

ANNOTATED MINUTES

Tuesday, May 21, 1991 - 9:30 AM
Multnomah County Courthouse, Room 602

BOARD BRIEFING

1. Board Discussion on Upcoming Strategic Planning Session.

BOARD DISCUSSION ON REORGANIZATION OF THE DEPARTMENT OF GENERAL SERVICES; CITY/COUNTY CONSOLIDATION; BUSINESS INCOME TAX INCREASE; AND ACTIVATING THE COMMITTEE TO LOOK AT FAIR TAXATION, SPECIFICALLY THE LIBRARY AND JAIL LEVIES.

COMMISSIONER KELLEY SUGGESTED THAT THE BOARD SEEK THE ASSISTANCE OF THE PRIVATE SECTOR IN MAKING RECOMMENDATIONS AS TO HOW THE COUNTY COULD OPERATE MORE EFFICIENTLY AND EFFECTIVELY AND ADVISED SHE WOULD LIKE AN UPDATE ON THE CITY/COUNTY POLICE CONSOLIDATION FROM SHERIFF SKIPPER.

CHAIR McCOY REPORTED THAT PLANNING AND BUDGET NEEDS TO RECEIVE BUDGET MATERIAL BY JUNE 6, 1991 AND SUGGESTED THAT THE BOARD ADOPT THE BUDGET BY JUNE 20, 1991.

VICE-CHAIR BAUMAN SUGGESTED THAT INTERNAL COUNTY SUPPORT SERVICES WITHIN DGS BE TRANSFERRED TO THE CHAIR'S OFFICE AND THAT EXTERNAL PUBLIC SERVICES WITHIN DGS BE TRANSFERRED TO THE DEPARTMENT OF ENVIRONMENTAL SERVICES. VICE-CHAIR BAUMAN SUGGESTED THAT THE COUNTY INITIATE A FORMAL RELATIONSHIP WITH THE CITY OF PORTLAND AND JOINTLY DETERMINE A PROCESS IN THE FORM OF AN ORDINANCE WITH DEFINED TASKS AND SPECIFIC TIMELINES TO DEVELOP A FOLLOW UP TO RESOLUTION "A" TO BE FINALIZED BY LATE FALL.

COMMISSIONER HANSEN EXPRESSED HIS HOPE THAT THE COUNTY RETAIN AN ORGANIZATIONAL STRUCTURE WHICH WILL ENABLE THE COUNTY TO MAINTAIN A STANDARD OF EXCELLENCE FOR ALL ITS SERVICES.

BILL FARVER OF COMMISSIONER ANDERSON'S STAFF SUGGESTED THE COUNTY LOOK TO THE IMMEDIATE TRANSFER OF SOME CITY/COUNTY SERVICES.

CHAIR McCOY ADVISED THAT IF A PORTION OF DGS WAS TRANSFERRED TO HER OFFICE SHE WOULD NEED ANOTHER STAFF PERSON AND THAT SHE WOULD PUT A PROPOSAL TOGETHER FOR THE BOARD'S CONSIDERATION NEXT WEEK.

BEN BUISMAN OF PLANNING AND BUDGET ADVISED THAT THE DRAFT BUSINESS INCOME TAX ORDINANCE INCREASES THE TAX BY 1/2% EFFECTIVE JANUARY 1, 1991 AND THAT COUNTY COUNSEL ADVISED THE COUNTY COULD ADOPT THIS ORDINANCE IN MAY OR JUNE AND STILL COLLECT FROM JANUARY 1, 1991. MR. BUISMAN ADVISED THE COUNTY WOULD ALSO NEED TO REWRITE THE ENABLING LEGISLATION, OBTAIN AGREEMENT WITH THE CITY OF PORTLAND AND WORK WITH THE DEPARTMENT OF REVENUE TO GET WHATEVER WORDING HAS TO BE CHANGED ON THE FORMS WHICH GO OUT IN JANUARY, 1992.

IN RESPONSE TO A SUGGESTION FROM BILL FARVER, CHAIR McCOY SUGGESTED THAT THE BOARD WORK WITH JIM MUNZ TO COST OUT PROPOSED DGS REORGANIZATION SCENARIOS. JIM MUNZ TO GATHER INFORMATION IN RESPONSE TO BOARD QUESTIONS AND INPUT ON THE DGS REORGANIZATION FOR BOARD BRIEFING ON TUESDAY, JUNE 4, 1991.

CHAIR McCOY SUGGESTED THAT THE BOARD PARTICIPATE IN A RETREAT TO KICK OFF STRATEGIC PLANNING AT TIMOTHY LAKE ON EITHER AUGUST 8 AND 9 OR AUGUST 15 AND 16, WHICH WOULD CONSIST OF EACH BOARD MEMBER AND ONE STAFF PERSON, EACH MANAGER AND A STAFF PERSON, SOMEONE FROM THE BUSINESS TASKFORCE AND SOMEONE FROM THE CITIZEN INVOLVEMENT COMMITTEE.

BILL FARVER ADVISED THAT THE INTERNAL EFFICIENCY COMMITTEE WILL PRESENT ITS RECOMMENDATIONS TO THE BOARD NEXT WEEK.

CHAIR McCOY DIRECTED THAT CAROLYN MEEKS PRESENT A BRIEFING ON THE STATUS OF THE CITY/COUNTY CONSOLIDATION ON WEDNESDAY, JUNE 26, 1991, DURING THE STRATEGIC PLANNING UPDATE SESSION SCHEDULED FOR 9:30 AM ON WEDNESDAY, JUNE 26, 1991.

Tuesday, May 21, 1991 - 10:30 AM
Multnomah County Courthouse, Room 602

AGENDA REVIEW

2. Review of Agenda for Regular Meeting of May 21, 1991
 - C-1 CHAIR McCOY TO HAVE FRED NEAL PREPARE A LIST OF THE COUNTY BOARDS AND COMMISSIONS WHICH ARE MANDATED BY STATE STATUTES.
 - R-2 CHAIR McCOY SUGGESTED THE PROPOSED RESOLUTION CONTAINS INAPPROPRIATE ADMINISTRATIVE LANGUAGE WHICH SHE WOULD LIKE AMENDED PRIOR TO THURSDAY.

- R-3 CHAIR McCOY SUGGESTED THE PROPOSED RESOLUTION CONTAINS INAPPROPRIATE ADMINISTRATIVE LANGUAGE WHICH SHE WOULD LIKE AMENDED PRIOR TO THURSDAY.
- R-6 CHARLES CIECKO TO LOOK INTO POSSIBILITY OF USING YOUTH WORK CREWS TO ASSIST WITH THE PROPOSED BYBEE-HOWELL PARK RENOVATION. MR. CIECKO UPDATED THE BOARD ON THE NATURE CONSERVANCY OPTION TO SECURE BURLINGTON BOTTOMS WETLANDS AND WILL PLAN TO PROVIDE THE BOARD WITH A TOUR OF THE SITE LATER THIS SPRING.
- R-7 CURTIS SMITH DISCUSSED BOARD STAFF ALTERNATIVES TO THE PROPOSED ORDINANCE. COMMISSIONER KELLEY EXPLAINED WHY SHE COULD NOT SUPPORT THE PROPOSED ORDINANCE.
- R-9 BOB ELLIS REQUESTED POSTPONEMENT OF THIS ITEM DUE TO A DEATH IN THE FAMILY OF COUNTY COUNSEL SANDRA DUFFY. CHAIR McCOY DIRECTED THAT STAFF RESUBMIT THE MATTER AFTER THEY HAVE OBTAINED THE NECESSARY DATA.

Tuesday, May 21, 1991 - 11:00 AM
Multnomah County Courthouse, Room 602

BOARD BRIEFING

3. Sheriff's Office Video Briefing. Presented by Sheriff Robert Skipper. (11:00 AM TIME CERTAIN)

GARY WALKER AND JOHN SCHWEITZER PRESENTED AN INTERNATIONAL TELEVISION AND VIDEO ASSOCIATION RECRUITING FILM PROMOTING THE MULTNOMAH COUNTY SHERIFF'S OFFICE; AND A VIDEO ON ELECTRONIC FINGERPRINTING. CHIEF DEPUTY SCHWEITZER DISCUSSED THE NEED FOR COUNTY TO OBTAIN ELECTRONIC FINGERPRINTING AND VIDEO-IMAGING TECHNOLOGY FOR GREATER EFFICIENCY AND COST SAVINGS.

Thursday, May 23, 1991 - 9:30 AM
Multnomah County Courthouse, Room 602

REGULAR MEETING

CONSENT CALENDAR

NON-DEPARTMENTAL

- C-1 In the Matter of the Re-Appointment of Jim Fujii to the Agricultural Review Board for a Term to Expire July, 1992

APPROVED.

C-2 In the Matter of the Appointment of Lora Creswick to the Citizen Involvement Committee for a Term to Expire April, 1993

APPROVED.

C-3 In the Matter of the Appointments of Patrick Donaldson and Gwen Taylor to the Community Corrections Advisory Committee for Terms to Expire July, 1992

APPROVED.

C-4 In the Matter of the Appointment of Mark Abrams to the Department of General Services Citizen Budget Advisory Committee for a Term to Expire September, 1993

APPROVED.

C-5 In the Matter of the Appointments of Norman E. Enyart, Jr., Rev. Rozell Gilmore and Karen Gorton to the Welfare Review Board for Terms to Expire February, 1993

APPROVED.

DEPARTMENT OF ENVIRONMENTAL SERVICES

C-6 In the Matter of the Appointments of Denise Saunders and Ilene Nessenson as Hearings Officers for the Potentially Dangerous Dog Program Pursuant to MCC 8.10.010(I)

APPROVED.

LIBRARY SERVICES

C-7 Ratification of an Intergovernmental Agreement Between Washington County and Multnomah County Whereas the Washington County Cooperative Library Services will Continue to Provide Mail-Order Services to Selected Rural Boxholders and Homebound Residents of Multnomah County

APPROVED.

REGULAR AGENDA

NON-DEPARTMENTAL

R-1 PROCLAMATION in the Matter of Proclaiming the Week of June 1 through June 9, 1991, GREAT BLUE HERON WEEK, in Multnomah County

PROCLAMATION 91-76 APPROVED. PAM ARDEN OF COMMISSIONER HANSEN'S STAFF SUBMITTED BROCHURES AND ADVISED OF SCHEDULED ACTIVITIES.

R-2 RESOLUTION in the Matter of Establishing an Employee Suggestion System

SUBSTITUTE RESOLUTION SUBMITTED. TESTIMONY

HEARD. CONTINUED TO THURSDAY, JUNE 6, 1991.

- R-3 RESOLUTION in the Matter of Establishing a Policy to Maintain Foreclosed Properties While in Multnomah County's Possession

CONTINUED TO THURSDAY, JUNE 6, 1991.

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-4 Second Reading and Possible Adoption of an ORDINANCE Amending the Multnomah County Code Chapters 5.10, 11.20, and 11.45 by Increasing Fees for Services of the County Surveyor as Authorized by State Statutes

ORDINANCE NO. 680 APPROVED.

- R-5 Ratification of an Intergovernmental Cooperative Improvement Agreement Between the State Department of Transportation, Highway Division and Multnomah County to Share the Cost of Power and Maintenance for a Signal to be Installed on the Lower Columbia River Highway at Cornelius Pass Road

TESTIMONY HEARD. AGREEMENT APPROVED.

- R-6 Request for Approval of the Notice of Intent to Apply for a \$25,000 Demonstration Grant from the Metropolitan Service District for Wetland Enhancement at Bybee-Howell Park

APPROVED.

DEPARTMENT OF GENERAL SERVICES

- R-7 Second Reading and Possible Adoption of an ORDINANCE Adopting Salary Ranges for Fiscal Year 1990-91 for Employees Covered by the Exempt Classification/Compensation Plan and Repealing Ordinance No. 667 (First Reading May 2, 1991)

MOTION APPROVED CHANGING EFFECTIVE DATE TO JULY 1, 1991; DELETING SECTION II., PARAGRAPH (D) (RETROACTIVE CLAUSE); AND CONTINUING SECOND READING OF AMENDED ORDINANCE TO THURSDAY, JUNE 6, 1991.

- R-8 Budget Modification DGS #8 Authorizing Transfer of Special Appropriation Funds to the Juvenile Justice Project

APPROVED.

- R-9 Board Consideration in the Matter of the Request for Tax Exempt Status by the Oregon Parks Foundation (Continued from May 16, 1991)

TABLED. STAFF TO RESUBMIT AT A LATER DATE.

DEPARTMENT OF HUMAN SERVICES

R-10 Budget Modification DHS #37 Authorizing an Increase in the Alcohol and Drug Contracts Budget by \$461,068 to Reflect Additional Funding for Contracted Services via Increases in the State Mental Health Grant Through Amendment #49

APPROVED.

GINNIE COOPER AND JIM EMERSON ALERTED THE BOARD OF STRUCTURAL DAMAGE TO WALLS ON THE SECOND FLOOR OF THE CENTRAL LIBRARY.

Thursday, May 23, 1991 - 10:00 AM
Multnomah County Courthouse, Room 602

BOARD BRIEFING

1. Review of Procedural Options in the Matter of the Secondhand Dealer Permit Appeal of James Weaver, dba Abe's Secondhand Store. Presented by County Counsel Laurence Kressel. (Continued from May 16, 1991)

BOARD CONSENSUS GIVEN FOR COUNTY COUNSEL TO PREPARE AN ORDER REMANDING THE RECORD AND APPEAL TO AN APPOINTED HEARINGS OFFICER FOR REVIEW AND RECOMMENDATION. CHAIR TO ADVISE THE SHERIFF'S OFFICE TO AMEND COUNTY ORDINANCE NO. 647 TO CONFORM WITH AMENDED PORTLAND ORDINANCE.



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 606, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • CHAIR • 248-3308
PAULINE ANDERSON • DISTRICT 1 • 248-5220
GARY HANSEN • DISTRICT 2 • 248-5219
RICK BAUMAN • DISTRICT 3 • 248-5217
SHARRON KELLEY • DISTRICT 4 • 248-5213
CLERK'S OFFICE • 248-3277

AGENDA

MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

FOR THE WEEK OF

MAY 20 - 24, 1991

- Tuesday, May 21, 1991 - 9:30 AM - Board Briefing.Page 2
- Tuesday, May 21, 1991 - 10:30 AM - Agenda Review.Page 2
- Tuesday, May 21, 1991 - 11:00 AM - Board BriefingPage 2
- Thursday, May 23, 1991 - 9:30 AM - Regular Meeting.Page 2
- Thursday, May 23, 1991 - 10:30 AM - Board Briefing.Page 4

Thursday Meetings of the Multnomah County Board of Commissioners are recorded and can be seen at the following times:

- Thursday, 10:00 PM, Channel 11 for East and West side subscribers
- Friday, 6:00 PM, Channel 27 for Paragon Cable (Multnomah East) subscribers
- Saturday 12:00 PM, Channel 21 for East Portland and East County subscribers

Tuesday, May 21, 1991 - 9:30 AM

Multnomah County Courthouse, Room 602

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- C-3 In the Matter of the Appointments of Patrick Donaldson and Gwen Taylor to the Community Corrections Advisory Committee for Terms to Expire July, 1992
- C-4 In the Matter of the Appointment of Mark Abrams to the Department of General Services Citizen Budget Advisory Committee for a Term to Expire September, 1993
- C-5 In the Matter of the Appointments of Norman E. Enyart, Jr., Rev. Rozell Gilmore and Karen Gorton to the Welfare Review Board for Terms to Expire February, 1993

CONSENT CALENDAR - continued

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-6 In the Matter of the Appointments of Denise Saunders and Ilene Nessenson as Hearings Officers for the Potentially Dangerous Dog Program Pursuant to MCC 8.10.010(I)

LIBRARY SERVICES

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DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-4 Second Reading and Possible Adoption of an ORDINANCE Amending the Multnomah County Code Chapters 5.10, 11.20, and 11.45 by Increasing Fees for Services of the County Surveyor as Authorized by State Statutes
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DEPARTMENT OF GENERAL SERVICES - continued

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- R-9 Board Consideration in the Matter of the Request for Tax Exempt Status by the Oregon Parks Foundation (Continued from May 16, 1991)

DEPARTMENT OF HUMAN SERVICES

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0103C/35-38/dr

PAULINE ANDERSON
Multnomah County Commissioner
District 1



605 County Courthouse
Portland, Oregon 97204
(503) 248-5220

March 21, 1991

To: Office of the Clerk
Board of County Commissioners

I will be out of town May 20-24.

In addition, I will be away from my office July 8
through August 2.

BOARD OF
COUNTY COMMISSIONERS
1991 MAR 21 PM 2:33
MULTNOMAH COUNTY
OREGON

Meeting Date: MAY 23 1991

Agenda No.: C-1 thru C-5

(Above space for Clerk's Office Use)

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: Appointments

AGENDA REVIEW/
BOARD BRIEFING _____ REGULAR MEETING Thursday, May 23, 1991
(date) (date)

DEPARTMENT County Chair DIVISION _____

CONTACT Judy Boyer TELEPHONE x3308

PERSON(S) MAKING PRESENTATION _____

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: _____

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: _____

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

see attached listing

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
1991 MAY 16 AM 11:12

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL *Gladys McCoy*
Or

DEPARTMENT MANAGER _____

(All accompanying documents must have required signatures)



4/8/91

BOARDS AND COMMISSIONS

INTEREST FORM FOR BOARDS AND COMMISSIONS

In order for the County Executive to more thoroughly assess the qualifications of persons interested in serving on a Multnomah County board or commission, you are requested to fill out this interest form as completely as possible. You are encouraged to attach or enclose supplemental information or a resume which further details your involvement in volunteer activities, public affairs, civic services, published writing, affiliations, etc.

A. Please list, in order of priority, any Multnomah County boards/commissions on which you would be interested in serving. (See attached list)

Multnomah County Review Board
Children + Youth Services Commission

B. Name Rev. ROZELL GILMORE

Address 3909 N. Overlook Tr.

City Portland State Oregon Zip 97227

Do you live in unincorporated Multnomah County or a city within Multnomah County.

Home Phone 284 0848

C. Current Employer N.W. District, Lutheran Church M-8

Address 1700 N.E. Knott St.

City Portland State Or. Zip 97212

Your Job Title Pastor, Lutheran Inner-City Ministries

Work Phone 281 7036 (Ext) _____

Is your place of employment located in Multnomah County? Yes No

D. Previous Employers Dates Job Title

Good Shepherd Lutheran Church - Seattle, WA. 1986-88 Pastor

Resurrection " " - Chicago, IL. 1982-86 "

Our Savior " " - Miami, FL. 1981-82 "

E. Please list all current and past volunteer/civic activities.

Name of Organization	Dates	Responsibilities
Portland NAACP	1975-79/1991	V-P / Ex. Committee
Lutheran Family service	1989-present	Personnel Committee
Albina Ministerial Alliance		Ex. Bd / Property Bd.
NE Coalition Board	1990-present	

F. Please list all post-secondary school education.

Name of School	Dates	Degree/Course of Study
Cascade College	1957-63	BA - Religion
Emanuel Hospital	1972-73	Clinical Pastoral Ed. diploma
Concordia Theological Seminary	1979-82	MAR

G. Please list the name, address and telephone numbers of two people who may be contacted as references who know about your interests and qualifications to serve on a Multnomah County board/commission.

Rev. William Adix 4942 NE 34th - P4Ld. 97211 Ph. 284-0773
Rev. Johnson Jackson 5020 NE 52nd 97218 Ph. 249-0613

H. Please list potential conflicts of interest between private life and public service which might result from service on a board/commission.

I. Affirmative Action Information

Afro-American
sex / racial ethnic background

birth date: Month 2 Day 15 Year 31

My signature affirms that all information is true to the best of my knowledge and that I understand that any misstatement of fact or misrepresentation of credentials may result in this application being disqualified from further consideration or, subsequent to my appointment to a board/commission, may result in my dismissal.

Signature Rozell Gilmore Date 4/3/91



JKB
APR 11

MULTNOMAH COUNTY OREGON

BOARDS AND COMMISSIONS

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In order for the County Executive to more thoroughly assess the qualifications of persons interested in serving on a Multnomah County board or commission, you are requested to fill out this interest form as completely as possible. You are encouraged to attach or enclose supplemental information or a resume which further details your involvement in volunteer activities, public affairs, civic services, published writing, affiliations, etc.

A. Please list, in order of priority, any Multnomah County boards/commissions on which you would be interested in serving. (See attached list)

Multnomah County Welfare Review Board

B. Name Karen Gorton

Address 3410 NE 54th

City Portland State Or Zip 97213

Do you live in _____ unincorporated Multnomah County or XX a city within Multnomah County.

Home Phone 284-9860

C. Current Employer Metro Child Care Resource & Referral

Address PO Box 16521

City Portland State Or Zip 97216

Your Job Title Director

Work Phone 253-1561 (Ext) _____

Is your place of employment located in Multnomah County? Yes xx No _____

D. Previous Employers _____ Dates _____ Job Title _____

See Resume

CONTACT:

GLADYS McCOY, MULTNOMAH COUNTY CHAIR
1021 SW 4TH, ROOM 134
PORTLAND, OREGON 97204
(503) 248-3308

E. Please list all current and past volunteer/civic activities.

Name of Organization	Dates	Responsibilities
See Resume		

F. Please list all post-secondary school education.

Name of School	Dates	Degree/Course of Study
See Resume		

G. Please list the name, address and telephone numbers of two people who may be contacted as references who know about your interests and qualifications to serve on a Multnomah County board/commission.

Cornetta Smith AMA 1425 NE Dekum Portland, Oregon 97211 285-0493
Davene Cohen 426 SW Stark-6th Floor Portland, Oregon 97204 248-3691

H. Please list potential conflicts of interest between private life and public service which might result from service on a board/commission.

I. Affirmative Action Information

F Caucasian
sex / racial ethnic background

birth date: Month 5 Day 23 Year 48

My signature affirms that all information is true to the best of my knowledge and that I understand that any misstatement of fact or misrepresentation of credentials may result in this application being disqualified from further consideration or, subsequent to my appointment to a board/commission, may result in my dismissal.

Signature *Harv A. Linton* Date 4/9/91

lom
6/83

RESUME

Karen Ann Gorton
3410 NE 54th Avenue
Portland, Oregon 97213
H) 503-284-9860 W) 503-253-1561

EDUCATION: Oregon State University-Corvallis, Oregon
1970-71 Masters of Education, Guidance and Counseling
1966-70 Bachelors of Science, Social Science Education

Lebanon Union High School-Lebanon, Oregon
1962-66 High School Diploma

WORK EXPERIENCE:

POSITION: Director- Metro Child Care Resource and Referral
PO Box 16521
Portland, Oregon 97216
June 1990-Present

As Director, I coordinate the development of the Tri-County Metro Child Care Resource and Referral project. My responsibilities include resource development, administration and coordination of direct referral services including the identification, and integration of child care resources, and community outreach and advocacy with the purpose of creating a quality child care delivery system networking parents, child care providers, local, county and state agencies, child care support groups, businesses, etc.

Current Community Involvement:

1989-Present Representative, Adult and Family Service (AFS)-State Child Care Improvement Task Force (Market Rate Survey, Training, Standards, Overall)
1989-Present Chair, AFS-North Region, Welfare Reform Child Care Subcommittee
1991-Present Representative, AFS-North Region Welfare Reform Planning Committee
1989-Present Representative, N/NE Portland Child Care Task Force
1989-Present Representative, Tri-County Early Intervention Child Care Task Force
1989-Present Representative, Metro Child Care Resource Network

POSITION: Social Service Coordinator-Albina Ministerial Alliance Head Start
1425 NE Dekum Avenue
Portland, Oregon 97211
November 1978-June 1990

As Social Service Coordinator, I provided family support services for 240 children between the ages of 3 to 5 years. These support services included family needs assessments, mental health referrals, parent training workshops in communications, time management, child abuse, stress management and parent and community advocacy. In addition, I was responsible for recruitment, enrollment and attendance records.

While working with Head Start, I was very active in coordinating with national, regional, state and local organizations/agencies to see that parents were informed of their rights and knew steps they could take to better themselves.

Former Advocacy Involvement:

1988-89 Co-Chair, Region X Head Start (HS) Training Conference
1988-89 Chair, Oregon HS Training/Communications Committee
1986-90 Staff Representative, Oregon HS Public Information Committee
1985-87 Panelist, National HS Review Panels for Expansion/Discretionary Grants
1985-90 Advisor, Region X Head Start Association
1980-83/85-90 Chair, Oregon Head Start Staff Association
1984-85 Secretary, Region X Head Start Association
1983-84 Assistant Secretary, National Head Start Staff Association
1980-84 National Representative, National Head Start Association
1980-85 Region X Representative, Oregon Head Start Association

1986-90 Assisted in coordination of Tri-County Welfare Rights Advocates Network
1980-83 Coordinator, Oregon Human Rights Coalition

POSITION: Director-Oregon Children's League (Oregon Child Care Education and Advocacy)
Salem, Oregon
March 1987-88

As Director my primary responsibility was to network with child care providers (center and family child care), preschools, community colleges, state agencies and corporations through legislative alerts, newsletters, and group presentations to build a state-wide coalition advocating for quality child care.

POSITION: Child Care Coordinator-West Tuality Child Care Services
Hillsboro, Oregon
March 1977-June 1978

As a Child Care Coordinator, I worked at recruitment, development and maintenance of quality family child care homes for working families. I functioned as a liaison to provide cohesiveness between interpersonal relationships of the children, parents and the child care providers. I developed various workshops and meetings for providers to help them expand their resources and abilities in assessing and responding to children's and parents' needs. I also worked with providers and parents in identifying any special needs of a child and made referrals to other special agencies when appropriate.

POSITION: Counselor-Tongue Point Job Corps
Astoria, Oregon
August 1972-August 1976

As a Counselor, I dealt with a caseload of 50-100 women between the ages of 16-22 who were primarily disadvantaged high school dropouts seeking an alternative educational opportunity. Working on an individual or group basis, I was primarily responsible assisting in their psychological and social development, and helping them plan realistic short and long term vocational/educational goals. I also coordinated communications and inservice training between teachers and residential staff concerning the women's behavioral patterns. In addition, I was involved in coordinating the Center-wide leadership program.

POSITION: Resident Advisor-Tongue Point Job Corps
Astoria, Oregon
August 1971-August 1972

As a Residential Advisor, I was directly involved with helping the women deal with interpersonal relationships. I worked as an advisor to leadership groups which promoted their active involvement in the development and maintenance of programs for improving their living conditions. I worked in small groups counseling sessions which were designed to provide them with means of communicating particular personal problems or needs.



JMB GLADYS McCOY
 MULTNOMAH COUNTY CHAIR
 1021 SW 4TH ROOM 134
 PORTLAND, OREGON 97204
 4/5/97

MULTNOMAH COUNTY OREGON

BOARDS AND COMMISSIONS

INTEREST FORM FOR BOARDS AND COMMISSIONS

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A. Please list, in order of priority, any Multnomah County boards/commissions on which you would be interested in serving. (See attached list)

WELFARE BOARD

B. Name NORMAN E. ENYART JR.

Address 2022 NW DIVISION ST. / 11665 GEORGE ST.

City GRESHAM / WOODBURN State OREGON Zip 97030 / 97071

Do you live in NO unincorporated Multnomah County or NO a city within Multnomah County.

Home Phone 981-0154

C. Current Employer NATIVE AMERICAN REHABILITATION OF THE

NORTHWEST INC.
 Address 2022 NW DIVISION

City GRESHAM State OREGON Zip 97030

Your Job Title EXECUTIVE DIRECTOR

Work Phone 669-1889 (Ext) Beepers 221-9112

Is your place of employment located in Multnomah County? Yes X No

D. Previous Employers _____ Dates _____ Job Title _____

Indian Health Service - SEE RESUME

CONTACT:

GLADYS McCOY, MULTNOMAH COUNTY CHAIR
 1021 SW 4TH, ROOM 134
 PORTLAND, OREGON 97204
 (503) 248-3308

E. Please list all current and past volunteer/civic activities.

Name of Organization	Dates	Responsibilities
Central City Concern		Board member
For the next review resume		

F. Please list all post-secondary school education.

Name of School	Dates	Degree/Course of Study
Review Resume		

G. Please list the name, address and telephone numbers of two people who may be contacted as references who know about your interests and qualifications to serve on a Multnomah County board/commission.

Dennis Wong	Mult. Co.	248 3696
Richard Harris	Central City	294-1681

H. Please list potential conflicts of interest between private life and public service which might result from service on a board/commission.

None that I'm aware of

I. Affirmative Action Information

MAI AMERICAN Indian SENCA/Cayuga
sex / racial ethnic background

birth date: Month 09 Day 15 Year 47

My signature affirms that all information is true to the best of my knowledge and that I understand that any misstatement of fact or misrepresentation of credentials may result in this application being disqualified from further consideration or, subsequent to my appointment to a board/commission, may result in my dismissal.

Signature James E. Ryzard Date 04-02-91

P R E S E N T A T I O N O F Q U A L I F I C A T I O N S
N O R M A N E . E N Y A R T , J R .

1465 GEORGE STREET
WOODBURN, OREGON 97071
(503) 98-1-0154

O B J E C T I V E

A position with an organization where an extensive background in the treatment of drug and alcohol abuse would be of value.

S U M M A R Y O F Q U A L I F I C A T I O N S

Experience: A professional with over thirteen years experience in the treatment of drug and alcohol abuse; development of treatment programs; supervision of treatment services; prepare and manage budgets; prepare service manuals; conduct group sessions; work with Juvenile Courts and other government agencies; individual and family counseling; grant writing.

P R O F E S S I O N A L H I G H L I G H T S

July 28, 1989 to Present

Executive Director

Native American Rehabilitation Association of the Northwest
Gresham/Portland, Oregon

Responsible for the active directions and management of the program and reports to the Board of Directors. The Executive Director manages the staff, financial resources and accounting procedures, treatment components, programmatic functions, grant compliance, training objectives and acts as liaison with appropriate local, county, state, federal, tribal agencies and other organizations.

December/86 to Present

Enyart Consulting Services

Woodburn, Oregon 97071

Provide training to tribes in Oregon, Washington, Idaho, Minnesota and Arizona on P.L. 99-570, Alcohol and Drug Education, Anger Management, Community Values and Responsibilities. Provide alcohol/drug program evaluations and ATGS training.

April/88 to Present - Clinical Supervisor

Native American Rehabilitation Association of the Northwest
Gresham/Portland, Oregon

Responsible for getting program into compliance with Indian Health Service Standards within 90 days. Developed team concept, reorganized agency to obtain maximum benefit from present staffing pattern, developed the family program, negotiated and implemented the educational enhancement program (outpatient/residential) and FAS/FAE Program plus provide quality assurance that all funding requirements are being met. Responsible for staff of 31.

Resume...Norman E. Enyart, Jr.

December 88 to April 89 - Therapist

Red Willow Adolescent Treatment Program
Gervais, Oregon

Responsible for case management of ten adolescent boys and girls "ages 12 - 19". Developed and implemented exercise classes. Taught groups on alcohol and other drugs. Gave lectures on personal relationships, anger management, values clarification and positive identification and group facilitator.

January 87 to December 88 - Clinical Supervisor

Native American Rehabilitation Association of the Northwest Portland, Oregon

Under the direct supervision of the Executive Director, as the Clinical Supervisor, I was responsible for the provision of effective, quality substance abuse/alcoholism treatment services at the residential men's component, women's component, and children's component plus the outpatient clinic program to ensure compliance with funding sources. Developed and implemented new treatment modalities. Developed and implemented trainings for personnel working with recovering Native Americans throughout Oregon, Washington, Idaho and Alaska. Responsible for supervision of staff of 15. Also carried small caseload and facilitated lectures and groups.

December, 1986 to January, 1987 - Consultant

Indian Health Services
Portland, Oregon

Responsible for Coordinating and development of tribal action plans, resolutions and community based needs assessments for 37 Portland Area Indian tribes. Administrative responsibility for contract employees, relating responsibilities, program site reviews, public speaking, facilitating anger control groups and development of substance abuse training activities.

August, 1986 to December, 1986 - Component Coordinator

Drug and Alcohol Services
Mount Baker Central Youth Service Bureau
Seattle, Washington

Report directly to the Executive Director. Responsible for supervising staff and programs of the Drug/Alcohol component: interview and conduct clinical assessments of youth, assure that contract performance and reporting requirements are met, assess program needs, plan component work, train staff personnel and monitor client progress. Development of youth outpatient program. Developed Program Operational Manual.

Resume...Norman E. Enyart, Jr.

January, 1986 to August, 1986 - Alcoholism Administrator
Seattle Indian Health Board...Seattle, Washington

Responsible for administering the operation of the Alcoholism Departments (inpatient and outpatient programs), including supervision of a staff of twenty-eight employees, program development and implementation, and assuring compliance with all licensing and funding requirements. Develop alcohol treatment services for clients, perform staff evaluations, update service manuals, assist in budget preparation (\$800,000 plus) and monitor expenditures, prepare program reports and participate in fund raising activities and grant writing. Directed Program in 3.5 months to pass Joint Commission on Accreditation of Hospital Standards.

June, 1985 to January, 1986

Outpatient Clinic Treatment Supervisor

Native American Rehabilitation Association of the Northwest Portland, Oregon

Responsible for supervision of all clinic personnel, managing a budget in excess of 187,000, overseeing client treatment services, interfacing with County, State and Federal agencies and providing technical assistance to other alcohol programs. Also acted as a consultant on personalized treatment planning, developed outpatient treatment schedules and created training materials for speaking engagements on "Anger Control."

January, 1983 to June, 1985 - Treatment Coordinator Sweathouse Lodge, Inc. Cascadia, Oregon

Responsible for supervising alcohol counselors, conducting inservice training sessions, assessing client needs and assigning appropriate counselors, and preparing fund raising proposals. Developed treatment modalities for 90 day residential treatment center and aftercare.

August, 1977 to March, 1982 - Correctional Counselor

State of Oregon, Juvenile Parole
Portland, Oregon

Responsible for supervising and counseling incarcerated adolescents. Facilitated classes on alcohol and drug abuse, weight training, personal hygiene and meal preparation. Counseled families on drug and alcohol control, represented clients in court and helped facilitate their job placement.

March 1975 to August, 1977 - Tutor/Counselor

Portland Public Schools, Indian Education Unit Portland, Oregon

Responsible for counseling fifteen Native American youth in local schools and family settings. Kept client files, initiated individualized treatment, provided liaison between family, children and schools on drug and alcohol problems, helped find jobs for clients and represented them in court.

Norman E. Enyart, Jr...Resume

E D U C A T I O N

St. Martins College, 1984
Linnfield College, 1986
Portland Community College, 1969-79
Northwest Indian College, 1984-91
(Associates Degree, Technical Arts)
Concordia College 89-91, Professional Executive Director's Certificate
Professional Development Directors Certificate

S P E C I A L I Z E D T R A I N I N G

Certified Counselor I

Advanced Counseling of the American Indian Substance Abuser,
Northwest Indian Consortium, 1985
Alcohol 101, State of Oregon, 1984
Anger Control Techniques, Oregon Institute of Alcoholism/1984
BABES Training, Washington State Council on Alcoholism/1986
Basic Counseling Skills, State of Oregon, 1984
Cultural Alcohol and Chronic Alcohol Treatment
Saint Martins College, 1984
Effective Correspondence, University of Washington, 1986
Family Counseling Techniques/Northwest Indian Consortium/1985
Reality Therapy Based Intermediate, State of Oregon, 1984
Separation Trauma and Dying Workshop, Primary Residential Treatment
Consortium, 1985
Short-Term Client Systems, State of Oregon, 1984
Youth Substance Abuse Prevention and Treatment, PRT, 1985
Celebrating Prevention Strategies for the 90's (1989)
Summer Youth Leadership Conference (1989)
University of Minnesota, Alcohol/Drug (Family Treatment), 1989
Youth Treatment Issues for the Nineties, 1989
Celebrating Prevention (1990)
Oregon Adolescent Alcohol and Drug Treatment (1990)
Meyers Briggs Training, 1990
HIV workshop, 1990
Management/Leadership, 1990
NIDA National Conference on Drug Abuse Research and Practice, 1991

R E F E R E N C E S

Community Affiliations:

American Indian Association Professionals (Board Member)
Portland Area Drug and Alcohol Manager Association, President
C.S.D. Indian advisory Council, Member
AFS Welfare Reform Act, Advisory Member
Robert Johnson Steering Committee
Shoal Water Bay Steering Committee
State of Oregon Prevention Planning Committee
Multnomah County Prevention/Planning Committee
Central City Concern Board Member
Portland Public Schools Indian Curriculum Committee

INTEREST FORM FOR MULTNOMAH COUNTY
CITIZEN INVOLVEMENT COMMITTEE

In order for the Multnomah County Commission to assess more thoroughly the qualifications of persons interested in serving on the Citizen Involvement Committee, you are requested to fill out this interest form. Please feel free to attach or enclose supplemental information or a resume which further details your involvement in volunteer activities, public affairs, civic services, affiliations, etc.

We consider information from Sections I through III public, and it may be used in press releases announcing appointments.

NAME OF NOMINATING GROUP: SALVIE ISLAND GRANGE

SECTION I

NAME: LORA K. CRESWICK HOME PHONE: 621-3645

ADDRESS: 15203 N.W. BURLINGTON WORK PHONE: 621-3767

PORTLAND, OREGON Zip Code 97231

Is your residence located in Multnomah County?

YES NO

SECTION II

Why are you interested in serving on the Multnomah County Citizen Involvement Committee?

Intelligent decisions can only be made when information is clear and easily obtained; I will strive to collect and share information from both directions.

SECTION III

Please list three volunteer/civic activities:

- ORGANIZATION: 1. CRESTON-KENILWORTH NEIGH ASSOC. DATE: 1975-88
- 2. S.E. UPLIFT CRIME PREV. Bd DATE: 80-88(OFF #ON)
- 3. OREGON REMODELERS ASSOC. DATE: 82-91

RESPONSIBILITIES: 1. NEWSLETTER, SPEAKERS, SCHEDULING, ALL

OFFICES EXCEPT TREASURER 2. MEETINGS, INFORMATION GATHERING & DISPENSING 3. EDUCATING CONSUMERS OF ETHICS, CODES, ETC. ORGANIZING

4. "VAL OF LIFE" PROJECT
TREASAND FIRE DEPT.

PROJECTS W/ R.D.C. - PRIMARILY ELDERLY RESIDENTS IN CRESTON-KENILWORTH NEIGHBORHOOD.

SECTION IV

Please list the name, address and telephone numbers of two people who may be contacted as references. Please name those who know about your interests and qualifications to serve on the Citizen Involvement Committee:

S.E. UPLIFT - HELEN CHEEK 232-0010

SAVUE ISLAND GRANGE #890 - DON ANDERSON

* JEAN FEARS 621-3625

SECTION V

Please state any potential conflicts of interest between private life and public service which might result from service on the Citizen Involvement Committee:

I am self-employed as a designer/estimator in remodeling construction - do not anticipate any conflicts.

