

Other: (including oil tanks, gas and diesel generators, gas and electric ceramic kilns, gas fuel cells, jewelry torches, crucibles, and other appliance/equipment not included above)	\$24
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Minimum Fee	\$50
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Commercial Fees

Commercial Mechanical Permit Fee

For commercial installation, replacement or relocation of non-portable mechanical equipment or mechanical work.

Valuation:

\$1 to \$1,000	\$35
\$1,001 to \$10,000	\$35.00 plus \$1.78 for each additional \$100 over \$1,000
\$10,001 to \$100,000	\$195.20 plus \$10.98 for each additional \$1,000 over \$10,000
\$100,001 and above	\$1,183.40 plus \$7.54 for each additional \$1,000 over \$100,000

Valuation includes the dollar value of all mechanical materials, equipment, labor overhead and profit.

Commercial Plan Review

60% of mechanical permit fee

Miscellaneous Fees

Additional Plan Review Fee For changes, additions or revisions to approved plans	Plan review time ½ hour or less: \$55 Plan review time greater than ½ hour: \$110 per hour or fraction thereof
Appeal Fees (per appeal)	
One and Two-Family Dwellings	\$100
All other occupancies	\$200
Each appeal item over 4	\$50

Field Issuance Remodel Program

For 1 & 2 family dwelling alterations/remodels.

One-time Registration Fee:	\$200 per contractor
Inspection, plan review, administrative and project management activities:	\$125 per hour or fraction of an hour Minimum – 1 hour for each inspection

Fees for services provided by bureaus other than the Bureau of Development Services necessary for construction authorization will be billed to the Owner as assessed by those bureaus.

Fees shall be billed monthly. Fees not paid within 30 days of billing shall be assessed a 5% penalty fee for each 30-day period until paid in full.

Inspections Outside of Normal Business Hours	\$150 per hour or fraction of hour
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Investigation Fee For commencement of work before obtaining a permit	Equal to the permit fee or the actual investigation costs at \$110 per hour, whichever is greater, plus \$250
Master Permit/Facilities Permit Program Inspection, plan review, and administrative activities	\$142 per hour or fraction of hour. Minimum – 1 hour for each inspection
Minor Mechanical Labels	\$100 for set of 10 labels
Other Inspections Not Specifically Identified Elsewhere	\$110 per hour or fraction of hour. Minimum – 1 hour
Permit Reinstatement Processing Fee Fee for renewal of a permit that has been expired for six months or less provided no changes have been made in the original plans and specifications for such work. A permit may be renewed only once.	The renewal fee shall be one-half the amount required for a new permit. Minimum Fee - \$50
Reinspection Fee	\$75 per inspection
Requested Inspection Fee	
One and Two-Family Dwellings	\$110
3 or More Family Dwellings	\$160 + \$10 for each dwelling unit in excess of three
Hotels/Motels	\$160 + \$5 for each sleeping room in excess of five
All other occupancies one and two stories in height up to 10,000 sq. ft.	\$160 + \$10 for each additional 1,000 square feet
All other occupancies 3 stories in height and above	\$160 + \$20 for each story in excess of three

Schedule 1 – For Areas of Unincorporated Multnomah County
Within the Portland Urban Services Boundary

Section 29.106. FEES (Electrical Code)

§ 29.106 FEES.

New Residential

Single or multi-family, per dwelling unit. Include attached garage. Service included.	\$178
1,000 square feet or less	
Each additional 500 sq ft or portion thereof	\$38
Limited Energy Install 1 & 2 Family	\$38
Limited Energy Install Multi-Family	\$38
Each Manufactured Home or Modular Dwelling Service and/or Feeder	\$100

Services or Feeders

Installation, alteration or relocation	
200 amps \ 5 kva or less	\$ 92
201 to 400 amps \ 5.01 to 15 kva	\$127
401 to 600 amps \ 15.01 to 25 kva	\$170
601 amps to 1,000 amps	\$255
Over 1,000 amps or volts	\$477
Reconnect only	\$ 76

Temporary Services or Feeders

Installation, alteration or relocation	
200 amps or less	\$ 76
201 amps to 400 amps	\$122
401 amps to 600 amps	\$152
Over 600 amps or 1,000 volts (see above)	

Branch Circuits

New, alteration or extension per panel

The fee for branch circuits with the purchase of service or feeder fee \$ 7

The fee for branch circuits without the purchase of service or feeder fee:

First branch circuit \$ 76

Each additional branch circuit \$ 7

Miscellaneous

(Service or feeder not included)

Each pump or irrigation circle \$ 64

Each sign or outline lighting \$ 64

Signal circuit(s) or a limited energy panel, alteration or extension \$ 64

Swimming Pools. Fees shall be based upon **Services or Feeders** or **Branch Circuits** (see above). The inspection of the grounding of the pool shall be included in the permit for the pool and counted as one of the number of allowed inspections under the permit.

Borderline Neon \$132 per elevation

Wall washing of non-illuminated signs \$.51 per square foot

Plan Review Fee 25% of total electrical permit fees

Miscellaneous Fees

Additional Plan Review Fee Plan review time ½ hour or less: \$55
For changes, additions or revisions to approved plans Plan review time greater than ½ hour: \$110 per hour or fraction thereof

Appeal Fees (per appeal)

One and Two-Family Dwellings \$100

All other occupancies \$200

Each appeal item over 4 \$ 50

Field Issuance Remodel Program
For 1 & 2 family dwelling alterations/remodels.

One-time Registration Fee:	\$200 per contractor
Inspection, plan review, administrative and project management activities:	\$125 per hour or fraction of an hour Minimum – 1 hour for each inspection

Fees for services provided by bureaus other than the Bureau of Development Services necessary for construction authorization will be billed to the Owner as assessed by those bureaus.

Fees shall be billed monthly. Fees not paid within 30 days of billing shall be assessed a 5% penalty fee for each 30-day period until paid in full.

Inspections Outside of Normal Business Hours	\$150 per hour or fraction of hour
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Investigation Fee For commencement of work before obtaining a permit	Equal to the permit fee or the actual investigation costs at \$110 per hour, whichever is greater, plus \$250
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Master Permit (Industrial Plant) Program Fees

Registration	\$100 per facility
Each additional off-site location	\$100
Inspection, plan review and administrative activities	\$105 per hour or fraction of hour

Master Permit/Facilities Permit Program

Inspection, plan review and administrative activities	\$142 per hour or fraction of hour. Minimum – 1 hour
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Other Inspections Not Specifically Identified Elsewhere	\$110 per hour or fraction of hour. Minimum – 1 hour
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Permit Reinstatement Processing Fee Fee for renewal of a permit that has been expired for six months or less provided no changes have been made in the original plans and specifications for such work. A permit may be renewed only once.	The renewal fee shall be one-half the amount required for a new permit. Minimum fee - \$50
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Reinspection and Additional Fees
Reinspections or inspections above the
number covered by original permit

\$75 per inspection

Requested Inspection Fee
One and Two-Family Dwellings

\$110

Apartment Houses

\$160 + \$10 for each dwelling unit in excess
of three

Hotels/Motels

\$160 + \$5 for each sleeping room in excess
of five

All other occupancies one and two stories
in height

\$160 + \$10 for each additional 1,000
square feet over 10,000 square feet

All other occupancies three stories in
height and above

\$160 + \$20 for each story in excess of three

Schedule 1 – For Areas of Unincorporated Multnomah County
Within the Portland Urban Services Boundary

Section 29.207. FEES (Plumbing Code)

§ 29.207 FEES.

New 1 & 2 Family Dwellings Only

(includes 100 feet for each utility connection)	\$365
With one bath	
With two baths	\$548
With three baths	\$639
Each additional bath/kitchen	\$152

Site Utilities

Catch basin/area drain inside building	\$ 26.50
Manufactured home utilities	\$ 65
First 100 feet of:	
Rain drain (no. of linear feet)	\$ 81
Sanitary sewer (no. of linear feet)	\$ 81
Storm sewer (no. of linear feet)	\$ 81
Water service (no. of linear feet)	\$ 81
Each additional 100 feet or portion thereof	\$ 61

Interior Mainline Piping

Water Piping – first 100 feet	\$81
Drainage Piping – first 100 feet	\$81
Each additional 100 feet of portion thereof	\$61

Fixture or Item

Back flow preventer	\$ 26.50
Backwater valve	\$ 26.50
Basins/lavatory	\$ 26.50
Clothes washer	\$ 26.50
Dishwasher	\$ 26.50
Drinking fountains	\$ 26.50
Ejectors/Sump	\$ 26.50
Expansion tank	\$ 26.50
Fixture/sewer cap	\$ 26.50
Floor drains/floor sinks/hubb	\$ 26.50
Garbage disposal	\$ 26.50
Hose bibb	\$ 26.50
Ice maker	\$ 26.50
Interceptor/grease trap	\$ 26.50
Primer(s)	\$ 26.50
Replacing in-building water supply lines:	
Residential:	
First floor	\$ 58
Each additional floor	\$ 23

Commercial:

Up to first 5 branches	\$ 58
Each fixture ranch over five	\$ 14
Roof drain (commercial)	\$ 26.50
Sewer cap	\$ 72
Sink(s) Basin(s) Lav(s)	\$ 26.50
Solar units (potable water)	\$ 62
Stormwater retention/detention tank/facility	\$ 73
Sump	\$ 26.50
Tubs/shower/shower pan	\$ 26.50
Urinal	\$ 26.50
Water closet	\$ 26.50
Water heater	\$ 26.50
Other	\$ 26.50

Minimum Fee \$ 58

Plan Review Fee

For commercial and multi-family structures with new outside installations and/or more than five fixtures, food service or for medical gas systems 25% of the permit fee

Miscellaneous Fees

Additional Plan Review	Plan review time ½ hour or less: \$500.
For changes, additions or revisions to approved plans	Plan review time greater than ½ hour: \$110 per hour or fraction thereof
Appeal Fees (per appeal)	
One and Two-Family Dwellings	\$100
All other occupancies	\$200
Each appeal item over 4	\$ 50

Field Issuance Remodel Program
For 1 & 2 family dwelling alterations/remodels.

One-time Registration Fee:	\$200 per contractor
Inspection, plan review, administrative and project management activities:	\$125 per hour or fraction of an hour Minimum – 1 hour for each inspection

Fees for services provided by bureaus other than the Bureau of Development Services necessary for construction authorization will be billed to the Owner as assessed by those bureaus.

Fees shall be billed monthly. Fees not paid within 30 days of billing shall be assessed a 5% penalty fee for each 30-day period until paid in full.

Inspections Outside of Normal Business Hours \$150 per hour or fraction of hour

Investigation Fee

For commencement of work before obtaining a permit

Equal to the permit fee or the actual investigation costs at \$110 per hour, whichever is greater, plus \$250

Master Permit/Facilities Permit Program

Inspection, plan review and administration activities

\$142 per hour or fraction of hour.
Minimum – 1 hour

Medical Gas Systems

Total Value of Construction Work to be Performed:

\$1 - \$500

\$501 - \$2,000

\$2,001 - \$25,000

\$25,001 - \$50,000

\$50,001 - \$100,000

\$100,001 and up

\$ 52 minimum fee

\$ 52 for the first \$500, plus \$5 for each additional \$100 or fraction thereof, to and including \$2,000

\$127 for the first \$2,000, plus \$18 for each additional \$1,000 or fraction thereof, to and including \$25,000

\$541 for the first \$25,000, plus \$14 for each additional \$1,000 or fraction thereof, to and including \$50,000

\$891 for the first \$50,000, plus \$9 for each additional \$1,000 or fraction thereof, to and including \$100,000

\$1,341 for the first \$100,000, plus \$8 for each additional \$1,000 or fraction thereof

Other Inspections Not Specifically Identified Elsewhere

\$110 per hour or fraction of hour.
Minimum – 1 hour

Permit Reinstatement Processing Fee

Fee for renewal of a permit that has been expired for six months or less provided no changes have been made in the original plans and specifications for such work. A permit may be renewed only once.

The renewal fee shall be one-half the amount required for a new permit.
Minimum Fee - \$50

Rainwater Harvesting Systems

Total Value of Construction Work to be Performed:

\$1 - \$500

\$501 - \$2,000

\$2,001 - \$25,000

\$52 minimum fee

\$52 for the first \$500, plus \$5 for each additional \$100 or fraction thereof, to and including \$2,000

\$127 for the first \$2,000, plus \$18 for each additional \$1,000 or fraction thereof, to and including \$25,000

\$25,001 - \$50,000

\$541 for the first \$25,000, plus \$14 for each additional \$1,000 or fraction thereof, to and including \$50,000

\$50,001 - \$100,000

\$891 for the first \$50,000, plus \$9 for each additional \$1,000 or fraction thereof, to and including \$100,000

\$100,001 and up

\$1,341 for the first \$100,000, plus \$8 for each additional \$1,000 or fraction thereof.

Reinspection Fee

\$75 per inspection

Requested Inspections

One and Two-Family Dwellings

\$110

Apartment Houses

\$160 + \$10 for each dwelling unit in excess of three

Hotels/Motels

\$160 + \$5 for each sleeping room in excess of five

All other occupancies one and two stories, up to 10,000 sq. ft.

\$160 + \$10 for each additional 1,000 square feet

All other occupancies 3 stories in height and above

\$160 + \$20 for each story in excess of three

Residential Fire Suppression Systems

Residential multi-purpose and stand alone fire suppression system fees are based on the square footage of the structure as follows:

0 to 2,000 sq. ft.

\$ 53

2,001 to 3,600 sq. ft.

\$ 78

3,601 to 7,200 sq. ft.

\$104

7,201 sq. ft and greater

\$129

EXHIBIT A

Section 29.010. FEES (Building Code)

§ 29.010 FEES.

The fees shall apply under this subchapter in addition to those provided in the state building code. Where conflicts occur with fees provided in the state building code, the fees in this subchapter shall prevail.

(A) Building permit fees shall be charged based on the total valuation of work to be performed.

Total Valuation of Work to be Performed	Fees
\$1.00 to \$500.00	\$15.00
\$501.00 to \$2,000.00	\$15.00 for the first \$500.00, plus \$1.90 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$43.50 for the first \$2,000.00, plus \$7.60 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$218.30 for the first \$25,000.00 plus \$5.70 for each additional \$1,000 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$360.80 for the first \$50,000.00, plus \$3.80 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 and up	\$550.80 for the first \$100,000.00, plus \$3.20 for each additional \$1,000.00 or fraction thereof

(B) Exempt area fire and life safety plan review and inspection: 40 percent of the required building permit fee.

(C) Requested inspection fees. Requested inspections that are not part of the regular inspection program will be made as soon as practical after payment to the building official of the fee specified below:

- | | |
|--|-------|
| (1) Single- and two-family dwellings (occupancy class R3) | \$100 |
| (2) Apartment houses (occupancy class R1) (plus \$7 for each dwelling unit in excess of three) | \$160 |
| (3) Hotels (occupancy class R1) (plus \$5 for each sleeping room in excess of five) | \$160 |

- All other occupancies one and two stories in height up to
- (4) 10,000 square feet (plus \$7 for each additional 1,000 square feet) \$160
- (5) All other occupancies three stories in height and above (plus \$20 for each story in excess of three) \$160
- (D) Demolition of structure \$40
- (E) Temporary permit or temporary certificate of occupancy \$50
- (F) Hearing fee, board of appeals:
- (1) One- and two-family dwellings \$50
- (2) All other buildings \$100
- (G) Certificate of occupancy (new permit not required) \$50
- (H) Automatic sprinkler system:
- (1) Minimum charge \$40
- (2) Per sprinkler head for first 100 \$0.50
- (3) Per sprinkler head in excess of first 100 \$0.30
- (I) Heating and ventilating fees under the Uniform mechanical Code. The minimum permit fee under this subsection shall be \$23.
- New single- and two-family residences. The following fees for each dwelling unit shall include all heating and ventilating installations within or attached to the building at the time of occupancy.
- (1) (a) Conditioned floor space under 1,000 square feet \$29 each.
- (b) Conditioned floor space under 2,000 square feet \$42 each.
- (c) Conditioned floor space 2,000 square feet or more \$52 each.

- Residential permit fees (other than (1) above). The following fees are for single-family and two-family dwellings (R-3 and S.R. occupancies) and each individual dwelling within an apartment building, condominium building, hotel or motel (R-1 occupancy), which is individually heated and/or air conditioned. Central mechanical systems in multifamily buildings or appliances and systems not identified in this subsection shall be assessed fee(s) in accordance with paragraph (3).

- (a) Furnaces: For the installation, relocation, or replacement of each furnace:

(i) Forced air or gravity type furnace	\$13
(ii) Floor furnace	\$10
(iii) Vented wall furnace or recessed wall heater	\$10
(iv) Room heater (non-portable)	\$13

- (b) Woodstoves: for the installation, relocation or replacement of each woodstove, fireplace stove or factory built fireplace (including hearth and wall shield) \$23

- (c) Chimney vent: For the installation, relocation, or replacement of each factory built chimney or appliance vent \$9

- (d) Boiler: For the installation, relocation or replacement of each boiler (water heater) no exceeding 120 gallons, water temperature of 210 degrees Fahrenheit, for 200,000 Btu input \$13

- (e) Air handler or heat exchanger: For the installation, relocation or replacement of each air handler or heat exchanger \$10

- (f) Heat pumps: For the installation, relocation or replacement of ducted heat pump (including compressor, exchanger and ducts attached thereto) \$21

- (g) Air conditioners: For the installation, relocation or replacement of each condensing or evaporating air conditioner (except portable type) \$10

- (h) Ventilation fan: For the installation, relocation or replacement of each ducted ventilation fan \$5

- (i) Range hood: For the installation, relocation or replacement of each domestic range hood, including duct \$10

- (j) Gas piping: For the installation, relocation or replacement of gas piping:

(i) One to four outlets	\$6
(ii) Each additional outlet	\$1

(3) Commercial permit fees. Any equipment or system regulated by this code and not classified residential under paragraph (1) or (2) of this section shall be assessed permit fee(s) in accordance with the following:

Valuation of Work	Permit Fee
\$1.00 to \$1,000.00	\$23.00
\$1,001.00 to \$10,000.00	\$23.00 plus \$1.35 for each additional \$100.00 over \$1,000.00
\$10,001.00 to \$100,000.00	\$144.50 plus \$8.30 for each additional \$1,000.00 over \$10,000.00
\$100,001.00 and up	\$891.50 plus \$5.70 for each additional \$1,000 over \$100,000.00

(4) Administrative fees. An administrative fee equal to 65 percent of the permit fee shall be added to each permit fee for every permit issued. The administrative fee shall cover the cost of plan and specification review, permit processing and recording, and applicable state surcharges.

(5) Additional plan review fees. An additional plan review fee may be assessed whenever plans are incomplete, revised or modified to the extent that additional review is required.

Additional plan review fee (minimum charge \$30.00): \$50.00/hour.

(6) Reinspection fees. A reinspection fee may be assessed whenever additional inspections are required due to, but not limited to, failure to provide access to the equipment, work incomplete and not ready for inspection, failure to have approved plans on the job, deviations from the approved plans, etc. In those instances where a reinspection fee has been assessed, no additional inspection of the work will be performed, nor will the certificate of occupancy be issued, until required fees are paid.

Reinspection fee (minimum charge \$30.00): \$50.00/hour.

(7) Replacement of a hot water heater in kind shall not require a heating and ventilation permit when the hot water heater installation is the only work requiring such a permit. Such permit is covered under the plumbing permit.

(J) Charge for partial permits. When complete plans and specifications are not available, the building official may issue partial permits to assist in the commencement of the work, provided that a partial permit charge is paid to the building official. The number of partial permits issued shall not exceed six on any individual project, except that in special circumstances the building official may allow this number to be exceeded. Partial building permits issued under this section shall be subject to a \$250.00 charge for each permit so issued.

(K) Inspection outside of normal business hours. A fee of \$50.00 per hour or fraction thereof shall be charged for inspections outside of normal business hours.

(90 Code § 9.10.100) (Ord. 164, passed 1978; Ord. 195, passed 1979; Ord. 256, passed 1980; Ord. 278, passed 1981; Ord. 400, passed 1983; Ord. 467, passed 1985; Ord. 557, passed 1987; Ord. 583, passed 1988; Ord. 623, passed 1989; Ord. 728, passed 1992)

EXHIBIT B

Section 29.106. FEES (Electrical Code)

§ 29.106 FEES.

(A) *Plan review.*

(1) A plan checking fee shall be paid at the time of permit application. Fees for plans shall be 25 percent of the total electrical permit fee.

(2) A fee of \$50.00 per hour, with a minimum charge of \$30.00 for the first half hour or fraction thereof, shall be charged for additional plan reviews required by changes, additions or revisions to approved plans.

(B) *Permits.*

(1) The minimum permit fee shall be \$33 unless otherwise stated in this chapter.

(2) Residential wiring (exclusive of service):

Residence wiring less than 1,000 square feet	\$45
Residence wiring less than 2,000 square feet	\$68
Residence wiring over 2,000 square feet	\$90
Electric heat installation in existing residence	\$33

(3) Service installations:

Temporary construction service up to 200 amperes	\$33
Temporary construction service 201–600 amperes	\$56
Temporary construction service 601–3,000 amperes (temporary construction services do not require plan submittal)	\$90
Service not over 100 amperes	\$45
Service over 100 amperes, but not more than 200 amperes	\$68
Service over 200 amperes, but not more than 400 amperes	\$90
Service over 400 amperes, but not more than 600 amperes	\$135
Service over 600 amperes, but not more than 800 amperes	\$158
Service over 800 amperes, but not more than 1,200 amperes	\$203

Service over 1,200 amperes, but not more than 3,000 amperes	\$249
	\$249
	Plus \$45 for each 1,000 amperes or fraction over 3,000 amperes
Service over 3,000 amperes	
Service over 600 volts	\$338

(4) Commercial and industrial feeders:

Installation of, alteration or relocation of distribution feeders:

Not more than 100 amperes	\$33
Over 100 amperes, but not more than 200 amperes	\$45
Over 200 amperes, but not more than 400 amperes	\$68
Over 400 amperes, but not more than 600 amperes	\$84
Over 600 amperes, but not more than 800 amperes	\$102
Over 800 amperes, but not more than 1,200 amperes	\$135
Over 1,200 amperes, but not more than 3,000 amperes	\$170
	\$170
	Plus \$33 for each 1,000 amperes in excess of 3,000 amperes
Feeder over 3,000 amperes	
Feeder over 600 volts	\$156

After the ten largest feeders, each feeder shall be charged 50 percent of the above rate.

(5) Miscellaneous (exclusive of service):

Each farm building other than residence	\$33
Each irrigation pump	\$33
Each electrical sign or outline lighting circuit	\$33
Each swimming pool (including bonding)	\$56
Each low energy system	\$33
Each alarm system	\$33

- (6) Branch circuits (shall be additional to plan check, service and feeder fees):

One new circuit, alteration or extension	\$32
Two new circuits, alteration or extension	\$42
Each circuit over two circuits	\$5
Each circuit in excess of 50 ampere rating	\$42

- (7) Requested inspections that are not a part of the regular inspection program will be made as soon as practical after payment to the building official of the fee specified below:

Single- and two-family dwellings (occupancy class R3)	\$100
Apartment houses (occupancy class R1)(plus \$7 for each dwelling unit in excess of three)	\$160
Hotels (occupancy class R1) (plus \$5 for each sleeping room in excess of five)	\$160
All other occupancies one and two stories in height up to 10,000 square feet (plus \$7 for each additional 1,000 square feet)	\$160
All other occupancies three stories in height and above (plus \$20 for each story in excess of three)	\$160

(8) For any inspection not covered elsewhere in this chapter, or for a pre-permit onsite consultation, the fee shall be \$50 per hour. The minimum charge shall be \$30.

(9) Whenever any work for which a permit is required by this chapter has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

(10) An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this chapter. The minimum investigation fee shall be the same as the permit fee set forth in this section but not less than \$150. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this chapter, nor from any penalty prescribed by law.

Exception: Electrical work of an emergency nature, for which a permit application with appropriate permit fees is submitted to the permit office within 48 hours, exclusive of Saturdays, Sundays and holidays, after the work was performed.

(11) A fee of \$50 per hour or fraction thereof, with a minimum charge of three hours, shall be charged for inspections outside of normal business hours.

EXHIBIT C

Section 29.207. FEES (Plumbing Code)

§ 29.207 FEES.

(A) Before a permit may be issued for the installation, alteration, renovation or repair of a plumbing or sewage disposal system, fees shall be collected as set by Board resolution. Fees charged in this section relate to individual building or structure systems. Multiple service, private plumbing or sewage disposal systems, included but not limited to planned unit developments, shall be subject to plan review fees as set forth Chapter 27 of this code.

(B) Where an application is made and a plan is required, in addition to the fees under subsection (C) of this section, the applicant shall pay a plan review fee equal to 25 percent of the permit fee. Payment shall be made at the time of application.

(C) Before a permit may be issued for the installation, renovation, alteration or repair of a plumbing or drainage system, fees in accordance with the following table shall be paid:

- | | | |
|-----|---|---|
| (1) | New construction for a single-family dwelling and duplex, each unit with one bathroom | \$235 |
| (2) | New construction for a single-family dwelling and duplex, each unit with two bathrooms | \$317 |
| (3) | New construction for a single-family dwelling and duplex, each unit with three bathrooms | \$374 |
| (4) | For repair, remodel or new construction with more than three bathrooms, per fixture | \$17
plus water
service, rain
drains, sanitary
and storm
sewer fees in
accordance
with subsection
(8) of this
section. |
| (5) | Mobile home service connections (sewer, water and storm), per space | \$42 |
| (6) | Commercial/industrial. The fee shall be \$16 per fixture, plus any water service, sanitary and storm fees as required by subsection (8) of this section. | |
| (7) | Multifamily and multiplex rowhouses. The fee shall be \$17 per fixture, plus water service, rain drains, sanitary and storm sewers as required in subsection (8) of this section. | |

- (8) Water service/sanitary/storm sewer/rain drains:
- (a) Water service (first 100 feet or fraction thereof) \$47
 - (b) Water service (each additional 100 feet or portion thereof) \$36
 - (c) Building sewer (first 100 feet or fraction thereof) \$47
 - (d) Building sewer (each additional 100 feet or fraction thereof) \$36
 - (e) Building storm sewer or rain drain (first 100 feet or fraction thereof) \$36
 - (f) Building storm sewer or rain drain (each additional 100 feet or fraction thereof) \$36
- (9) Miscellaneous:
- (a) Building storm sewer or rain drain (first 100 feet or fraction thereof) \$47
 - (b) Replacement water heater (includes electrical and/or mechanical heating fee for an in-kind replacement) \$15
 - (c) for replacement of existing water supply lines, drain lines or conductors within the building:
 - (i) Single-family residence:
 - \$35 minimum first floor
 - \$35 for up to the first five fixture branches
 - Each additional fixture branch shall be \$8 (fixture branch shall include both hot and cold water)
 - (ii) Commercial/industrial structure:
 - (d) Each solar unit \$42
 - (e) Minimum fee \$35

(D) Special inspection.

(1) Prefabricated structural site inspection, the fee shall be 50 percent of applicable category (includes site development and connection of the prefabricated structure).

(2) Requested inspections that are not part of the regular inspection program will be made as soon as practical after payment to the building official of the fee specified below:

- | | | |
|-----|---|-------|
| (a) | Single- and two-family dwellings (occupancy class R3) | \$100 |
| (b) | Apartment houses (occupancy class R1) (plus \$7 for each dwelling unit in excess of three) | \$160 |
| (c) | Hotels (occupancy class R1) (plus \$5 for each sleeping rooms in excess of five) | \$160 |
| (d) | All other occupancies one and two stories in height up to 10,000 square feet (plus \$7 for each additional 1,000 square feet) | \$160 |
| (e) | All other occupancies three stories in height and above (plus \$20 for each story in excess of three) | \$160 |

(E) Plumbing permit fees shall be doubled if installation is commenced prior to issuance of a permit, except that this provision will not apply to proven emergency installations when a permit is obtained within 24 hours, excluding Saturdays, Sundays and holidays.

(F) A fee of \$50 per hour, with a minimum charge of \$30 for the first half hour or fraction thereof, shall be charged for reinspections for which no fee is specifically indicated.

(G) the minimum charge for any permit issued pursuant to this section shall be \$29.

(H) A fee of \$50 per hour or fraction thereof shall be charged for inspections outside of normal business hours.

(I) A fee of \$50 per hour, with a minimum charge of \$30 for the first half hour or fraction thereof, shall be charged for additional plan reviews required by changes, additions, or revisions to approved plans.

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: August 12, 2004

Agenda Item #: R-4

Est. Start Time: 10:10 AM

Date Submitted: 08/03/04

Requested Date: August 12, 2004

Time Requested: 5 Minutes

Department: Non-Departmental

Division: County Attorney

Contact/s: Matt Ryan

Phone: 503-988-3138

Ext.: 83138

I/O Address: 503/500

Presenters: Matt Ryan

Agenda Title: Authorizing Settlement of *Multnomah County v. Marcus*, Multnomah County Circuit Court Case No. 0304-04595

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

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

Approve settlement of condemnation litigation case *Multnomah County v. Marcus* for \$98,351.00 for the acquisition of the property interests described in the County's complaint. The Settlement also provides for the County to do some limited construction improvements on defendant's property and to reimburse defendant for costs incurred to install an ADA accommodation such as a disabled parking space if such installation was required because of the County's Road Project.

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

The County Land Use and Transportation Program (LUTP) is conducting a public works road project in Gresham. The LUTP has determined the property interests identified in the complaint in this lawsuit are necessary for the road project. This Board approved the filing of this condemnation action on January 16, 2003 by BCC Resolution No. 03-013.

The County and defendant have been working with Judge Lamar to mediate this case. Defendant's experts included a private engineer who reviewed the proposed County project. The defendant's engineer identified impacts including water drainage, access and additional costs to repave and reconfigure a portion of the parking area and the property's access points, which in the engineer's opinion were directly related to the County's road project.

The County found much of the defendant engineer's analysis and review to be helpful and facilitate the construction of the project and agreed to pay for his time. The County addressed the defendant engineer's concerns raised in his report, which also added to the total compensation award to defendant. Additionally, the settlement offer includes an increase in the compensation for the property interests acquired and for the impacts to the remainder property. Finally the County agreed to reimburse defendant for reasonable actual costs incurred if he is required to install an ADA related accommodation such as a disabled parking space because of the County's road project.

The proposed settlement presents an acceptable resolution of the lawsuit as opposed to pursuing the matter through litigation and trial, which would trigger substantial costs (including potential obligation to pay attorney fees if the court award is even slightly more money than the County's final offer) and as well necessitate extensive time commitments to prepare and try the matter.

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

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

If a budget modification, explain:

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

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

If grant application/notice of intent, explain:

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


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

On December 18, 2003, the Board adopted Resolution 03-171 delegating authority to the County Attorney to initiate or appeal any legal action, matter or proceeding in any court or tribunal when approved by the Board.

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

See No. 2 above.

Required Signatures:



Department/Agency Director: _____

Date: 08/03/04

Budget Analyst

By: _____

Date:

Dept/Countywide HR

By: _____

Date:

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: August 12, 2004

Agenda Item #: R-5

Est. Start Time: 10:15 AM

Date Submitted: 07/12/04

Requested Date: August 12, 2004

Time Requested: 5 minutes

Department: DBCS

Division: Land Use & Transportation Program

Contact/s: Mike Phillips, P.E., Interim County Engineer

Phone: 503-988-5050

Ext.: 29628

I/O Address: 455/2nd Floor

Presenters: Mike Phillips, P.E., Interim County Engineer

Agenda Title: Resolution Establishing a Portion of NE/SE 257th Drive as County Road No. 4931

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

1. **What action are you requesting from the Board? What is the department/agency recommendation?**
Enact Resolution to establish a portion of NE/SE 257th Drive as County Road No. 4931. The Interim County Engineer recommends that the Board establish a portion of NE/SE 257th Drive as a county road.
2. **Please provide sufficient background information for the Board and the public to understand this issue.**
Multnomah County completed the construction of NE/SE 257th Drive in 1988. The Resolution to establish a portion of NE/SE 257th Drive as a County Road fulfills the County's requirements in accordance with ORS 368.106.
3. **Explain the fiscal impact (current year and ongoing).**
As a County road, NE/SE 257th Drive is eligible to expend gas tax revenue for ongoing maintenance and repair.

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

If a budget modification, explain:

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

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

If grant application/notice of intent, explain:

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

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

ORS 368.106 requires that the County enact an Order or Resolution to establish a road as a County Road. This Resolution satisfies this requirement.

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

None.

Required Signatures:

Department/Agency Director:

Robert A Maestre

Date: 07/07/04

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Establishing a Portion of NE/SE 257th Drive as County Road No. 4931.

The Multnomah County Board of Commissioners Finds:

- a. ORS 368.106 provides that upon the acquisition of property for road purposes the County is required to survey and monument the property.
- b. The Board previously authorized capital improvement expenditures which caused the property described herein to be acquired, surveyed, and monumented.
- c. The above-mentioned portion of NE/SE 257th Drive is described as follows:

From SE Stark Street, County Road No. 924, to NE Historic Columbia River Highway, County Road No. 917, more particularly described in the attached Exhibit "A."
- d. Further, the survey has been recorded, and the real property interests acquired have been used in the construction of NE/SE 257th Drive consistent with Multnomah County specifications and requirements.
- e. The Interim County Engineer finds it is in the public's interest and therefore recommends that the above-described portion of NE/SE 257th Drive be established as a county road as authorized pursuant to ORS Chapter 368.

The Multnomah County Board of Commissioners Resolves:

1. The portion of NE/SE 257th Drive, more particularly described in the attached Exhibit "A," is established as County Road No. 4931, in accordance with ORS Chapter 368.
2. Pursuant to ORS 368.106, this Resolution establishing County Road No. 4931 will be recorded in the Deed Records of Multnomah County, Oregon.

