

Thursday, September 9, 2010 - 9:30 am  
Multnomah Building, Commissioners Board Room 100

**REGULAR BOARD MEETING**

Chair Jeff Cogen convenes the meeting at 9:30 a.m. with Vice-Chair Diane McKeel and Commissioners Deborah Kafoury, Barbara Willer and Judy Shiprack present.

**CONSENT CALENDAR - 9:30 AM**

**DEPARTMENT OF COUNTY MANAGEMENT**

- C-1 RESOLUTION Authorizing the Repurchase of a Tax Foreclosed Property by the Former Owner, ARTHUR B. LOVELL.
- C-2 RESOLUTION Authorizing the Private Sale of a Tax Foreclosed Property to Carol J. Frischmann
- C-3 BUDGET MODIFICATION DCM-02 Reclassifying a Facilities Specialist 1 to a Contracts Specialist 1 in Facilities as Determined by Class/Comp Unit of Central Human Resources.
- C-4 BUDGET MODIFICATION DCM-03 Reclassifying a Finance Specialist Senior to a Budget Analyst in Business Services as Determined by Class/Comp Unit of Central Human Resources

**MAY I HAVE A MOTION ON THE CONSENT CALENDAR?**

COMMISSIONER Shiprack MOVES  
COMMISSIONER Willer SECONDS  
**APPROVAL OF THE CONSENT CALENDAR**

**ALL IN FAVOR, VOTE AYE, OPPOSED \_\_\_\_?**

**THE CONSENT CALENDAR IS APPROVED**

**(OR THE MOTION FAILS )**

**REGULAR AGENDA**

**PUBLIC COMMENT - 9:30 AM**

Opportunity for Public Comment on non-agenda matters. Testimony limited to three minutes per person unless otherwise designated by the presiding officer.

**LYNDA WILL LET YOU KNOW IF THERE ARE FOLKS SIGNED UP.**

**SERVICE DISTRICT - 9:30 AM**

**(We will recess as the Board of County Commissioners and convene as the governing body for DUNTHORPE RIVERDALE SANITARY SERVICE DISTRICT NO. 1)**

- R-1 Acting as the Governing Body of the DUNTHORPE RIVERDALE SANITARY SERVICE DISTRICT Consideration of the District Endorsing a Petition to Annex a Single Parcel of Land to the District Pursuant to ORS 198.857. Presenters: Kenneth Martin, Local Government Boundary Change Consultant; Tom Hansell, District Administrator; & Matthew Ryan, Assistant County Attorney (5 min)

COMMISSIONER Shymura MOVES  
COMMISSIONER Walton SECONDS  
APPROVAL OF R-1

*Ken M: the needs original paperwork*

**KEN MARTIN, TOM HANSELL & MATT RYAN GIVE EXPLANATION AND RESPOND TO QUESTIONS**

**ANY BOARD COMMENTS?**

**ALL IN FAVOR, VOTE AYE, OPPOSED \_\_\_\_?**

**THE MOTION IS APPROVED  
(OR THE MOTION FAILS)**

**(We will now adjourn as the governing body for Dunthorpe Riverdale Sanitary Service District No. 1 and reconvene as BOARD OF COUNTY COMMISSIONERS)**

**COMMUNITY SERVICES - 9:35 am**

- R-2 PUBLIC HEARING and Consideration of an ORDER Approving the Annexation of Territory to Dunthorpe-Riverdale County Service District. Presenters: Kenneth Martin, Local Government Boundary Change Consultant; Tom Hansell, District Administrator; and Matthew Ryan, Assistant County Attorney (5 min)

**MAY I HAVE A MOTION?**

COMMISSIONER Waller MOVES  
COMMISSIONER Smith SECONDS  
APPROVAL OF R-2

**KEN MARTIN, TOM HANSELL & MATT RYAN GIVE EXPLANATION  
AND RESPOND TO QUESTIONS**

**DO WE HAVE ANY PUBLIC TESTIMONY?**

**ANY BOARD COMMENTS??**

**ALL IN FAVOR, VOTE AYE, OPPOSED \_\_\_\_?**

**THE ORDER IS ADOPTED  
(OR THE MOTION FAILS)**

**COMMUNITY SERVICES – 9:40 am**

**R-3 ORDINANCE Amending County Land Use Code to Adopt Portland's  
Recent Land Use Code Revisions Creating the Planning and  
Sustainability Commission in Compliance with Metro's Functional  
Plan and Declaring an Emergency. Presenter: George Plummer,  
Planner, LUT (5 min) (COPIES ARE AVAILABLE IN BACK)**

**MAY I HAVE A MOTION?**

**COMMISSIONER Tom Hansell MOVES  
COMMISSIONER Ken Martin SECONDS  
APPROVAL OF R-3**

**EXPLANATION, RESPONSE TO QUESTIONS  
OPPORTUNITY FOR PUBLIC TESTIMONY  
OPPORTUNITY FOR BOARD COMMENTS**

**ALL IN FAVOR, VOTE AYE, OPPOSED \_\_\_\_?**

**THE FIRST READING IS APPROVED AND THE ORDINANCE IS  
ADOPTED**

**(OR THE MOTION FAILS)**

**COUNTY HUMAN SERVICES – 9:45 am**

**R-4 BUDGET MODIFICATION DCHS-11-03 Increasing Aging and Disability Services Division Federal/State Appropriation by \$22,000 with Additional Funding from U.S. Administration on Aging and Increasing a .50 FTE Volunteer Coordinator Position to a .80 FTE. Presenters: Mary Shortall, Division Director and Lee Girard, Manager - ADS. (5 min)**

**COMMISSIONER Shuprod MOVES**  
**COMMISSIONER Will SECONDS**  
**APPROVAL OF R-4**

*Dane White  
came instead of  
Mary & Lee*

**PRESENTATION & RESPONSE TO QUESTIONS  
OPPORTUNITY FOR PUBLIC TESTIMONY  
OPPORTUNITY FOR BOARD COMMENTS**

**ALL IN FAVOR, VOTE AYE, OPPOSED \_\_\_\_?**

**THE BUDGET MODIFICATION IS APPROVED**

**(OR THE MOTION FAILS )**

**R-5 BUDGET MODIFICATION DCHS-11-06 - Increasing Community Services Division Federal/State Appropriation by \$13,741, City of Portland Funding. Presenter: Mary Li, Division Manager (5 min)**

**COMMISSIONER McKeel MOVES**  
**COMMISSIONER Will SECONDS**  
**APPROVAL OF R-5**

**PRESENTATION & RESPONSE TO QUESTIONS  
OPPORTUNITY FOR PUBLIC TESTIMONY  
OPPORTUNITY FOR BOARD COMMENTS**

**ALL IN FAVOR, VOTE AYE, OPPOSED \_\_\_\_?**

**THE BUDGET MODIFICATION IS APPROVED  
(OR THE MOTION FAILS)**

**ADJOURNMENT – 9:55 AM**

*9:51 Adjourned*

**Chair Cogen adjourns the meeting!!**



Multnomah County Oregon

## Board of Commissioners & Agenda

connecting citizens with information and services

### BOARD OF COMMISSIONERS

#### Jeff Cogen, Chair

501 SE Hawthorne Boulevard, Suite 600  
Portland, Or 97214

Phone: (503) 988-3308 FAX (503) 988-3093

Email: [mult.chair@co.multnomah.or.us](mailto:mult.chair@co.multnomah.or.us)

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September 7 & 9, 2010

### BOARD MEETINGS

### HIGHLIGHTS

Tues. – 7:30 am – LPSCC Executive Committee Meeting – Room 315

Thur. – 9:30 am – Opportunity for Public Comment on Non-Agenda Items

Thur. – 9:30 a.m. – R-1 - Acting as the Governing Body of the DUNTHORPE RIVERDALE SANITARY SERVICE DISTRICT, Public Hearing and Consideration of the District's Endorsing a Petition to Annex a Single Parcel of Land to the District Pursuant to ORS 198.857

Thur. 9:35 am – R-2 - PUBLIC HEARING and Consideration of an Order Approving the Annexation of Territory to Dunthorpe-Riverdale County Service District

Thur. @ 9:40 am – R-3 - Amending County Land Use Code to Adopt Portland's Recent Land Use Code Revisions Creating the Planning and Sustainability Commission in Compliance with Metro's Functional Plan and Declaring an Emergency

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**Tuesday, September 7, 2010 – 7:30 am**  
Multnomah Building, Meeting Room 315  
501 S.E. Hawthorne Blvd. Portland

**Local Public Safety Coordinating Council**  
**Executive Committee**

**# # #**

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- R-4 BUDGET MODIFICATION DCHS-11-03 Increasing Aging and Disability Services Division Federal/State Appropriation by \$22,000 with Additional Funding from U.S. Administration on Aging and Increasing a .50 FTE Volunteer Coordinator Position to a .80 FTE. Presenters: Mary Shortall, Division Director and Lee Girard, Manager – Aging & Disability Services (5 min)
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## **ADJOURNMENT – 9:55 AM**



## **Local Public Safety Coordinating Council Executive Committee**

***Tuesday, September 7, 2010***

***7:30 to 9:00 a.m.***

**Multnomah Building - Room 315**

**501 S.E. Hawthorne Blvd.**

**Introductions, Announcements & Approval  
Of July 6, 2010 Meeting Minutes**

*Co-Chairs Judy Shiprack and Sam Adams*

5 minutes

**Mayor's Proposed Gun Laws**

*Mayor Sam Adams*

10 minutes

**Recommendations for Improvements in Intersection  
Of Mental Health & Public Safety**

*Joanne Fuller & Judge Frantz*

25 minutes

**Report from the Reentry Council**

*Scott Taylor & Sheriff Dan Staton*

15 minutes

**Bail Bondsmen**

*Nancy Bennett*

30 minutes

**Statewide Juvenile Justice Symposium**

*Debbie Hansen*

5 minutes

**Serving  
Public  
Safety  
Agencies in  
Multnomah  
County**



# LPSCC

## Executive Committee Meeting

**Summary Minutes for July 6, 2010**

### **I. Introductions, Announcements, and Approval of Minutes**

#### **LPSCC Executive Committee**

##### **Members In Attendance**

Judy Shiprack, Multnomah County  
District #3 Commissioner and LPSCC  
Co-Chair  
Jason Bledsoe, Oregon State Police  
Suzanne Bonamici, State Senator  
Lane Borg, Director, Metropolitan  
Public Defenders  
Judge Julie Frantz, Chief Criminal Court  
Judge  
Judy Hadley, Citizen Representative  
Dwight Holton, Acting U. S. Attorney  
Chief Ken Johnson, Fairview Police  
Chief Craig Junginger, Gresham Police  
Chief Phillip Klahn, Port of Portland  
Police  
Chief Mike Reese, Portland Police  
Bureau  
Chiquita Rollins, Domestic Violence  
Coordinator  
Michael Schrunk, District Attorney  
Chip Shields, State Representative  
Dan Staton, Multnomah County Sheriff  
Scott Taylor, Director, Department of  
Community Justice  
Judge Nan Waller, Chief Family Court  
Judge

##### **LPSCC Staff**

Peter Ozanne, Executive Director  
Elizabeth Davies, Public Safety System  
Analyst  
Tom Bode, Research Associate

##### **Other Attendees**

Larry Aab, MCSO  
Dave Braaksma, MCSO  
Doug Bray, Circuit Court Administrator  
Drew Brosh, MCSO  
Jann Brown, DCJ  
Nancy Cozine, Oregon Judicial  
Department  
Markely Drake, MCSO  
Carl Goodman, DCJ  
Jason Heilbrun, County IT - Public  
Safety  
Neal Japport, Oregon Judicial  
Department  
Barry Jennings, Oregon Judicial  
Department  
Dave Koch, DCJ  
Matthew Lashua, Commissioner  
Shiprack's Office  
Beckie Lee, Commissioner Kafoury's  
Office  
Bobbi Luna, MCSO  
Shea Marshman, County Auditor's  
Office  
Gail McKeel, County IT  
Jana McLellan, Chair's Office  
Elise Nicholson, County IT  
Kathy Sevos, Volunteers of America  
Michael Shelts, MCSO  
Kathleen Treb, DCJ  
Carol Wessinger, Citizen  
Corie Wiren, Commissioner McKeel's  
Office

### **Announcements**

Portland Police Chief Mike Reese gave an update on the activities of the Gang Violence Reduction Team. He described a "fairly dramatic" spike in gang violence in the past weeks, involving the traditional Portland Gangs (Rolling 60s, Hoovers, Crips, and Bloods). These gangs are no longer confined to inner northeast Portland, and have spread to East Portland, Rockwood, and Gresham. The level of violence is escalating, and the Chief urged people working in prevention to be careful, to attend the Friday gang meetings, and to report intelligence to the police.