SECTION VI

In order to assist Multnomah County in meeting affirmative action goals, additional information is requested of you. This section is voluntary and will remain confidential.

BIRTH DATE: Month 7 Day 29 Year 48 SEX: Female Male

ETHNIC ORIGIN: Asian Black Hispanic
Native American White

My signature affirms that all information is true to the best of my knowledge. I understand that any misstatement of fact or misrepresentation of credentials may result in this application being disqualified from further consideration or, subsequent to my appointment to the Citizen Involvement Committee, may result in my dismissal from that Committee.

Signature: [Handwritten Signature] Date: 3-20-91



Sauvie Island Grange

Number 840

18143 N.W. Reeder Road
Portland, Oregon 97231
March 18, 1991

Multnomah County Oregon
Citizen Involvement Committee
Charles Herndon, Chair CIC
2115 S.E. Morrison #216
Portland, Oregon 97214

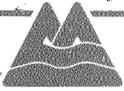
Dear Mr. Herndon:

The Sauvie Island Grange #840, would like to recommend Lora Creswick to replace Mary Schick representing West of E. 60th, Uninc. She is a member of the Sauvie Island Grange in good standing and we feel that she could ably represent the area.

We feel that Lora is well qualified and are, especially, interested in her representation as she could report to the Grange ways that she feels we could assist her and the committee. If you have any questions, please feel free to contact us by at the above address or phone at 621-3625.

Sincerely,
THE SAUVIE ISLAND GRANGE #840


Jean Fears, Secretary



JKB
GLADYS MCCOY
MULTNOMAH COUNTY CHAIR
1021 S.W. 4th, ROOM 134
PORTLAND, OREGON 97204

3/6/91

* * * * M E M O R A N D U M * * * *

DATE: May 6, 1991
TO: Judy Boyer
FROM: Neal Galash
SUBJECT: Agricultural Review Board

*TERM EXPIRES
7/1/92*

It is almost time to convene the annual meeting of the Agricultural Review Board and there is one vacancy to fill. Jim Fujii's term expired last July 1. We have contacted him and he is willing to serve another two year term. If you have no other preference, I highly recommend Mr. Fujii for appointment to another term.

I am attaching a complete roster of the members of the Agricultural Review Board. If you have any further questions you may contact me at ext. 6754 or 5307 or Karen Fisher at ext. 2221.

2214R/11p

MULTNOMAH COUNTY CITIZEN INVOLVEMENT COMMITTEE
VOLUNTEER INTEREST FORM

NAME Marc Abrams

HOME ADDRESS 1753 New Aspen Ave 97210

PLACE OF EMPLOYMENT Bogle & Gates

OCCUPATION lawyer

HOME PHONE 2272672 WORK PHONE 222 1515

VOLUNTEER/BOARD/COMMITTEE EXPERIENCE V.Ch., Portland BACC;

Planning BAC

OTHER RELATED EXPERIENCE _____

AREAS OF INTEREST:

Human Services _____	Youth _____
Education Justice Services _____	Aging _____
Environmental Services _____	Health _____
Planning, Development _____	Education _____
Facilities, Transportation _____	Other <input checked="" type="checkbox"/> <u>DGS CWAC</u>

OPTIONAL: Age 34 Sex M
Ethnicity: African American _____ Native American _____
Hispanic _____ Asian/Pacific Islander _____ White

PLEASE LIST NAME, ADDRESS AND TELEPHONE NUMBER OF TWO REFERENCES:

- Rosemary Lane 229-3295 / 655-1464
- Dick Levy 222-3807

WOULD YOU HAVE A POTENTIAL CONFLICT OF INTEREST WITH ANY COUNTY DEPARTMENT? No

SIGNATURE Marc Abrams

Please mail to: OFFICE OF CITIZEN INVOLVEMENT
2115 S.E. MORRISON STREET,
PORTLAND, OREGON 97214
Telephone: 248-3450



MULTNOMAH COUNTY OREGON

BOARDS AND COMMISSIONS

INTEREST FORM FOR BOARDS AND COMMISSIONS

In order for the County Executive to more thoroughly assess the qualifications of persons interested in serving on a Multnomah County board or commission, you are requested to fill out this interest form as completely as possible. You are encouraged to attach or enclose supplemental information or a resume which further details your involvement in volunteer activities, public affairs, civic services, published writing, affiliations, etc.

A. Please list, in order of priority, any Multnomah County boards/commissions on which you would be interested in serving. (See attached list)

COMMUNITY CORRECTIONS ADVISORY BOARD

B. Name PATRICK F. DONALDSON

Address 3983 N.E. 41ST AVENUE

City PORTLAND State OREGON Zip 97212-3610

Do you live in _____ unincorporated Multnomah County or a city within Multnomah County.

Home Phone (503) 284-6056

C. Current Employer CITIZENS CRIME COMMISSION

Address 221 N.W. SECOND AVENUE

City PORTLAND State OREGON Zip 97209

Your Job Title EXECUTIVE DIRECTOR

Work Phone (503) 274-9945 (Ext) _____

Is your place of employment located in Multnomah County? Yes No _____

D. Previous Employers _____ Dates _____ Job Title _____

FORBES & ASSOCIATES 8/83-12/88 PRESIDENT

ST. PAUL HOSPITAL 1/81-8/83 DIR. OF RISK MGMT.

GLADYS McCOY, MULTNOMAH COUNTY CHAIR

1021 SW 4TH, ROOM 134

PORTLAND, OREGON 97204

(503) 248-3308

CONTACT:

E. Please list all current and past volunteer/civic activities.

Name of Organization	Dates	Responsibilities

F. Please list all post-secondary school education.

Name of School	Dates	Degree/Course of Study
PORTLAND STATE UNIVERSITY	1969-1973	BS - ADM. OF JUSTICE

G. Please list the name, address and telephone numbers of two people who may be contacted as references who know about your interests and qualifications to serve on a Multnomah County board/commission.

FRED A. STICKEL, PRESIDENT, THE OREGONIAN, 1320 S.W. BROADWAY
PORTLAND, OREGON 97201, (503) 221-8140

DONALD S. McCLAVE, PRES. & CHIEF EXEC. OFF., PMCC, 220 N.W. 2nd 228-9411

H. Please list potential conflicts of interest between private life and public service which might result from service on a board/commission.

I. Affirmative Action Information

MALE - CAUCASIAN
sex / racial ethnic background

birth date: Month 07 Day 13 Year 51

My signature affirms that all information is true to the best of my knowledge and that I understand that any misstatement of fact or misrepresentation of credentials may result in this application being disqualified from further consideration or, subsequent to my appointment to a board/commission, may result in my dismissal.

Signature Patricia F. Donnellson Date 1/10/91

BOARDS AND COMMISSIONS



MULTNOMAH COUNTY OREGON

MULTNOMAH COUNTY CHAIR
1021 S.W. 4th, ROOM 134
PORTLAND, OREGON 97204

INTEREST FORM FOR BOARDS AND COMMISSIONS

In order for the County Executive to more thoroughly assess the qualifications of persons interested in serving on a Multnomah County board or commission, you are requested to fill out this interest form as completely as possible. You are encouraged to attach or enclose supplemental information or a resume which further details your involvement in volunteer activities, public affairs, civic services, published writing, affiliations, etc.

A. Please list, in order of priority, any Multnomah County boards/commissions on which you would be interested in serving. (See attached list)

Multnomah County Community Corrections Advisory Committee

B. Name Gwen Taylor

Address 1513 NE Schuyler, #4

City Portland State Oregon Zip 97214

Do you live in unincorporated Multnomah County or a city within Multnomah County.

Home Phone (503) 249-5037

C. Current Employer B&T Associates (Janitorial)

Address P.O. Box 1113

City Tualatin State Oregon Zip 97062

Your Job Title Owner

Work Phone 249-5037 (Ext) _____

Is your place of employment located in Multnomah County? Yes _____ No

D. Previous Employers _____ Dates _____ Job Title _____

CONTACT: Judy Boyer

GLADYS McCOY, MULTNOMAH COUNTY CHAIR
1021 SW 4TH, ROOM 134
PORTLAND, OREGON 97204
(503) 248-3308

E. Please list all current and past volunteer/civic activities.

Name of Organization	Dates	Responsibilities
Carus Parent Teacher Student Association	1982	Secretary
Clackamas Co. Community Education	1984	Silver Threads Coordinator
Carus Budget Committee	1984, 1985, 1986	approve and review budget

F. Please list all post-secondary school education.

Name of School	Dates	Degree/Course of Study
Portland Community College	Presently	Radiographics

G. Please list the name, address and telephone numbers of two people who may be contacted as references who know about your interests and qualifications to serve on a Multnomah County board/commission.

John Koroloff	2207 SW Iowa, Portland, Or 97201	244-0535
David Kobos	14668 S Leland RD., Oregon City, Or. 97045	632-6871

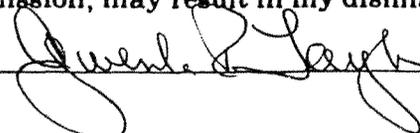
H. Please list potential conflicts of interest between private life and public service which might result from service on a board/commission.

I. Affirmative Action Information

FEMALE/WHITE
sex / racial ethnic background

birth date: Month 2 Day 21 Year 1954

My signature affirms that all information is true to the best of my knowledge and that I understand that any misstatement of fact or misrepresentation of credentials may result in this application being disqualified from further consideration or, subsequent to my appointment to a board/commission, may result in my dismissal.

Signature  Date 3-16-90

lom
6/83

Meeting Date: MAY 23 1991

Agenda No.: C-6

(Above space for Clerk's Office Use)

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: Appointment of Potentially Dangerous Dog Hearings Officer

BCC Informal _____ (date) BCC Formal _____ (date)

DEPARTMENT DES DIVISION Animal Control

CONTACT Mike Oswald TELEPHONE x4056

PERSON(S) MAKING PRESENTATION Mike Oswald

ACTION REQUESTED:

INFORMATIONAL ONLY

POLICY DIRECTION

APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: 5 minutes

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: _____

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):
This is a request to the Board to appoint Denise Saunders and Ilene Nessenson as Hearings Officers for the Potentially Dangerous Dog program in accordance with MCC 8.10.010(I). Ms. Saunders and Ms. Nessenson's qualifications are attached.

5/24/91 Annotated minutes to Mike Oswald

MULTI-COUNTY BOARD OF COUNTY COMMISSIONERS
MAY 14 PM 12:28
OREGON

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL _____

Or

DEPARTMENT MANAGER *[Signature]*

(All accompanying documents must have required signatures)

Denise Saunders
3639 SE Yamhill
Portland, OR 97214

January 9, 1990

Paula Hammond
PO Box 711 R-9
Portland, OR 97207

Dear Ms Hammond:

I spoke to you yesterday about becoming an administrative hearings officer for the Multnomah County Animal Control division. Thanks for taking the time to describe the program to me. It sounds like an interesting and challenging opportunity and I am very interested in pursuing it further. As you requested, I am sending you my resume. Please let me know if you need any more information.

Sincerely,

Denise Saunders
Denise Saunders

RECEIVED

JAN 11 1991
RETIREMENT PLAN SERVICES
ADMINISTRATION

V. Denise Saunders
3639 SE Yamhill St.
Portland, Oregon 97214
H:(503) 236-4306 W:(503) 464-8871

EDUCATION and LICENSES

Oregon State Bar, licensed 1990.

Northwestern School of Law of Lewis and Clark College, Portland, Oregon, JD and Certificate in Environmental Law, May, 1990. GPA: 3.35. Class Rank: top 20%.

University of Vermont, Burlington, Vermont, BA, 1985, Coordinate Major in English and Environmental Studies. GPA: 3.2.

EXPERIENCE

Law Clerk, Portland General Corporation, World Trade Center, 121 S.W. Salmon Street, Portland, Oregon, 1/89 - present. Researched and wrote memoranda on various issues of energy, environment and corporate law.

Administrator, Governor's Task Force on Pregnancy and Substance Abuse, 3/90 - 11/1/90. Researched and compiled materials on legal issues involving perinatal substance abuse. Assisted in developing recommendations and drafting final report. Served as contact person for state agencies and outside public interest groups.

Law Clerk, Wiley & Engel, 2 North Charles Street, Baltimore, Maryland, summer 1988. Researched and wrote memoranda, pleadings and briefs on various issues involved in personal injury litigation.

Legal Assistant, Lewis and Clark Law Library, Portland, Oregon, 9/87 - 1/89, part-time. Assisted attorneys and students in obtaining and using legal resources.

Personnel Administrator, City Hall, Burlington, Vermont, 11/85 - 8/87. Administered personnel policies and programs for government workforce consisting of five hundred employees and three unions. Assisted in designing and implementing a comparable worth pay plan. Published employee newsletter. Organized career development programs.

ACHIEVEMENTS AND ACTIVITIES

Recipient, Dean's Fellowship of Excellence, 1987-1989

Jessup International Moot Court Team - represented Northwestern School of Law in the Western Regional Competition, February, 1989.

Moot Court Honor Board, 1989

RECEIVED
JAN 11 1991
RETIREMENT PLAN SERVICES
ADMINISTRATION

KENNEDY, BOWLES & TOWSLEY

ATTORNEYS AT LAW

SUITE 920, CROWN PLAZA

1500 S.W. FIRST AVENUE

PORTLAND, OREGON 97201-5823

(503) 228-2373

FAX - (503) 228-2378

GEORGE H. BOWLES
RETIRED

OILYWN E. KENNEDY
BRUCE W. TOWSLEY
MICHAEL D. KENNEDY

ILENE NESSENSON-PICKARD*
*Member Oregon and Washington Bars

January 22, 1991

Paula Hammond
Standard Insurance Company
P.O. Box 711R-9
Portland, OR 97201

RE: Hearings Officer - Multnomah County
Animal Control

Dear Paula:

Pursuant to our telephone conversation last week,
enclosed please find my resume. Please do not hesitate to contact
me should you need any additional information from me.

Very truly yours,



ILENE NESSENSON

IN/cjg
Encl.

RECEIVED

JAN 24 1991

RETIREMENT PLAN SERVICES
ADMINISTRATION

ILENE NESSENSON

1920 Carriage Way
West Linn, Oregon 97068

Home: (503) 636-2034
Work: (503) 228-2373

EDUCATION:

**NORTHWESTERN SCHOOL OF LAW,
LEWIS and CLARK COLLEGE**
Portland, Oregon
Juris Doctor received
Member of Oregon State Bar
Member of Washington State Bar

SAN DIEGO STATE UNIVERSITY
San Diego, California
B.A., Major: Political Science
Minor: Public Administration

EMPLOYMENT:

Kennedy, Bowles and Towsley, Portland, Oregon
Associate; (Certified Law Student/Law Clerk while attending law school)
Drafted pleadings and motions, argued motions in United States District Court, Circuit and District State Courts, and Oregon Court of Appeals, trial work, drafted corporate documents and contracts, appellate work, supervised law clerk, extensive client contact. Accept referrals from Volunteer Lawyers Project. Small Claims Court mediator.

Hall, McGrory and Buell, Portland, Oregon
Law Clerk
Drafted various pleadings and motions, conducted wide-ranging discovery, analyzed and maintained extensive document files in complex litigation, deposition preparation and attendance, researched and wrote interoffice memoranda, extensive client contact.

Congressman Roy Dyson, Washington, D.C.
Legislative Correspondent
Attended congressional hearings, legislative tracking, research and correspondence in the areas of foreign affairs, small business energy and commerce, education and labor, science and technology and related budgetary matters, trained and supervised interns in the use of Dialcom word processing and SCORPIO computer systems.

City of San Diego, California
Administrative Analyst Intern
Conducted and compiled administrative studies and statistical reports concerning urban development, telecommunications, employee vehicular safety procedures, internal security and RFP consultant bid analysis. Recipient of City of San Diego Exceptional Merit Award. Only one ever awarded to an intern.

SPECIAL SKILLS: LEXIS, WESTLAW, and knowledge of computers and computer software

Meeting Date: MAY 23 1991

Agenda No.: C-7

(Above space for Clerk's Office Use)

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: Agreement for Mail-Order Library Services to be provided the Washington County Cooperative Library Services.

BCC Informal _____ (date) BCC Formal _____ (date)

DEPARTMENT Library DIVISION Administration

CONTACT Ginnie Cooper TELEPHONE 221-7731

PERSON(S) MAKING PRESENTATION Ginnie Cooper

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: 15min (MAX)

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: xx

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

This is a request for approval to renew an agreement with the Washington County Cooperative Library Services, a department of Washington County. Multnomah County Library wishes to provide mail-order services to rural boxholders and selected homebound residents of Multnomah County. The WCCLS has an ongoing program for providing mail-order services to residents of Washington County and has been extending this service to Multnomah County. Multnomah County Library has used this service since 1988 and found it to be cost efficient and valued service. The attached agreement would replace our current agreement with WCCLS and extend the mail-order service until June 30, 1994.
(If space is inadequate, please use other side)

Special originals to Ginnie Cooper

SIGNATURES:

ELECTED OFFICIAL _____

Or

DEPARTMENT MANAGER *Ginnie Cooper*

(All accompanying documents must have required signatures)

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
1991 MAY 14 PM 12:28



CONTRACT APPROVAL FORM
(See Administrative Procedure #2106)

Contract # 600761
Amendment # _____

MULTNOMAH COUNTY OREGON

<p align="center">CLASS I</p> <input type="checkbox"/> Professional Services under \$10,000	<p align="center">CLASS II</p> <input type="checkbox"/> Professional Services over \$10,000 (RFP, Exemption) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue	<p align="center">CLASS III</p> <input checked="" type="checkbox"/> Intergovernmental Agreement <p align="center">RATIFIED</p> <p align="center">Multnomah County Board of Commissioners</p> <p align="center">C-7 May 23, 1991</p>
---	---	---

Contact Person Ginnie Cooper Phone 221-7731 Date _____
 Department Library Division Administration Bldg/Room 317
 Description of Contract Agreement for Mail-Order Library Services to be provided by the
Washington County Cooperative Library Services.

RFP/BID # _____ Date of RFP/BID _____ Exemption Exp. Date _____
 ORS/AR # _____ Contractor is MBE WBE QRF

Contractor Name Washington Coop Library Services
 Mailing Address PO Box 5129
Aloha, OR 97006
 Phone 642-1544
 Employer ID # or SS # 93-6002316
 Effective Date July 1, 1991
 Termination Date June 30, 1994
 Original Contract Amount \$ not to exceed 99,000.00
 Amount of Amendment \$ _____
 Total Amount of Agreement \$ _____

Payment Term
 Lump Sum \$ _____
 Monthly \$ _____
 Other \$ Quarterly Oct, Jan, Apr, Jly
 Requirements contract - Requisition required.
 Purchase Order No. _____
 Requirements Not to Exceed \$ _____

REQUIRED SIGNATURES
 Department Manager *Margaret Gentry*
 Purchasing Director
(Class II Contracts Only)
 County Counsel *[Signature]*
 County Chair/Sheriff *Glady McLean*

Date 5-7-91
 Date _____
 Date 5/13/91
 Date 5/23/91

VENDOR CODE			VENDOR NAME						TOTAL AMOUNT		\$
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT	SUB OBJ	REPT CATEG	LGFS DESCRIPTION	AMOUNT	INC/ DEC IND
01.	162	080	8505			6110					
02.											
03.											

AGREEMENT FOR MAIL-ORDER LIBRARY SERVICES

This Agreement is made and entered into between Washington County, for Washington County Cooperative Library services (hereafter "WCCLS") and Multnomah County for the Multnomah County Library.

WHEREAS, the Multnomah County Library wishes to provide mail-order services to selected rural and homebound residents of Multnomah County; and

WHEREAS, WCCLS has an ongoing program providing for mail-order library services to residents of Washington County and is capable of extending this service to residents of Multnomah County; and

WHEREAS, the parties are authorized to enter into agreements for the provision of such services pursuant to ORS Chapter 190;

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

I. Services of WCCLS

WCCLS agrees to provide selected rural and homebound residents of Multnomah County ("Mail-Order Patrons") with mail-order library services similar to those offered to residents of Washington County by WCCLS. Such services shall include the mailing of catalogs of WCCLS's mail-service library to selected rural route box holders in Multnomah County and the provision of catalogs for general distribution in incorporated areas. A postage-paid mailer shall be provided for filling Multnomah County residents' requests from the catalog. Multnomah County Library shall select the residents of Multnomah County served under this Agreement.

The library materials contained in the above-described catalog shall be selected in accordance with WCCLS's material selection policy, taking into consideration suggestions, recommendations and advice from the Multnomah County readers and the Multnomah County Outreach Services. However, the ultimate decision on catalog contents shall be made by WCCLS. Services provided pursuant to this Agreement shall be limited to books selected from the above-described catalogs.

II. Term of Agreement

Unless sooner terminated pursuant to the provisions of Article V, the term of this Agreement shall be for three years, commencing on the July 1, 1991, through and including June 30, 1994.

III. Payment Schedule

WCCLS shall maintain a record of the number of circulations with Mail-Order Patrons and the number of new Mail-Order Patrons registered in Multnomah County, and shall provide to the Multnomah County Library an accounting of the circulations and new Mail-Order Patrons for each month by the tenth day of the following month. For the purposes of this Agreement, a "circulation" is each item (book) that is mailed by WCCLS.

The sum owed to WCCLS will be calculated quarterly by taking the number of circulations to Mail-Order Patrons times the annual per circulation rate. WCCLS will invoice Multnomah County Library quarterly (by the 10th of October, January, April and July) and payments will be due by the last day of these months.

<u>Year</u>	<u>Circulation Rate</u>	<u>Total Payments Shall Not Exceed</u>
FY1991-92	\$2.35	\$30,000
FY1992-93	\$2.45	\$33,000
FY1993-94	\$2.55	\$36,000

IV. Hold Harmless

Each party shall be responsible for recovering any damages it suffers in connection with this Agreement which are caused by residents of the other county, including but not limited to the loss or destruction of library materials, and shall hold the other party harmless therefrom.

V. Termination

This contract may be terminated by either party upon 60 days prior written notice.

VI. Equal Opportunity

Washington County Personnel Rules provide that Washington County (and, consequently, WCCLS) shall enter into contractual agreement only with equal opportunity employers. Therefore, Multnomah County hereby agrees that its employees and applicants for employment shall not be discriminated against because of race, color, national origin, religion, physical or mental handicaps, sex or age, except in the case of bona fide occupational qualifications as defined and provided by Oregon law.

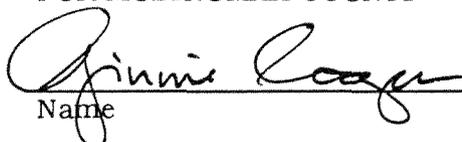
VII. Captions

Captions and headings used in this Agreement are for convenience only and shall not be construed or interpreted so as to enlarge or diminish the rights or obligations of the parties hereto.

FOR WASHINGTON COUNTY

FOR MULTNOMAH COUNTY

Name



Name

Title

Director

Title

Date

May 7, 1991

Date

Approved as to form:



Assistant County Counsel

ll

Meeting Date: MAY 23 1991

Agenda No.: R-1

(Above space for Clerk's Office Use)

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: Proclaiming the week of June 1 through June 9 "Great Blue Heron" week.

AGENDA REVIEW/BOARD BRIEFING 5-21-91 (date) REGULAR MEETING 5-23-91 (date)

DEPARTMENT Non Departmental DIVISION BCC

CONTACT Pam Arden TELEPHONE 248-5239

PERSON(S) MAKING PRESENTATION Pam Arden

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: 5 min.

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: _____

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

Proclaiming the week of June 1 through June 9 "Great Blue Heron Week".

5/28/91 copies to Pam Arden

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL *[Signature]*

Or

DEPARTMENT MANAGER _____

(All accompanying documents must have required signatures)

1991 MAY 10 AM 10:28
MULTIPLER COUNTY
OREGON

The Great Blue Heron

Portland's City Bird

In December, 1986, Portland's City Council officially adopted the Great Blue Heron as our city-bird. The heron, selected as a symbol of Portland-Vancouver region's livability and concern for the natural environment is most at home in some of the metropolitan area's most important and sensitive environments; wetlands and riparian corridors of the Willamette and Columbia Rivers and their tributaries.

No other animal stands out in the urban scene like the heron, which sports a six foot wingspan and stands almost four feet high. Its muted blue-gray and white pattern and flamboyant head plumage make identification of this bird easy for even the novice wildlife watcher.

Hérons can be seen virtually everywhere in the city. Even downtown high rises make an excellent vantage from which to follow the Great Blue's graceful flight across the cityscape as they glide from nesting to feeding and roosting sites along the Willamette Greenway.

Nesting: There are two active nesting sites, or rookeries, within Portland. Ross Island supports more than fifty pair of communally nesting herons and the Heron Lakes Golf Course rookery has grown to over twenty nests.

The Ross Island nests are best viewed from a canoe or boat in the early spring. Heron Lakes Golf Course offers excellent viewing opportunities on guided Portland Audubon Society or Park Bureau hikes. **Hérons are extremely sensitive to human disturbance at their nesting sites, so please view them only from a distance or with a *guided* nature tour.**

Nest construction and courtship begins in February; eggs are laid in April; and the young fledge, or leave, the nests in late June. The most spectacular behavioral displays are in early spring before the nest trees, almost always cottonwood in our area, have leafed out.

Feeding: Hérons are omnivores, meaning they'll eat almost anything, including salamanders, lizards, snakes, dragonflies, and small mammals. They can be observed feeding throughout the Portland area, but the best places to see them are Oaks Bottom Wildlife Refuge; in the vicinity of the Portland Airport where they stalk field mice; anywhere in the North Portland Peninsula* and along the Willamette River.

*North Portland, *Naturally*, a Portland Audubon Society and METRO pamphlet, gives information and maps to wildlife viewing in the North Portland Peninsula. Available free from Audubon, METRO, the Portland Park Bureau, or Peninsula Neighbors. For more information, contact: Portland Audubon Society, 5151 NW Cornell Road, Portland, Oregon 97210 (503) 292-6855

Great Blue Heron Week

Schedule of Events

May 30 - 9 June, 1991

Thursday, May 30th

•10:00 a.m.: Official proclamation, at Oaks Bottom; unveiling of Great Blue Heron art on Portland Memorial wall.

Saturday, June 1st

•9:00 a.m.: Smith and Bybee Lakes Hike. Meet leader Peter DeChant & Mike Houck at 9:00 a.m. at first parking lot in Kelley Point Park.

Sunday, June 2nd

•7:30 a.m.: Canoe to Ross Island heron rookery with leaders Mike Houck (Portland Audubon Society) and Donna and Peter Holman (Ebb & Flow Paddlesports). Meet at 7:30 sharp at Willamette Park boat ramp. Bring your own canoe/kayak, or other non-motorized craft (rentals at Ebb & Flow, 0604 SW Nebraska, 245-1756). We will return by 10:30 a.m.

•8:00 a.m.: Canoeing in Clark County, leaders will be Vern and Verna Swaim (Ptarmagins Hiking Club), contact Don Cannard: (206) 694-4033.

Sunday, June 2nd (cont.)

•12:00 p.m.: Noon hike along the Willamette River Greenway with leaders Mike Houck (Portland Audubon Society) and Jeanne Galick (Corbett-Terwilliger-Lair Hill Neighborhood Association). Highlights will be the new interpretive signs at Heron Pointe Wetlands and Macadam Bay Club. Meet at picnic shelter by parking lot.

Monday, June 3rd

•7:00 a.m.- 9:00 a.m.: Oaks Bottom Bird Song walk. Meet at Sellwood Park parking lot (S.E. 7th and Sellwood Blvd.).

•12:00 p.m.: Brown bag lunch & Learn series at the Multnomah County Library. "801 SW 10th. Life History of the Great Blue Heron," slides & lecture presented by Joe Pesek, wildlife biologist (Oregon State Fish and Wildlife Dept.).

•5:30 p.m.-8:00 p.m.: Great Blue Heron Ale Tasting. Bridgeport Brew Pub. Come and enjoy one of Oregon's finest brews (all proceeds donated to Portland Audubon Society's Metropolitan Wildlife Refuge System) and learn about nesting Great Blue Hérons from Joe Pesek, state wildlife biologist and Michael Wilhelm, professional photographer.

Tuesday, June 4th

•7:00 a.m.-9:00 a.m.: Oaks Bottom Bird Song and Heron Hike. Meet at Sellwood Park parking lot (SE 7th and Sellwood Blvd.).

Wednesday, June 5th

•7:00 a.m.-9:00 a.m.: Oaks Bottom Bird Song and Heron Hike. Meet at Sellwood Park parking lot (SE 7th and Sellwood Blvd.).

•6:00 p.m.: Powell Butte Hike, Friends of Powell Butte. Meet at Powell Butte Nature Park parking lot. Take access road from SE 162nd and SE Powell Blvd., drive up hill to restrooms and interpretive kiosk. Leaders Walter Anderegg and Roger Shepard.

Thursday, June 6th

•7:00 a.m.-9:00 a.m.: Oaks Bottom Bird Song and Heron Hike. Meet at Sellwood Park parking lot (SE 7th and Sellwood Blvd.).

•7:00 p.m.-8:30 p.m.: Evening Heron Lakes Golf Course heron walk. Meet leader Mike Houck at East Delta Park restrooms (take I-5 north from Portland to Delta Park exit; East Delta Park is on east side of I-5).

Friday, June 7th

•7:00 a.m.-9:00 a.m.: Oaks Bottom Bird Song and Heron Hike. Meet at Sellwood Park parking lot (SE 7th and Sellwood Blvd.).

Saturday, June 8th

•7:30 a.m.-9:30 a.m.: Early Morning Hike to Heron Lakes Golf Course. Meet leader Mike Houck at East Delta Park restrooms (take I-5 north from Portland to Delta Park exit; East Delta Park is on east side of I-5). Hike will end in time for canoe/kayak trip to Columbia Slough.

•10:00 a.m.-1:00 p.m.: Columbia Slough paddle with OOPS (Oregon Ocean & Paddling Society), Portland Bureau of Environmental Services and Portland Audubon Society. Meet at Kelley Point park at 10 a.m. sharp (first parking lot on left).

•8:00 p.m.-midnight: Forth Annual Great Blue Heron Ball, Kenton Firehouse, 8105 N. Brandon. Dance to live big band music at the Kenton Neighborhood event. \$6.00 per person. For information and tickets call Pam Arden, 289-9475.

Sunday, June 9th

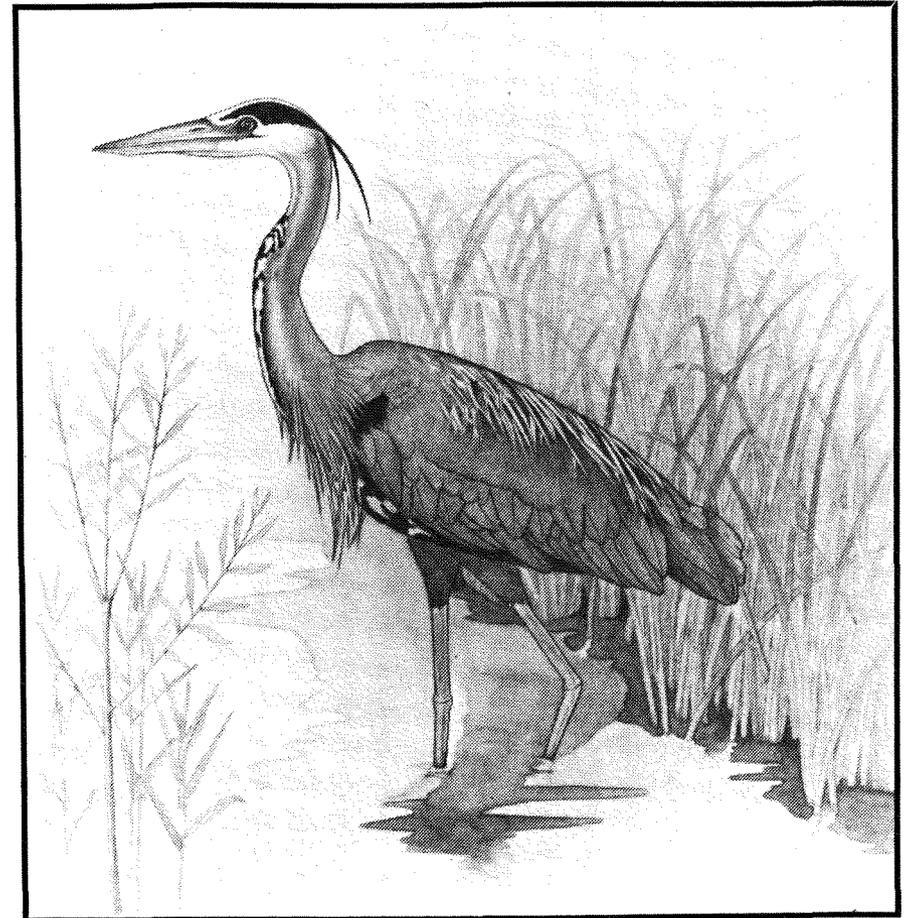
•10:00 a.m.: Vancouver Lake Wetlands and Heronry Field Trip. Meet at Vancouver Lake Park parking lot at 10:00 a.m. sharp. Take I-5 north from Portland; Fourth Plain exit (west) to New Lower River Road (Hwy. 501) and look for park on right. Trip will visit the largest heronry in the Portland-Vancouver region. Call J.J. Feight at (206) 256-5163, or Ray Crosswell, Washington Fish & Wildlife, at (206) 696-6211.

•9:00 a.m.-5:00 p.m.: Raft trip on Sandy River. Learn natural history, water safety, and paddle your own 4-person raft. Reservations required. \$15.00 per person. Call Genie or Kathie at 248-5151. Full fee due by May 31.

Acknowledgement and thanks
to the following businesses and organizations for
generously donating time, talent, and resources to the
5th annual Great Blue Heron Week.

Audubon Society of Portland
Bridgeport Brew Pub
Clark County
City of Portland, Bureau of Parks & Recreation
Bureau of Environmental Services
Corbett-Terwilliger-Lair Hill Neighborhood Association
Ebb & Flow Paddle Sports
Friends of Oaks Bottom Wildlife Refuge
Friends of Smith & Bybee Lakes
Jeanne Galick Graphic Design
Kenton Neighborhood Association
Metropolitan Service District
Multnomah County
Multnomah County Library, Parks, Vector Control
Natures Fresh Northwest
Oregon Fish & Wildlife
OOPS (Oregon Ocean & Paddling Society)
Ptarmagins Hiking Club
Thompson Conservation Laboratory
Washington Fish & Wildlife
Wetland's Conservancy

For more information contact:
Portland Bureau of Parks & Recreation
796-5193
-or-
Portland Audubon's
Metropolitan Wildlife Refuge Project
292-6855



Great Blue Heron artwork by © Lynn Kitagawa to be
dedicated May 30th near Sellwood Park.

Portland's Fifth Annual

Great Blue Heron Week

May 30 - June 9, 1991

The Great Blue Heron

Portland's City Bird

In December, 1986, Portland's City Council officially adopted the Great Blue Heron as our city bird. The heron was selected as a symbol of the Portland-Vancouver region's livability and concern for the natural environment and is at home in some of the metropolitan area's most important and sensitive environments.

The heron, which sports a six-foot wing span and stands almost four feet high, is unique on the urban scene. Its muted blue-gray and white pattern and flamboyant head plumage make identification of this bird easy for even the novice wildlife watcher.

Hérons can be seen virtually everywhere in the city. Even downtown high rises make an excellent vantage from which to follow the Great Blue's graceful flight across the cityscape as they glide from nesting to feeding and roosting sites along the Willamette River Greenway.

Nest construction and courtship begins in February; eggs are laid in April; and the young leave the nests in late June. The most spectacular behavioral displays are in early spring before the nest trees, almost always cottonwood in our area, have leafed out.

There are two active nesting sites, or rookeries, within Portland at Ross Island and the Heron Lakes Golf Course. Across the Columbia River there is a large heronry at Vancouver Lake. The Ross Island nests are best viewed from a boat in the early spring. Heron Lakes Golf Course has guided Portland Audubon Society or Park Bureau hikes.

Hérons are extremely sensitive to human disturbance at their nesting sites, so please view them only from a distance or with a guided tour.

Hérons are omnivores, meaning they'll eat almost anything. They can be observed feeding throughout the Portland area, but the best places to see them are Oaks Bottom Wildlife Refuge; in the vicinity of the Portland Airport where they stalk field mice; anywhere in the North Portland Peninsula* and along the Willamette River.

*The pamphlet **North Portland, Naturally** gives information and maps to wildlife viewing in the North Portland Peninsula. Available free from the Portland Audubon Society 5151 NW Cornell Road ▪ Portland, OR 97210 292-6855

LIFE HISTORY OF THE GREAT BLUE HERON

Slide show and lecture by Joe Pesek, wildlife biologist with Oregon State Department of Fish and Wildlife,

Monday, June 3
12 - 1 p.m.

Central Library Auditorium
801 SW Tenth
Portland

Bring your brown bag lunch and celebrate Great Blue Heron Week with us. The heron, selected in 1986 as Portland's city bird, can be seen virtually everywhere in the city. Hérons sport a six foot wing span and stand almost four feet high. Their muted blue-gray and white pattern and flamboyant head plumage make identification of this bird easy for even the novice wildlife watcher.

"A great blue heron is a magnificent bird that once seen is never forgotten."
Ann H. Zwinger

THE GREAT BLUE HERON-A SHORT READING LIST

BOOKS

- 598.297
T325a **The Audubon Society Encyclopedia of North American Birds.** 1980. Page 499.
- J598.34
B
Gresham Blassingame, Wyatt.
Wonders of Egrets, Bitterns, and Herons. 1982.
- 598.34
C953g Crowell, Marnie Reed.
Great Blue: The Odyssey of a Great Blue Heron. 1980.
- R591
G89g
v.7 **Grzimek's Animal Life Encyclopedia.** Vol. 7, Birds I
Page 190, pages 199-200. 1972.
- J598.3
H95b Hurd, Edith Thacher.
The Blue Heron Tree. 1968.