ADOPTED this 12th day of August, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON


By 
Matthew O. Ryan, Assistant County Attorney

EXHIBIT "A"

A strip of land in the West one half of Section 25, the Southeast one quarter of Section 29, and the East one half of Section 35, Township 1 North, Range 3 East, Willamette Meridian, the centerline of which is described as follows:

Beginning at Engineer's Station 0+00.00, said station being on the centerline of SE Stark at a point which is S01°38'46"W, a distance of 1.70 feet from a concrete post with a 4-1/4" brass disc in a monument box found at the Southwest corner of the Benjamin Hall DLC No. 50, in said township and range;

Thence N01°38'46"E, a distance of 1261.55 feet to Engineer's Station 12+61.55, said station being the Westerly Northwest corner of said DLC No. 50, and being marked by a found concrete post with a 4-1/4" brass disc in a monument box;

Thence N00°46'00"E, a distance of 1373.51 feet to Engineer's Station 26+35.06, being marked by a 1/2" iron pipe in a monument box;

Thence N01°24'23"E, a distance of 318.23 feet to Engineer's Station 29+53.29 PC;

Thence on a curve to the left, having a radius of 640.00 feet, through a central angle of 23°00'18" (long chord of which bears N10°05'46"W, a distance of 255.25 feet), an arc distance of 256.97 feet to Engineer's Station 32+10.26 PT;

Thence N21°35'55"W, a distance of 276.50 feet to Engineer's Station 34+86.76 PC;

Thence on a curve to the right, having a radius of 640.00 feet, through a central angle of 22°59'38" (long chord of which bears N10°06'05"W, a distance of 255.13 feet), an arc distance of 256.85 feet to Engineer's Station 37+43.61 PT;

Thence N01°23'44"E, a distance of 1731.65 feet to Engineer's Station 54+75.26 PC;

Thence on a curve to the right, having a radius of 510.00 feet, through a central angle of 55°58'29" (long chord of which bears N29°22'58"E, a distance of 478.66 feet), an arc distance of 498.24 feet to Engineer's Station 59+73.50 PT;

Thence N57°22'13"E, a distance of 490.67 feet to Engineer's Station 64+64.17 PC;

Thence on a curve to the left, having a radius of 5729.58 feet, through a central angle of 8°48'05" (long chord of which bears N52°58'10"E, a distance of 879.27 feet), an arc distance of 880.14 feet to Engineer's Station 73+44.31 PT;

Thence N48°34'08"E, a distance of 1010.68 feet to Engineer's Station 83+54.99 PC;

Thence on a curve to the left, having a radius of 530.36 feet, through a central angle of 46°53'22" (long chord of which bears N25°07'27"E, a distance of 422.02 feet), an arc distance of 434.03 feet to Engineer's Station 87+89.02 PT;

Thence N01°40'46"E, a distance of 159.84 feet to Engineer's Station 89+48.66 EP, said station being marked by a found 1/2" iron pipe in a monument box, said pipe being on the centerline of the Historic Columbia River Highway at a point that is S01°45'41"W, a distance of 23.35 feet and S88°14'19"E, a distance of 693.07 feet from a found concrete post with 4-1/4" brass disc marking the West one quarter corner of said Section 25;

Said strip of land being 90 feet in width, 45 feet on each side of the heretofore described centerline, **except as noted otherwise** as shown on Survey No. 59209, Multnomah County Survey Records.

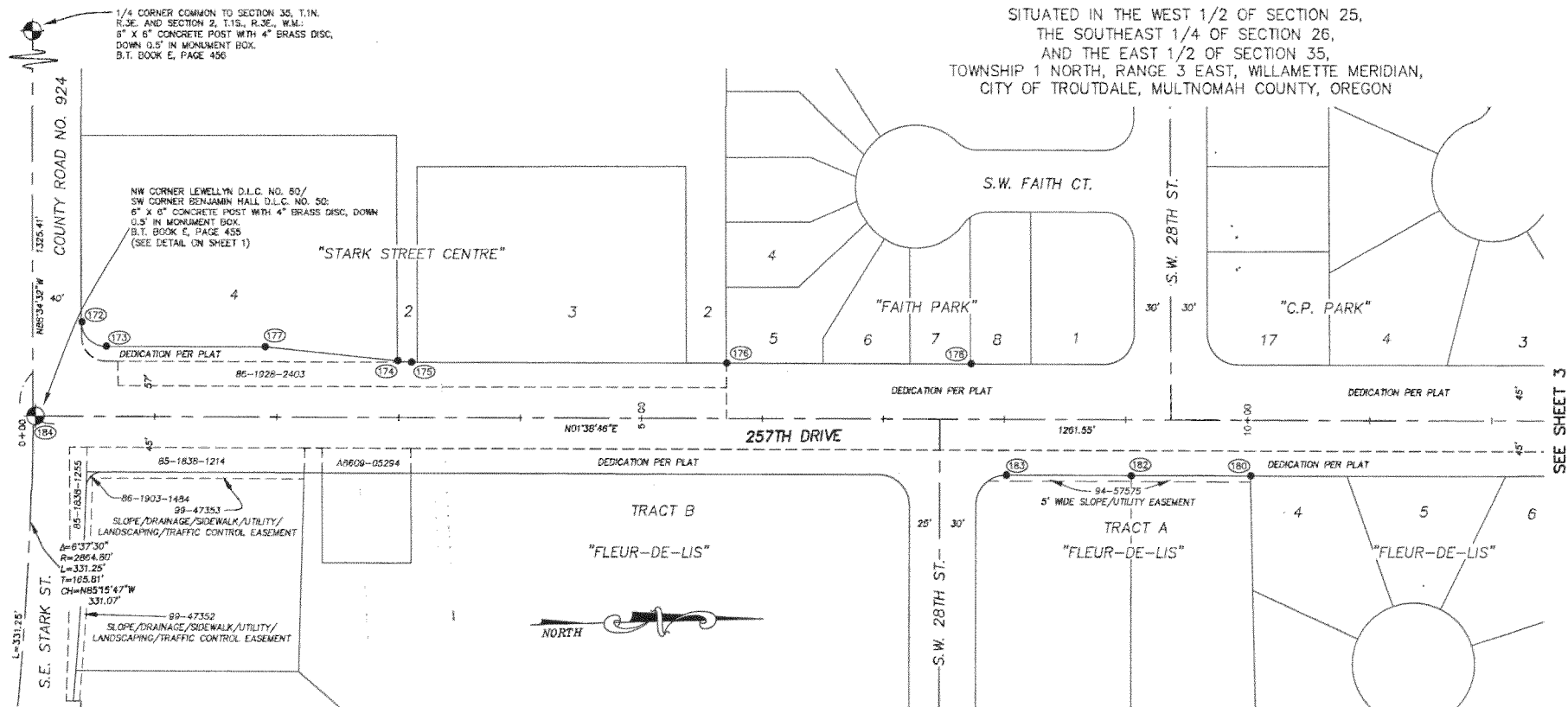
The heretofore description is written and based on a survey by Robert A. Hovden, Multnomah County Surveyor, recorded as Survey No. 59209, Multnomah County Survey Records, and by said reference is hereby made a part thereof.

MULTNOMAH COUNTY
SURVEY RECORDS
DATE FILED JUNE 17, 2004
59209
REGISTER NUMBER

RECORD OF SURVEY

257th DRIVE - COUNTY ROAD NO. 4931
SE STARK STREET TO COLUMBIA RIVER HWY.

SITUATED IN THE WEST 1/2 OF SECTION 25,
THE SOUTHEAST 1/4 OF SECTION 26,
AND THE EAST 1/2 OF SECTION 35,
TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN,
CITY OF TROUTDALE, MULTNOMAH COUNTY, OREGON



257TH DRIVE
MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	MONUMENT DESCRIPTION	ORIGIN
184	0+07.70	0.00	FOUND CONCRETE POST WITH 4-1/4" BRASS DISC	B.T. BOOK E, PAGE 455
172	0+39.86	76.96' LT.	FOUND BRASS SCREW WITH 3/4" BRASS WASHER MARKED "TDG, INC"	STARK STREET CENTRE
173	0+59.88	57.03' LT.	FOUND BRASS SCREW WITH 3/4" BRASS WASHER MARKED "TDG, INC"	STARK STREET CENTRE
177	1+89.97	57.00' LT.	FOUND 5/8" IRON ROD WITH YPC MARKED "TDG, INC" FLUSH	STARK STREET CENTRE
174	2+88.68	46.18' LT.	FOUND BRASS SCREW WITH 3/4" BRASS WASHER MARKED "TDG, INC"	STARK STREET CENTRE
175	3+10.02	45.05' LT.	FOUND BRASS SCREW WITH 3/4" BRASS WASHER MARKED "TDG, INC"	STARK STREET CENTRE
176	5+89.85	44.96' LT.	FOUND 5/8" IRON ROD WITH YPC MARKED "TDG, INC" FLUSH	SN 56798
178	7+72.01	45.05' LT.	FOUND 5/8" IRON ROD WITH YPC MARKED "WB WELLS" FLUSH	FAITH PARK
183	8+01.29	45.20' RT.	FOUND 5/8" IRON ROD WITH YPC MARKED "MARK" DOWN 0.7'	SN 51653
182	9+04.12	45.41' RT.	FOUND 5/8" IRON ROD BENT	SN 51653
180	10+02.36	45.05' RT.	FOUND 5/8" IRON ROD FLUSH	FLEUR-DE-LIS

LEGEND

- FOUND MULTNOMAH COUNTY PUBLIC LAND CORNER MONUMENT AS DESCRIBED.
- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- SN SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR).
- YPC YELLOW PLASTIC CAP
- XX-XXXX-XXXX YEAR-BOOK-PAGE, MULTNOMAH COUNTY DEED RECORDS (MCDR)
- XX-XXXXX DOCUMENT NO. YEAR-NUMBER (MCDR)
- AXXXX-XXXXX STIPULATED FINAL JUDGEMENT, MULTNOMAH COUNTY CIRCUIT COURT

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert A. Hovden

OREGON
JULY 16, 1971
ROBERT A. HOVDEN
954

RENEWAL DATE: 6/30/2005

I CERTIFY THAT THIS SURVEY WAS PREPARED
USING HP PRODUCT C1892A ON CONTINENTAL
JPC4M2 POLYESTER FILM.



MULTNOMAH COUNTY
DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES
TRANSPORTATION DIVISION / COUNTY SURVEYOR'S OFFICE
1600 S.E. 190TH AVE. PORTLAND, OR 97233

257th DRIVE, COUNTY ROAD NO. 4931

ROBERT A. HOVDEN, P.L.S. COUNTY SURVEYOR

Drafted: KSH Checked: SRO/RAH

Date: 2/09/2004 Scale: 1" = 80'

Sheet
2 of 8

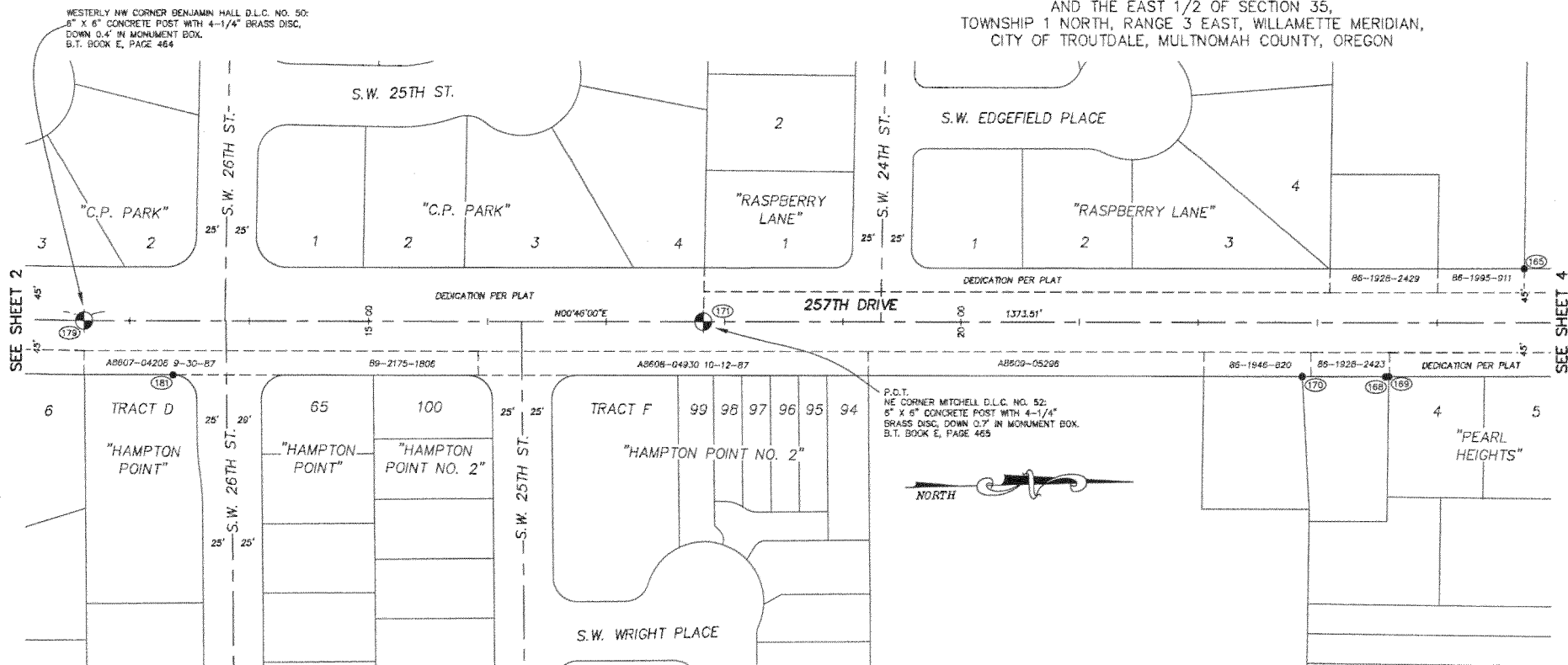
59209

59209

59209

RECORD OF SURVEY 257th DRIVE - COUNTY ROAD NO. 4931 SE STARK STREET TO COLUMBIA RIVER HWY.

SITUATED IN THE WEST 1/2 OF SECTION 25,
THE SOUTHEAST 1/4 OF SECTION 26,
AND THE EAST 1/2 OF SECTION 35,
TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN,
CITY OF TROUTDALE, MULTNOMAH COUNTY, OREGON



257TH DRIVE
MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	MONUMENT DESCRIPTION	ORIGIN
179	12+61.55	0.00	SEE DESCRIPTION ABOVE	B.T. E-464
181	13+36.14	45.13' RT.	5/8" IRON ROD, FLUSH	HAMPTON POINT
171	17+82.04	0.00	SEE DESCRIPTION ABOVE	B.T. E-465
170	22+87.32	45.02' RT.	5/8" IRON ROD WITH YPC MARKED "PLS NO. 1043"	SN 53646
168	23+56.93	45.28' RT.	FOUND 5/8" IRON ROD, FLUSH	ORIGIN UNKNOWN
169	23+56.70	45.10' RT.	FOUND 5/8" IRON ROD, FLUSH	PEARL HEIGHTS
165	24+73.15	44.97' LT.	FOUND 5/8" IRON ROD WITH RPC MARKED "CENTERLINE CONCEPTS INC.", FLUSH	SN 52485

LEGEND

- FOUND MULTNOMAH COUNTY PUBLIC LAND CORNER MONUMENT AS DESCRIBED.
- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- SN SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR).
- YPC YELLOW PLASTIC CAP
- RPC RED PLASTIC CAP
- XX-XXXX-XXXX YEAR-BOOK-PAGE, MULTNOMAH COUNTY DEED RECORDS (MCDR)
- P.O.T. POINT ON TANGENT
- AXXXXX-XXXXX STIPULATED FINAL JUDGEMENT, MULTNOMAH COUNTY CIRCUIT COURT

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Robert A. Hovden
OREGON
JULY 16, 1971
ROBERT A. HOVDEN
954
RENEWAL DATE: 6/30/2005

I CERTIFY THAT THIS SURVEY WAS PREPARED
USING HP PRODUCT C1892A ON CONTINENTAL
JPC4M2 POLYESTER FILM.

MULTNOMAH COUNTY	
DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES TRANSPORTATION DIVISION / COUNTY SURVEYOR'S OFFICE 1900 S.E. 190th Ave. PORTLAND, OR 97233	
257th DRIVE, COUNTY ROAD NO. 4931	
ROBERT A. HOVDEN, P.L.S. COUNTY SURVEYOR	
Drafted: KSH	Checked: SRO/RAH
Date: 2/09/2004	Scale: 1" = 80'
Sht. 3	of 8

257TH DRIVE
MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	MONUMENT DESCRIPTION	ORIGIN
165	24+73.15	44.97' LT.	FOUND 5/8" IRON ROD WITH RPC MARKED "CENTERLINE CONCEPTS INC.", FLUSH	SN 52485
164	26+35.06	0.00	FOUND 1/2" IRON PIPE DOWN 0.5' IN MONUMENT BOX	UNVERIFIED
157	26+35.18	45.04' LT.	FOUND 5/8" IRON ROD WITH RPC MARKED "CENTERLINE CONCEPTS INC.", FLUSH	SN 52485
163	26+59.84	65.01' RT.	FOUND 5/8" IRON ROD WITH YPC MARKED "LDC DESIGN GROUP", FLUSH	SN 58482
162	28+79.85	45.05' RT.	FOUND 5/8" IRON ROD WITH YPC MARKED "LDC DESIGN GROUP", FLUSH	SN 58482
166	28+80.20	44.94' LT.	FOUND 5/8" IRON ROD WITH YPC MARKED "K.W. COX & ASSOC., INC.", FLUSH	PP NO. 1991-140
168	29+53.40	0.00	FOUND 1/2" IRON PIPE DOWN 0.5' IN MONUMENT BOX	U9/16
161	29+53.42	45.00' RT.	FOUND 5/8" IRON ROD WITH YPC MARKED "LDC DESIGN GROUP", FLUSH	SN 58482
159	31+69.06	45.45' LT.	FOUND 5/8" IRON ROD WITH YPC MARKED "K.W. COX & ASSOC., INC.", FLUSH	PP NO. 1991-140
160	32+10.28	36.22' LT.	FOUND BRASS SCREW IN CURB	U9/16
158	32+10.26	0.00	FOUND 1/2" IRON PIPE DOWN 0.5' IN MONUMENT BOX	U9/16
157	32+10.31	36.22' RT.	FOUND BRASS SCREW IN CURB	U9/16
156	32+10.34	49.35' RT.	FOUND 1/2" IRON PIPE DOWN 0.5'	U9/16
155	34+26.30	45.04' RT.	FOUND 5/8" IRON ROD WITH YPC MARKED "K.W. COX & ASSOC., INC.", FLUSH	SN 50425
150	34+66.75	36.28' RT.	FOUND BRASS SCREW IN CURB	U9/16
151	34+66.75	36.28' LT.	FOUND BRASS SCREW IN CURB	U9/16
152	34+66.76	0.00	FOUND 1/2" IRON PIPE DOWN 0.5' IN MONUMENT BOX	U9/16
154	34+66.79	48.69' RT.	FOUND 1/2" IRON PIPE DOWN 0.2'	U9/16
153	34+66.81	45.02' LT.	FOUND 5/8" IRON ROD WITH YPC MARKED "K.W. COX & ASSOC., INC.", BENT	SN 50425

RECORD OF SURVEY

257th DRIVE - COUNTY ROAD NO. 4931

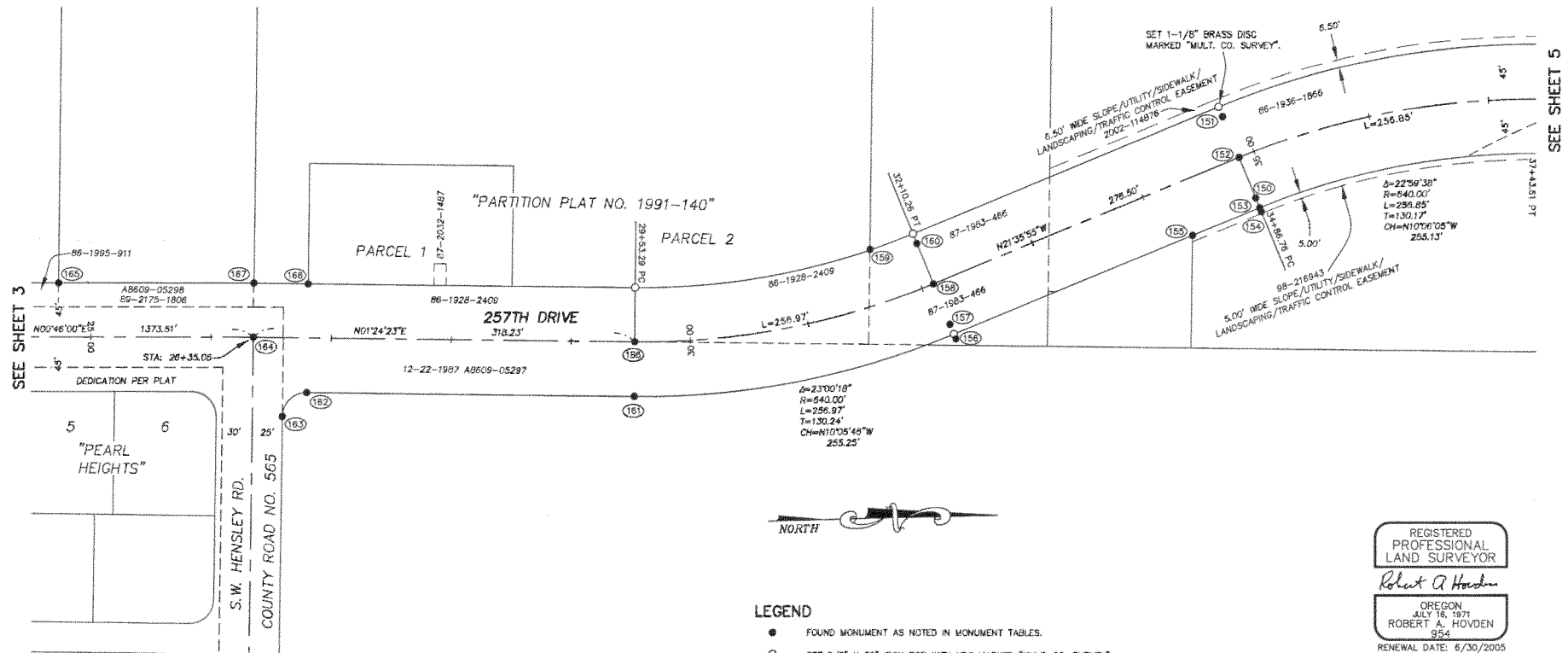
SE STARK STREET TO COLUMBIA RIVER HWY.

SITUATED IN THE WEST 1/2 OF SECTION 25,

THE SOUTHEAST 1/4 OF SECTION 26,

AND THE EAST 1/2 OF SECTION 35,

TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN,
CITY OF TROUTDALE, MULTNOMAH COUNTY, OREGON



LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- SET 5/8" X 30" IRON ROD WITH YPC MARKED "MULT. CO. SURVEY", UNLESS OTHERWISE NOTED.
- ## MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- SN SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR).
- YPC YELLOW PLASTIC CAP
- RPC RED PLASTIC CAP
- PP PARTITION PLAT, MULTNOMAH COUNTY PLAT RECORDS
- XX-XXXX-XXXX YEAR-BOOK-PAGE, MULTNOMAH COUNTY DEED RECORDS (MCDR)
- XX-XXXXX DOCUMENT NO. YEAR-NUMBER (MCDR)
- AXXXX-XXXXX STIPULATED FINAL JUDGEMENT, MULTNOMAH COUNTY CIRCUIT COURT

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert A. Hovden

OREGON
JULY 18, 1971
ROBERT A. HOVDEN
954

RENEWAL DATE: 6/30/2005

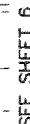
I CERTIFY THAT THIS SURVEY WAS PREPARED
USING HP PRODUCT C1892A ON CONTINENTAL
JPC4M2 POLYESTER FILM.

MULTNOMAH COUNTY DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES TRANSPORTATION DIVISION / COUNTY SURVEYOR'S OFFICE 1600 S.E. 190th Ave. PORTLAND, OR 97233	
257th DRIVE, COUNTY ROAD NO. 4931	
ROBERT A. HOVDEN, P.L.S. COUNTY SURVEYOR	
Drafted: KSH	Checked: SRO/RAH
Date: 2/09/2004	Scale: 1" = 80'
Sht. 4 of 8	

SE STARK STREET TO COLUMBIA RIVER HWY.

CITY OF TROUTDALE, MULTNOMAH COUNTY, OREGON

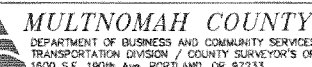
POINT NUMBER	STATION	OFFSET	MONUMENT DESCRIPTION	ORIGIN
143	37+43.60	36.22' L.T.	FOUND BRASS SCREW IN CURB	US/18
148	37+43.61	0.00	FOUND 1/2" IRON PIPE IN MONUMENT BOX, DOWN 0.3'	US/16
147	40+0.40	0.00	FOUND 1/2" IRON PIPE IN MONUMENT BOX, DOWN 0.3' (POINT OF TANGENT)	US/18
142	40+35.26	65.33' RT.	FOUND 5/8" IRON ROD, DOWN 0.5'	SP 54410
141	40+35.26	64.92' RT.	FOUND 5/8" IRON ROD WITH VPC MARKED "SEIGER L.S. 2647", FLUSH	PP NO. 1998-126
140	40+58.74	44.78' RT.	FOUND 5/8" IRON ROD WITH VPC MARKED "SEIGER L.S. 2647", FLUSH	PP NO. 1998-126
140	40+58.27	39.96' RT.	FOUND 5/8" IRON ROD WITH VPC MARKED "PLS NO. 1043", DOWN 0.5'	SP 54410
137	43+32.71	45.00' RT.	FOUND 5/8" IRON ROD WITH VPC MARKED "SEIGER L.S. 2647", FLUSH	PP NO. 1998-126
138	43+32.78	39.93' RT.	FOUND 5/8" IRON ROD WITH VPC MARKED "PLS NO. 1043", FLUSH	SP 54410
136	40+68.43	45.00' RT.	FOUND 5/8" IRON ROD WITH VPC MARKED "MARK ASSOC'S"	PP NO. 1993-126
135	42+20.00	39.95' RT.	FOUND IRON ROD WITH VPC MARKED "MARK ASSOC'S"	PP NO. 1993-126



●	FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
○	SET 5/8" X 30" IRON ROD WITH YPC MARKED "MULT. CO. SURVEY" UNLESS OTHERWISE NOTED.
Ⓢ	MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
SN	SURVEY NUMBER, MULTINOMAH COUNTY SURVEY RECORDS (MCSR).
YPC	YELLOW PLASTIC CAP
XXXX-XXXX	YEAR-BOOK-PAGE, MULTINOMAH COUNTY DEED RECORDS (MCDR)
PP	PARTITION PLAT, MULTINOMAH COUNTY PLAT RECORDS.
-XXXXX	DOCUMENT NO. YEAR-NUMBER (MCDR)
XXXX-XXXX	YEAR-BOOK-PAGE (MCDR).
-XXXXX	STIPULATED FINAL JUDGEMENT, MULTINOMAH COUNTY CIRCUIT COURT

RENEWAL DATE: 6/30/2005

I CERTIFY THAT THIS SURVEY WAS PREPARED
USING HP PRODUCT C1892A ON CONTINENTAL
JPC4M2 POLYESTER FILM.

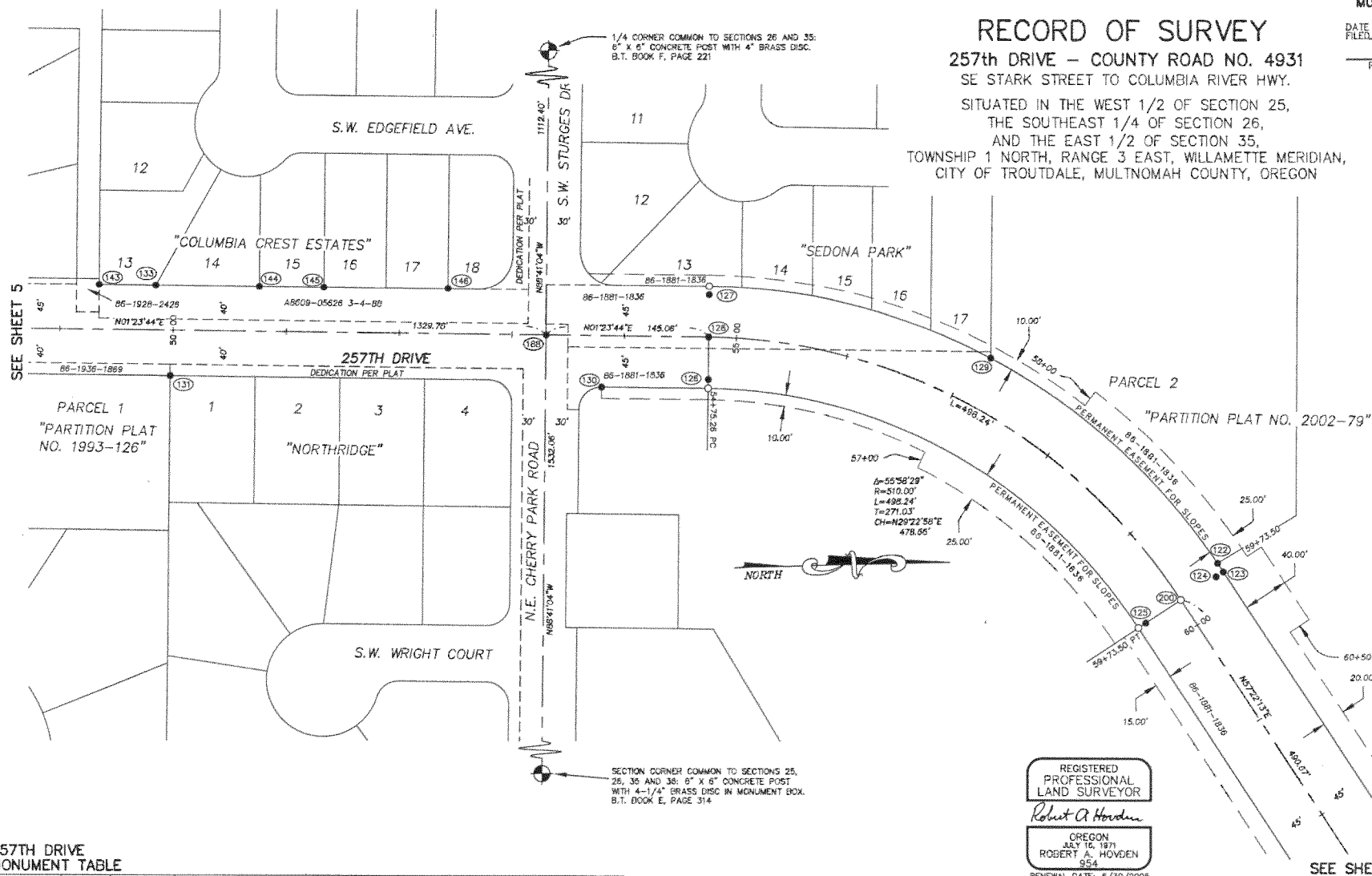


Sht. 5 of 8

MULTNOMAH COUNTY
SURVEY RECORDS
DATE FILED JUNE 17, 2004
59209
REGISTER NUMBER

RECORD OF SURVEY 257th DRIVE - COUNTY ROAD NO. 4931 SE STARK STREET TO COLUMBIA RIVER HWY.

SITUATED IN THE WEST 1/2 OF SECTION 25,
THE SOUTHEAST 1/4 OF SECTION 26,
AND THE EAST 1/2 OF SECTION 35,
TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN,
CITY OF TROUTDALE, MULTNOMAH COUNTY, OREGON



257TH DRIVE
MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	MONUMENT DESCRIPTION	ORIGIN
143	49+34.09	40.06' LT.	FOUND 5/8" IRON ROD IN 2" IRON PIPE, DOWN 0.5'	COLUMBIA CREST ESTATES
133	49+84.10	40.06' LT.	FOUND 5/8" IRON ROD WITH YPC MARKED "G&L PLS 1989"	COLUMBIA CREST ESTATES
131	49+97.75	39.96' RT.	FOUND 5/8" IRON ROD WITH YPC MARKED "MARK ASSOC'S."	PP NO. 1993-126
144	50+75.62	40.10' LT.	FOUND 5/8" IRON ROD WITH YPC MARKED "G&L PLS 1989", DOWN 0.5'	COLUMBIA CREST ESTATES
145	51+32.64	40.06' LT.	FOUND 5/8" IRON ROD, DOWN 0.2'	COLUMBIA CREST ESTATES
146	52+42.81	40.31' LT.	FOUND 5/8" IRON ROD WITH YPC MARKED "G&L PLS 1989", FLUSH	COLUMBIA CREST ESTATES
188	53+30.36	0.00	FOUND 1/2" IRON PIPE DOWN 0.5' IN MONUMENT BOX.	U9/16
130	53+80.27	45.06' RT.	FOUND 5/8" IRON ROD WITH RPC MARKED "CENTERLINE CONCEPTS INC."	SN 52622
127	54+75.29	37.27' LT.	FOUND BRASS SCREW IN CURB	U9/16
128	54+75.26	0.00	FOUND 3/4" IRON PIPE DOWN 0.5' IN MONUMENT BOX.	U9/16
126	54+75.31	37.20' RT.	FOUND BRASS SCREW	U9/16
129	57+15.32	45.07' LT.	FOUND 5/8" IRON ROD WITH YPC MARKED "ALPHA ENG., INC.", BENT	SN 54597
122	59+65.18	44.92' LT.	FOUND 5/8" IRON ROD WITH YPC MARKED "W.B. WELLS & ASSOC., INC."	PP NO. 2002-79
125	59+73.50	37.19' RT.	FOUND BRASS SCREW IN CURB	U9/16
124	59+73.50	37.32' LT.	FOUND BRASS SCREW IN CURB	U9/16
123	59+73.52	44.92' LT.	FOUND 5/8" IRON ROD WITH YPC MARKED "W.B. WELLS & ASSOC., INC."	SN 57796

LEGEND

- FOUND MULTNOMAH COUNTY PUBLIC LAND CORNER MONUMENT AS DESCRIBED.
- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- SET 5/8" X 30" IRON ROD WITH YPC MARKED "MULT. CO. SURVEY".
- Ⓜ MONUMENT IDENTIFIER, SEE MONUMENT TABLE THIS SHEET AND NARRATIVE ON SHEET 1.
- SN SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR).
- YPC YELLOW PLASTIC CAP
- RPC RED PLASTIC CAP
- XX-XXXX-XXXX YEAR-BOOK-PAGE, MULTNOMAH COUNTY DEED RECORDS (MCDR)
- PP PARTITION PLAT, MULTNOMAH COUNTY PLAT RECORDS.
- AXXXX-XXXXX STIPULATED FINAL JUDGEMENT, MULTNOMAH COUNTY CIRCUIT COURT

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Robert A. Hovden
OREGON
JULY 16, 1971
ROBERT A. HOVDEN
954
RENEWAL DATE: 6/30/2005

I CERTIFY THAT THIS SURVEY WAS PREPARED
USING HP PRODUCT C1882A ON CONTINENTAL
JPC4M2 POLYESTER FILM.