**Questions, comments or suggestions?**

Contact Elizabeth Davies at [elizabeth.davies@co.multnomah.or.us](mailto:elizabeth.davies@co.multnomah.or.us) or 503.988.5002

**Serving  
Public  
Safety  
Agencies in  
Multnomah  
County**

Sheriff Dan Staton gave an update regarding the Kyron Horman case. Over five hundred people were involved in the initial search, including the FBI, the military, and several police departments from across the state. Although the initial search concluded without finding Kyron, the criminal investigation continues with 20 investigators on the case, including eight FBI agents pursuing the evidence-based portion. To date, there have been 2,877 viable leads which have been pursued. Costs have been considerable – about \$300-350 thousand to date – but the Sheriff's Office has been able to cover most of these expenses internally. Many of the partnering agencies have covered their own costs of participation in the investigation.

Senator Suzanne Bonamici requested that the June LPSCC minutes be amended to reflect that two meetings of the Emergency Board will be held in the next month or two. She added that the release of an updated revenue forecast in August will again trigger discussion of holding a special session. Senator Chip Shields concurred. The committee approved the minutes, with amendments, from the June 1, 2010 LPSCC meeting.

Senator Shields announced that the American Society of Criminology is holding its conference in San Francisco from November 17 - 20 this year.

## **II. Crime Rates in Oregon; Updates on Senate Bill 77<sup>1</sup>**

*Materials: Powerpoint handout; text of Senate Bill 77; book review of The Great American Crime Decline; transcript of NPR Talk of the Nation segment on crime rates*

Craig Prins, Executive Director of the Oregon Criminal Justice Commission, presented an analysis of crime trends in Oregon, including a discussion of their precipitous decline since the 1990s. Prins used data from the FBI's Uniform Crime Reports<sup>2</sup> to provide an overview of crime in Oregon. Starting in the 1990s, crime rates in Oregon began to decline and have continued to the present. Homicide, which is recorded by coroners, and auto theft, which is reported to insurance, show similar declines in Oregon crime since the late 1980s.

Victimization surveys, which are also used to confirm UCR results, evidence the same crime drop. These surveys also indicate that a larger portion of crime is reported nationally than used to be. The Oregon Crime Commission is working with Portland State to conduct a victimization survey in Oregon.

Oregon has experienced a steep drop in violent crime in the last few years that is unrivaled by any other state. Oregon is now ranked 40<sup>th</sup> in the nation for violent crime, the state's lowest ranking since 1965. The crime drop in Oregon appears to be driven by the crime drop in Portland. In the 1980s, violent crime in Portland was 56% of the violent crime in the state – since then, violent crime in Portland has dropped by 73%.

Property crime rates in Oregon fell 29% from 2004 to 2008, the largest drop of any state in that period. Oregon now ranks 23<sup>rd</sup> on the nation for property crime rates; earlier this decade, it ranked in the top five. The statewide drop in property crime rates also appears to be driven by the drop in property crime in Portland. Portland comprises about a third of all property crime in the state.

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<sup>1</sup> Due to scheduling issues, the presentation on Crime Rates in Oregon occurred after the presentation from the Portland Police Bureau's Service Coordination Team (Agenda item III).

<sup>2</sup> The FBI's Uniform Crime Reports (UCR) provide the standard crime measurement tools for the country. There are two indices, violent crime and property crime, which are driven by trends in simple assault and larceny, respectively.

**Questions, comments or suggestions?**

Contact Elizabeth Davies at [elizabeth.davies@co.multnomah.or.us](mailto:elizabeth.davies@co.multnomah.or.us) or 503.988.5002

Recent data points to a continuation of this decade's downward crime trend. The FBI's 2009 Uniform Crime Reports for the four biggest cities in Oregon, released in May, shows a further general decrease of crime in Oregon, driven by drops in violent and property crime in Portland. As follow-up, Chiquita Rollins asked to what extent Washington and Clackamas counties have contributed to the crime drop in Portland and the state. Prins responded that the crime drop for the state does not mean that crime dropped uniformly around the state; some communities experience increases even if the state as a whole is dropping.

The declines in crime seen in Oregon and across the country cannot be fully explained by the three "usual suspects" that criminologists traditionally turn to when examining changes in crime. Economic conditions and incarceration rates do not appear to explain the decrease in crime. Demographics trends appear to have *contributed* to the decrease in crime, particularly over the last ten years as the portion of the male population between the ages of 15 and 39 has decreased and juvenile arrests decrease, but cannot fully explain the decline in crime rates. This finding, that no single factor can explain the recent decline in crime, is further explored by criminologist Franklin Zimring in his book *The Great American Crime Decline*. Zimring also noted that crime in the US, Canada, and Great Britain increased in the 1960s and 1970s with the result that many types of criminal justice policy were discounted as ineffective during that period. Conversely, as crime decreased in the 1990s and the current decade, officials and academics have turned to a "pulling levers" look at crime, attempting to find simple causal relationships to explain the drop in crime.

With none of the "usual suspects" satisfactorily explaining the decrease in crime over the past decade, experts conclude that there are unseen factors that impact crime. In Prins' view, Oregon's anti-meth legislation, community policing models, changes in probation and treatment programs, and the use of evidence based practices have contributed to the crime rate drop. Prins noted that the passage of legislation in Oregon and Mexico to limit access to the essential ingredients used to make meth has significantly changes the way meth is distributed. Meth is now trafficked from Mexico, but limitations on ingredients have halved its potency. A precipitous decrease in the number of meth labs seized has decreased related cases of abuse and neglect, decreased violence surrounding the labs, and freed up law enforcement to deal with interdiction. Meth arrests have decreased 32% since 2007.

Mike Schrunk credited the drop in crime to the hard work and smart use of tools by officials in Multnomah County, including many LPSCC members. He cited the Service Coordination Team, programs that help people stay out of trouble, the incarceration of the county's most dangerous individuals, the community court programs, and diversion as examples of efforts to protect the community and make the best use of limited resources.

Contrary to the findings of criminologists, many citizens do not believe that violent crime has dropped. Prins suggested that this skew in perception is due to the "Mean World Syndrome," a theory developed by George Gerbner, which posits that the media's portrayal of violence causes people to perceive the world as a more violent place, despite what may actually be occurring in their communities.

Chiquita Rollins suggested that a number of important social changes since the 1960s, such as the civil rights movement, the movement of women into the workplace, and the decreased birthrate, might be partially responsible for the changes in crime rates. She cited a study that concluded that cities with a larger number of women in law enforcement leadership positions

**Questions, comments or suggestions?**

Contact Elizabeth Davies at [elizabeth.davies@co.multnomah.or.us](mailto:elizabeth.davies@co.multnomah.or.us) or 503.988.5002

also have lower rates of domestic violence-related homicides. Prins responded that there are many theories about the changing crime rate, which are more "social big picture" theories than strictly criminological theories.

Chief Reese commented that Portland Police have seen an increase in crime by about eight percent in the last six months.

### **III. Portland Police Bureau's Service Coordination Team**

#### *Materials: Service Coordination Team Program Summary*

Austin Raglioni, Program Manager for Portland Police's Service Coordination Team (SCT), discussed the history and current status of the program. The team began in 2003 in response to rampant crime and drug use in Portland's Old Town and Downtown areas; the majority of these crimes were committed by a relatively small group of "chronic" offenders. The team uses a "carrot and stick" approach to motivate the target population, in which housing and treatment offered by the program represent the "carrots" and law enforcement and prosecution represent the "stick."

The program is a collaboration of many agencies: the District Attorney's Office, the Sheriff's Office, Department Community Justice, Mental Health, Portland Police, Central City Concern (housing), and Volunteers of America (treatment). The program begins with an optional "wet housing" pretreatment phase, where clients may continue to use drugs (though not on site) while they prepare for treatment. Treatment occurs during a six-to-eight month residential program. At the end of the program, the SCT helps clients find housing and employment and assists with application for governmental assistance. The program treats about 75 people at a time. An active alumni association provides role models for clients and support for graduates, and conducts its own projects – currently, it is organizing a backpack drive for school kids.

The graduation rate of the program is about 27 percent, a relatively high success rate given the difficulty of treating this population. The national rate of treatment success for cocaine addiction is 33 percent. The graduation rate has continued to increase, probably because of improvements in treatment procedures and assistance from program alumni.

As the SCT continues to take chronic offenders off the streets, its target population is changing. It is now treating more dual-diagnosis clients who suffer from mental health problem, such as bipolar and schizophrenia, in addition to addiction issues. These clients present new challenges to the SCT. The SCT also recently started a women's program with five beds operated by Central City Concern. It is an intensive six to eight month housing and treatment program. The first graduates are expected in September.

The program has sufficient capacity to handle demand. Its doors are open to anyone who is willing to anyone willing to commit to the treatment. It gets many referrals from probation officers and has outreach programs with jails. Judge Frantz commented that the existence of the SCT gives the courts more options for people who break parole and have difficulty with other programs. The court is highly supportive of the program.

Judy Hadley asked about statistics regarding reoffense rates for graduates of the program. Raglioni responded that while there are not statistics directly addressing the issue of

**Questions, comments or suggestions?**

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reoffense, crime in the downtown/old town area has gone down about 32% over the life of the program, along with crime rates in the rest of the city. Results also show a reduction in the criminality of people who spend time in the SCT program, even if they do not graduate.

Scott Taylor commented that this is a wonderful program and hopes that LPSCC and the public safety system appreciate the cost savings that result from a program like this. In his view, this program is highly efficient in addition to being the right thing to do.

#### **IV. Report from the AJA Conference**

Sheriff Dan Staton and Captain Bobbi Luna reported on the American Jail Association's annual conference, which was hosted by the Multnomah County Sheriff's Office and held in Portland May 23-27. During the course of the conference, Captain Luna was sworn in as the President of the Association. About eleven hundred people attended; there were 45 workshops. This year's theme for the work of the AJA will be on the issue of the mentally ill in jail. Committees this year will work on mental health diversion, curriculum for the National Jail Leadership Academy and the development of the website "discovercorrections.com," which will provide direct access to job opportunities and research.

#### **V. Evidence Based Decision Making Framework**

Peter Ozanne reported on the efforts of LPSCC staff and members to apply for a grant from the National Institute of Corrections. The grant is for technical assistance only; it would help the various parts of the Multnomah County public safety system to work together more closely and align the efforts of its constituent agencies. Ozanne is fairly confident that we can be awarded this grant. The group that would oversee this project would be CJAC members. If the county receives this technical assistance, there's a possibility of advancement to a "phase III," which would offer additional assistance to the county. Some of the technological advances LPSCC is working on are: further use of the DSS-Justice system and the creation of meaningful, impactful reports and a "flow of offenders" model which shows how offenders flow through the system after changes in policy and resource allocation. A PSU graduate student in System Sciences is working on this project.

**Questions, comments or suggestions?**

Contact Elizabeth Davies at [elizabeth.davies@co.multnomah.or.us](mailto:elizabeth.davies@co.multnomah.or.us) or 503.988.5002



*Multnomah County Oregon*

## **Board of Commissioners & Agenda**

*connecting citizens with information and services*

**Thursday, September 9, 2010 – 9:30 AM**  
Multnomah Building, Commissioners Board Room 100  
501 SE Hawthorne Boulevard, Portland

### **NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN THAT AT 9:30 AM ON THURSDAY, SEPTEMBER 9, 2010, IN THE FIRST FLOOR COMMISSIONER'S BOARDROOM, MULTNOMAH BUILDING, 501 SE HAWTHORNE, PORTLAND, OREGON, THERE SHALL BE A PUBLIC HEARING BY AND BEFORE THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS ON THE BOUNDARY CHANGE PROPOSAL LISTED BELOW. INTERESTED PERSONS MAY APPEAR AND WILL BE GIVEN REASONABLE OPPORTUNITY TO BE HEARD.

PROPOSAL NO. CL-1410 - ANNEXATION TO DUNTHORPE-RIVERDALE COUNTY SERVICE DISTRICT of territory located generally on the south edge of the District on the north edge of S.W. Iron Mountain Blvd. east of SW Glen Rd. and west of SW Edgecliff Rd., more particularly: Tax Lot 1000, NE 1/4 NE 1/4 Sec. 3, T2S R1E, W.M., Clackamas County, Oregon and Tax Lot 3100 SE 1/4 SE 1/4 Sec. 34, T1S R1E, W.M., Multnomah County, Oregon.

POSTED: August 18, 2010  
BY: JEFF COGEN, CHAIR  
BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY

GENERAL INFORMATION AND/OR A COPY OF THE STAFF REPORT MAY BE OBTAINED BY CALLING 503 222-0955.