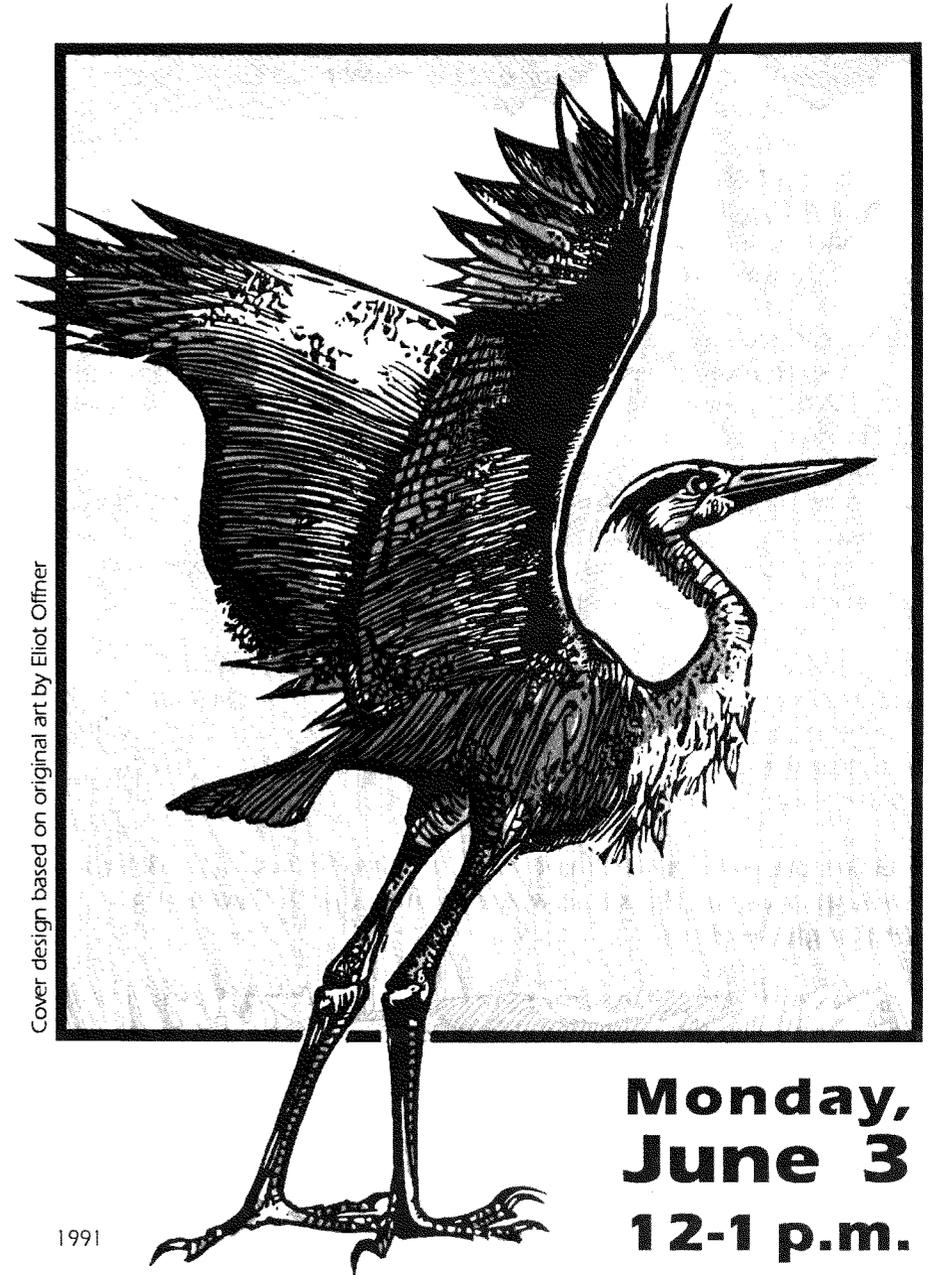
MAGAZINES AND NEWSPAPERS

- "Council Hatches Official Status for Heron."
Oregonian. 11 December 1986, pages B1-B2.
- Dolesh, R. J. "Lord of the Shallows - The Great Blue Heron."
National Geographic. April 1984, pages 540-554.
- Dulken, Diane. "Treks to Mark Great Blue Heron Week."
Oregonian. 20 April 1989, page MP1.
- Finley, William G. "Great Blue Heron at Home in Oregon."
Oregonian. 17 April 1938, page 10.
- "Great Blue Heron May Fly as City Bird."
Oregonian. 8 December 1986, page MP B4.
- Mock, D. W. "Knockouts in the Nest."
Natural History. May 1985, pages 54-61.
- Myers, S. "High Five."
Natural History. June 1988, page 84.

MULTNOMAH COUNTY
LIBRARY 

LIFE HISTORY OF THE GREAT BLUE HERON

A slide show and lecture by Joe Pesek



Cover design based on original art by Eliot Olfner

1991

**Monday,
June 3
12-1 p.m.**

bluegill, crappie, catfish and bass. Backwater channels connecting the two lakes wind through dense ash and willow forests, providing a refuge for wildlife and a place of solitude for humans.

Heron Lakes Golf Course

You don't have to be a golfer to enjoy this 225-acre city park. It's also a spot to watch nesting red-tailed hawks and to identify ducks and marsh birds which inhabit Force Lake and the adjacent wetlands. The premier wildlife attraction, however, is the great blue heron "rookery". Soon, an access trail will provide a nature walk around Force Lake to a viewing area in the northwest corner of the golf course. The nesting herons can be observed undisturbed from that vantage point. Courtship and nest construction begins in early February and raising of young continues through mid-summer when fledglings leave their nests.

Kelley Point Park

Kelley Point Park is where the Columbia and Willamette Rivers and Columbia Slough

all converge. The abundance of water, large cottonwood forest and open, grassy meadows make this one of Portland's most scenic parks. Kelley Point is also a natural departure point for hiking the 40-Mile Loop, launching a canoe or exploring the shores of the Columbia and Willamette Rivers.

Plants and Animals

Birds

On any trip along the Slough, to the wilds of Smith and Bybee Lakes or even to the more groomed Heron Lakes Golf Course, birds are the most conspicuous animals. Their frequently bright plumage, sometimes raucous behavior and relatively large size attract the attention of even the casual observer.

No bird epitomizes the Peninsula's watery environment or draws more attention than Portland's city bird, the great blue heron. It nests and roosts in black cottonwoods, stalks mice in open pastures and walks stealthily along lake margins and ponds in search of any morsel that might come its way . . .

including frogs, snakes, insects and fish.

Red-tailed hawks circle overhead searching for prey or lazily riding the rising air currents to gain altitude. Belted kingfishers, by contrast, zig zag energetically up and down the Slough with their unique rattling call and plunge headlong into the water after small fish. During the winter, thousands of ducks and geese gather in large flotillas on open water or graze on succulent, new grasses. The more reclusive marsh wren and common yellowthroat skulk through cattail and reed canarygrass marshes, periodically scolding intruders from any handy vantage point.

During the winter months, an occasional bald eagle or peregrine falcon may also drift over from Sauvie Island to feed on injured waterfowl or pigeons.

The shallow margins of Smith Lake provide easy angling for warm water fish. This makeshift "dock" and other informal access points abound in North Portland.

Plants

It is the black cottonwood that establishes the mood of the Peninsula's river bottom atmosphere. Their large, heart-shaped leaves, cottony seed masses and fragrant, sweet smell dominate the environment. The cottonwood and Oregon ash comprise most of the riparian zones, where the land meets water. Willows form impenetrable thickets around Smith and Bybee Lakes and an understory canopy along the Slough.

Although many of the former watery areas have been filled for industrial development, some of these new upland sites still provide spectacular wildflower displays. The evening primroses, teasel, thistles and other "weedy" species also attract a huge variety of insect life . . . including flocks of butterflies, dragonflies and damselflies. These informal wildflower gardens are scattered around the margins of Smith and Bybee Lakes, in Kelley Point Park and along North Portland roadways.

Getting There

Hiking, biking and boating are the most enjoyable ways to explore the Peninsula.

Hiking

The 40-Mile Loop will soon be completed along the Columbia Slough and will link the Peninsula with 5,000 acre Forest Park to the west and eventually extend as far east as the Sandy River Gorge

near Troutdale. Today, the undeveloped trails are informal but allow exploration of Kelley Point, Smith and Bybee Lakes and the Slough.

Biking

For those seeking a "ride on the wild side", a loop beginning at East Delta Park provides a pleasant bicycle trip to Kelley Point via Heron Lakes Golf Course, Marine Drive and Columbia Boulevard.

Boating

Although the Columbia Slough is navigable by shallow-draft powerboats, a more serene way to explore the Slough is by canoe, kayak or human-powered craft. There are several informal put-in points along the Slough and a boat ramp is planned for Kelley Point Park. Only non-motorized traffic is allowed in Smith and Bybee Lakes.

The gnawed ends of an Oregon ash seedling mark the presence of beaver.



For More Information

Friends of Portland Audubon Society
5151 NW Cornell Rd.
Portland, Oregon 97210
292-6855

Friends of Smith and Bybee Lakes
P.O. Box 03168
Portland, Oregon 97203

Friends of the Columbia Slough
Commissioner Bob Koch
City Hall, 1220 SW 5th
Portland, Oregon 97204
248-4151

Oregon Bass and Panfish Club
P.O. Box 1021
Portland, Oregon 97207
285-8189

Metropolitan Service District
Solid Waste Department
2000 SW First
Portland, Oregon 97201
221-1646

(For landfill closure information).

Portland Bureau of Parks and Recreation
1120 SW 5th Ave.
Portland, Oregon 97204
796-5193

Portland Bureau of Environmental Services
1120 SW 5th Ave., Room 400
Portland, Oregon 97204
796-7757

(For information about the Columbia Slough project).

This brochure was funded in part by the North Portland Enhancement Committee. For information, contact the Metropolitan Service District, 2000 SW First Avenue, Portland, Oregon 97201, 221-1646.

Additional Funding:
Audubon Society of Portland
Bureau of Environmental Services
Bureau of Parks and Recreation
J.Y. Hollingsworth Co.
Additional support provided by the Fred Meyer Charitable Trust.

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Laurie Causgrove

Illustration: Lynn Kitagawa

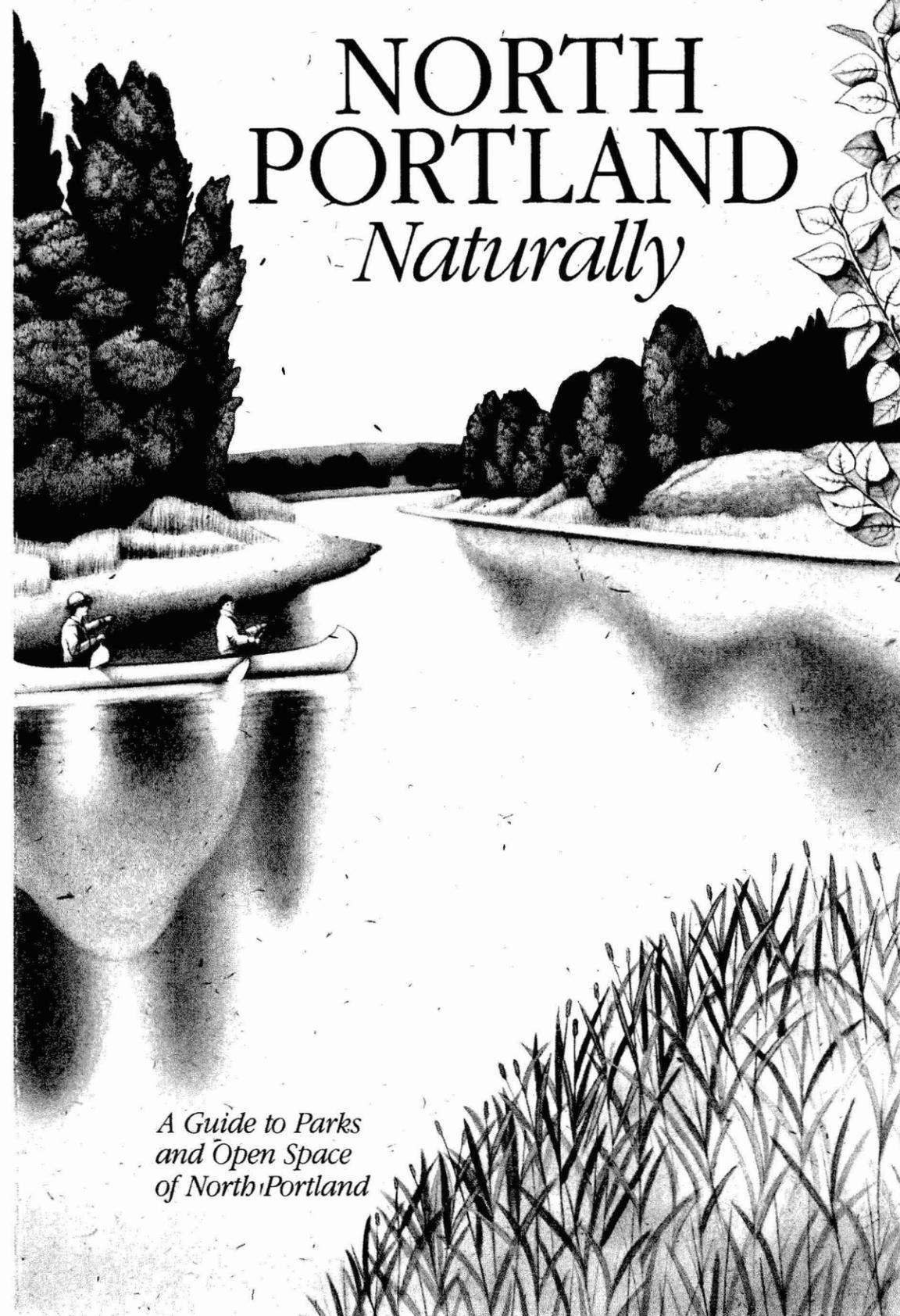
Text: Mike Houck

Printing: Premier Press

Printed on 100% recycled paper.

NORTH PORTLAND

Naturally



A Guide to Parks and Open Space of North Portland



"Where the water flows, the positive benefits of open space are the clearest."

William H. Whyte
The Urban Outdoors, 1977
 Columbia Region Association of Governments report.

North Portland has a strong claim to the distinction of having some of the most beautiful scenery, wildlife habitat and open space in Portland. Wedged between the Willamette and Columbia — much of the Peninsula is watery flatlands. Its lakes, rivers, sloughs, swamps and marshes are home to ducks and geese, muskrat and beaver, mink and otter. This island of wildness is also important for people . . . a place to slip away from the hectic urban scene and to spend the afternoon trolling for bass and bluegill; watching birds and other wildlife or simply ambling through cottonwood forests.

An ochre ringlet butterfly "nectaring" on pink spirea blossoms.



A towering cottonwood provides a bird's eye view for two heron nestmates.

The Landscape

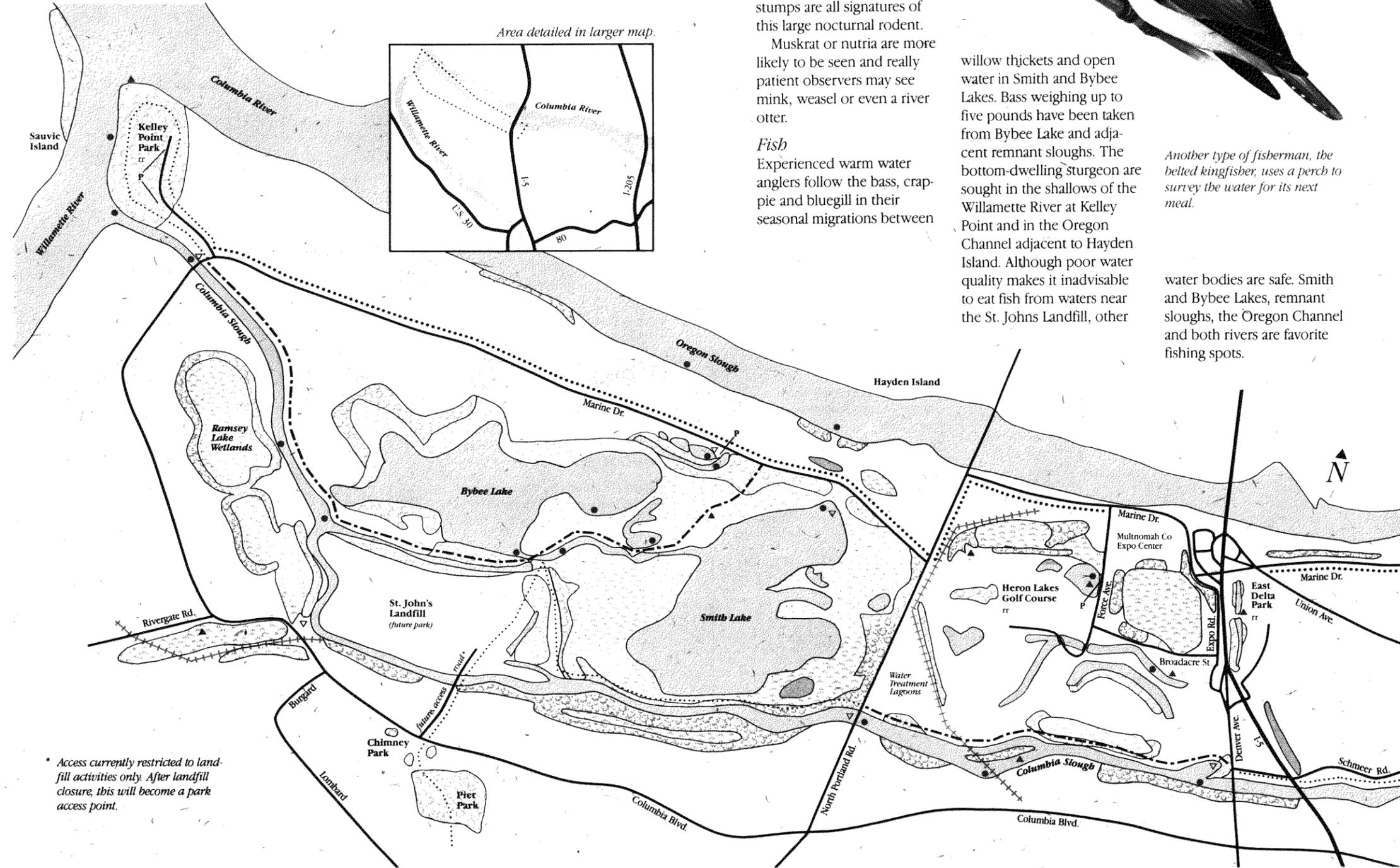
The Peninsula has changed dramatically since Lewis and Clark camped along the south shore of the Columbia River in 1806. What was once unbroken wilderness has steadily given way to agricultural, residential and industrial development. Still, through a combination of foresight and luck, there are significant remnants of the native landscape. The most important of these vestiges are the Columbia Slough, Smith and Bybee Lakes, Heron Lakes Golf Course and Kelley Point Park.

Columbia Slough
 North Portland's watery wilderness areas are linked by the Columbia Slough. This ribbon of quiet water meanders almost eighteen miles westward from Fairview Lake toward its confluence with the Willamette River at Kelley Point Park. Along the way it provides refuge and food for a myriad of mammals, birds and other

wildlife. The "lower" Slough, which flows through the Peninsula, is perhaps the most pristine segment of the entire Slough system. Galleries of towering black cottonwood, Oregon ash and willow still line the Slough here and a thin, marshy wetland strip grows to the water's edge. This is also the only reach that remains under the daily influence of tidal action from the Willamette River.

Smith and Bybee Lakes
 Joined to the Columbia Slough — as so many of North Portland's wetlands are — Smith and Bybee Lakes have almost 2,000 acres of open water, marsh and swamp. Here, as throughout the Columbia Corridor, Indians once harvested wapato, salmon and other foods. Today, the arrow-leaved "indian potato" is all but gone and salmon have largely been replaced by warm water fish such as

- Lake, Slough, Pond or Open Water
- Wetland — Willow Swamp or Marsh
- Forest
- Private Land
- 40-Mile Loop Trail (Bicycle)
- Proposed 40-Mile Loop Trail (Hiking)
- Future trail — currently accessible
- Good Birding
- Good Fishing
- Canoe Access
- Railroad Tracks
- Restrooms
- Parking



** Access currently restricted to landfill activities only. After landfill closure, this will become a park access point.*

Mammals

Most urbanites are surprised to learn that Oregon's state mammal is relatively abundant in our urban waterways. Although the beaver is infrequently seen, its sign is everywhere. Footprints in the soft mud, small twigs and limbs stripped of bark, and the telltale parallel tooth marks on willow and ash stumps are all signatures of this large nocturnal rodent.

Muskrat or nutria are more likely to be seen and really patient observers may see mink, weasel or even a river otter.

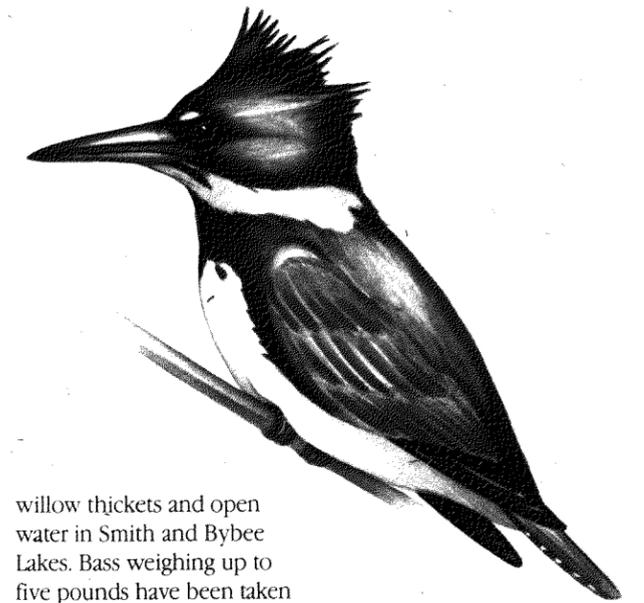
Fish

Experienced warm water anglers follow the bass, crappie and bluegill in their seasonal migrations between

willow thickets and open water in Smith and Bybee Lakes. Bass weighing up to five pounds have been taken from Bybee Lake and adjacent remnant sloughs. The bottom-dwelling sturgeon are sought in the shallows of the Willamette River at Kelley Point and in the Oregon Channel adjacent to Hayden Island. Although poor water quality makes it inadvisable to eat fish from waters near the St. Johns Landfill, other

Another type of fisherman, the belted kingfisher, uses a perch to survey the water for its next meal.

water bodies are safe. Smith and Bybee Lakes, remnant sloughs, the Oregon Channel and both rivers are favorite fishing spots.



BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF MULTNOMAH COUNTY, OREGON

In the matter of proclaiming the week)
of June 1 through June 9, 1991, GREAT)
BLUE HERON WEEK, in Multnomah County)

PROCLAMATION

91-76

WHEREAS, Multnomah County recognizes the Great Blue Heron as the official symbol of the region's efforts to maintain the highest possible standard of livability for its wildlife as well as its citizens; and

WHEREAS, Multnomah County is proud and pleased to recommend the Great Blue Heron as a symbol of such efforts made on behalf of wildlife throughout the metropolitan area; and

WHEREAS, the metropolitan region is now working with the support of the U.S. Fish & Wildlife Service to restore critically important wildlife habitat areas; and

WHEREAS, the Metropolitan Greenspaces Program, which enjoys regionwide support, seeks to produce a comprehensive strategy for the long-term protection of wild lands and wildlife habitat in the metropolitan region; and

WHEREAS, May 30, 1991, the Great Blue Heron "supergraphic" on the side of Portland Memorial above Oaks Bottom Wildlife Refuge will be dedicated giving public awareness of the importance of a healthy environment for wildlife and for ourselves; and

THEREFORE BE IT RESOLVED, that in honor of the Great Blue Heron, a fitting symbol of livability for the entire region, the Board of County Commissioners hereby proclaim the week of June 1st through June 9th, 1991, to be Great Blue Heron Week.

BE IT FURTHER RESOLVED, that the Board of County Commissioners invite our citizens to participate in a series of hikes and educational events celebrating the Great Blue Heron and our natural environment.

ADOPTED this 23rd day of May, 1991



Gladys McCoy

Gladys McCoy,
Multnomah County Chair

Pauline Anderson

Pauline Anderson, District I
Commissioner

Gary Hansen

Gary Hansen, District II
Commissioner

Rick Bauman

Rick Bauman, District II
Commissioner

Sharron Kelley

Sharron Kelley, District IV
Commissioner

1

DATE 5/23/91

NAME Arlene Collins

ADDRESS _____

STREET

CITY

ZIP CODE

I WISH TO SPEAK ON AGENDA ITEM # R 2

SUBJECT Employee Resolute

~~FOR~~ _____ AGAINST

PLEASE PRINT LEGIBLY!

MAY 23 1991

Meeting Date: _____

Agenda No.: R-2

(Above space for Clerk's Office Use)

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: Resolution in the matter of Establishing an Employee Suggestion System.
AGENDA REVIEW/ 5-21-91 REGULAR MEETING 5-23-91
BOARD BRIEFING (date) (date)

DEPARTMENT Non Departmental DIVISION BCC

CONTACT Mike Delman TELEPHONE 248-5275

PERSON(S) MAKING PRESENTATION _____

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: 15 min.

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: _____

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

Resolution in the matter of Establishing and Employee Suggestion System.

NO FISCAL IMPACT IN '91-'92 BUDGET YEAR

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL *[Signature]*

Or

DEPARTMENT MANAGER _____

(All accompanying documents must have required signatures)

BOARD OF
COUNTY COMMISSIONERS
1991 MAY 13 AM 10:18
MULTNOMAH COUNTY
OREGON



Portland Chamber

May 22, 1991

TO: Multnomah County Commissioners

FROM: John Pihás, Chairman

RE: Resolution R-2

One of the recommendations of the Portland Metropolitan and Gresham Chambers Multnomah County Budget Review Task Force was to establish employee incentive programs in Multnomah County.

Several task force members cited their personal experiences stating the positive, all-around benefits of employee award programs. The employee is personally and tangibly rewarded for their creativity; the organization can operate more cost effectively and efficiently; the end user gets better and less costly service delivery; and, in the case of a government, the taxpayer gets more for their dollars. It is a "win, win, win" program.

One of our task force members, Mr. Craig Honeyman, Economic Development and Community Relations Manager for Northwest Natural Gas Company, offered to help the county draft an incentive program and the offer was accepted. The resolution as drafted carries with it built-in protections against misuse or abuse.

In good times employee involvement and morale is important to keep an organization stable and healthy. In hard times, it is crucial. R-2 is a step in the right direction. We urge your "yes" vote on Resolution-2 establishing a Multnomah County Employee Suggestion System.

1031G/bjb

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the matter of Establishing)
an Employee Suggestion System)

RESOLUTION

WHEREAS, the policy of the county should be to encourage constructive suggestions from its employees by making cash awards or paid leave to those who submit acceptable ideas. Such their own welfare and that of the county, but also to demonstrate their own initiative and ability in improving county service and cost-control over and beyond the responsibilities of their jobs, and

WHEREAS, the suggestion should clearly state the problem, how the problem might be solved, and the benefit that would be realized if the suggestion was adopted. Suggestions with no definite proposal for improvement, or pertaining to conditions over which the county has not control or similar to one suggestion already under consideration, will be rejected, and

WHEREAS, cost-saving ideas are morale-building, very effective and improve productivity.

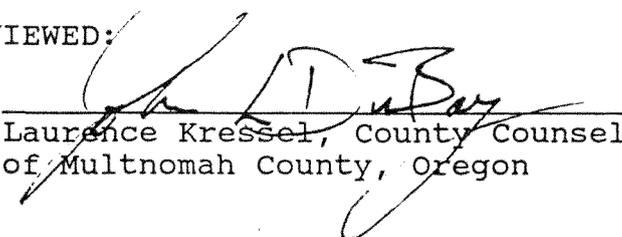
NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners establishes an Employee Suggestion Committee by July 1. The Committee will be composed of 2 members of Local 88, one member from the Oregon Nurses Assn., one member of the Deputy Sheriff's assn., one member from the Corrections Officer's Assn., one member from the Prosecuting Attorney's Assn., one member from Planning and Budget, one member from Board staff and one member from the Chair's office. This Committee will meet bi-monthly (or when deemed necessary) to review suggestions submitted by any permanent employee excluding program managers. Ideas that are supported by the majority of the committee will be forwarded to the Board of County Commissioners for consideration.

BE IT FURTHER RESOLVED any new or original idea that is implemented by the Board of County Commissioners will result in an award up to 1% of the first year's financial savings to the county not to exceed \$1,000. A choice of one week's paid leave may be substituted for a cash award. The award will be made one year following the implementation of the suggestion to the extent that tangible direct savings or increase in revenue occur.

ADOPTED this _____ day of _____, 1991

By _____
Gladys McCoy, Chair
Multnomah County, Oregon

REVIEWED:

By 
Laurence Kressel, County Counsel
of Multnomah County, Oregon

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the matter of Establishing)
an Employee Suggestion System)

RESOLUTION

WHEREAS, the policy of the county should be to encourage constructive suggestions from its employees by making cash awards or paid leave to those who submit acceptable ideas. Such suggestions are to the benefit of the county, but also to demonstrate employee initiative and ability in improving county service and cost-control over and beyond the responsibilities of their jobs, and

WHEREAS, the suggestion should clearly state the problem, how the problem might be solved, and the benefit that would be realized if the suggestion was adopted. Suggestions with no definite proposal for improvement, or pertaining to conditions over which the county has not control or similar to one suggestion already under consideration, will be rejected, and

WHEREAS, cost-saving ideas are morale-building, very effective and improve productivity.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners establishes an Employee Suggestion Committee by July 1. The Committee will be composed of two members of Local 88, one member from the Oregon Nurses Assn., one member of the Deputy Sheriff's Association, one member from the Corrections Officer's Assn., one member from the Prosecuting Attorney's Assn., one member from Planning and Budget, one member from Board staff and one member from the Chair's office. This committee will establish criteria for selection of suggestions that are submitted for consideration of implementation by the Board of County Commissioners. This Committee will meet bi-monthly (or when deemed necessary) to review suggestions submitted by any permanent employee excluding program managers.

BE IT FURTHER RESOLVED any new or original idea that is implemented by the Board of County Commissioners will result in an award up to 1% of the first year's financial savings to the county not to exceed \$1,000. A choice of paid leave may be substituted for a comparable cash award. The award will be made one year following the implementation of the suggestion to the extent that tangible direct savings or increase in revenue occur. The results and actions by the committee will be reviewed annually by the Board of County Commissioners.

ADOPTED this _____ day of _____, 1991

By _____
Gladys McCoy, Chair
Multnomah County, Oregon

REVIEWED

By 
Laurence Kressel, County Counsel
of Multnomah County, Oregon

Meeting Date: May 23, 1991

Agenda No.: R-3

(Above space for Clerk's Office Use)

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: Policy on Maintenance of Foreclosed Properties

AGENDA REVIEW/
BOARD BRIEFING _____ (date) _____ REGULAR MEETING _____ (date)

DEPARTMENT Bon-departmental DIVISION BCC Dist. 2

CONTACT Mike Delman TELEPHONE 248-5219

PERSON(S) MAKING PRESENTATION Comm. Gary Hansen

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: 15 minutes

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: _____

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

There's a critical need to immediately improve the lack of maintenance on the current 450 foreclosed, abandoned and neglected properties in Multnomah County.

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL Gary Hansen

Or

DEPARTMENT MANAGER _____

(All accompanying documents must have required signatures)

BOARD OF
COUNTY COMMISSIONERS
1991 MAY 16 PM 3:42
MULTNOMAH COUNTY
OREGON

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of Establishing a Policy)
to Maintain Foreclosed Properties while) RESOLUTION
in Multnomah County's Possession)

WHEREAS, Multnomah County has possession of nearly
400 tax foreclosed properties, and

WHEREAS, many of these properties are concentrated
in a few neighborhoods, and

WHEREAS, the neighborhoods with large
concentrations of foreclosed properties are important to the
well-being and livability of Multnomah County, and

WHEREAS, proper maintenance of foreclosed
properties are important for the continued visibility of
many Multnomah County neighborhoods, and

WHEREAS, proper maintenance of foreclosed
properties increases the value of neighboring properties, and

WHEREAS, proper maintenance of foreclosed
properties can increase the market value of properties, and

WHEREAS, non-profit housing corporations chances of
successfully rehabilitating foreclosed properties improve if
the properties have been well-maintained, and

NOW, THEREFORE BE IT RESOLVED, that Multnomah
County shall seek to maintain properties in its possession
to current neighborhood standards within budgetary
constraints, and

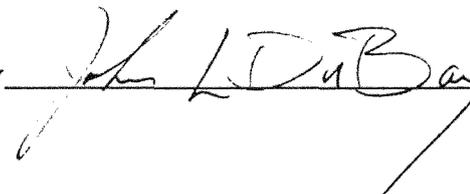
BE IT FURTHER RESOLVED that the County Chair is
directed to develop specific measures that shall meet
neighborhood standards.

ADOPTED this _____ day of _____ 1991.

MULTNOMAH COUNTY, OREGON

By _____
Gladys McCoy, County Chair

REVIEWED
LAURENCE KRESSEL, COUNTY COUNSEL
for Multnomah County, Oregon

By 

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the matter of establishing a policy)
to maintain foreclosed properties while) RESOLUTION
in Multnomah County's possession)

WHEREAS, Multnomah County has possession of nearly 400 tax foreclosed properties, and

WHEREAS, many of these properties are concentrated in a few neighborhoods, and

WHEREAS, the neighborhoods with large concentrations of foreclosed properties are important to the well-being and livability of Multnomah County, and

WHEREAS, proper maintenance of foreclosed properties are important for the continued visibility of many Multnomah County neighborhoods, and

WHEREAS, proper maintenance of foreclosed properties increase the value of neighboring properties, and

WHEREAS, proper maintenance of foreclosed properties can increase the market value of properties, and

WHEREAS, non-profit housing corporations chances of successfully rehabilitating foreclosed properties improve if the properties have been well-maintained,

THEREFORE BE IT RESOLVED that properties in the possession of Multnomah County shall be maintained to current neighborhood standards and at a minimum:

1. Be inspected monthly.
2. Properties shall be identified with some kind of sign.
3. Litter and garbage shall be removed immediately.
4. Grass shall be mowed bi-weekly. between March 1
October 1.
5. Shrubbery, trees, etc., shall be maintained and trimmed.
6. Plywood window and door coverings shall be painted.
7. Attempt to identify and mitigate unsafe conditions.
8. Lots shall be seeded to grass

ADOPTED this _____ day of _____, 1991

By _____
Gladys McCoy, Chair
Multnomah County, Oregon

REVIEWED:

By Laurence Kressel
Laurence Kressel, County Counsel
of Multnomah County, Oregon

MAY 23 1991

Meeting Date MAY 16 1991 R-4

Agenda No.: R-10

(Above space for Clerk's Office Use)

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: Ordinance for Fee Increase

BCC Informal _____ (date) BCC Formal _____ (date)

DEPARTMENT Environmental Services DIVISION Transportation

CONTACT Dennis Fantz TELEPHONE 248-5050 x 6473

PERSON(S) MAKING PRESENTATION Dennis Fantz

ACTION REQUESTED:

/ / INFORMATIONAL ONLY / / POLICY DIRECTION /X/ APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: 5 minutes

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: YES

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

The fees charged for the review of subdivision, partition and condominium plats should be increased to better offset the cost for providing these services. The current fee schedule was adopted in 1985. The proposed fees for the review and filing of a survey map, and for the review and posting of an Affidavit of Correction will better offset the cost of providing these services.

The above services are mandated and the fees for those services are authorized by the Oregon Revised Statutes.

5/24/91 copies to Dennis Fantz and Ordinance Distribution List

(If space is inadequate, please use other side)

SIGNATURES:

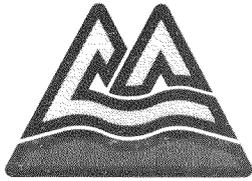
ELECTED OFFICIAL _____

Or

DEPARTMENT MANAGER *[Signature]*

(All accompanying documents must have required signatures)

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
1991 MAY - 7 AM 9:10



MULTNOMAH COUNTY OREGON

DEPARTMENT OF ENVIRONMENTAL SERVICES
2115 S.E. MORRISON
PORTLAND, OREGON 97214
(503) 248-5000

BOARD OF COUNTY COMMISSIONERS
GLADYS McCOY • CHAIR OF THE BOARD
PAULINE ANDERSON • DISTRICT 1 COMMISSIONER
GARY HANSEN • DISTRICT 2 COMMISSIONER
RICK BAUMAN • DISTRICT 3 COMMISSIONER
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

April 18, 1991

Board of County Commissioners
Multnomah County Courthouse
1021 SW 4th Avenue, Room 606
Portland, OR 97204

RE: An Ordinance to Increase Fees for Services Provided by the County
Surveyor

The fees charged for the review of subdivision, partition and condominium plats should be increased to better offset the cost for providing these services. The current fee schedule was adopted in 1985. The proposed fees for the review and filing of a survey map, and for the review and posting of an Affidavit of Correction will better offset the cost of providing these services.

The above services are mandated and the fees for those services are authorized by statute.

Very truly yours,


Paul Yarborough, Director
Department of Environmental Services

PY:DF:rj

2104W

ORDINANCE FACT SHEET

Ordinance Title: Increase of Fees for County Surveyor Services

Give a brief statement of the purpose of the ordinance (include the rationale for adoption of ordinance, description of persons benefited, and other alternatives explored).

To revise and increase the fee schedule for providing services mandated to the County Surveyor that better offsets the costs and lowers the general fund support.

What other local jurisdictions in the metropolitan area have enacted similar legislation?

Washington County, Clackamas County, and Lane County

What has been the experience in other areas with this type of legislation?

No negative responses from the majority using the services.

What is the fiscal impact, if any?

Increased revenue to make up for the majority of general fund support which was reduced in the 91-92 proposed budget.

(If space is inadequate, please use other side)

SIGNATURES:

Person Filling Out Form: Dennis Fantz

Planning & Budget Division (if fiscal impact): _____

Department Manager/Elected Official: _____

3706V



MULTNOMAH COUNTY OREGON

DEPARTMENT OF ENVIRONMENTAL SERVICES
TRANSPORTATION DIVISION
1620 S.E. 190TH AVE.
PORTLAND, OREGON 97233
(503) 248-5050

BOARD OF COUNTY COMMISSIONERS
GLADYS McCOY • CHAIR OF THE BOARD
PAULINE ANDERSON • DISTRICT 1 COMMISSIONER
GARY HANSEN • DISTRICT 2 COMMISSIONER
RICK BAUMAN • DISTRICT 3 COMMISSIONER
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

M E M O R A N D U M

TO: Commissioner Sharron Kelley

FROM: Larry F. Nicholas 

DATE: May 16, 1991

SUBJECT: Ordinance to Increase Fees for Services Provided by County Surveyor

In response to the questions you raised at the informal the following is some of the background data we used to develop the revised fees for the surveyor's office.

Please call if you have questions.

LFN:rj

cc: Paul Yarborough

2146W



OFFICE MEMORANDUM . . . DEPARTMENT OF ENVIRONMENTAL SERVICES

TO: Larry F. Nicholas
FROM: Dennis Fantz *DF*
DATE: May 16, 1991
SUBJECT: Cost Breakdown for Review of a Partition Plat

The following is the work task breakdown and associated costs for the review of an average partition plat. The figures are based on a review of historic data (FY 89-90 and FY 90-91) to provide this service.