		MULTNOMAH COUNTY	
		DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES TRANSPORTATION DIVISION / COUNTY SURVEYOR'S OFFICE 1600 S.E. 190th Ave. PORTLAND, OR 97233	
257th DRIVE, COUNTY ROAD NO. 4931			
ROBERT A. HOVDEN, P.L.S.		COUNTY SURVEYOR	
Drafted: KSH	Checked: SRO/RAH	Sh.	6 of 8
Date: 2/09/2004	Scale: 1" = 80'		

59209

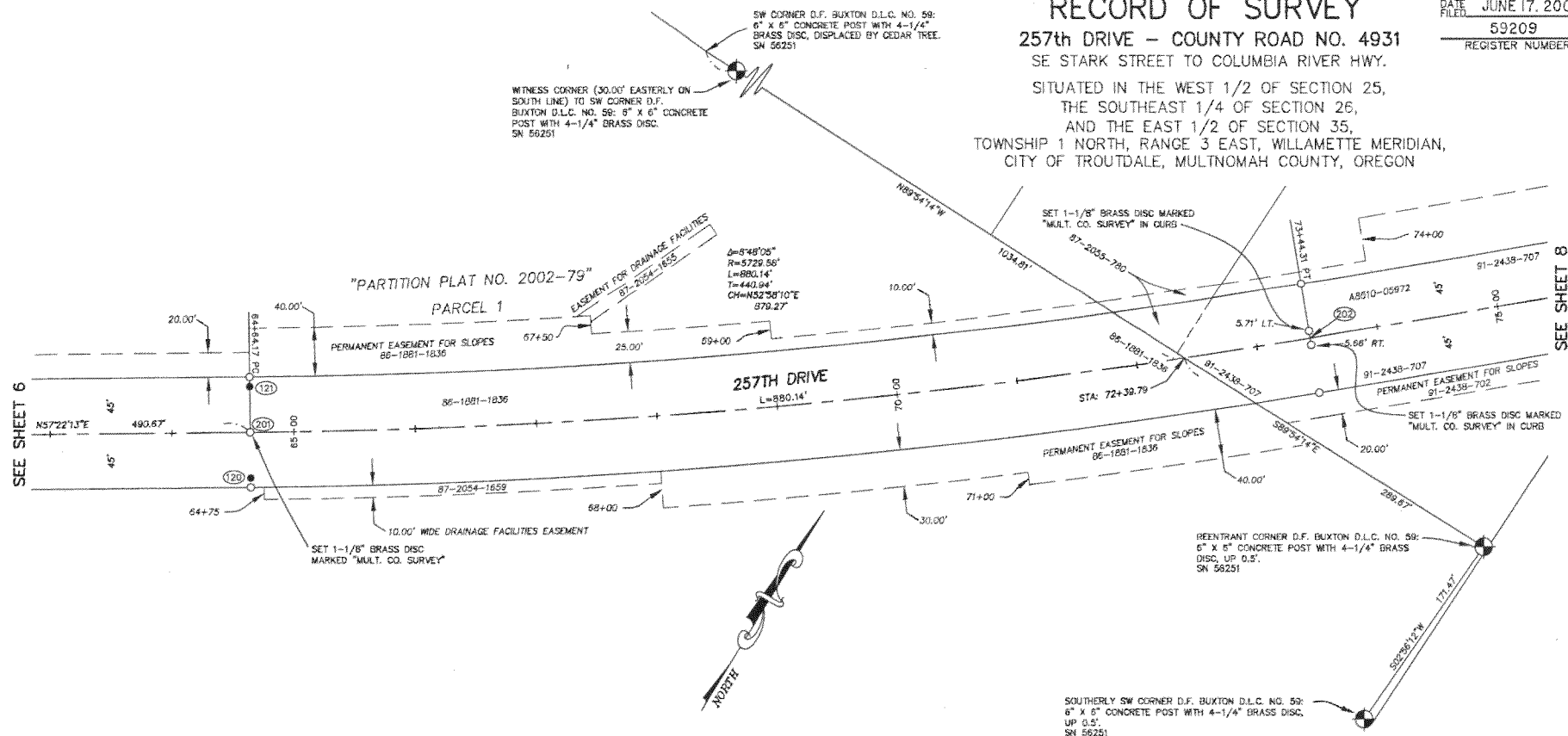
59209

MULTNOMAH COUNTY
SURVEY RECORDS
DATE FILED JUNE 17, 2004
59209
REGISTER NUMBER

RECORD OF SURVEY

257th DRIVE - COUNTY ROAD NO. 4931
SE STARK STREET TO COLUMBIA RIVER HWY.

SITUATED IN THE WEST 1/2 OF SECTION 25,
THE SOUTHEAST 1/4 OF SECTION 26,
AND THE EAST 1/2 OF SECTION 35,
TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN,
CITY OF TROUTDALE, MULTNOMAH COUNTY, OREGON



257TH DRIVE
MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	MONUMENT DESCRIPTION	ORIGIN
120	64+64.13	37.25' RT.	FOUND BRASS SCREW IN CURB	U9/16
121	64+64.14	37.25' LT.	FOUND BRASS SCREW IN CURB	U9/16

LEGEND

- FOUND MULTNOMAH COUNTY PUBLIC LAND CORNER MONUMENT AS DESCRIBED.
- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- SET 5/8" X 30" IRON ROD WITH YPC MARKED "MULT. CO. SURVEY" UNLESS OTHERWISE NOTED.
- Ⓢ MONUMENT IDENTIFIER, SEE MONUMENT TABLE THIS SHEET AND NARRATIVE ON SHEET 1.
- SN SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR).
- YPC YELLOW PLASTIC CAP
- XX-XXXX-XXXX YEAR-BOOK-PAGE, MULTNOMAH COUNTY DEED RECORDS (MCDR)
- AXXXX-XXXXX STIPULATED FINAL JUDGEMENT, MULTNOMAH COUNTY CIRCUIT COURT

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert A. Hovden

OREGON
JULY 16, 1971
ROBERT A. HOVDEN
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RENEWAL DATE: 6/30/2005

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JPCAM2 POLYESTER FILM.



MULTNOMAH COUNTY
DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES
TRANSPORTATION DIVISION / COUNTY SURVEYOR'S OFFICE
1800 S.E. 190th Ave. PORTLAND, OR 97233

257th DRIVE, COUNTY ROAD NO. 4931

ROBERT A. HOVDEN, P.L.S. COUNTY SURVEYOR

Drafted: KSH Checked: SRO/RAH

Date: 2/09/2004 Scale: 1" = 60'

7 of 8

59209

59209

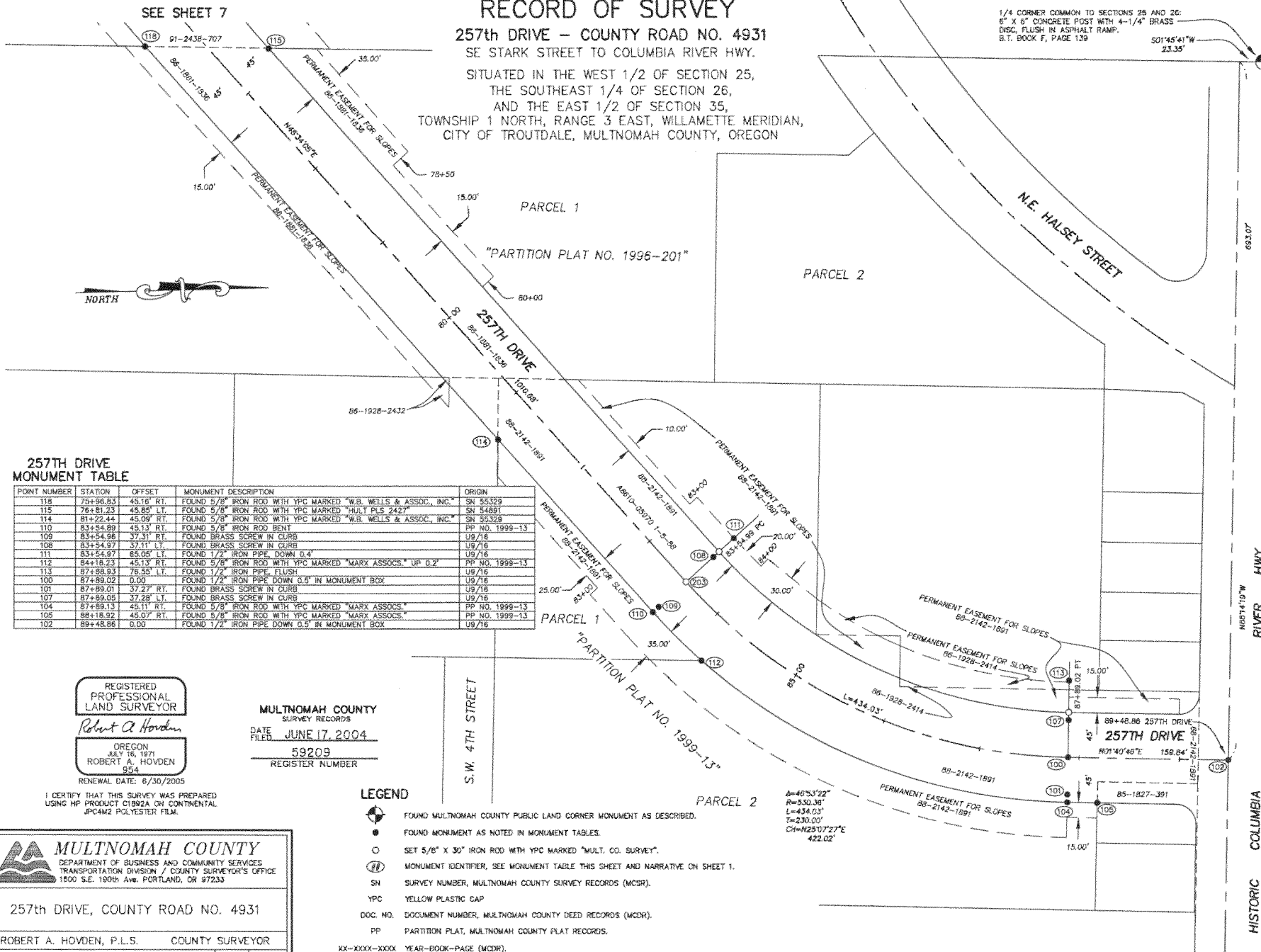
RECORD OF SURVEY

257th DRIVE - COUNTY ROAD NO. 4931
SE STARK STREET TO COLUMBIA RIVER HWY.

SITUATED IN THE WEST 1/2 OF SECTION 25,
THE SOUTHEAST 1/4 OF SECTION 26,
AND THE EAST 1/2 OF SECTION 35,
TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN,
CITY OF TROUTDALE, MULTNOMAH COUNTY, OREGON

1/4 CORNER COMMON TO SECTIONS 25 AND 26:
6" X 6" CONCRETE POST WITH 4-1/4" BRASS
DISC, FLUSH IN ASPHALT RAMP.
B.T. BOOK F, PAGE 139

S01°45'41"W
23.35'



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert A. Howden

OREGON
JULY 16, 1971
ROBERT A. HOWDEN
954

RENEWAL DATE: 6/30/2005

I CERTIFY THAT THIS SURVEY WAS PREPARED
USING HP PRODUCT CIRCUITRY ON CONTINENTAL
JPC4M2 POLYESTER FILM.



MULTNOMAH COUNTY
DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES
TRANSPORTATION DIVISION / COUNTY SURVEYOR'S OFFICE
1500 S.E. 190th Ave. PORTLAND, OR 97233

257th DRIVE, COUNTY ROAD NO. 4931

ROBERT A. HOWDEN, P.L.S. COUNTY SURVEYOR

Drafted: KSH Checked: SRO/RAH

Date: 2/09/2004 Scale: 1" = 60'

Sht 8 of 8

59209

59209

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-116

Establishing a Portion of NE/SE 257th Drive as County Road No. 4931

The Multnomah County Board of Commissioners Finds:

- a. ORS 368.106 provides that upon the acquisition of property for road purposes the County is required to survey and monument the property.
- b. The Board previously authorized capital improvement expenditures which caused the property described herein to be acquired, surveyed, and monumented.
- c. The above-mentioned portion of NE/SE 257th Drive is described as follows:

From SE Stark Street, County Road No. 924, to NE Historic Columbia River Highway, County Road No. 917, more particularly described in the attached Exhibit "A."
- d. Further, the survey has been recorded, and the real property interests acquired have been used in the construction of NE/SE 257th Drive consistent with Multnomah County specifications and requirements.
- e. The Interim County Engineer finds it is in the public's interest and therefore recommends that the above-described portion of NE/SE 257th Drive be established as a county road as authorized pursuant to ORS Chapter 368.

The Multnomah County Board of Commissioners Resolves:

1. The portion of NE/SE 257th Drive, more particularly described in the attached Exhibit "A," is established as County Road No. 4931, in accordance with ORS Chapter 368.
2. Pursuant to ORS 368.106, this Resolution establishing County Road No. 4931 will be recorded in the Deed Records of Multnomah County, Oregon.

ADOPTED this 12th day of August, 2004.



AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

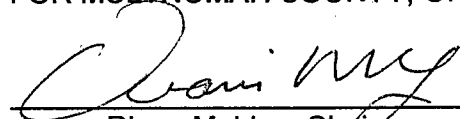

Diane M. Linn, Chair

EXHIBIT "A"

A strip of land in the West one half of Section 25, the Southeast one quarter of Section 29, and the East one half of Section 35, Township 1 North, Range 3 East, Willamette Meridian, the centerline of which is described as follows:

Beginning at Engineer's Station 0+00.00, said station being on the centerline of SE Stark at a point which is S01°38'46"W, a distance of 1.70 feet from a concrete post with a 4-1/4" brass disc in a monument box found at the Southwest corner of the Benjamin Hall DLC No. 50, in said township and range;

Thence N01°38'46"E, a distance of 1261.55 feet to Engineer's Station 12+61.55, said station being the Westerly Northwest corner of said DLC No. 50, and being marked by a found concrete post with a 4-1/4" brass disc in a monument box;

Thence N00°46'00"E, a distance of 1373.51 feet to Engineer's Station 26+35.06, being marked by a 1/2" iron pipe in a monument box;

Thence N01°24'23"E, a distance of 318.23 feet to Engineer's Station 29+53.29 PC;

Thence on a curve to the left, having a radius of 640.00 feet, through a central angle of 23°00'18" (long chord of which bears N10°05'46"W, a distance of 255.25 feet), an arc distance of 256.97 feet to Engineer's Station 32+10.26 PT;

Thence N21°35'55"W, a distance of 276.50 feet to Engineer's Station 34+86.76 PC;

Thence on a curve to the right, having a radius of 640.00 feet, through a central angle of 22°59'38" (long chord of which bears N10°06'05"W, a distance of 255.13 feet), an arc distance of 256.85 feet to Engineer's Station 37+43.61 PT;

Thence N01°23'44"E, a distance of 1731.65 feet to Engineer's Station 54+75.26 PC;

Thence on a curve to the right, having a radius of 510.00 feet, through a central angle of 55°58'29" (long chord of which bears N29°22'58"E, a distance of 478.66 feet), an arc distance of 498.24 feet to Engineer's Station 59+73.50 PT;

Thence N57°22'13"E, a distance of 490.67 feet to Engineer's Station 64+64.17 PC;

Thence on a curve to the left, having a radius of 5729.58 feet, through a central angle of 8°48'05" (long chord of which bears N52°58'10"E, a distance of 879.27 feet), an arc distance of 880.14 feet to Engineer's Station 73+44.31 PT;

Thence N48°34'08"E, a distance of 1010.68 feet to Engineer's Station 83+54.99 PC;

Thence on a curve to the left, having a radius of 530.36 feet, through a central angle of 46°53'22" (long chord of which bears N25°07'27"E, a distance of 422.02 feet), an arc distance of 434.03 feet to Engineer's Station 87+89.02 PT;

Thence N01°40'46"E, a distance of 159.84 feet to Engineer's Station 89+48.66 EP, said station being marked by a found 1/2" iron pipe in a monument box, said pipe being on the centerline of the Historic Columbia River Highway at a point that is S01°45'41"W, a distance of 23.35 feet and S88°14'19"E, a distance of 693.07 feet from a found concrete post with 4-1/4" brass disc marking the West one quarter corner of said Section 25;

Said strip of land being 90 feet in width, 45 feet on each side of the heretofore described centerline, **except as noted otherwise** as shown on Survey No. 59209, Multnomah County Survey Records.

The heretofore description is written and based on a survey by Robert A. Hovden, Multnomah County Surveyor, recorded as Survey No. 59209, Multnomah County Survey Records, and by said reference is hereby made a part thereof.

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: August 12, 2004

Agenda Item #: R-6

Est. Start Time: 10:20 AM

Date Submitted: 07/12/04

Requested Date: August 12, 2004

Time Requested: 15 minutes

Department: DBCS

Division: Land Use & Trans Program

Contact/s: Mike Phillips, P.E., Interim County Engineer

Phone: (503) 988-5050

Ext.: 29628

I/O Address: 455/2nd

Presenters: Mike Phillips, P.E., Interim County Engineer

Agenda Title: RESOLUTION Establishing a Portion of SE Hogan Road as County Road No. 4974

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

-
- 1. What action are you requesting from the Board? What is the department/agency recommendation?**
Enact a Resolution to establish a portion of SE Hogan Road as County Road No. 4974. The Interim County Engineer recommends that the Board establish a portion of SE Hogan Road as a county road.
 - 2. Please provide sufficient background information for the Board and the public to understand this issue.**
Multnomah County completed the construction of SE Hogan Road in 1994. The Resolution to establish a portion of SE Hogan Road as a County Road fulfills the County's requirements in accordance with ORS 368.106.
 - 3. Explain the fiscal impact (current year and ongoing).**
As a County road, SE Hogan Road is eligible to expend Gas Tax revenue for ongoing maintenance and repair.

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

If a budget modification, explain:

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

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

If grant application/notice of intent, explain:

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

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

ORS 368.106 requires that the County enact an Order or Resolution to establish a road as a County Road. This Resolution satisfies this requirement.

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

None.

Required Signatures:

Department/Agency Director:

Robert A Maestre

Date: 07/07/04

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Establishing a Portion of SE Hogan Road as County Road No. 4974.

The Multnomah County Board of Commissioners Finds:

- a. ORS 368.106 provides that upon the acquisition of property for road purposes the County is required to survey and monument the property.
- b. This Board previously authorized capital improvement expenditures which caused the property described herein to be acquired, surveyed, and monumented.
- c. The above-mentioned portion of SE Hogan Road is described as follows:

From a point approximately 1,318 feet south of SE Palmquist Rd., Rd. No. 608,
to a point approximately 3,997 feet south of SE Palmquist Rd., Rd. No. 608,
more particularly described in the attached Exhibit "A."
- d. Further, the survey has been recorded, and the real property interests acquired have been used in the construction of SE Hogan Road consistent with Multnomah County specifications and requirements.
- e. The Interim County Engineer finds it is in the public's interest and therefore recommends that the above-described portion of SE Hogan Road be established as a county road as authorized pursuant to ORS Chapter 368.

The Multnomah County Board of Commissioners Resolves:

1. The portion of SE Hogan Road more particularly described in the attached Exhibit "A," is established as County Road No. 4974, in accordance with ORS Chapter 368.
2. Pursuant to ORS 368.106, this Resolution establishing County Road No. 4974 will be recorded in the Deed Records of Multnomah County, Oregon.

ADOPTED this 12th day of August, 2004.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By


Matthew O. Ryan, Assistant County Attorney

EXHIBIT "A"

SE HOGAN ROAD NO. 4974

A strip of land in the Southwest quarter of Section 14 and the Southeast quarter of Section 15, Township 1 South, Range 3 East, Willamette Meridian, said strip of land running from the south line of said Sections 14 and 15 to the North line of said Southwest quarter of Section 14 and the Southeast quarter of Section 15, the centerline of which is more particularly described as follows:

Beginning at Engineer's Station 52+51.04, being the Southeast corner of said Section 15, said corner being marked by a found concrete post with 4" brass disc within a monument box;

Thence N00°09'00"E, along the East line of said Section 15, a distance of 408.18 feet to Engineer's Station 56+59.22 PC;

Thence on a curve to the left having a radius of 1200.00 feet, through a central angle of 15°31'41" (long chord of which bears N07°36'51"W, a distance of 324.22 feet), an arc distance of 325.22 feet to Engineer's Station 59+84.44 PT;

Thence N15°22'41"W, a distance of 397.45 feet to Engineer's Station 63+81.89 PC;

Thence on a curve to the right having a radius of 1000.00 feet, through a central angle of 31°49'35" (long chord of which bears N00°32'06"E, a distance of 548.36 feet), an arc distance of 555.48 feet to Engineer's Station 69+37.36 PT;

Thence N16°26'54"E, a distance of 350.20 feet to Engineer's Station 72+87.56 PC;

Thence on a curve to the left having a radius of 1200.33 feet, through a central angle of 16°17'54" (long chord of which bears N08°17'57"E, a distance of 340.30 feet), an arc distance of 341.45 feet to Engineer's Station 76+29.01 PT, said station being on the East line of said Section 15;

Thence N00°09'00"E, along the East line of said Section 15, a distance of 301.01 feet to Engineer's Station 79+30.02, said station being the one quarter corner common to said Sections 14 and 15 and being marked by a found concrete post with 4-1/4" brass disc within a monument box;

The width of the strip of land is as follows:

On the West or left side of the above described centerline:

40 feet, except 30 feet for that portion of the North one half of the Southeast quarter of said Section 15 lying Southerly of the Northerly right of way line of the Springwater Corridor.

On the East or right side of the above described centerline:

Station	Right or East side
52+51.04	30 feet
57+67.46	30 feet
	in a straight line to
61+15.53	107.83 feet
	in a straight line to
64+62.37	55.75 feet
	in a straight line to
66+97.35	22.74 feet
	in a straight line to
70+60.71	142.63 feet
	in a straight line to
75+20.75	30.00 feet
79+30.02	30.00 feet

Excepting therefrom the following described tract of land:

Beginning at the intersection of the Northerly right of way line of the Springwater Corridor and a point 30 feet (right angles distance) Easterly of the above described centerline; Thence S40°28'22" East, along said Northerly right of way line, a distance of 49.49 feet; thence S00°09'00"W, a distance of 68.80 feet; Thence S30°56'00"W, a distance of 58.25 feet to a point on the Southerly right of way line of the said Springwater Corridor; Thence N40°28'22"W, along said Southerly right of way line, a distance of 55.15 feet to a point 30 feet (right angles distance) Easterly of the above described centerline; Thence N16°26'54"E, parallel with said centerline, a distance of 119.34 feet to the point of beginning.

The heretofore description is written and based on a survey by Robert A. Hovden, Multnomah County Surveyor, recorded as Survey No. 58746, Multnomah County Survey Records, and by said reference is hereby made a part thereof.

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO MONUMENT THE CENTERLINE AND RIGHT OF WAY OF SE HOGAN ROAD LYING WITHIN THE SOUTHWEST ONE-QUARTER OF SECTION 14 AND THE SOUTHEAST ONE-QUARTER OF SECTION 15, T. 1 S., R. 3 E., W.M.

HOGAN ROAD WAS ORIGINALLY ESTABLISHED AS COUNTY ROAD NO. 608 ON SEPTEMBER 6, 1894, AS DESCRIBED IN ROAD BOOK 3, PAGES 66-70, MULTNOMAH COUNTY ROAD RECORDS. A PORTION OF THIS ROAD RIGHT OF WAY WAS RELOCATED IN JULY, 1918, AS SHOWN ON SN 1A-6/9.

IN ABOUT 1990, MULTNOMAH COUNTY STARTED ACQUIRING RIGHT OF WAY TO CONSTRUCT A NEW BRIDGE OVER JOHNSON CREEK. THE ROAD RIGHT OF WAY MAP SHOWS THE AS-TRAVELED ROADWAY. PORTIONS OF THE EAST LINE OF THIS AS-TRAVELED ROADWAY ARE STILL THE CURRENT EAST RIGHT OF WAY LINE. THIS EAST RIGHT OF WAY LINE WAS HELD PER INFORMATION SHOWN ON SN 53203, HOLDING DIMENSIONS FROM THE SOUTHWEST CORNER OF SAID SECTION 14.

THE RELOCATED CENTERLINE WAS HELD AT RECORD DIMENSIONS FROM THE SOUTHWEST CORNER OF SAID SECTION 14, PER INFORMATION SHOWN ON THE MULTNOMAH COUNTY ROAD RIGHT OF WAY MAP FOR HOGAN ROAD (COUNTY ROAD NO. 4974), EXCEPTING THE MOST NORTHERLY CURVE. THIS CURVE WAS SET HOLDING THE NORTHERLY TANGENT AS THE SECTION LINE AND FITTING THE RECORD CURVE DATA TO THIS TANGENT. THE WEST RIGHT OF WAY LINE WAS HELD 40 FEET WEST OF THIS RELOCATED CENTERLINE FOR THAT PORTION IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15. IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15, THAT PORTION SOUTHERLY OF THE SPRINGWATER CORRIDOR WAS HELD AS 30 FEET, WHILE THE PORTION NORTHERLY OF THE SPRINGWATER CORRIDOR WAS HELD AS 40 FEET. THESE WIDTHS WERE THE INTENT OF THE DEED ACQUIRING THESE PROPERTIES.

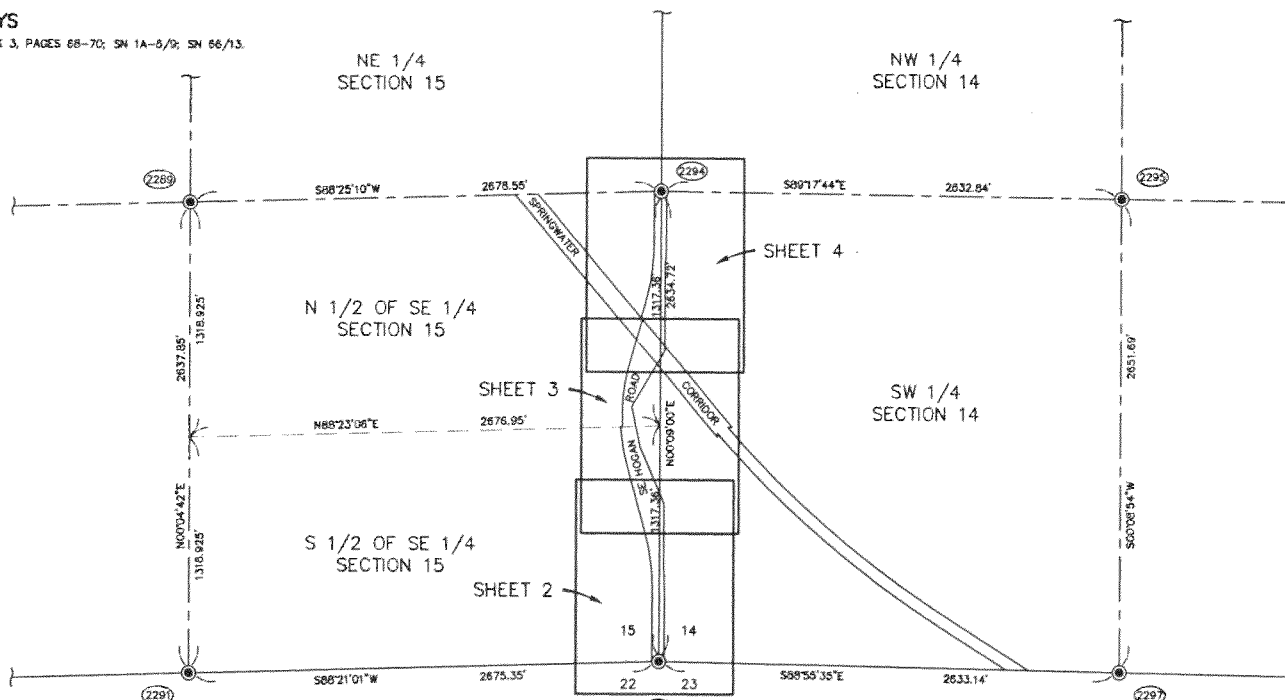
THE BALANCE OF THE EAST RIGHT OF WAY LINE THAT IS EAST OF THE AS-TRAVELED ROADWAY OF COUNTY ROAD NO. 608, WAS HELD AS 30 FEET EAST OF THE RELOCATED CENTERLINE. THE PORTION WITHIN THE RIGHT OF WAY OF THE SPRINGWATER CORRIDOR WAS HELD AS 30 FEET EACH SIDE OF SAID RELOCATED CENTERLINE.

BASIS OF BEARINGS

BASIS OF BEARINGS IS THE RECORD BEARING OF THE SECTION LINE BETWEEN THE SECTION CORNER COMMON TO SECTIONS 14, 15, 22 AND 23 AND THE 1/4 CORNER COMMON TO SECTIONS 14 AND 15 PER SN 1A-6/9.

REFERENCE SURVEYS

MULTNOMAH COUNTY ROAD BOOK 3, PAGES 66-70; SN 1A-6/9; SN 56/13.



MULTNOMAH COUNTY
SURVEY RECORDS

DATE FILED JULY 17, 2003

58746

REGISTER NUMBER

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert A. Hovden

OREGON
JULY 18, 1971
ROBERT A. HOVDEN
954

RENEWAL DATE: 6/30/2005

I CERTIFY THAT THIS SURVEY WAS PREPARED USING HP PRODUCT
1692A ON CONTINENTAL JPC4M2 POLYESTER FILM.

LEGEND

- FOUND GOVERNMENT LAND CORNER MONUMENT AS DESCRIBED IN MONUMENT TABLE.
- (2289) FOUND MONUMENT IDENTIFIER, SEE MONUMENT TABLE.
- B.T. BEARING TREE REPORT, MULTNOMAH COUNTY SURVEY RECORDS.
- SN SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS.

FOUND MONUMENT TABLE

POINT NUMBER	MONUMENT DESCRIPTION	REFERENCE
2289	CENTER 1/4 CORNER SECTION 15: 6" X 6" CONCRETE POST WITH 4-1/4" BRASS DISC, FLUSH.	B.T. F-319
2291	SOUTH 1/4 CORNER SECTION 15: 6" X 6" CONCRETE POST WITH 4" BRASS DISC, UP 0.9"	B.T. F-263
2294	WEST 1/4 CORNER SECTION 14: 6" X 6" CONCRETE POST WITH 4-1/4" BRASS DISC, DOWN 0.8" IN MONUMENT BOX.	B.T. F-285
2295	CENTER 1/4 CORNER SECTION 14: 6" X 6" CONCRETE POST WITH 4-1/4" BRASS DISC, DOWN 0.7" IN MONUMENT BOX.	B.T. F-288
2296	SOUTHWEST CORNER SECTION 14: 6" X 6" CONCRETE POST WITH 4" BRASS DISC, DOWN 1.5" IN MONUMENT BOX.	B.T. D-83
2297	SOUTH 1/4 CORNER SECTION 14: 6" X 6" CONCRETE POST WITH 4" BRASS DISC, DOWN 1.6" IN MONUMENT BOX.	B.T. E-665



MULTNOMAH COUNTY
DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES
TRANSPORTATION DIVISION / COUNTY SURVEYOR'S OFFICE
1600 S.E. 190th AVE. PORTLAND, OR 97233

SE HOGAN ROAD NO. 4974 ESTABLISHMENT
STATION 52+51.04 TO STATION 79+30.02

ROBERT A. HOVDEN, P.L.S. COUNTY SURVEYOR

Drafted: AHG Checked: RAH Sht. 1 of 4
Date: 1/4/2003 Scale: 1" = 500'

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58746

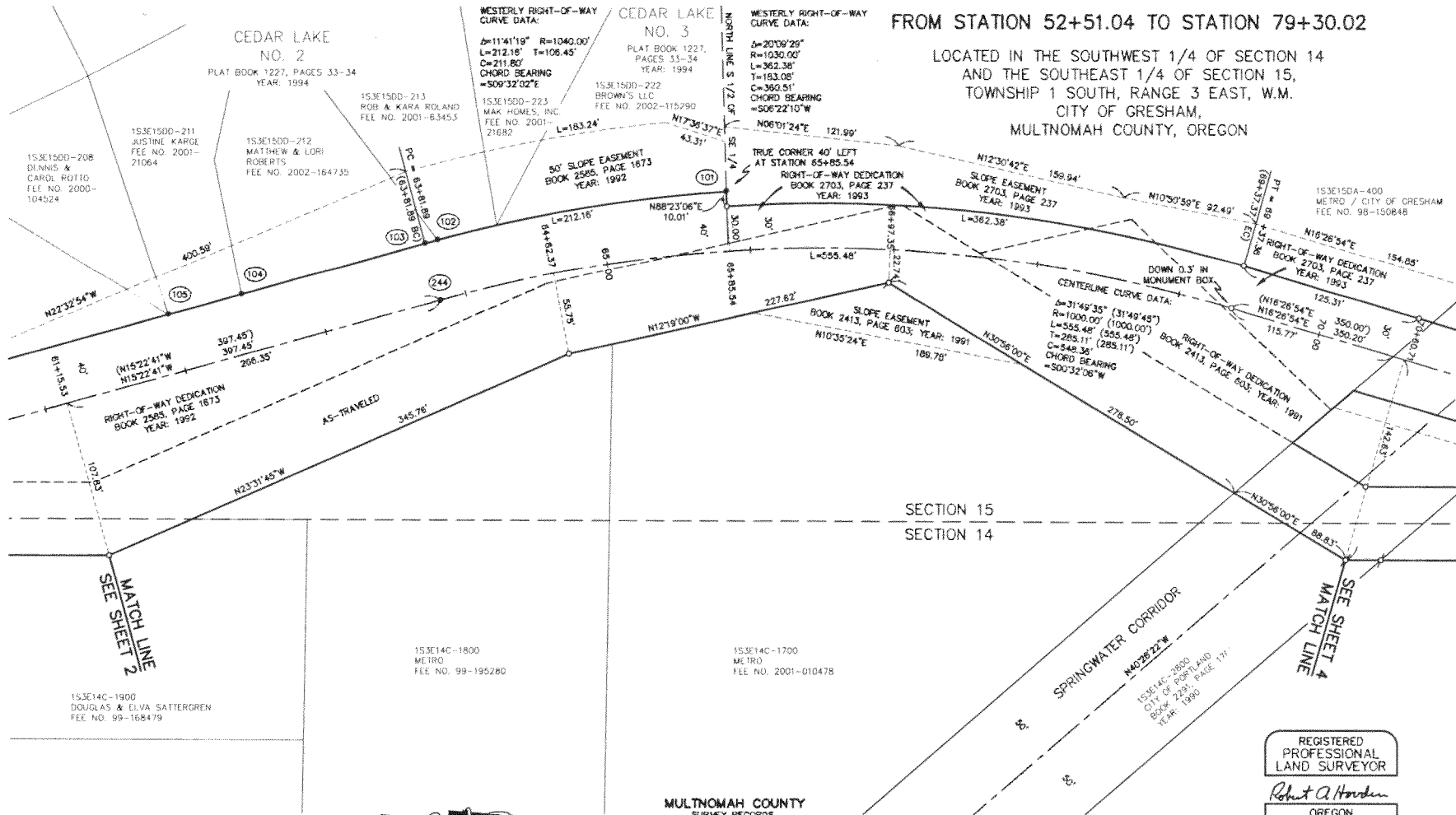
58746

LOCATED IN THE SOUTHWEST 1/4 OF SECTION 14
AND THE SOUTHEAST 1/4 OF SECTION 15,
TOWNSHIP 1 SOUTH, RANGE 3 EAST, W.M.
CITY OF GRESHAM,
MULTNOMAH COUNTY, OREGON



SE HOGAN ROAD NO. 4974 FROM STATION 52+51.04 TO STATION 79+30.02

LOCATED IN THE SOUTHWEST 1/4 OF SECTION 14
AND THE SOUTHEAST 1/4 OF SECTION 15,
TOWNSHIP 1 SOUTH, RANGE 3 EAST, W.M.
CITY OF GRESHAM,
MULTNOMAH COUNTY, OREGON



MULTNOMAH COUNTY
SURVEY RECORDS
DATE FILED JULY 17, 2003
58746
REGISTER NUMBER

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Robert A. Howden
OREGON
JULY 18, 1971
ROBERT A. HOWDEN
954
RENEWAL DATE: 6/30/2005

I CERTIFY THAT THIS SURVEY WAS PREPARED USING HP PRODUCT
1802A ON CONTINENTAL JPC4M2 POLYESTER FILM.