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

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Please complete this form and return to the Board Clerk

\*\*\*This form is a public record\*\*\*

MEETING DATE: 9/9/2010

SUBJECT: HEALTH CARE

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AGENDA NUMBER OR TOPIC:       

FOR:        AGAINST:        THE ABOVE AGENDA ITEM

NAME: PAUL, ADOLPH, PHILLIPS  
ADDRESS: 1212 SW ~~10TH~~ CLAY APT #217  
CITY/STATE/ZIP: PORTLAND OREGON 97201

PHONE:        DAYS:        EVES:       

EMAIL:        FAX:       

SPECIFIC ISSUE: SAME

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WRITTEN TESTIMONY:       

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**IF YOU WISH TO ADDRESS THE BOARD:**

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

**IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:**

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



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 08/02/10)

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # C-1 DATE 9-9-2010  
LYNDA GROW, BOARD CLERK

## Board Clerk Use Only

Meeting Date: 9/9/2010

Agenda Item #: C-1

Est. Start Time: 9:30 am

**Agenda Title:** **RESOLUTION Authorizing the Repurchase of a Tax Foreclosed Property By the Former Owner, ARTHUR B. LOVELL.**

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

<b>Requested Meeting Date:</b>	<u>9/9/2010</u>	<b>Amount of Time Needed:</b>	<u>Consent Agenda</u>
<b>Department:</b>	<u>County Management</u>	<b>Division:</b>	<u>Assessment, Recording and Taxation / Tax Title</u>
<b>Contact(s):</b>	<u>Sally Brown and Becky Grace</u>		
<b>Phone:</b>	<u>503-988-3349</u>	<b>Ext.:</b>	<u>22349</u>
<b>Presenter Name(s) &amp; Title(s):</b>	<u>Sally Brown</u>		
<b>I/O Address:</b>	<u>503/1</u>		

## General Information

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

The Tax Title Program is requesting the Board to approve the repurchase of a tax foreclosed property by the former owner, Arthur B. Lovell

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

Arthur Lovell is the former owner of certain tax foreclosed real property located at 1727 SE Cesar E. Chavez Boulevard.

On January 5, 2006 the board approved the repurchase on contract to Arthur B. Lovell. The repurchase contract went into default and was canceled by the board on July 17, 2010.

Arthur B. Lovell has contacted the county attorney's office and agreed to pay all amounts owing on the canceled contract account including taxes and interest in the amount of \$34,154.90.

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

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

Agenda Placement Request  
Submit to Board Clerk

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

None are anticipated.

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

The City of Portland Liens on this property will be paid in full.

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**Required Signature**

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

*Mindy Harris*

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**Date:** 8/20/10

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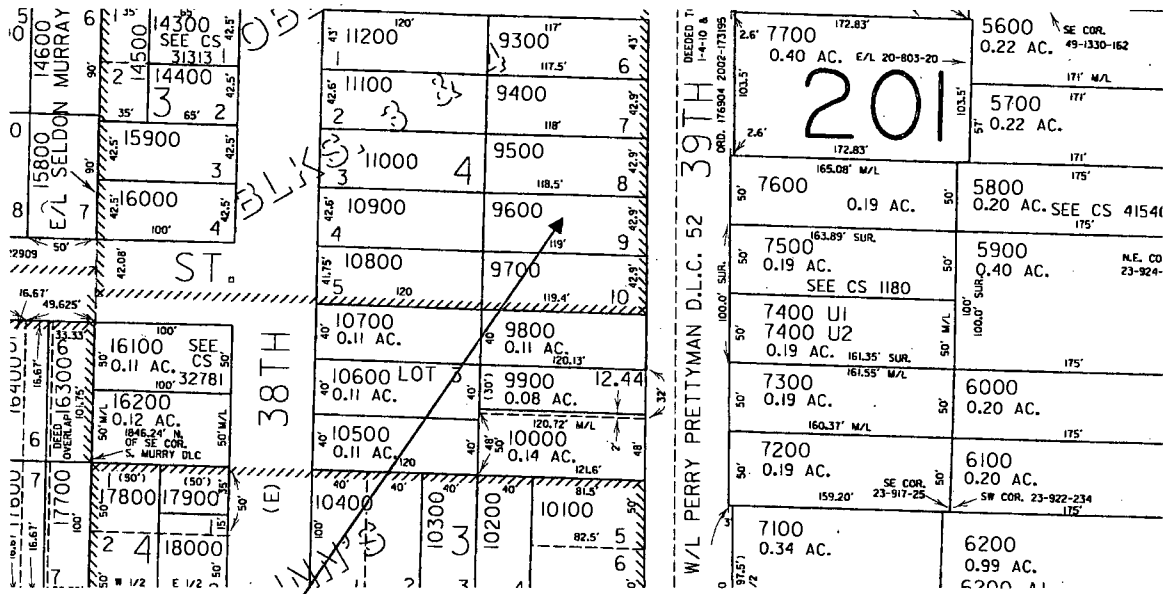
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**EXHIBIT A**

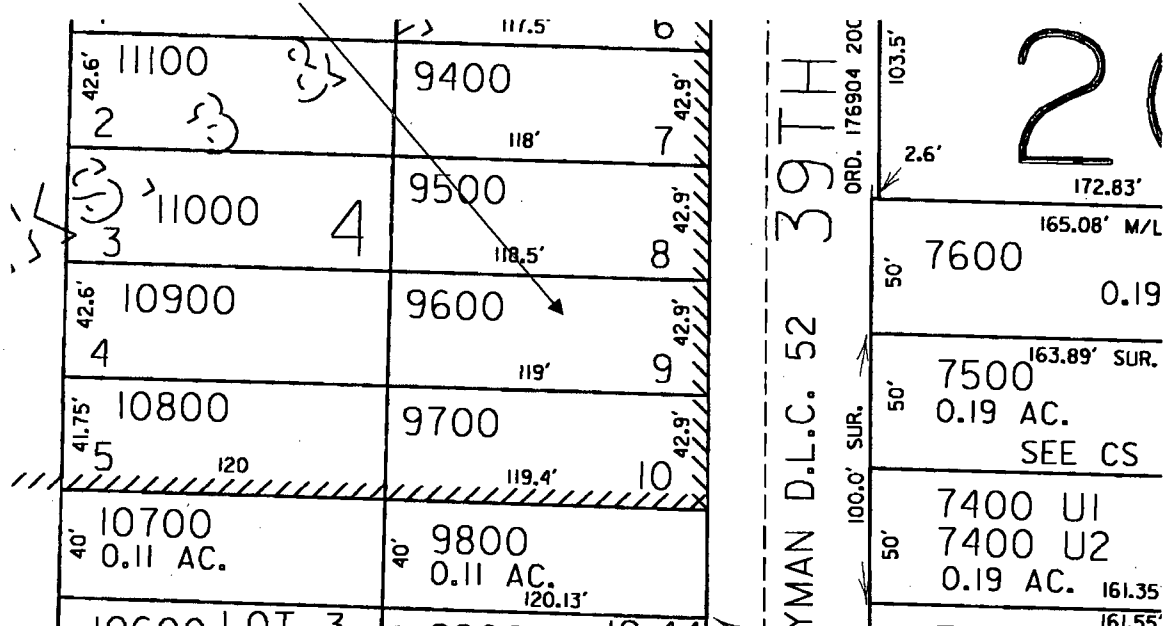
**Agenda Placement Request  
Submit to Board Clerk**

R229503

1727 SE Cesar E Chavez Blvd.



Subject



Agenda Placement Request  
Submit to Board Clerk

**EXHIBIT B**  
**PROPOSED PROPERTY LISTED FOR REPURCHASE**  
**FISCAL YEAR 2011**

LEGAL DESCRIPTION: LOT 9 BLOCK 4, OBERST

PROPERTY ADDRESS: 1727 SE Cesar E Chavez Boulevard

TAX ACCOUNT NUMBER: R229503

GREENSPACE DESIGNATION: No designation

SIZE OF PARCEL: 4,998 Square Feet

ASSESSED VALUE: \$252,840

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

BACK TAXES & INTEREST:	\$10,217.14
TAX TITLE MAINTENANCE COST & EXPENSES:	\$0.0
CONTRACT DEFAULT AMOUNT	\$23,937.14
SUB-TOTAL	\$34,154.90
MINIMUM PRICE REQUEST FOR REPURCHASE	\$34,154.90

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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

Authorizing The Repurchase Of A Tax Foreclosed Property By The Former Owner,  
ARTHUR B. LOVELL.

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

- a. ARTHUR B. LOVELL is the former owner of record of certain real property described as:

**LOT 9 BLOCK 4, OBERST**

(the Property). On or about October 13, 2003, judgment was entered in Multnomah County Circuit Court foreclosing the delinquent taxes levied against the Property.

- b. On October 17, 2005, the County Tax Collector deeded all right, title and interest in the Property to Multnomah County as authorized under ORS 312.200.
- c. On January 5, 2006, this Board approved the sale of the Property to Mr. Lovell by a land sale installment contract. The contract went into default and in compliance with ORS 275.220, this Board on June 17, 2010, issued an Order No. 2010-087 canceling the contract. No further appeal was taken by Mr. Lovell of the Contract Cancellation Order, and under the cited statute the contract is now cancelled.
- d. The Board's Cancellation Order was served on Mr. Lovell by certified mail under a cover letter in compliance with ORS 275.220. The cover letter provided that should Mr. Lovell pay all amounts due and owing on the cancelled contract prior to July 23, 2010, the County's Tax Title Program would support the Board's approval of the sale and execution of deed to him for the Property, as the former owner and as allowed under ORS 275.180.
- e. On July 1, 2010 Mr. Lovell who lives in California, electronically transferred to the County the total amount due on the contract as of June 15, 2010. Since that time Mr. Lovell has contributed the small discrepancy between the amount due as of July 1<sup>st</sup> and what he actually paid on that date. The total amount received by the County to date is \$34,154.90, which amount is not less than that required by ORS 275.180.
- f. Tax Title has received confirmation that all City of Portland liens against the Property have been paid or satisfied as required under ORS 307.100; and has determined it is in the best public interest that the Property now be sold to the former owner Mr. Lovell.

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

1. The County Chair is authorized to execute a deed, in substantial conformance with the attached deed, conveying the Property to ARTHUR B. LOVELL.

ADOPTED this 2nd day of September, 2010.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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Jeff Cogen, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:  
Mindy Harris, Interim Director, Dept. of County Management

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

ARTHUR B. LOVELL  
1727 SE CESAR E CHAVEZ BLVD  
PORTLAND OR 97214-5213

After recording return to:

Multnomah County Tax Title 503/1

**Deed D112219 for R229503**

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to Arthur B. Lovell **Grantee**, the following real property:

LOT 9 BLOCK 4, OBERST

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

The true consideration for this conveyance is \$34,154.90.

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

Dated this 2nd day of September, 2010.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

\_\_\_\_\_  
Jeff Cogen, Chair

STATE OF OREGON                    )  
  ) ss  
COUNTY OF MULTNOMAH         )

This Deed was acknowledged before me this 2nd day of September 2010, by Jeff Cogen, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

\_\_\_\_\_  
Marina A Baker,  
Notary Public for Oregon;  
My Commission expires: 7/14/2014

REVIEWED:  
AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Matthew O. Ryan, Assistant County Attorney



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 08/02/10)

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # C-2 DATE 9/9/2010  
LYNDA GROW, BOARD CLERK

## Board Clerk Use Only

Meeting Date: 9/9/2010  
Agenda Item #: C-2  
Est. Start Time: 9:30 am

**Agenda Title:** **RESOLUTION Authorizing the Private Sale of a Tax Foreclosed Property to Carol J. Frischmann.**

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

<b>Requested Meeting Date:</b>	<u>9/9/2010</u>	<b>Amount of Time Needed:</b>	<u>Consent</u>
<b>Department:</b>	<u>County Management</u>	<b>Division:</b>	<u>Assessment, Recording and Taxation / Tax Title</u>
<b>Contact(s):</b>	<u>Sally Brown and Becky Grace</u>		
<b>Phone:</b>	<u>503-988-3349</u>	<b>Ext.</b>	<u>22349</u>
<b>Presenter Name(s) &amp; Title(s):</b>	<u>Sally Brown</u>		
<b>I/O Address:</b>	<u>503/1</u>		

## General Information

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

The Tax Title Section is requesting the Board to approve the private sale of a tax-foreclosed property to Carol J. Frischmann.

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

The subject property is a vacant strip that came into county ownership through the foreclosure of delinquent tax liens on September 23, 2003. The long narrow strip is more or less 435 square feet. The attached plat map Exhibit A shows the strip as Tax Lot #3600. The strip is located adjacent to 7230 SW Laview Drive. The strip is not buildable and is on the current tax roll for \$400 which would qualify it for a private sale according to ORS 275.225. The adjacent owner's attorney contacted the Tax Title Program to purchase the property and then consolidate the strip into her main account.

This action affects our Program Offer 72051 by placing a tax-foreclosed property back onto the tax roll.

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

Agenda Placement Request  
Submit to Board Clerk

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

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

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

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

No citizen or government participation is anticipated.