<u>Work Tasks</u>	<u>Classification</u>	<u>Hourly Rate*</u>	<u>Time in Hours</u>	<u>Total</u>
1. Receive plat, assess needs receipt for payment	Eng. Tech. Assoc.	\$27.00	1	\$27.00
2. Math check, review description, drafting abutting property	Eng. Tech. Assist.	\$24.00	3.5	\$84.00
3. Review for compliance with 92 and 207. Prepare request for changes or corrections	Eng. Tech. Assoc.	\$27.00	2.5	\$67.50
4. Prepare Deed for Road Purposes and Deed Restriction	Eng. Tech. Senior	\$29.00	2	\$58.00
5. Review of plat contact cities or county regarding conditions of approval	County Surveyor	\$37.00	2	\$74.00
			TOTAL	<u>\$310.50</u>

* Includes hourly rate and fringe

DF:rj

2146W

MARCH 26, 1991

	Multco Current	Marion Current	Wash Co. Current	City of Eugene Current	Clackamas Current**	Proposed 7/1/91 Wash Co.	To be Proposed to Board of CC
Filing of Survey Map & Narrative	20.00	25.00	33.00		35.00	45.00	<u>45.00</u>
Subdivision Plat Check Completed	225.00	300.00	400.00	380.00	400.00	500.00	<u>500.00</u>
Plus per Lot	15.00	15.00	20.00	20.00	20.00	25.00	<u>25.00</u>
Subdivision Plat Check Post Monum- ented	350.00	400.00	460.00	60.00	500.00	600.00	<u>650.00</u>
Plus per Lot	20.00	20.00	26.00	25.00	25.00	32.00	<u>35.00</u>
Partition Plat Check - Minor	110.00	90.00	175.00	125.00	140.00	245.00	<u>300.00</u>
Check - Major	110.00	90.00	175.00	250.00	160.00	245.00	<u> </u>
Condominium Plat Check	150.00	250.00	440.00	250.00	450.00	580.00	<u>500.00</u>
Plus per Building	25.00	25.00	55.00	25.00	60.00	75.00	<u>50.00</u>
Additional fee for Multi-levels							Actual Cost
Correction Survey	30.00	25.00	30.00	25.00		35.00*	<u>40.00</u>
Correction Sub- division	50.00	25.00	30.00	25.00		35.00*	<u>85.00</u>
Review Condo	50.00	25.00	30.00	25.00		35.00*	<u>150.00</u>

*Plus recording fee

** Clackamas County has an ordinance in process which will be raising fees slightly higher than Washington County's 7/1/91 fees, except the filing fee.

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BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON
ORDINANCE NO. 680

An Ordinance amending the Multnomah County Code Chapters 5.10, 11.20, and 11.45 by increasing fees for services of the County Surveyor as authorized by state statutes.

Multnomah County Ordains as follows:

RECITALS

- A. The current fee schedule for the review and approval of subdivision partitions and condominiums and the review and filing of a survey map was established in 1985. The proposed fees better offset the cost for providing these mandated services. The state statutes authorize the Board of County Commissioners to establish fees for these services.
- B. The Board of County Commissioners finds it is necessary and convenient to adopt fees authorized by statute to carry out the County Surveyor's statutory duties.

NOW, THEREFORE, Multnomah County ordains as follows:

Section I. Amendments

Multnomah County Code Chapter 5.10 is amended by the inclusion of the following section:

5.10.265 Fee for review for compliance, and the filing and indexing a map of survey. Each filing of a map of survey shall be accompanied by a fee of [twenty (20)] forty-five (\$45.00) dollars.

1 Ordinance 680

2 5.10.275 County Surveyor fees.

3 A. For services required by ORS 92.100(3) in connection
4 with plats of partitions within the corporate limits
5 of any city, the fee will be [~~\$90.00~~] \$300.00.

6 B. For services required by ORS 209.255 in connection
7 with affidavits of correction of any recorded survey
8 map or narrative, the fee will be [~~\$30.00~~] \$40.00.

9 C. For services required by ORS 100.115 in connection
10 with reclassification or withdrawal of variable
11 property from unit ownership as provided in ORS
12 100.115(1) or (2), or removal of property from any
13 condominium plat as provided in ORS 100.600(2), the
14 fee will be [~~\$100.00~~] \$150.00.

15 D. For services required by ORS 92.170 in connection with
16 affidavits of correction of any recorded subdivision
17 plat or partition plat, and for affidavits of
18 correction of any recorded condominium plat, or any
19 condominium floor plan recorded prior to October 15,
20 1983, as authorized by ORS 100.115(7), the fee will be
21 [~~\$50.00~~] \$85.00.

1 Ordinance 680

2 Section II. Amendments Chapters 11.20 and 11.45 are amended as follows:

3 11.20.200 Fee for review and approval. The fee for the review and
4 approval of the plat and floor plans for a condominium shall be [~~\$150~~
5 plus ~~\$25~~] \$500.00 plus \$50.00 per building. For buildings that exceed
6 two stories in elevation or for buildings that contain more than 20
7 units, the fee will be the actual cost of the review.

8 11.45.810 Fee schedule.

9 (F) Final Plat [or Map] and Field Survey Check.

10 (1) For subdivisions as follows:

11 (a) The fee to be paid by the applicant to the County
12 Surveyor for checking subdivision plats having
13 all boundary and lot corner monuments in place on
14 the subdivision site at the time of inspection by
15 the County Surveyor, shall be [~~\$225~~] \$500.00 plus
16 [~~\$15~~] \$25.00 for each lot contained in the
17 subdivisions.

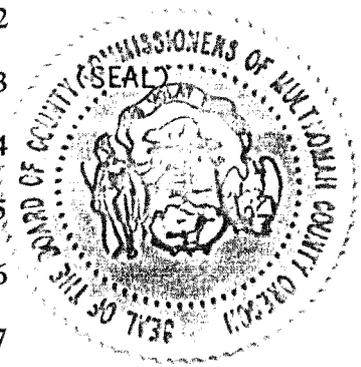
18 (b) The fee to be paid by the applicant to the County
19 Surveyor for checking subdivision plats having
20 all boundary angle points and all points of
21 intersection of parcel lines with the boundary
22 marked by monuments at the time of inspection by
23
24
25
26

1 Ordinance 680

2 the County Surveyor, but with the interior parcel and
3 roadway monuments to be delayed in accordance with
4 ORS 92.060(5) shall be [\$350] \$650.00 plus [\$20]
5 \$35.00 for each lot contained within the subdivision.

6 (2) For Partitions: The fee to be paid by the applicant
7 to the County Surveyor for checking partition plats as
8 required by ORS 92.100(3) shall be \$300.00

9 ADOPTED THIS 23rd day of May, 1991, being the date
10 of its second reading before the Board of County Commissioners of
11 Multnomah County.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

16 By Gladys McCoy
17 Gladys McCoy
18 Multnomah County Chair

19 REVIEWED:

20 LAURENCE KRESSEL, COUNTY COUNSEL
21 FOR MULTNOMAH COUNTY, OREGON

22 By John L. DuBay
23 John L. DuBay
24 Assistant County Counsel



CONTRACT APPROVAL FORM

(See Administrative Procedure #2106)

MULTNOMAH COUNTY OREGON

Contract # 301272

Amendment # _____

<p>CLASS I</p> <input type="checkbox"/> Professional Services under \$10,000	<p>CLASS II</p> <input type="checkbox"/> Professional Services over \$10,000 (RFP, Exemption) <input type="checkbox"/> PCR B Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue	<p>CLASS III</p> <input checked="" type="checkbox"/> Intergovernmental Agreement <p style="text-align: center;">RATIFIED</p> <p style="text-align: center;">Multnomah County Board of Commissioners</p> <p style="text-align: center;"><u>R-5, May 23, 1991</u></p>
---	--	---

Contact Person Robert E. Johnson Phone 248-3588 Date 9/12/91

Department Environmental Services Division Transportation Bldg/Room 425

Description of Contract Intergovt. Agreement with Oregon State Highway Division to share the cost of power and maintenance 50-50 of a new traffic signal to be installed by the state on the Lower Columbia River Highway at Cornelius Pass Road. Estimated county share: \$50/mo maint.; \$45/mo for electrical power. State will pay 100% of installation costs of the signal.

RFP/BID # _____ Date of RFP/BID _____ Exemption Exp. Date _____

ORS/AR # _____ Contractor is MBE WBE QRF

Contractor Name Oregon State Highway Division
Mailing Address Transportation Building
Salem, OR 97310

Phone _____
Employer ID # or SS # _____
Effective Date Upon Execution
Termination Date _____
Original Contract Amount \$ _____
Amount of Amendment \$ _____
Total Amount of Agreement \$ _____

Est. cost to County= \$50/mo. maintenance
\$45/mo. Electrical
State to pay 100% of installation costs

Payment Term
 Lump Sum \$ _____
 Monthly \$ _____
 Other \$ _____
 Requirements contract - Requisition required
Purchase Order No. _____
 Requirements Not to Exceed \$ _____

1991 SEP 24 PM 3:06
BOARD OF COMMISSIONERS
MULTNOMAH COUNTY
OREGON

REQUIRED SIGNATURES:

Department Manager [Signature]
Purchasing Director
(Class II Contracts Only)
County Counsel [Signature]
County Chair/Sheriff [Signature]

Date 9/12/91
Date _____
Date 5/23/91
Date May 23, 1991

VENDOR CODE			VENDOR NAME						TOTAL AMOUNT \$		
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT	SUB OBJ	REPT CATEG	LGFS DESCRIPTION	AMOUNT	INC/ DEC IND
01.	150	030	6530			6180					
02.											
03.											

INSTRUCTIONS ON REVERSE SIDE

WHITE - PURCHASING CANARY - INITIATOR PINK - CLERK OF THE BOARD GREEN - FINANCE

INSTRUCT

10:
Clerk of Bd. #101/606 Transp #425
From:
John Dept. Mue

1. CLASS I, CLASS II, CLASS _____ contract in one of the three columns on the top of the form.
2. CONTRACT # - To be issued by designated person in each Division or call Purchasing to get a number.
3. AMENDMENT ~~###~~ Sequential numbering to original contract as changes are made and approved.
4. DESCRIPTION OF CONTRACT - Summary of product purchased or services to be performed. Note if an amendment or extension.
5. RFP/BID # - Enter number if contract is a result of RFP/Bid selection process.
6. DATE RFP/BID - Enter date of RFP/Bid public opening.
7. EXEMPTION EXPIRATION DATE - Enter exemption expiration date from competitive bidding granted by BCC or the Chair.
8. ORS/AR# - Refer to Oregon Revised Statutes and/or Administrative Rule #, when applicable.
9. CONTRACTOR IS MBE, WBE, QRF - Check appropriate box if contractor is certified as an MBE, WBE, or QRF (Qualified Rehabilitation Facility).
10. CONTRACTOR NAME, MAILING ADDRESS, PHONE - Enter current information.
11. EMPLOYEE ID# OR SS# - Enter employee federal ID# or Social Security # if contractor is an individual.
12. EFFECTIVE DATE - Date stated on contract to begin services.
13. TERMINATION DATE - Date stated on contract to terminate services.
14. ORIGINAL CONTRACT AMOUNT - Enter amount of original contract.
15. AMOUNT OF AMENDMENT - Enter amendment or change order amount only, if applicable.
16. TOTAL AMOUNT OF AGREEMENT - Enter original amount of contract. If this is an amendment or change order, please include original amount and amended amount.
17. PAYMENT TERMS - Designate payment terms by checking appropriate box and entering dollar amount.
18. REQUIREMENTS CONTRACT - Requisition Required - Check this box to note that a purchase order will be issued to initiate payment.
19. PURCHASE ORDER # - Enter number of purchase order to be issued. If number is not known, enter "PO will be issued."
20. REQUIREMENTS NOT TO EXCEED - List the estimated dollar amount of requirements contracts.
21. REQUIRED SIGNATURES - To be completed as approved. Purchasing Director needs to sign all Class II contracts only.
22. ACCOUNT CODE STRUCTURE - Enter account code structure for the type of agreement; i.e., expense or revenue.
23. LGFS DESCRIPTION - Abbreviated description for Data Entry purposes.
24. AMOUNT - If total dollar amount is being split among different account numbers, indicate dollar amounts here.

Meeting Date MAY 23 1991
Agenda No.: R-5

(Above space for Clerk's Office Use)

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: Traffic Signal Agreement with the State of Oregon

BCC Informal _____ (date) _____ BCC Formal _____ (date) _____

DEPARTMENT Environmental Services DIVISION Transportation

CONTACT Robert Johnson TELEPHONE 248-3588

PERSON(S) MAKING PRESENTATION _____

ACTION REQUESTED:

/ / INFORMATIONAL ONLY / / POLICY DIRECTION /X/ APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: _____

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: YES

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

This is an agreement with the State of Oregon to share the cost of power and maintenance 50-50 with Multnomah County at a new signal to be installed by the state on the Lower Columbia River Highway at Cornelius Pass Road. The estimate of the county's share is \$50.00/month for maintenance and \$45.00/month for electrical power. The state will pay 100 percent of the installation costs of the signal.

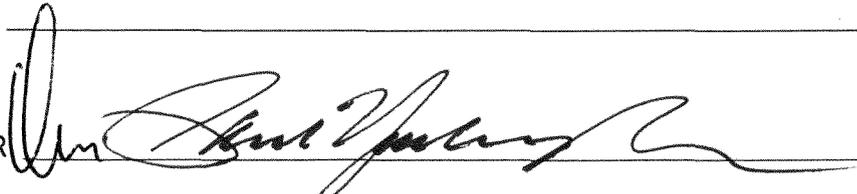
(If space is inadequate, please use other side)

SIGNATURES: *5/28/91 originals to Robert Johnson*

ELECTED OFFICIAL _____

Or

DEPARTMENT MANAGER _____



(All accompanying documents must have required signatures)

3706V/1537T

Shawn Macdonald, Budget

MULTNOMAH COUNTY
OREGON
1991 MAY 16 PM 3:42
BOARD OF
COUNTY COMMISSIONERS

1

DATE 5-23-91

NAME PATTYE LARSON

ADDRESS 17929 NW St. Helens Rd

STREET
Portland OR 97231
CITY **ZIP CODE**

I WISH TO SPEAK ON AGENDA ITEM # R-5

SUBJECT Cornelius Pass stoplight

X **FOR** _____ **AGAINST**
PLEASE PRINT LEGIBLY!

DEPARTMENT OF
TRANSPORTATION

April 29, 1991

Highway Division
Region 1

Larry Nicholas, County Engineer
Multnomah County
1620 S.E. 190th Ave.
Portland, Oregon 97233

FILE CODE:

SUBJECT: PROPOSED AGREEMENT
State Funded

Attached are three bound copies and one unbound information copy of a proposed agreement covering the installation of a traffic control signal at the intersection of Lower Columbia River Highway at Cornelius Pass Road.

Would you please review this with your staff and with other affected County personnel, and if it is satisfactory, secure the necessary signatures and return the bound, signed copies to me at this office. The unbound copy may be retained for your reference. After final action by the Highway Division, fully executed copies will be distributed.

If you have any questions, please call.



bot
Marty Andersen
Federal Aid Manager

Attachments - (4 copies, Agreement No. 9958)

xc: Ed Marges



9002 SE McLoughlin
Milwaukie, OR 97222
(503) 653-3090
FAX 653-3267

JOHN B. YEON BLDG.

MAY -2 11 11 57

RECEIVED
MAY 11 1991

April 24, 1991

Misc. Contracts & Agreements
No. 9958

COOPERATIVE IMPROVEMENT AGREEMENT
PRELIMINARY ENGINEERING AND CONSTRUCTION FINANCE

THIS AGREEMENT is made and entered into by and between THE STATE OF OREGON, acting by and through its Department of Transportation, Highway Division, hereinafter referred to as "State"; and MULTNOMAH COUNTY, a political subdivision of the State of Oregon, acting by and through its Board of Commissioners, hereinafter referred to as "County".

W I T N E S S E T H

RECITALS

1. Lower Columbia River Highway is a part of the State highway system under the jurisdiction and control of the Oregon Transportation Commission, and Cornelius Pass Road is a part of the County road system, under the jurisdiction and control of County.
2. For the purpose of providing acceptable traffic patterns on public highways, State and County plan and propose to install a fully-actuated traffic signal at the intersection of Lower Columbia River Highway and Cornelius Pass Road, hereinafter referred to as "project". The location of the project is approximately as shown on the sketch map attached hereto, marked Exhibit A, and by this reference made a part hereof. The project will be financed with funds available to State at no expense to County.
3. By the authority granted in ORS 366.770, and 366.775, State may enter into cooperative agreements with the counties and cities for the performance of work on certain types of improvement projects with the allocation of costs on terms and conditions mutually agreeable to the contracting parties. Traffic signal work on the project will conform to the current State standards and specifications.
4. By the authority granted in ORS 810.210, State is authorized to determine the character or type of traffic control signals to be used, and to place or erect them upon State highways at places where State deems necessary for the safe and expeditious control of traffic. No traffic control signals shall be erected or maintained upon any State highway by any authority other than State, except with its written approval.

KEY 05214
B1189001

Contract No. 9958
MULTNOMAH COUNTY

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

STATE OBLIGATIONS

1. State shall conduct the necessary field surveys and traffic investigations, identify and obtain or issue the required permits, perform all preliminary engineering and design work required to produce plans, specifications and estimates, advertise for bid proposals, award all contracts and furnish all construction engineering, material testing, technical inspection and project manager services for administration of the contract.
2. State shall relocate or reconstruct, or cause to be relocated or reconstructed, all privately or publicly-owned utility conduits, lines, poles, mains, pipes, and all other such facilities of every kind and nature, where such utilities or facilities are located within the right-of-way of any presently existing State Highway or upon private property, where such relocation or reconstruction is necessary in order to conform the utilities or facilities to the plans for the project.
3. State shall lay out and paint the necessary lane lines and erect the required directional and traffic control signing for the project.
4. State shall, upon project completion, perform all required signal maintenance, retain complete jurisdiction and control of the timing established for operation of the traffic signals, and bill County annually for its share (50 percent) of the maintenance costs for said signal. Upon receipt of County's annual billing, State shall pay its share (50 percent) of power costs associated with said signal.

COUNTY OBLIGATIONS

1. County shall, at no cost to State, provide existing County-owned right-of-way and easements, if needed, for any required roadway widening and for installation and maintenance of the traffic signal equipment, including advance detector loops.

B1189001

Contract No. 9958
MULTNOMAH COUNTY

2. County shall maintain the asphaltic concrete pavement surrounding the vehicle detector loops installed in County road in such a manner as to provide adequate protection for said detector loops, and shall adequately maintain the pavement markings and signing installed in accordance with the plans and specifications.

3. County shall, upon project completion, provide power for traffic signal and will bill State annually for its share (50 percent) of power costs for said signal. Upon receipt of State's annual billing, County shall pay its share (50 percent) of maintenance costs associated with said signal.

4. County shall, upon notification by State, relocate or reconstruct, or cause to be relocated or reconstructed, all privately or publicly owned utility conduits, lines, poles, mains, pipes, and all other such facilities of every kind and nature, where such utilities or facilities are located within the right-of-way of any presently existing County road where such relocation or reconstruction is necessary in order to conform the utilities or facilities to the plans for the project. County may request State to arrange for said relocation, acting on behalf of County.

5. County shall authorize execution of this agreement during a regularly convened session of its Board of County Commissioners.

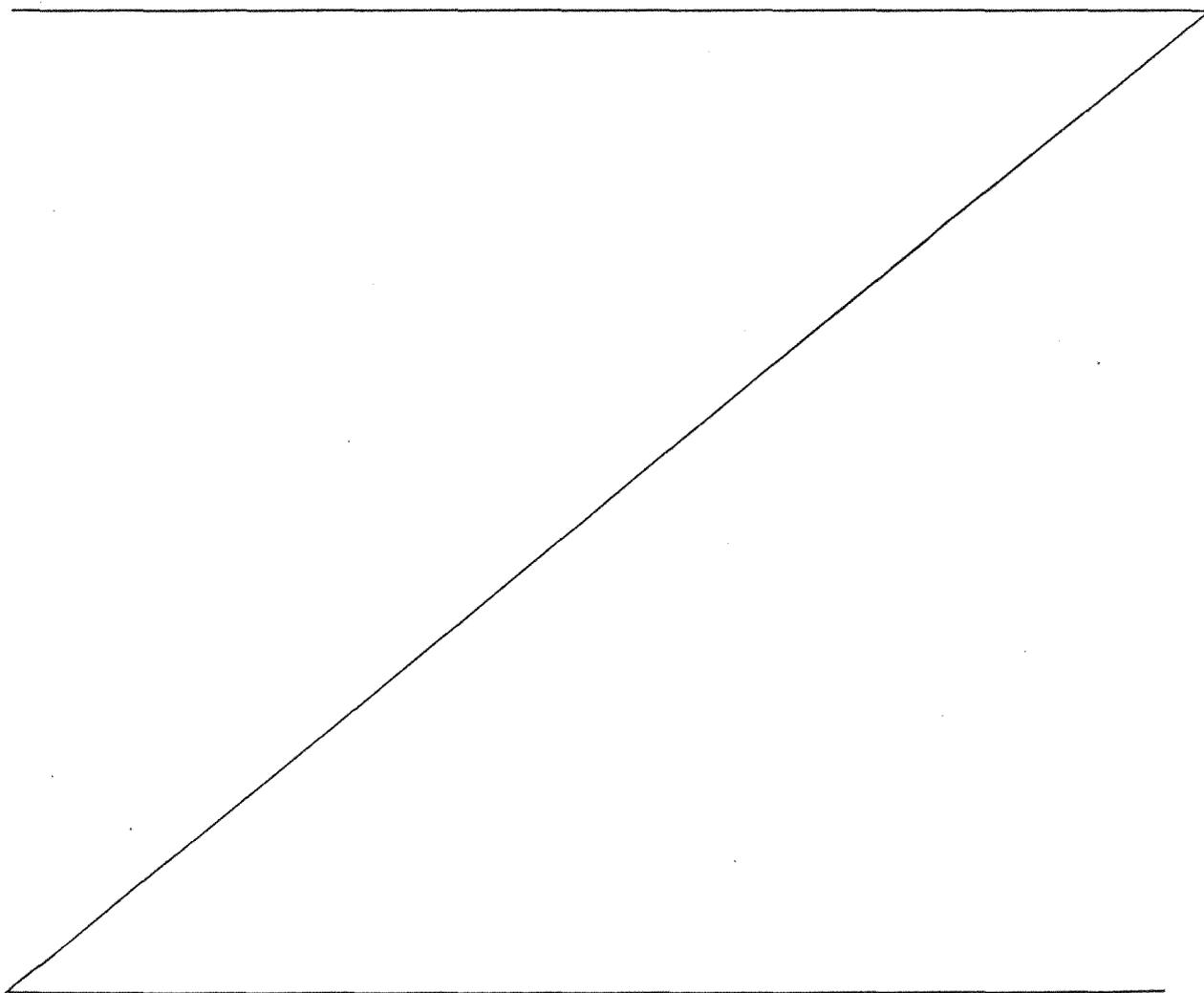
GENERAL PROVISIONS

1. State and County agree and understand that a mutual review of the traffic signal plans will be conducted prior to advertisement for construction bid proposals.

2. The contractor, its subcontractors, if any, and all employers working under this agreement are subject employers under the Oregon workers' compensation law and shall comply with ORS 656.017, which requires them to provide workers' compensation coverage for all their subject workers.

Contract No. 9958
MULTNOMAH COUNTY

3. Subject to the limitations of the Oregon Constitution and statutes; County and State each shall be solely responsible for any loss or injury caused to third parties arising from County's or State's own acts or omissions under this agreement and County or State shall defend, hold harmless and indemnify the other party to this agreement with respect to any claim, litigation or liability arising from County's or State's own acts or omissions under this agreement.



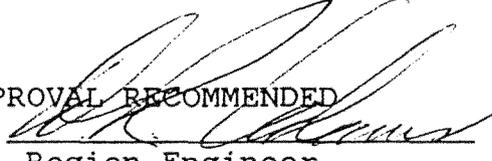
IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year hereinafter written.

Contract No. 9958
MULTNOMAH COUNTY

This project was approved by the Oregon Transportation Commission on July 17, 1990 as part of the Six Year Highway Improvement Program, page 18.

The Oregon Transportation Commission, by a duly adopted delegation order, authorized the State Highway Engineer to sign this agreement for and on behalf of the Commission. Said authority has further been delegated to the Traffic Engineer, pursuant to Subdelegation Order HWY-4, paragraph 3.

APPROVAL RECOMMENDED

By 
Region Engineer

STATE OF OREGON, by and through
its Department of Transportation,
Highway Division

Date 4/29/91

By _____
Traffic Engineer

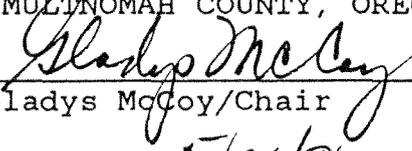
APPROVED AS TO
LEGAL SUFFICIENCY

Date _____

By _____
Asst. Attorney General

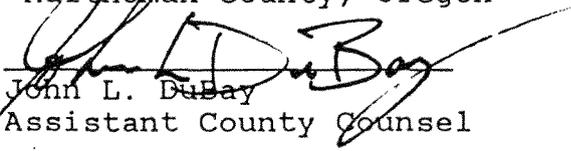
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Date _____

By 
Gladys McCoy/Chair

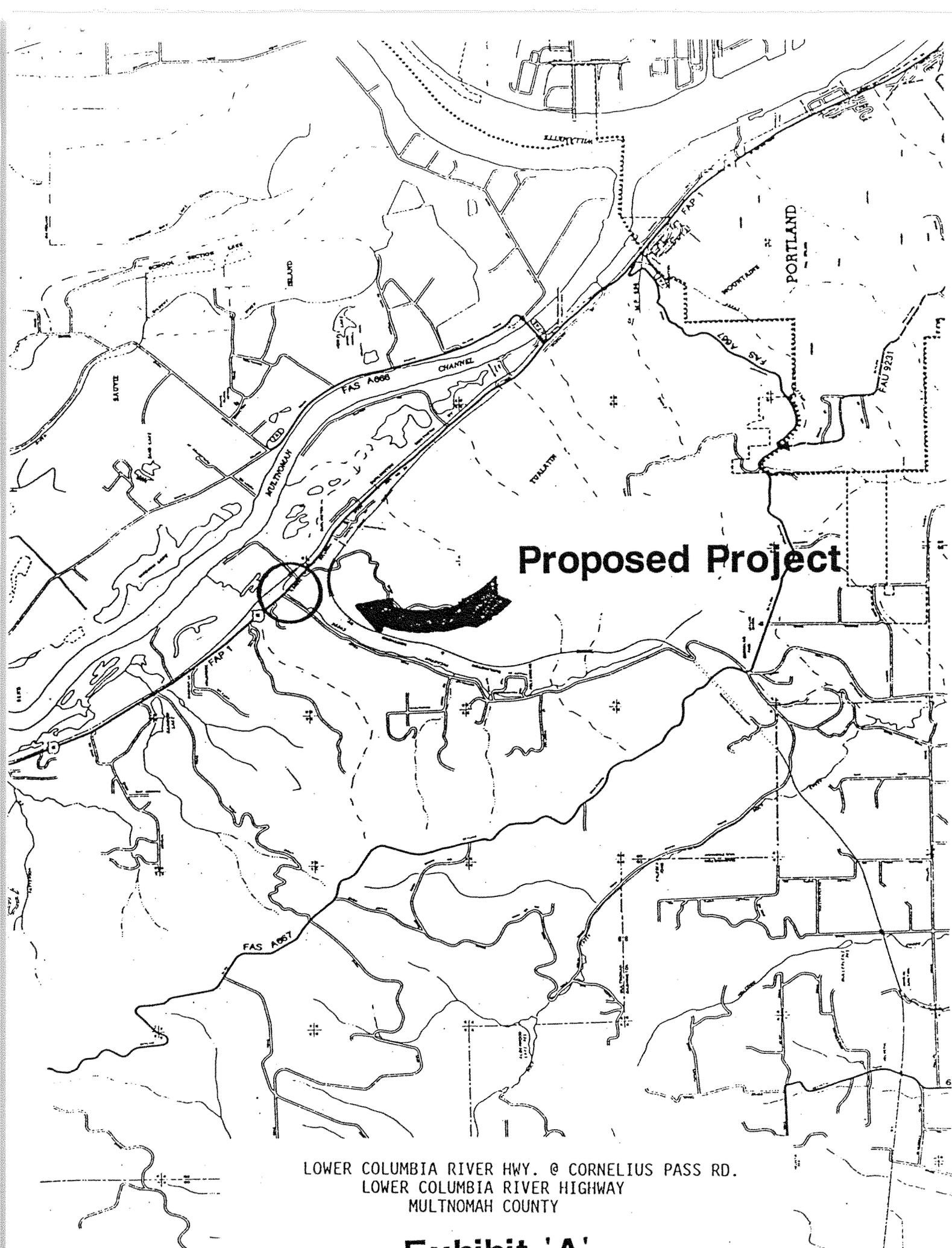
REVIEWED:
LAURENCE KRESSEL
for Multnomah County, Oregon

Date 5/23/91

By 
John L. DuBay
Assistant County Counsel

Date 5/23/91

MULTNOMAH COUNTY
Billing Address:



Proposed Project

LOWER COLUMBIA RIVER HWY. @ CORNELIUS PASS RD.
LOWER COLUMBIA RIVER HIGHWAY
MULTNOMAH COUNTY

Exhibit 'A'

Meeting Date MAY 23 1991

Agenda No.: R-6

(Above space for Clerk's Office Use)

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: Metro Greenspaces Program Demonstration Grant-Notice of Intent

BCC Informal _____ (date) BCC Formal May 23, 1991 (date)

DEPARTMENT Environmental Services DIVISION Park Services

CONTACT Charles Ciecko/Dan Kromer TELEPHONE 248-5050

PERSON(S) MAKING PRESENTATION Charles Ciecko or Dan Kromer

ACTION REQUESTED:

/ / INFORMATIONAL ONLY / / POLICY DIRECTION /X/ APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: 10-15 minutes

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: YES

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

Notice of Intent to apply for a \$25,000 Demonstration Grant from the Metropolitan Service District for wetland enhancement at Bybee-Howell Park. The funding for this project is part of Metro's Greenspaces Program. The lack of wetlands remaining in Multnomah County makes this a beneficial project. The 50 percent match requirement for this grant by the County will be a combination of in-kind and hard-match money.

5/24/91 Annotated Minutes to Charles Ciecko

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL _____

Or

DEPARTMENT MANAGER *CC*  _____

(All accompanying documents must have required signatures)

BOARD OF
COUNTY COMMISSIONERS
1991 MAY 16 PM 3:48
MULTNOMAH COUNTY
OREGON

APPENDIX A

DATE: _____

TO: BOARD OF COUNTY COMMISSIONERS

DEPARTMENT AND CONTACT PERSON: Charles Ciecko/Dan Kromer, Parks Svcs. Division
GRANTOR AGENCY: Metropolitan Service District
BEGINNING DATE OF GRANT: August 1, 1991
PROJECT TITLE: Bybee-Howell Wetland Enhancement Project
PROJECT DESCRIPTION/GOALS:

This grant proposal is for funding through the Metropolitan Service District for wetland enhancement at Bybee-Howell Park.

The project will entail establishing wetland plantings, constructing water control structures, pasture restoration, and fencing off wetland ponds.

PROJECT ESTIMATED BUDGET	Direct/Indirect
FEDERAL SHARE:	\$ 25,000 / _____
STATE SHARE:	\$ _____ / _____
COUNTY SHARE:	\$ 25,000 / _____
TOTAL:	\$ _____ / _____

EXPLANATION OF LOCAL SHARE: (Explain indirect costs, hard-match, in-kind, etc.)

County share will be a combination of hard-match from the Park Development Fund and in-kind from volunteers and budgeted staff time.

SPECIFY REPORTING AND/OR BILLING REQUIREMENTS OF GRANTOR AND WHO REPORTS FINANCE _____ DEPARTMENT XX. IF DEPT. REPORTS, INDICATE REASON.

GRANT DURATION AND FUTURE RATIO: (Indicate amount of county match per year.)

One-time allocation.

ADVANCE REQUESTED XX YES _____ NO. IF NOT, INDICATE REASON.

RECEIPT OF FUNDS WILL BE DEPOSITED TO PO BOX _____ OR WIRED DIRECTLY _____. IF NOT, INDICATE REASON.

0935p/4075p

TOTAL

(Use appropriate County classification with yearly costs.)

N/A

EXPLAIN MATERIALS AND SERVICES AND CAPITAL EXPENDITURES WITH TOTAL DOLLAR AMOUNTS

\$25,000 from the Park Development Fund will be used to match this project. Appropriation will be spent on materials and services.

COMMENTS

GRANT MANAGER

Signature

Date

BUDGET DIVISION

Signature

Date

Shawn Cordwell

5/15/91

FINANCE DIVISION

Signature

Date

Paul A. Boyer

5/16/91

PERSONNEL DIVISION

Signature

Date

DEPARTMENT DIRECTOR

Signature

Date

cc Paul Young 5-7-91

Meeting Date: ~~MAY 0 2 1991~~ MAY 2 3 1991

Agenda No.: ~~R8~~ R7

(Above space for Clerk's Office Use)

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: Exempt Classification/Compensation Ordinance

BCC Informal _____ (date) BCC Formal May 2, 1991 _____ (date)

DEPARTMENT General Services DIVISION Employee Services

CONTACT Colette Umbras TELEPHONE 248-5015 Colette
2200

PERSON(S) MAKING PRESENTATION Curtis Smith

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: 15 minutes

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: _____

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

This Ordinance implements the exempt portion of the Classification/Compensation Study. Funds required for implementation are currently included in the 1990-91 budget.

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL Lynda Alexander

Or

DEPARTMENT MANAGER _____

(All accompanying documents must have required signatures)

BOARD OF
COUNTY COMMISSIONERS
1991 APR 24 PM 1:11
MULTNOMAH COUNTY
OREGON

ORDINANCE FACT SHEET

Title Exempt Compensation Plan Effective Date July 1, 1990

Brief Statement of purpose of ordinance (include the rationale for adoption of ordinance, a description of persons benefited, and other alternatives explored).

This Ordinance implements the exempt portion of the Classification/Compensation Study.

What other local jurisdictions in the metropolitan area have enacted similar legislation?

N/A

What has been the experience in other areas with this type of legislation?

N/A

What authority is there for Multnomah County to adopt this legislation? (State statute, home rule charter). Are there constitutional problems?

Home Rule Charter; Multnomah County Code, Title 3, Chapter 3.10.120.

Fiscal Impact Analysis

Implementation costs are estimated at \$37,260, which had already been budgeted for in the 1990-91 FY budget. No additional funds are requested for implementation.

(If space is inadequate, please use other side)

SIGNATURES:

Office of County Counsel _____

Department Head Linda Alexander ^{bs} _____

Liaison Commissioner _____



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
GLADYS McCOY
PAULINE ANDERSON
GARY HANSEN
RICK BAUMAN
SHARRON KELLEY

DEPARTMENT OF GENERAL SERVICES
PORTLAND BUILDING
1120 SW FIFTH, 14TH FLOOR
PORTLAND, OR 97204-1934

AT OTHER LOCATIONS:

OFFICE OF THE DIRECTOR (503) 248-3303
EMPLOYEE SERVICES (503) 248-5015
FINANCE (503) 248-3312
LABOR RELATIONS (503) 248-5135

ADMINISTRATIVE SERVICES (503) 248-5111
ASSESSMENT & TAXATION (503) 248-3345
ELECTIONS (503) 248-3720
INFORMATION SERVICES (503) 248-3749

MEMORANDUM

TO: County Chair
Board of County Commissioners

FROM: Curtis Smith, Director 
Employee Services Division

THROUGH: Linda Alexander, Director
Department of General Services

DATE: April 23, 1991

SUBJECT: Exempt Compensation Ordinance

This Ordinance reflects the efforts of County management over the last two and a half years to implement the Board's directive to conduct a classification and compensation study. The results of the study were implemented on July 1, 1990, for employees represented by Local 88 and the Oregon Nurses Association. Now we are requesting that the exempt portion of this study be implemented. The reasons for doing so are as follows:

- The Board stated its commitment formally, by resolution, to pay equity in 1986, and again in 1988 when it funded the Classification and Compensation Study.
- Implementation of the study for Local 88 and ONA employees has created a number of equity and compression issues, which passage of this Ordinance would help correct. An example of this is that there are several instances of supervisory employees at a considerably lower rate of pay than their subordinate employees.
- The cost to implement this Ordinance is approximately \$81,260. Implementation of Local 88 and ONA cost approximately \$650,000.

Memo to County Chair/Board of Commissioners
April 23, 1991
Page 2

- In order for managers and supervisors to obtain equity between exempt and non-exempt classifications, implementation of the new compensation plan should be retroactive to July 1, 1990, the date both Local 88 and ONA were implemented. This would allow those exempt staff who have been topped out in their range to receive regular anniversary merit increases for FY 1990-91, similar to Local 88 and ONA members.
- The Library Department will be the final step of this study, with both exempt and non-exempt employees due to be reclassified July 1, 1991, per the union agreement and Ordinance 649. We will be basing our recommendations for exempt Library classes on the classification and compensation structure that this Ordinance provides.

1020ES2



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
GLADYS McCOY
PAULINE ANDERSON
GARY HANSEN
RICK BAUMAN
SHARRON KELLEY

DEPARTMENT OF GENERAL SERVICES
PORTLAND BUILDING
1120 SW FIFTH, 14TH FLOOR
PORTLAND, OR 97204-1934

OFFICE OF THE DIRECTOR
EMPLOYEE SERVICES (503) 248-3303
FINANCE (503) 248-5015
LABOR RELATIONS (503) 248-3312
(503) 248-5135

ADMINISTRATIVE SERVICES (503) 248-5111
ASSESSMENT & TAXATION (503) 248-3345
ELECTIONS (503) 248-3720
INFORMATION SERVICES (503) 248-3749

AT OTHER LOCATIONS:

MEMORANDUM

TO: County Chair and County Commissioners

THROUGH: Jim Munz, Acting Director *Jim Munz*
Department of General Services

FROM: Curtis Smith, Director *Curtis Smith*
Employee Services Division

DATE: May 20, 1991

SUBJECT: Exempt Compensation Ordinance, Second Reading

At the request of Board staff at last Wednesday's meeting, attached are several alternatives for action. Alternative #1 would adopt the Ordinance as drafted and proposed. The remaining Alternatives represent various compromise positions which would enable the County to adopt an exempt compensation system at lower financial cost.