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLE.
- SET 5/8" X 30" IRON ROD WITH YPC MARKED "MULT. CO. SURVEY".
- ⌒ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP STAMPED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCH MARK.
- (105) FOUND MONUMENT IDENTIFIER, SEE MONUMENT TABLE.
- YPC YELLOW PLASTIC CAP.
- () RECORD DATA PER HOGAN ROAD RIGHT OF WAY MAP [CIRCA 1993] ON FILE IN MULTNOMAH COUNTY ROAD RECORDS.

FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	MONUMENT DESCRIPTION	REFERENCE
105	61+98.82	40.36' LT.	5/8" IRON ROD	PLAT OF "CEDAR LAKE NO. 2"
104	62+50.88	40.34' LT.	5/8" IRON ROD	PLAT OF "CEDAR LAKE NO. 2"
244	63+81.89	0.00'	3/4" IRON PIPE, DOWN 0.3' IN MONUMENT BOX - SET YPC MARKED "MULT. CO." IN PIPE	SET BY MULT. CO. IN 1995 - NOT RECORDED AT THAT TIME
103	63+81.94	40.39' LT.	5/8" IRON ROD WITH YPC MARKED "K.W. COX & ASSOC. INC."	PLAT OF "CEDAR LAKE NO. 2"
102	63+90.58	40.37' LT.	5/8" IRON ROD WITH YPC MARKED "K.W. COX & ASSOC. INC."	PLAT OF "CEDAR LAKE NO. 2"
101	65+85.90	40.50' LT.	5/8" IRON ROD WITH YPC MARKED "K.W. COX & ASSOC. INC."	PLAT OF "CEDAR LAKE NO. 3"

MULTNOMAH COUNTY
DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES
TRANSPORTATION DIVISION / COUNTY SURVEYOR'S OFFICE
1600 S.E. 120th AVE. PORTLAND, OR 97233

**SE HOGAN ROAD NO. 4974 ESTABLISHMENT
STATION 52+51.04 TO STATION 79+30.02**

ROBERT A. HOWDEN, P.L.S. COUNTY SURVEYOR

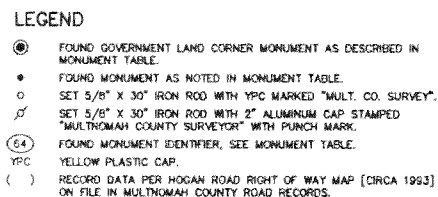
Drafted: AHG Checked: RAH SHL
Date: 2/4/2003 Scale: 1" = 50'

3 of 4

58746

58746

LOCATED IN THE SOUTHWEST 1/4 OF SECTION 14
AND THE SOUTHEAST 1/4 OF SECTION 15,
TOWNSHIP 1 SOUTH, RANGE 3 EAST, W.M.
CITY OF GRESHAM,
MULTNOMAH COUNTY, OREGON



POINT NUMBER	STATION	OFFSET	MONUMENT DESCRIPTION	REFERENCE
2294	79+30.02	0.00	6" X 6" CONCRETE POST WITH 4-1/4" BRASS DISC, DOWN 0.8' IN MONUMENT BOX.	B.T. F-285

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Robert A. Hoyden
OREGON
JULY 16, 1971
ROBERT A. HOYDEN
954
RENEWAL DATE: 6/30/200

I CERTIFY THAT THIS SURVEY WAS PREPARED USING KP PRODUCT
18924 ON CONTINENTAL JPC4M2 POLYESTER FILM.



MULTNOMAH COUNTY
DEPARTMENT OF BUSINESS AND COMMUNITY SERVICES
TRANSPORTATION DIVISION / COUNTY SURVEYOR'S OFFICE
1500 S.E. 180th AVE. PORTLAND, OR 97233

SE HOGAN ROAD NO. 4974 ESTABLISHMENT
STATION 52+51.04 TO STATION 79+30.02

ROBERT A. HOVDEN, P.L.S. COUNTY SURVEYOR

Drafted: AHG Checked: RAH

Date: 2/4/2003 Scale: 1" = 50'

Sht. 4 of 4

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-117

Establishing a Portion of SE Hogan Road as County Road No. 4974

The Multnomah County Board of Commissioners Finds:

- a. ORS 368.106 provides that upon the acquisition of property for road purposes the County is required to survey and monument the property.
- b. This Board previously authorized capital improvement expenditures which caused the property described herein to be acquired, surveyed, and monumented.
- c. The above-mentioned portion of SE Hogan Road is described as follows:

From a point approximately 1,318 feet south of SE Palmquist Rd., Rd. No. 608, to a point approximately 3,997 feet south of SE Palmquist Rd., Rd. No. 608, more particularly described in the attached Exhibit "A."
- d. Further, the survey has been recorded, and the real property interests acquired have been used in the construction of SE Hogan Road consistent with Multnomah County specifications and requirements.
- e. The Interim County Engineer finds it is in the public's interest and therefore recommends that the above-described portion of SE Hogan Road be established as a county road as authorized pursuant to ORS Chapter 368.

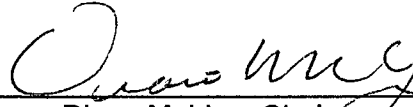
The Multnomah County Board of Commissioners Resolves:

1. The portion of SE Hogan Road more particularly described in the attached Exhibit "A," is established as County Road No. 4974, in accordance with ORS Chapter 368.
2. Pursuant to ORS 368.106, this Resolution establishing County Road No. 4974 will be recorded in the Deed Records of Multnomah County, Oregon.

ADOPTED this 12th day of August, 2004.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

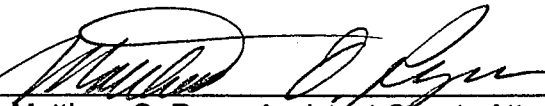
By 
Matthew O. Ryan, Assistant County Attorney

EXHIBIT "A"

SE HOGAN ROAD NO. 4974

A strip of land in the Southwest quarter of Section 14 and the Southeast quarter of Section 15, Township 1 South, Range 3 East, Willamette Meridian, said strip of land running from the south line of said Sections 14 and 15 to the North line of said Southwest quarter of Section 14 and the Southeast quarter of Section 15, the centerline of which is more particularly described as follows:

Beginning at Engineer's Station 52+51.04, being the Southeast corner of said Section 15, said corner being marked by a found concrete post with 4" brass disc within a monument box;
Thence N00°09'00"E, along the East line of said Section 15, a distance of 408.18 feet to Engineer's Station 56+59.22 PC;
Thence on a curve to the left having a radius of 1200.00 feet, through a central angle of 15°31'41" (long chord of which bears N07°36'51"W, a distance of 324.22 feet), an arc distance of 325.22 feet to Engineer's Station 59+84.44 PT;
Thence N15°22'41"W, a distance of 397.45 feet to Engineer's Station 63+81.89 PC;
Thence on a curve to the right having a radius of 1000.00 feet, through a central angle of 31°49'35" (long chord of which bears N00°32'06"E, a distance of 548.36 feet), an arc distance of 555.48 feet to Engineer's Station 69+37.36 PT;
Thence N16°26'54"E, a distance of 350.20 feet to Engineer's Station 72+87.56 PC;
Thence on a curve to the left having a radius of 1200.33 feet, through a central angle of 16°17'54" (long chord of which bears N08°17'57"E, a distance of 340.30 feet), an arc distance of 341.45 feet to Engineer's Station 76+29.01 PT, said station being on the East line of said Section 15;
Thence N00°09'00"E, along the East line of said Section 15, a distance of 301.01 feet to Engineer's Station 79+30.02, said station being the one quarter corner common to said Sections 14 and 15 and being marked by a found concrete post with 4-1/4" brass disc within a monument box;

The width of the strip of land is as follows:

On the West or left side of the above described centerline:

40 feet, except 30 feet for that portion of the North one half of the Southeast quarter of said Section 15 lying Southerly of the Northerly right of way line of the Springwater Corridor.

On the East or right side of the above described centerline:

Station	Right or East side
52+51.04	30 feet
57+67.46	30 feet
	in a straight line to
61+15.53	107.83 feet
	in a straight line to
64+62.37	55.75 feet
	in a straight line to
66+97.35	22.74 feet
	in a straight line to
70+60.71	142.63 feet
	in a straight line to
75+20.75	30.00 feet
79+30.02	30.00 feet

Excepting therefrom the following described tract of land:

Beginning at the intersection of the Northerly right of way line of the Springwater Corridor and a point 30 feet (right angles distance) Easterly of the above described centerline; Thence S40°28'22" East, along said Northerly right of way line, a distance of 49.49 feet; thence S00°09'00"W, a distance of 68.80 feet; Thence S30°56'00"W, a distance of 58.25 feet to a point on the Southerly right of way line of the said Springwater Corridor; Thence N40°28'22"W, along said Southerly right of way line, a distance of 55.15 feet to a point 30 feet (right angles distance) Easterly of the above described centerline; Thence N16°26'54"E, parallel with said centerline, a distance of 119.34 feet to the point of beginning.

The heretofore description is written and based on a survey by Robert A. Hovden, Multnomah County Surveyor, recorded as Survey No. 58746, Multnomah County Survey Records, and by said reference is hereby made a part thereof.

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: August 12, 2004

Agenda Item #: R-7

Est. Start Time: 10:30 AM

Date Submitted: 07/12/04

Requested Date: August 12, 2004

Time Requested: 10 minutes

Department: DBCS

Division: Emergency Management

Contact/s: Doug McGillivray

Phone: 503-988-4120

Ext.: 84120

I/O Address: 425

Presenters: Doug McGillivray

Agenda Title: Regional Volcano Response Plan

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

1. **What action are you requesting from the Board? What is the department/agency recommendation?** We are requesting Board approval of a regional Volcano Response Plan. DBCS recommends approval.
2. **Please provide sufficient background information for the Board and the public to understand this issue.** Regional jurisdictions in the Mt Hood area came together with the State of Oregon Emergency Management and Oregon Department of Geology and Mineral Industries (DOGAMI) as well as the Federal Emergency Management Agency (FEMA) to develop a legitimate and up to date plan for a regional response to any area volcanic-activity. Since we live in an area that has a history of volcanic activity - the most recent example being the eruption of Mt. St. Helens - pre-planning a response is both logical and efficient. The plan has been endorsed by the Emergency Management organizations of the State of Washington and the State of Oregon. It now needs to be endorsed and accepted by local jurisdictions. This will become part of the Hazard Mitigation Plan that is required of us by FEMA and that needs to be completed and approved by November, 2004. Lessons learned from the Mt. St Helens incident have been applied and serve as a baseline for this plan.

3. **Explain the fiscal impact (current year and ongoing).** There is NO fiscal impact on Multnomah County.

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

If a budget modification, explain: N/A

- ❖ **What revenue is being changed and why? N/A**
- ❖ **What budgets are increased/decreased? N/A**
- ❖ **What do the changes accomplish? N/A**
- ❖ **Do any personnel actions result from this budget modification? Explain.**
No
- ❖ **Is the revenue one-time-only in nature? This is revenue neutral**
- ❖ **If a grant, what period does the grant cover? N/A**
- ❖ **When the grant expires, what are funding plans? N/A**

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain: N/A

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

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

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

4. **Explain any legal and/or policy issues involved.** This plan identifies the roles and responsibilities of jurisdiction that may be impacted by volcanic activity in the immediate area
5. **Explain any citizen and/or other government participation that has or will take place.** This plan is a regional cooperative effort between Multnomah County, Washington County, Columbia County, Hood River County, Wasco County and Clackamas County in Oregon, and Clark County in the State of Washington. The plan development also involved Oregon Emergency Management, Washington Emergency Management, State of Washington Military Department, the Federal Emergency

Management Agency (FEMA), the Department of Homeland Security (DHS), Confederated Tribes of Warm Springs, the United States Forest Service (USFS), and the United States Geological Survey (USGS). Skamania County, Washington is considering participation.

Required Signatures:

Department/Agency Director: Robert A Maestre Date: July 8, 2004

Budget Analyst

By: _____

Date:

Dept/Countywide HR

By: _____

Date:

FOREWORD

Oregon Emergency Management and Washington Military Department sincerely appreciate the cooperation and support from the agencies and local jurisdictions that have contributed to the development and ultimate publication of the **Mount Hood Coordination Plan**.

The plan provides vital Mount Hood volcanic event response information for the areas that will be most affected by a volcanic event. This will help planning efforts for several Oregon and Washington counties, multiple State and Federal agencies, and the Confederated Tribes of the Warm Springs Reservation. The plan supports and complements local response plans, the *Federal Response Plan*, the *Oregon State Emergency Management Plan*, and the *Washington State Comprehensive Emergency Management Plan*.

The *Mount Hood Coordination Plan* is an important element in a coordinated effort to enhance our regions preparedness for emergencies and disasters. The plan embraces the philosophy and vision of a *Disaster Resistant State* and will empower local communities to minimize the impacts of volcanic activity on people, property, the environment and the economy of the Pacific Northwest. The plan will be updated to reflect necessary enhancements identified in exercises and real world events. These updates will not require renewal of signatures.

Approved by:

Ken Murphy, Director
Oregon Emergency Management

Vicki McConnell, Acting Director
Oregon Department of Mineral and
Geologic Industries

Major General Timothy J. Lowenberg
The Adjutant General
Washington Military Department

Glen L. Woodbury, Director
Emergency Management Division
Washington Military Department

Local Signatories to the Mount Hood Coordination Plan

Betty Sue Morris, Chair
Board of Clark County Commissioners

Bill Kennemer, Chair
Board of Clackamas County Commissioner

Rodger Schock, Chair
Hood River County Board of Commissioners


Diane Linn, Chair
Multnomah County Board of Commissioners

Dan Ericksen, County Judge
Wasco County Court

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-7 DATE 08.12.04
DEBORAH L. BOGSTAD, BOARD CLERK

Raymond Tsumpti, Tribal Public Safety Director
Confederated Tribes of the Warm Springs Reservation

Federal Signatories to the Mount Hood Coordination Plan

Elliot Endo, Scientist in Charge
United States Geological Survey
Cascade Volcano Observatory

Gary L. Larsen, Forest Supervisor
Mount Hood National Forest
US Forest Service

John E. Pennington, Regional Director
FEMA Region 10
Department of Homeland Security

Mount Hood Coordination Plan

MOUNT HOOD COORDINATION PLAN

Coordinating Efforts Among Governmental Agencies in the Event
of Volcanic Unrest at Mount Hood, Oregon

Cover Sheet

Prepared by:
The Mount Hood Facilitating Committee

January 2004

January 2004

Final DRAFT

Mount Hood Coordination Plan

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Mount Hood Coordination Plan

FOREWORD

Oregon Emergency Management and Washington Military Department sincerely appreciate the cooperation and support from the agencies and local jurisdictions that have contributed to the development and publication of the **Mount Hood Coordination Plan**.

The plan provides vital Mount Hood volcanic event response and recovery information that will greatly enhance the hazard planning efforts of 4 Oregon counties, 2 Washington counties and the Confederated Tribes of Warm Springs and multiple state and Federal agencies. The Plan supports and complements local response plans, the *Federal Response Plan*, the *Oregon State Emergency Management Plan*, and the *Washington State Comprehensive Emergency Management Plan*.

The *Mount Hood Coordination Plan* is an important element in a coordinated effort to enhance our region's preparedness for emergencies and disasters. This plan embraces the philosophy and vision of a *Disaster Resistant State* and will empower local communities to minimize the impacts of volcanic activity on people, property, the environment and the economy of the Pacific Northwest.

Approved by (planned signatories):

Oregon State Police, Oregon Emergency Management, Washington Military Department Emergency Management Division, Oregon Department of Geology and Mineral Industries, Clark County, Clackamas County, Hood River County, Multnomah County, Wasco County, Confederated Tribes of Warm Springs, US Geological Survey, US Forest Service, FEMA Region 10

Mount Hood Coordination Plan

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Mount Hood Coordination Plan

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PURPOSE

The purpose of this plan is to coordinate the actions that various agencies must take to minimize the loss of life and damage to property before, during, and after hazardous geologic events at Mount Hood volcano. The plan strives to ensure timely and accurate dissemination of warnings and public information. The plan also includes the necessary legal authorities as well as statements of responsibility of County, State and Federal agencies.

INTRODUCTION

Volcanoes dominate the skyline in many parts of the Pacific Northwest, although their fiery past is often unrecognized. These familiar snow-clad peaks are part of a 1,000-mile-long chain of volcanoes, the Cascade Range, which extends from northern California to southern British Columbia. Seven of those volcanoes have erupted since the birth of this nation about 230 years ago. These include Mount Baker, Glacier Peak, Mount Rainier, Mount St. Helens, Mount Hood, Mount Shasta, and Lassen Peak. These and many others could erupt again. Many people do not consider the Cascade volcanoes to be hazardous because the time between eruptions is often measured in centuries or millennia, and volcanic activity is not part of our everyday experience. However, the vast destructive power unleashed by the 1980 eruption of Mount St. Helens reminds us of what can happen when they do erupt. As populations increase in the Pacific Northwest, areas near the Cascade volcanoes are being developed and recreational use is expanding. Consequently, more and more people and property are at risk from future volcanic activity.

Mount Hood volcano is close to small but rapidly growing communities and recreation areas, and is within 70 miles of metropolitan Portland, Oregon. It has erupted intermittently for hundreds of thousands of years—its most recent major eruption occurred about 200 years ago, shortly before Lewis and Clark explored the area in 1805-1806. Because there are no written chronicles of past major eruptions, most of our information about Mount Hood's past comes from geologic study of deposits produced during those eruptions. We also use observations of recent eruptions at other similar volcanoes around the world to help us understand how future eruptions of Mount Hood may develop and to help delineate areas that are likely to be at risk during future eruptions.

Earthquake swarms beneath Mount Hood occur yearly and hot steam vents near the summit remind us that this volcano is not extinct. It's not a question of whether Mount Hood will erupt again, but when. For this reason, the Mount Hood Coordination Plan was drawn up by emergency managers from Clackamas, Multnomah, Wasco, Hood River and Clark counties, the City of Portland, the Confederated Tribes of Warm Springs, and the States of Oregon and Washington, Federal Emergency Management Agency (FEMA), the U.S. Forest Service (USFS), and the U.S. Geological Survey (USGS).

VOLCANIC HISTORY AND HAZARDS

The eroded snow- and ice-covered cone of Mount Hood is composed primarily of andesitic lava flows and fragmental rock debris. The present cone started growing about half a million years ago, although its size and shape have changed through time as eruptions and erosion have alternately added and subtracted material. Since glacial times (about 15,000 years ago) there have been three major periods of eruptive activity at Mount Hood.

- Polallie eruptive period – approximately 12,000 to 15,000 years ago
- Timberline eruptive period – approximately 1,500 years ago (possibly several centuries in length)
- Old Maid eruptive period – approximately 200 years ago (several decades in length)

Eruptions during Timberline and Old Maid times were from a vent beneath the current position of Crater Rock. Crater Rock is, in fact, the remnant of a **lava dome** (see Appendix A for definitions of terms in bold) that grew and collapsed during the Old Maid eruptive period. North of Mount Hood, in the Hood River valley, a basaltic andesite eruption produced a rubbly **lava flow** called the Parkdale lava flow, about 7,500 years ago.

The past three eruptive periods were in many ways very similar. Lava erupted relatively slowly and non-explosively to form lava domes. These lava domes collapsed repeatedly to form fast-moving, extremely hot **pyroclastic flows** and **ash clouds**. The ash clouds were carried downwind and formed ash-fall deposits that in places on the east flank of the volcano accumulated to over 3 feet thick. The hot pyroclastic flows eroded and melted large quantities of snow and ice to form **lahars** that flowed down river valleys, in some cases all the way to the Columbia River. Erosion of the fresh pyroclastic-flow deposits following the eruptions resulted in enormous quantities of sand and gravel being washed downriver. In the Sandy River during the Timberline and Old Maid times, this resulted in lateral channel shifting and burial of the valley floor in sediment up to 50 feet thick.

The Polallie eruptive period lasted for a few thousand years and consisted of several domes that grew and collapsed on all flanks of the volcano. This dome growth and collapse generated lahars that affected all the major river channels around Mount Hood. In addition, the Mississippi Head lava flow on the southwest flank was extruded at this time. In contrast, the Timberline and Old Maid eruptive periods lasted a much shorter period of time and consisted solely of lava dome growth and collapse from the vent location.

At the beginning of the Timberline eruptive period, a large flank failure (**debris avalanche**) above present day Crater Rock on the volcano's southwest side catastrophically affected the entire Sandy River valley to the Columbia River. An even larger flank failure on the north side of the volcano on the order of 100,000 years ago affected the entire length of the Hood River valley to the Columbia River.

Because of the volcano's present-day geometry and because the vent for the last two eruptive periods has been on the south side of the volcano, we feel that the areas and river valleys (Sandy, Salmon and White) on the south side of the volcano are at greater risk from eruptive activity than

Mount Hood Coordination Plan

areas and river valleys on the north side. This assessment could change, however, if monitoring data were to indicate a shift in vent location another flank or on the summit of the volcano. Based on the history of the volcano, hazardous processes and the areas that they could affect are the following:

- **Pyroclastic flows** from dome collapse could extend 5-6 miles down the south flank of the cone. These could reach the base of the volcano in about 10 minutes and would burn (temperatures to 1100°F) and bury objects in their path and potentially cause forest fires.
- **Lahars**, in places up to 100 feet deep, could flow down the Sandy River to the Columbia and down the White River to (and part way down) the Deschutes River. How fast the lahars will flow depends on many parameters, but in the Sandy River it likely would take at least 3 hours to reach the Columbia River. Lahars bury or smash objects in their paths and could damage or affect:
 - Communities along the river
 - Transportation corridors along Interstate 84, and Highways 26 and 35
 - Aqueducts from Bull Run watershed that cross the Sandy River
 - Shorefront property on the north bank of Columbia River (from increased erosion caused by increased sedimentation at the mouth of the Sandy River)
 - River traffic on the Columbia River by filling the channel with sediment
- **Ash clouds** would drift downwind (most likely northeast) and cause ash falls miles from the volcano. Even minor ash fall can be a nuisance and make driving treacherous by reducing visibility and making roads slippery if wet. Ash is especially damaging to jet airplanes and could affect air traffic at distances of more than 100 miles from the volcano and at Portland International Airport and other area airports. Fortunately there is no geologic evidence for large explosive eruptions at Mount Hood, similar to those witnessed in 1980 at Mount St. Helens, which would send large amount of ash and pumice for hundreds of miles downwind.
- **Lava flows** could generate small-scale pyroclastic flows and, if they occur during the summer or fall, cause forest fires. In general though, lava flows move too slowly to be an immediate hazard to humans or animal life, but they will bury and burn everything in their path.
- **Small debris avalanches** can generate lahars that could affect people and infrastructure for many miles downstream of the volcano. Debris avalanches of the size that preceded the Timberline eruptive period are unlikely, owing to the volcano's present geometry.
- **Riverbed aggradation**—the gradual process of channel shifting (including pronounced bank erosion) and burial of river valley floors with volcanic sediment can occur years to decades following an eruption. The entire length of the Sandy, Zigzag, Salmon and White Rivers would be susceptible to this long-term hazard.

Not all hazardous events around volcanoes occur during eruptions. Intense rain-on-snow events, glacial outbursts, and landslides can all generate lahars that cause local damage to infrastructure. In the past two decades, such events have caused millions of dollars of damage to State Highway 35 in the areas around Polallie Creek, Newton Creek and White River and the death of one camper at the mouth of Polallie Creek. Small lahars Eliot Branch have destroyed local bridges and roads. Although such events can be costly, most are small compared to eruption-induced

Mount Hood Coordination Plan

events. More information regarding hazardous events at Mount Hood can be found in Scott and others, 1997, Volcano hazards in the Mount Hood Region, Oregon: U.S. Geological Survey Open-File Report 97-89 (<http://vulcan.wr.usgs.gov/Volcanoes/Hood/Hazards/>).

A generalized hazard map and other information about hazards Mount Hood poses to downstream areas is summarized in the USGS Mount Hood Fact Sheet which is included in this plan as Appendix B.

NOTE: The USGS-Cascade Volcano Observatory (CVO) maintains summary volcano information on its public website <http://vulcan.wr.usgs.gov/>

Warning time and duration of eruption--long or short?

At volcanoes around the world, the amount of warning time between the first appearance of volcanic unrest and the onset of a hazardous eruption has ranged from about one day to several years. At Redoubt Volcano in Alaska, increased steaming was noted in early November 1989; but seismic activity remained low until December 13, about 25 hours before the onset of a major explosive eruption. Three more explosive events on December 15 were followed by six months of dome growth and dome collapse until activity ceased in early summer of 1990. At Soufriere Hills Volcano on the island of Montserrat, British West Indies, the initial seismic unrest in January 1992 preceded the first eruption by three years. The first small steam explosion in July 1995 was followed by the appearance of a lava dome in September of that year. Pyroclastic flows from the growing dome began spilling into surrounding valleys in March 1996, leading to the gradual destruction of Plymouth, the capital city, and surrounding towns and farmland over the next two years. Dome growth and periodic explosions continue at Montserrat today (2003).

For a variety of reasons, hazardous magmatic eruptions at Mount Hood will probably be preceded by weeks or more of unrest. Chief among those reasons is that Mount Hood has been dormant for more than a century; the conduit system that conveys magma to the surface has solidified and will have to be fractured and reopened for the next magma to reach the surface. In the Cascade Range, two volcanoes have produced magmatic eruptions during the twentieth century. At Mount St. Helens, the climactic eruption of May 18, 1980, was preceded by increased seismicity, ground deformation and steam eruptions that began in late March of that year. At Lassen Peak in California, small steam and ash explosions began on June 30, 1914, and continued sporadically for almost a year before the onset of large magmatic eruptions in May 1915.

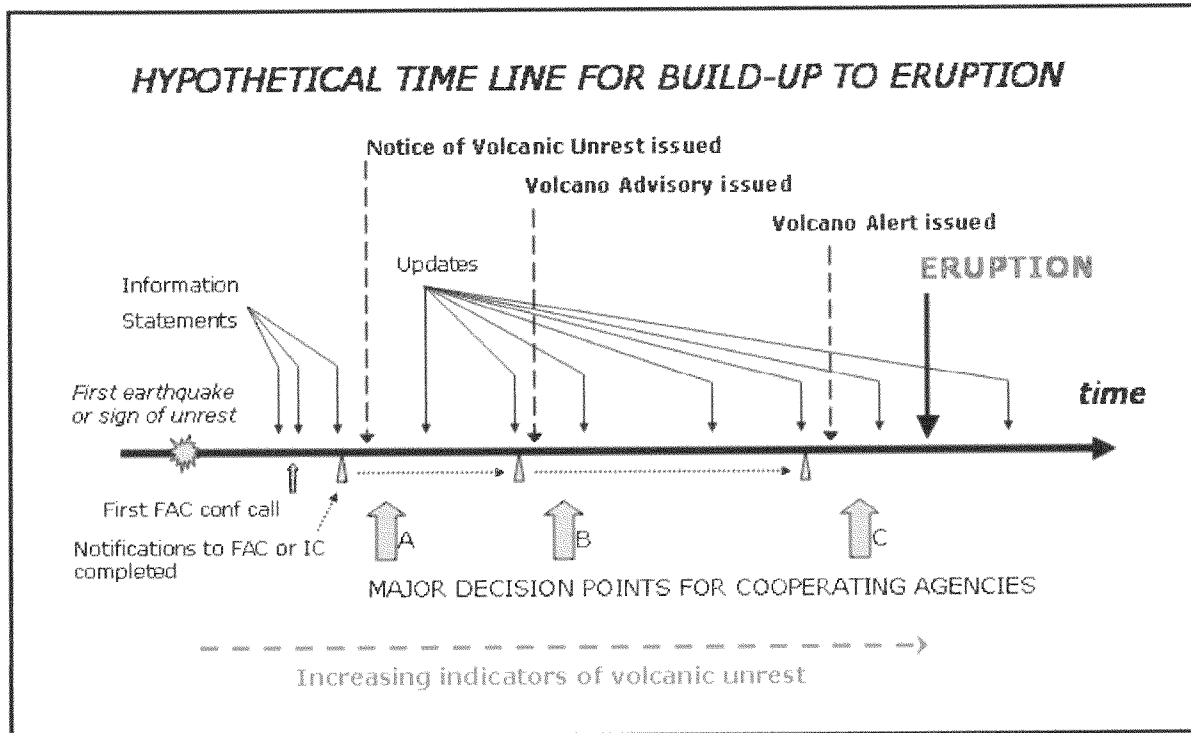
EFFORTS TO MONITOR VOLCANIC UNREST

In response to developing volcanic unrest at Mount Hood, a USGS response team expects to:

1. **Establish a temporary volcano observatory** with the USFS, most likely at their headquarters in Sandy, Oregon. The observatory will maintain close contact with emergency managers and will be sited to allow efficient daily helicopter access to the volcano. The primary function of the USGS response team is to monitor all volcanic developments and to provide eruption-forecasting and hazard-assessment information to support decisions by public officials. If the volcanic activity is on other flanks of the peak than anticipated, alternate locations will likely be identified.

Mount Hood Coordination Plan

2. **Install additional monitoring instruments** to collect and analyze visual, seismic, lahar-detection, deformation, and gas-emission data. As an important element of redundancy, critical seismic data will be received and analyzed at the Pacific Northwest Seismograph Network at the University of Washington, the USGS Cascades Volcano Observatory, and the local temporary volcano observatory.



This figure is intended to provide perspective on how a volcanic crisis might unfold. Many other potential scenarios exist. The first sign of significant earthquake activity or other signs of unusual unrest will prompt the USGS to issue an Information Statement. If significant unrest continues, then eventually a Notice of Unrest may be issued, etc.

EVENT NOTIFICATION

Volcanic activity at Mount Hood may have dramatically different affects depending on the type of eruption and the direction in which hazards (lahars or tephra plumes) are transported. Local agencies require information on hazards that affect nearby areas, whereas airlines and the Federal Aviation Administration (FAA) require information on tephra plumes that can be hazardous to aircraft hundreds of miles from source. The information required by these two groups is not always the same and therefore the Cascades Volcano Observatory, in cooperation with various agencies, has developed two hierarchies of alert levels; one directed toward emergency response on the ground and the other toward ash hazards to aircraft. These two hierarchies are described below.

Notification of Ground-Based Hazards

Event notification by the USGS may occur under two distinctly different circumstances:

- (1) In response to unexpected short-lived events;
- (2) In response to developing volcanic unrest that may culminate in eruptive activity with attendant volcanic and hydrologic hazards.

The former is handled through information statements, the latter through Staged Alert Levels. These are both issued by the USGS.

Information Statements

Events such as steam bursts (with or without minor ashfall), small avalanches, rock falls, and minor lahars often attract media and public-interest inquiry. This type of event is short-lived, usually concluding within minutes. Since this type of event almost always occurs without specifically recognized precursors, there is no opportunity to provide warning or evacuation. Thus, persons in proximity to such an event are at some personal risk and will need to make their own safety decisions.

Information about a discrete natural event may come from a variety of sources. Owing to frequent public and media inquiries that result from such events, USGS-CVO will attempt to verify the nature and extent of the event, issuing commentary as appropriate in "Information Statements". Information Statements may also be issued to provide commentary about notable events occurring within any alert level during volcanic unrest. The USGS will convene the Facilitating Committee (FAC) prior to issuing a second Information Statement due to any single event/incident.

Staged Alert Levels

A system of staged alert levels ("Notice of Volcanic Unrest", "Volcano Advisory" and "Volcano Alert") indicates the level of volcanic unrest and degree of imminence of hazardous volcanic activity. Alert-level notifications will be accompanied by brief explanatory text to clarify hazard implications as fully as possible. Updates may be issued to supplement any alert-level statement.