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**Required Signature**

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

*Mindy Harris*

**Date: 8/20/10**

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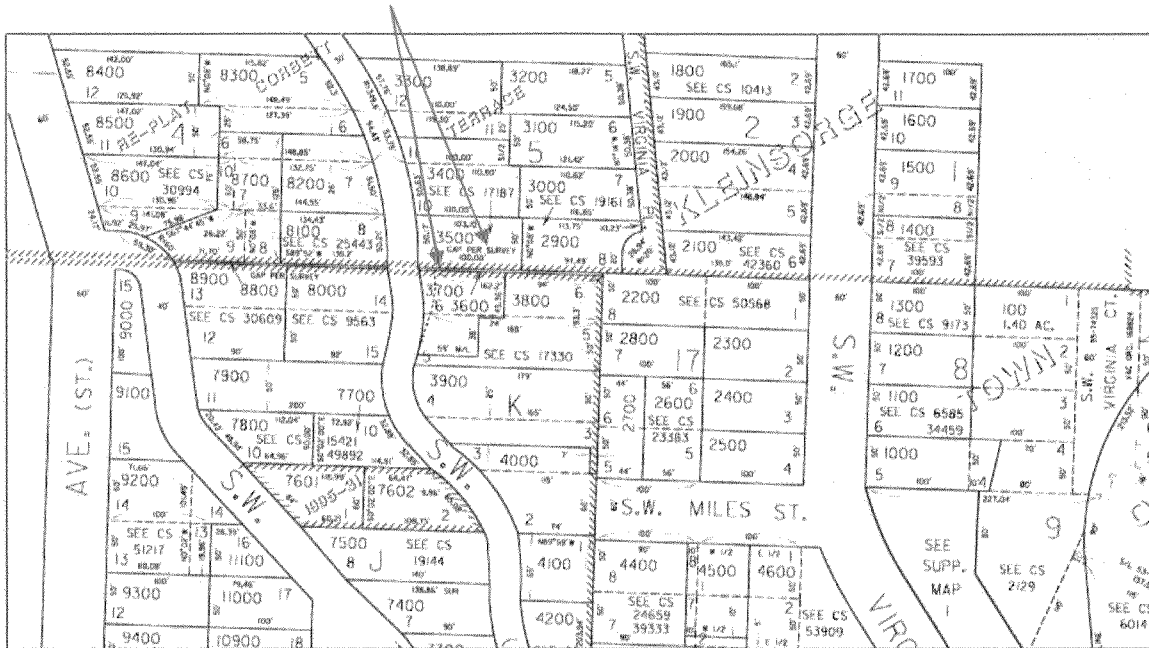
**Agenda Placement Request  
Submit to Board Clerk**

# EXHIBIT A

R330334

Subject Property Tax Lot 03600

Prospective Purchaser Tax Lot 03500 - 7230 SW Laview Drive



Subject



Agenda Placement Request  
Submit to Board Clerk

## EXHIBIT B

### LEGAL DESCRIPTION:

A tract of land in the Northwest One-Quarter of Section 22, Township 1 South, Range 1 East of the Willamette Meridian, Multnomah County, Oregon, and described as follows:

A strip of land bounded on the West by the East line of S.W. Laview Drive; bounded on the East by the Northerly extension of the East line of Block K, Fulton Park; bounded on the North by the South line of Block 5, Corbett Terrace Replat as recorded June 17, 1913 in Plat Book 619 Page 81; and bounded on the South by the North line of said Block K, Fulton Park.

ADJACENT PROPERTY	Adjacent to 7230 SW Laview DR
TAX ACCOUNT NUMBER:	R330334
GREENSPACE DESIGNATION:	No designation
SIZE OF PARCEL:	435 Square Feet
ASSESSED VALUE:	\$400

### ITEMIZED EXPENSES FOR TOTAL PRICE OF PRIVATE SALE

BACK TAXES, INTEREST & FEES:

\$202.68

TAX TITLE MAINTENANCE COST & EXPENSES:

\$0.0

RECORDING FEE:

\$36.00

SUB-TOTAL

\$238.68

MINIMUM PRICE REQUEST OF PRIVATE SALE

\$400.00

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Agenda Placement Request  
Submit to Board Clerk

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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

Authorizing the Private Sale of a Tax Foreclosed Property to Carol J. Frischmann.

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

- a. Multnomah County acquired through the foreclosure of liens for delinquent real property taxes the following real property:

A tract of land in the Northwest One-Quarter of Section 22, Township 1 South, Range 1 East of the Willamette Meridian, Multnomah County, Oregon, and described as follows:

A strip of land bounded on the West by the East line of S.W. Laview Drive; bounded on the East by the Northerly extension of the East line of Block K, Fulton Park; bounded on the North by the South line of Block 5, Corbett Terrace Replat as recorded June 17, 1913 in Plat Book 619 Page 81; and bounded on the South by the North line of said Block K, Fulton Park.

- b. The property has a real market value of \$400 on the assessment roll prepared for the County, consistent with the requirement of ORS 275.225(1) (a).
- c. Although no written confirmation from the City of Portland was obtained, the Tax Title Program is confident that the shape and size of the property make it unsuitable for the construction or placement of a dwelling thereon under applicable zoning ordinances and building codes, as provided under ORS 275.225(1) (b).
- d. Tax Title has received \$400 from Carol J. Frischmann, an amount the Board finds to be a reasonable price for the property in conformity with ORS 275.225.

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

1. The County Chair on behalf of Multnomah County is authorized to execute a deed, substantially in conformance with the attached deed; conveying to Carol J. Frischmann the real property described above.

ADOPTED this 9th day of September, 2010.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

\_\_\_\_\_  
Jeff Cogen, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY: Mindy Harris, Interim Director, Dept. of County Management

Until a change is requested, all tax statements shall be sent to the following address:  
CAROL J. FRISCHMANN  
7230 SW LAVIEW DR  
PORTLAND OR 97219

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

**Deed D112221 for R330334**

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to Carol J. Frischmann, **Grantee**; certain real property more particularly described in the attached Exhibit A.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

The true consideration for this conveyance is \$400.

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

Dated this 9th day of September, 2010.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

\_\_\_\_\_  
Jeff Cogen, Chair

STATE OF OREGON                     )  
  ) ss  
COUNTY OF MULTNOMAH         )

This Deed was acknowledged before me this 9th day of September 2010, by Jeff Cogen, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

\_\_\_\_\_  
Marina A Baker  
Notary Public for Oregon;  
My Commission expires: 7/14/2014

REVIEWED:  
AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Matthew O. Ryan, Assistant County Attorney

**Exhibit A**  
**(Deed D112221)**

**Legal Description: (Tax Account No: R330334)**

A tract of land in the Northwest One-Quarter of Section 22, Township 1 South, Range 1 East of the Willamette Meridian, Multnomah County, Oregon, and described as follows:

A strip of land bounded on the West by the East line of S.W. Laview Drive; bounded on the East by the Northerly extension of the East line of Block K, Fulton Park; bounded on the North by the South line of Block 5, Corbett Terrace Replat as recorded June 17, 1913 in Plat Book 619 Page 81; and bounded on the South by the North line of said Block K, Fulton Park.

GROW Lynda

C-1  
C-2

**From:** WADDELL Mike D  
**Sent:** Friday, August 20, 2010 6:20 PM  
**To:** GROW Lynda; MADRIGAL Marissa D; MCLELLAN Jana E  
**Cc:** ANDERSON Debra A; GRACE Becky J; BROWN Sally A; SANDERMAN Richard A  
**Subject:** APR\_Tax Title dispositions for 2 foreclosed properties: Lovell, Frischmann  
**Attachments:** APR\_Lovell REP R229503.doc; R229503RepResD112219Lovell.doc; APR\_PrivSale Frischmann R330334.doc; R330334FrischmannRESDeed.doc

Lynda and Marissa attached are APRs and documentation for two property disposition actions from DART relating to tax foreclosed properties: Lovell is a repurchase and Frischmann is a private sale. Both are prepared for the Sept 9<sup>th</sup> consent agenda and both have received attorney office and DCM director approvals. Please let me or the preparer know if you have any questions. Thanks—mdw

Mike Waddell  
Business Services Manager  
(503) 988-4283 | Fax: (503) 988-3292 | I/O: 503/531  
*Please consider the environment before printing this e-mail*

8/31/2010



**MULTNOMAH COUNTY  
AGENDA PLACEMENT REQUEST  
BUDGET MODIFICATION**

(revised 12/31/09)

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # C-3 DATE 9/9/2010  
LYNDA GROW, BOARD CLERK

**Board Clerk Use Only**

Meeting Date: 9/9/2010  
Agenda Item #: C-3  
Est. Start Time: 9:30 am

**BUDGET MODIFICATION: DCM - 02**

**BUDGET MODIFICATION DCM-02 Reclassifying a Facilities Specialist 1 to a  
Agenda Contracts Specialist 1 in Facilities as determined by Class/Comp unit of Central  
Title: Human Resources.**

*Note: For all other submissions (i.e. Notices of Intent, Ordinances, Resolutions, Orders or Proclamations) please use the APR short form.*

Requested Meeting Date:	<u>September 9, 2010</u>	Amount of Time Needed:	<u>Consent calendar</u>
Department:	<u>Department of County Management</u>	Division:	<u>Facilities</u>
Contact(s):	<u>Colleen Bowles, Mike Waddell</u>		
Phone:	<u>988-5082</u>	Ext.	<u>84189</u>
		I/O Address:	<u>274</u>
Presenter(s):	<u>N/A Consent</u>		

**General Information**

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

The department is requesting board approval of budget modification DCM-02 reclassifying a Facilities Specialist 1 to a Contracts Specialist 1 in Facilities Administration.

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

This modification reflects a Class/Comp decision on a reclassification request initiated by management. Class/Comp reviewed the submitted job duties and description and concluded that Contracts Specialist 1 was the best fit for the position. The reclassification is effective April 1, 2010. This change impacts program offer 72066 Facilities Administration and Business Services.

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

The reclassification is budget neutral in the current year as the pay scales overlap. The pay scale for a Facilities Specialist 1 is (\$42,512 – \$52,304) while the pay scale range for Contracts Specialist 1 is (\$49,319 - \$60,636). Personnel costs will increase over time, as the pay scale for the Contracts Specialist 1 is higher than a Facilities Specialist 1.

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

N/A

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

N/A

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## ATTACHMENT A

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### Budget Modification

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

- What revenue is being changed and why? If the revenue is from a federal source, please list the Catalog of Federal Assistance Number (CFDA).

N/A

- What budgets are increased/decreased?

N/A

- What do the changes accomplish?

Approval of classification decision from Human Resources Class/Comp unit that best reflects the duties of this position.

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

Reclassification of a Facilities Specialist 1 to a Contracts Specialist 1 in Facilities Administration.

- If a grant, is 100% of the central and department indirect recovered? If not, please explain why.

N/A

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

N/A

- If a grant, what period does the grant cover? When the grant expires, what are funding plans? Are there any particular stipulations required by the grant (i.e. cash match, in kind match, reporting requirements etc)?

N/A

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

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**BUDGET MODIFICATION: DCM-02**

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### Required Signatures

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

*Mindy Harris*

**Date:** 8/20/10

**Budget Analyst:**

*Debra*

**Date:**

**Department HR:**

*Elizabeth A. Nunes*

**Date:**

**Countywide HR:**

**Date:**



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST BUDGET MODIFICATION

(revised 12/31/09)

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # C-4 DATE 9/9/2010  
LYNDA GROW, BOARD CLERK

## Board Clerk Use Only

Meeting Date: 9/9/2010  
Agenda Item #: C-4  
Est. Start Time: 9:30 am

## BUDGET MODIFICATION: DCM - 03

**BUDGET MODIFICATION DCM-03 Reclassifying a Finance Specialist Senior  
Agenda to a Budget Analyst in Business Services as determined by Class/Comp unit of  
Title: Central Human Resources.**

*Note: For all other submissions (i.e. Notices of Intent, Ordinances, Resolutions, Orders or Proclamations) please use the APR short form.*

Requested Meeting Date:	<u>September 9, 2010</u>	Amount of Time Needed:	<u>Consent calendar</u>
Department:	<u>Department of County Management</u>	Division:	<u>Business Services</u>
Contact(s):	<u>Mike Waddell</u>		
Phone:	<u>988-3312</u>	Ext.	<u>84283</u>
		I/O Address:	<u>503/5/531</u>
Presenter(s):	<u>N/A Consent</u>		

## General Information

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

The department is requesting board approval of budget modification DCM-03 reclassifying a Finance Specialist Senior to a Budget Analyst in Business Services.

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

This modification reflects a Class/Comp decision on a reclassification request initiated by management. Class/Comp reviewed the submitted job duties and description and concluded that Budget Analyst was the best fit for the position. The reclassification is effective July 12, 2010. The change impacts program offer 72004 DCM-Business Services.

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

The reclassification is budget neutral in the current year and ongoing as the pay scales are the same.