In accordance with the suggestion made at an earlier Commission meeting, the salary and benefit data have been reviewed by Dave Warren. His analysis has found some additional benefits costs. Future Employee Services proposals involving costs, such as the Library exempt compensation program to be proposed in June, will follow the same review procedure.

1206ES2/CS/js

Attachment

Exempt Classification and Compensation System

May 20, 1991

Advantages

- + Achieves pay equity across departments for jobs of equal responsibility.
- + Updates all job descriptions.
- + Incorporates exempt positions into the system already implemented for Local 88 and ONA.
- + Will match the final phase of the system to be proposed in June 1991 (Library).
- + Installs a classification & compensation system which can be monitored and adjusted in-house, incrementally as needed.
- + Brings to a successful conclusion a multi-year compensation study performed by an outside consulting firm, our managers, and the Employee Services Division.

Costs to Implement Exempt Employees

Alternative #1: Implement 7/1/90

Number of Employees FY 91 & 92	FY 90-91 Total Cost	FY 90-91 General Fund Cost	FY 91-92 Total Cost	FY 91-92 General Fund Cost
121/145	\$131,316	\$70,533	\$219,428	\$118,642

(Motion: I move that the Board adopt the proposed Ordinance.)

Alternative #2: Implement 7/1/91

Number of Employees FY 91 & 92	FY 90-91 Total Cost	FY 90-91 General Fund Cost	FY 91-92 Total Cost	FY 91-92 General Fund Cost
0 /145	0	0	\$156,718	\$ 90,298

(Motion: I move that the Board adopt the proposed Ordinance with the following amendments:

- A. The effective date for implementation shall be July 1, 1991; and
- B. Paragraph II(D) relating to retroactivity is deleted.)

Alternative #3 Implement 7/1/91

And freeze anniversary increases for those making \$46,980/yr (\$22.50/hr) and above (86 employees)

Number of Employees FY 91 & 92	FY 90-91 Total Cost	FY 90-91 General Fund Cost	FY 91-92 Total Cost	FY 91-92 General Fund Cost
0 /145	0	0	\$156,718	\$ 90,298
			Less Budgeted Compensation (61,242)	(20,124)
			Less Unbudgeted Compensation (45,083)	(29,397)
			New Alternative #3 Cost \$ 50,393	\$ 40,777

(Motion: I move that the Board adopt the proposed Ordinance with the following amendments:

- A. The effective date for implementation shall be July 1, 1991; and
- B. Paragraph II(D) relating to retroactivity is deleted; and
- C. Any employee paid at the rate of \$22.50 per hour or more on June 30, 1991, shall not receive an anniversary raise in FY 91-92.)

Alternative #4 Implement 7/1/91

And freeze anniversary increases for those making \$50,000/yr (\$23.95/hr) and above (68 employees)

Number of Employees FY 91 & 92	FY 90-91 Total Cost	FY 90-91 General Fund Cost	FY 91-92 Total Cost	FY 91-92 General Fund Cost
0 /145	0	0	\$156,718	\$ 90,298
			Less Budgeted Compensation (54,214)	(15,600)
			Less Unbudgeted Compensation (34,242)	(21,239)
			New Alternative #4 Cost \$ 68,262	\$ 53,459

(Motion: I move that the Board adopt the proposed Ordinance with the following amendments:

- A. The effective date for implementation shall be July 1, 1991; and
- B. Paragraph II(D) relating to retroactivity is deleted; and
- C. Any employee paid at the rate of \$23.95 per hour or more on June 30, 1991, shall not receive an anniversary raise in FY 91-92.)

Alternative #5 Implement 7/1/91
 And freeze anniversary increases for those
 making \$55,000/yr (\$26.34/hr) and above (41 employees)

Number of Employees FY 91 & 92	FY 90-91 <u>Total Cost</u>	FY 90-91 General <u>Fund Cost</u>	FY 91-92 <u>Total Cost</u>	FY 91-92 General <u>Fund Cost</u>
0 /145	0	0	\$156,718	\$ 90,298
Less Budgeted Compensation			(39,975)	(5,231)
Less Unbudgeted Compensation			(17,296)	(13,009)
New Alternative #5 Cost			\$ 99,447	\$ 72,058

(Motion: I move that the Board adopt the proposed Ordinance with the following amendments:

- A. The effective date for implementation shall be July 1, 1991; and
- B. Paragraph II(D) relating to retroactivity is deleted; and
- C. Any employee paid at the rate of \$26.34 per hour or more on June 30, 1991, shall not receive an anniversary raise in FY 91-92.)

Alternative #6 Implement 7/1/91
 And freeze anniversary increases for those
 making \$60,000/yr (\$28.74/hr) and above (31 employees)

Number of Employees FY 91 & 92	FY 90-91 <u>Total Cost</u>	FY 90-91 General <u>Fund Cost</u>	FY 91-92 <u>Total Cost</u>	FY 91-92 General <u>Fund Cost</u>
0 /145	0	0	\$156,718	\$ 90,298
Less Budgeted Compensation			(26,024)	(3,601)
Less Unbudgeted Compensation			(17,296)	(13,009)
New Alternative #6 Cost			\$113,398	\$ 73,688

(Motion: I move that the Board adopt the proposed Ordinance with the following amendments:

- A. The effective date for implementation shall be July 1, 1991; and
- B. Paragraph II(D) relating to retroactivity is deleted; and
- C. Any employee paid at the rate of \$28.74 per hour or more on June 30, 1991, shall not receive an anniversary raise in FY 91-92.)

Alternative #7: Implement 7/1/91

Number of Employees FY 91 & 92	FY 90-91 <u>Total Cost</u>	FY 90-91 General <u>Fund Cost</u>	FY 91-92 <u>Total Cost</u>	FY 91-92 General <u>Fund Cost</u>
0 /145	0	0	\$156,718	\$ 90,298

(Motion: I move that the Board adopt the proposed Ordinance with the following amendments:

- A. The effective date for implementation shall be July 1, 1991; and
- B. Paragraph II(D) relating to retroactivity is deleted; and
- C. Reduce the salary ranges for Department Directors by 5% to \$25.31 minimum, \$30.38 midpoint, and \$35.44 maximum.)

NOTE: Salary and rollups have been verified by Dave Warren, Planning and Budget Division, and include all costs except for the Sheriff position.

1185ES2/CS/js

cc: Hank Miggins
Larry Kressel
Jim Munz
Dave Warren

Alternative #3 - Entire List

EXEMPT EMPLOYEES AT \$22,50 OR MORE, AS OF MAY 14, 1991

11:54 WEDNESDAY, MAY 15, 1991

OBS	NAME	TITLE	ORG	JCDATE	HRAIE
1		DEPUTY COUNTY COUNSEL 3	7560	900205	22.52 ✓
2		HUMAN SERVICES MANAGER	1210	900702	22.68 ✓
3		BUILDING/GROUNDS COORDINATOR	5637	12/9 0	22.78 top
4		PROGRAM MANAGER 2	6102	750428	22.82 ✓
5		CORRECTIONS PROGRAM MANAGER 1	3946	910408	22.90 ✓
6		CORRECTIONS PROGRAM MANAGER 1	3810	910408	22.90 ✓
7		DATA PROCESSING MANAGER 2	7940	910506	22.94 ✓
8		PROGRAM MANAGER 2	7510	901226	22.94 ✓
9		PUBLIC SAFETY MANAGER	3350	900828	23.38 ✓
10		ENGINEER/STRUCTURAL	6701	830912	23.50 top
11		ENGINEER/TRAFFIC	6550	710104	23.50 top
12		CORRECTIONS PROGRAM MANAGER 1	3946	800801	23.59 top
13		CORRECTIONS PROGRAM MANAGER 1	3931	880701	23.59 top
14		CORRECTIONS PROGRAM MANAGER 1	3955	780612	23.59 top
15		CORRECTIONS PROGRAM MANAGER 1	3931	890921	23.59 top
16		CORRECTIONS PROGRAM MANAGER 1	3936	830523	23.59 top
17		CORRECTIONS PROGRAM MANAGER 1	3965	910408	23.59 top
18		CORRECTIONS PROGRAM MANAGER 1	3931	880405	23.59 top
19		PROGRAM MANAGER 2	2520	760621	24.54 ✓
20		DENTIST 2	0812	860701	24.28 ✓
21		HUMAN SERVICES MANAGER	0668	810727	24.32 top
22		HUMAN SERVICES MANAGER	0405	730705	24.32 top
23		HUMAN SERVICES MANAGER	0710	740425	24.32 top
24		PROGRAM MANAGER 2	7430	880222	24.32
25		DEPUTY COUNTY COUNSEL 4	7560	890626	25.06 24.33 ✓
26		PROGRAM MANAGER 2	7400	880627	25.06 24.53 ✓
27		DEPUTY COUNTY COUNSEL 3	7560	831115	24.41 top

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Alternative
4
(68 employees)

EXEMPT EMPLOYEES AT \$22.50 OR MORE, AS OF MAY 14, 1991

11:54 WEDNESDAY, MAY 15, 1991

OBS	NAME	TITLE	ORG	JCDATE	HIRATE
28		PUBLIC SAFETY MANAGER	3170	890412	24.52 ✓
29		LABOR RELATIONS MANAGER	7220	870701	24.86 ✓
30		PROGRAM MANAGER 2	7585	850729	25.00 ✓
31		PROGRAM MANAGER 2	7335	871123	25.06 ✓
32		PUBLIC SAFETY MANAGER	3301	881010	25.26 ✓
33		CORRECTIONS PROGRAM MANAGER 2	3931	890921	25.53, 40¢ 1.57% 1.93
34		PROGRAM MANAGER 2	4110	720912	25.53, 40¢ 1.57% 1.93
35		PROGRAM MANAGER 2	2201	840816	25.53, 40¢ 1.57% 1.93
36		PROGRAM MANAGER 2	6101	830511	25.93, 2.02% 25.56
37		DATA PROCESSING MANAGER 2	7960	880613	25.92 top 2.02%
38		CORRECTIONS PROGRAM MANAGER 2	3911	890921	25.93 top
39		DATA PROCESSING MANAGER 2	7970	740708	25.93 top 2.02%
40		DENTIST 2	0814	900917	25.93 top 2.02%
41		PROGRAM MANAGER 2	7690	840301	25.93 top
42		PROGRAM MANAGER 2	5910	830919	25.93 top
43		PROGRAM MANAGER 2	5610	800922	25.93 top
44		PUBLIC SAFETY MANAGER	3317	140601	26.75 25.97 ✓
45		PROGRAM MANAGER 3	1715	880814	26.08 ✓
46		PUBLIC SAFETY MANAGER	3501	750326	26.75 ✓
47		PROGRAM MANAGER 3	1100	851023	27.08 ✓
48		PUBLIC SAFETY MANAGER	4010	730122	27.20 ✓
49		PHYSICIAN	0638	900703	27.39 ✓
50		PHYSICIAN	0678	901029	27.40 ✓
51		PHYSICIAN	0628	900430	27.92 ✓
52		PHYSICIAN	0628	901224	28.25 ✓
53		PHYSICIAN	0651	901107	28.25 ✓
54		PHYSICIAN	0481	880718	28.39 ✓

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 Alternative
 # 5
 (41 employees)

OBS	NAME	TITLE	ORG	JCDATE	HRATE	
55		PHYSICIAN	0410	890925	28.63	✓
56		PUBLIC SAFETY MANAGER	2471	780405	28.78	.47¢ 1.63%
57		PUBLIC SAFETY MANAGER	3601	740413	28.94	.31¢ 1.07
58		PROGRAM MANAGER 3	7930	870119	28.98	.21¢ 0.93
59		PUBLIC SAFETY MANAGER	3810	890622	28.98 29.25	top
60		DENTAL HEALTH OFFICER	0810	900917	29.00	✓
61		PHYSICIAN	0631	900709	29.03	✓
62		PROGRAM MANAGER 3	2520	870701	29.12	.13 0.45
63		PROGRAM MANAGER 3	0668	710701	29.25	top
64		PROGRAM MANAGER 3	6102	830103	29.25	top
65		PROGRAM MANAGER 3	7565	881024	29.25	top
66		PUBLIC SAFETY MANAGER	3102	810305	29.25	top
67		PUBLIC SAFETY MANAGER	3008	740705	29.25	top
68		PHYSICIAN	0641	910201	29.30	✓
69		PHYSICIAN	0975	881031	29.74	✓
70		EXECUTIVE PROGRAM DIRECTOR	2101	901123	29.93	✓
71		PHYSICIAN	0638	851001	29.94	✓
72		PHYSICIAN	0951	900716	30.33	✓
73		PHYSICIAN	0608	830110	30.81	✓
74		PHYSICIAN	0710	891002	31.05	✓
75		DEPUTY DISTRICT ATTORNEY/CHIEF	2431	851202	31.49	top
76		DEPUTY DISTRICT ATTORNEY/CHIEF	2441	851202	31.49	top
77		DEPUTY DISTRICT ATTORNEY/CHIEF	2451	851217	31.49	top
78		PHYSICIAN	0658	841202	31.66	✓
79		PHYSICIAN	0648	830829	31.73	✓
80		PHYSICIAN	0951	910225	31.96	✓
81		HEALTH OFFICER/ASSISTANT	0710	880912	32.27	✓

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Alternative
6

(31 employees)

EXEMPT EMPLOYEES AT \$22.50 OR MORE, AS OF MAY 14, 1991

11:54 WEDNESDAY, MAY 15, 1991

OBS	NAME	TITLE	ORG	JCDATE	HRATE
82		COUNTY COUNSEL	7560	870302	33.60 top
83		EXECUTIVE PROGRAM DIRECTOR	0110	870401	33.60 top
84		EXECUTIVE PROGRAM DIRECTOR	7200	870330	33.60 top
85		EXECUTIVE PROGRAM DIRECTOR	5010	830110	33.60 top
86		HEALTH OFFICER	0210	871221	35.87 ✓

N=

1 (D) The County has reviewed and evaluated each exempt
2 position based on the position's required expertise, decision
3 making impact and independence, supervisory/management
4 responsibility, type and purpose of contacts with others, and
5 physical working conditions.

6 (E) A salary survey of comparable and competing
7 public employers was conducted to determine the County's
8 position in the relevant labor market.

9 (F) Taking into consideration the data development
10 through the job evaluation process and salary survey described
11 in (D) and (E) above, the County's pay policy line for exempt
12 classifications was established.

13 (G) At the November 6, 1990 election the voters
14 approved an amendment to the Home Rule Charter, requiring the
15 Board of County Commissioners to set the salary of the County
16 Sheriff. The Charter amendment further required that the
17 Sheriff's salary be not less than that for any member of the
18 Sheriff's Office. This Ordinance carries out the Charter
19 amendment and establishes the Sheriff's salary at the same rate
20 as other experienced department managers.

21 Section II. Adoption of Salary Ranges

22 (A) The job titles and salary ranges for exempt
23 employee classifications as shown in Exhibit A to this
24 Ordinance ("Exempt Salary Ranges Effective July 1, 1990") are
25 adopted. Notwithstanding adoption of these ranges, or the
26 provisions of this or any other previously adopted ordinance,

1 there shall be no cost-of-living adjustment (COLA) granted to
2 exempt employees during fiscal year 1991-92.

3 (B) Except as provided in paragraphs (C) through (G)
4 of this section, adoption of this Ordinance shall not change
5 the salary rate being paid any exempt employee on the effective
6 date of this Ordinance. "Exempt employee" under this Ordinance
7 covers only those persons in exempt positions as of the
8 effective date of this Ordinance.

9 (C) An exempt employee whose salary rate on the
10 effective date of this Ordinance is below the minimum rate
11 established for the employee's position by Exhibit A shall
12 receive an increase to the minimum hourly rate. The increase
13 shall take effect on the effective date of this Ordinance.

14 (D) An exempt employee whose salary rate as of July
15 1, 1990 was such that the employee was ineligible for all or
16 part of the three percent (3%) FY 90-91 rate adjustment under
17 Ordinance 438, Section 7 (c) (anniversary date salary
18 adjustment), shall be eligible for that anniversary adjustment,
19 retroactively, if the maximum rate for the position under
20 Exhibit A is greater than the previously established maximum.

21 (E) An exempt employee whose salary rate on the
22 effective date of the Ordinance exceeds the applicable maximum
23 established by Exhibit A shall remain at the current rate until
24 the maximum for the range is increased by the Board of County
25 Commissioners.

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(F) No exempt employee shall be reduced in pay as a result of the implementation of this Ordinance.

(G) The salary for the Sheriff shall be \$33.60 per hour.

Section III. New or Revised Classifications

When exempt classifications are established or substantially revised, the Personnel Officer shall recommend compensation plan adjustments to the Board which are consistent with the County's pay policy line for exempt classifications adopted by this Ordinance.

Section IV. Repeal of Ordinance No. 667

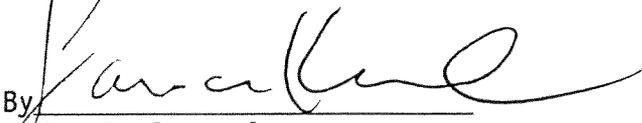
Ordinance No. 667 is hereby repealed.

ADOPTED this _____ day of _____, 1991, being the date of its second reading before the Board of County Commissioners of Multnomah County.

By _____
GLADYS McCOY
Multnomah County Chair

REVIEWED:

LAURENCE KRESSEL
County Counsel for
Multnomah County, Oregon

By 
County Counsel

1052ES2

**EXHIBIT A
EXEMPT SALARY RANGES
EFFECTIVE JULY 1, 1990**

<u>Job Title</u>	<u>Min.</u>	<u>Mid.</u>	<u>Max.</u>
A & T Manager, Senior	22.96	27.55	32.14
AA/EEO Officer	16.31	19.58	22.84
Accounts Payable Supervisor	15.54	18.65	21.76
Administrative Analyst	12.79	15.35	17.90
Administrative Services Manager	19.83	23.80	27.77
Administrative Services Officer	16.31	19.58	22.84
Adult Housing Administrator	15.54	18.65	21.76
Aging Services Branch Administrator	15.54	18.65	21.76
Aging Services Manager, Senior	22.96	27.55	32.14
Aging Services Program Manager	19.83	23.80	27.77
AIDS Program Manager	18.88	22.66	26.44
Alcohol/Drug Administrator	17.98	21.58	25.18
Alternative Community Services Manager	17.13	20.56	23.98
Animal Care Supervisor	14.10	16.92	19.74
Animal Control Manager	19.83	23.80	27.77
Animal Control Supervisor	14.10	16.92	19.74
Assessment Information Resources Manager	18.88	22.66	26.44
Assistant County Counsel 1	14.80	17.76	20.72
Assistant County Counsel 2	16.31	19.58	22.84
Assistant Health Officer	26.46	31.76	37.05
Assistant Health Services Manager	17.13	20.56	23.98
Assistant Social Services Manager	17.98	21.58	25.18
Benefits Administrator	17.13	20.56	23.98
Board of Equalization Admin.	12.79	15.35	17.90
Bridge Maintenance Administrator	16.31	19.58	22.84
Bridge Maintenance Supervisor	14.10	16.92	19.74
Bridge Operations Supervisor	9.54	11.45	13.36
Bridge Services Manager	18.88	22.66	26.44
Business Services Administrator	17.13	20.56	23.98
Cable Telecommunications Admin.	17.13	20.56	23.98
Captain	24.76	27.24	29.71
Cartography Supervisor	12.79	15.35	17.90
Case Management Supervisor	14.10	16.92	19.74
Chaplain	12.17	14.61	17.05
Chief Appraiser/Commercial	17.13	20.56	23.98
Chief Appraiser/Residential	17.13	20.56	23.98
Chief Assistant County Counsel	21.86	26.24	30.61
Chief Deputy/Sheriff's Office	28.05	30.86	33.66
Chief Deputy Medical Examiner	18.88	22.66	26.44
Childrens Clinical Services Admin.	17.13	20.56	23.98
Childrens M.H. Partner's Proj. Supv.	15.54	18.65	21.76
Civil Process Supervisor	13.43	16.12	18.80
Commercial Appraisal Supervisor.	14.10	16.92	19.74
Community Action Program Admin.	16.31	19.58	22.84
Community Action Program Supervisor	14.10	16.92	19.74
Community Corr. Program Services Mgr.	18.88	22.66	26.44
Community Development Manager	19.83	23.80	27.77
Community Services Administrator	16.31	19.58	22.84
Computer Operations Administrator	15.54	18.65	21.76
Construction Projects Administrator	17.98	21.58	25.18
Contracts Administrator	15.54	18.65	21.76

EXHIBIT A
EXEMPT SALARY RANGES

Page 2

Corrections Captain	22.90	25.19	27.48
Corrections Counselor Supervisor	14.80	17.76	20.72
Corrections Health Manager	18.88	22.66	26.44
Corrections Lieutenant	21.40	23.54	25.68
Corrections Major	24.50	26.95	29.40
County Counsel	26.46	31.76	37.05
County Surveyor	16.31	19.58	22.84
Data Base Administrator	17.13	20.56	23.98
Data Control & Scheduling Supervisor	12.79	15.35	17.90
Data Systems Administrator	15.54	18.65	21.76
Data Systems Manager	17.13	20.56	23.98
Dental Health Officer	21.86	26.24	30.61
Dentist	20.56	22.27	23.98
Department Director, D.C.C.	26.46	31.76	37.05
Department Director, D.E.S.	26.46	31.76	37.05
Department Director, D.G.S.	26.46	31.76	37.05
Department Director, D.H.S.	26.46	31.76	37.05
Deputy Director, D.E.S.	19.83	23.80	27.77
Deputy District Attorney/Chief	22.96	27.55	32.14
Deputy District Attorney/First Asst.	0	0	0
Deputy Labor Relations Manager	17.98	21.58	25.18
Developmental Disabilities Admin.	15.54	18.65	21.76
Developmental Disabilities Manager	18.88	22.66	26.44
Direct Clinical Services Supervisor	15.54	18.65	21.76
Distribution Supervisor	12.17	14.61	17.05
D.A. Operations Manager	15.54	18.65	21.76
Elections Administrator	14.80	17.76	20.72
Elections Manager	19.83	23.80	27.77
Electrical Supervisor	14.80	17.76	20.72
Emergency Management Administrator	16.31	19.58	22.84
Emergency Medical Services Admin.	17.13	20.56	23.98
Employee Services Manager	19.83	23.80	27.77
Employee Services Specialist 1	12.17	14.61	17.05
Employee Services Specialist 2	14.10	16.92	19.74
Engineering Services Administrator	15.54	18.65	21.76
Engineering Services Manager	18.88	22.66	26.44
Environmental Health Administrator	17.13	20.56	23.98
Executive Assistant	0	0	0
Executive Assistant/Sheriff's Office	19.83	23.80	27.77
Expo Manager	19.83	23.80	27.77
Expo Operations Supervisor	14.10	16.92	19.74
Facilities Building Manager	17.13	20.56	23.98
Facilities Building Supervisor	14.10	16.92	19.74
Facilities Coordinator	11.60	13.92	16.24
Facilities Environmental Coord.	14.80	17.76	20.72
Facilities Maintenance Manager	18.88	22.66	26.44
Facilities Maintenance Supervisor	14.80	17.76	20.72
Facilities Manager, Senior	21.86	26.24	30.61
Facilities Refurbishment Manager	17.13	20.56	23.98
Fair/Expo Administrator	14.10	16.92	19.74
Family Services Manager	18.88	22.66	26.44
Finance Manager	19.83	23.80	27.77
Fiscal Specialist Supervisor	15.54	18.65	21.76
Fiscal Specialist/D.H.S.	14.10	16.92	19.74
Fleet & Electronics Manager	19.83	23.80	27.77
Fleet Maintenance Supervisor	14.80	17.76	20.72
General Accounting Administrator	17.13	20.56	23.98
Geographic Information Records Mgr.	18.88	22.66	26.44

EXHIBIT A
EXEMPT SALARY RANGES

Page 3

Health Officer	29.18	35.02	40.85
Health Operations Supervisor	11.60	13.92	16.24
Health Services Administrator	16.31	19.58	22.84
Health Services Manager	19.83	23.80	27.77
Health Services Manager, Senior	22.96	27.55	32.14
Health Supply Administrator	12.17	14.61	17.05
Information Services Manager, Senior	21.86	26.24	30.61
Information Systems Manager	18.88	22.66	26.44
Inmate Program Manager	20.83	25.00	29.16
Juvenile Counseling Services Manager	18.88	22.66	26.44
Juvenile Counselor Supervisor	14.80	17.76	20.72
Juvenile Detention Manager	18.88	22.66	26.44
Juvenile Justice Manager, Senior	21.86	26.24	30.61
Juvenile Justice Program Manager	17.13	20.56	23.98
Labor Relations Manager	18.88	22.66	26.44
Labor Relations Specialist	12.17	14.61	17.05
Laboratory Administrator	16.31	19.58	22.84
Laundry Supervisor	11.60	13.92	16.24
Law Clerk	11.60	13.92	16.24
Legislative/Administrative Secretary	0	0	0
Lieutenant	23.14	25.46	27.77
Litigation Counsel	20.83	25.00	29.16
Long Term Care Administrator	17.13	20.56	23.98
Loss Control Specialist	13.43	16.12	18.80
Major	25.50	28.05	30.60
Management Assistant, D.C.C.	17.13	20.56	23.98
Management Assistant, D.G.S.	17.13	20.56	23.98
Management Assistant, D.H.S.	17.98	21.58	25.18
Management Auditor 1	11.60	13.92	16.24
Management Auditor 2	12.79	15.35	17.90
MCSO Personnel Administrator	17.13	20.56	23.98
MCSO Planning & Fiscal Admin.	17.13	20.56	23.98
M.E.D. Program Manager	18.88	22.66	26.44
Office Automation Administrator	17.13	20.56	23.98
Office Manager/County Counsel	12.79	15.35	17.90
Operations Administrator	14.10	16.92	19.74
Operations Supervisor	11.60	13.92	16.24
Operations/Telecommunications Mgr.	18.88	22.66	26.44
Park Manager	19.83	23.80	27.77
Parks Maintenance Supervisor	14.80	17.76	20.72
Payroll Supervisor	15.54	18.65	21.76
Personal Property Appraisal Supv.	14.10	16.92	19.74
Pharmacist	17.76	19.24	20.72
Pharmacist Supervisor	19.58	21.21	22.84
Physician*	24.11	28.93	33.75
Planning Manager	19.83	23.80	27.77
Planning/Budget Administrator	16.31	19.58	22.84
Planning/Budget Manager	19.83	23.80	27.77
Planning/Budget Specialist	13.43	16.12	18.80
Probation Services Manager	19.83	23.80	27.77
Probation/Parole Supervisor	14.80	17.76	20.72
Property Management Supervisor	14.10	16.92	19.74
Public Affairs Coordinator	17.13	20.56	23.98
Public Guardian	16.31	19.58	22.84
Purchasing Agent	17.98	21.58	25.18
Purchasing Specialist Supervisor	14.80	17.76	20.72

EXHIBIT A
EXEMPT SALARY RANGES
Page 4

Records Administrator	16.31	19.58	22.84
Regional Drug Initiative Prog. Supv.	14.80	17.76	20.72
Regional Park Supervisor	13.43	16.12	18.80
Residential Appraisal Supervisor.	14.10	16.92	19.74
Risk Manager	17.98	21.58	25.18
Road Maintenance Manager	18.88	22.66	26.44
Road Maintenance Supervisor	13.43	16.12	18.80
Safety Specialist/Transportation	13.43	16.12	18.80
Sheriff	26.46	31.76	37.05
Sheriff's Operations Administrator	14.10	16.92	19.74
Social Services Manager, Senior	22.96	27.55	32.14
Sr. Administrative Analyst	14.10	16.92	19.74
Sr. Assistant County Counsel	18.88	22.66	26.44
Sr. Data Analyst	14.10	16.92	19.74
Sr. Dentist	22.66	24.55	26.44
Sr. Employee Services Specialist	14.80	17.76	20.72
Sr. Fiscal Specialist	14.10	16.92	19.74
Sr. Management Auditor	14.10	16.92	19.74
Sr. Program Development Specialist	14.80	17.76	20.72
Staff Assistant	0	0	0
Staff Assistant/Sheriff's Office	14.10	16.92	19.74
Systems Administrator	17.13	20.56	23.98
Tax Collection Manager	18.88	22.66	26.44
Technical Support Manager	18.88	22.66	26.44
Telecommunications Administrator	17.13	20.56	23.98
Traffic Aids Manager	18.88	22.66	26.44
Traffic Aids Supervisor	13.43	16.12	18.80
Transportation Manager, Senior	22.96	27.55	32.14
Transportation Support Services Mgr.	17.98	21.58	25.18
Transportation Planning & Oper. Admin.	15.54	18.65	21.76
Transportation Planning & Oper. Supv.	14.80	17.76	20.72
Treasury Administrator	17.13	20.56	23.98
Undersheriff	22.96	27.55	32.14
Valuation Manager	20.83	25.00	29.16
Victim Services Administrator	15.54	18.65	21.76
Womens Transition Services Manager	17.13	20.56	23.98
Worker's Compensation Specialist	12.79	15.35	17.90
Youth Services Administrator	17.13	20.56	23.98

NOTE: Salary for elected officials' staff to be determined by respective elected official pursuant to Ord. 438 Section 4.B.

*Premium pay up to 10% over base salary when physician is assigned extra responsibilities for medical program.

42391/920ES2

BUDGET MODIFICATION NO. DGS#8

(For Clerk's Use) Meeting Date MAY 23 1991
Agenda No. R-8

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR _____ (Date)
DEPARTMENT General Services DIVISION Information Services
CONTACT Jim Munz TELEPHONE 248-3749
*NAME(S) OF PERSON MAKING PRESENTATION TO BOARD Jim Munz

SUGGESTED

AGENDA TITLE (to assist in preparing a description for the printed agenda)
Budget modification transferring special appropriation funds to the Juvenile Justice project.

(Estimated Time Needed on the Agenda)

2. DESCRIPTION OF MODIFICATION (Explain the changes this Bud Mod makes. What budget does it increase? What do the changes accomplish? Where does the money come from? What budget is reduced? Attach additional information if you need more space.)
 PERSONNEL CHANGES ARE SHOWN IN DETAIL ON THE ATTACHED SHEET

The Data Processing Management Committee allocated an additional \$56,181 to the Juvenile Justice project. This budget modification transfers those funds from Special Appropriations to line items in the Juvenile Justice project account.

3. REVENUE IMPACT (Explain revenues being changed and the reason for the change)

BOARD OF COUNTY COMMISSIONERS
MULNORAH COUNTY
OREGON
1991 MAY - 7 AM 9:13

4. CONTINGENCY STATUS (to be completed by Finance/Budget)

(Specify Fund) Contingency before this modification (as of _____) (Date)
After this modification \$ _____

Originated By James Munz Date 4/22/91 Department Director Jim W. Saunders Date 4/29/91
Finance/Budget Carolyn Muehl Date 4-29-91 Employee Relations _____ Date _____
Board Approval MULNORAH ROGERS Date May 23, 1991

EXPENDITURE
TRANSACTION EB []

GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD _____ BUDGET FY _____

Document Number	Action Fund	Agency	Organi- zation	Reporting Activity Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Sub-Total	Description
	100	050	9685		6110			(56,181)		
	100	050	9485		6230			9,000		
	100	050	9485		7150			23,750		
	100	050	9485		8400			23,431		
	402	040	7990		6190			23,750		
								23,750		

TOTAL EXPENDITURE CHANGE

TOTAL EXPENDITURE CHANGE

REVENUE TRANSACTION RB [] GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD _____ BUDGET FY _____

Document Number	Action Fund	Agency	Organi- zation	Reporting Activity Category	Revenue Source	Current Amount	Revised Amount	Change Increase (Decrease)	Sub-Total	Description
	402	040	7990		6600			23,750		Svc Reimb from GF

TOTAL REVENUE CHANGE

TOTAL REVENUE CHANGE



MULTNOMAH COUNTY OREGON

DEPARTMENT OF HUMAN SERVICES
JUVENILE JUSTICE DIVISION
1401 N.E. 68th
PORTLAND, OREGON 97213
(503) 248-3460

BOARD OF COUNTY COMMISSIONERS
GLADYS McCOY • CHAIR OF THE BOARD
PAULINE ANDERSON • DISTRICT 1 COMMISSIONER
GRETCHEN KAFOURY • DISTRICT 2 COMMISSIONER
RICK BAUMAN • DISTRICT 3 COMMISSIONER
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

TO: Mary McNicholas, Information Services Division

FROM: Jann Brown, Juvenile Justice Division

DATE: April 5, 1991

SUBJECT: ALLOCATION OF DPMC FUNDS FOR JUVENILE JUSTICE DIVISION THIS FY

I am sorry it has taken me so long to get the following information to you. We have been working out the details of estimating how much the cabling for our Local Area Network will cost and how it will be charged.

As I understand, there is currently \$50,000 allocated by the DPMC to Juvenile Justice in account number 100-050-9485-8400. An additional \$56,181 has also been allocated to the Juvenile Justice Division. I would like it budgeted in the following objects:

6230	Supplies	\$ 9,000	Purchase software for the network such as WordPerfect, WordPerfect Office, PC Anywhere, etc.
7150	Telephone	23,750	Per Brian Fowles, this is the estimate for cabling for 95 nodes at \$250 per node.
8400	Equipment	23,431	Purchase LAN and PC hardware and other LAN products.
		<u>\$56,181</u>	
8400	Equipment	50,000	Existing allocation for LAN/PC hardware.
		<u>\$106,181</u>	Total DPMC allocation to Juvenile Justice.

Please let me know if it is possible to budget the \$56,181 by the three object categories and if so, when I could start preparing purchase orders against the \$56,181. Thank you for your help and cooperation with this.

cc: Steve Baker
Pam Brown

MAY 23 1991

Meeting Date MAY 16 1991

R-9

Agenda No. R-12

(Above space for Clerk's Office Use)

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

Subject: Oregon Parks Foundation Exemptions Application

BCC Informal _____
(Date)

BCC Formal May 16, 1991
(Date)

DEPARTMENT General Services DIVISION Assessment & Taxation

CONTACT Bob Ellis/Steve Skinner TELEPHONE 248-3347

PERSON(S) MAKING PRESENTATION Bob Ellis/Steve Skinner

ACTION REQUESTED:

INFORMATIONAL ONLY

POLICY DIRECTION

APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA 10 minutes

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: X

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

The Oregon Parks Foundation is a nonprofit organization whose assets can only be used for park and recreation opportunities and education to enhance those opportunities.

The Foundation is seeking tax-exempt status per ORS 307155. As this property is located in unincorporated Multnomah County, the BCC must decide to grant or deny the exemption.

5/17/91 Annotated Minutes sent to Bob Ellis & Steve Skinner

5/28/91 Annotated Minutes sent to Bob Ellis & Steve Skinner

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL _____

Or

DEPARTMENT MANAGER Linda Alexander^{bs}

RECEIVED
MAY - 7 AM 9 13
MULTNOMAH COUNTY
OREGON

(All accompanying documents must have required signatures.)

RECEIVED MAY 1 1991



MULTNOMAH COUNTY OREGON

DIVISION OF ASSESSMENT & TAXATION

GLADYS McCOY
MULTNOMAH COUNTY CHAIR
1021 S.W. 4th, ROOM 134
PORTLAND, OREGON 97204

4/28/91

* * * * M E M O R A N D U M * * * *

DATE: April 22, 1991
TO: Multnomah County Board of Commissioners
FROM: Steve Skinner, Property Tax Exemption Section *SS*
SUBJECT: Oregon Parks Foundation Exemption Application

Pursuant to ORS 307.115(4)(b) our office is forwarding the attached application, with supporting documentation, to the Board of Commissioners for approval/denial.

If you have any questions or require additional information, please call 248-3349.

3445C/clp

1971 c.431 §1; 1979 c.689 §4; 1981 c.381 §1; 1987 c.487 §1; 1989 c.659 §2]

307.112 Property held under lease or lease-purchase by institution, organization or public body other than state. (1) Real or personal property held under lease or lease-purchase agreement by an institution, organization or public body, other than the State of Oregon, granted exemption or the right to claim exemption for any of its property under ORS 307.090, 307.130, 307.140 or 307.145, is exempt from taxation if:

(a) The property is used by the lessee in the manner, if any, required by law for the exemption of property owned or being purchased by it; and

(b) It is expressly agreed within the lease or lease-purchase agreement that the rent payable by the institution, organization or public body has been established to reflect the savings resulting from the exemption from taxation.

(2) The lessee shall file a claim for exemption with the county assessor, verified by the oath or affirmation of the president or other proper officer of the institution or organization, or head official of the public body or legally authorized delegate, showing:

(a) A complete description of the property for which exemption is claimed.

(b) If applicable, all facts relating to the use of the property by the lessee.

(c) A true copy of the lease or lease-purchase agreement covering the property for which exemption is claimed.

(d) Any other information required by the claim form.

(3) The claim shall be filed on or before April 1, except that if the lease or lease-purchase agreement is entered into after March 20 but not later than June 30, the claim shall be filed within 30 days after the date the lease or lease-purchase agreement is entered into if exemption is claimed for that year. The exemption first shall apply for the assessment and tax year beginning January 1 of the calendar year in which the claim is filed. The exemption shall continue so long as the use of the property remains unchanged and during the period of the lease or lease-purchase agreement. If the use changes, a new application shall be filed. If the lease or lease-purchase agreement expires before July 1 of any year, the exemption shall terminate as of January 1 of the same calendar year. [1977 c.673 §2; 1987 c.756 §20]

Note: ORS 307.112 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 307 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

307.115 Property of nonprofit corporations held for public parks or recreation purposes. (1) Subject to approval by the appropriate granting authority under subsection (4) of this section, the following real or personal property owned or being purchased under contract by any nonprofit corporation meeting the requirements of subsection (2) of this section shall be exempt from taxation:

(a) The real or personal property, or portion thereof, as is actually and exclusively occupied or used for public park or public recreation purposes.

(b) The real or personal property, or portion thereof, as is held for public parks or public recreation purposes if the property is not used for the production of income, for investment, or for any trade or business or commercial purpose, or for the benefit or enjoyment of any private stockholder or individual, but only if the articles of incorporation of the nonprofit corporation prohibit use of property owned or otherwise held by the corporation, or of proceeds derived from the sale of that property, except for public park or public recreation purposes.

(2) Any nonprofit corporation shall meet the following requirements:

(a) The corporation shall be organized for the principal purpose of maintaining and operating a public park and public recreation facility or acquiring interest in land for development for public parks or public recreation purposes;

(b) No part of the net earnings of the corporation shall inure to the benefit of any private stockholder or individual; and

(c) Upon liquidation, the assets of the corporation shall be applied first in payment of all outstanding obligations, and the balance remaining, if any, in cash and in kind, shall be distributed to the State of Oregon or to one or more of its political subdivisions for public parks or public recreation purposes.