Alert-level assignments depend upon observations and interpretations of changing phenomena at the mountain. Some volcanic events may not be preceded by obvious changes or the observed changes may not be well understood; thus, surprises are possible, and uncertainty about timing and nature of anticipated events is likely. Alert levels are not always issued sequentially.

Notice of Volcanic Unrest (first recognition of conditions that could lead to a hazardous event)

This alert level is declared when USGS-CVO can first confirm changes that could lead to hazardous volcanic activity. This type of statement expresses concern about volcanic unrest or hydrologic conditions but does not imply imminent hazard. Among the possible outcomes are: (1) symptomatic activity could wane leading to cancellation of the "Notice of Volcanic Unrest", (2) conditions could

Mount Hood Coordination Plan

evolve so as to indicate progress towards hazardous volcanic activity, leading to issuance of a "Volcano Advisory" or "Volcano Alert", or (3) conditions could remain at this condition for months or years.

Volcano Advisory (hazardous volcanic event is likely but no necessarily imminent)

This alert level is declared when monitoring and evaluation by USGS-CVO indicate that processes are underway that could culminate in hazardous volcanic activity but the evidence does not indicate that a life- or property-threatening event is imminent. This alert level is used to emphasize heightened potential hazard. Among the possible outcomes are: (1) precursory activity could wane, leading to cancellation of the "Volcano Advisory," (2) conditions could evolve so as to indicate that a life- or property-threatening volcanic or hydrologic event is imminent or underway, leading to issuance of a "Volcano Alert", or (3) conditions could remain at this condition for months or years. "Volcano Advisory" statements, supplemented as appropriate by "Updated Volcano Advisory" statements will clarify as fully as possible USGS' understanding of the hazard implications.

Volcano Alert (hazardous volcanic event appears imminent or is underway)

This alert level is declared by USGS-CVO when monitoring and evaluation indicate that precursory events have escalated to the point where a volcanic or hydrologic event threatening life or property appears imminent or is underway. Depending on further developments, a "Volcano Alert" will be maintained, updated, downgraded to a "Volcano Advisory" or canceled. The "Volcano Alert" statement will indicate, in as much detail as possible, the time window, place, and expected impact of an anticipated hazardous event. "Updated Volcano Alert" statements" will amplify hazardous information as dictated by evolving conditions.

NOTE: Alert-levels are not always followed sequentially. Updates may be issued to supplement any alert-level statement(s).

Notification of Ash Hazard to Aircraft

Tephra plumes from volcanic eruptions can travel hundreds to thousands of miles from their source. Even when the concentration of ash is so low that it is of little interest or concern to populations on the ground, it can severely affect aircraft, especially large commercial jet aircraft. The USGS will issue to FAA, NOAA, and other appropriate agencies, separate notice about anticipated or existing atmospheric-ash hazards. Those notices will be given in terms of a color code:

- Green – Volcano is quiet, no eruption is anticipated
- Yellow – Volcano is restless; eruption is possible but not known to be imminent
- Orange – Small explosive eruption(s) either imminent or occurring; tephra plume(s) not expected to reach 25,000 feet (7600 meters) above sea level

Mount Hood Coordination Plan

- Red – Major explosive eruption imminent or occurring; large tephra plumes expected to reach at least 25,000 feet (7,600 meters) above sea level

ORGANIZATION AND RESPONSIBILITIES

MOUNT HOOD FACILITATING COMMITTEE (FAC)

The FAC has been established to maintain preparedness during times of volcanic quiescence and to review plan implementation after an incident has ended. It is composed of members from each jurisdiction with statutory responsibility for emergency response (Table 1). Additional agencies (Associate Members in Table 1) may also attend meetings of the FAC. The FAC may be called together by any member who identifies a need for coordinated discussions. The FAC will be responsible for maintaining the plan, including exercises, as needed. Oregon Emergency Management has the responsibility to assemble the FAC for an annual review of this plan. Although agencies represented on the FAC will be involved in management of volcanic incidents on Mount Hood, the FAC itself does not have a response role. Onset of volcanic activity will trigger FAC notification and a conference call among members. If the FAC determines that an Incident Command organization needs to be established, that recommendation will be made to the USFS Supervisor and Oregon OEM. The determination to activate an Incident Command organization for a volcanic incident at Mount Hood will terminate FAC activities per se until after-action activities at the close of the response phase.

Table 1. FAC Membership

Members shall include	Associate Members may include
Clackamas County Emergency Management Multnomah County Division of Emergency Management Hood River County Department of Emergency Management Wasco County Emergency Management Confederated Tribes of Warm Springs City of Portland Oregon Emergency Management Washington Emergency Management Division Clark Regional Emergency Services Agency Oregon Department of Geology and Mineral Industries U.S. Geological Survey U.S Forest Service FEMA Region X	Oregon Department of Transportation Other concerned jurisdictions, agencies and/or organizations

INTERAGENCY ORGANIZATIONS

The overriding principle in a volcanic emergency is that preservation of human life takes precedence over protection of property. Federal, State and/or local jurisdictional authorities may protect life and property by, among other actions, closing high-risk areas to public access, or evacuating local residents from hazard zones.

Mount Hood Coordination Plan

During a response, each agency and organization will provide resources and administrative support, and will conduct operations within an Incident Command System (ICS) structure. Interagency operations will be conducted under a Unified Command structure. County emergency management agencies, Oregon Emergency Management (OEM), and the US Department of Homeland Security's (DHS) Federal Emergency Management Agency (FEMA) have primary responsibilities for coordinating local, regional, State and Federal responses, respectively. In Washington State, the Emergency Management Division (EMD) coordinates the response for that state in a similar manner. The responsibilities of local, State and Federal agencies are summarized in Table 2. The authorities under which these agencies operate are described in Appendix C.

Table 2. Responsibilities and contact information for members of the Mount Hood FAC

Jurisdiction and Responsibilities	Contact Information (phone)
<p>LOCAL GOVERNMENT Local jurisdictions are responsible for the overall direction and control of emergency activities undertaken within their jurisdictions. Each County may activate their emergency operations center.</p>	<p>Clackamas County 503-655-8378 Multnomah County 503-793-3305 Hood River County 541-386-2098 Wasco County 541-296-6424 Confederated Tribes of Warm Springs 541-553-1634 City of Portland 503-823-4375 Clark Regional Emergency Services Agency 360-737-1911</p>
<p>STATE GOVERNMENT The Governor, the Governor's cabinet, composed of Directors of State agencies or their representatives, and staff from the State Emergency Management Agency, are responsible for the conduct of emergency functions and will exercise overall direction and control of state government operations</p>	<p>Oregon Emergency Management Emergency Coordination Center (ECC) Salem 503-378-2911 Oregon Department of Geology and Mineral Industries (DOGAMI) Portland, OR 503-731-4100 x-232 Washington Emergency Management Division Emergency Operations Center (EOC) Camp Murray 253-512-7000</p>
<p>FEDERAL GOVERNMENT The Federal Emergency Management Agency (FEMA; part of DHS) is responsible for federal agency coordination and operations of the Regional Operations Center (ROC) The U.S. Geological Survey (USGS) will conduct field operations and monitoring, and provide information regarding the status of the volcano. The USGS may locate with the USFS in Sandy or with an appropriate county. The U.S. Forest Service (USFS), Mount Hood National Forest, is responsible for management of lands within the Mount Hood National Forest.</p>	<p>FEMA Region 10, Bothell, WA 425-487-4600 U.S. Geological Survey Cascades Volcano Observatory, Vancouver, WA, 360-993-8900 U.S. Forest Service Mount Hood National Forest, Sandy, OR 503-668-1700</p>

INCIDENT MANAGEMENT

Incident Command System

A volcano-related incident demands coordinated response. The Incident Command System (ICS) shall be used to establish incident goals, priorities, and strategies, to coordinate incident resource management, and to provide incident support for eruptions, lahars, or other significant volcanic events. The Incident Commander will provide initial strategic guidance and decisions on emergency needs until a Unified Command organization can be established (see next section). S/he has ultimate responsibility for management of assigned resources to effectively accomplish stated objectives and strategies pertaining to a volcanic event at Mount Hood. The Incident Commander initially will report directly to the Forest Supervisor. The Incident Commander should have key positions filled as soon as possible to meet known and projected incident needs.

Unified Command

Unified Command is a multi-agency expansion of the Command function of ICS, allowing principal agencies with geographic, functional, and/or statutory responsibility to establish common incident strategy, objectives, and priorities. This process does not remove agency authority, responsibility, or accountability. As any volcanic event requiring activation of an ICS organization will involve multiple agencies, jurisdictions, and potential incident management complexities, a Unified Command organization shall be established as soon as possible.

For a volcanic incident at Mount Hood, Unified Command will likely comprise USGS, USFS, FEMA, affected local jurisdictions (i.e., one or more among Clackamas, Hood River, Multnomah, Wasco, Clark and Skamania Counties, possibly cities as well), and the Confederated Tribes of Warm Springs. The Unified Command Incident Command Post (ICP) is planned to be based out of the USFS Sandy facility due to the likelihood of volcanic activity occurring on the west/south sides of the peak. If the volcanic activity is on other flanks of the peak, alternate locations will likely be identified.

AGENCY RESPONSIBILITIES

Local Divisions or Departments of Emergency Management

Information about the status of a volcano would normally be transmitted from the USGS through OEM to county Emergency Management agencies (DEM's). The DEM's would then relay the information to local jurisdictions and agencies. As needed, the county DEM's would:

- a) Implement Emergency Operations Plans, maintain and activate Emergency Operations Centers (EOC).
- b) Provide local public warnings and information.
- c) Activate the Emergency Alert System (EAS).
- d) Assist Incident Commander(s).
- e) Participate in establishing a unified command structure.
- f) Support a regional coordination center.
- g) Provide Public Information Officer(s) (PIOs) for a Joint Information Center (JIC.)
- h) Assist the USGS in establishing a temporary Volcano Observatory.
- i) Provide for the welfare of citizens affected by a volcanic event.

Mount Hood Coordination Plan

- j) Initiate and coordinate local declarations of emergency or requests for assistance from mutual aid partners, state and/or federal resources.
- k) Implement response and recovery plans in their jurisdiction.
- l) Provide information and training on volcano-hazard response to emergency workers and the public.
- m) Assess volcanic risks as part of a comprehensive Hazard Identification and Vulnerability Analysis.

State Emergency Management: OEM and EMD

Oregon Emergency Management (OEM), through its 24-hour Oregon Emergency Response System (OERS), is responsible for providing alert and warning to local jurisdictions within the state. Additionally, OEM/OERS will notify specific state and federal agencies that have a response role during a volcanic event. OEM would then work with other entities in order to coordinate resources to support local and state agency response. The Washington Emergency Management Division (EMD) has similar responsibilities and resources for Washington State.

OEM's and EMD's responsibilities in support of this plan include:

- a) Coordinating the acquisition and distribution of resources to support response.
- b) Developing plans and procedures.
- c) Acting as the central point of contact for local government requests for specific State and Federal disaster related assets and services.
- d) Activating and staffing the State Emergency Coordination Center (ECC) /Emergency Operations Center (EOC).
- e) Supporting EAS activations by local jurisdictions as necessary by serving as a backup activation point.
- f) Support DOGAMI public information efforts.
- g) Coordinate with the Federal government on supplemental disaster assistance necessary to preserve life and property, and on recovery assistance.
- h) Activating, if necessary, the Emergency Management Assistance Compact (EMAC) for interstate assistance.
- i) Deploying County Liaison Officers to affected jurisdictions.
- j) Calling the yearly meeting of the FAC to review and update this plan.

United States Geological Survey

The Disaster Relief Act of 1974 (PL 93-288) assigns to the U. S. Geological Survey (USGS) the responsibility of providing timely warnings of volcanic eruptions and related activity. This responsibility is achieved by monitoring active and potentially active volcanoes, assessing their hazards, responding to crises, and conducting research on how volcanoes work. More specifically, these activities include:

- a) Issuing timely warnings of potential geologic hazards to responsible emergency management authorities and to the populace affected via the media and the CVO web site.
- b) Monitoring volcanic unrest, tracking its development, forecasting eruptions, and evaluating the likely hazards.
- c) Deploying staff and monitoring equipment during times of volcanic activity.

Mount Hood Coordination Plan

- d) Establishing a temporary volcano observatory located so as to provide ready access to the volcano for the USGS hazard-assessment team and ready access to the hazard-assessment team for technical assistance to the emergency managers. (See Appendix D for temporary volcano observatory requirements.)

United States Forest Service

The U.S. Forest Service (USFS) manages public lands on and around Mount Hood. Authorities include land management responsibilities related to use, management and protection of these lands. Roles and responsibilities during a disaster or emergency include protection of life, property and natural forest resources on USFS-managed lands. Control of access and use of national forest lands is regulated by the USFS in coordination with adjoining landowners and agencies. USFS responsibilities include:

- a) Restrict access to hazard areas within the Mount Hood National Forest
- b) Employee and National Forest visitor safety
- c) Coordinate with Oregon Department of Transportation (ODOT) on road closures
- d) Sandy facility for USGS and staff
- e) PIO support
- f) Other activities necessary based on volcanic conditions

Federal Emergency Management Agency

The Federal Emergency Management Agency (FEMA) roles and responsibilities during a disaster are governed by the Robert T. Stafford Disaster Assistance and Emergency Relief Act, as amended, 42 USC 5121, et seq., and the Federal Response Plan (FRP) of Public Law 93-288, as amended. The primary disaster relief responsibility of FEMA is to coordinate and deliver assistance and support to state and local governments when requested. This is typically through the Governor as a Request for a Presidential Disaster Declaration. A volcanic eruption would be handled in much the same way as any other natural disaster. FEMA's responsibilities include:

- a) Monitoring situations with the potential for widespread impacts.
- b) Coordinating Federal level emergency planning, management, mitigation and assistance functions of Federal agencies in support of State and local efforts.
- c) Providing and maintaining the Federal and State National Warning System (NAWAS).
- d) Providing liaison staff to the Unified Command organization and the State ECC.
- e) Following a Presidential Disaster Declaration:
 - 1. Establishing a Disaster Field Office.
 - 2. Coordinating public information activities for all federal agencies and disseminating releases to the news media.
 - 3. Coordinating state requests for Federal or military assistance.
 - 4. Coordinating Federal Assistance operations and programs.

How to cope--Logistical problems during volcanic crises

Volcanic crises pose problems to communities that may not exist during other types of catastrophes. Below are two problems that are inherent in volcanic crises. Appendix F. lists some publications describing case studies.

Uncertainty: Once a volcano shows signs of life, it is not clear whether or when it could produce a major hazardous eruption. In 1975, Mount Baker, Washington, increased the steam output from its summit crater for a few months, and then subsided with no indication of magma movement. Popocatepetl Volcano near Mexico City has periodically threatened nearby communities since 1993, causing nearby villagers to evacuate more than once, only to return after large eruptions fail to take place. At St. Pierre in Martinique (French West Indies), local authorities in 1902 opted not to evacuate in spite of four months of seismicity and steam explosions at Mont Pelee, five miles to the north. On May 8, a major eruption produced a pyroclastic flow that destroyed the town and killed 29,000 residents. In 1982, in response to earthquake swarms and uplift at Long Valley, California, the USGS issued a notice of potential volcanic hazard. Activity subsided and the USGS was branded the "U.S. Guessing Society" by local residents. Authorities in these circumstances are generally in a "no-win" situation. Their best hope of maintaining public trust is to convey the uncertainty inherent in volcanic crises, and to maintain extremely close and open relations with community leaders.

Controlling access: During the crisis at Mount St. Helens in March and April, 1980, volcano-watchers would bypass road blocks to view the volcano, stage illegal climbs to the summit, even land helicopters at the summit to film advertisements. The difficulty in controlling access to the mountain was compounded by the checkerboard pattern of public and private land ownership, and the network of logging roads. Unlike at Mount St. Helens, access control around Mount Hood would necessitate traffic restriction on major regional thoroughfares, US Hwy 26 and OR 35.

CONCEPT OF OPERATIONS

This plan is based on the premise that each agency with responsibility for preparedness, response or recovery activities has, or will develop, an operations plan or Standard Operating Guidelines that cover its organization and emergency operations. Since Mount Hood is located within the Mount Hood National Forest, under the management of the USFS, the Forest Supervisor for the Mount Hood National Forest is the official responsible for managing the lands surrounding Mount Hood, including during times of emergency. The USFS practices coordinated management of incidents with surrounding landowners and expects to do so in a volcanic event as well consistent with the Unified Command discussion above. This plan establishes a mechanism for coordination of each agency's efforts.

The Concept of Operations can be defined with respect to the three phases of volcanic activity: (1) *preparedness* (2) *response* and (3) *recovery*.

PREPAREDNESS PHASE (*When volcanoes are in repose*)

Members of the FAC shall prepare emergency plans and programs to ensure continuous readiness and response capabilities. The FAC shall meet yearly to:

1. Coordinate, write, revise, and exercise this plan
2. Develop and evaluate alert and warning capabilities for the volcanic hazard risk areas
3. Review public education and awareness requirements and implement an outreach program on volcano hazards.

RESPONSE PHASE

Members of the FAC shall:

1. Confer whenever any member deems it necessary.
2. Share information on the current activity of Mount Hood and coordinate data relating to hazard assessment, evaluation and analysis.
3. Coordinate any needed public information and/or establish a JIC for this purpose.
4. Assess the need for an ICS organization and activate one as necessary.

Upon activation, members of the Unified Command team shall:

1. Facilitate accurate and timely collection and exchange of regional incident information.
2. Coordinate regional objectives, priorities and resources.
3. Analyze and anticipate future agency/regional resource needs.
4. Coordinate regional information through a JIC.
5. Communicate decisions to jurisdictions/agencies.
6. Review need for other agency involvement in the command team.
7. Provide necessary liaison with out-of-region facilities and agencies as appropriate.
8. Designate regional mobilization centers as needed.
9. Coordinate damage assessment and evaluation
 - a. Evaluate disaster magnitude and local disaster assistance and recovery needs.
 - b. Obtain detailed data on casualties, property damage and resource status.

RECOVERY PHASE

When hazardous geologic activity has subsided to a point where reconstruction and restoration activities may be initiated, even if the mountain is still in an eruptive state and response activities continue, recovery efforts may be initiated and carried out. In addition to the functions previously noted, the Unified Command team shall:

1. Coordinate recovery and reconstruction efforts.
2. Assist Incident Commander(s) in demobilization.
3. Continue to coordinate the collection and dissemination of disaster information including informing the public about hazardous conditions, health, sanitation, and welfare problems, recovery services and the need for volunteers.
4. Determine when to terminate Unified Command operations.

The FAC shall:

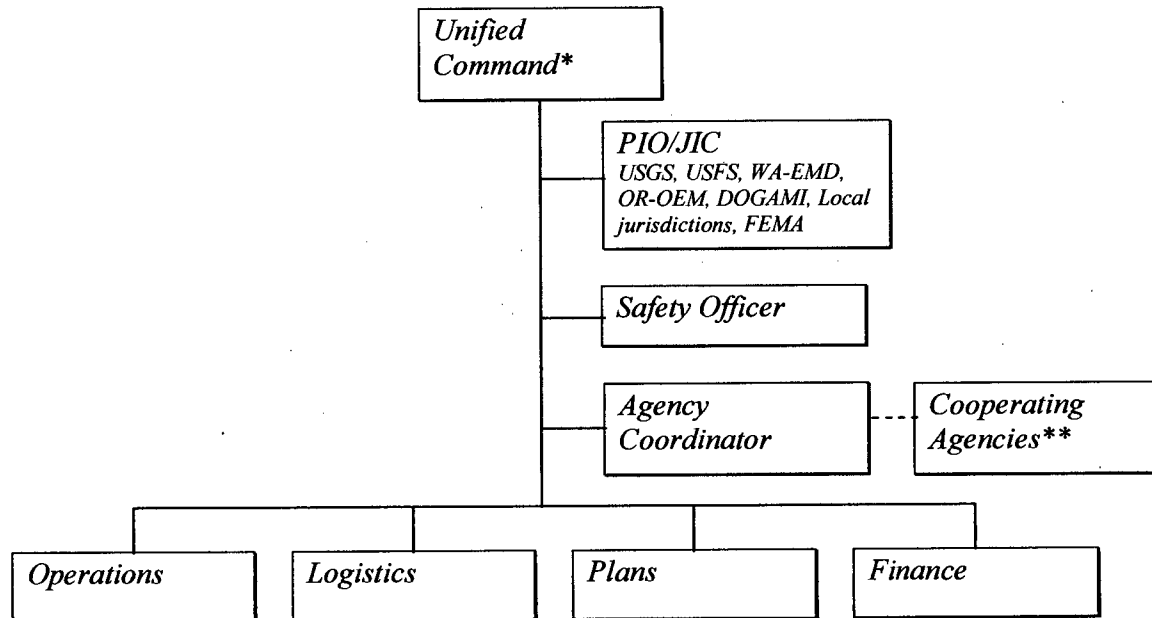
1. Conduct an After Action Review of the event and make changes to this plan as necessary.

NOTIFICATION LIST FOR MOUNT HOOD EVENTS

- **USGS**
 - USFS
 - Oregon ECC
 - Federal Aviation Administration (FAA) Seattle and Portland Offices
 - Washington EOC
- **USFS**
 - Internal Notifications (Special Agent, Unit Managers)
 - Northwest Interagency Coordination Center (NWCC)
 - Confederated Tribes of Warm Springs
 - National Weather Service (NWS) Portland
 - US Coast Guard
 - US Army Corps of Engineers (Portland District)
 - Bonneville Power Administration (BPA)
 - Others as appropriate
- **State EOCs**
 - State agencies
 - Counties
 - FEMA Region 10
 - Neighboring states
 - Others as appropriate
- **County EOCs**
 - Internal agencies as appropriate
 - Cities
 - Others as appropriate
- **Joint Information Center (JIC)**
 - Media (following coordination among the FAC members)
 - Others as appropriate

Mount Hood Coordination Plan

Organizational Chart: Volcano Incident at Mount Hood



* Unified Command: USGS, USFS, FEMA, impacted local jurisdiction (e.g., Clackamas/Hood River/Multnomah/Wasco/Clark/Skamania Counties), Confederated Tribes of Warm Springs.

**Cooperating Agencies: FAA (Seattle, Portland), NWS (Portland), U.S. Army Corps of Engineers, U.S. Coast Guard (Portland), Northwest Coordination Center (NWCC), ODOT/WSDOT, DOGAMI, OSP/WSP, OR-OEM, WA-EMD and local jurisdictions. Other entities could be included depending on the circumstances of the incident.

ORGANIZATION AND RESPONSIBILITIES ACCORDING TO LEVELS OF UNREST

Following are the detailed responsibilities and tasks of jurisdictions and agencies at the various volcano alert levels.

A. FOLLOWING A NOTICE OF VOLCANIC UNREST:

1. Local jurisdictions and agencies:

- Convene the FAC
- Review plans and procedures for response to the volcanic hazard threat.
- Designate staff that will be responsible for filling positions in the local ICS and/or Unified Command Structure as requested, including a JIC.
- Provide orientation sessions on current plans and organizational structure.
- Update call-up procedures and listings for response staff.
- Conduct briefings as needed.

Mount Hood Coordination Plan

2. Oregon OEM and Washington EMD

- Convene the FAC
- Review internal plans and procedures
- Implement notifications.
- Provide technical assistance to local jurisdictions.
- Coordinate with Emergency Support Function agencies that may be called upon to provide assistance.
- Coordinate mutual aid agreements with neighboring states.
- Evaluate the need for assistance from additional agencies.
- Evaluate resource requirements.
- Issue advisories and state-level policies in consultation with the FAC.
- Conduct hazard specific training.
- Conduct briefings as necessary.

3. USGS

- Convene the FAC.
- Monitor the status of the volcano and determine the need for additional instrumentation and/or other resources.
- Issue alert-level notifications and updates.
- Consider establishing a temporary field observatory.
- Conduct briefings as necessary.

4. USFS

- Convene the FAC
- Provide public education
- Evaluate need for access control and implement as needed.
- Evaluate the need for air space controls and implement as needed.
- Authorize placement of additional instrumentation as needed.

5. FAC

- Discuss and evaluate developing events and information.
- Review this plan.
- Disseminate public information.
- Consider recommending the USFS implement an Incident Command System organization.

B. FOLLOWING A VOLCANO ADVISORY (during a period of increased volcanic unrest):

1. Local jurisdictions and agencies:

- Establish local Incident Command and consider the possible need for Unified Command with other jurisdictions.
- Conduct surveys on resource availability and reaffirm prior commitments.
- Test communications systems and assess communications needs.

Mount Hood Coordination Plan

- Begin procurement of needed resources.
- Assign PIO's to the JIC as needed.
- Provide briefings and direction to all response personnel.
- Request all assigned personnel to stand by for orders to activate the jurisdiction's emergency plan.
- Coordinate support requirements for USGS Field Observatory.
- Take readiness and precautionary actions to compress response time and to safeguard lives, equipment and supplies.

2. Oregon OEM and Washington EMD

- Implement plans for state level communications support for the affected area.
- Coordinate joint public education programs.
- Increase, as needed, the staffing at the ECC.
- Establish a Joint Information Center (JIC) and support local government with PIO information
- Ensure state agencies are alerted to potential problems and review their operational responsibilities.
- Assign liaison(s) to local Incident Command and/or Unified Command organization upon request.

3. USGS

- Establish field observatory if not already established.

4. USFS

- Provide space for the Unified Command structure.
- Identify staff to support Unified Command structure.

5. FAC

- Consider recommending USFS implement an Incident Command System organization if not already established.
- Consider requesting the participation of the Mobilization Incident Commander (MIC) of the Incident Management Team (IMT).

C. FOLLOWING A VOLCANO ALERT (during a period of significant volcanic unrest or following a notice that an eruption is imminent or occurring):

1. Local jurisdictions and agencies:

- Fully mobilize all assigned personnel and activate all or part of the Mount Hood Coordination Plan.
- Activate Comprehensive Emergency Management Plans.
- Continually broadcast emergency public information.
- Direct and control emergency response activities in each jurisdiction in accordance with ICS procedures.
- Ensure Incident Command Post (ICP) is adequately staffed and equipped.
- Consider requesting state mobilization and possible activation of an IMT.

Mount Hood Coordination Plan

2. Oregon OEM and Washington EMD

- Activate the State of Oregon Emergency Management Plan (Volume II Emergency Operations Plan) and Washington State Comprehensive Emergency Management Plan.
- Coordinate interstate mutual aid.
- Coordinate Federal response.

3. USGS

- Monitor status of volcanic activity in the hazard area.
- Issue alert-level notifications and updates.
- Provide Liaison to the Unified Command Structure to provide on-going information and advice.

4. USFS

Implement plans to participate directly in the following coordinated response operations within the affected areas:

- Fire
- Evacuation
- Security
- Access Control
- Search and Rescue
- Alert and Notification
- Provide personnel for Unified Command Structure
- Support operations, logistics and planning functions with personnel and resources.

5. FEMA

- Activate the Federal Response Plan.
- Administer disaster relief programs following declaration of Emergency or Major Disaster by the President.
- Coordinate Federal response efforts.

6. Federal Aviation Administration (FAA)

- Issue airspace alert warning of restricted or prohibited space.
- Coordinate use of affected airspace by aircraft involved in emergency response.

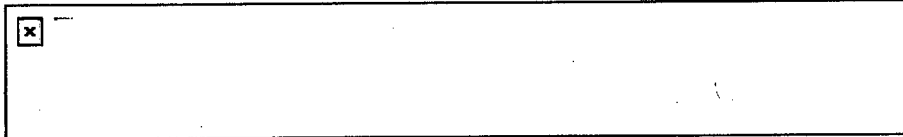
PREPAREDNESS AND EDUCATION

No living person in the Northwest has experienced an eruption of Mount Hood; nor has any local official or scientist yet dealt with significant levels of activity at this volcano. When renewed volcanic activity strikes, it is vital that public officials and citizens alike know what actions to take to protect life and property.

Of great importance is the need for emergency managers, local officials and scientists to be familiar and comfortable with their roles in the event of volcanic unrest. Development of specific plans like this one is only a first step. The plan must be reviewed regularly and revised to meet the changing needs of the region's rapidly growing communities and increased recreation usage. Although a volcanic eruption in the Cascades may be a once-in-a-lifetime event, those individuals charged with public safety must train themselves and their organizations through exercising the plan in order to ensure that coordination will be smooth and seamless.

Residents of northern Oregon and southwestern Washington will be able to receive information provided in partnership by the USGS and government agencies. The goals of this effort will be educating citizens, public officials and businesses on and around Mount Hood of the hazards, vulnerabilities and preparedness steps associated with the volcano.

APPENDIX A U.S. Geological Survey Fact Sheet 002-97



U.S. Geological Survey Fact Sheet 002-97
Online Version 1.1

What Are Volcano Hazards?

U.S. GEOLOGICAL SURVEY—REDUCING THE RISK FROM VOLCANO HAZARDS

What are Volcano Hazards?

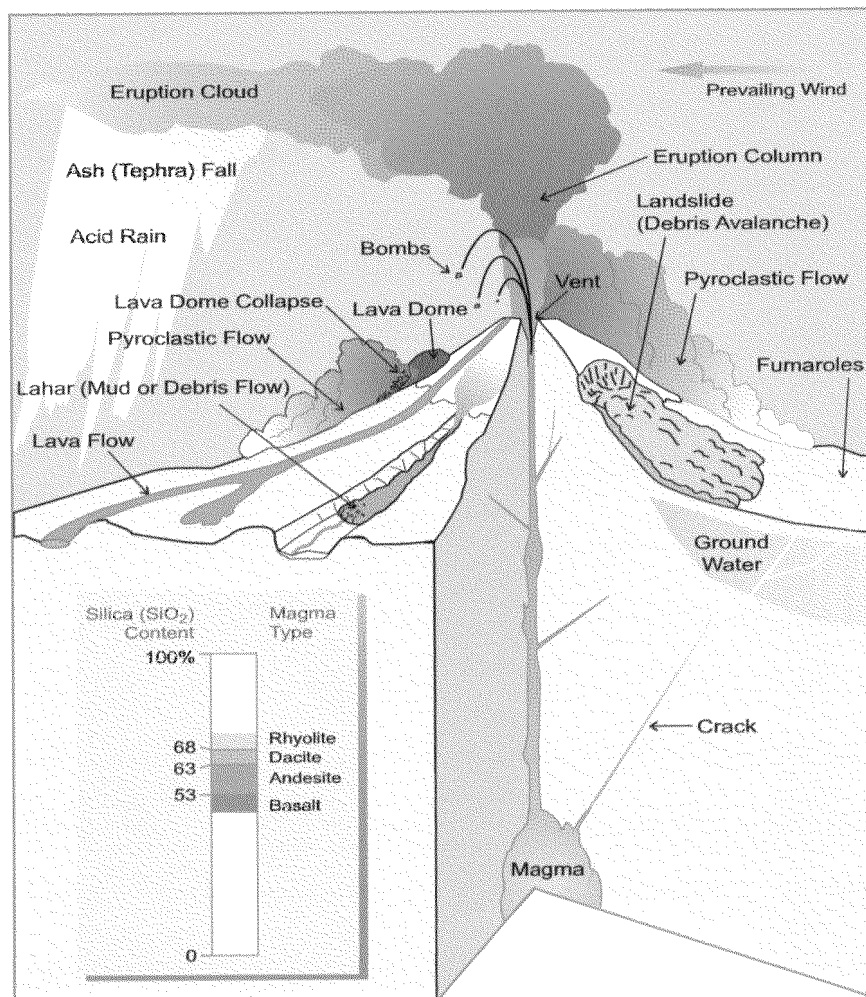
Volcanoes give rise to numerous geologic and hydrologic hazards. U.S. Geological Survey (USGS) scientists are assessing hazards at many of the almost 70 active and potentially active volcanoes in the United States. They are closely monitoring activity at the most dangerous of these volcanoes and are prepared to issue warnings of impending eruptions or other hazardous events.

More than 50 volcanoes in the United States have erupted one or more times in the past 200 years. The most volcanically active regions of the Nation are in Alaska, Hawaii, California, Oregon, and Washington. Volcanoes produce a wide variety of hazards that can kill people and destroy property. Large explosive eruptions can endanger people and property hundreds of miles away and even affect global climate. Some of the volcano hazards described below, such as landslides, can occur even when a volcano is not erupting.

Eruption Columns and Clouds

An explosive eruption blasts solid and molten rock fragments (**tephra**) and volcanic gases into the air with tremendous force. The largest rock fragments (**bombs**) usually fall back to the ground within 2 miles of the **vent**. Small fragments (less than about 0.1 inch across) of volcanic glass, minerals, and rock (**ash**) rise high into the air, forming a huge, billowing **eruption column**.

Eruption columns can grow rapidly and reach more than 12 miles above a volcano in less than 30 minutes, forming an **eruption cloud**. The volcanic ash in the cloud can pose a serious hazard to aviation. During the past 15 years, about 80 commercial jets have been damaged by inadvertently flying into ash clouds, and several have nearly crashed because of engine failure. Large eruption clouds can extend hundreds of miles downwind, resulting in **ash fall** over enormous areas; the wind carries the smallest ash particles the farthest. Ash from the May 18, 1980, eruption of Mount St. Helens, Washington, fell over an area of 22,000 square miles in the Western



Volcanoes produce a wide variety of natural hazards that can kill people and destroy property. This simplified sketch shows a volcano typical of those found in the Western United States and Alaska, but many of these hazards also pose risks at other volcanoes, such as those in Hawaii. Some hazards, such as lahars and landslides, can occur even when a volcano is not erupting. (Hazards and terms in this diagram are highlighted in bold where they are discussed in the text below.)

United States. Heavy ash fall can collapse buildings, and even minor ash fall can damage crops, electronics, and machinery.

Volcanic Gases

Volcanoes emit gases during eruptions. Even when a volcano is not erupting, **cracks** in the ground allow gases to reach the surface through small openings called **fumaroles**. More than ninety percent of all gas emitted by volcanoes

is water vapor (steam), most of which is heated **ground water** (underground water from rainfall and streams). Other common volcanic gases are carbon dioxide, sulfur dioxide, hydrogen sulfide, hydrogen, and fluorine. Sulfur dioxide gas can react with water droplets in the atmosphere to create **acid rain**, which causes corrosion and harms vegetation. Carbon dioxide is heavier than air and can be trapped in low areas in concentrations that are deadly to

people and animals. Fluorine, which in high concentrations is toxic, can be adsorbed onto volcanic ash particles that later fall to the ground. The fluorine on the particles can poison livestock grazing on ash-coated grass and also contaminate domestic water supplies.