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

N/A

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

N/A

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## ATTACHMENT A

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### Budget Modification

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

- What revenue is being changed and why? If the revenue is from a federal source, please list the Catalog of Federal Assistance Number (CFDA).  
N/A
- What budgets are increased/decreased?  
N/A
- What do the changes accomplish?  
Approval of classification decision from Human Resources Class/Comp unit that best reflects the duties of this position.
- Do any personnel actions result from this budget modification? Explain.  
Reclassification of a Finance Specialist Senior to a Budget Analyst in Business Services.
- If a grant, is 100% of the central and department indirect recovered? If not, please explain why.  
N/A
- Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?  
N/A
- If a grant, what period does the grant cover? When the grant expires, what are funding plans? Are there any particular stipulations required by the grant (i.e. cash match, in kind match, reporting requirements etc)?  
N/A

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

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BUDGET MODIFICATION: DCM-03

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### Required Signatures

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Elected Official  
or Department/  
Agency Director:

*Mindy Harris*

Date: 8/20/10

*Debra*

8/20/10

Budget Analyst:

*Edward H. Nunes*

Date:

8/20/10

Department HR:

Date:

Countywide HR:

Date:

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

							ANNUALIZED			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1000	6032	65928	704060	Finance Specialist Sr	700191	(1.00)	(66,273)	(19,895)	(18,428)	(104,596)
1000	6026	65928	704060	Budget Analyst	700191	1.00	66,273	19,895	18,428	104,596
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
				<b>TOTAL ANNUALIZED CHANGES</b>		<b>0.00</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

							CURRENT YEAR			
Fund	Job #	HR Org	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
				<b>TOTAL CURRENT FY CHANGES</b>		<b>0.00</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

C-3  
C-4**GROW Lynda**

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**From:** WADDELL Mike D  
**Sent:** Friday, August 20, 2010 4:18 PM  
**To:** GROW Lynda; MADRIGAL Marissa D; MCLELLAN Jana E  
**Cc:** YAGER Chris D  
**Subject:** APR\_Budmods DCM 02 and DCM 03 relating to class comp adjustments  
**Attachments:** APR\_Budmod\_DCM-02 Facilities Reclass.doc; DCM-02 Fac Reclass.xls; DCM-02 Facilities Reclass #1448.pdf; APR\_Budmod\_DCM-03 Business Services Reclass.doc; DCM-03 Business Services Reclass.xls; DCM-03 Budget Analyst from FS-SR reorg - DCM#1500.pdf; RE: Budmods: DCM 02 and DCM 03 for Facilities Mgmt and Business Svs reclassifications; RE: Bud Mod Review DCM 02 and 03; RE: Budmods: DCM 02 and DCM 03 for Facilities Mgmt and Business Svs reclassifications

Lynda and Marissa attached are two budmods that address a classification change in Facilities Mgmt and one in DCM Business Services. Mindy and others have provided their approvals. Please consider these for the consent calendar of Sept 9<sup>th</sup>. If you have any questions, please let me know. Thanks—mdw

**Mike Waddell**  
Business Services Manager  
(503) 988-4283 | Fax: (503) 988-3292 | I/O: 503/531  
*Please consider the environment before printing this e-mail*

8/31/2010



original Order No. 2010-133 sent to Ken Martin

# MULTNOMAH COUNTY

## AGENDA PLACEMENT REQUEST

(revised 08/02/10)

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-1 DATE 9/4/2010  
LYNDA GROW, BOARD CLERK

### Board Clerk Use Only

Meeting Date: 9/9/2010  
Agenda Item #: R-1  
Est. Start Time: 9:30 am

**Agenda Title:** Acting as the Governing Body of the DUNTHORPE RIVERDALE SANITARY SERVICE DISTRICT Consideration of the District's Endorsing a Petition to Annex a Single Parcel of Land to the District Pursuant to ORS 198.857

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

<b>Requested Meeting Date:</b>	<u>September 9, 2010</u>	<b>Amount of Time Needed:</b>	<u>10 minutes</u>
<b>Department:</b>	<u>Community Services</u>	<b>Division:</b>	<u>LUT - Road Services</u>
<b>Contact(s):</b>	<u>Kenneth Martin/Tom Hansell/Matthew Ryan</u>		
<b>Phone:</b>	<u>(503) 988-5050</u>	<b>Ext.</b>	<u>29833</u>
<b>Presenter Name(s) &amp; Title(s):</b>	<u>I/O Address: 425/2</u> <u>Kenneth Martin, Local Government Boundary Change Consultant; Tom Hansell, District Administrator; &amp; Matthew Ryan, Assistant County Attorney.</u>		

### General Information

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

Convene as the Governing Body of the Dunthorpe-Riverdale Sanitary Service District No. 1 and endorse annexation petition.

Reconvene as the Multnomah County Board of County Commissioners and open a Public Hearing to consider the annexation petition and adopt an order approving annexation of territory to Dunthorpe-Riverdale Sanitary Service District No. 1.

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

See attached Boundary Consultant Report.

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

Annexation provides the District with the taxing authority to assess properties the necessary fees to meet the District's operational requirements.

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

The Dunthorpe-Riverdale County Sanitary Service District is a county service district for sewer service for which the Multnomah County Board of County Commissioners serve as the District Board of Directors. As required by statute, the Board of the District will endorse the annexation

Agenda Placement Request  
Submit to Board Clerk

prior to the hearing.

The property is located in unincorporated Clackamas County and falls inside the City of Lake Oswego's Urban Service Boundary. The petitioner entered into an annexation contract with the City of Lake Oswego to obtain the City's approval. The annexation contract recognizes the City is unable to provide sewer service to this property at this time. At such time the City can provide public sewer, the property will disconnect from the District, and annexation into the City shall take effect.

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

Prescribed noticing for this public hearing was completed per statute. Noticing includes a mailing to affected local governments and the petitioner.

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**Required Signature**

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



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**Date: 8/19/10**

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**Agenda Placement Request  
Submit to Board Clerk**

### FINDINGS AND REASONS FOR DECISION

Based on the staff report and the public hearing, the Board found that:

1. The territory to be annexed contains approximately one acre, one single family dwelling, a population of 2 and is evaluated at \$1,643,332.
2. The property to be annexed lies within Clackamas County. According to State statute the Board of the County containing the largest proportion of the assessed value of the annexing district shall be the decision maker. The bulk of the assessed value of the Dunthorpe-Riverdale County Service District lies within Multnomah County.
3. The property owners desire sanitary sewer service to serve the existing dwelling.
4. Oregon Revised Statute Chapter 198 directs the Board to "consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district."

A second set of criteria can be found in the Metro Code. To approve a boundary change, the reviewing entity [the County Board] must apply the criteria and consider the factors set forth in the Code. To approve a boundary change the County must:

- (1) Find that the change is consistent with expressly applicable provisions in:
  - (A) Any applicable urban service agreement adopted pursuant to ORS 195.205;
  - (B) Any applicable annexation plan adopted pursuant to ORS 195.205;
  - (C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party;
  - (D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services; and
  - (E) Any applicable comprehensive plan; and
- (2) Consider whether the boundary change would:
  - (A) Promote the timely, orderly and economic provision of public facilities and services;

- (B) Affect the quality and quantity of urban services; and
- (C) Eliminate or avoid unnecessary duplication of facilities and services.

5. This territory is inside of Metro's jurisdictional boundary and inside the regional Urban Growth Boundary (UGB).
6. The territory is zoned R-30 which allows single family dwellings on 30,000 square foot lots. The lot contains one single family dwelling and no additional development is proposed.
7. LCDC required each jurisdiction requesting acknowledgement of their plan to include in the plan a written statement "... setting forth the means by which a plan for management of the unincorporated area within the urban growth boundary will be implemented and by which the urban growth boundary may be modified." This takes the form of urban growth management agreements between each city and county.

The territory to be annexed to the Dunthorpe-Riverdale CSD is covered by an Urban Growth Management Agreement between Clackamas County and the City of Lake Oswego. The agreement acknowledges that areas covered by the agreement can and should ultimately be provided with a full range of services by the City of Lake Oswego and that this should be accomplished through annexation to the City. However this territory is not currently contiguous to the City.

8. The City of Lake Oswego has established an Urban Service Boundary which covers this area and identifies it as potential for an R-10 residential use. The City does not oppose annexation to the District since the property is not currently contiguous to the City and the property owner has signed a contract to eventually annex to the City. The City's position is based on [Lake Oswego] Comprehensive Plan Policy 22. The policy states:

22. *The City will support expansion of an existing service district's boundaries only if:*

- a) It can be shown that it is the only feasible way to provide a particular service. City services, rather than district services shall be provided when they are, or can be, made available and are adequate;*
- b) The provision of service is consistent with the City's Public Facility Plan and Comprehensive Plan goals and policies;*
- c) Annexation agreements are recorded for the property receiving service, to the extent permitted by law, that provides for non-remonstrance to annexation; and*
- d) The service district can maintain an adequate level of service over both the short and long term.*

9. ORS 195 requires agreements between providers of urban services. Urban services are defined as: sanitary sewers, water, fire protection, parks, open space, recreation and

streets, roads and mass transit. These agreements are to specify which governmental entity will provide which service to which area in the long term. The counties are responsible for facilitating the creation of these agreements. There are no ORS 195 agreements between the Dunthorpe-Riverdale County Service District and other entities.

10. The Dunthorpe-Riverdale County Service District is a separate governmental entity which has as its board of directors the County Commissioners. The District provides collector sanitary sewer service in the Dunthorpe-Riverdale portion of the County. Through an agreement with the City of Portland, sewage from the District is treated at the City's Tryon Creek regional sewage treatment plant. While previously staffed and run by County employees, the District is now maintained by the City of Portland through a contract. The existing dwelling can be served from a District line which is in an easement on the north property line of the territory to be annexed.
11. The territory receives water service from the Palatine Hill Water District.
12. The territory is within the Multnomah County Rural Fire Protection District #11 (also known as Dunthorpe-Riverdale RFPD #60). This District provides fire protection services via a contract with the City of Lake Oswego.
13. The site is served generally by Clackamas County.
14. Other services are provided generally by Clackamas County.

### **CONCLUSIONS AND REASONS FOR DECISION**

Based on findings, the Board concluded that:

1. The Metro Code calls for consistency with expressly applicable provisions of urban service agreements adopted pursuant to ORS 195. The annexing entity (Dunthorpe-Riverdale County Service District) is not a party to an urban service agreement. Therefore no inconsistencies exist.
2. The Metro Code requires consistency with expressly applicable provisions of any applicable annexation plan adopted pursuant to ORS 195.205. No city or district annexation plan covers this area. Therefore the boundary change is not inconsistent with any such plan.

3. Metro Code 3.09.045 (d) (1) (C) requires the County to find that the boundary change is consistent with any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party. The District is not a party to a cooperative agreement required by ORS 195. Therefore the Board concludes the proposal is consistent with this requirement.
4. The Metro Code at 3.09.045 (d) (1) (C) calls for consistency between the Board decision and any "expressly applicable provisions" contained in any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services. The City's Public Facility Plan calls for service to be ultimately provided by the City and the City allows for interim service to be provided by the District.
5. The Metro Code calls for consistency with expressly applicable provisions in any applicable comprehensive land use plans. ORS 198 requires consideration of the applicable comprehensive plan and any service agreements affecting the area. The Board has reviewed the Lake Oswego Comprehensive Plan and specifically Policy 22 and concludes this proposal complies with it. As noted in Finding 8, the Plan allows annexation to the District because the District has service available and the property owner has agreed to eventual annexation to the City.
6. Metro Code 3.09.045 (d) (2) (A) requires consideration of whether the boundary change would "Promote the timely, orderly and economic provision of public facilities and services." The District already provides service to the surrounding areas. The Board therefore concludes that annexation promotes the timely, orderly and economic provision of this service.
7. The Metro Code at 3.09.045 (d) (2) (B) calls for consideration of whether the boundary change will affect the quality and quantity of urban services. Given the size of the District, this one-lot annexation will have little or no impact on the District's ability to provide services.
8. The Board is to consider whether the boundary change would "Eliminate or avoid unnecessary duplication of facilities or services." Annexation legitimizes service provision by the District which is the only entity with sewer lines in the area. Therefore the Board concludes this criterion is met.

**TO:** Board of County Commissioners

**FROM:** Ken Martin - Local Government Boundary Change Consultant

**Date:** August 20, 2010

**RE:** Boundary Change Proposal No. CL-1410, Annexation to Dunthorpe-Riverdale County Service District for Sewers Set For September 9, 2010 Hearing

1. Recommendation/Action Requested: Approval
2. Background/Analysis: See Attached Staff Report
3. Financial Impact: None
4. Legal Issues: None
5. Controversial Issues: None
6. Link to Current County Policies: The relationship to the Lake Oswego Comprehensive Framework Plan is covered in the attached staff report.
7. Citizen Participation: Notice of this hearing invites testimony from any interested party. Notice consisted of: 1) Posting 3 notices near the territory and one notice by the County hearing room 20 days prior to the hearing; 2) Publishing notice twice in the Daily Journal of Commerce; 3) Mailed notice sent to affected local governments, all property owners within 100 feet of the area to be annexed.
8. Other Government Participation: The Dunthorpe-Riverdale County Service District is a county service district for sewers for which the Multnomah County Board serves as the board of Directors. The Board of the District will endorse the annexation prior to the hearing as it is required to do by statute.