(3) If any property which is exempt under this section subsequently becomes disqualified for such exemption or the exemption is not renewed as provided in subsection (4) of this section, it shall be added to the next general property tax roll for assessment and taxation in the manner provided by law.

(4)(a) Real or personal property shall not be exempt under this section except upon approval of the appropriate granting authority obtained in the manner provided under this subsection.

(b) Before any property shall be exempt under this section, on or before April 1 of any year the corporation owning or purchas-

ing such property shall file an application for exemption with the county assessor. The provisions of ORS 307.162 shall apply as to the form, time and manner of application. Within 10 days of filing in the office of the assessor, the assessor shall refer each application for classification to the granting authority, which shall be the governing body of a county for property located outside the boundaries of a city and the governing body of the city for property located within the boundaries of the city. Within 60 days thereafter, the application shall be granted or denied and written notice given to the applicant and to the county assessor. In determining whether an application made for exemption under this section should be approved or disapproved, the granting authority shall weigh the benefits to the general welfare of granting the proposed exemption to the property which is the subject of the application against the potential loss in revenue which may result from granting the application.

(c) If the granting authority in so weighing determines that granting the exemption to the property will:

(A) Conserve or enhance natural or scenic resources;

(B) Protect air or streams or water supplies;

(C) Promote conservation of soils, wetlands, beaches or tidal marshes;

(D) Conserve landscaped areas which enhance the value of abutting or neighboring property;

(E) Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, natural reservations, sanctuaries or other open spaces;

(F) Enhance recreation opportunities;

(G) Preserve historic sites;

(H) Promote orderly urban or suburban development;

(I) Promote the reservation of land for public parks, recreation or wildlife refuge purposes; or

(J) Affect any other factors relevant to the general welfare of preserving the current use of the property,

the granting authority shall not deny the application solely because of the potential loss in revenue which may result from granting the application.

(d) The granting authority may approve the application for exemption with respect to only part of the property which is the subject of the application; but if any part of the application is denied, the applicant may withdraw the entire application.

(e) The exemption shall be granted for a 10-year period and may be renewed by the granting authority for additional periods of 10 years each at the expiration of the preceding period, upon the filing of a new application by the corporation with the county assessor on or before April 1 of the year following the 10th year of exemption. The assessor shall refer the application to the governing body as provided in paragraph (b) of this subsection, and within 30 days thereafter, the governing body shall determine if renewing the exemption will continue to serve one of the purposes of paragraph (c) of this subsection. Within 30 days after referral, written notice shall be given to the applicant and to the county assessor of the determination made by the governing body.

(5) Any nonprofit corporation aggrieved by the refusal of the granting authority to grant or renew an exemption under subsection (4) of this section may, within 60 days after written notice has been sent to the corporation, appeal from the determination of the granting authority to the Oregon Tax Court. The appeal should be perfected in the manner provided in ORS 305.560. The provisions of ORS 305.405 to 305.418 and 305.420 to 305.500 shall apply to the appeals. [1971 c.584 §1; 1973 c.214 §1; 1979 c.689 §5; 1987 c.416 §1]

307.120 Property owned or leased by municipalities, dock commissions or ports; exception; payments in lieu of taxes to school districts. (1) Real property owned or leased by any municipality and real and personal property owned or leased by any dock commission of any city or by any port organized under the laws of this state is exempt from taxation to the extent to which such property is:

(a) Leased, subleased, rented or preferentially assigned for the purpose of the berthing of ships, barges or other watercraft (exclusive of property leased, subleased, rented or preferentially assigned primarily for the purpose of the berthing of floating homes, as defined in ORS 830.700), or the discharging, loading or handling of cargo therefrom or for storage of such cargo directly incidental to transshipment;

(b) Held under lease or rental agreement executed for any purpose prior to July 5, 1947, except that this exemption shall continue only during the term of the lease or rental agreement in effect on that date; or

(c) Used as an airport owned by and serving a municipality or port of less than 300,000 inhabitants as determined by the latest decennial census. Property owned or leased by the municipality or port, located within or contiguous to the airport is "used as an airport" within the meaning of this

APPLICATION FOR REAL PROPERTY TAX EXEMPTION FOR SPECIFIED INSTITUTIONS AND ORGANIZATIONS

As provided by Oregon Revised Statute 307.162

RECEIVED
MULTNOMAH COUNTY

- See pages 2, 3 and 4 for statutes.
- **File with county assessor.**
- **File on or before April .** See ORS 307.162 and ORS 311.410 for instructions for filing after April 1.

Name of Organization OREGON PARKS FDN		FOR ASSESSOR'S USE ONLY		
Mailing Address 5440 SW WESTGATE #250		Date Received	Approved	Denied
City PTLO		Telephone Number 297-6043	Reviewed by	Amount of Late Filing Fee Paid \$
State OR	ZIP Code 97221			

A property tax exemption is requested on the property described below under the following Oregon Revised Statute:

- | | |
|--|---|
| <input type="checkbox"/> 307.127 Volunteer Fire Departments | <input type="checkbox"/> 307.145 Certain Day Care Facilities, Schools and Student Housing |
| <input type="checkbox"/> 307.130 Literary, Benevolent, Charitable and Scientific Institutions | <input type="checkbox"/> 307.150 Burial Grounds, Property of Crematory Associations |
| <input type="checkbox"/> 307.136 Fraternal Organizations | <input type="checkbox"/> 307.160 Public Libraries |
| <input type="checkbox"/> 307.140 Religious Organizations | <input type="checkbox"/> 307.580 Industry or Apprenticeship Training Trusts—Complete and attach form 150-310-109. |
| <input checked="" type="checkbox"/> 307.115 Property of Non-Profit Corporations held for Public Parks or Recreation Purposes | |

PROPERTY DESCRIPTION (Complete one of the lines below)			
Assessor's Account Number (as shown on your property tax statement) R-46620-4020	Code Area Number	Deed volume and page or instrument number	Date Recorded
Property Situs (Street Address, City)			

Lot(s)	Block(s)	Addition	Acres
Township	Range	Section/Subsection	Tax Lot Number

List all real property for which this exemption is claimed. Give legal description of real property or such parts thereof used exclusively for purposes which qualify it for exemption. Attach sheet if additional space is needed. If any property is under construction, describe on an attached sheet.

The nature and purpose of this organization is: Attach copy of the articles of incorporation, constitution and by-laws.	
The property is used for the following purpose: (Example: situs of church building, library, cemetery, parking lot, etc.)	PARK, RECREATION AND EDUCATIONAL PURPOSES

The property includes a parking lot <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (if yes) →	The parking lot <input type="checkbox"/> is, <input type="checkbox"/> is not maintained solely for the use, without charge, of persons going to and from the building which is exempt or for which an exemption is now requested.
---	---

The land and the building(s), if any, are, are not used exclusively for purposes which qualify them for exemption. (If they are not, attach page and describe the portions of land and/or buildings with nonexempt uses.)

A separate application must be filed to obtain exemption for this property if a lease or rental agreement has been made to another person, institution or organization. See ORS 307.112 or 307.166.	If exemption is claimed under ORS 307.136, the lodge <input type="checkbox"/> does, <input type="checkbox"/> does not have membership restrictions as to race. (Attach copy of membership application form.)
---	--

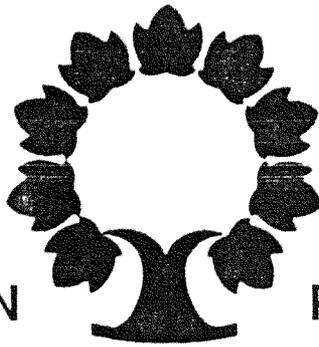
A late filing fee is is not attached. If yes, the amount of the fee paid is \$ _____.

DECLARATION

I declare under the penalties for false swearing (ORS 305.990(4)) that I have examined this document and attached statements, and to the best of my knowledge they are true, correct and complete.

Signature Laurance Espy	Title President	Date Signed 03-05-91
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OREGON



PARKS FOUNDATION, INC.

5319 S.W. WESTGATE DR. SUITE 253
PORTLAND, OREGON 97221
(503) 297-6043

December 1, 1988

Mr. Maurice Jacobs-Jacobi
c/o Portland Towers
950 S.W. 21st Avenue
Portland, OR 97205

Dear Mr. Jacobs-Jacobi:

At the request of Mr. John Draneas, we are forwarding this letter to clarify our understanding and to confirm what the Oregon Parks Foundation will do with the property you are donating.

First, we want to advise you about the Oregon Parks Foundation. It is a non-profit corporation whose assets can be used solely for park and recreation opportunities and education to enhance those opportunities. We are all volunteers, serving without pay, and have no salaried staff. Our only expenses are those that are necessary in any non-profit tax-exempt organization.

We take great pride in the reputation and accomplishments of the Oregon Parks Foundation. Each of us serves willingly because we believe that the quality of life is materially enhanced by the scenic and recreational opportunities provided by park lands.

It is our hope that our endeavors will assist in the protection and preservation of our communities and our great natural resources for the enjoyment by future generations.

Your generous gift will further these endeavors and is a most welcome and valuable contribution. It may also prove to be an important incentive for others to observe and follow.

Directors

Lu Beck
Robert P. Booth
William Brewster
Jack Brown
Garnett E. Cannon

Elizabeth Crookham
Dr. Arch Diack
Vince Genna
Frank Gilchrist
John Gray
Edmund Hayes, Jr.

Marcy Cottrell Houle
Don Jeffery
Tom McAllister
Sir James McDonald
Bob Potter
Jean Siddall

Bill Sweet
Dave Talbot
William Wyse
State Coordinator
Larry Espey

December 1, 1988

Regarding our understanding, the Oregon Parks Foundation will pay the 1988-89 taxes, closing costs, and have the transfer of property and deed properly recorded in Multnomah County.

Our plan is to then request that the property at 136th and Foster Road be rezoned. Again, as you have suggested, it may be an excellent site for a clinic or similar private enterprise. Such action should materially raise the appraised value of the property.

In any event, we will proceed in a timely way to seek rezoning and then market it for a fair price. Oregon Parks Foundation land can be designated as tax-exempt and this would give us the flexibility to wait for a favorable market if that becomes necessary. When the proceeds, less actual costs, are available, attempts to purchase a suitable site for a community park can commence.

In the meantime, we will be inquiring in the nearby areas for property already in public ownership that is suitable for the park. If a public site is found, funds from the sale of the original property, less actual management costs, would be used as leverage to provide suitable improvements for a community park. During this time, there would also be many contacts in the neighborhood to make people aware of the effort and to encourage their participation in the development and care of the new park. Additionally, there will be close coordination with City Council, the County Board and their park departments to assure full support and participation for the project.

If there should be any surplus funds after the basic plan is completed, they would be held in a separate account entitled, "Jacobi Education Fund." This account would be used very sparingly to sponsor needy high school or college students to further their studies in a career or profession that you may wish to designate. (Please advise.)

Students would apply to the Oregon Parks Foundation and be screened very carefully. If found deserving and of good character, a minimum of \$250 to a maximum of \$1,000 would be made available to further their education. Reports on their general attitude and progress would be monitored during the sponsorship.

In closing, we again thank you for your thoughtfulness and your generosity for the donation of your property. We are sure

Mr. Maurice Jacobs-Jacobi

- 3 -

December 1, 1988

that your gift will bring pleasure and enjoyment to many youngsters and adults, as well, for many years to come.

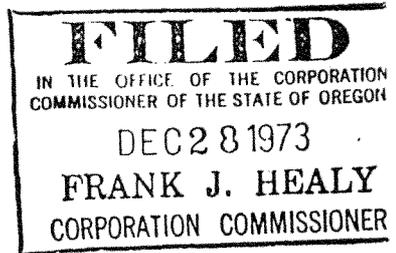
Sincerely,

THE BOARD OF DIRECTORS
OREGON PARKS FOUNDATION

By Larry Epp

cc: John Draneas

Attachment (2)
RESTATED
ARTICLES OF INCORPORATION
OF
THE METROPOLITAN PARKS FOUNDATION, INC.
A NONPROFIT CORPORATION



Pursuant to ORS 61.385, these restated Articles of Incorporation were adopted by the undersigned Corporation and supersede the existing Articles of Incorporation. The Articles of Incorporation filed with the Corporation Commissioner, February 17, 1972, are hereby restated to read as follows:

ARTICLES OF INCORPORATION
OF
OREGON PARKS FOUNDATION, INC.
A NONPROFIT CORPORATION

KNOW ALL MEN BY THESE PRESENTS:

The undersigned natural persons of twenty-one years of age or more, do hereby associate themselves together for the purpose of forming a nonprofit corporation under and pursuant to the Non-profit Corporation Act and do hereby adopt the following restated Articles of Incorporation:

ARTICLE I. The name of this Corporation is Oregon Parks Foundation, Inc., and its duration shall be perpetual.

ARTICLE II.

The purposes for which the corporation is organized are:

1. Principal Purpose. To acquire, obtain, preserve, and to improve land and other property for public park or public recreation purposes.
2. Ancillary Purpose.
 - a. To aid public bodies in Oregon to acquire, obtain, preserve, and improve land and other property for public park or public recreation purposes.

b. To contract for, receive and disburse funds available to it from sources such as gifts and grants-in-aid for acquisition and/or improvement of land and other property for public park or public recreation purposes.

3. Powers. In order to carry out the principal and ancillary purposes, the Corporation may exercise any of the powers granted to a nonprofit corporation under the Oregon Nonprofit Corporation Act, including, without limiting the generality of the foregoing power:

a. To acquire, by purchase, exchange, lease, gift, devise, bequest or otherwise, and to hold, improve, lease, sublease, mortgage, transfer in trust, encumber, exchange, convey or otherwise dispose of real and personal property;

b. To assume any obligations, enter into any contracts and other instruments and do any and all things incidental to or expedient for the attainment of its corporate purposes;

c. To borrow money and issue bonds, debentures, notes and other evidences of indebtedness, and to secure the payment or performance of its obligations by pledge, mortgage, transfer in trust or otherwise; and

d. To make donations to any public bodies in Oregon for the public purpose of preserving land and other property for public parks and public recreation purposes.

4. Restrictions. The Corporation shall never engage in any business or activity other than as may be incidental to and for the purpose of carrying out the primary purpose for which the Corporation is formed for and on behalf of public bodies in Oregon. These Articles of Incorporation are intended to comply with Section 501(c)(3) and Section 509(a)(3) of the Internal Revenue Code, and Oregon Revised Statute 307.115, and the activities of the Corporation are limited to those things which are permitted of such a corporation.

ARTICLE III. The Corporation is organized as a nonprofit corporation, without capital stock, pursuant to the Oregon Nonprofit Corporation Law. The Corporation is not organized for profit. No gains, profits or dividends shall be distributed to any private person and no part of the net earnings, funds or assets of the Corporation shall inure to the benefit of any pri-

vate person or individual, or any other person, firm or corporation, excepting public bodies in Oregon. No part of the activities of the Corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation, nor shall it participate in, or intervene in, or publish or distribute statements concerning any political campaign on behalf of any candidate for public office.

The property of the Corporation is irrevocably dedicated to the benefit of the public; provided, however, that until all indebtedness of the Corporation shall have been paid, such property and any net revenues therefrom may be used for the purpose of paying and retiring such indebtedness.

ARTICLE IV. The Corporation shall have no voting members.

ARTICLE V. The Board of Directors, consisting of fifteen (15) members, shall be divided into two classes, designated as Class I and Class II as follows:

1. Class I shall consist of the Chairman of the Oregon Transportation Commission, the Oregon State Parks Superintendent, the Commissioner of the City of Portland in charge of the Bureau of Parks, and the Superintendent of Parks of the City of Portland, or their successor in office of any superseding governmental agency, as public members of the Board of Directors.

2. Class II shall consist of eleven (11) members and shall initially be those persons making up the Board of Directors at the time these amendatory Articles of Incorporation are filed. The Board of Directors shall have the power to fill vacancies in the Class II membership of the Board, provided that no person shall be eligible for membership on the Board except an individual who has been approved for membership by the Council of the City of Portland and the Oregon Transportation Commission or the superseding body. Class II membership shall continue until terminated as provided in the bylaws.

ARTICLE VI. These restated Articles of Incorporation may not be amended unless and until an ordinance of the City of Portland and a resolution of the Oregon Transportation Commission, or the superseding public body, approving such amendment is filed with the Corporation Commissioner. Upon such a filing, these restated Articles of Incorporation may be amended by a majority of the directors in office.

ARTICLE VII. Upon any liquidation, dissolution or winding up of the Corporation, after paying or adequately providing for the debts and obligations of the Corporation, the directors

shall distribute and transfer all remaining assets of the Corporation to the State of Oregon or to one or more of its political subdivisions for public parks or public recreation purposes.

An ordinance of the City of Portland approving these restated Articles was filed with the Corporation Commissioner on the 24th day of Dec., 1973.

These restated Articles of Incorporation were adopted by consent of all of the Board of Directors on the 21st day of December, 1973, there being no members having voting rights.

THE METROPOLITAN PARKS FOUNDATION, INC.

By G. E. Cannon
Chairman (President)

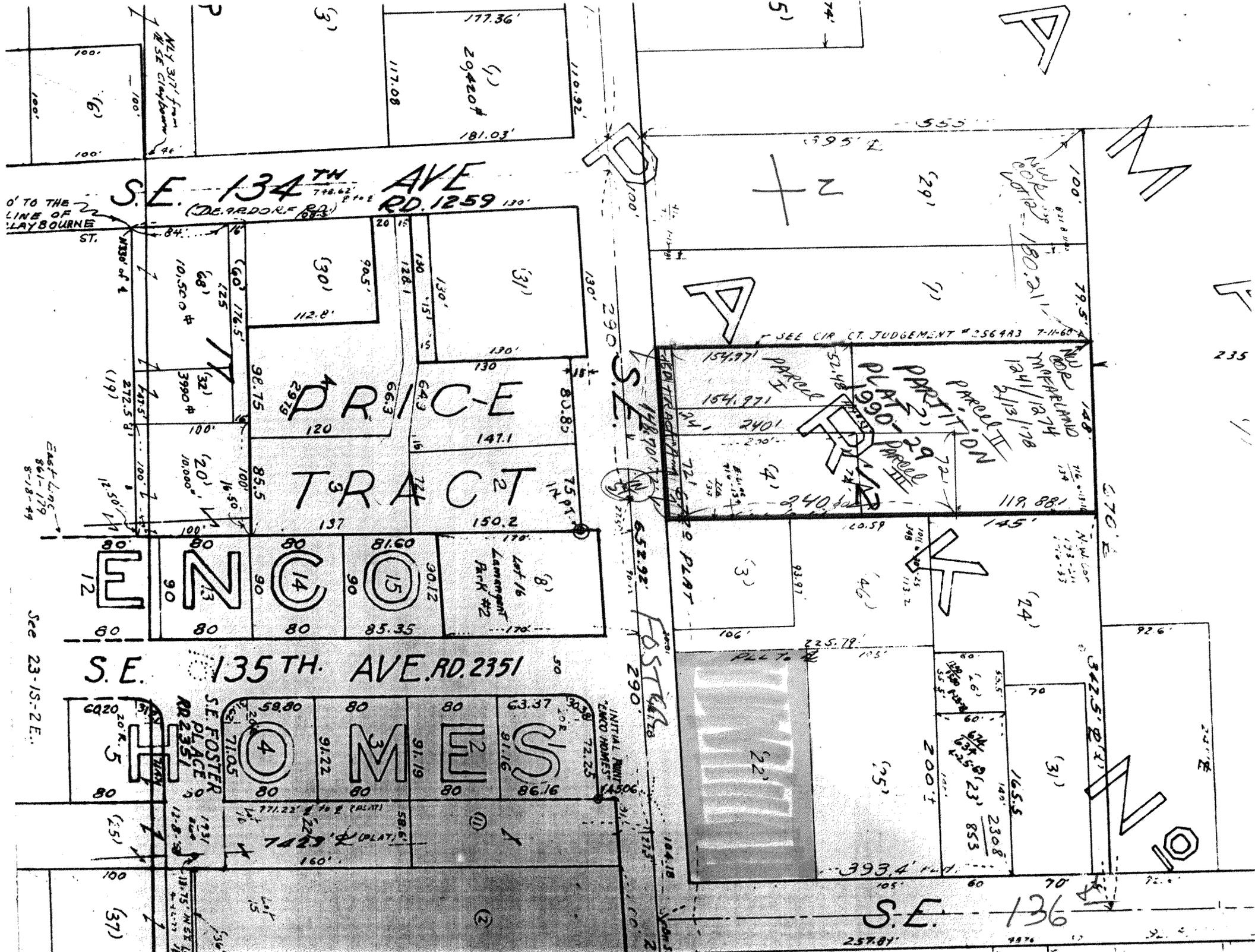
By William H. Meyer
Secretary

We, the undersigned declare under penalties of perjury that we have examined the foregoing and to the best of our knowledge and belief, it is true, correct and complete.

Dated this 21st day of December, 1973.

By G. E. Cannon
Chairman (President)

By William H. Meyer
Secretary



S.E. 134TH AVE RD. 1259
 (DEARDORF RD.)
 0' TO THE 22ND LINE OF LAYBOURNE ST.

PRICE TRACT

S.E. 135TH AVE RD. 2351

S.E. 136

East Line
 8-1-179
 8-18-44

See 23-15-2-E.

SEE CIR. CT. JUDGEMENT # 256483 7-11-68

FOSTER

Lot 16
 Lawson Park #2

S.E. FOSTER
 RD. 2351

INITIAL PART OF LAND ADJACENT TO

A

A

T

N

M

235

ST. C

N

S.E. 136

NAME OREGON PARKS FOUNDATION INC PROP
 PORTLAND, OREGON
 YR-AQ 88 BK/FG 2167/1696 STATUS
 MAIL 5319 SW WESTGATE DR #253 TO BE REAP FOR JAN 1,1993
 PORTLAND, OREGON 97221 YR APPR VCHR # ACTION
 MAP 3644 CENSUS TRACT VCHR # DIVISION
 ANNEX SID 1S2E14DC 2500

----- LEGAL DESCRIPTION -----
 ADD LAMARGENT PK PLAT 2 LOT BLOCK
 TL# 22 OF 12
 ----- LAND AND IMPROVEMENT CHARACTERISTICS ----- *** / / ***
 RATIO CODE 770 3 APPR DISTRICT AREA ZONING MR4
 CLASS VACANT LAND % IMP GOOD NEIGHBORHOOD 094
 USE VAC LND YR BUILT 0000 UNITS STORIES
 LIVING AREA ARCH VAC LND CONS MULT I

NAME OREGON PARKS FOUNDATION INC PROP
 PORTLAND, OREGON

***** VALUE INFORMATION *****
 ----- TRUE CASH VALUE (NO EXEMPTIONS) -----

YEAR	CHG-DATE	CD	LAND	IMPROVEMENTS	TOTAL
89/90	01/06/89	T	23,700	0	23,700
90/91	04/09/90	T	23,700	0	23,700

***** TAX INFORMATION ***** INTEREST TO 03/15/91

YEAR	TAXES DUE	TAXES LEVIED	TAXABLE VALUE	RATE
86/87	0.00 BAL	676.20 080	28,000	24.1500
	0.00 INT	45.00 561 MID-COUNTY STREET LIGHTING		
	TOTAL	721.20 TOTAL	28,000	
87/88	0.00 BAL	662.00 080	25,000	26.4800
	0.00 INT	45.00 561 MID-COUNTY STREET LIGHTING		
	TOTAL	707.00 TOTAL	25,000	

NAME OREGON PARKS FOUNDATION INC PROP
 PORTLAND, OREGON

***** TAX INFORMATION ***** INTEREST TO 03/15/91

YEAR	TAXES DUE	TAXES LEVIED	TAXABLE VALUE	RATE
88/89	0.00 BAL	45.00	561 MID-COUNTY STREET LIGHTING	
	0.00 INT	657.54	080	23,700 27.7445
	TOTAL	702.54	TOTAL	23,700
89/90	0.00 BAL	45.00	561 MID-COUNTY STREET LIGHTING	
	0.00 INT	711.13	080	23,700 30.0055
	TOTAL	756.13	TOTAL	23,700
90/91	0.00 BAL	45.00	561 MID-COUNTY STREET LIGHTING	
	0.00 INT	708.50	080	23,700 29.8949
	0.00 TOTAL	753.50	TOTAL	23,700

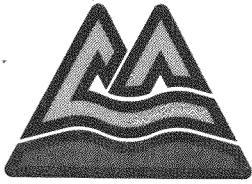
TRANSACTIONS

YEAR	DESCRIPTION	DATE	RECEIPT BATCH	TRAN AMT	CHG IN BAL	INT/DISC
86/87	TAX LEVIED	10/08/86	TAXEXT AW64	676.20	676.20	0.00 D
86/87	TAX LEVIED	10/09/86	SAEX SAEX	45.00	45.00	0.00
86/87	PAYMENT	11/10/86	710073 1350	699.56	721.20-	21.64 D

NAME OREGON PARKS FOUNDATION INC PROP
 PORTLAND, OREGON

TRANSACTIONS

YEAR	DESCRIPTION	DATE	RECEIPT BATCH	TRAN AMT	CHG IN BAL	INT/DISC
87/88	TAX LEVIED	10/01/87	TAXEXT AW64	662.00	662.00	0.00 D
87/88	TAX LEVIED	10/05/87	SAEX SAEX	45.00	45.00	0.00
87/88	PAYMENT	10/23/87	201267 0293	685.79	707.00-	21.21 D
88/89	TAX LEVIED	08/31/88	SAEX SAEX	45.00	45.00	0.00
88/89	TAX LEVIED	10/03/88	TAXEXT AW64	657.54	657.54	0.00 D
88/89	PAYMENT	01/04/89	204376 0365	707.22	702.54-	4.68 I
89/90	TAX LEVIED	09/13/89	SAEX SAEX	45.00	45.00	0.00
89/90	TAX LEVIED	10/04/89	TAXEXT AW64	711.13	711.13	0.00 D
89/90	PAYMENT 16	11/15/89	338253 2321	733.45	756.13-	22.68 D
90/91	TAX LEVIED	09/10/90	SAEX SAEX	45.00	45.00	0.00
90/91	TAX LEVIED	10/02/90	TAXEXT AW64	708.50	708.50	0.00 D
90/91	PAYMENT 16	10/29/90	312406 2105	730.89	753.50-	22.61 D



MULTNOMAH COUNTY OREGON

DEPARTMENT OF ENVIRONMENTAL SERVICES
PARKS SERVICES DIVISION
1620 S.E. 190TH AVE.
PORTLAND, OREGON 97233
(503) 248-5050

BOARD OF COUNTY COMMISSIONERS
GLADYS McCOY • CHAIR OF THE BOARD
PAULINE ANDERSON • DISTRICT 1 COMMISSIONER
GARY HANSEN • DISTRICT 2 COMMISSIONER
RICK BAUMAN • DISTRICT 3 COMMISSIONER
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

M E M O R A N D U M

TO: Steve Skinner, Property Tax Exemption Section
FROM: Charles Ciecko, Parks Services Division *C.*
DATE: March 20, 1991
SUBJECT: Oregon Parks Foundation Exemption Application

Per your March 13, 1991, memorandum, I have reviewed the information which you sent regarding the application for tax exemption on Account No. R-46620-4020.

Please be advised that I have determined all information pertaining to the property, future use, and the Oregon Parks Foundation to be accurate and complete.

Please contact me if I can be of further assistance.

CC:vh

Enclosure

3961p

MULTNOMAH COUNTY
PROPERTY TAX EXEMPTION SECTION
MARCH 20 1991

MULTNOMAH COUNTY
PROPERTY TAX EXEMPTION SECTION
MARCH 20 1991



* * * * M E M O R A N D U M * * * *

DATE: March 13, 1991
TO: Multnomah County, Parks Services Division
FROM: *AS* Steve Skinner, Property Tax Exemption Section
SUBJECT: Oregon Parks Foundation Exemption Application

Pursuant to ORS 307.115(4)(b) our office is forwarding the attached application, with supporting documentation, for your determination.

If you have any questions or require additional information, please call 248-3349.

3366C/11p

RECEIVED
MULTNOMAH COUNTY

1991 MAR 18 AM 10:03

JOHN B. YEON BLDG.

BUDGET MODIFICATION NO. DHS#37

(For Clerk's Use) Meeting Date: MAY 23 1991
Agenda No.: R-10

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR _____

DEPARTMENT Human Services DIVISION Social Services
CONTACT Susan Clark/Kathy Tinkle TELEPHONE 248-3691

NAME OF PERSON MAKING PRESENTATION TO BOARD Duane Zussy

SUGGESTED AGENDA TITLE (To assist in preparing a description for the printed agenda:
Budget Modification DHS # 37 increases the Alcohol and Drug Contracts budget
by \$461,068 to reflect additional funding for contracted services via increases
in the State Mental Health Grant through amendment #49.

(ESTIMATED TIME NEEDED ON THE AGENDA)

2. DESCRIPTION OF MODIFICATION (Explain the changes this bud mod makes. What budget does it increase? What do changes accomplish? Where does the money come from? What budget is reduced? Attach additional information if you need more space.)

PERSONNEL CHANGES ARE SHOWN IN DETAIL ON THE ATTACHED SHEET

Budget Modification DHS # 37 increases the A&D Contracts budget by \$461,068. These changes reflect the increase in funding via the State Mental Health Grant of \$457,863 and \$3,205 of increased County General Fund support of Indirect Costs. This amount represents all changes through amendment #49.

The increased services include A&D Residential services, A&D Outpatient services and prevention services. All of these funds are contracted to community providers within Multnomah County.

MULTNOMAH COUNTY
OREGON
1991 MAY 14 PM 12:28
COUNTY CLERK'S OFFICE

3. REVENUE IMPACT

Increases State Mental Health Grant revenue by \$457,863.
Increases County General Fund by \$ 3,205.
Increases Service Reimbursement Fed/State Fund to General Fund by \$3,205.

4. CONTINGENCY STATUS (To be completed by Finance/Budget.) No change.

Originated by: Susan Clark Date: 5/8/91 Department Director: Duane Zussy Date: 5/8/91

Finance/Budget: Kathleen James Date: 5/10/91 Employee Relations: _____ Date: _____

Board Approval: Deborah C. Rogers Date: May 23, 1991

EXPENDITURE TRANSACTION		EB []	GM []	TRANSACTION DATE		ACCOUNTING PERIOD		BUDGET FISCAL YEAR				
Document	Number	Action	Fund	Agency	Organization	Object Code	Current Amount	Revised Amount	Increase (Decrease)	Subtotal	Description	
			156	010	1415	6060			457,863		Pass Through	
			156	010	1415	7100			3,205		Indirect Costs	
			100	010	0104	7608			3,205	461,068	Cash Transfer	
TOTAL EXPENDITURE CHANGE							////////////////////////////////////	////////////////////////////////////	464,273	TOTAL EXPENDITURE CHANGE		

REVENUE TRANSACTION		RB []	GM []	TRANSACTION DATE		ACCOUNTING PERIOD		BUDGET FISCAL YEAR				
Document	Number	Action	Fund	Agency	Organization	Revenue Source	Current Amount	Revised Amount	Increase (Decrease)	Subtotal	Description	
			156	010	1415	2605			457,863		State Mental Health Grant	
			156	010	1415	7601			3,205		County General Fund	
			100	045	7410	6602			3,205		Svs Reim F/S to Gen Fund	
TOTAL REVENUE CHANGE							////////////////////////////////////	////////////////////////////////////	464,273	TOTAL REVENUE CHANGE		



MULTNOMAH COUNTY OREGON

DEPARTMENT OF HUMAN SERVICES
SOCIAL AND FAMILY SERVICES DIVISION
ADMINISTRATIVE OFFICES
426 S.W. STARK ST., 6TH FLOOR
PORTLAND, OREGON 97204
(503) 248-3691
FAX (503) 248-3379

BOARD OF COUNTY COMMISSIONERS
GLADYS McCOY • CHAIR OF THE BOARD
PAULINE ANDERSON • DISTRICT 1 COMMISSIONER
GARY HANSEN • DISTRICT 2 COMMISSIONER
RICK BAUMAN • DISTRICT 3 COMMISSIONER
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

MEMORANDUM

TO: Gladys McCoy
Multnomah County Chair

VIA: Duane Zussy, Director *Duane Zussy*
Department of Human Services

FROM: Gary Smith *GS* Director
Social Services Division

DATE: May 7, 1991

SUBJECT: Approval of Budget Modification DHS # 37

RECOMMENDATION: The Social Services Division recommends County Chair and Board approval of the attached budget modification DHS # 37 which increases the Alcohol and Drug Contracts budget by \$461,068.

ANALYSIS: This budget modification increases State Mental Health Grant (SMHG) funding in the A&D Contracts budget by \$457,863 as reflected in SMHG amendments through the most recent amendment #49. These changes include increases for A&D Residential services, A&D Outpatient services and Prevention Services. All of these funds are contracted to community service providers.

BACKGROUND: The Social Services Division has a biennial intergovernmental agreement with the State Mental Health Division to provide mental health services. This agreement is amended several times during the course of the biennium. With these amendments, increases and decreases in funding for current services and funding for new services are passed on to the County. With the acceptance of the changes, contract amendments are processed with community service providers to initiate the actions. This budget modification appropriates the changes to the A&D contracts budget through SMHG amendment #49.

(050701/KT)

Meeting Date: ~~MAY 16 1991~~ MAY 23 1991

Agenda No.: ~~B-1~~ B-1

(Above space for Clerk's Office Use)

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: Procedural Review

AGENDA REVIEW/
BOARD BRIEFING _____ REGULAR MEETING 5/16/91
(date) (date)

DEPARTMENT Nondepartmental DIVISION County Counsel's Office

CONTACT Larry Kressel TELEPHONE 248-3308

PERSON(S) MAKING PRESENTATION _____

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: 30 minutes

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: _____

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

Review of Procedural Options in the Matter of Appeal of James Weaver, dba Abe's (secondhand store)

5/9/91 copy of Agenda to John S. Ransom per
County Counsel Request
5/17/91 copy of Agenda to John S. Ransom

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL Gladys McCoy

Or

DEPARTMENT MANAGER _____

(All accompanying documents must have required signatures)

BOARD OF
COUNTY COMMISSIONERS
1991 MAY -1 AM 10:18
MULTIWAH COUNTY
OREGON



MULTNOMAH COUNTY OREGON

OFFICE OF COUNTY COUNSEL
1120 S.W. FIFTH AVENUE, SUITE 1530
P.O. BOX 849
PORTLAND, OREGON 97207-0849
(503) 248-3138
FAX 248-3377

BOARD OF COUNTY COMMISSIONERS
GLADYS McCOY, CHAIR
PAULINE ANDERSON
RICK BAUMAN
GARY HANSEN
SHARRON KELLEY

May 7, 1991

~~John S. Ransom
Ransom, Blackman & Well
900 American Bank Building
621 SW Morrison Street
Portland, Oregon 97204~~

RE: Appeal of James R. Weaver dba Abe's

Dear John:

This confirms our phone conversation of May 6, 1991, concerning the above captioned appeal to the Board of County Commissioners.

I have scheduled time on the Board's agenda on May 16 for a briefing by me on the procedural options available to the Board in this matter. This will be a discussion on procedural options, not a hearing on the merits.

The Board will meet in its hearing room in the courthouse on the 6th floor. The meeting begins at 9:30 a.m., but I don't know when this item will come up. You are invited to attend.

I am asking the Clerk of the Board to send you an official notice of the agenda for May 16 and all other hearings and/or meetings concerning the appeal.

Although you previously objected to this office serving as counsel to the Board on the merits of the appeal, I understand you now waive that objection, at least with respect to procedural advice. The understanding is that I (or another attorney in this office) will serve as advisor to the Board on procedural aspects of the appeal without objection by you.

COUNTY COUNSEL
LAURENCE KRESSEL
CHIEF ASSISTANT
JOHN L. DU BAY
ASSISTANTS
SANDRA N. DUFFY
J. MICHAEL DOYLE
GERALD H. ITKIN
H.H. LAZENBY, JR.
MATTHEW O. RYAN
JACQUELINE A. WEBER
MARK B. WILSON

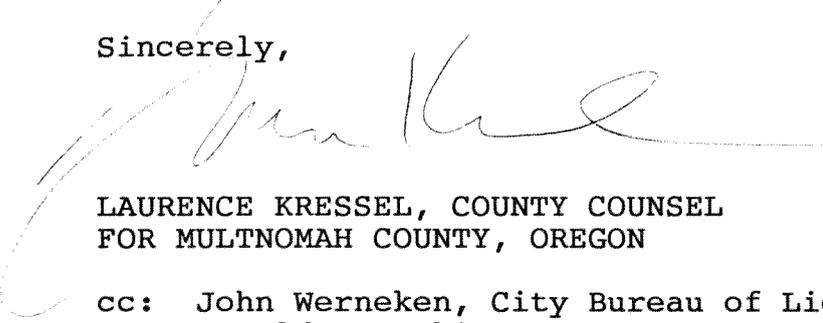
MAY 8 AM 10:45
MULTNOMAH COUNTY
OREGON
BOARD OF
COUNTY COMMISSIONERS

John S. Ransom, Esq.
May 7, 1991
Page 2

Please let me know if the above is in any way different from your understanding of our conversation.

Thank you very much.

Sincerely,



LAURENCE KRESSEL, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

cc: John Werneken, City Bureau of Licenses
Gerald H. Itkin
Clerk of the Board
Sheriff Bob Skipper

R:\FILES\073LK.LTR\dc



CITY OF
PORTLAND, OREGON
BUREAU OF LICENSES

Dick Bogle, Commissioner
Dennis Nelson, Manager
1120 S.W. 5th Avenue, Room 1206
Portland, Oregon 97204
(503) 796-5157
Fax: (503) 796-5192

April 22, 1991

MEMORANDUM

TO: Deb Rogers, Clerk's Office
Multnomah County Board of Commissioners
101/606

FROM: John Werneken, City License Bureau *JW*
106/1206

RE: Appeal of James Weaver, dba Abes, of License Bureau Denial
of Application for Secondhand Dealers Permit
12300 SE Division St

This memorandum transmits the License Bureau's report on this issue. Please schedule a date and time for the matter to be heard by the Board.

From our telephone conversation, I gathered that the eight copies transmitted will be sufficient (although more might be desired). I understand that one is for your permanent record, one for public inspection, five for the Chair and members of the Board, and one for the Chair's staff. I am separately providing Mr Weaver's attorney with a copy.

The Report itself is only 50 pages long and we would be pleased to provide additional copies should that be desired. The total however with attachments and exhibits is approximately 1,836 pages long and further duplication of the full document is very much worth avoiding, if possible, in view of the time and expense involved.

If it should be the case that one or more parties receiving a full copy of the document would, after the hearing, have no further use of it, I would be pleased to retrieve one or more full copies. My purpose in doing so would be to make it available to agencies continuing to investigate various aspects of the situation.