Cataclysmic eruptions, such as the June 15, 1991, eruption of Mount Pinatubo (Philippines), inject huge amounts of sulfur dioxide gas into the stratosphere, where it combines with water to form an aerosol (mist) of sulfuric acid. By reflecting solar radiation, such aerosols can lower the Earth's average surface temperature for extended periods of time by several degrees Fahrenheit (°F). These sulfuric acid aerosols also contribute to the destruction of the ozone layer by altering chlorine and nitrogen compounds in the upper atmosphere.

Lava Flows and Domes

Molten rock (**magma**) that pours or oozes onto the Earth's surface is called lava and forms **lava flows**. The higher a lava's content of **silica** (silicon dioxide, SiO₂), the less easily it flows. For example, low-silica **basalt** lava can form fast-moving (10 to 30 miles per hour) streams or can spread out in broad thin sheets up to several miles wide. Since 1983, Kilauea Volcano on the Island of Hawaii has erupted basalt lava flows that have destroyed nearly 200 houses and severed the nearby coastal highway.

In contrast, flows of higher-silica **andesite** and **dacite** lava tend to be thick and sluggish, traveling only short distances from a vent. Dacite and **rhyolite** lavas often squeeze out of a vent to form irregular mounds called **lava domes**. Between 1980 and 1986, a dacite lava dome at Mount St. Helens grew to about 1,000 feet high and 3,500 feet across.

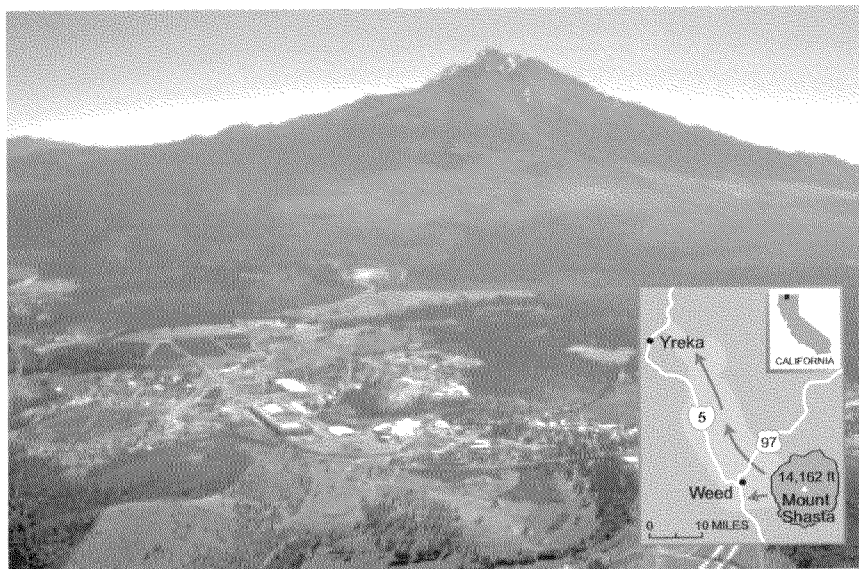
Pyroclastic Flows

High-speed avalanches of hot ash, rock fragments, and gas can move down the sides of a volcano during explosive eruptions or when the steep side of a growing **lava dome collapses** and breaks apart. These **pyroclastic flows** can be as hot as 1,500°F and move at speeds of 100 to 150 miles per hour. Such flows tend to follow valleys and are capable of knocking down and burning everything in their paths. Lower-density pyroclastic flows, called **pyroclastic surges**, can easily overflow ridges hundreds of feet high.

The climactic eruption of Mount St. Helens on May 18, 1980, generated a series of explosions that formed a huge pyroclastic surge. This so-called "lateral blast" destroyed an area of 230 square miles. Trees 6 feet in diameter were mowed down like blades of grass as far as 15 miles from the volcano.

Volcano Landslides

A **landslide** or **debris avalanche** is a rapid downhill movement of rocky material, snow,



The town of Weed, California, nestled below 14,162-foot-high Mount Shasta, is built on a huge debris avalanche that roared down the slopes of this volcano about 300,000 years ago. This ancient landslide (brown on inset map; arrows indicate flow directions) traveled more than 30 miles from the volcano's peak, inundating an area of about 260 square miles. The upper part of Mount Shasta volcano (above 6,000 feet) is shown in dark green on the map.

and (or) ice. Volcano landslides range in size from small movements of loose debris on the surface of a volcano to massive collapses of the entire summit or sides of a volcano. Steep volcanoes are susceptible to landslides because they are built up partly of layers of loose volcanic rock fragments. Some rocks on volcanoes have also been altered to soft, slippery clay minerals by circulating hot, acidic ground water. Landslides on volcano slopes are triggered when eruptions, heavy rainfall, or large earthquakes cause these materials to break free and move downhill.

At least five large landslides have swept down the slopes of Mount Rainier, Washington, during the past 6,000 years. The largest volcano landslide in historical time occurred at the start of the May 18, 1980, Mount St. Helens eruption.

Lahars

Mudflows or **debris flows** composed mostly of volcanic materials on the flanks of a volcano are called **lahars**. These flows of mud, rock, and water can rush down valleys and stream channels at speeds of 20 to 40 miles per hour and can travel more than 50 miles. Some lahars contain so much rock debris (60 to 90% by weight) that they look like fast-moving rivers of wet concrete. Close to their source, these flows are powerful enough to rip up and carry trees, houses, and huge boulders miles downstream. Farther downstream they entomb everything in their path in mud.

Historically, lahars have been one of the deadliest volcano hazards. They can occur both during an eruption and when a volcano is quiet. The water that creates lahars can come from

melting snow and ice (especially water from a glacier melted by a pyroclastic flow or surge), intense rainfall, or the breakout of a summit crater lake. Large lahars are a potential hazard to many communities downstream from glacier-clad volcanoes, such as Mount Rainier.

To help protect lives and property, scientists of the USGS Volcano Hazards Program maintain a close watch on the volcanic regions of the United States, including the Pacific Coast States, Wyoming, Hawaii, and Alaska. This ongoing work enables the USGS to detect the first signs of volcano unrest and to warn the public of impending eruptions and associated hazards.

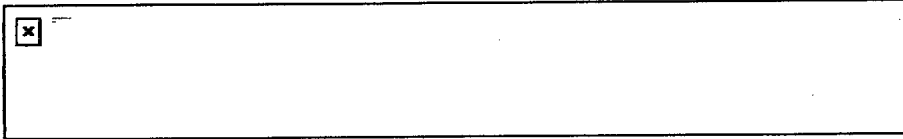
Bobbie Myers, Steven R. Brantley, Peter Stauffer, and James W. Hendley II
Graphic design by
Sara Boore, Bobbie Myers, and Susan Mayfield

COOPERATING ORGANIZATIONS
Alaska Div. of Geological and Geophysical Surveys
Federal Aviation Administration
National Oceanic and Atmospheric Administration
National Park Service
National Weather Service
U.S. Dept. of Agriculture, U.S. Forest Service
University of Alaska
University of Hawaii
University of Utah
University of Washington

For more information contact:
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Cascades Volcano Observatory
5400 Mac Arthur Blvd., Vancouver, WA 98661
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e-mail: cvo@usgs.gov
URL: <http://volcan.wr.usgs.gov/>

**APPENDIX B: Mount Hood—History and Hazards of Oregon's
Most Recently Active Volcano**

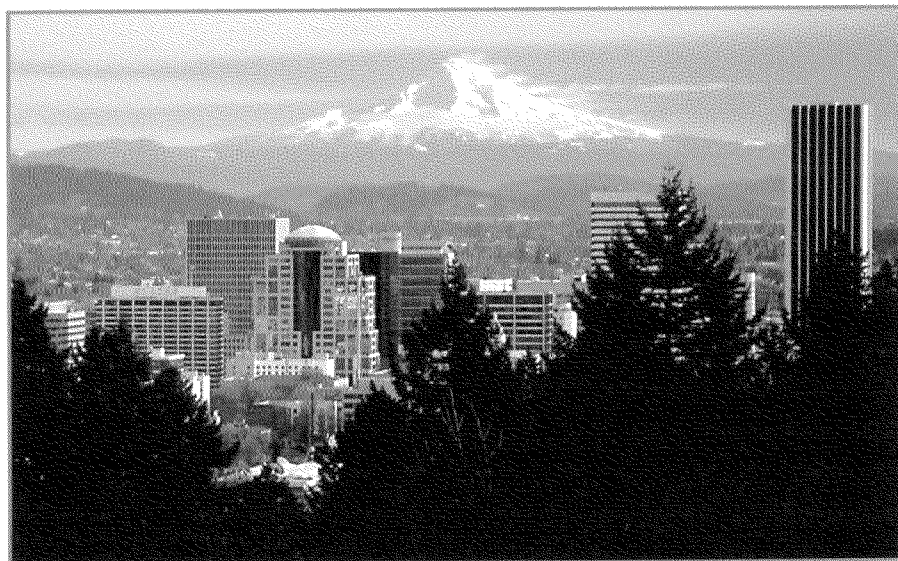
Section 1 Mount Hood Fact Sheet



U.S. Geological Survey Fact Sheet 060-00 Online Version 1.0

Mount Hood—History and Hazards of Oregon's Most Recently Active Volcano

Mount Hood's last major eruption occurred in the 1790's not long before Lewis and Clark's expedition to the Pacific Northwest. In the mid-1800's, local residents reported minor explosive activity, but since that time the volcano has been quiet. Someday, however, Mount Hood will erupt again. What will those eruptions be like and how will they affect us? Scientists from the U.S. Geological Survey (USGS) are studying the volcano's past eruptive behavior to better anticipate and prepare for future eruptive activity.



Mount Hood from Portland, Oregon. When Mount Hood next erupts, Portland could be affected by light ashfalls similar to those it experienced during the 1980 eruptions of Mount St. Helens. The city will not be directly affected by lava flows, pyroclastic flows, or lahars, but regional transportation and water supplies could be disrupted. (Photo by David Wieprecht, USGS)

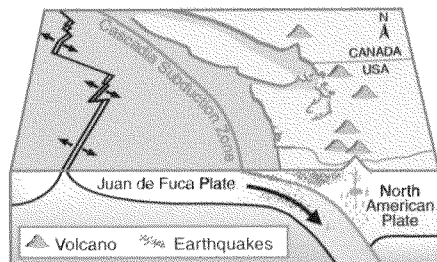
Past Eruptive Behavior

Mount Hood is more than 500,000 years old. The volcano has grown in fits and starts, with decades to centuries of frequent eruptions separated by quiet periods lasting from centuries to more than 10,000 years. In the recent past, Mount Hood has had two significant eruptive periods, one about 1,500 years ago and the other about 200 years ago.

Unlike its neighbor to the north, Mount St. Helens, Mount Hood does not have a history of violent explosive eruptions. Instead, **lava flows** (see inside pages for definitions of bold terms), rarely traveling more than 6 to 8 miles from their source, have built up the flanks of the volcano one sector at a time. Sometimes, instead of flowing slowly downhill, lava piles

up over its vent forming a **lava dome** many hundreds of feet high. On the steep upper slopes of Mount Hood, growing lava domes have repeatedly collapsed to form extremely hot, fast-moving **pyroclastic flows**. Few of these pyroclastic flows have traveled more than 8 miles. But because they are extremely hot, such flows can melt significant quantities of snow and ice to produce **lahars** that flow down river valleys, often far beyond the flanks of the volcano. Over the past 30,000 years, growth and collapse of lava domes and generation of lahars have dominated Mount Hood's eruptive activity.

Throughout Mount Hood's history, rapid landslides, called **debris avalanches**, of various sizes have occurred. The largest ones removed the summit and sizable parts of the volcano's flanks and formed lahars that flowed to the Columbia River. Large debris avalanches occur infrequently and are usually triggered by eruptive activity. But small ones not associated with eruptive activity occur more frequently. Small avalanches can occur when rocks, altered and weakened by acidic volcanic fluids or by weathering, such as freezing and thawing, fail spontaneously.



Subduction of the Juan de Fuca Plate under the North American Plate controls the distribution of earthquakes and volcanoes in the Pacific Northwest. Mount Hood is just one of several recently active, major volcanic centers in the Cascade Range.

Eruptions at Mount Hood During the Past 30,000 Years



Mid-1800's

Small steam and ash explosions



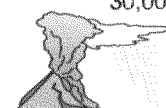
About 200 years ago

Lava dome at Crater Rock; pyroclastic flows, lahars in south and west valleys, and minor tephra falls



About 1,500 years ago

Debris avalanche from upper south flank; lava dome near Crater Rock, pyroclastic flows, lahars in south and west valleys; substantial tephra falls near volcano



30,000 to 15,000 years ago

Multiple episodes of lava dome growth, pyroclastic flows, lahars, and tephra fall; valleys on all flanks affected

Are You at Risk from the Next Eruption of Mount Hood?

Volcano Hazards

Lava Flows and Domes

Lava is molten rock that flows onto the Earth's surface. **Lava flows** move downslope away from a vent and bury or burn everything in their paths. **Lava domes** form when lava piles up over a vent.

Pyroclastic Flows



Pyroclastic flows are high-speed avalanches of hot rock, gas, and ash that are formed by the collapse of lava domes or eruption columns. They can move up to 100 miles per hour and have temperatures to 1500°F. They are lethal, burning, burying, or asphyxiating all in their paths.

Tephra



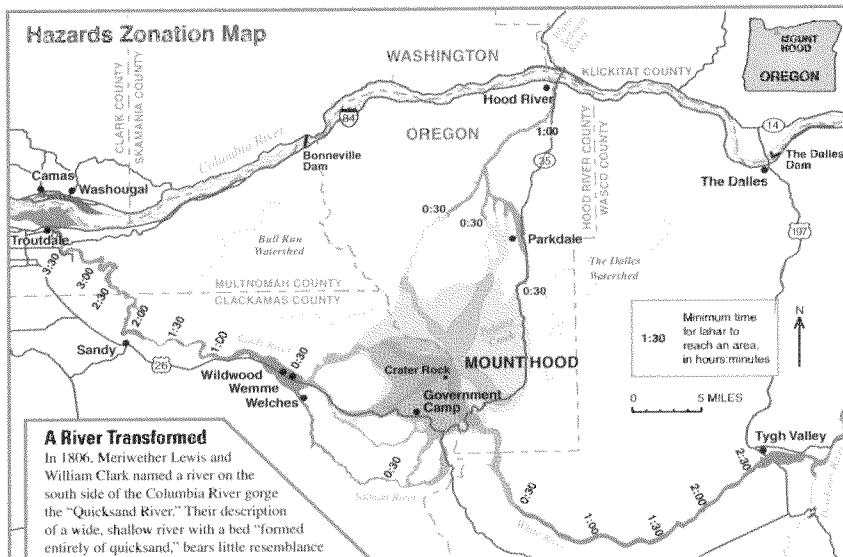
Explosive eruptions blast lava fragments (**tephra**) and gas into the air. Tephra can also be carried aloft in billowing ash clouds above pyroclastic flows. Large fragments fall to the ground close to the volcano, but smaller fragments (**ash**) can travel hundreds to thousands of miles downwind.

Debris Avalanches and Lahars



Debris avalanches are rapid landslides of rock, soil and overlying vegetation, snow, or ice. They can bury or smash objects in their path. All or some portion of debris avalanches can transform into lahars. **Lahars** are fast-moving slurries of rock, mud, and water that move down river valleys. They can bury, move, or smash objects in their path. Lahars form when pyroclastic flows melt snow or ice, or by the transformation of debris avalanches, or by mobilization of loose debris on the flanks of volcanoes.

Hazards Zonation Map



A River Transformed

In 1806, Meriwether Lewis and William Clark named a river on the south side of the Columbia River gorge the "Quicksand River." Their description of a wide, shallow river with a bed "formed entirely of quicksand," bears little resemblance to the narrow, moderately deep river we call today the Sandy River. What happened? The answer lay 50 miles away at Mount Hood. An eruption in the 1790's caused a tremendous amount of volcanic rock and sand to enter the Sandy River drainage. That sediment was still being flushed downstream when Lewis and Clark saw and named the river. Since 1806, the river has removed the excess sediment from its channel. The Toutle River in southwest Washington was similarly affected by the 1980 eruptions of Mount St. Helens. A sediment-retention dam was built in the late 1980's to trap sediment and ease flooding in the lower Toutle River below the dam.

Proximal Hazard Zones (P)
(lava flow, pyroclastic flow, debris avalanche, lahar)

PA PB
Major valleys

Distal Hazard Zones (D)
(lahar)

DA DB
Bank Erosion

Simplified volcano-hazards-zonation map for Mount Hood, Oregon. For more information on hazard zones see text or for a more detailed map and description see Scott and others, 1997, *Volcano Hazards in the Mount Hood Region, Oregon, U.S. Geological Survey Open-File Report 97-89*.

The Next Eruption of Mount Hood

Scientists expect the next eruption to consist of small explosions and the growth and collapse of lava domes, generating pyroclastic flows, ash clouds, and lahars. Lahars pose the greatest hazard because more people live downstream in lahar-prone river valleys than live on the volcano's flanks. Thus, it is important to know where one lives, works, and plays in relation to Mount Hood's hazard zones.

Hazardous Areas

Hazard zones shown on the map were determined on the basis of distance from the volcano, vent location, and type of hazardous events. Proximal hazard zones (P) are areas subject to rapidly moving debris avalanches, pyroclastic flows, and lahars that can reach the hazard boundary in less than 30 minutes, as well as to slow-moving lava flows. Areas within proximal hazard zones should be evacuated before an eruption begins, because there is little time to get people out of harm's way once an eruption starts. Most pyroclastic flows, lava flows, and debris avalanches will stop

within the proximal hazard zone, but lahars can travel much farther.

Distal hazard zones (D) are areas adjacent to rivers that are pathways for lahars. Estimated travel time for lahars to reach these zones is more than 30 minutes, which may allow individuals time to move to higher ground and greater safety if given warning. Shown are inundation areas for lahars of a size similar to lahars that swept through the Sandy River 1,500 year ago. Smaller or larger lahars will affect smaller or larger areas, respectively. Lahars could affect transportation corridors by damaging or destroying bridges and roads. Water from the Bull Run Watershed, vital to Portland, is transported in pipes that cross distal hazard zones along the Sandy River.

Proximal and distal hazard zones are subdivided into zones A and B on the basis of the vent location during the next eruption. During the past two eruptive episodes, the vent was located near Crater Rock. Scientists anticipate that the vent for the next eruption will most likely be in the same area. Thus, areas within hazard zones PA and DA have a higher probability of being affected during the next eruption than do areas within hazard zones PB and DB.



House partly buried by lahars from the 1980 eruption of Mount St. Helens. Note the high mud line on the house and large amounts of woody debris carried by the lahars. (Photo by Lyn Topinka, USGS)

which reflect a vent located on the volcano's west, north, or east flank.

During and after an eruption, large amounts of sediment could be carried by rivers and discharged into the Columbia River. This sediment could narrow the Columbia's channel, forcing it to the north and potentially causing bank erosion along the river's north bank.

Tephra Hazards

Mount Hood does not have a history of large explosive eruptions. Therefore, it is unlikely that communities downwind (typically east of the volcano) will receive tephra accumulations thick enough to collapse roofs. However, even minor amounts of tephra can damage machinery and electronic equipment or make driving hazardous. Ash clouds from small explosions or from pyroclastic flows can reach tens of thousands of feet in altitude, endangering jet aircraft by causing engine failure. Minor amounts of tephra can make breathing difficult for those with respiratory problems, the elderly, and infants. For most residents, however, tephra will be a nuisance and can be mitigated by

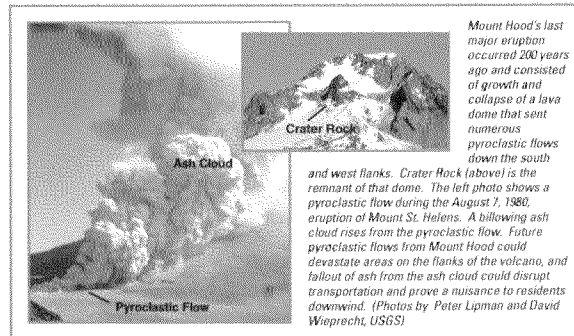
such actions as shutting down and covering equipment, frequently replacing air filters in machinery, wearing dust masks, and avoiding unnecessary travel.

Planning for the Future

Scientists do not know when Mount Hood will erupt again or whether it will erupt in our lifetimes, but, as Mount St. Helens taught us, it is best to be prepared. Scientists continuously monitor Mount Hood for signs of unrest and are in communication with responsible local, State, and Federal agencies. Individuals too can prepare by doing the following:

- **Learn** about the volcano hazards that could affect your community and determine whether you live, work, or go to school in a volcano hazard zone.
- **Plan** what you and your family will do if a hazardous volcanic event occurs.
- **Participate** in helping your community be prepared.

A few moments spent now could help keep the next eruption of Mount Hood from becoming a disaster for you, your family, and your community.



Hazards Can Occur Even Without Eruptive Activity

Lahars are often associated with eruptive activity, but they can also be generated by rapid erosion of loose rock during heavy rains or by sudden outbursts of glacial water. On Christmas Day 1980, an intense rainstorm rapidly melted snow and triggered a small landslide in fragmental debris in upper Polallie Creek. The resulting lahar moved downvalley at 25 to 35 miles per hour. At the mouth of Polallie Creek, the lahar spread out, killing a camper and temporarily damming the East Fork Hood River. Flooding after failure of this temporary dam destroyed 5 miles of highway, three bridges, and a state park—at a cost of at least \$13 million. Small lahars such as this occur every few years at Mount Hood, but few have been as destructive.

Past Catastrophic Events

Two past eruptions at Mount Hood provide perspective on the impact of future large events. Both were associated with eruptive activity that triggered debris avalanches and were accompanied by lava extrusion, pyroclastic flows, and lahars. One represents a truly catastrophic event.

About 100,000 years ago, a large portion of the volcano's north flank and summit collapsed. The resulting debris avalanche transformed into a lahar that swept down the Hood River valley. At the river's mouth, where the town of Hood River now stands, the lahar was 400 feet deep. The lahar crossed the Columbia River and surged up the White Salmon River valley on the Washington side. Since that time lava has filled in the scar left by the debris avalanche.

On the south side of the volcano, the scar from a 1,500-year-old debris avalanche is still visible, forming the amphitheater around Crater Rock. A lahar formed by this event traveled the length of the Sandy River valley,

depositing boulders as large as 8 feet in diameter, 30 feet above present river level where the towns of Wemme and Wildwood now stand. The lahar spread out over the delta at the mouth of the Sandy River and pushed the Columbia River to the north. This event, although large by Mount Hood's standards, was only about one-tenth the size of the 100,000-year-old event.

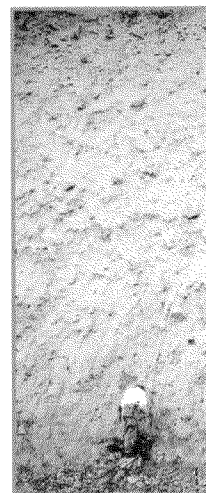
Mount Hood's next eruption is much more likely to be smaller than or similar in size to the 1,500-year-old event. An eruption similar in size to the 100,000-year-old event, although possible, is much less likely.

Mount Hood Today

Today Mount Hood shows no signs of imminent volcanic activity, but hot steam vents, or fumaroles, near Crater Rock attest to heat below. On clear, cold, windless days, a steam plume is often seen rising from the fumaroles. Visitors to Mount Hood frequently smell the "rotten egg" odor of the fumarole gas, whose composition indicates that magma lies a few miles below the summit.

Monitoring for the Next Eruption

Renewed activity at most volcanoes begins with increasing numbers of earthquakes beneath the volcano as magma moves towards the surface. Since 1977 the University of Washington's Geophysics Program and the USGS have continuously monitored earthquakes at Mount Hood. Typically, one to three small earthquake swarms (tens to more than one hundred earthquakes lasting 2 to 5 days) occur every year. What scientists are looking for as a sign of renewed activity is for a swarm to persist, for the number of earthquakes to increase dramatically, or for the depths of earthquakes to become shallower. Such signs of reawakening might also be accompanied by changes in composition or temperature of fumarole gases, or by deformation of the volcano's flanks.



Geologist examining 100,000-year-old lahar deposit exposed along Underwood Hill Road, near the mouth of the White Salmon River in Washington. The lahar, derived from a large debris avalanche off the north side of Mount Hood, flowed down the Hood River, crossed the Columbia River, and traveled several miles up the White Salmon River before stopping. Here, the deposit is about 40 feet thick and about 300 feet above present river level. (Photo by William Scott, USGS)

Scientists can generally detect when a volcano becomes "restless," thereby providing some warning to officials and the public. But they cannot say precisely when an eruption will begin, how big it will be, or how long it will last. Thus, we will all have to confront many uncertainties when Mount Hood reawakens. Recent eruptions around the world reveal that lava-dome eruptions, like those typical of Mount Hood, can begin after weeks to months of restlessness, last for time periods of months to years, and generate tens to hundreds of pyroclastic flows and lahars of varying size. Unfortunately, the end of an eruption doesn't always mean the end of eruption-related problems. New deposits of rock debris on the volcano's slopes and in river valleys can be reworked to form lahars for many years after an eruption ends.

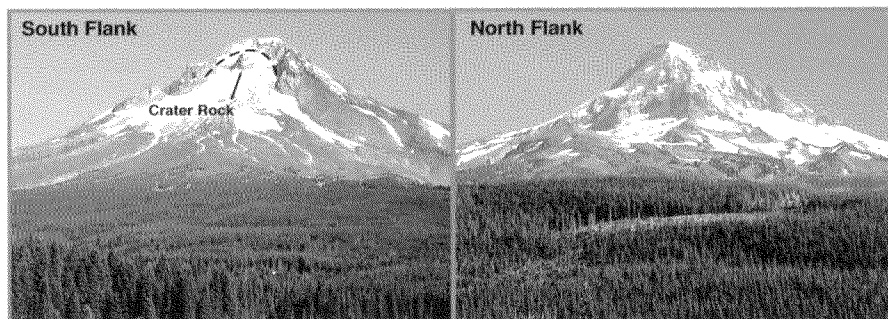
Cynthia A. Gardner, William E. Scott, Jon J. Major, and Thomas C. Pierson

Graphics and Design by

Bobbie Myers, Lisa Faust, and Christine Janda

COOPERATING ORGANIZATIONS

U.S. Department of Agriculture, Forest Service
University of Washington, Geophysics Program



The two faces of Mount Hood. In the photo of the south flank taken from Trillium Lake, the dashed line marks the steep scarp above Crater Rock formed by a landslide 1,500 years ago. Dome growth and collapse from Crater Rock during the last two eruptive episodes (1,500 and 200 years ago) sent numerous pyroclastic flows down the south flank, resulting in the smooth south-facing slope. On the north flank, lack of recent volcanic activity has preserved the deeply carved glacial landscape on this side of the mountain. In its long history, Mount Hood has experienced numerous ice ages, each lasting for thousands of years, when glaciers were more extensive than today. During the last one, which ended about 15,000 years ago, glaciers extended 4 to 5 miles beyond their present limits. (Photos by William Scott, USGS)

For more information contact:
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5400 MacArthur Blvd., Vancouver, WA 98661
Tel: (360) 993-8900, Fax: (360) 993-8980
<http://vulcan.wr.usgs.gov/>
or
USGS Volcano Hazards Program
<http://volcanoes.usgs.gov/>

See also *Volcano Hazards in the Mount Hood Region, Oregon* (USGS Open-File Report 97-89), *At Risk: Volcano Hazards from Mount Hood, Oregon* (USGS Open-File Report 98-492, video), and *What are Volcano Hazards?* (USGS Fact Sheet 002-97)

APPENDIX C: AUTHORITIES

Federal – United States

Public Law 93-288 Robert T. Stafford Disaster Relief and Emergency Assistance
Act of 1974 as amended
Public Law 920 Federal Civil Defense Act of 1950 as amended
Public Law 96-342 The Improved Civil Defense Act of 1980
Public Law 84-99 Flood control and Coastal Emergencies
Federal Response Plan 1999
Flood Control Act of 1950
Department of Transportation Act of 1966
Federal Aviation Administration Act of 1958
Federal Energy Regulation Commission Order 122
USFS Incident Management Team Delegation of Authority Letter

State of Oregon

Oregon Revised Statute Chapter 401
Oregon Administrative Rules Chapter 104
Oregon Emergency Management Plan, Volume II , 2001
Emergency Management Assistance Compact (EMAC)

State of Washington

RCW 38.08 Powers and Duties of the Governor
RCW 38.52 Emergency Management
RCW 38.54 State Fire Service Mobilization
RCW 43.06 Governor's Emergency Powers Act
WAC 118 Emergency Management
WAC 296 Washington Industrial Safety and Health Act
Washington State Comprehensive Emergency Management Plan
Emergency Management Assistance Compact (EMAC)

Local Government

Each of the counties has established authorities governing emergency management and operations.

APPENDIX D: FIELD VOLCANO OBSERVATORY REQUIREMENTS

The following is a rough guide to USGS requirements for a field observatory in, or close to, an established EOC. There is flexibility in these requirements. For example, if necessary, the USGS could set up operations in a temporary structure (e.g., trailer in the parking lot) if government owned or leased office space is not available. The bottom line is: The USGS can probably adapt to most situations, especially for the first few weeks of an incident. If an Incident/Unified Command structure has been established, USGS staff would work with the Logistics Section for facilities, supplies, and other support needed to establish a field observatory.

Space Requirements:

Space requirements can be separated into 5 areas; (1) Roof or tower space for mounting radio communications antennas; (2) an "operations" room that would be the focus of the real-time monitoring activities and coordination of field work; (3) an area where staff could set up desks and computers for data analysis, preparations for field activities, and hold staff meetings; (4) storage space for items such as batteries, spare parts and helicopter sling equipment; and (5) a media area separate from the other work areas.

- 1) *Antennas:* Real-time data from the volcano will be radio-telemetered to our field observatory. We will need space to mount approximately ten (10) yagi antennas, with a minimum of 4 feet separation between antennas. Line-of-sight access to the volcano is necessary as well as being within 100-foot proximity of the Operations room.
- 2) *Operations Room:* Approximately 300 sq. ft of space required. All data are funneled into the Operation room for coordination and display. Voice radios for communication with field crews as well as telephones for both voice and data are necessary in the Operations room. Space requirements should also take into account that it will be available to the media for photo opportunities and backdrops for interviews during slow periods of activity.
- 3) *Staff Office Area:* Approximately 400 sq. ft. of space required. Staff will use this area not only for office functions but also to store limited field supplies, rock samples, equipment, etc. The Staff area should be sufficiently large so as to contain some chairs, desks, tables and still have room to hold a meeting of 15-20 people. Close proximity to Operations Room desirable and phones desirable.
- 4) *Storage Space:* Approximately 300 sq. ft. of space required. A secure area for field equipment, supplies (batteries, concrete mix, water jugs, spare parts, etc.) and materials that is separate from the Operations Room and Staff Office Area. This could be commercial leased space but would need to be in close proximity to Operations.
- 5) *Media Area:* It is anticipated that a suitable media briefing area at the proximal EOC will already be in place. If none exists, the more physically separated from the Operations and Staff offices, the better.

Mount Hood Coordination Plan

Communication requirements:

- Six (6) standard voice phone lines (1 for fax, 2 'hot' lines, 1 for recorded volcano information, and 2 for normal use)
- Two (2) standard lines for data communications. Either dial-up access to the USGS computer network or remote colleagues dialing into the temporary observatory's computer network.

Concurrent with setting up the observatory, USGS will negotiate the installation of a dedicated relatively high-speed data link between the observatory and the nearest Department of Interior facility.

Power requirements:

Observatory equipment does not draw large current loads, but does require reliable power. Approximately 15 computers (approx. 5kW), Doppler radar (1kW), plus radio and other equipment will be supported. If reliable commercial AC power is not available, it will be necessary to obtain an emergency generator and quality uninterruptible power supply(s) (UPS)

Doppler radar:

Doppler radar may be deployed to support operations. It requires a 6' x 6' secure roof area capable of supporting about 300 lbs. Line-of-sight access to the volcano is essential for proper operation of the system. Ideally, the radar would be located within a few hundred feet of the Operations room. The radar requires about 1kw of power.

Parking:

Workers will travel frequently between the volcano, a local heli-pad, motel rooms, etc. Convenient parking for 8-10 vehicles will support efficient operations.

APPENDIX E: GLOSSARY OF ACCRONYMS and ABBREVIATIONS

CVO: Cascades Volcano Observatory

DEM: (local) Department (or Division) of Emergency Management

DFO: (FEMA/State) Disaster Field Office

DoD: Department of Defense

DOGAMI: (Oregon) Department of Geology and Mineral Industries

EAS: Emergency Alert System

ECC: Emergency Coordination Center

EMAC: Emergency Management Assistance Compact

EMD: (Washington) Emergency Management Division

EOC: Emergency Operations Center

ERT: Emergency Response Team

ESF: Emergency Support Function

FAA: Federal Aviation Administration

FAC: (Mount Hood) Facilitating Committee

FEMA: Federal Emergency Management Agency

FRP: Federal Response Plan

HIVA: Hazard Identification Vulnerability Assessment

ICS: Incident Command System

IMT: Incident Management Team

ICP: Incident Command Post

JIC: Joint Information Center

Mount Hood Coordination Plan

NAWAS: (FEMA's) National Warning System

NWCC: NorthWest Coordination Center

NWS: National Weather Service

ODOT: Oregon Department of Transportation

OEM: Oregon Emergency Management

OERS: Oregon Emergency Response System

OSP: Oregon State Police

PIO: Public Information Officer

PNSN: Pacific Northwest Seismograph Network

ROC: (FEMA) Regional Operations Center

SOG: Suggested Operating Guidelines

UPS: Uninterruptible Power Supply

USFS: United States Forest Service

USGS: United States Geological Survey

WSDOT: Washington State Department of Transportation

WSP: Washington State Patrol

APPENDIX F: JOINT INFORMATION CENTER PURPOSE AND STRUCTURE

Coordination of Information Flow

The purpose of the Joint Information Center (JIC) is to coordinate the flow of information about volcanic activity and related response issues among agencies, and to provide a single information source for the media, general public and businesses. The JIC is an element of the Emergency Operations Center(s) (EOC) where the emergency response is being coordinated.