**PROPOSAL NO. CL-1410 - DUNTHORPE-RIVERDALE CSD - Annexation**

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Petitioners: Property Owner – Merrit & Heather Paulson

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Proposal No. CL-1410 was initiated by a consent petition of the property owners and registered voters. The petition meets the requirement for initiation set forth in ORS 198.855 (3) (double majority annexation law), ORS 198.750 (section of statute which specifies contents of petition) and Metro Code 3.09.040 (a) (lists Metro's minimum requirements for petition). If the Board approves the proposal the boundary change could become effective immediately.

The territory to be annexed is located on the south edge of the District, on the north edge of SW Iron Mountain Blvd. west of SW Edgecliff Road and east of SW Glen Road. The territory contains a little over an acre, one single family dwelling, a population of 2 and is evaluated at \$1,643,332.

**JURISDICTION**

The property to be annexed lies within Clackamas County. According to State statute the Board of the County containing the largest proportion of the assessed value of the annexing district shall be the decision maker. The bulk of the assessed value of the Dunthorpe-Riverdale County Service District lies within Multnomah County.

**REASON FOR ANNEXATION**

The property owners desire sanitary sewer service to serve the existing dwelling.

**CRITERIA**

Oregon Revised Statute Chapter 198 directs the Board to "consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district."

A second set of criteria can be found in the Metro Code. To approve a boundary change, the reviewing entity [the County Board] must apply the criteria and consider the factors set forth in the Code. To approve a boundary change the County must:

00 Find that the change is consistent with expressly applicable provisions in:

- (A) Any applicable urban service agreement adopted pursuant to ORS 195.205;
  - (B) Any applicable annexation plan adopted pursuant to ORS 195.205;
  - (C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party;
  - (D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services; and
  - (E) Any applicable comprehensive plan; and
- (1) Consider whether the boundary change would:
- (A) Promote the timely, orderly and economic provision of public facilities and services;
  - (B) Affect the quality and quantity of urban services; and
  - (C) Eliminate or avoid unnecessary duplication of facilities and services.

## **LAND USE PLANNING**

### **REGIONAL PLANNING**

This territory is inside of Metro's jurisdictional boundary and inside the regional Urban Growth Boundary (UGB).

### **COUNTY PLANNING**

The territory is zoned R-30 which allows single family dwellings on 30,000 square foot lots. The lot contains one single family dwelling and no additional development is proposed.

### **Urban Planning Area Agreements**

LCDC required each jurisdiction requesting acknowledgement of their plan to include in the plan a written statement "... setting forth the means by which a plan for management of the unincorporated area within the urban growth boundary will be implemented and by which the urban growth boundary may be modified." This takes the form of urban growth management agreements between each city and county.

The territory to be annexed to the Dunthorpe-Riverdale CSD is covered by an Urban Growth Management Agreement between Clackamas County and the City of Lake Oswego. The agreement acknowledges that areas covered by the agreement can and should ultimately be

provided with a full range of services by the City of Lake Oswego and that this should be accomplished through annexation to the City. However this territory is not currently contiguous to the City.

## **CITY PLANNING**

The City of Lake Oswego has established an Urban Service Boundary which covers this area and identifies it as potential for an R-10 residential use. The City does not oppose annexation to the District since the property is not currently contiguous to the City and the property owner has signed a contract to eventually annex to the City. The City's position is based on [Lake Oswego] Comprehensive Plan Policy 22. The policy states:

22. *The City will support expansion of an existing service district's boundaries only if:*
- a) It can be shown that it is the only feasible way to provide a particular service. City services, rather than district services shall be provided when they are, or can be, made available and are adequate;*
  - b) The provision of service is consistent with the City's Public Facility Plan and Comprehensive Plan goals and policies;*
  - c) Annexation agreements are recorded for the property receiving service, to the extent permitted by law, that provides for non-remonstrance to annexation; and*
  - d) The service district can maintain an adequate level of service over both the short and long term.*

## **FACILITIES AND SERVICES**

ORS 195 Agreements. This statute requires agreements between providers of urban services. Urban services are defined as: sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit. These agreements are to specify which governmental entity will provide which service to which area in the long term. The counties are responsible for facilitating the creation of these agreements. There are no ORS 195 agreements between the Dunthorpe-Riverdale County Service District and other entities.

Sewers - The Dunthorpe-Riverdale County Service District is a separate governmental entity which has as its board of directors the County Commissioners. The District provides collector sanitary sewer service in the Dunthorpe-Riverdale portion of the County. Through an agreement with the City of Portland, sewage from the District is treated at the City's Tryon Creek regional sewage treatment plant. While previously staffed and run by County employees, the District is now maintained by the City of Portland through a contract. The existing dwelling can be served from a District line which is in an easement on the north property line of the territory to be annexed.

Water. The territory receives water service from the Palatine Hill Water District.

Fire. The territory is within the Multnomah County Rural Fire Protection District #11 (also known as Dunthorpe-Riverdale RFPD #60). This District provides fire protection services via a contract with the City of Lake Oswego.

Police. The site is served generally by Clackamas County.

Other services are provided generally by Clackamas County.

**RECOMMENDATION.**

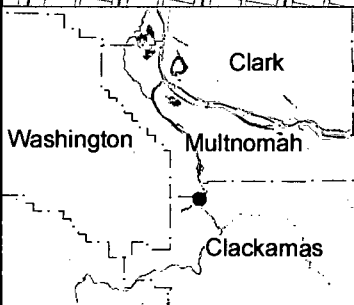
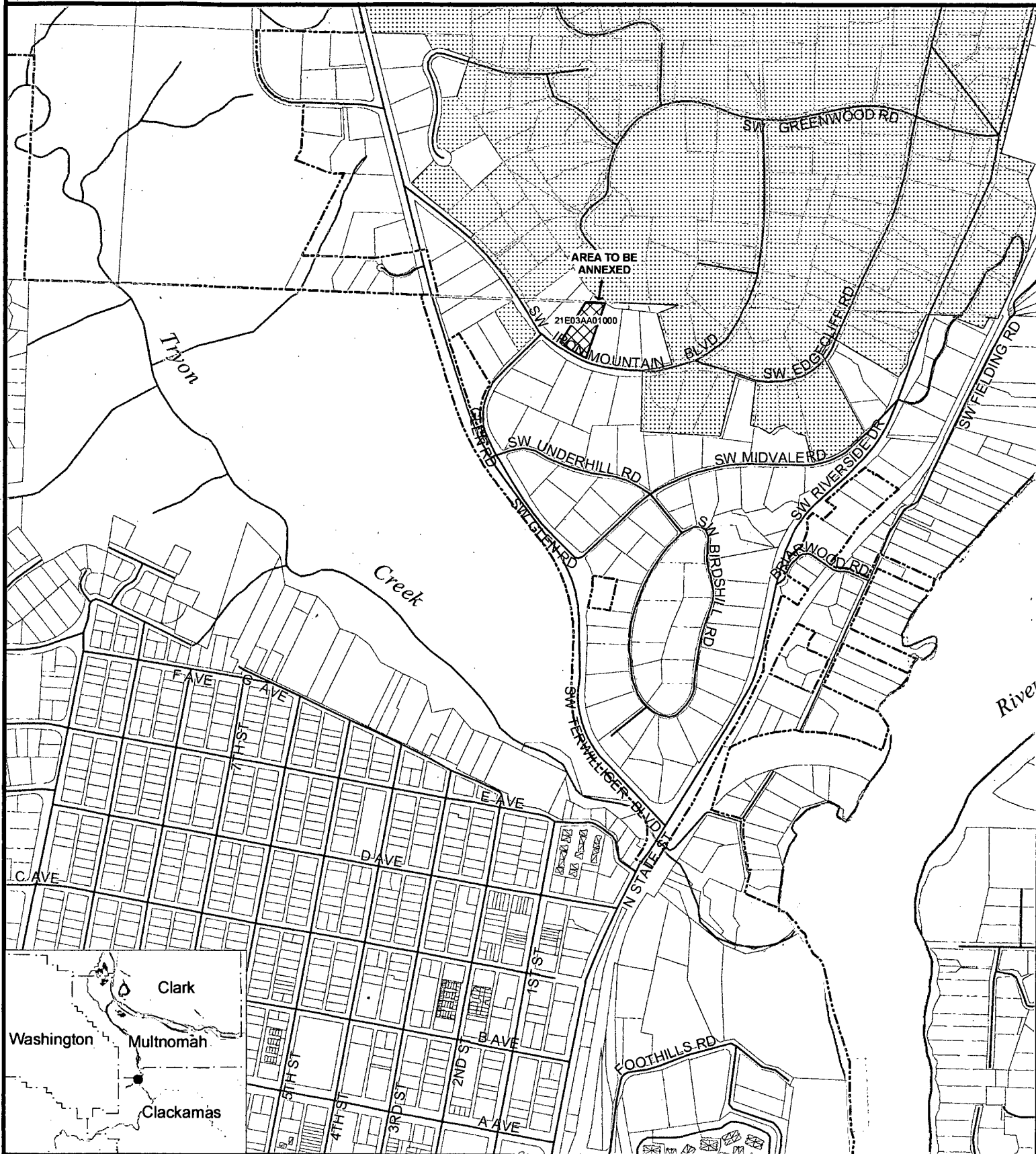
Based on the study and the Proposed Findings and Reasons for Decision attached in Exhibit A, the staff recommends Proposal No. CL-1410 be ***approved***.

# CL1410

2S1E03

Dunthorpe-Riverdale Service District

Clackamas County



Data Resource Center  
600 NE Grand Ave  
Portland, OR 97232-2736  
(503) 797-1742  
<http://www.oregonmetro.gov/drc>

- Area to be annexed
- County boundary
- Dunthorpe-Riverdale Service District
- Taxlots

CL1410

Ken Martin Consulting  
P.O. Box 29079  
Portland, OR 97296-9079  
(503) 222-0955

K M C



1:9,043

## EXHIBIT B

Proposal No. CL-1410

Commencing at the intersection of the West line of Block 131 with the Northerly line of Iron Mountain Boulevard, a 60 foot right of way; running thence Southeasterly along the Northerly line of Iron Mountain Boulevard 141 feet to the true place of beginning; thence continuing along said Northerly line of said Iron Mountain Boulevard 177 feet; thence Northeasterly a distance of 333 feet, more or less, to a point on the northerly line of Block 131, said point being 52 feet Northwesterly of the Northeast corner of Block 131; thence continuing Northwesterly along the North line of Block 131, a distance of 90 feet; thence Southwesterly 333 feet more or less, to the true place of beginning.



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 08/02/10)

RECEIVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
DATE 9/9/2010  
BOARD CLERK

## Board Clerk Use Only

Meeting Date: 9/9/2010  
Agenda Item #: R-2  
Est. Start Time: 9:35 am

## Agenda

Title: **PUBLIC HEARING and Consideration of an Order Approving the Annexation of Territory to Dunthorpe-Riverdale County Service District**

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

Requested Meeting Date:	<u>September 9, 2010</u>	Amount of Time Needed:	<u>10 minutes</u>
Department:	<u>Community Services</u>	Division:	<u>LUT - Road Services</u>
Contact(s):	<u>Kenneth Martin/Tom Hansell/Matthew Ryan</u>		
Phone:	<u>(503) 988-5050</u>	Ext.	<u>29833</u>
Presenter Name(s) & Title(s):	<u>Kenneth Martin, Local Government Boundary Change Consultant; Tom Hansell, District Administrator; &amp; Matthew Ryan, Assistant County Attorney.</u>		

## General Information

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

Convene as the Governing Body of the Dunthorpe-Riverdale Sanitary Service District No. 1 and endorse annexation petition.

Reconvene as the Multnomah County Board of County Commissioners and open a Public Hearing to consider the annexation petition and adopt an order approving annexation of territory to Dunthorpe-Riverdale Sanitary Service District No. 1.

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

See attached Boundary Consultant Report.

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

Annexation provides the District with the taxing authority to assess properties the necessary fees to meet the District's operational requirements.

Agenda Placement Request  
Submit to Board Clerk

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

The Dunthorpe-Riverdale County Sanitary Service District is a county service district for sewer service for which the Multnomah County Board of County Commissioners serve as the District Board of Directors. As required by statute, the Board of the District will endorse the annexation prior to the hearing.

The property is located in unincorporated Clackamas County and falls inside the City of Lake Oswego's Urban Service Boundary. The petitioner entered into an annexation contract with the City of Lake Oswego to obtain the City's approval. The annexation contract recognizes the City is unable to provide sewer service to this property at this time. At such time the City can provide public sewer, the property will disconnect from the District, and annexation into the City shall take effect.

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

Prescribed noticing for this public hearing was completed per statute. Noticing includes a mailing to affected local governments and the petitioner.