Please let me know what further assistance I could provide in bringing this matter to a close. I can be reached directly at (503) 796-5140.

c:\wp50\work\abestran.mem <gr_pc>

1991 APR 22 PM 3:31
MULTNOMAH COUNTY
OREGON
BOARD OF
COUNTY COMMISSIONERS



MULTNOMAH COUNTY OREGON

OFFICE OF COUNTY COUNSEL
1120 S.W. FIFTH AVENUE, SUITE 1530
P.O. BOX 849
PORTLAND, OREGON 97207-0849
(503) 248-3138
FAX 248-3377

BOARD OF COUNTY COMMISSIONERS
GLADYS McCOY, CHAIR
PAULINE ANDERSON
RICK BAUMAN
GRETCHEN KAFOURY
SHARRON KELLEY

MEMORANDUM

TO: Office of the Board Clerk (101/606)

FROM: Laurence Kressel (106/1530) *LK*
County Counsel

DATE: April 2, 1991

SUBJECT: Appeal of Denial of Application for
Secondhand Dealer's Permit (James Weaver)

COUNTY COUNSEL
LAURENCE KRESSEL
CHIEF ASSISTANT
JOHN L. DU BAY
ASSISTANTS
SANDRA N. DUFFY
J. MICHAEL DOYLE
GERALD H. ITKIN
H.H. LAZENBY, JR.
MATTHEW O. RYAN
JACQUELINE A. WEBER
MARK B. WILLIAMS

As the attached memorandum from Gerry Itkin says, you will soon be receiving materials from the City's Bureau of Licenses in support of a decision on a secondhand dealer's permit application. The materials are part of an appeal to the Board of County Commissioners. See MCC 6.81.

When the material is filed, please let me know. My office will advise you on the next steps.

Attachment

cc: Gerald H. Itkin
John S. Ransom

R:\FILES\055LK.MEM\dc

BOARD OF
COUNTY COMMISSIONERS
1991 APR -3 PM 1:42
MULTNOMAH COUNTY
OREGON



MULTNOMAH COUNTY OREGON

OFFICE OF COUNTY COUNSEL
1120 S.W. FIFTH AVENUE, SUITE 1530
P.O. BOX 849
PORTLAND, OREGON 97207-0849
(503) 248-3138
FAX 248-3377

BOARD OF COUNTY COMMISSIONERS
GLADYS McCOY, CHAIR
PAULINE ANDERSON
RICK BAUMAN
GRETCHEN KAFOURY
SHARRON KELLEY

M E M O R A N D U M

TO: Larry Kressel, County Counsel

FROM: Gerald H. Itkin (106/1530)
Assistant County Counsel

DATE: April 1, 1991

SUBJECT: Appeal of Denial of Application for
Secondhand Dealers Permit for James
Weaver, dba Abe's 12300 SE Division
Street, Pursuant to MCC 6.81

COUNTY COUNSEL
LAURENCE KRESSEL
CHIEF ASSISTANT
JOHN L. DU BAY
ASSISTANTS
SANDRA N. DUFFY
J. MICHAEL DOYLE
GERALD H. ITKIN
H.H. LAZENBY, JR.
MATTHEW O. RYAN
JACQUELINE A. WEBER
MARK B. WILLIAMS

As you know, I have acted as advisor to the City of Portland Bureau of Licenses which, pursuant to the IGA, handles applicants for secondhand dealers permits in Multnomah County.

On June 20, 1990, the above applicant, who was already doing business, applied for a permit. On September 17, 1990, the License Bureau denied the application and stated certain reasons. Thereafter, as a result of a continuing investigation by the Multnomah County Sheriff, additional grounds for the denial of the permit were revealed and such additional grounds were made additional bases for the denial in communications dated October 23, 1990, and January 23, 1991, to the applicant.

The applicant filed a timely appeal of the decision of the Bureau of Licenses to the Board of Commissioners, which acts as the appellate body for review of the decision of the Bureau.

Pursuant to the ordinance, a staff report has been prepared by the Bureau of Licenses and is being submitted at this time to the clerk of the Board of County Commissioners. Thereafter, a hearing will be set by the clerk on the appeal. The report itself consists of 50 pages and is supported by several thousand pages of support documentation and could involve as many as a dozen to a dozen-and-a-half witnesses to support it.

Laurence Kressel
April 1, 1991
Page 2

I bring this information to your attention as advisor to the Board of County Commissioners so that you and the Board may effectively plan for the hearing on this matter.

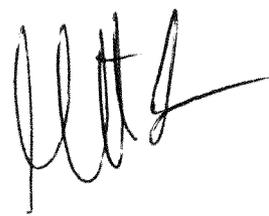
It is the position of the Bureau of Licenses that the report and the support documentation is, in and of itself, substantial evidence to support the position taken by the Bureau of Licenses. The witnesses are unnecessary for the Bureau to present, but will be made available to provide the applicant with an opportunity to confront and, if necessary, cross-examine so as to afford the license applicant every opportunity to confront the evidence against it.

By copy of this memo to the applicant's attorney, I am suggesting that the parties meet with you and whomever you think should be involved in the planning of this hearing.

For your information, I have granted the applicant's attorney discovery by way of written documentation and depositions, which depositions are tentatively set for April 25 and 26. Therefore, I suggest that the hearing occur after those dates to provide the applicant with an opportunity to be fully prepared at the hearing. However, that is entirely up to Mr. Ransom if he wishes to avail himself of that.

I look forward to hearing from you.

E:\FILES\308GHI.MEM\dc



cc: John S. Ransom, Esq.



CITY OF
PORTLAND, OREGON

BUREAU OF LICENSES

Dick Bogle, Commissioner
Dennis Nelson, Manager
1120 S.W. 5th Avenue, Room 1206
Portland, Oregon 97204
(503) 796-5157
Fax: (503) 796-5192

March 13, 1991

Stephen E Andersen
11112 NE Halsey St
Portland, OR 97220

RE: Harry L Anderson; Denial and Appeal of Secondhand Dealer Permit

Mr Nelson asked me to respond to your letter of March 8, 1991.

The status of Mr Anderson's appeal is that Mr Anderson is deceased and we have accordingly closed our file concerning his permit application, its denial, and his appeal of that denial.

A casual reading of MCC Chapter 6.81, including sections 6.81.020(G) and (I), 6.81.030, and 6.81.040, suggests the following:

1. The essence of the code is the regulation of the behavior of the natural person(s) who would be engaged in secondhand dealer activities if an application for a permit, or an appeal of the denial of such an application, were approved;
2. Only permits issued to natural persons, partnerships, or corporations are contemplated;
3. The identity and background of the natural person(s) involved in the application are of the essence in considering the application or any appeal for approval or rejection;
4. Neither the permit nor any application or appeal made in order to obtain the permit is an inheritable property right; and
5. A permit could not be issued to an applicant who is deceased.

We have noted that further correspondence concerning this issue should be addressed to you.

Yours very truly,

John Werneken
Field Representative

cc: Mr Dennis Nelson, License Bureau
Ms Deb Rogers, Office of the Board Clerk ✓
County Counsel

BOARD OF
COUNTY COMMISSIONERS
1991 MAR 14 AM 10:22
MULTNOMAH COUNTY
OREGON

1 BEFORE THE BOARD OF COUNTY COMMISSIONERS
2 OF MULTNOMAH COUNTY, OREGON

3 In the Matter of the Application) APPELLANT'S SUPPLEMENTAL
4 of James Weaver for a Second Hand) MEMORANDUM IN SUPPORT OF
5 Dealer's Permit.) APPEAL

6 James Weaver submits this Supplemental Memorandum in
7 support of his appeal as part of the required Notice of Appeal
8 and to comply with MCC 6.81.150(2).

9 A. DISCRETIONARY POWER

10 MCC 6.81.050(C) states in pertinent part:

11 "[T]he Manager may grant a permit with the concurrence
12 of the Sheriff despite the presence of one or more of
13 the enumerated factors [aforementioned] if the
14 applicant establishes to the Manager's satisfaction
15 that: (1) The behavior evidenced by such factor is not
16 likely to recur, (2) The behavior evidenced by such
17 factor is remote in time, and (3) The behavior
18 evidenced by such factor occurred under circumstances
19 which diminish the seriousness of the factor as it
20 relates to the purpose of Chapter 6.81."

21 As stated in State v. Pirkey, 203 Or. 697, 703, 281 P.2d 698
22 (1955):

23 "The Constitution does not require that a law shall affect all
24 persons exactly alike, that there is a guaranty of like treatment
25 to all persons similarly situated. It is not the purpose of
26 either constitutional provision to take from the states the right
and power to classify the subjects of legislation. It is only
when such attempted classification is arbitrary and unreasonable
that the courts can declare it to be beyond the legislative
authority."

27 The provisions of the Equal Protection Clause of the Fourteenth
28 Amendment of the United States Constitution apply limitations
29 upon all governmental entities. Article I, Section 20, of the
30 Oregon Constitution is alike in that it constitutes similar

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
1991 MAR 12 PM 4:30

1 limitations upon legislative action for the protection of the
2 individual from arbitrary or capricious legislation.

3 In the instant circumstance, the granting or denying of
4 a second hand license is subject to the mere whim of the Manager
5 with the concurrence of the Sheriff. When an individual is
6 singled out for disparate treatment, such as Mr. Weaver in the
7 instant situation, that individual is treated in one manner; when
8 an individual is not singled out, he or she is subject to the
9 beneficence of the Manager and/or Sheriff. This is utter chaos.

10 The process promotes vindictive prosecution and
11 selective prosecution. There are no standards other than the
12 discretion of the Manager and/or Sheriff. It is clear they can
13 pick and choose who they wish to anoint or punish.

14 A law must be written in such a fashion that it applies
15 equally to all individuals and is enforced equally among all
16 individuals. Permitting this type of cronyism is legislation at
17 its worst and promotes corruption and loss of confidence in the
18 legislative aspects of our governmental entities.

19 B. CONSTITUTION OF OREGON, ARTICLE I, SECTION 21

20 In pertinent part, Article I, Section 21, provides:
21 "No ex-post facto law, or law impairing the obligation of
22 contracts shall ever be passed," In Mr. Weaver's
23 circumstance, he operated a second hand store. He was permitted
24 to do so and in full faith upon that process, contracted for the
25 operation of his business and invested significantly over a
26 period of time in inventory. By one broad sweep of the sword,

Page

2 - APPELLANT'S SUPPLEMENTAL MEMORANDUM

RANSOM, BLACKMAN & WEIL
Attorneys at Law
American Bank Building
621 S. W. Morrison Street
Portland, Oregon 97205
Telephone (503) 228-0487
Telecopier (503) 227-5984

1 the Manager and/or Sheriff have deprived Mr. Weaver of his right
2 to operate his business. Neither the Multnomah County Board nor
3 any legislative fiat may summarily and without compensation
4 retroactively defranchise a business.

5 The ordinance in question as applied to the appellant
6 is an ex-post facto law since it has been passed subsequent to
7 his investment in his occupation. Further, it constitutes an
8 impairment of contract since he is unable to fulfill, if the
9 denial is sustained, his contractual obligations.

10 C. ARTICLE I, SECTION 10, OF THE OREGON CONSTITUTION

11 Article I, Section 10, states in pertinent part:
12 "Every man shall have remedy by due course of law for injury done
13 him and his person, property, or reputation." Mr. Weaver has no
14 remedy by due course of law in the instant circumstance.

15 Mr. Weaver has invested a substantial amount of money
16 to operate a business which was permitted. The Multnomah County
17 Board of County Commissioners passed an ordinance which required
18 all operators to apply for a new license. The ordinance further
19 provided extremely discretionary powers in a Manager and/or
20 Sheriff. The ordinance was written in such a manner as to permit
21 the Manager and/or Sheriff to deprive any individual of the right
22 to a license in a manner most discretionary.

23 The putative remedy provided to Mr. Weaver and others
24 similarly situated is an appeal to the Multnomah County Board of
25 County Commissioners. This hardly substitutes, with all due
26 respect, to a judicial proceeding or even to an administrative

Page

3 - APPELLANT'S SUPPLEMENTAL MEMORANDUM

RANSOM, BLACKMAN & WEIL
Attorneys at Law
American Bank Building
621 S. W. Morrison Street
Portland, Oregon 97205
Telephone (503) 228-0487
Telecopier (503) 227-5984

1 hearing during which Mr. Weaver could adequately and competently
2 contest the allegations asserted in the letter denying him a
3 license. This is not to suggest that the Multnomah County Board
4 of County Commissioners is a mere rubber stamp for the
5 vicissitudes of the Manager and/or Sheriff; it is, however, an
6 assertion that the Multnomah County Board of County Commissioners
7 has neither the time nor the expertise to pursue adequately the
8 remedies which should be afforded Mr. Weaver.

9 Further, legal counsel to the Multnomah County Board of
10 County Commissioners is assigned from the very same office that
11 represents the Manager and/or Sheriff. A clear conflict is
12 apparent and the appearance of an impropriety is such Mr. Weaver
13 believes he cannot receive a fair and full review of his
14 situation.

15 In the event a determination were made by the Multnomah
16 County Board of County Commissioners sustaining the action of the
17 Manager denying the application for a license, appellant may
18 only, pursuant to ORS 34.040, seek a Writ of Review. The court
19 is limited in its determinations to the following: (1) Exceeded
20 jurisdiction; (2) Failed to follow the procedure applicable;
21 (3) Made a finding or order not supported by substantial evidence
22 in the whole record; (4) Improperly construed the applicable law;
23 or (5) Rendered a decision that is unconstitutional. An
24 applicant may proceed through the entire panoply of steps
25 provided by the ordinance without the Manager and/or Sheriff ever
26 adequately proving their allegations in their denial of an

Page

4 - APPELLANT'S SUPPLEMENTAL MEMORANDUM

RANSOM, BLACKMAN & WEIL
Attorneys at Law
American Bank Building
621 S. W. Morrison Street
Portland, Oregon 97205
Telephone (503) 228-0487
Telecopier (503) 227-5984

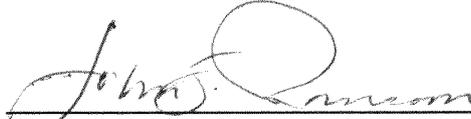
1 application. Clearly, this constitutes a violation of the rights
2 of the applicant pursuant to Article I, Section 10, of the Oregon
3 Constitution.

4 D. ARTICLE I, SECTION 8, OF THE OREGON CONSTITUTION

5 Article I, Section 8, of the Oregon Constitution,
6 provides in pertinent part: "No law shall be passed restraining
7 the free expression of opinion, or restricting the right to
8 speak, write or print freely on any subject whatever;"
9 The evidence in the instant case will show that Mr. Weaver has
10 spoken out regarding criminal acts committed by deputies of the
11 Multnomah County Sheriff's Office. Their duties are clearly
12 defined and Mr. Weaver has addressed the duties and their
13 obligations under the law to the extent he has pursued the matter
14 in small claims court on behalf of his business. The ordinance
15 in the instant case, and the manner in which it is applied, is a
16 curtailment of commercial speech which is to be afforded
17 protection under the Oregon Constitution. The pursuit of
18 Mr. Weaver is a violation of his constitutional rights and
19 constitutes vindictive and selective prosecution.

20 Dated this 12th day of March, 1991.

21 Respectfully submitted,
22 RANSOM, BLACKMAN & WEIL

23
24 by: 
25 John S. Ransom
26 Oregon State Bar No. 74265
Attorney for James R. Weaver

RANSOM, BLACKMAN & WEIL

ATTORNEYS

900 AMERICAN BANK BUILDING
621 S. W. MORRISON STREET
PORTLAND, OREGON 97205

TELEPHONE (503) 228-0487
TELECOPIER (503) 227-5984

JOHN S. RANSOM
MARC D. BLACKMAN
JOHN W. WEIL
LISA A. MAXFIELD

MERRILL C. McCARTHY
JAMES D. LANG
GAIL L. MEYER
LEVI J. SMITH
OF COUNSEL

March 1, 1991

Board of County Commissioners
1021 S.W. Fourth Avenue
Portland, Oregon 97204

Re: In the Matter of the Application of James Weaver
for a Second Hand Dealer's Permit

To whom it may concern:

Please be advised the enclosed Notice of Substitution
of Counsel is submitted for filing in the aforementioned matter.

We anticipate we may wish to file an Amended Appeal.

Very truly yours,



John S. Ransom

cc: Gerald H. Itkin
James R. Weaver

BOARD OF
COUNTY COMMISSIONERS
1991 MAR - 4 AM 8:31
MULTNOMAH COUNTY
OREGON

2093

cc'd SANDRA DUFFY 3/1/91

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
MULTNOMAH COUNTY, OREGON

In the Matter of the APPLICATION) NOTICE OF SUBSTITUTION
OF JAMES WEAVER for a Second Hand) OF COUNSEL
Dealer's Permit.)

PLEASE BE ADVISED the law firm of Ransom, Blackman & Weil and John S. Ransom are substituted in the aforementioned matter for Kell, Alterman & Runstein and Dean N. Alterman. Signatures of both parties are affixed hereto.

All notices in connection with this appeal shall be sent to:

John S. Ransom
Ransom, Blackman & Weil
900 American Bank Building
621 S.W. Morrison Street
Portland, Oregon 97205
Telephone: 503-228-0487

Dated this 28th day of February, 1991.

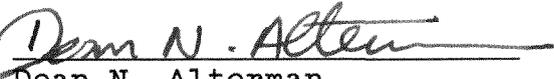
RANSOM, BLACKMAN & WEIL

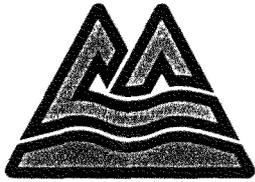
KELL, ALTERMAN & RUNSTEIN

by:


John S. Ransom
Oregon State Bar No. 74265

by:


Dean N. Alterman
Oregon State Bar No. 89185



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • CHAIR • 248-3308
PAULINE ANDERSON • DISTRICT 1 • 248-5220
GRETCHEN KAFOURY • DISTRICT 2 • 248-5219
RICK BAUMAN • DISTRICT 3 • 248-5217
SHARRON KELLEY • DISTRICT 4 • 248-5213
CLERK'S OFFICE • 248-3277

M E M O R A N D U M

TO: Chair Gladys McCoy
FROM: Office of the Board Clerk *DeB Rogers*
DATE: December 20, 1990
SUBJECT: Secondhand Dealers Permit Denial

Mr. Alterman's letter of December 18th accurately reflects the sequence in which his client's appeal has been processed by our office prior to scheduling a hearing before the Board.

I have been speaking with John Werneken of the City License Bureau regarding the status of the report we are waiting for and have been informed it would be forthcoming by November 9th, December 5th, December 17th and now, pursuant to Sandra Duffy, the end of January. It is my understanding the delays have been caused due to an additional appeal of permit denial by Harry Anderson, a relative of Mr. Weaver's who proposes to take over the business at Abe's Secondhand Shop; and because of conflicting information discovered during the City's investigations.

Deputy Counsel Sandra Duffy is following this matter. If you wish copies of the appeal notices or any other documentation, please let me know. Thank you.

0044C/4/dr
cc: Hank C. Miggins
Sandra Duffy

KELL, ALTERMAN & RUNSTEIN

CLIFFORD B. ALTERMAN
TED E. RUNSTEIN
LEE DAVIS KELL, CPA*
WAYNE D. PALMER
LLOYD R. SUMMERS
WILLIAM DICKAS
GARY P. COMPA†
CHARLES R. WILLIAMSON
MARY ELLEN PAGE FARR
ERIC SOGGE

DEAN N. ALTERMAN
DANA L. BARNES
TINA-MARIE BASKIN
LARRY J. BRANT***†
JUDY SHIPLER HENRY
THOMAS J. MATSUDA**
SUZANNE C. PICKGROBE
NOLAN M. SHISHIDO

ATTORNEYS AT LAW
SECURITY PACIFIC PLAZA
1001 S.W. FIFTH AVENUE, SUITE 1800
PORTLAND, OREGON 97204-1134
TELEPHONE (503) 222-3531

RAYMOND M. KELL
OF COUNSEL
TELECOPIER NUMBER
(503) 227-2980
TELEX NUMBER
4937785 KELMAN
ALSO ADMITTED IN
* CALIFORNIA
** HAWAII
*** WASHINGTON
† LL.M. IN TAXATION

December 18, 1990

The Honorable Gladys McCoy
Multnomah County Commissioner
County Courthouse - Room 134
1021 S.W. Fourth Avenue
Portland, OR 97204

Dear Commissioner McCoy:

This office represents James Weaver who has appealed to the County Commission the denial of his application for a second-hand store dealer's license for his premises at 12300 S.E. Division Street. Mr. Weaver timely filed his appeal on September 27, 1990. Pursuant to MCC 6.81, the County requested the Licensing Bureau of the City of Portland to send a memorandum with its reasons for its decision to the County within thirty days. That period ended November 9, 1990. The City has not sent any such memorandum within the permitted time period.

Accordingly, there is no evidence in the record to support a denial of Mr. Weaver's application, and I request that the Board of County Commissioners direct the Licensing Bureau to issue Mr. Weaver a second-hand store dealer's license.

Very truly yours,

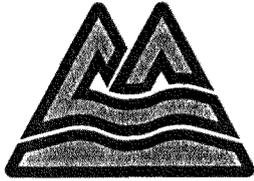
Dean N. Alterman

DNA:pn

cc: Mr. James Weaver

cw-c:\data\121790.dna

12/19/90
cc: QCM
FAX TO: Sandy Duffey
12/19/90



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • CHAIR • 248-3308
PAULINE ANDERSON • DISTRICT 1 • 248-5220
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RICK BAUMAN • DISTRICT 3 • 248-5217
SHARRON KELLEY • DISTRICT 4 • 248-5213
CLERK'S OFFICE • 248-3277

M E M O R A N D U M

TO: Dennis Nelson, License Bureau Manager
106/1206

FROM: Deb Rogers, Office of the Board Clerk *Deb Rogers*
101/606

DATE: November 5, 1990

SUBJECT: Appeal of Harry L. Anderson

Enclosed is a copy of a Notice of Appeal which was received in this office on Friday, November 2, 1990 in connection with an appeal of the denial of a secondhand dealers permit to Mr. Harry L. Anderson.

Please provide this office with a report to the Board of County Commissioners explaining the reasons for the City's denial as soon as possible or in any event, within 30 days of this date.

By copy of this memorandum, I am notifying appellant that upon receipt of the City's report, a hearing will be scheduled and timely notification regarding same will be mailed to the parties concerned.

If you have any questions in the interim, do not hesitate to call. Thank you.

0044C/dr
enclosure
cc: County Counsel
Harry L. Anderson

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF
MULTNOMAH, COUNTY

In the matter of the)
APPEAL OF HARRY L. ANDERSON) NOTICE OF APPEAL
From the administrative)
Denial of an application)
for a second Hand Dealers)
Permit)

Pursuant to MCC 6.81.050(G) and 6.81.150, Harry Anderson Provides Notice of Appeal of the administrative denial of his application for a Second Hand Dealers Permit, which was denied by Dennis Nelson dated October 23, 1990.

The denial was incorrect for the reasons stated in the attached memorandum, which is incorporated as part of this notice of Appeal. The correct determination should have been to grant the appellant's application.

All notices in connection with this appeal may be sent to:

Harry L. Anderson
13230 SE Foster Road
Portland, Oregon 97236

By: *Harry L. Anderson*
Harry L. Anderson

RECEIVED
OCT 24 1990
CLERK OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF
MULTNOMAH COUNTY, OREGON

In the matter of the)	
APPEAL OF HARRY L. ANDERSON)	APPELLANT'S MEMORANDUM
From the Administrative)	IN SUPPORT OF APPEAL
Denial of an Application)	
For a Second Hand Dealers)	
Permit)	

Harry Anderson submits this memorandum in support of his appeal as part of the required Notice of Appeal and to comply with MCC 6.81.150(2).

Background

Harry Anderson moved to Portland with his parents when he was 5 years old. On November 20th he will be 71 years old and except for the time he was in the Army serving his Country in Germany he has spent the balance of those 66 years as a well respected self employed business man and resident of Portland and Multnomah County. With his brother he formed A & A Billiards in

1964 and built and sold quality pool tables for almost 20 years. Needing a building that would accommodate both retail sales and allow manufacturing of the pool tables he purchased the property located 12300 SE Division in the early 70's and continued to operate a well known and reputable business for approximately 10 more years. His reputation for building a quality product and his honest straight forward approach in dealing with everyone spread by word of mouth to a point where the Oregonian even sought him out to do a feature article on him and his product. By the late 70's his age and the fact that custom hand built pool tables were simply becoming too expensive, heavy and cumbersome he decided to close down A & A Billiards and open a second hand store. He ran a impeccable trouble free second hand store out of that location for approximately 2 years than decided he wanted to retire. A good friend of his Ed Roske (currently owns 82nd Ave Pawn Shop) had mentioned he would be interested in renting the building and taking over the business and paying him a very attractive monthly rent. From Mr. Roske on Mr. Anderson's involvement has been a landlord tenant relationship with each subsequent business owner. That is how a second hand store originated at this location.

WHY THE DENIAL IS INCORRECT

Harry Anderson application was denied for it appears 9 separate reasons stated in Dennis Nelson's letter of October 23, 1990 to Mr. Anderson. Each of these reasons is either legally

incorrect or is based on incorrect, assumed or unapplicable facts. None of these reasons actually supports denying Mr. Anderson's application.

(1) The operation as proposed by the applicant would comply with the building, health, planning, zoning and fire codes of the county and has done so for the last 10 years or more.

(2) Reason for denial, no land use permit, or permits for signs. On October 12, 1990 13 days prior to the date of the denial letter, Multnomah County gave the business currently located 12300 SE Division a land use permit for a second hand store. Further they clearly laid out an acceptable sign permit program which would be adhered to and obtained before Mr. Anderson would initiate business.

(3) Reason for denial, requested information from letter dated September 7, 1990 not received within prescribed 30 day time period. All additional information plus a personal history form for Al Anderson was mailed to licensing office well within 30 day time limit. (A) Copy of personal history form from Al Anderson enclosed herein. Question #1: I will take over my building and establish a new business with a new name within 7 days of Mr. Weaver's actual final business day. Question #2: A document is enclosed that shows how and when Mr. Weaver will convey his business to me. Question #3: has already been provided. Question #4: Has already been provided.

(4) Reason for denial, building has a history of violations of the provisions of this chapter. I have owned this building going on 20 years and its history is flawless, to the best of my knowledge no violation, citation or ticket has ever been issued to the business's in my building. There is the question of a past owner who is now in jail and can not in any way shape or form have any effect on me, my building or my future business and who's illegal activities to the best of my knowledge were conducted away, apart and separate from the business and building. Trying to make the association that my taking my building back and running a second hand store there would result in my becoming an unscrupulous person is as ridiculous as blaming the Multnomah County Counsel for any illegal activity that transpires in their area by association. I have never had a history of violations in anything. So therefore my business and its future business practices would be ran and handled exactly like I have conducted all my business's in the past. Straight, above board and open to the closest scrutiny any time.

(5) Denial because someone currently working at Abe's didn't sign a form. This has nothing to do with me or my future business and can in no way be used as grounds for denial of my license.

(6) Denial because a rifle was not located. This has nothing to do with me or my future business and can in no way be used as grounds for denial of my license.

(7) Denial because someone at Abe's left out a Drivers License number. This has nothing to do with me or my future business and can in no way be used as grounds for denial of my license.

(8) Denial because some of Abe's forms were submitted late. This has nothing to do with me or my future business and can in no way be used as grounds for denial of my license.

(9) Denial because type of identification was left of form from Abe's. This has nothing to do with me or my future business and can in no way be used as grounds for denial of my license.

(10) Denial because of a past investigation of an individual who is now incarcerated. How can a building that has had approximately 30 years of good productive service to the community be labeled a "Bad" building because it had one questionable occupant who is now in jail. Doesn't the personality of a business reflect the integrity and moral character of the owner. I owned and operated a very reputable and profitable business in that location long before any second hand store problems ever existed. I intend to operate and run a very reputable business again there with the Counsels assistance and approval.

In closing let me state this building and its income are a

significant part of my retirement style of living. I live very modest and frugal but without the income from either rent or my operating a business the net effect would a devastation of my standard of living. I have spent my life working and paying taxes in our community and have no qualms about going back to work should the other license in question be denied, but as it stands now without your help I feel everything I have spent my life working for is in jeopardy because of someone's inability to look at me and my situation with simple common sense.

Your assistance in helping get my license approved will be greatly appreciated.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Harry L. Anderson". The signature is fluid and written in dark ink.

Harry L. Anderson

CITY OF PORTLAND
BUREAU OF LICENSES
PERSONAL HISTORY FORM

ATTACHMENT "A"

1. Applicant Name ALVIN KENNETH ANDERSON
(First) (Middle) (Last) (Maiden)

Other Names Used: AL

Single _____ Married(date) 1960 Divorced(date) _____ Widowed _____

2. Business Name _____

3. Business Address 12300 S.E. DIVISION City PORTLAND OR Zip 97236

4. Telephone _____ Other Phone Number(s) where you can be reached 236-3919

5. Date of Birth SEPT 26 1927 Place of Birth PORTLAND SS# 542-26-2700

6. Height 5'10 Weight 225 Color Hair BLO/GRAY Color Eyes Blue Sex M

7. Citizenship: By Birth If Naturalized, (date) _____ Place _____ No. _____

8. Home Address 6305 S.E. SCOTT DR How Long 1973 O D L Nbr. 132212

9. Last Address _____ How Long _____

10. High School Attended BEWSON Location PORTLAND Date 1942

11. Name of Spouse JUNE Date of Birth JUNE 7TH

12. Home Address(if other than #9 above) _____

13. Most Recent Employer U.S. BANK (WIFE) Position RECEPTIONIST

Address 6445 S.W. FALLSLOK A SEASIDE Phone 643-5400

14. List TWO (2) CHARACTER REFERENCES: (Other than Relatives)

NAME	ADDRESS/CITY/STATE	PHONE NUMBER
<u>RUSS MULKEY</u>	<u>1106 SE HOLGATE PRVD</u>	<u>761-0024</u>
<u>TOM BELL</u>	<u>11593 S.E. 82ND PRVD</u>	<u>654-7804</u>

15. List ALL EMPLOYMENT for the Past THREE (3) Years:

DATES	EMPLOYER NAME	ADDRESS/CITY/STATE	POSITION HELD
<u>NONE</u>			

16. List ALL RESIDENCE Addresses for the Last THREE (3) Years:

SAME AS ABOVE

17. ARREST RECORD INCLUDING TRAFFIC OFFENSES: (Explain Charge, Location, Disposition, Date)

NONE

A FALSE ANSWER AND/OR OMISSION OF ANY REQUESTED INFORMATION MAY SUBJECT YOUR APPLICATION TO UNFAVORABLE RECOMMENDATION OR A DENIAL.

SIGNATURE Alvin J. Anderson DATE _____

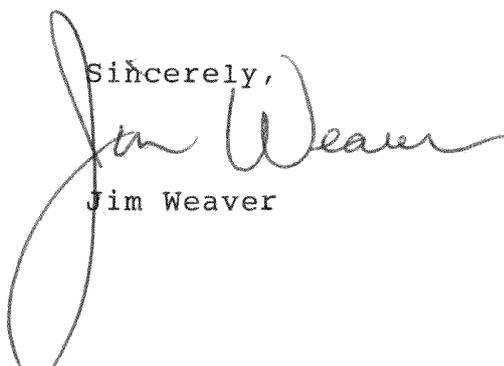
Abe's Shop
12300 SE Division
Portland, Oregon 97236

Harry Anderson
13230 SE Foster
Portland, Oregon 97236

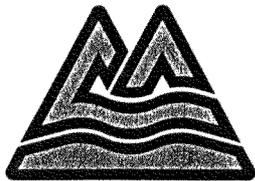
Dear Harry,

As per your request consider this my agreement to sell you all my rights and interests in the business now know as Abe's doing business on 12300 SE Division, Portland Oregon. Should my current application for license be denied through all legal means available, I will sell you my business for an agreed amount, and will offer you the remaining inventory for a wholesale figure. Should you and I not be able to agree on an inventory price, you will grant me 3 business days to remove any and all items not purchased by you from the building. Should however I be granted a license as I have requested this offer to sell will be "Null and Void" and have no further force or effect.

Sincerely,



Jim Weaver



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • CHAIR • 248-3308
PAULINE ANDERSON • DISTRICT 1 • 248-5220
GRETCHEN KAFOURY • DISTRICT 2 • 248-5219
RICK BAUMAN • DISTRICT 3 • 248-5217
SHARRON KELLEY • DISTRICT 4 • 248-5213
CLERK'S OFFICE • 248-3277

M E M O R A N D U M

TO: Dennis Nelson, License Bureau Manager
106/1206

FROM: Deb Rogers, Office of the Board Clerk *Deb Rogers*
101/606

DATE: October 5, 1990

SUBJECT: Appeal of James Weaver

Enclosed is a copy of a Notice of Appeal which was received in this office on Thursday, September 27, 1990 in connection with an appeal of the denial of a secondhand dealers permit to Mr. James Weaver.

Please provide this office with a report to the Board of County Commissioners explaining the reasons for the City's denial as soon as possible or in any event, within 30 days of this date.

By copy of this memorandum, I am notifying appellant that upon receipt of the City's report, a hearing will be scheduled and timely notification regarding same will be mailed to the parties concerned.

If you have any questions in the interim, do not hesitate to call. Thank you.

0044C/dr
enclosure
cc: County Counsel
James Weaver
Dean N. Alterman

*JOHN WERNEKEN
CITY OF PORTLAND
796-5140*

*Report will be
submitted by
11/9/90*



MULTNOMAH COUNTY OREGON

OFFICE OF COUNTY COUNSEL
1120 S.W. FIFTH AVENUE, SUITE 1530
P.O. BOX 849
PORTLAND, OREGON 97207-0849
(503) 248-3138
FAX 248-3377

BOARD OF COUNTY COMMISSIONERS
GLADYS McCOY, CHAIR
PAULINE ANDERSON
RICK BAUMAN
GRETCHEN KAFOURY
SHARRON KELLEY

MEMORANDUM

TO: Debbie Rogers, Clerk of the Board
(101/606)

FROM: Sandra N. Duffy *Sandy*
Assistant County Counsel (106/1530)

DATE: October 4, 1990

SUBJECT: Jim Weaver Appeal (Secondhand Ordinance)

COUNTY COUNSEL
LAURENCE KRESSEL
CHIEF ASSISTANT
JOHN L. DU BAY
ASSISTANTS
SANDRA N. DUFFY
J. MICHAEL DOYLE
GERALD H. ITKIN
H. H. LAZENBY, JR.
PAUL G. MACKAY
MATTHEW O. RYAN
MARK B. WILLIAMS

RECEIVED
COUNTY COUNSEL
OCT 10 1990

The procedures which you need to follow in this appeal are as follows:

1. Upon receipt of the notice of appeal, you are required to give notice of the filing of the appeal to Dennis Nelson of the Bureau of Licenses for the City of Portland (by contract, the City is administering our secondhand ordinance).
2. On this notice to Dennis Nelson, you should indicate that he needs to provide you with a report to the Board of County Commissioners explaining the reasons for the City's denial of a secondhand dealers permit to Mr. Weaver.
3. After you receive Mr. Nelson's report, you should set a date for a Board hearing of the appeal and send a notice of that hearing to both the appellant and Dennis Nelson.

The ordinance does not indicate how long Dennis Nelson has to file the report with the Board. I suggest that you request that the report be filed within 30 days of receipt of a notice of appeal. However, in this instance, I would give Mr. Nelson 30 days from the date of the letter requesting the report. The ordinance also does not require any specific time frame within which the appeal must be heard before the Board. However, I would suggest that the hearing be set within 30 days of receipt of the report from Mr. Nelson.

At the hearing itself, the following procedures shall be followed:

Clerk of the Board
October 4, 1990
Page 2

1. Dennis Nelson, or his designee, shall report to the Board the reasons that the City denied Mr. Weaver his secondhand dealers permit.
2. The appellant, Mr. Weaver, shall then have an opportunity to present evidence and oral argument to the Board and to file a written statement if he desires.
3. This hearing is "on the record," and your usual tape recording system is adequate for this purpose.
4. At the conclusion of the hearing, the Board can affirm the decision of Mr. Nelson, reverse the decision of Mr. Nelson, or remand the matter back to the City for further consideration.
5. The Board shall direct that written findings be prepared.
6. If the Board affirms a City denial of an application (or a revocation, suspension, or civil penalty), that action shall be effective upon the Board's signing the findings.

I would suggest that the findings, after being sent to the Board, should be put on a Board agenda for a determination that the findings conform to the decision that was made by the Board. The Chair would then sign the findings at that hearing if they are in conformance with the Board's decision.

If you have any questions regarding these procedures, please give me a call.

005SND.MEM/dc

KELL, ALTERMAN & RUNSTEIN

CLIFFORD B. ALTERMAN
TED E. RUNSTEIN
LEE DAVIS KELL, CPA*
WAYNE D. PALMER
LLOYD R. SUMMERS
WILLIAM DICKAS
GARY P. COMPA†
CHARLES R. WILLIAMSON
MARY ELLEN PAGE FARR
ERIC SOGGE

DEAN N. ALTERMAN
DANA L. BARNES
LARRY J. BRANT***†
JUDY SHIPLER HENRY
THOMAS J. MATSUDA**
SUZANNE C. PICKGROBE
NOLAN M. SHISHIDO

ATTORNEYS AT LAW
1300 THE BANK OF CALIFORNIA TOWER
707 S.W. WASHINGTON STREET
PORTLAND, OREGON 97205-3572
TELEPHONE (503) 222-3531

RAYMOND M. KELL
OF COUNSEL
TELECOPIER NUMBER
(503) 227-2980
TELEX NUMBER
4937785 KELMAN
ALSO ADMITTED IN
* CALIFORNIA
** HAWAII
*** WASHINGTON
† LL.M. IN TAXATION

September 27, 1990

HAND DELIVERED

Clerk of the Board
Board of County Commissioners
1021 S.W. Fourth Avenue
Portland, Oregon 97204

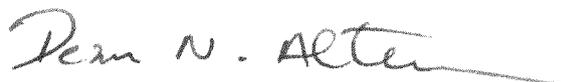
ATTENTION: Jane McGarvin

Re: Appeal of James Weaver

Dear Ms. McGarvin:

This office represents James Weaver, who was denied an application for a Second Hand Dealer's Permit by letter from Dennis Nelson dated September 17, 1990. Enclosed with this letter is our formal notice of appeal from the denial of Mr. Weaver's application. I have enclosed a copy for each commissioner and a copy for the permanent file.