Communications between agencies and to the media/public must be rapid, accurate and effective. A JIC provides a forum for the necessary information exchange. Public information between and from all responding agencies, EOCs, political jurisdictions, and the media is handled through this one center, thereby allowing the coordination of information from all sources, and reducing or eliminating conflicting information and rumors. Temporary and alternate media offices will be identified. All participants will be encouraged to facilitate an efficient flow of information from the JIC.

A JIC may be necessary in one or more of the following circumstances:

- Multiple local, state and/or Federal agencies are involved in an incident.
- The volume of media inquiries overwhelms the capacities of the Public Information Officer(s) (PIOs) within the EOC.
- A large-scale public phone team effort must be mounted over an extended period of time.

When conditions warrant, or when a Volcano Advisory (or Alert) is declared, a JIC will be activated by the FAC or Unified Command. A JIC must have:

- Office space for the PIOs,
- Facilities for communication by phone, fax and email
- Briefing rooms
- Easy access for the media
- Proximity to restaurants or available food service
- Security

Recommended Structure of JIC during Volcanic Incidents

A. Potential Participants:

Oregon Emergency Management
US Geological Survey
US Forest Service
Counties on the FAC
City of Portland
DOGAMI
FEMA
Others as required or conditions dictate

Mount Hood Coordination Plan

B. Operating Assumptions

1. All information will be coordinated among the JIC staff in order to ensure timely and accurate information flow to the public, to quell rumors and to prevent impediments to the response effort.
2. The JIC will operate under the Incident Command System
3. The JIC will adjust its size and scope to match the size and complexity of the incident.
4. State and local agencies may be requested to provide staff for the JIC, including augmentation.
5. The JIC will be established (at least via conference call) prior to the issuance of a second *Information Statement* by USGS on an incident.

APPENDIX G: REFERENCES AND WEB SITES

References:

Mount Hood

U.S. Geological Survey, Mount Hood Fact Sheet (dated ??) (see Appendix B)

On Volcanic Crises and Volcanic Hazards

Blong, R.J., 1984, Volcanic Hazards: New York, Academic Press, 424p.

Foxworthy, B.L., and Hill, M., 1982, Volcanic eruptions of 1980 at Mount St. Helens: The first 100 days. USGS Prof. Paper 1249: Washington, DC, U.S. Government Printing Office.

Harnley, C.D., and Tyckoson, D.A., 1984, Mount St. Helens: An Annotated Bibliography, Scarecrow Press, Inc., Metuchen NJ and London, 248 p.

International Association of Volcanology and Chemistry of the Earth's Interior (IAVCEI), 1995, Understanding Volcanic Hazards [video], Distributed by Northwest Interpretive Association, (360) 274-2127

Mader, G.G., Blair, M.L., and Olson, R.A., 1987, Living with a volcano threat: Response to volcanic hazards, Long Valley, California, William Spangle and Associates, Inc., 105p.

Newhall, C.G., and Punongbayan, eds., 1996, Fire and Mud: eruptions and Lahars of Mount Pinatubo, Philippines, 1126 p.

Tilling, R.I., ed., 1989, Volcanic Hazards. American Geophysical Union Short Course In Geology: Volume 1, American Geophysical Union, Washington, D.C., 123 p.

Web Sites:

American Red Cross	http://www.redcross.org
FEMA	http://www.fema.gov
Clark Regional Emergency Services Agency	http://www.co.clark.wa.us/emergency/index.htm
Clackamas County Emergency Management	http://www.co.clackamas.or.us/emergency/
Confederated Tribes of Warm Springs	http://www.warmsprings.com/
DOGAMI	http://www.oregongeology.com/
Hood River County	http://www.co.hood-river.or.us/
Multnomah County Emer. Mgmt.	http://www.co.multnomah.or.us/dbcs/emergency_mgmt/
Oregon Department of Transport.	http://www.odot.state.or.us/home/
Oregon Emergency Management	http://www.osp.state.or.us/oem/index.htm
City of Portland	http://www.portlandonline.com/
Skamania County Emer. Mgmt.	http://www.emergency-management.org/
USFS-Mount Hood National Forest	http://www.fs.fed.us/r6/mthood/
USGS-Cascades Volcano Observatory (CVO)	http://vulcan.wr.usgs.gov/
Wasco County	http://www.co.wasco.or.us/
Washington Emergency Management Division	http://emd.wa.gov/

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: August 12, 2004

Agenda Item #: R-8

Est. Start Time: 10:45 AM

Date Submitted: 07/14/04

Requested Date: Aug 12, 2004

Time Requested: 15 minutes

Department: Business & Community Services

Division: Finance, Budget and Tax

Contact/s: Dave Boyer

Phone: 988-3903

Ext.: 83903

I/O Address: 503/531

Presenters: Dave Boyer

Agenda Title: First Reading of a Proposed Ordinance Establishing Multnomah County Code Chapter 12, Business Income Tax from MCC §§ 11.500 et seq., Updating and Clarifying Definitions

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

- 1. What action are you requesting from the Board? What is the department/agency recommendation?** Approve the Ordinance amending the Multnomah County Business Income Tax Code 11.500 and to establish the new provisions in MCC Chapter 12.
- 2. Please provide sufficient background information for the Board and the public to understand this issue.** In 1993 the County Business Income Tax and City of Portland License Fee administration was consolidated. Prior to 1993 the County contracted with the State Department of Revenue. The City and the County jointly developed and have retained code conformity. The consolidated program has allowed businesses to follow a single set of procedures and definitions and to file a single reporting form for both the City and the County. This has simplified reporting requirements for businesses and has reduced administrative costs for both the City and the County for the past 10 years.

On July 1, 1998, Multnomah County amended the Multnomah County Business Income Tax Code 11.500. This amendment was part of the entire reformatting of the Multnomah County Code and was not intended to make code changes.

When MCC 11.500 was amended the definition of person was omitted in error and the provisions of the surcharge in 11.500 were also omitted in error.

We are recommending that we include a provision to allow the County Administrator to set up a payment plan for taxpayers. This provision is currently being used under administrative rule and it is our recommendation to put this provision in the code. (12.550)

The final changes we recommend are to add a Table of Contents, make technical wording changes and renumber the sections so that they have similar numbers to the Portland Business License Fee code numbers. We believe these changes will make the County and City code easier for businesses to follow

3. **Explain the fiscal impact (current year and ongoing).** No financial impact to the County or businesses will result from these changes. The technical changes to the code do not change who is taxed, deduction or any other items that impact actual tax liabilities or payments.

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

If a budget modification, explain:

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

4. **Explain any legal and/or policy issues.** Meets the County's legal requirements and is consistent with County policies
5. **Explain any citizen and/or other government participation that has or will take place.** Have worked with the City of Portland to ensure our code is similar to the City of Portland License Bureau.

Required Signatures:

Department/Agency Director:



Date: 07/21/04

Budget Analyst

By:

Date:

Dept/Countywide HR

By:

Date:

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Ordinance Establishing Multnomah County Code Chapter 12, Business Income Tax From MCC §§ 11.500 et seq., Updating And Clarifying Definitions, and Declaring an Emergency

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

The Multnomah County Board of Commissioners Finds:

- a. In 1993, the County Business Income Tax and City of Portland License Fee administration was consolidated. The City and County jointly developed a consolidated program to allow businesses to file a single reporting form for both City and County.
- b. Establishing a separate chapter for the Multnomah County Business Income Tax Law with a numbering system similar to Portland's Business License Fee code will make the County code easier for businesses to follow.
- c. On July 1, 1998, Multnomah County amended the Multnomah County Business Income Tax Law (MCC §§ 11.500 et seq), and the definition of person and the temporary education surcharge on business income tax for 1998 were inadvertently omitted.
- d. It is necessary to add these definitions, update the County BIT code to track with Portland's Business License Fee Code 7.02, and add a provision allowing the County Administrator to set up a payment plan for taxpayers

Multnomah County Ordains as follows:

Section 1. The county Business Income Tax Law (MCC §§ 11.500, et seq.) is renumbered and amended as follows:

11.500*CHAPTER 12 BUSINESS INCOME TAX

§ 11.500	<u>§ 12.005</u>	Title.
§ 11.501	<u>§ 12.010</u>	Taxes For Revenue.
§ 11.502	<u>§ 12.020</u>	Conformity To State Income Tax Laws.
§ 11.504	<u>§ 12.100</u>	Definitions.
§ 11.505	<u>§ 12.110</u>	Income Defined.
§ 11.506	<u>§ 12.200</u>	Administration.
§ 11.507	<u>§ 12.210</u>	Administrative Authority.
§ 11.503	<u>§ 12.220</u>	Presumption Of Doing Business.
§ 11.508	<u>§ 12.225</u>	Ownership Of Taxfiler Information.
§ 11.509	<u>§ 12.230</u>	Confidentiality.

§ 11.510	§ 12.240	Persons To Whom Information May Be Furnished.
§ 11.511	§ 12.250	Taxfiler Representation.
§ 11.512	§ 12.255	Representation Restrictions.
§ 11.513	§ 12.260	Examination Of Books, Records Or Persons.
§ 11.514	§ 12.270	Records.
§ 11.515	§ 12.280	Deficiencies And Refunds.
§ 11.516	§ 12.290	Protests And Appeals.
§ 11.517	§ 12.400	Exemptions.
§ 11.518	§ 12.500	Imposition And Rate Of Tax.
§ 11.519	§ 12.510	Return Due Date.
§ 11.520	§ 12.520	Quarterly Estimates.
§ 11.521	§ 12.530	Schedule For Payment Of Estimated Tax.
§ 11.522	§ 12.550	Presumptive Tax.
	§ 12.560	Payment Plan Fee.
§ 11.523	§ 12.600	Income Determinations.
§ 11.524	§ 12.610	Apportionment Of Income.
§ 11.525	§ 12.620	Changes To Federal Or State Tax Returns.
§ 11.599	§ 12.700	Penalty.
§ 11.526	§ 12.710	Interest.
§ 11.527	§ 12.715	Payments Applied.
§ 11.528	§ 12.720	Interest On Refunds.
§ 11.599(G)	§ 12.730	Criminal Penalties.
	§ 12800	Severability.
	§ 12.820	Operative Date.
§ 11.529	§ 12.840	Participation Of Cities.
§ 11.530	§ 12.850	Former Regulations Superseded By This Chapter; Exceptions

§ 11.500-12.005 Title.

This subchapterchapter may be known and cited as the Multnomah eCounty Business Income Tax Law.

§ 11.50112.010 Taxes For Revenue.

The Board of the County Commissioners finds it is necessary to raise additional revenues to provide those county services required for the health, safety and welfare of the people of the county. The purpose of the taxes imposed by this subchapterchapter is to raise funds to provide those services within the county. All proceeds collected under this subchapterchapter shall be general fund revenue. This subchapterchapter is intended to establish a unified system for collection and allocation of taxes based upon business net income by the county and by cities within the county.

§ 11.50212.020 Conformity To State Income Tax Laws.

(A) The Business Income Tax Law shall be construed in conformity with the laws and regulations of the state imposing taxes on or measured by net income as they are amended on or before December 31, 1997. The ~~administrator~~Administrator shall have the authority by administrative rules adopted in accordance with § 11.50712.210, to connect to or disconnect from any legislative enactment that deals with income or excise taxation or the definition of income.

(B) Should a question arise under the Business Income Tax Law on which this ~~subchapter~~chapter is silent, the ~~administrator~~Administrator may look to the laws of the State of Oregon for guidance in resolving the question, provided that the determination under state law is not in conflict with any provision of this ~~subchapter~~chapter or the state law is otherwise inapplicable.

§ 11.50412.100 Definitions.

For the purpose of this ~~subchapter~~chapter, the terms used in this ~~subchapter~~chapter shall be defined as provided in this ~~subchapter~~chapter or in Administrative Rules, adopted under § 11.50712.210 of this ~~subchapter~~chapter, unless the context requires otherwise.

ADMINISTRATOR. The Bureau of Licenses, City of Portland, along with its employees and agents.

APPEALS BOARD. The hearings body designated by the Board to review taxfiler appeals from final determinations by the ~~administrator~~Administrator.

BUSINESS. An enterprise, activity, profession or undertaking of any nature, whether related or unrelated, by a person in the pursuit of profit, gain or the production of income, including services performed by an individual for remuneration, but does not include wages earned as an employee.

CONTROLLING SHAREHOLDER. Any person, either alone or together with that person's spouse, parents, and children, who, directly or indirectly, owns more than 5% of any class of outstanding stock or securities of the taxfiler. The term **CONTROLLING SHAREHOLDER** may mean the controlling shareholder individually or in the aggregate.

DIRECTOR. ~~The Finance Director~~Multnomah County Chief Financial Officer.

DIVISION. ~~The Finance Division~~Budget & Tax Office of the county.

DOING BUSINESS. To engage in any activity in pursuit of profit or gain, including but limited to, any transaction involving the holding, sale, rental or lease of property, the manufacture or sale of goods or the sale or rendering of services other than as an employee. Doing business includes activities carried on by a person through officers, agents or employees as well as activities carried on by a person on his or her own behalf.

EMPLOYEE. Any individual who performs services for another individual or organization having the right to control the employee as to the services to be performed and as to the manner of performance.

INDIVIDUAL. A natural person.

NET OPERATING LOSS. The negative taxable income that may result after the deductions allowed by the Business Income Tax Law in determining net income for the tax year.

NONBUSINESS INCOME. Income not created in the course of the taxfiler's business activities.

NOTICE. A written document mailed first class by the Administrator or division to the last known address of a taxfiler as provided to the ~~administrator~~ Administrator or division in the latest tax return on file with the ~~administrator~~ Administrator.

OWNERSHIP OF OUTSTANDING STOCK OR SECURITIES. The incidents of ownership which include the power to vote on the corporation's business affairs or for the directors, officers, operators or other managers of the taxfiler.

PERSON. A natural person, proprietorship, partnership, limited partnership, family limited partnerships, joint venture, association, cooperative, trust, estate, corporation, personal holding company, limited liability company, limited liability partnership or any other form of organization for doing business.

RECEIVED. The postmark date affixed by the United States postal service if mailed or the date stamp if delivered by hand or sent by facsimile.

TAX YEAR. The taxable year of a person for federal or state income tax purposes.

TAXFILER. A person doing business in the county and required to file a return under the Business Income Tax Law.

§ 11.50512.110 Income Defined.

For the purpose of this ~~section~~ chapter, the following definition shall apply unless the context requires a different meaning.

INCOME. The net income arising from any business, as reportable to the Sstate of Oregon for personal income, corporation excise, or income tax purposes, before any allocation or apportionment for operation out of state, or deduction for a net operating loss carry-forward or carry-back.

(A) Partnerships, S corporations, limited liability companies, limited liability partnerships, family limited partnerships, estates and trusts, shall be liable for the business tax and not the individual partners, shareholders, members or beneficiaries. The income of these entities shall include all income received by the entity including ordinary income,

interest and dividend income, income from sales of business assets and other income attributable to the entity.

(B) If one or more persons are required or elect to report their income to the state for corporation excise or income tax purposes or personal income tax purposes in a consolidated, combined or joint return, a single return shall be filed by the person filing such return. In such cases, **INCOME** means the net income of the consolidated, combined or joint group of taxpayers before any allocation or appointment for operation out of the state, or deduction for a net operating loss carrying-forward or carry-back.

(C) The absence of report income to the Internal Revenue Service or the state shall not limit the ability of the ~~administrator~~Administrator to determine the correct income of the taxpayer through examination under § 11.51312.260 of this ~~subchapter~~chapter.

§ 11.50612.200 Administration.

(A) The City of Portland, Bureau of Licenses shall be the ~~administrator~~Administrator of record and shall have the authority to administer and enforce this ~~subchapter~~chapter effective January 1, 1994 to include, but not limited to, administrative return processing, auditing, determinations, collection of taxes, penalties and interest, protests and appeals that occur on or after January 1, 1994.

(B) The ~~administrator~~Administrator shall have access to and maintain all tax filings and records, under this ~~subchapter~~chapter, on behalf of the county. The ~~administrator~~Administrator may, upon request, interpret how this ~~subchapter~~chapter applies, in general or for a certain set of circumstances. Nothing in this ~~subchapter~~chapter shall preclude the informal disposition of controversy by stipulation or agreed settlement, through correspondence or a conference with the ~~administrator~~Administrator.

§ 11.50712.210 Administrative Authority.

(A) The ~~administrator~~Administrator may implement procedures, forms, and written policies for administering the provisions of the Business Income Tax Law.

(B) The ~~administrator~~Administrator may adopt rules relating to matters within the scope of this ~~subchapter~~chapter to administer compliance with the Business Income Tax Law.

(C) Before adopting a new rule, the ~~administrator~~Administrator shall hold a public hearing. Prior to the hearing, the ~~administrator~~Administrator shall publish a notice in a newspaper of general circulation in the county. The notice shall be published not less than ten nor more than 30 days before the hearing. Such notice shall include the place, time and purpose of the public hearing, a brief description of the subjects covered by the proposed rule, and the location where copies of the full text of the proposed rule may be obtained.

(D) At the public hearing, the ~~administrator~~Administrator, or designee, shall take oral and written testimony concerning the proposed rule. The ~~administrator~~Administrator shall either adopt the proposed rule, modify, or reject it, taking into consideration the testimony received during the public hearing. If a substantial modification is made,

additional public review shall be conducted, but no additional public notice shall be required if an announcement is made at the hearing of a future hearing for a date, time and place certain at which the modification will be discussed. Unless otherwise stated, all rules shall be effective upon adoption by the ~~administrator~~Administrator. All rules adopted by the ~~administrator~~Administrator shall be filed in the division's office. Copies of all current rules shall be made available to the public upon request.

(E) Notwithstanding ~~divisionsubsections~~ (C) and (D) of this section, the ~~administrator~~Administrator may adopt an interim rule without prior public notice upon a finding that failure to act promptly will result in serious prejudice to the public interest or the interest of the affected parties, stating the specific reasons for such prejudice. Any interim rule adopted pursuant to this ~~divisionsubsection~~ shall be effective for a period of not longer than 180 days.

§ 11.50312.220 Presumption Of Doing Business.

A person is presumed to be doing business in the county and subject to this ~~subchapter~~chapter if engaged in any of the following activities:

- (A) Advertising or otherwise professing to be doing business within the county;
- (B) Delivering goods or providing services to customers within the county;
- (C) Owning, leasing or renting personal or real property within the county which is used in a trade or business;
- (D) Engaging in any transaction involving the production of income from holding property or the gain from the sale of property, which is not otherwise exempted in this ~~subchapter~~chapter. Property may be personal, including intangible, or real in nature; or
- (E) Engaging in any activity in pursuit of gain which is not otherwise exempted in this ~~subchapter~~chapter.

§ 11.50812.225 Ownership Of Taxfiler Information.

The county shall be the sole owner of all filer information under the authority of this ~~subchapter~~chapter. The Director or the director's designee shall have access to all taxfiler information at all times.

§ 11.50912.230 Confidentiality.

Except as provided in this ~~subchapter~~chapter or otherwise required by law, it shall be unlawful for the division or the ~~administrator~~Administrator, or any elected official, employee, or agent of the county, or for any person who has acquired information pursuant to § ~~11.51012.240~~(A) and (C) of this ~~subchapter~~ to divulge, release, or make known in any

manner any financial information submitted or disclosed to the county under the terms of the Business Income Tax Law. Nothing in this section shall be construed to prohibit:

(A) The disclosure of the names and addresses of any persons who have filed a return; or

(B) The disclosure of general statistics in a form which would prevent the identification of financial information regarding an individual taxfiler.

§ ~~11.509~~12.240 Persons To Whom Information May Be Furnished.

(A) (1) The division may disclose and give access to information described in ~~§ 11.509~~12.230 of this subchapter to an authorized representative of the state Department of Revenue, State of Oregon, or of any local government of the state imposing taxes upon or measured by gross receipts or net income, for the following purposes:

- (a) To inspect the tax return of any taxfiler;
- (b) To obtain an abstract or copy of the tax return;
- (c) To obtain information concerning any item contained in any return; or
- (d) To obtain information of any financial audit of the tax returns of any taxfiler.

(2) Such disclosure and access shall be granted only if the laws, regulations or practices of such other jurisdiction maintain the confidentiality of such information at least to the extent provided by the Business Income Tax Law.

(B) Upon request of a taxfiler, or authorized representative, the ~~administrator~~Administrator shall provide copies of any tax return information filed by the tax filer in the ~~administrator~~Administrator's possession.

(C) The division may also disclose and give access to information described in ~~§ 11.509~~12.230 of this subchapter to:

- (1) The County Attorney, to the extent the division deems disclosure or access necessary for the performance of the duties of advising or representing the division.
- (2) Other county employees and agents, to the extent the division deems disclosure or access necessary for such employees or agents to perform their duties under contracts or agreements between the division and any other department, division, agency or subdivision of the county relating to the administration of the Business Income Tax Law.

(D) All employees and agents of the division or county, prior to the performance of duties involving access to financial information submitted to the county under the terms of the Business Income Tax Law, shall be advised in writing of the provision of ~~§ 11.509~~12.730 of this chapter relating to penalties for the violation of ~~§§ 11.509~~12.240 and ~~11.512~~12.255 of

~~this subchapter and this section.~~ Such employees and agents shall execute a certificate in a form prescribed by the division, stating that the person has reviewed these provisions of law, has had them explained, and is aware of the penalties for the violation of §§ ~~11.50912.230, 12.240 and 11.51212.255~~ of this subchapter and this section.

(E) Prior to any disclosures permitted by this section, all persons described in ~~division subsection~~ (A) of this section, to whom disclosure or access to financial information is given, shall:

(1) Be advised in writing of the provisions of § ~~11.59912.730~~ of this chapter relating to penalties for the violation of § ~~11.59912.230~~ of this chapter; and

(2) Execute a certificate in a form prescribed by the division, stating these provisions of law have been reviewed and they are aware of the penalties for the violation of § ~~11.59912.230~~ of this chapter.

(F) The director's signature on the certificate, required by ~~division subsection~~ (E)(2) of this section, shall constitute consent to disclosure to the persons executing the certificate.

§ ~~11.51412.250~~ Taxfiler Representation.

No person shall be recognized as representing any taxfiler in regard to any matter relating to the tax of such taxfiler without written authorization of the taxfiler or unless the ~~administrator~~Administrator determines from other available information the person has authority to represent the taxfiler.

Penalty, see § ~~11.599~~

§ ~~11.51212.255~~ Representation Restrictions.

(A) No employee or official of the county, the ~~administrator~~Administrator, any public agency authorized to collect taxes imposed by this ~~subchapter~~chapter, shall represent any taxfiler in any matter before the ~~administrator~~Administrator. This restriction against taxfiler representation shall continue for two years after termination of employment or official status.

(B) Members of the appeals board shall not represent a taxfiler before the appeals board. No member of the appeals board shall participate in any matter before the board if the appellant is a client of the member or the member's firm.

Penalty, see § ~~11.599~~

§ ~~11.51312.260~~ Examination Of Books, Records Or Persons.

(A) The ~~administrator~~Administrator may examine any books, papers, records, or memoranda, including state and federal income or excise tax returns, to ascertain the

correctness of any tax return or to make an estimate of any tax. The ~~administrator~~Administrator shall have the authority, after notice, to:

(1) Require the attendance of any person required to file a tax return under the Business Income Tax Law, or officers, agents, or other persons with knowledge of the person's business operations, at any reasonable time and place the ~~administrator~~Administrator may designate;

(2) Take testimony, with or without the power to administer oaths to any person required to be in attendance; and

(3) Require proof for the information sought, necessary to carry out the provisions of this ~~subchapter~~chapter.

(B) The ~~administrator~~Administrator shall designate the employees who shall designate the employees who shall have the power to administer oaths hereunder. Such employees shall be notaries public of the Sstate of Oregon.

§ 11.51412.270 Records.

Every person required to file a return under the Business Income Tax Law shall keep and preserve for not less than seven years such documents and records, including state and federal income and excise tax returns, accurately supporting the information reported on the taxfiler's return and calculation of tax for each year.

§ 11.51512.280 Deficiencies And Refunds.

(A) Deficiencies may be assessed and refunds granted any time within the period provided under ORS 314.410, 314.415, and 317.950. The ~~administrator~~Administrator may by agreement with the taxfiler extend such time periods to the same extent as provided by statute.

(B) Notwithstanding ~~division~~subsection (A) of this section, if no tax return is filed, the ~~administrator~~Administrator may determine taxes due under this ~~subchapter~~chapter at any time based on the best information available to the ~~administrator~~Administrator. Taxes determined under this ~~division~~subsection shall be assessed and subject to penalties and interest from the date the taxes should have been paid as provided in § 11.51912.510 of this ~~subchapter~~ in accordance with §§ 11.52612.700 and 11.59912.710 of this chapter. The ~~administrator~~Administrator shall send notice of the determination and assessment to the person doing business in the county.

(C) Consistent with ORS 314.410(3), in cases where no tax return has been filed, there shall be no time limit for a notice of deficiency and/or the assessment of taxes, penalty and interest due.

Penalty, see § 11.599

§ ~~11.516~~12.290

Protests And Appeals.

(A) Any determination by the ~~administrator~~Administrator may be protested by the taxfiler. Written notice of the protest must be received by the ~~administrator~~Administrator within 30 days after the notice of determination was mailed or delivered to the taxfiler. The protest shall state the name and address of the taxfiler and an explanation of the grounds for the protest. The ~~administrator~~Administrator shall respond within 30 days after the protest is filed with the ~~administrator~~Administrator with either a revised determination or a final determination. The ~~administrator~~Administrator's determination shall include the reasons for the determination and state the time and manner for appealing the determination. The time to file a protest or the time for the ~~administrator~~Administrator's response may be extended by the ~~administrator~~Administrator, for good cause. Requests for extensions of time must be received prior to the expiration of the original 30-day protest deadline. Written notice shall be given to the taxfiler if the ~~administrator~~Administrator's deadline is extended.

(B) Any final determination by the ~~administrator~~Administrator may be appealed by the taxfiler to the appeals board. Written notice of the appeal must be received by the ~~administrator~~Administrator within 30 days after the final determination was mailed or delivered to the appellant. The notice of appeal shall state the name and address of the appellant and include a copy of the final determination.

(C) (1) Within 90 days after the final determination was mailed or delivered to the taxfiler, the appellant shall file with the appeals board a written statement containing:

- (a) The reasons the ~~administrator~~Administrator's determination is incorrect; and
- (b) What the correct determination should be.

(2) Failure to file such a written statement within the time permitted shall be deemed a waiver of any objections, and the appeal shall be dismissed.

(D) Within 150 days after the final determination was mailed or delivered to the taxfiler, the ~~administrator~~Administrator shall file with the appeals board a written response to the appellant's statement. A copy of the ~~administrator~~Administrator's response shall be promptly mailed to the address provided by the appellant.

(E) The appellant shall be given not less than 14 days prior written notice of the hearing date and location. The appellant and the ~~administrator~~Administrator shall have the opportunity to present relevant testimony and oral argument. The appeals board may request such additional written comment and documents as it deems appropriate.

(F) Decisions of the appeals board shall be in writing, state the basis for the decision and be signed by the appeals board chair.

(G) The decision of the appeals board shall be final on the date it is issued and no further administrative appeal shall be provided.

(H) The filing of an appeal with the appeals board shall temporarily suspend the obligation to pay any tax that is the subject of the appeal pending a final decision by the appeals board.

§ ~~11.517~~12.400 Exemptions.

To the extent set forth below, the following persons or incomes are exempt from tax requirements imposed by the Business Income Tax Law:

(A) Persons whom the county is prohibited from taxing under the Constitution or laws of the United States or the Constitution or laws of the Sstate of Oregon or County Charter.

(B) Income arising from transactions which the county is prohibited from taxing under the Constitution or the laws of the United States or the Constitution or laws of the Sstate of Oregon or County Charter.

(C) Persons whose gross receipts from all business, both within and without the county, amount to less than \$25,000 in any tax year. The ~~administrator~~Administrator may demand a statement that the person's gross receipts for any tax year were less than \$25,000.

(D) Corporations exempt from the Sstate of Oregon Corporation Excise Tax under ORS 317.080, provided that any such corporation subject to the tax on unrelated business income under ORS 317.920 to 317.930 shall pay a tax based solely on such income.

(E) Trusts exempt from federal income tax under Internal Revenue Code Section 501, provided that any exempt trust subject to tax on unrelated business income and certain other activities under Internal Revenue Code Section 501(b) shall be subject to the tax under this ~~subchapter~~chapter based solely on that income.

(F) Any individual whose only business transactions are exclusively limited to the following activities:

(1) Sales, exchanges or involuntary conversions of real property not held for sale in the ordinary course of a trade or business, unless the real property is used in the trade or business in connection with the production of income; or

(2) The sale of personal property acquired for household or other personal use by the seller; or

(3) (a) Interest and dividend income earned from investments if the income is not created in the course of or related to the taxfiler's business activities; or

(b) Gains or losses incurred from the sale of assets which are not a part of a trade or business; or

(4) The renting or leasing of residential real property, if the beneficial owner of such real property does not rent or lease more than nine dwelling units, at least one of which is within the county.

(G) Any person whose only business transactions are exclusively limited to the following activities:

(1) Raising, harvesting and selling of the person's own crops, or the feeding, breeding, management and sale of the person's own livestock, poultry, furbearing animals or honeybees, or sale of the produce thereof, or any other agricultural, horticultural or animal husbandry activity carried on by any person on the person's own behalf and not for others, or dairying and the sale of dairy products to processors. This exemption shall not apply if, in addition to the farm activities described in this ~~subdivisions~~subsection, the person does any processing of the person's own farm products which changes their character or form, or the person's business includes the handling, preparation, storage, processing or marketing of farm products raised or produced by others; or the processing of milk or milk products whether produced by said person or by others for retail or wholesale distribution.

(2) Operating within a permanent structure a display space, booth or table for selling or displaying merchandise by an affiliated participant at any trade show, convention, festival, fair, circus, market, flea market, swapmeet or similar event for less than 14 days in any tax year.

§ 11.54812.500 Imposition And Rate Of Tax.

(A) Except as otherwise provided in this ~~subchapter~~chapter, a tax is imposed upon each person doing business within the county equal to 1.45% of the net income from the business within the county effective with tax years beginning on or after January 1, 1993.

(B) The payment of a tax required hereunder and the acceptance of such tax shall not entitle a taxfiler to carry on any business not in compliance with all the requirements of this code and all other applicable laws.

(C) For the business year beginning on or after January 1, 1998, if the tax imposed by this section exceeds \$100, each person doing business within Multnomah County shall pay, in addition, a Temporary Education Surcharge equal to one half percent (.50%) of the net income from the business within the County. This surcharge shall be in effect only for 1998 and shall not apply to business years beginning on or after January 1, 1999.

(D) The receipts from the surcharge imposed by subsection (C) shall be used only to benefit public schools in Multnomah County. Receipts from the Temporary Educational BIT surcharge shall only be used to maintain or reduce class size by preventing teacher layoffs in FY 1998-99. The public school districts with projected budget shortfalls in FY 98-99 shall only spend surcharge revenues to pay for salaries of teacher positions or other state certified personnel, that would otherwise be eliminated. To be eligible for BIT surcharge funds, school districts with projected budget shortfalls in FY 98-99 shall submit a list of positions for state certified positions subject to elimination from the budget and their

accompanying salary, to Multnomah County no later than May 30, 1998. Districts without budget shortfalls in FY 98-99 shall submit a list of additional teaching positions and other staff certified positions and materials directly related to instruction. Multnomah County will allocate the BIT surcharge revenues to each public school to pay for teacher positions or other state certified positions, based upon the list submitted by each school district.

(E) The Temporary Education Surcharge receipts shall be distributed to every public school district in Multnomah County according to a formula approved by the Board of County Commissioners.

Penalty, see § 11.599

§ 11.51912.510 Return Due Date.

(A) Tax returns shall be on forms provided or approved by the ~~administrator~~Administrator. All tax returns shall be filed, together with the specified tax by the fifteenth day of the fourth month following the end of the tax year.

(B) The ~~administrator~~Administrator may, for good cause, grant extensions for filing returns, except that no extension may be granted for more than six months beyond the initial due date. This extension does not extend the time to pay the tax.

(C) The tax return shall contain a written declaration, verified by the taxfiler, to the effect that the statements made therein are true.

(D) The ~~administrator~~Administrator shall prepare blank tax returns and make them available upon request. Failure to receive or secure a form shall not relieve any person from the obligation to pay a tax under the Business Income Tax Law.

Penalty, see § 11.599

§ 11.52012.520 Quarterly Estimates.

For tax years beginning on or after January 1, 1993, every taxfiler who incurred a tax liability, under § 11.51812.500 of this subchapter, or under '90 MCC § 5.70.045 for the preceding tax year, of \$1,000 or greater shall estimate the taxfiler's tax liability for the current tax year under this subchapter~~chapter~~ and pay the amount of tax determined as provided in § 11.52112.530 of this subchapter.

§ 11.52112.530 Schedule For Payment Of Estimated Tax.

A taxfiler required under § 11.52012.520 of this subchapter~~chapter~~ to make payments of estimated tax shall make the payments in installments as follows:

(A) One quarter or more of the estimated tax on or before the fifteenth day of the fourth month of the tax year;

(B) One quarter or more of the estimated tax on or before the fifteenth day of the sixth month of the tax year;

(C) One quarter or more of the estimated tax on or before the fifteenth day of the ninth month of the tax year; and

(D) The balance of the estimated tax shall be paid on or before the fifteenth day of the twelfth month of the tax year.

(E) Any payment of the estimated tax received by the ~~administrator~~Administrator for which the taxfiler has made no designation of the quarterly installment to which the payment is to be applied, shall first be applied to underpayments of estimated tax due for any prior quarter of the tax year. Any excess amount shall be applied to the installment that next becomes due after the payment was received.

~~Penalty, see § 11.599~~

§ 11.52212.550 Presumptive Tax.

(A) If a person fails to file a return, a rebuttable presumption shall exist that the tax payable amounts to \$500 for every tax year for which a return has not been filed.

(B) Nothing in this section shall prevent the ~~administrator~~Administrator from assessing, under § 11.51512.280(B) a tax due which is less than or greater than \$500 per tax year.

§ 12.560 Payment Plan Fee.

If a person fails to pay the Multnomah County Business Income tax when due, the Administrator may establish a payment plan pursuant to written policy. The Administrator may charge a set up fee for each payment plan established.

§ 11.52312.600 Income Determinations.