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**Required Signature**

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



**Date: 8/19/10**

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**Agenda Placement Request  
Submit to Board Clerk**

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. \_\_\_\_\_

Approving The Annexation Of Territory To Dunthorpe-Riverdale County Service District

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

- a. A request for annexation was received pursuant to procedures set forth in ORS 198 and Metro Code 3.09.
- b. The annexation was endorsed by the Board of the District as required by ORS 198.850 (1).
- c. A staff report which addressed factors mandated in the Metro Code and ORS 198 was presented to the Board 15 days prior to the hearing as required by the Metro Code.
- d. A public hearing was held before the Board of County Commissioners on September 9, 2010 to determine whether the boundary change was appropriate as required by ORS 198 and whether it met the criteria laid out in the Metro Code.

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

1. On the basis of the Findings and Conclusions listed in Exhibit "A", Proposal No. CL-1410 is approved.
2. The territory described in Exhibit "B" and depicted on the attached map, be annexed to Dunthorpe-Riverdale County Service District.
3. The staff is directed to file this document with the required parties.

ADOPTED this 9th day of September, 2010.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

\_\_\_\_\_  
Jeff Cogen, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

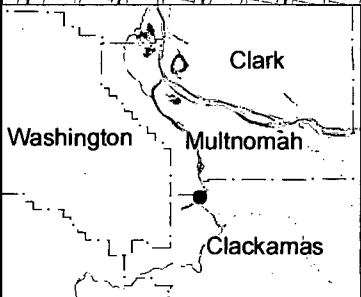
By \_\_\_\_\_  
Matthew O. Ryan, Assistant County Attorney

# CL1410

2S1E03

Dunthorpe-Riverdale Service District

Clackamas County



Data Resource Center  
600 NE Grand Ave  
Portland, OR 97232-2736  
(503) 797-1742  
<http://www.oregonmetro.gov/drc>

- Area to be annexed
- County boundary
- Dunthorpe-Riverdale Service District
- Taxlots

CL1410

Ken Martin Consulting  
P.O. Box 29079  
Portland, OR 97296-9079  
(503) 222-0955

K M C



1:9,043

## **EXHIBIT B**

Proposal No. CL-1410

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**GROW Lynda**

KEN  
MARTIN  
EMAIL

---

**From:** ksmconsult@comcast.net  
**Sent:** Wednesday, August 11, 2010 5:28 PM  
**To:** GROW Lynda  
**Subject:** Re: Request for Hearing Date SEPT 9TH OR 16TH

Lynda,

Everything is exactly the same as for the hearing on the 2nd. Ten minutes will be plenty.

Ken Martin

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

**From:** "GROW Lynda" <lynda.grow@co.multnomah.or.us>  
**To:** ksmconsult@comcast.net  
**Cc:** "ISLEY Sheila L" <sheila.l.isley@co.multnomah.or.us>  
**Sent:** Wednesday, August 11, 2010 3:11:33 PM  
**Subject:** RE: Request for Hearing Date SEPT 9TH OR 16TH

Is it the same process?

Hearing as Dunthorpe-Riverdale, then reconvene BCC and vote on it there too?

How long do you need?

I have you down for 10 min. on the 2<sup>nd</sup>, same amount, or ??

Let me know and I'll put a placeholder on the calendar.

What time did you notice these for, 9:30 am, right?

Lynda J. Grow, Board Clerk

Multnomah County Board of Commissioners

503-988-5274 or 988-3277

[Lynda.Grow@co.multnomah.or.us](mailto:Lynda.Grow@co.multnomah.or.us)

<http://www2.co.multnomah.or.us/cfm/boardclerk/>

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**From:** ksmconsult@comcast.net [mailto:ksmconsult@comcast.net]  
**Sent:** Wednesday, August 11, 2010 2:43 PM  
**To:** GROW Lynda  
**Subject:** Re: Request for Hearing Date

Lynda,

This is a new proposal. It will be Proposal No. CL-1410. The hearing on September 2, 2010 is on Proposal No. CL-1110.

Ken Martin

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

**From:** "GROW Lynda" <lynda.grow@co.multnomah.or.us>  
**To:** ksmconsult@comcast.net  
**Sent:** Wednesday, August 11, 2010 11:49:08 AM  
**Subject:** RE: Request for Hearing Date

8/13/2010

R-1  
R-2**GROW Lynda**

**From:** Sheila Isley [sheila.l.isley@multco.us]  
**Sent:** Monday, August 23, 2010 2:30 PM  
**To:** GROW Lynda  
**Cc:** BAKER Marina; PEOPLES Kim E; HANSELL Tom J  
**Subject:** Fwd: DR Annexation Sept 9th - CL 1410  
**Attachments:** CL1410-Exhibit B.pdf

Hi Lynda,

Please add this exhibit (CL1410-Exhibit B) to the APR I sent this morning for the September 9 BCC agenda on the Dunthorpe-Riverdale Annexation.

Respectfully,  
 Sheila  
 x85881

----- Forwarded message -----

**From:** Tom Hansell <tom.j.hansell@multco.us>  
**Date:** Mon, Aug 23, 2010 at 11:36 AM  
**Subject:** Re: DR Annexation Sept 9th - CL 1410  
**To:** Sheila Isley <sheila.l.isley@multco.us>  
**Cc:** RYAN Matthew O <matthew.o.ryan@co.multnomah.or.us>, VINCENT Brian S <brian.s.vincent@co.multnomah.or.us>, CLAYTON Jim S <jclayton@co.multnomah.or.us>, PEOPLES Kim E <kim.e.peoples@multco.us>

Shiela,

I was infomred by Jim Clayton the attached legal description (exhibit B) is accuarate. Can you please forward this as an attachment with the other supporting doucments for the CL 1410 DR Annexation discussion scheduled with the BCC for Sept 9th?

Thanks  
 Tom

On Mon, Aug 23, 2010 at 9:01 AM, Tom Hansell <tom.j.hansell@multco.us> wrote:  
 Sheila,

Just a reminder I still need to pass along Exhibit B. I received the legal description on Friday from the Boundary consultant and forwarded it to Jim Clayton to validate. I'll check with Jim to see if he can knock it out soon.

Tom

On Mon, Aug 23, 2010 at 8:55 AM, Sheila Isley <sheila.l.isley@multco.us> wrote:

8/31/2010

Hi Marissa,

Please find attached the electronic documents for the BCC September 9 agenda for your review and approval. Cecilia has signed the hard copy which is being forward to Lynda.

Respectfully,  
Sheila Isley  
x85881

----- Forwarded message -----

From: **RYAN Matthew O** <[matthew.o.ryan@co.multnomah.or.us](mailto:matthew.o.ryan@co.multnomah.or.us)>  
Date: Fri, Aug 20, 2010 at 8:29 AM  
Subject: FW: DR Annexation Sept 9th - CL 1410  
To: HANSELL Tom J <[tom.j.hansell@co.multnomah.or.us](mailto:tom.j.hansell@co.multnomah.or.us)>  
Cc: ISLEY Sheila L <[sheila.l.isley@co.multnomah.or.us](mailto:sheila.l.isley@co.multnomah.or.us)>, KINOSHITA Carol <[carol.kinoshita@co.multnomah.or.us](mailto:carol.kinoshita@co.multnomah.or.us)>, VINCENT Brian S <[brian.s.vincent@co.multnomah.or.us](mailto:brian.s.vincent@co.multnomah.or.us)>

Tom,

The attached D-R Service District CL1410 Order and supporting documents have been reviewed and are approved for submission to the BCC for its consideration. Thanks.

Matthew O. Ryan

Assistant County Attorney

Office of Multnomah County Attorney

501 SE Hawthorne Blvd, Suite 500

Portland, Oregon 97214

Tel: 503-988-3138; Fax: 503-988-3377

[matthew.o.ryan@co.multnomah.or.us](mailto:matthew.o.ryan@co.multnomah.or.us)

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

From: Tom Hansell [mailto:[tom.j.hansell@multco.us](mailto:tom.j.hansell@multco.us)]  
Sent: Thursday, August 19, 2010 2:04 PM  
To: RYAN Matthew O  
Cc: ISLEY Sheila L; KINOSHITA Carol; VINCENT Brian S  
Subject: Fwd: DR Annexation Sept 9th - CL 1410

Matt,

I plan to use these attached files as a placeholder to start our internal routing process in DCS until your office has chance to review. Our filing deadline is tomorrow with the Director's Office. We will not forward to Lynda Grow until we have your approval and have received and reviewed the property legal description (missing Exhibit B).

Sheila I am thinking needs to have them to Lynda by next Wednesday.

I did amend the Order to show the correct spelling of the chair and inserted your name.

Brian, I will walk a hard copy down to your office for your review.

Thanks

Tom

----- Forwarded message -----  
From: <[ksmconsult@comcast.net](mailto:ksmconsult@comcast.net)>

8/31/2010

Date: Thu, Aug 19, 2010 at 12:53 PM

Subject:

To: [tom.j.hansell@co.multnomah.or.us](mailto:tom.j.hansell@co.multnomah.or.us), "Ryan, Matt" <[matthew.o.ryan@co.multnomah.or.us](mailto:matthew.o.ryan@co.multnomah.or.us)>, "Grow, Lynda" <[lynda.grow@co.multnomah.or.us](mailto:lynda.grow@co.multnomah.or.us)>

Tom, Matt, Lynda,

Attached are the necessary documents for the annexation to Dunthorpe-Riverdale CSD scheduled for September 9th (Proposal No. 1410).

Matt, I am sending you the legal description for the order by mail as I do not have this in an electronic format.

If anyone has questions please let me know.

Ken Martin

--

Sheila Isley, CPS/CAP  
Administrative Analyst  
Multnomah County Dept. of Community Services  
1600 SE 190th STE 224  
Portland OR 97233  
(503) 988-5881

--

Sheila Isley, CPS/CAP  
Administrative Analyst  
Multnomah County Dept. of Community Services  
1600 SE 190th STE 224  
Portland OR 97233  
(503) 988-5881

R-1  
R-2**GROW Lynda**

**From:** Sheila Isley [sheila.l.isley@multco.us]  
**Sent:** Monday, August 23, 2010 8:56 AM  
**To:** MADRIGAL Marissa D  
**Cc:** GROW Lynda; BAKER Marina; PEOPLES Kim E; HANSELL Tom J; RYAN Matthew O  
**Subject:** DR Annexation Sept 9th - CL 1410  
**Attachments:** CL 1410 SR.doc; CL1410.pdf; CL 1410 FDG.doc; CL\_1410\_order.doc;  
APR\_DunthorpeAnnexation2010-Sept9-CL1410.DOC

Hi Marissa,

Please find attached the electronic documents for the BCC September 9 agenda for your review and approval. Cecilia has signed the hard copy which is being forward to Lynda.

Respectfully,  
Sheila Isley  
x85881

----- Forwarded message -----

**From:** RYAN Matthew O <matthew.o.ryan@co.multnomah.or.us>  
**Date:** Fri, Aug 20, 2010 at 8:29 AM  
**Subject:** FW: DR Annexation Sept 9th - CL 1410  
**To:** HANSELL Tom J <tom.j.hansell@co.multnomah.or.us>  
**Cc:** ISLEY Sheila L <sheila.l.isley@co.multnomah.or.us>, KINOSHITA Carol  
<carol.kinoshita@co.multnomah.or.us>, VINCENT Brian S <brian.s.vincent@co.multnomah.or.us>

Tom,

The attached D-R Service District CL1410 Order and supporting documents have been reviewed and are approved for submission to the BCC for its consideration. Thanks.

Matthew O. Ryan

Assistant County Attorney

Office of Multnomah County Attorney

501 SE Hawthorne Blvd, Suite 500

Portland, Oregon 97214

Tel: 503-988-3138; Fax: 503-988-3377

[matthew.o.ryan@co.multnomah.or.us](mailto:matthew.o.ryan@co.multnomah.or.us)

8/31/2010



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 08/02/10)

## Board Clerk Use Only

Meeting Date: 9/9/2010  
Agenda Item #: R-3  
Est. Start Time: 9:40 am

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-3 DATE 9/9/2010  
LYNDA GROW, BOARD CLERK

**Agenda Title:** Amending County Land Use Code to Adopt Portland's Recent Land Use Code Revisions creating the Planning and Sustainability Commission in Compliance with Metro's Functional Plan and Declaring an Emergency.

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

**Requested Meeting Date:** September 9, 2010 **Amount of Time Needed:** 5 minutes  
**Department:** Community Services **Program:** Land Use & Transportation  
**Contact(s):** George Plummer, Shiela Isley, Cathy Kramer  
**Phone:** 503-988-3043 **Ext.** 29152 **I/O Address:** 455/116  
**Presenter Name(s) & Title(s):** George Plummer, Planner

## General Information

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

Adopt the ordinance as recommended by the Portland Planning Commission and Portland City Council.