Very truly yours,



Dean N. Alterman

DNA/cw
Enclosures
cc: Mr. James Weaver

1990 SEP 27 11 08 AM '90
CLERK OF COUNTY COMMISSIONERS
PORTLAND, OREGON

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF
MULTNOMAH COUNTY, OREGON

In the matter of the
APPLICATION OF JAMES WEAVER
For A Second Hand Dealers
License

NOTICE OF APPEAL

DEAN N. ALTERMAN
Kell, Alterman & Runstein
707 S.W. Washington, Suite 1300
Portland, Oregon 97205

Attorneys for James Weaver

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BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF
MULTNOMAH COUNTY, OREGON

In the Matter of the)
APPLICATION OF JAMES WEAVER) NOTICE OF APPEAL
For A Second Hand Dealers)
Permit)
)
)
)

Pursuant to MCC 6.81.050(G) and 6.81.150, James Weaver by his attorney Dean N. Alterman provides Notice of Appeal of the administrative denial of his application for a Second Hand Dealers Permit, which was denied by letter from Dennis Nelson dated September 17, 1990.

The denial was incorrect for the reasons stated in the attached memorandum, which is incorporated as part of this Notice of Appeal. The correct determination should have been to grant the appellant's application.

All notices in connection with this appeal may be sent to:

James Weaver
12300 SE Division Street
Portland, OR 97236

and to:

Dean N. Alterman
Kell, Alterman & Runstein
1300 The Bank of California Tower
Portland, OR 97205-3572

KELL, ALTERMAN & RUNSTEIN

By: Dean N. Alterman
Dean N. Alterman
Of Attorneys for Appellant

KELL ALTERMAN & RUNSTEIN
ATTORNEYS AT LAW
1300 THE BANK OF CALIFORNIA TOWER
PORTLAND, OREGON 97205-3572
TELEPHONE (503) 222-3531
TELECOPY NUMBER
(503) 227-2980
TELEX NUMBER
4937785 KELMAN

1 Weaver. Each of these reasons is either legally incorrect or is
2 based on incorrect or assumed facts. None of these reasons
3 actually supports denying Mr. Weaver's application.

4 **(1) The Operation As Proposed By the Applicant Would Comply**
5 **With the Zoning Code**

6 The first reason given for denial is that the operation is in
7 violation of MCC 11.15.8715 because there is no land use permit for
8 this operation and because there is no permit for signs at this
9 business. This is not a reason for denial.

10 First, this property has been operated as a pawnshop or second
11 hand store for more than ten years, and possibly before MCC
12 11.15.8715 was enacted (which was in 1975). MCC 11.15.8715
13 requires a land use permit only when a change in use of a structure
14 is made that results in a new use subject to different restrictions
15 under MCC Chapter 11. Because the application does not intend a
16 change in use for the property, no land use permit (as defined in
17 the code) is required for the second hand store as such. The
18 property is in a C-3 district, in which pawnshops are a use allowed
19 outright; the use would be legal here.

20 Even if Mr. Weaver required a separate land use permit under
21 11.15.8715, he could not get that permit until he receives a Second
22 Hand Dealers Permit, because MCC 11.15.8715 provides that the land
23 use permit can be issued only if the proposed use complies with
24 Chapter 11 and with any other applicable ordinance (including the
25 licensing ordinance). But Mr. Weaver cannot comply with "any other
26 applicable ordinance" until he receives a Dealers Permit. The

1 result is that he cannot get a land use (change of use) permit
2 until he has a Dealers Permit, and he cannot (according to the
3 denial) get a Dealers Permit until he gets a change of use permit.
4 Which must Mr. Weaver obtain first, the land use permit or the
5 Second Hand Dealers Permit? This Catch-22 would result in all
6 pawnshops being illegal, which is not the intended result of the
7 licensing ordinance.

8 If Mr. Weaver needs a change of use permit (and we believe he
9 does not), approval of his Second Hand Dealers Permit could be made
10 conditional on his obtaining a change of use permit or showing that
11 the code does not require a change of use permit for his operation.

12 The letter of denial also states that there is no permit for
13 signs at this business. If a permit is required for signs then Mr.
14 Weaver will apply for a sign permit. He cannot, however, get a
15 sign permit until he has a Dealers Permit, for much the same Catch-
16 22 reasons discussed above. Approval of his application could be
17 made conditional on Mr. Weaver getting a sign permit for any signs
18 that were placed on the property after the effective date of the
19 applicable sign restrictions.

20 **(2) No Required Information Was Withheld From the Application**

21 The second reason for denial was that the application failed
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26 J. Herman, a friend of Mr. Weaver's, assisted Mr. Weaver in

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2 instead of waiting for Mr. Weaver to be available to sign the
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4 to disclose the name of a person who would be involved in the
5 business, because J. Herman has not been involved in the
6 business. This J. Herman was not an employee of the business when
7 Mr. Weaver applied for a permit, and has not worked for the
8 business since then, except for assisting Mr. Weaver on this one
9 occasion. Mr. Weaver does not expect that J. Herman will be an
10 employee of the business. Accordingly Mr. Weaver's application
11 should not be denied for not mentioning J. Herman.

12 **(3) No Employee Has Been Found to have Committed Any Criminal**
13 **Offense Relating to Fraud or Theft**

14 The third reason for denying the application was stated to be
15 that an employee was found to have committed a criminal offense
16 related to fraud or theft. However, the denial letter does not
17 identify any such employee, nor does it identify any criminal
18 offense related to fraud or theft.

19 The alleged criminal offenses identified by the letter all
20 relate to recordkeeping violations of MCC 6.81.120. The alleged
21 offenses are, in order:

22 a. Failure to obtain acceptable identification from a
23 seller.

24 b. Failure to have a seller of regulated property sign the
25 report form.

26 c. Failure to retain regulated property (a Ruger rifle) on

1 the premises for at least 15 days after buying it.¹

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3 reflect dishonesty, deception, obtaining of property under false
4 pretenses, fraud, or any similar property crime; they are
5 regulatory and recordkeeping offenses that do not reflect or
6 require any intent to deprive another of the right of possession
7 of property. Accordingly, they cannot form the basis of a denial
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9 The current edition of Oregon Revised Statutes lists the
10 following offenses under the heading of "Theft and Related
11 Offenses": Theft (in the first, second, and third degrees),
12 Aggravated Theft in the first degree, Theft of lost or mislaid
13 property, theft by extortion, theft by deception, theft by
14 receiving, theft of services, unlawful distribution of cable
15 television equipment, unauthorized use of a vehicle, and criminal
16 possession of rented or leased property. ORS 164.015-164.140.

17 **(4) This Location Does Not Have a History of Violations of**
18 **MCC Chapter 6.81; In the Alternative, the Acts of a Prior**
19 **Owner Are Unlikely to Recur**

20 The fourth reason given for denial is that evidence exists to
21 support a finding that the location of the business has a history
22 of violations of the provisions of "this chapter" (MCC Chapter
23 6.81).

24 As support for this assertion, the letter of denial cites the

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26 ¹ This property was not on the premises because the person
who sold it to the business had reclaimed it.

1 absence of "J Herman" from the application form, the lack of a
2 seller's signature on the "J Herman" report form, and the failure
3 to retain the Ruger rifle as described above.

4 First, the absence of "J Herman" from the application form,
5 as explained previously, is what one would expect given that J.
6 Herman is not and has never been an employee of the applicant at
7 the business. Accordingly it is not a violation to fail to mention
8 "J Herman" on the application. Even if it were a violation to omit
9 J. Herman from the application, this would not be a violation
10 taking place at the location of the business, and could not be part
11 of any alleged "history" of violations of Chapter 6.81 at the
12 business.

13 Second, the absence of the seller's signature on one report
14 form (out of about 7000 transactions since Mr. Weaver bought the
15 business) does not suggest a "history" of violations; quite the
16 opposite, it suggests a good record of compliance with the
17 requirements of the ordinance. Even (say) 99% compliance with the
18 ordinance's detailed recordkeeping requirements would yield 70
19 separate transactions with recordkeeping defects instead of the one
20 or two found by the licensing bureau.

21 Third, the criminal acts of a prior owner of the business
22 should not affect Mr. Weaver's application because they occurred
23 (to Mr. Weaver's belief) before Chapter 6.81 was enacted and thus
24 could not be violations of Chapter 6.81.

25 Even if those acts of a prior owner unconnected with Mr.
26 Weaver are somehow relevant to Mr. Weaver's application, the

1 licensing bureau should have granted the application as allowed by
2 Section 6.81.030(C) because the "behavior evidenced by such factor"
3 (the criminal acts of a prior owner) is unlikely to recur given
4 that the prior owner has no connection with the business and has
5 been (to our belief) sentenced to prison, the behavior evidenced
6 by such factor is remote in time because it occurred before Mr.
7 Weaver bought the business, and the behavior evidenced by such
8 factor occurred "under circumstances which diminish the seriousness
9 of the factor as it relates to the purpose of Chapter 6.81"² in
10 that it occurred under a prior owner now gone entirely from the
11 business.

12 **(5) The Operation Has Complied With Applicable Federal or State**
13 **Licensing Requirements**

14 The final reason given for denial is that the operation has
15 not complied with applicable federal or state licensing
16 requirements. Noncompliance with federal licensing requirements
17 is based on an alleged failure to document the withdrawal from
18 inventory of one rifle, the purchase of which was reported on
19 Sheriff's ticket no. 105310 (the Ruger discussed above).³ This
20 rifle was withdrawn from inventory because the person who sold it
21 to Mr. Weaver's business returned after the sale, wanting to
22 rescind the sale because he thought he could sell the rifle for

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25 ³ The alleged federal violation is a failure to keep an
26 adequate record, not a failure to retain the rifle for 15 days.
The failure to retain for 15 days is alleged as an ordinance
violation, not a federal violation.

1 more money to another store. Mr. Weaver states that this return
2 was entered into the log book exactly as required by federal law,
3 thus complying with the federal requirements. A letter from the
4 customer explaining the transaction is attached.

5 The alleged state violations are of reporting requirements,
6 not of licensing requirements. However, the quoted ordinance
7 language is directed at licensing requirements. A "licensing
8 requirement" is a requirement to receive or maintain a license, and
9 may include requirements connected to licenses. Mr. Weaver is
10 unaware of any required federal or state license which he does not
11 have. The alleged state violations are of a statute that is not
12 part of any licensing law. Accordingly, a violation of that
13 statute is not a ground for denying the Second Hand Dealer license
14 to Mr. Weaver.

15 **Summary**

16 The facts described in the letter of denial do not support the
17 reasons cited for denying a license to Mr. Weaver. The Board of
18 County Commissioners should reverse the decision of the licensing
19 bureau and grant James Weaver a Second Hand Dealer license, subject
20 to Mr. Weaver receiving any necessary land use and sign permits.

22 Respectfully submitted,

24 
25 **Dean N. Alterman**
26 **Kell, Alterman & Runstein**
Attorneys for James Weaver

I Lonnie Richardson on approximately April 20th, 1990 needing some money to feed my family sold Abe's a 22 rifle. A few days later I changed my mind and told Abe's I wanted to void my deal them and just get my gun back. I repaid them just the original amount signed some Federal Gun forms and took the gun home. If you have any other questions you can reach me at message phone 788-0499.

X Lonnie Richardson 9-24-90

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF
MULTNOMAH COUNTY, OREGON

In the matter of the
APPLICATION OF JAMES WEAVER
For A Second Hand Dealers
License

NOTICE OF APPEAL

DEAN N. ALTERMAN
Kell, Alterman & Runstein
707 S.W. Washington, Suite 1300
Portland, Oregon 97205

Attorneys for James Weaver

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BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF
MULTNOMAH COUNTY, OREGON

In the Matter of the)
APPLICATION OF JAMES WEAVER) NOTICE OF APPEAL
For A Second Hand Dealers)
Permit)
)
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)

Pursuant to MCC 6.81.050(G) and 6.81.150, James Weaver by his attorney Dean N. Alterman provides Notice of Appeal of the administrative denial of his application for a Second Hand Dealers Permit, which was denied by letter from Dennis Nelson dated September 17, 1990.

The denial was incorrect for the reasons stated in the attached memorandum, which is incorporated as part of this Notice of Appeal. The correct determination should have been to grant the appellant's application.

All notices in connection with this appeal may be sent to:

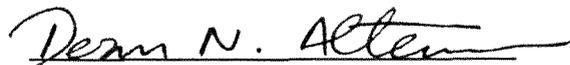
James Weaver
12300 SE Division Street
Portland, OR 97236

and to:

Dean N. Alterman
Kell, Alterman & Runstein
1300 The Bank of California Tower
Portland, OR 97205-3572

KELL, ALTERMAN & RUNSTEIN

By:



Dean N. Alterman

Of Attorneys for Appellant

KELL ALTERMAN & RUNSTEIN
ATTORNEYS AT LAW
1300 THE BANK OF CALIFORNIA TOWER
PORTLAND, OREGON 97205-3572
TELEPHONE (503) 222-3531
TELECOPY NUMBER
(503) 227-2980
TELEX NUMBER
4937785 KELMAN

1 Weaver. Each of these reasons is either legally incorrect or is
2 based on incorrect or assumed facts. None of these reasons
3 actually supports denying Mr. Weaver's application.

4 **(1) The Operation As Proposed By the Applicant Would Comply**
5 **With the Zoning Code**

6 The first reason given for denial is that the operation is in
7 violation of MCC 11.15.8715 because there is no land use permit for
8 this operation and because there is no permit for signs at this
9 business. This is not a reason for denial.

10 First, this property has been operated as a pawnshop or second
11 hand store for more than ten years, and possibly before MCC
12 11.15.8715 was enacted (which was in 1975). MCC 11.15.8715
13 requires a land use permit only when a change in use of a structure
14 is made that results in a new use subject to different restrictions
15 under MCC Chapter 11. Because the application does not intend a
16 change in use for the property, no land use permit (as defined in
17 the code) is required for the second hand store as such. The
18 property is in a C-3 district, in which pawnshops are a use allowed
19 outright; the use would be legal here.

20 Even if Mr. Weaver required a separate land use permit under
21 11.15.8715, he could not get that permit until he receives a Second
22 Hand Dealers Permit, because MCC 11.15.8715 provides that the land
23 use permit can be issued only if the proposed use complies with
24 Chapter 11 and with any other applicable ordinance (including the
25 licensing ordinance). But Mr. Weaver cannot comply with "any other
26 applicable ordinance" until he receives a Dealers Permit. The

KELMAN, ALTERMAN & RUNSTEIN
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1 result is that he cannot get a land use (change of use) permit
2 until he has a Dealers Permit, and he cannot (according to the
3 denial) get a Dealers Permit until he gets a change of use permit.
4 Which must Mr. Weaver obtain first, the land use permit or the
5 Second Hand Dealers Permit? This Catch-22 would result in all
6 pawnshops being illegal, which is not the intended result of the
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10 employee of the business. Accordingly Mr. Weaver's application
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13 **Offense Relating to Fraud or Theft**

14 The third reason for denying the application was stated to be
15 that an employee was found to have committed a criminal offense
16 related to fraud or theft. However, the denial letter does not
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17 **(4) This Location Does Not Have a History of Violations of**
18 **MCC Chapter 6.81; In the Alternative, the Acts of a Prior**
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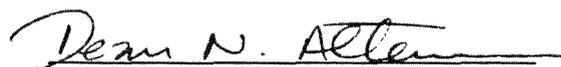
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25 Dean N. Alterman
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OF
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In the matter of the
APPLICATION OF JAMES WEAVER
For A Second Hand Dealers
License

NOTICE OF APPEAL

DEAN N. ALTERMAN
Kell, Alterman & Runstein
707 S.W. Washington, Suite 1300
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Attorneys for James Weaver

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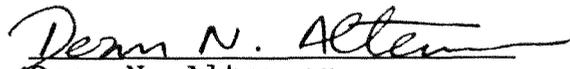
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Kell, Alterman & Runstein
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KELL, ALTERMAN & RUNSTEIN

By:



Dean N. Alterman

Of Attorneys for Appellant

KELL ALTERMAN & RUNSTEIN
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20 The fourth reason given for denial is that evidence exists to
21 support a finding that the location of the business has a history
22 of violations of the provisions of "this chapter" (MCC Chapter
23 6.81).

24 As support for this assertion, the letter of denial cites the

25 _____
26 ¹ This property was not on the premises because the person
who sold it to the business had reclaimed it.

KELL ALTERMAN & RUNSTEIN
ATTORNEYS AT LAW
1300 THE BANK OF CALIFORNIA TOWER
PORTLAND, OREGON 97205-3872
TELEPHONE (503) 222-3531
TELECOPY NUMBER
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TELEX NUMBER
4937785 KELMAN

1 absence of "J Herman" from the application form, the lack of a
2 seller's signature on the "J Herman" report form, and the failure
3 to retain the Ruger rifle as described above.

4 First, the absence of "J Herman" from the application form,
5 as explained previously, is what one would expect given that J.
6 Herman is not and has never been an employee of the applicant at
7 the business. Accordingly it is not a violation to fail to mention
8 "J Herman" on the application. Even if it were a violation to omit
9 J. Herman from the application, this would not be a violation
10 taking place at the location of the business, and could not be part
11 of any alleged "history" of violations of Chapter 6.81 at the
12 business.

13 Second, the absence of the seller's signature on one report
14 form (out of about 7000 transactions since Mr. Weaver bought the
15 business) does not suggest a "history" of violations; quite the
16 opposite, it suggests a good record of compliance with the
17 requirements of the ordinance. Even (say) 99% compliance with the
18 ordinance's detailed recordkeeping requirements would yield 70
19 separate transactions with recordkeeping defects instead of the one
20 or two found by the licensing bureau.

21 Third, the criminal acts of a prior owner of the business
22 should not affect Mr. Weaver's application because they occurred
23 (to Mr. Weaver's belief) before Chapter 6.81 was enacted and thus
24 could not be violations of Chapter 6.81.

25 Even if those acts of a prior owner unconnected with Mr.
26 Weaver are somehow relevant to Mr. Weaver's application, the

1 licensing bureau should have granted the application as allowed by
2 Section 6.81.030(C) because the "behavior evidenced by such factor"
3 (the criminal acts of a prior owner) is unlikely to recur given
4 that the prior owner has no connection with the business and has
5 been (to our belief) sentenced to prison, the behavior evidenced
6 by such factor is remote in time because it occurred before Mr.
7 Weaver bought the business, and the behavior evidenced by such
8 factor occurred "under circumstances which diminish the seriousness
9 of the factor as it relates to the purpose of Chapter 6.81"² in
10 that it occurred under a prior owner now gone entirely from the
11 business.

12 **(5) The Operation Has Complied With Applicable Federal or State**
13 **Licensing Requirements**

14 The final reason given for denial is that the operation has
15 not complied with applicable federal or state licensing
16 requirements. Noncompliance with federal licensing requirements
17 is based on an alleged failure to document the withdrawal from
18 inventory of one rifle, the purchase of which was reported on
19 Sheriff's ticket no. 105310 (the Ruger discussed above).³ This
20 rifle was withdrawn from inventory because the person who sold it
21 to Mr. Weaver's business returned after the sale, wanting to
22 rescind the sale because he thought he could sell the rifle for
23

24 ² The quotations here are from the ordinance.

25 ³ The alleged federal violation is a failure to keep an
26 adequate record, not a failure to retain the rifle for 15 days.
The failure to retain for 15 days is alleged as an ordinance
violation, not a federal violation.

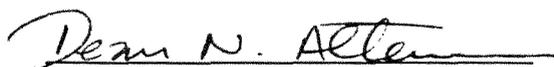
1 more money to another store. Mr. Weaver states that this return
2 was entered into the log book exactly as required by federal law,
3 thus complying with the federal requirements. A letter from the
4 customer explaining the transaction is attached.

5 The alleged state violations are of reporting requirements,
6 not of licensing requirements. However, the quoted ordinance
7 language is directed at licensing requirements. A "licensing
8 requirement" is a requirement to receive or maintain a license, and
9 may include requirements connected to licenses. Mr. Weaver is
10 unaware of any required federal or state license which he does not
11 have. The alleged state violations are of a statute that is not
12 part of any licensing law. Accordingly, a violation of that
13 statute is not a ground for denying the Second Hand Dealer license
14 to Mr. Weaver.

15 **Summary**

16 The facts described in the letter of denial do not support the
17 reasons cited for denying a license to Mr. Weaver. The Board of
18 County Commissioners should reverse the decision of the licensing
19 bureau and grant James Weaver a Second Hand Dealer license, subject
20 to Mr. Weaver receiving any necessary land use and sign permits.
21

22 Respectfully submitted,

23
24 
25 Dean N. Alterman
26 Kell, Alterman & Runstein
Attorneys for James Weaver

I Lonnie Richardson on approximately April 20th, 1990 needing some money to feed my family sold Abe's a 22 rifle. A few days later I changed my mind and told Abe's I wanted to void my deal them and just get my gun back. I repaid them just the original amount signed some Federal Gun forms and took the gun home. If you have any other questions you can reach me at message phone 788-0499.

X Lonnie Richardson 9-24-90



MULTNOMAH COUNTY OREGON

OFFICE OF COUNTY COUNSEL
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BOARD OF COUNTY COMMISSIONERS
GLADYS McCOY, CHAIR
PAULINE ANDERSON
RICK BAUMAN
GARY HANSEN
SHARRON KELLEY

MEMORANDUM

TO: Board of County Commissioners
Gladys McCoy, Chair
Pauline Anderson
Rick Bauman
Gary Hansen
Sharron Kelley

FROM: Larry Kressel
County Counsel (106/1530)

DATE: May 17, 1991

RE: Secondhand Dealer's Permit Appeal of
James Weaver

COUNTY COUNSEL
LAURENCE KRESSEL
CHIEF ASSISTANT
JOHN L. DU BAY
ASSISTANTS
SANDRA N. DUFFY
J. MICHAEL DOYLE
GERALD H. ITKIN
H.H. LAZENBY, JR.
MATTHEW O. RYAN
JACQUELINE A. WEBER
MARK B. WILLIAMS

BOARD OF COUNTY COMMISSIONERS
1991 MAY 22 AM 9:52
MULTNOMAH COUNTY
OREGON

As you know, James R. Weaver, who does business as Abe's Shop at 12300 SE Division, has filed an appeal to the Board under the county code. He is appealing denial of his application for a permit to operate a secondhand dealer's store. Since the Board infrequently hears such appeals, and since this one is complicated by a lengthy history and a pending court case, I have scheduled a Board briefing about the case for May 23. This memo gives you the key background points.

1. The Code

In March, 1990, the Board adopted the current code provisions regulating secondhand dealers in the unincorporated area. See Ordinance 647. The ordinance implemented a task force recommendation and was designed to be consistent with Portland's regulations.

The code requires secondhand dealers to apply for permits to do business. MCC 6.81.040.¹ The Sheriff or his designee (Portland's Bureau of Licenses) reviews the application under certain criteria. MCC 6.81.050. A denial is appealable to the Board. MCC 6.81.150.

The code provides little detail about the Board appeal. It states only that the manager (BOL) reports the reasons for the denial and the appellant "shall have the opportunity to present evidence and oral argument" and a written statement. The Board must adopt findings at the conclusion of the appeal, setting forth its reasons for the final decision it takes. MCC 6.81.150.

2. History of this Appeal

Mr. Weaver's application for a permit was filed in June 1990. The Bureau of Licenses issued a denial of the permit in September 1990. A timely appeal was filed. After that, the BOL issued several supplemental denials, based on new evidence of additional violations of code standards. The latest report by BOL is dated January 23, 1991.

The record in this appeal is voluminous. BOL's report to the Board (on file with the clerk) is backed up by nearly 2,000 pages of material.

3. The Litigation

On May 14, 1991, Mr. Weaver filed a federal court suit for monetary damages against the County and the City. The complaint goes on for nearly 50 pages, but the gist is that Mr. Weaver has been conspired against by law enforcement and regulatory officials. He claims the BOL, as agent for the County under the secondhand dealer code, has conspired to deny his business permit.

4. Procedural Options

The code does not set a deadline for Board action on Mr. Weaver's appeal. However, he is entitled to an appeal to the Board under the current code. He also is entitled to a chance to respond to the evidence relied on by BOL.

¹ Persons doing business when the code was adopted were allowed 60 days to apply, MCC 6.81.060. Mr. Weaver was permitted to continue in business during the application process.

Board of County Commissioners
May 17, 1991
Page 3

As I see it, the Board has two main options in handling this appeal. In summary, they are:

- (1) Conduct a hearing on the appeal (given the record, this could be very time consuming); and
- (2) Remand the appeal to a specially appointed hearings officer. The officer would review the record and allow Mr. Weaver to respond to BOL's supplemental reports. The hearings officer would prepare a proposed Final Order, which the Board would consider at a public hearing.

Under option 2, note that the case would have to return to the Board for a hearing. That is a feature of the current ordinance. However, it would be possible to amend the ordinance to vest final decision-making power in an appointed officer. I believe such an amendment could apply to Mr. Weaver's case. So long as he gets a fair chance to respond to the evidence, Mr. Weaver's rights would not be infringed.

I understand the City Council is now considering changing its code to remove the Council from the hearing process. Representatives of BOL or the Sheriff's Office may be able to provide more information on the options being considered by Portland.

cc John Werneken, BOL
Robert G. Skipper, Sheriff
Clyde Stites, Sheriff's Office

R:\FILES\200LK.MEM\mw

GET TO KNOW MOTHER NATURE ON A FIRST NAME BASIS

TRIP INTO NATURE. SPONSORED BY METROPOLITAN GREENSPACES.

Here's a list of this season's Trip Into Nature events, guided tours, and get-togethers. Metropolitan Greenspaces is happy to offer these opportunities so you can get in touch with the wonders of our extraordinary region. Call the numbers listed for more details about a particular event. Or call us at Metro, 273-5565 or 221-1646, for more information about the Metropolitan Greenspaces  program. All events are free except where noted. Several are  barrier free (see trip description). 

WEDNESDAY, MAY 15

Leach Botanical Garden Tour

Meet at the Manor House in this unique city garden. Slide show and tour starts at 2 p.m. and repeats at 3 p.m. Call Bonnie Brunkow, 761-9503, to reserve. Leach Botanical Garden.

SATURDAY, MAY 18

Hedges Creek Marsh Wetland

Walk through a landmark wetland in Tualatin. Meet at 9 a.m. at Tualatin City parking lot and bring waterproof boots. Call The Wetlands Conservancy at 691-1394.

Bird Watching for Families

Learn to identify birds together in the westside Hoyt Arboretum. Meet at the Arboretum Tree House at 9:30 a.m. Call Sue Thomas at 823-3655.

Ridgefield Wildlife Refuge

This meandering national refuge is perfect for bird watching. Meet at 7 a.m. at Carty Unit parking lot. Call Nancy Ellifrit for directions, (206) 887-8032. Vancouver Audubon Society.

Chinook Trail Service Project

Dress for the weather, bring tools and lunch for a fun-and-work party to clear the trail. Meet at 8 a.m. at Washington DOT Park and Ride lot at 134th Street exit off I-5 in Vancouver. Call Don Cannard at (206) 694-4033. Chinook Trail Association.

SUNDAY, MAY 19

Hike to Elk Rock Island

Cross a wet trail to a forested island. Meet at 10 a.m. at SE 19th and Sparrow. Bring picnic and sturdy shoes. Call for reservations: Caroline Tomei, 659-9116. Friends of Elk Rock Island.

METRO

Sunday Picnic at Golf Creek

Ease into nature! Bring your own bubbly, edibles to share, a blanket and eating/drinking ware. Meet at 11 a.m. at Clouds Hill Farm. Barrier free. No pets or smoking, please. Call Bridget McCarthy, 292-4549, to reserve. Friends of Upper Golf Creek's Natural Areas.

Wildflower Bloom Walk

Enjoy a profusion of spring wildflowers on a free guided walk. Meet at 2 p.m. next to Oxbow Park office. Parking fee \$3. Call 248-5151. Multnomah County Parks.

WEDNESDAY, MAY 22

Sandy River Forest Hike

Learn the Sandy's natural history along the west bank near Oxbow Park. Bring a lunch but please leave pets at home. Call for carpool meeting point, 228-9561. The Nature Conservancy.

SATURDAY, MAY 25

Skyline Ridge Bicycle Trip

Bike to nearby endangered areas. Slow pace with several stops in hilly terrain. Wear helmets. Meet at 9 a.m. at Skyline School. Call Chris Foster at 621-3564. Citizens for Preservation of Skyline Ridge.

SATURDAY, JUNE 1

Moulton Falls Trail Project

A family event at beautiful Moulton Falls. Wear sturdy shoes and bring tools, lunch. Meet at 8 a.m. at the Washington DOT Park and Ride lot at the 134th Street exit off I-5. Call Ed Robertson at (206) 694-1648.

Smith and Bybee Lakes Tour

Join this driving and walking tour to see a new park and the adjacent slough. Meet at 9 a.m. at Kelley Point Park, first parking lot on left. Call Mike Houck at 245-1880 or Portland Audubon Society, 292-6855.



RARE URBAN

DISCOVERIES



RiverWatch Slough Tour

Take a 4-hr. boat ride to hear about the scenic but threatened Columbia Slough. Meet at 10 a.m. at Fred's Marina west of Linnnton on St. Helens Road. Free but reservations are required; bring a lunch. Must be 17 or older. Call 295-0490 to reserve. Northwest Environmental Advocates.

SUNDAY, JUNE 2

RiverWatch Slough Tour

Repeat river trip (see above).

Salmon Creek/Lake River Trip

Bring your canoe, life jackets and lunches for this scenic water ride. Meet at 8 a.m. at City Marina in Ridgefield, Wash. Call for reservations at Ptarmagins, (206) 695-5510.

Nesting Herons Canoe Trip

Cross the Willamette to Ross Island and observe nesting herons. Meet at 7:30 a.m. at Willamette Park boat launch off SW Macadam. Bring a non-motorized boat and life vests. Rentals available. Call Mike Houck at 245-1880 or Portland Audubon Society, 292-6855.

Willamette River Greenway Walk

Easy, short walk in urban park to see Heron Pointe Wetland. Barrier free. Meet at noon at the picnic shelters, south end of Willamette Park off SW Macadam Ave. Call Mike Houck at 245-1880 or Portland Audubon Society, 292-6855.

RiverWatch Slough Tour

Boat down the Columbia Slough for information and scenery. Bring lunch. Meet at 10 a.m. at Fred's Marina, west on St. Helens Road. Reservations required: call 295-0490. Northwest Environmental Advocates. Repeats Friday.

MONDAY, JUNE 3

Morning Stroll in Oaks Bottom

Daily walks through Oaks Bottom Wildlife Refuge June 3-7 for Great Blue Heron Week. Meet at 7 a.m. at Sellwood Park parking lot; wear boots. Meet at 10 a.m. Call for directions, 228-9561. The Nature Conservancy.

WEDNESDAY, JUNE 5

Powell Butte Nature Walk

Great views of Mt. Hood and East Portland buttes. Meet at 6 p.m. at kiosk for evening hike. Call Roger Shepard, 255-8966. Friends of Powell Butte Nature Park.

THURSDAY, JUNE 6

Evening Walk at Heron Lakes Golf Course

View great blue herons in North Portland. Meet at 7 p.m. at parking lot by restrooms at East Delta Park, east side of I-5. Call Mike Houck at 245-1880 or Portland Audubon Society, 292-6855.

RiverWatch Slough Tour

Learn about the changing Columbia Slough. Meet at 10 a.m. at Fred's Marina, west of Linnnton on St. Helens Rd. The trip is free but reservations are required. Bring lunch, dress for the weather. Call 295-0490. Northwest Environmental Advocates.

SATURDAY, JUNE 8

Camassia Natural Area Weed Pull

Help eradicate exotic species of weeds, including Scotch broom, in West Linn wetland. Poison oak possible. Bring gloves, tools, lunch and energy. Meet at 10 a.m. Call for directions, 228-9561. The Nature Conservancy.

Morning Walk to Heron Nests

Meet at 7:30 a.m. at East Delta Park near the restrooms to view nesting herons at Heron Lakes Golf Course. Walk will end in time for Slough canoe trip (see below). Call Mike Houck, 245-1880 or Audubon Society, 292-6855.

Columbia Slough Paddle

Bring a canoe, life vest and your enthusiasm - also lunch. Five hour trip on the slough. Meet at 10 a.m. at Kelley Point Park parking lot. Call Donna Matrazzo, 621-3049. Oregon Ocean & Paddling Society.

RiverWatch Slough Tour

Learn about the changing Columbia Slough. Meet at 10 a.m. at Fred's Marina, west of Linnnton on St. Helens Rd. The trip is free but reservations are required. Bring lunch, dress for the weather. Call 295-0490. Northwest Environmental Advocates.

SUNDAY, JUNE 9

RiverWatch Slough Tour

Repeat of June 8 trip.

Sandy River Raft Trip

Dip into the Sandy River for Great Blue Heron Week. Meet at 9 a.m. at River Trails in Troutdale. Raft and life vest provided. Beginners welcome. Fee is \$15 and reservations are required. Call Genie, 248-5151, at Multnomah County Parks.

THURSDAY, JUNE 13

Forest Park Trail Project

Work a little, meet new people, help clean up Forest Park. Dress for the weather, bring gloves. Meet at 9 a.m. at Lower Macleay Park. Call Fred Nilsen, 823-4492. Portland Park Bureau.

SATURDAY, JUNE 15

Forest Park Trail Project

Repeat of project above. Call to reserve.

Harlow House Natural Areas Tour

Discover historic Troutdale attractions, including Beaver Creek and Depot Park. Then on to an ice cream social! Most trails/facilities barrier free. Meet at noon at Troutdale Community Park. Call Valerie Lantz, 665-5175, City of Troutdale.

SUNDAY, JUNE 16

Harlow House Natural Areas Tour

Repeat of June 15 tour.

MONDAY, JUNE 17

Clackamas "River of Life" Tour

Enjoy 7 hours of rafting and learning about the natural and cultural history of the river. Fee \$40, includes raft and lunch. Reservations required. Call Jerry Herrmann, 657-6959. Environmental Learning Center.

SATURDAY, JUNE 22

Model Backyard Wildlife Habitat

View this example of how to replace habitat lost to urban development. Call 657-2000 for details. Meet at 9 a.m. at the Oregon Fish and Wildlife Office in Clackamas.

Rocky Butte Summit Walk

Walk through a natural area from the Grotto to the viewpoint. Meet at 10 a.m. or 2 p.m. in the parking lot at the summit of Rocky Butte for shuttle. Call Maxine Benshoof, 254-4435. Rocky Butte Preservation Society.

Tualatin Hills Nature Park

Bring picnic lunch for this nature walk suitable for children over 4 years old, accompanied by adult. Possible muddy trail. Meet at 11 a.m. at SW Millikan Way at Beaverton Creek Crossing. Call 645-3539, Tualatin Hills Park and Recreation District.

SUNDAY, JUNE 23

Sandy River Rafting Trip

Row down the scenic river on an all-day raft tour. Beginners welcome. Meet at 9 a.m. at River Trails in Troutdale. Call Kathie or Genie, 248-5151, for reservations. Fee \$15. Multnomah County Parks.

Stream Walk in Tryon Creek

Leave the paved trail and walk down to enjoy the stream. Meet at 2 p.m. at the park's Nature House. Call 636-4398. Friends of Tryon Creek State Park.

SATURDAY, JUNE 29

Summer Celebration Events

Celebrate the sun in Hoyt Arboretum by attending a play and exploring trails of various lengths. Meet at noon at the Tree House. Call Sue Thomas, 823-3655. Hoyt Arboretum.

Tualatin River Discovery Day

Come for a float trip on the Tualatin. Enjoy the Environmental Fair at the park. Bring a non-motorized boat and life vests. Call Kathy Clair at 639-4320. Sponsored by Tualatin community groups.

JULY

Wetland Prairie Seed Gathering

Call for meeting place, date and time for this work party to collect bunchgrass seed and eradicate teasel. Call Mark Wilson, 222-0134. Cascadia Native Landscape Center.

SATURDAY, JULY 6

RiverWatch Harbor Tour

Four-hour tour of the Portland Harbor. See tugboats, dry docks and factories and their effect on the Willamette. Free; bring lunch. Tour begins at 10 a.m. Call 295-0490 for reservations and meeting place. Northwest Environmental Advocates.

SUNDAY, JULY 7

RiverWatch Harbor Tour

Repeat of above trip.

SATURDAY, JULY 13

Mountain Bike at Powell Butte

Bring your bike and helmet for a morning ride in Powell Butte Nature Park. Meet at 9 a.m. at parking lot. Call Roger Shepard, 255-8966. Friends of Powell Butte Nature Park.

Purple Martin Viewing Trip

Drive to rural Sauvie Island to see these scarce birds. Meet at 5 p.m. at the parking lot on the east end of Sauvie Island Bridge. Call 282-9263. Friends of Purple Martins.

THURSDAY, JULY 18

Forest Park Service Project

Help maintain trails in this large urban park. Dress for the weather, bring gloves. Meet at 9 a.m. at Lower Macleay Park. Call Fred Nilsen, 823-4492. Portland Park Bureau.

SATURDAY, JULY 20

Forest Park Service Project

Repeat of above. Call ahead.

METROPOLITAN
Greenspaces

Greenspaces is a program sponsored by Metro and funded in part by the U.S. Fish and Wildlife Service. © 1991. Printed on recycled paper.

Metro program from Metropolitan Greenspaces, you can get to know Mother Nature a little better. It's called Trip Into Nature, and throughout the year we offer events, guided tours, and other activities in Multnomah, Washington, Clackamas and Clark counties. It's a sort of "home tours in the wild." And it's a remarkable chance to get outside, explore the wonders of nature and learn a little about preserving our extraordinary region. This brochure has a complete listing of spring and early summer events. Late summer and fall events will be published in August. We hope to see you there.



There are fewer and fewer places left where wetlands and meadows, rivers and streams and forests thick with wildlife co-exist with a metropolitan area. We've been lucky. And as we grow we need to appreciate what we've got and learn how to preserve it. Now, with a new

TAKE A HOME TOUR WHERE THE BUILDERS
CHIRP, CROAK, FLY AND HAVE BUSHY TAILS.

METROPOLITAN GREENSPACES. PRESERVING THE NATURAL ORDER OF THINGS.

The Metropolitan Greenspaces Program was initiated in 1989 as a regional approach to identify natural areas within the Portland/Vancouver region. Throughout a 1,000 mile square area in Multnomah, Washington, Clackamas and Clark counties, more than 50 government and private organizations are working to preserve and manage a system of open spaces, trails, and greenways for wildlife and people. It's a unique approach. And one that's needed in these times of unprecedented population growth and urban development. We need to look beyond a 5 or 10-year goal. We need to be as visionary as the people who, nearly a century ago, proposed and advocated a natural areas system for our region. We hope you'll support this effort to preserve our precious greenspaces.



GREENSPACES
METROPOLITAN



TRIP INTO NATURE

METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/721-1646



METROPOLITAN
Greenspaces



Natural areas within the four county metropolitan area.