(A) *Owners compensation deduction.* **OWNERS COMPENSATION DEDUCTION** is defined as the additional deduction allowed in ~~divisions~~subsections (B), (C) and (D) of this section~~below~~. For tax years beginning prior to January 1, 1999, the owners compensation deduction cannot exceed \$50,000 per owner, as defined in this section. For tax years beginning on or after January 1, 1999, the owner compensation deduction will be indexed by the Consumer Price Index - All Urban Consumers (CPI-U) U.S. City Average as published by the U.S. Department of Labor, Bureau of Labor Statistics, using the September to September index, not seasonally adjusted (unadjusted index). The initial index will be the September 1998 to September 1999 index. The ~~administrator~~Administrator will determine the exact deduction amount and publish the amount in written policy and included on forms. Any increase or decrease under this ~~divisions~~subsection which is not a multiple of \$500 shall be rounded to the next lowest multiple of \$500.

(B) *Sole proprietorship.* In determining income, no deductions shall be allowed for any compensation for services rendered by, or interest paid to, owners. However, 75% of

income determined without such deductions shall be allowed as an additional deduction, not to exceed the amount per owner as determined in division subsection (A) above ~~per owner~~.

(C) *Partnerships.* In determining income, no deduction shall be allowed for any compensation for services rendered by, or interest paid to, owners of partnerships, limited partnerships, limited liability companies, limited liability partnerships or family limited partnerships. Guaranteed payments to partners or members shall be deemed compensation paid to owners for services rendered. However:

(1) For general partners or members, 75% of income determined without such deductions shall be allowed as an additional deduction, not to exceed the amount per general partner or member as determined in division subsection (A) above ~~per general partner or member~~.

(2) For limited partners or members of limited liability corporations who are deemed partners by administrative rule or policy, 75% of income determined without such deductions shall be allowed as an additional deduction, not to exceed the lesser of actual compensation and interest paid or the amount determined in division subsection (A) above per compensated limited partner.

(D) *Corporations.* In determining income, no deduction shall be allowed for any compensation for services rendered by, or interest paid to, controlling shareholders of any corporation, including, but not limited to C and S corporations and any other entity electing treatment as a corporation, either C or S. However, 75% of the corporation's income, determined without deduction of compensation or interest, shall be allowed as a deduction in addition to any other allowable deductions, not to exceed the lesser of the actual compensation and interest paid or the amount for each controlling shareholder as determined in division subsection (A) above ~~for each controlling shareholder~~.

(1) For purposes of this subdivision subsection, to calculate the compensation for services rendered by or interest paid to controlling shareholders that must be added back to income, wages, salaries, fees, or interest paid to all persons meeting the definition of a controlling shareholder, must be included.

(2) For purposes of this subdivision subsection, in determining the number of controlling shareholders, a controlling shareholder and that person's spouse, parents and children count as one owner, unless such spouse, parent or child individually own more than 5% ownership of outstanding stock or securities in their own name. In that case, each spouse, parent or child who owns more than 5% of stock shall be deemed to be an additional controlling shareholder.

(3) For purposes of this division subsection (C), joint ownership of outstanding stock or securities shall not be considered separate ownership.

(E) *Estates and trusts.* In determining income for estates and trusts, income shall be measured before distribution of profits to beneficiaries. No additional deduction shall be allowed.

(F) *Nonbusiness income.* In determining income under this section, an allocation shall be allowed for nonbusiness income as reported to the State of Oregon. However,

income treated as nonbusiness income for State of Oregon tax purposes may not necessarily be defined as nonbusiness income under the Business Income Tax Law. Interest and dividend income, rental income or losses from real and personal business property, and gains or losses on sales of property or investments owned by a trade or business shall be treated as business income for purposes of the Business Income Tax Law. Income derived from non-unitary business functions reported at the state level may be considered nonbusiness income. Non-unitary income will not be recognized at an intrastate level. The taxfiler shall have the burden of showing that income is nonbusiness income.

(G) *Tax based on or measured by net income.* In determining income, no deduction shall be allowed for taxes based on or measured by net income. No deduction shall be allowed for the federal built-in gains tax.

(H) *Ordinary gain or loss.* In determining income, gain or loss from the sale, exchange or involuntary conversion of real property or tangible and intangible personal property not exempt under ~~§ 11.517~~12.400(F) of this subchapter shall be included as ordinary gain or loss.

(I) *Net operating loss.* In determining income, a deduction shall be allowed equal to the aggregate of the net operating losses incurred in prior years, not to exceed 75% of the income determined for the current tax year before this deduction but after all other deductions from income allowed by this section and apportioned for business activity both within and without the county.

(1) When the operations of the taxfiler from doing business both within and without the county result in a net operating loss, such loss shall be apportioned in the same manner as the net income under ~~§ 11.524~~12.600 of this subchapter. However, in no case shall a net operating loss be carried forward from any tax year during which the taxfiler conducted no business within the county or the taxfiler was otherwise exempt from tax filing requirements.

(2) In computing the net operating loss for any tax year, the net operating loss of a prior tax year shall not be allowed as a deduction.

(3) In computing the net operating loss for any tax year, no compensation allowance deduction shall be allowed to increase the net operating loss. **COMPENSATION ALLOWANCE DEDUCTION** is defined as the additional deduction allowed by ~~division~~subsection (A) of this section.

(4) The net operating loss of the earliest tax year available shall be exhausted before a net operating loss from a later tax year may be deducted.

(5) The net operating loss in any tax year shall be allowed as a deduction in any of the five succeeding tax years until used or expired. Any partial tax year shall be treated the same as a full tax year in determining the appropriate carry-forward period.

Penalty, see ~~§ 11.599~~

§ 11.52412.610 Apportionment Of Income.

(A) Business activity means any of the elements of doing business. However, a person shall not be considered to have engaged in business activities solely by reason of sales of tangible personal property in any state or political subdivision, or solely the solicitation of orders for sales of tangible personal property in any state or political subdivision. Business activities conducted on behalf of a person by independent contractors are not considered business activities by the person in any state or political subdivision.

(B) Any taxfiler having income from business activity both within and without the county shall in computing the tax, determine the income apportioned to the county by multiplying the total net income from the taxfiler's business by a fraction, the numerator of which is the total gross income of the taxfiler from business activity in the county during the tax year, and the denominator of which is the total gross income of the taxfiler from business activity everywhere during the tax year.

(C) In determining the apportionment of gross income within the county under ~~division~~subsection (B) ~~of this section~~:

(1) Sales of tangible personal property shall be deemed to take place in the county if the property is delivered or shipped to a purchaser within the county regardless of the f.o.b. point or other conditions of sale. Sales of tangible personal property shipped from the county to a purchaser located where the taxfiler is not taxable shall not be apportioned to the county.

(2) Sales other than sales of tangible personal property shall be deemed to take place in the county, if the income producing activity is performed in the county or the income producing activity is performed both in and outside the county and a greater portion of the income producing activity is performed in the county than outside the county based on costs of performance.

(D) Certain industries or incomes shall be subject to specific apportionment or allocation methodologies. Such methodologies shall be described in administrative rules adopted in accordance with § 11.50712.210. Industry specific or income specific apportionment methodologies required by state law Oregon Revised Statutes shall be used in cases where no rule has been adopted by the ~~administrator~~Administrator regarding the apportionment of such industry or income. In those specific cases where the state has directed allocation of income, such income shall be apportioned for purposes of this ~~subchapter~~chapter, unless allocation is otherwise allowed in this ~~subchapter~~chapter.

(E) If the apportionment provisions of ~~division~~subsection (B) ~~of this section~~ do not fairly represent the extent of the taxfiler's business activity in the county and result in the violation of the taxfiler's rights under the Constitution of this state or the United States, the taxfiler may petition the ~~administrator~~Administrator to permit the taxfiler to:

(1) Utilize the method of allocation and apportionment used by the taxfiler under the applicable laws of the state imposing taxes upon or measured by net income; or

(2) Utilize any other method to effectuate an equitable apportionment of the taxfiler's income.

§ ~~11.525~~12.620 Changes To Federal Or State Tax Returns.

(A) If a taxfiler's reported net income under applicable state laws imposing a tax on or measured by income is changed by the Federal Internal Revenue Service or the state Department of Revenue, or amended by the taxfiler to correct an error in the original federal or state return, a report of such change shall be filed with the ~~administrator~~Administrator within 60 days after the date of the notice of the final determination of change or after an amended return is filed with the federal or state agencies. The report shall be accompanied by an amended tax return with respect to such income and by any additional tax, penalty, and interest due.

(B) The ~~administrator~~Administrator may assess deficiencies and grant funds resulting from changes to federal, state or business income tax returns within the time periods provided for in § ~~11.515~~12.280 of this ~~subchapter~~chapter, treating the report of change in federal, state or business income tax returns as the filing of an amended tax return.

(C) The ~~administrator~~Administrator may assess penalties and interest on the additional tax due as provided in §§ ~~11.526~~12.700 (A) and ~~11.599~~12.710 of this ~~chapter~~ or may refuse to grant a refund of taxes as a result of the amended return if the amended return is not filed with the ~~administrator~~Administrator within the time limits set forth in ~~division~~subsection (A) of this section.

§ ~~11.599~~12.700 Penalty.

(A) A penalty shall be assessed if a person:

(1) (a) Fails to file a tax return or extension request at the time required under §§ ~~11.519~~12.510(A) or ~~11.525~~12.620(A); or

(b) Fails to pay a tax when due.

(2) The penalty under ~~division~~subsection (A) shall be calculated as:

(a) Five percent of the total tax liability if the failure is for a period less than four months;

(b) An additional penalty of 20% of the total tax liability if the failure is for a period of four months or more; and

(c) An additional penalty of 100% of the total tax liability of all tax years if the failure to file is for three or more consecutive tax years.

(B) A penalty shall be assessed if a person who has filed an extension request:

- (1) (a) Fails to file a tax return by the extended due date; or
- (b) Fails to pay the tax liability by the extended due date.

(2) The penalty under ~~division~~subsection (B) shall be calculated as:

(a) Five percent of the total tax liability if the failure is for a period of less than four months; and

(b) An additional penalty of 20% of the total tax liability if the failure is for a period of four months or more.

(C) A penalty shall be assessed if a person:

(1) (a) Fails to pay at least 90% of the total tax liability by the original due date; or

(b) Fails to pay at least 100% of the prior year's total tax liability by the original due date.

(2) The penalty under ~~division~~subsection (C) shall be calculated as:

(a) Five percent of the tax underpayment if the failure is for a period less than four months; and

(b) An additional penalty of 20% of the tax underpayment if the failure is for a period of four months or more.

(D) The ~~administrator~~Administrator may impose a civil penalty of up to \$500 for each of the following violations of this ~~subchapter~~chapter:

(1) Failure to file any tax return within 90 days of the ~~administrator~~Administrator's original written notice to file;

(2) Failure to pay any tax within 90 days of the ~~administrator~~Administrator's original written notice for payment; or

(3) Failure to provide documents as required by §§ ~~11.51-13~~12.260 within 90 days of the ~~administrator~~Administrator's original written notice to provide documents.

(E) The ~~administrator~~Administrator may impose a civil penalty under ~~division~~subsection (D) only if the ~~administrator~~Administrator gave notice of the potential for assessment of civil penalties for failure to comply or respond in the original written notice.

(F) The ~~administrator~~Administrator may waive or reduce any penalty determined under ~~division~~subsections (A) through (D) for good cause, according to and consistent with written policies.

~~_____ (G) Violation of §§ 11.509 or 11.510 is punishable, upon conviction thereof, by a fine not exceeding \$1,000 or by imprisonment for a period not exceeding 12 months, or by both fine and imprisonment. In addition, any county employee convicted for violation of §§ 11.509 or 11.510 shall be dismissed from employment and shall be barred from employment for a period of five years thereafter. Any agent of the county shall, upon conviction, be ineligible for participation in any county contract for a period of five years thereafter.~~

§ ~~11.526~~12.710 Interest.

(A) Interest shall be collected on any unpaid tax at the rate of .833% simple interest per month or fraction thereof (10% per annum), computed from the original due date of the tax to the fifteenth day of the month following the date of payment.

(B) (1) Interest shall be collected on any unpaid or underpaid quarterly estimated payment required by §§ ~~11.520~~12.520 and ~~11.521~~12.530 at the rate of .833% simple interest per month or fraction thereof (10% per annum), computed from the due date of each quarterly estimated payment to the original due date of the tax return to which the estimated payments apply.

(2) Notwithstanding ~~division~~subsection (B)(1), there shall be no interest on underpayment of quarterly estimated payments if:

(a) The total tax liability of the prior tax year was less than \$1,000;

(b) An amount equal to at least 90% of the total tax liability for the current tax year was paid in accordance with § ~~11.521~~12.530; or

(C) An amount equal to at least 100% of the prior year's total tax liability was paid in accordance with § ~~11.521~~12.530.

(3) For purposes of ~~division~~subsection (B)(1), the amount of underpayment is determined by comparing the 90% of the current total tax liability amount to quarterly estimated payments made prior to the original due date of the tax return.

(C) If a person fails to file a tax return on the prescribed date, or any extension thereof granted under § ~~11.519~~12.510(B) of this subchapter, the ~~administrator~~Administrator may determine the tax due based on the best information available to the ~~administrator~~Administrator. If the ~~administrator~~Administrator determines the tax due under this ~~division~~subsection, the ~~administrator~~Administrator shall assess appropriate penalties and interest and shall send notice to such person of the determination and assessment.

(D) For purposes of ~~division~~subsection (A) of this section, the amount of tax due on the tax return shall be reduced by the amount of any tax payment made on or before the date for payment of the tax in accordance with § ~~11.519~~12.510(A) or 12.530 of this subchapter.

(E) Interest at the rate specified in ~~division~~subsection (A) of this section shall accrue from the original due date without regard to any extension of the filing date.

(F) Any interest amounts properly assessed in accordance with this section may not be waived or reduced by the ~~administrator~~Administrator, unless specifically provided for by written policy.

§ 11.52712.715 Payments Applied.

Taxes received shall first be applied to any penalty accrued, then to interest accrued, then to taxes due.

§ 11.52812.720 Interest On Refunds.

When, under a provision of the Business Income Tax Law, taxfilers are entitled to a refund of a portion or all of a tax paid to the ~~administrator~~Administrator, they shall receive simple interest on such amount at the rate specified in ~~§ 11.52612.710(A)~~§ 11.52612.710(A) of this ~~subchapter~~, subject to the following:

(A) Any overpayments shall be refunded with interest for each month or fraction thereof for a period beginning four months after the due date or the date the tax was paid, whichever is later, to the date of the refund; and

(B) Any overpayments of estimated tax shall be refunded with interest for each month or fraction thereof for the period beginning four months after the date the final return was filed.

(C) Any overpayments of taxes that are the result of an amended return being filed shall be refunded with interest for each month or fraction thereof for the period beginning four months after the date the amended return was filed. This ~~division~~subsection shall apply to applications that are amended due to a change to the federal, state or business income tax return.

§ 12.730 Criminal Penalties.

Violation of §§ 12.230 or 12.240 is punishable, upon conviction thereof, by a fine not exceeding \$1,000 or by imprisonment for a period not exceeding 12 months, or by both fine and imprisonment. In addition, any county employee convicted for violation of §§ 12.230 or 12.240 shall be dismissed from employment and shall be barred from employment for a period of five years thereafter. Any agent of the county shall, upon conviction, be ineligible for participation in any county contract for a period of five years thereafter.

§ 12.800 Severability.

If any section, subsection, paragraph, sentence, clause or phrase of this chapter is for any reason held to be unconstitutional or otherwise invalid, that decision shall not affect the validity of the remaining portions of this chapter. The Board of County Commissioners hereby declares that it would have passed each section, subsection, paragraph, sentence, clause or phrase regardless of the fact that any one or more sections, subsections,

paragraphs, sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

§ 12.820 Operative Date.

This chapter shall apply to tax years beginning on or after January 1, 1993. For tax years ending on or before December 31, 1992, this chapter shall apply to any administrative determination made on or after January 1, 1994.

§ 11.529~~12.840~~ Participation Of Cities.

To facilitate a unified system of collection and allocation of all county and municipal taxes upon business net income within the county, any city the territory of which is in whole or in part within the county may, if authorized by its governing body, participate under and share in the revenue derived from this ~~subchapter~~chapter, upon such terms and conditions as the county and city may agree by written contract.

**§ 11.530~~12.850~~ Former Regulations Superseded By This SubchapterChapter;
Exceptions.**

Effective for tax years beginning on or after January 1, 1993, '90 MCC Chapter 5.70 shall be superseded and given no effect until this ~~subchapter~~chapter is repealed or otherwise ceases to be effective. For tax years ending on or before December 31, 1992, all determinations of obligations and responsibilities required of any persons under '90 MCC Chapter 5.70, made on or before December 31, 1993 shall remain binding upon those persons. However, on and after January 1, 1994, this chapter [formerly §§ 11.500 et seq.] shall apply to all determinations of obligations and responsibilities for tax years ending on or before December 31, 1992 with the exceptions of:

- (A) Determination of income under '90 MCC 5.70.015;
- (B) Treatment of payments to owners or controlling shareholders under '90 MCC 5.70.025;
- (C) Net operating loss deduction under '90 MCC 5.70.030;
- (D) Ordinary gain or loss under '90 MCC 5.70.035;
- (E) Rate of tax under '90 MCC 5.70.045;
- (F) Apportionment of income under '90 MCC 5.70.050;
- (G) Partnerships, S corporations, estates and trusts under '90 MCC 5.70.055;
- (H) Exemptions under '90 MCC 5.70.060;

(I) State laws incorporated by reference under '90 MCC 5.70.075 (except that the City of Portland, Bureau of Licenses shall replace any references to the state Department of Revenue as the ~~administrator~~Administrator of the Tax.);

(J) Amendments under '90 MCC 5.70.110.

Section 2. This ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and the ordinance takes effect upon its signature by the County Chair.

FIRST READING:

August 12, 2004

SECOND READING AND ADOPTION:

August 19, 2004

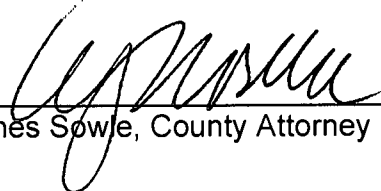
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By


Agnes Sowle, County Attorney

AGENDA PLACEMENT REQUEST

BUD MOD #:

Board Clerk Use Only:

Meeting Date: August 12, 2004

Agenda Item #: B-1

Est. Start Time: 10:45 AM

Date Submitted: 07/19/04

Requested Date: August 12, 2004

Time Requested: 1 hour

Department: Library

Division:

Contact/s: Molly Raphael, Director of Libraries

Phone: 503 988-5403

Ext.: 85403

I/O Address: 317 ADM

Presenters: Molly Raphael, Director of Libraries; Cindy Gibbon, Senior Library Manager

Agenda Title: Briefing and Board Discussion and Input on the Library Director's Recommendations Regarding the Library's Internet Access Policies

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

1. **What action are you requesting from the Board? What is the department/agency recommendation?** Briefing and Board Discussion and Input on the Library Director's Recommendations Regarding the Library's Internet Access Policies per attached resolution recommending changes in the library's Internet access policies to give parent's additional tools to make decisions about Internet filtering for their children who use Library Internet computers.
2. **Please provide sufficient background information for the Board and the public to understand this issue.** CIPA and Libraries
In December 2001, President Clinton signed the Children's Internet Protection Act (CIPA), requiring public libraries that receive certain federal funds to use filtering software to block access for all children and adults to visual depictions that are obscene, contain child pornography or are deemed harmful to minors.

Libraries and their local policy makers throughout the country took exception to this legislation for two reasons. First, the vast majority of funding for public libraries comes from local communities, and library policies are best set by local policy makers.

Multnomah County Library already had an Internet safety policy in place and was offering the option of filtered Internet searches to the public. Second, filtering software could not then and cannot now reliably block potentially offensive material, and it often blocks useful, legal information.

The CIPA Lawsuit

At the recommendation of the Library Advisory Board, the Board of County Commissioners passed resolution 01-019 authorizing Multnomah County Library to participate as a named plaintiff in an ACLU lawsuit challenging CIPA. ACLU provided legal services for the lawsuit and paid for expenses incurred by Multnomah County employees (Library Director Ginnie Cooper and County Attorney Tom Sponsler).

In 2002, the federal court in Philadelphia found CIPA unconstitutional. However, this decision was overturned on appeal to the US Supreme Court. In June 2003, in a complex and murky plurality decision, the Supreme Court declared that CIPA was not "facially" unconstitutional and that Congress did have the right to attach CIPA restrictions as strings to certain federal funds.

For the past year, the Library Advisory Board's Access Policy Advisory Committee has met regularly to evaluate the implications of the CIPA decision and its effect on the library's ability to apply for federal funds tied to CIPA. They sought the opinion of the County Attorney to understand the complex plurality decision, and what it would actually mean to enact the restrictions required by CIPA in order to continue to claim federal E-Rate discounts for Internet access. And they carefully considered how those restrictions would affect Multnomah County Library users and whether they were compatible with the Library's long-standing principles of open access to information and parental rights and responsibility to guide their children's access.

It became clear that the primary burden of CIPA falls on teens, and on parental rights. The Supreme Court decision advises that libraries face "as applied" constitutional challenges if they do not allow adults easy access to unfiltered Internet searches. But CIPA does not allow anyone under age 17 to have an unfiltered search under any circumstances, including with parental permission. Under CIPA, parents lose all discretion to make decisions about their children's Internet access. And teens lose access to the information they need on sensitive personal issues as well as for school assignments.

After studying the issue, the Library Advisory Board recommended that the library not comply with CIPA, but that it put in place additional means for parents to make decisions about their own children's use of filtering software. The library director recommends the changes outlined in the attached resolution.

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

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

If a budget modification, explain:

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

- ❖ What budgets are increased/decreased?
- ❖ What do the changes accomplish?
- ❖ Do any personnel actions result from this budget modification? Explain.

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

NOTE: Attach Bud Mod spreadsheet (FORM FROM BUDGET)

If a contingency request, explain:

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

If grant application/notice of intent, explain:

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

4. **Explain any legal and/or policy issues involved.** The County Attorney has provided an opinion regarding requirements of the Children's Internet Protection Act. CIPA allows adults to retain a choice of filtered or unfiltered Internet access, but it requires all children and teens under the age of 17 to have filtered Internet access only. Under CIPA, parents have no ability to make decisions regarding their own children's Internet Access. And Internet filters have been shown to block access to useful information, particularly information that teens need, such as resources for school reports and critical personal health issues. Test of the library's filtering software have shown that it cannot block all potentially offensive sites, and it does block access to some of the sites that library staff have selected as appropriate for children, teens and adults.
5. **Explain any citizen and/or other government participation that has or will take place.** The Library Advisory Board and its Access Policy Advisory Committee have provided input. The Library regularly receives patron comment cards, e-mail and letters regarding Internet access issues. A public hearing before the Board of Commissioners is scheduled for August 24 from 6-8 p.m.

Required Signatures:

Molly Raphael

Department/Agency Director: _____

Date: 07/19/04

Budget Analyst

By: _____

Date:

Dept/Countywide HR

By: _____

Date:

DRAFT

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

RESOLUTION NO. _____

Approving the Library Director's Recommendations Regarding the Library's Internet Access Policies

The Multnomah County Board of Commissioners Finds:

- a. The Multnomah County Library offers its patrons, regardless of age, access to valuable information via books, newspaper and magazine subscriptions, online databases and the Internet.
- b. The Multnomah County Library has always been firmly committed to protecting the intellectual freedom of all patrons by making available information and resources that are chosen to meet the broad spectrum of information needs, interests and values of a diverse community, ensuring access to Library resources regardless of patrons' economic levels, religious beliefs, age, race, or personal or physical characteristics, challenging censorship and supporting free expression, making meeting rooms available to the public, and training staff in the principles of intellectual freedom. In 1990, the Multnomah County Board of Commissioners approved the Library's mission to protect intellectual freedom and approved the Library Bill of Rights, Resolution 90-139.
- c. Since 1996, the Multnomah County Library has managed Internet access based on three intersecting principles: (1) To offer access to information and resources that library customers of all ages want, need and ask for; (2) To ensure that Multnomah County libraries are safe and welcoming places for children; and (3) To uphold the right and responsibility of parents to make choices about what resources are appropriate for their children, based on their age, maturity and family values.
- d. The Library encourages parents to take an active role in guiding their children's use of Library resources. While Library staff are available to help parents and children access information, navigate resources and explain the various tools available to families when accessing the Internet from a Library computer, only parents know their children well enough to determine what type of Internet access is appropriate for each child.
- e. Since 1999, Multnomah County Library has offered its patrons a choice of filtered or unfiltered Internet access on all library computers. Tests by the library and by independent agencies have shown that the filtering software may help to block access to objectionable Internet sites. However, the software cannot block out all objectionable sites, and it does sometimes block useful material, including sites selected by library staff as suitable for children, teens and adults.

DRAFT

- f. An Internet Access Policy for Multnomah County libraries should respect the principles of intellectual freedom and affirm the right and responsibility of parents to make decisions for their own children. With respect to the use of filtering software, the library's policies should allow adults to make decisions for themselves and allow parents to make appropriate decisions for their own children and teens.

The Multnomah County Board of Commissioners Resolves:

1. Internet Access Policies at Multnomah County Libraries shall allow parents to make decisions about Internet filtering for their own children.
2. Adult patrons, those 17 years-old and older, shall be able to choose filtered or unfiltered Internet access each time they use a Library computer.
3. Teen patrons, those between the ages of 13 and 16, shall have the choice of using filtered or unfiltered Internet access each time they use a Library computer, unless the patron's parent or legal guardian designates that the patron may use only filtered access.
4. Child patrons, those 12 years-old and younger, shall use filtered Internet access each time they use a Library computer, unless their parent or legal guardian designates that the patron may have a choice of filtered or unfiltered access.
5. Computers in the children's areas of all Multnomah County libraries that are equipped with a special children's interface shall offer only filtered Internet access.

ADOPTED this 9th day of September, 2004.

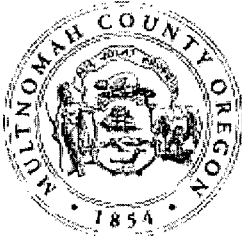
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Katie A. Lane, Assistant County Attorney



Diane M. Linn, Multnomah County Chair

NEWS RELEASE

August 3, 2004

Contact: Bob Gravely
(503) 988-5273

County Commissioners to Hear Public Comment on Library Internet Filtering Plan

The Board of County Commissioners for Multnomah County will hold a public hearing and a regular Board briefing later this month on a proposed plan to filter Internet access for children at County libraries.

The Board will vote on the proposal in September after hearing from the public on the proposal, which would filter Internet access for any child age 12 or younger unless a parent authorizes unfiltered use.

Library Director Molly Raphael and other library officials will present the proposal to the Board on **Thursday, August 12**. The briefing starts at **9am** in the **1st Floor Boardroom at the Multnomah Building, 501 SE Hawthorne Blvd.**, in Portland.

The Board will hold an additional public hearing on **Tuesday, August 24** from **6-8pm**, also in the main Boardroom at 501 SE Hawthorne, Blvd. Members of the public are invited to share their thoughts on the proposal during the hearing.

The Board is scheduled to vote on the proposal on September 9. If approved, the proposal would take affect this fall.

Under the proposal, computers in the children's section of Multnomah County libraries would continue to offer guided searches and would be filtered for any type of use. Children 12 years old and younger would be limited to filtered Internet access unless a parent or guardian designates unfiltered access. Teens between the ages of 13 and 16 would have the choice of filtered or unfiltered Internet access unless a parent or guardian designates filtered access. Adults (17 and over) would continue to have the choice of filtered or unfiltered access.

Information on the proposal is available online by visiting <http://www.multcolib.org/filterfaq.html>.

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[Home](#)**Multnomah County Library**

July, 2004

**A message from Molly Raphael,
Director of Libraries**

I'm pleased to announce several proposed changes in the library's Internet filtering practices that would give parents more options in guiding their children's Internet use and enhance the library's ongoing efforts to be a welcoming place for kids.

Multnomah County Library is already well known for the many ways we make a positive difference in the lives of children. With these proposed enhancements, our goal is to serve the community even better. Since the library first began offering Internet access to our customers in 1996, input from library users has played a significant role in shaping the development of our evolving practices. Like its predecessors, our newest proposed enhancements are shaped by the values of our community, and have been informed by input from the citizens who serve on the Library Advisory Board. We look forward to hearing what members of the public think about these proposed changes.

Community members will have the opportunity to give feedback on the proposed changes before the Board of County Commissioners, at a public hearing August 24 from 6-8 p.m. at the Multnomah Building (502 S.E. Hawthorne Blvd, Portland). If they are approved by the Board of County Commissioners, the new Internet procedures will go into effect this fall.

The proposed enhancements to the library's Internet practices include:

- Computers in the children's sections of Multnomah County libraries would continue to offer guided searches and would be filtered for any type of search (these computers are available only to children and their caregivers).
- Children (12 years old and younger) would be limited to filtered Internet access unless a parent or guardian designates unfiltered access.
- Teens (13 – 16) would have the choice of filtered or unfiltered Internet access unless a parent or guardian designates filtered access.

Adults (17 and over) would continue to have the choice of filtered or unfiltered Internet access. A [FAQ](#) provides more information about the library's Internet practices and how they are determined.

The changes I'm proposing reflect a healthy balance among three goals that are of critical importance to both the library and the community: providing access to information, upholding the right and responsibility of parents to guide their children's learning, and ensuring that our libraries are safe and welcoming for kids.

A handwritten signature of Molly Raphael in cursive script.

Molly Raphael
Director of Libraries

The address of this site is <http://www.multcolib.org/filter.html>. [Disclaimer](#)
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Last updated: Wednesday, July 21, 2004

Multnomah County Library**Questions and Answers about
Multnomah County Library's Internet Practices****How does the library manage Internet access?**

Multnomah County Library first offered Internet access in 1996. Since then, our Internet management practices have evolved based on community input and our experience providing this service. Key components of the proposed revisions to the library's Internet practices are:

- Adults (17 and over) could choose filtered or unfiltered software each time they use a library computer, as they can now.
- Teens (13 – 16) would have the choice of filtered or unfiltered Internet access unless their parent or guardian designates filtered access.
- Children (12 years and younger) would have filtered Internet access unless a parent or guardian designates unfiltered access.
- Computers in the children's areas of Multnomah County libraries would offer only filtered access.
- Other public computers would continue to offer both filtered and unfiltered access, depending on the access permitted each individual library user in the age categories listed above.

How were these recommendations determined?

The library regularly receives feedback from the community on Internet-related issues via comment cards, letters, e-mail, phone calls and personal contacts. In addition, citizens serving on the library's Access Services Policy Advisory Committee and the Library Advisory Board regularly review the library's Internet management practices and provide recommendations to the library director.

The library manages Internet access based on three intersecting principles:

- To offer access to information and resources that library customers of all ages want, need and ask for;
- To ensure that Multnomah County libraries are safe and welcoming places for kids;
- To uphold the right and responsibility of parents to make choices about what's best for their children, based on their age, maturity and family values.

**When will the changes to the library's Internet access practices go into effect?
Will the public have the opportunity to provide input?**

Community members will have the opportunity to provide input on the proposed changes to the Board of County Commissioners at a public hearing August 24 from 6 – 8 p.m. at the Multnomah Building (502 SE Hathorne Blvd., Portland). If they are approved by the Board of County Commissioners, the new Internet procedures will go into effect this fall.

How does the library help keep children safe on the Internet?

Multnomah County Library does a great deal to create a safe and welcoming environment for children and staff members work very hard to ensure that every child's library experience is a positive one.

- Computers in the children's areas of the library open directly to KidsPage, a library-created home page featuring quality children's Web sites and other age-appropriate information. KidsPage guides children directly to child-friendly Internet search engines.

- The library's Web site features other age- and topic-appropriate components such as Outernet (for teenagers) and Homework Center (for students).
- Libraries offer free classes to help the public learn to use the Internet effectively.

How does the library support parents in guiding their children to appropriate Internet resources?

Library policy affirms that it is the right and responsibility of parents to monitor their child's use of library resources, whether online or in books, CD's, DVDs or videos. No software or government agency can substitute for the judgment of parents to make the right choices for their child.

The library encourages parents to play an active role in guiding their child's use of the library in the following ways:

- Discuss family rules with their children regarding Internet use at the library.
- Monitor their children's Internet use at the library and select the Internet option (filtered or unfiltered) most appropriate for their individual child's age and level of maturity.
- Ask library staff members for help in selecting library materials to suit their family's interests.
- Show an interest in what their children borrow from the library, taking the opportunity to provide guidance if a particular choice seems inappropriate.

The library also offers two brochures to assist parents in guiding their child's Internet use, *Child Safety on the Information Highway* and *A Parent's Guide to Multnomah County Library*.

The library will also offer programs for parents in assisting them in guiding their children's use of the Internet.

What does the library do if a customer uses its computers improperly?

The library may revoke computer privileges, library privileges and/or alert law enforcement officials if its computers are used for illegal activities or if a computer user violates library behavior rules. If customers see a potential problem, they should alert staff, who will assess the situation and take appropriate action.

Are the library's proposed new Internet practices compliant with the Children's Internet Protection Act (CIPA)?

Multnomah County Counsel has advised that the restrictions imposed by CIPA on libraries receiving e-rate funding would have little effect on an adult's access to the Internet, since the Multnomah County Library's longstanding practice of offering the choice of a filtered or unfiltered Internet search already meets CIPA standards.

However, under CIPA, young people under the age of 17 could never be offered an unfiltered Internet search, even with parental permission. Given that the maturity, interests and needs of youth under 17 vary significantly, this prohibition deprives parents of the right to determine what is best for their own children, a central tenet of the library's access philosophy. Also, since the Internet is heavily used by teenagers as a primary source of information, offering this age group only filtered access would make it difficult for many to access needed resources on a variety of important topics, for school assignments, health information and other purposes.

For these reasons, community members serving on the Access Services Policy Advisory Committee and the Library Advisory Board recommended in April, 2004 that the library not comply with CIPA. Agreeing with their recommendation, library director Molly Raphael has chosen not to apply for E-rate rebates for Internet access for FY04. For the next three years, the library will be able to apply for some E-Rate telecommunications discounts that are not tied to CIPA. It is expected that in future years, the library's telecommunications/Internet needs will not be eligible for e-rate discounts due to changes in the way we acquire these services, making CIPA compliance not relevant to the library's Internet policy.