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

On October 11, 2001 the Board adopted Ordinance 967 (effective date January 1, 2002) adopting, in summary, the Portland Comprehensive Plan and zoning ordinance. The County and the City of Portland have been engaged in agreements enabling the City of Portland to provide planning services to achieve compliance with the Metro Functional Plan for those areas outside the City limits, but within the urban growth boundary and urban service boundary of Portland. Since the adoption of Ordinance 967 and subsequently Ordinance 997, the attached ordinances have been passed by the Portland City Council and therefore the County must adopt them pursuant to our intergovernmental agreement to keep the code up to date. Multnomah County and the City of Portland entered into an Intergovernmental Agreement (IGA) to transfer land use planning

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

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

NA

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

State law requires a notice be placed in a newspaper of general circulation 10 days prior (8/30/10) to the BCC hearing. The County Attorney's office was involved in the drafting of the original IGA and has been involved in coordinating our compliance effort through adoption of these code amendments.

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

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

---

**Required Signatures**

---

**Department/  
Agency Director:**



---

**Date:** 8/17/10

---

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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

Amending County Land Use Code to Adopt Portland's Recent Code Revision to create the Planning and Sustainability Commission; dissolving the Planning Commission and Sustainable Development Commission and Declaring an Emergency

The Multnomah County Board of Commissioners Finds:

- a. The Board of County Commissioners (Board) adopted Resolution A in 1983 which directed the County services towards rural services rather than urban.
- b. In 1996, Metro adopted the Functional Plan for the region, mandating that jurisdictions comply with the goals and policies adopted by the Metro Council.
- c. In 1998, the County and the City of Portland (City) amended the Urban Planning Area Agreement to include an agreement that the City would provide planning services to achieve compliance with the Functional Plan for those areas outside the City limits, but within the Urban Growth Boundary and Portland's Urban Services Boundary.
- d. It is impracticable to have the County Planning Commission conduct hearings and make recommendations on land use legislative actions pursuant to MCC 37.0710, within unincorporated areas inside the Urban Growth Boundary for which the City provides urban planning and permitting services. The Board intends to exempt these areas from the requirements of MCC 37.0710, and will instead consider the recommendations of the Portland Planning Commission and City Council when legislative matters for these areas are brought before the Board for action as required by intergovernmental agreement (County Contract #4600002792) (IGA).
- e. On August 19, 2010, the Board amended County land use codes, plans and maps to adopt the City's land use codes, plans and map amendments in compliance with Metro's Functional Plan by Ordinance 1169.
- f. Since the adoption of Ordinance 1169, the City's Planning Commission recommended land use code, plan and map amendments to the City Council through duly noticed public hearings.
- g. The City notified affected County property owners as required by the IGA.
- h. The City Council adopted the land use code, plan and map amendments set out in Section 1 below and attached as Exhibits 1 and 2. The IGA requires that the County adopt these amendments for the City planning and zoning administration within the affected areas.

**Multnomah County Ordains as follows:**

**Section 1.** The County Comprehensive Framework Plan, community plans, rural area plans, sectional zoning maps and land use code chapters are amended to include the City

land use code, plan and map amendments, attached as Exhibits 1 and 2, effective on the same date as the respective Portland ordinance:

Exhibit No.	Description	Date
1	Ordinance to create Planning and Sustainability Commission; developing the Planning Commission and the Sustainable Development Commission ( <b>PDX Ord. #184046</b> )	8/11/10
2	Exhibit A Planning and Sustainability Commission: Recommended Draft Memo	7/19/10

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

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

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

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

FIRST READING AND ADOPTION: September 9, 2010

BOARD OF COUNTY COMMISSIONERS,  
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By Sandra N. Duffy, Assistant County Attorney

SUBMITTED BY:  
M. Cecilia Johnson, Director, Department of Community Services

### **EXHIBIT LIST FOR ORDINANCE**

1. Ordinance t to create Planning and Sustainability Commission; developing the Planning Commission and the Sustainable Development Commission (**PDX Ord. #184046**).
2. Exhibit A Planning and Sustainability Commission: Recommended Draft Memo

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

## ORDINANCE No. 184046

Create Planning and Sustainability Commission; dissolve Planning Commission and Sustainable Development Commission (Ordinance; amend Title 3, 17 and 33)

The City of Portland Ordains:

Section 1. The Council finds:

### General Findings

1. In 1918, the Portland City Council adopted Ordinance No. 34870, establishing the Portland Planning Commission. The first Portland Planning Commission meeting was held in 1919.
2. In 1993, the City created the Energy and Environment Commission by merging the Energy Commission (created in 1979) and the Environmental Commission (created in 1991). In 1995, the Energy and Environment Commission became the Sustainable Portland Commission with its mission broadened to include issues of sustainable development. In 2002, the Commission became a joint commission of the City and Multnomah County, and was renamed the Sustainable Development Commission.
3. The duties and powers of the Portland Planning Commission are set out in the Zoning Code as follows: "The Planning Commission must hold hearings and make recommendations on all policy matters related to the Comprehensive Plan; the zoning code; significant transportation policies, projects, and issues; and the subdivision and partitioning code. The Planning Commission also advises the City Council on land use plans and policies regarding such issues as zoning, housing, alternative energy, transportation, urban renewal plans, public buildings, land use goals, and other land use policies of City-wide interest." [33.710.040.D]
4. As set out in Chapter 3.112 of City Code, the mission of the Portland/Multnomah County Sustainable Development Commission is to "...develop and advocate for programs, policies, and actions by government, citizens, and businesses leading to sustainable communities in the Portland metropolitan area, including those that: A. Support a diverse and vibrant economy; B. Promote an equitable distribution of resources; C. Protect and restore the integrity of the natural systems that support life, including air, water, and land; D. Preserve the diversity of plant and animal life; and E. Reduce human impacts on local and worldwide ecosystems."
5. In January 2009, City Council merged the Bureau of Planning and the Office of Sustainable Development, recognizing that sustainability is an integral part of all planning, and should be part of management of the City.
6. Creating a new Planning and Sustainability Commission (PSC) will continue the efforts and strong traditions of both the Portland Planning Commission and the Portland/Multnomah County Sustainable Development Commission.
7. Because the City is currently in Periodic Review, a state-required process to update our Comprehensive Plan, creation of the new Commission must be reviewed by the Oregon Department of Land Conservation and Development as an amendment to the City's Community Involvement Program.
8. The changes proposed affect the Comprehensive Plan and three City Titles: Title 3, Administration; Title 17, Public Improvements; and Title 33, Planning and Zoning.

9. On April 27, 2010, the Mayor met with the Planning Commission at a public meeting to discuss the proposed Commission with them. On the same day, he also met with the Sustainable Development Commission at a public meeting to discuss the proposed Commission with them.
10. During the week of June 7, 2010, the Mayor's Office sent letters to nearly 900 people, including members of both Commissions, to inform them of the proposed new Commission.
11. On June 11, 2010, notice of the proposed Commission and amendments to City Code was mailed to more than 500 people and organizations, including all neighborhood associations and coalitions and business associations in the City of Portland. The notice informed them of the proposal, the availability of *Planning and Sustainability Commission—Proposed Draft*, and the public hearing before the Planning Commission.
12. On June 14, 2010, the same notice was emailed to more than 800 people.
13. On June 21, 2010, *Planning and Sustainability Commission—Proposed Draft* was published. It was made available to the public, posted on the Bureau's website, and mailed to those who requested copies.
14. On July 13, 2010, the Planning Commission held a hearing on the proposal for a new Planning and Sustainability Commission. Staff from the Bureau of Planning and Sustainability presented the proposal, and public testimony was received. The Commission voted to forward the proposal to City Council.
15. On July 21, 2010 notice of the City Council hearing was mailed to 130 people and organizations, including all those who had testified at the Planning Commission hearing in person or in writing, and those who had requested notice. The notice informed them of the availability of the *Planning and Sustainability Commission—Recommended Draft*, and the public hearing before the City Council.
16. On July 21, 2010, the *Planning and Sustainability Commission—Recommended Draft* was published. It was made available to the public, posted on the Bureau's website, and mailed to those who requested copies.
17. On August 4, 2010, City Council held a hearing on the Planning Commission recommendation for a new Planning and Sustainability Commission. Staff from the Bureau of Planning and Sustainability presented the proposal, and public testimony was received.
18. On August 11, 2010 City Council voted to adopt this ordinance to create a new Planning and Sustainability Commission and dissolve both the Planning Commission and the Sustainable Development Commission.

### Findings on Statewide Planning Goals

19. State planning statutes require cities to adopt and amend comprehensive plans and land use regulations in compliance with state land use goals. Only the state goals addressed below apply.
20. **Goal 1, Citizen Involvement**, requires provision of opportunities for citizens to be involved in all phases of the planning process. The preparation of these amendments has provided numerous opportunities for public involvement as described below.
21. On April 27, 2010, the Mayor met with the Planning Commission at a public meeting to discuss the proposed Commission with them. On the same day, he also met with the Sustainable Development Commission at a public meeting to discuss the proposed Commission with them.
22. On June 11, 2010, notice of the proposed Commission and amendments to City Code was mailed to more than 500 people and organizations, including all neighborhood associations and coalitions and

business associations in the City of Portland. The notice informed them of the proposal, the availability of *Planning and Sustainability Commission—Proposed Draft*, and the public hearing before the Planning Commission.

23. On June 14, 2010, the same notice was emailed to more than 800 people.
24. During the week of June 7, 2010, the Mayor's Office sent letters to nearly 900 people, including members of both Commissions, to inform them of the proposed new Commission.
25. On June 21, 2010, *Planning and Sustainability Commission—Proposed Draft* was published. It was made available to the public, posted on the Bureau's website, and mailed to those who requested copies.
26. On July 13, 2010, the Planning Commission held a hearing on the proposal for a new Planning and Sustainability Commission. Staff from the Bureau of Planning and Sustainability presented the proposal, and public testimony was received. The Commission voted to forward the proposal to City Council.
27. On July 21, notice of the City Council hearing was mailed to 130 people and organizations, including all those who had testified at the Planning Commission hearing in person or in writing, and those who had requested notice. The notice informed them of the availability of *Planning and Sustainability Commission—Recommended Draft*, and the public hearing before the City Council.
28. On July 21, 2010, *Planning and Sustainability Commission—Recommended Draft* was published. It was made available to the public, posted on the Bureau's website, and mailed to those who requested copies.
29. August 4, 2010, City Council held a hearing on the Planning Commission recommendation for a new Planning and Sustainability Commission. Staff from the Bureau of Planning and Sustainability presented the proposal, and public testimony was received.
30. **Goal 2, Land Use Planning**, requires the development of a process and policy framework that acts as a basis for all land use decisions and assures that decisions and actions are based on an understanding of the facts relevant to the decision. The amendments also support this goal because development of the recommendations followed established city procedures for legislative actions. See also findings for Portland Comprehensive Plan Policy 1.4, **Intergovernmental Coordination**.

### Findings on Portland's Comprehensive Plan Goals

31. Only the Comprehensive Plan goals addressed below apply.
32. **Policy 1.4, Intergovernmental Coordination**, requires continuous participation in intergovernmental affairs with public agencies to coordinate metropolitan planning and project development and maximize the efficient use of public funds. The amendments support this policy because a number of other government agencies were notified of this proposal and given the opportunity to comment. These agencies include Metro and Multnomah County.
33. **Goal 9, Citizen Involvement**, calls for improved methods and ongoing opportunities for citizen involvement in the land use decision-making process, and the implementation, review, and amendment of the Comprehensive Plan. This project followed the process and requirements specified in Chapter 33.740, Legislative Procedure. The amendments support this goal for the reasons found in the findings for Statewide Planning Goal 1, Citizen Involvement.

NOW, THEREFORE, the Council directs:

- a. Adopt Exhibit A, *Planning and Sustainability Commission—Recommended Draft*, dated July 2010.
- b. Amend the Portland Comprehensive Plan by amending Policies 3.5 Neighborhood Involvement, 10.6 Amendments to the Comprehensive Plan Goals, Policies, and Implementing Measures, and 10.7 Amendments to the Comprehensive Plan Map, and amend the definitions, as shown in Exhibit A, *Planning and Sustainability Commission—Recommended Draft*.
- c. Amend Title 3 Administration, by amending Chapter 3.33 Bureau of Planning and Sustainability, and deleting Chapter 3.112, Sustainable Development Commission, as shown in Exhibit A, *Planning and Sustainability Commission—Recommended Draft*.
- d. Amend Title 17 Public Improvements, by amending Chapter 17.84 Vacations and Chapter 17.93 Renaming City Streets, as shown in Exhibit A, *Planning and Sustainability Commission—Recommended Draft*.
- e. Amend Title 33 Planning and Zoning, by amending Chapter 33.710 Review Bodies, as shown in Exhibit A, *Planning and Sustainability Commission—Recommended Draft*.
- f. Change references in the Portland City Code from "Planning Commission," "Portland Planning Commission," "Sustainable Development Commission," and "Portland/Multnomah County Sustainable Development Commission" to "Planning and Sustainability Commission." This includes references in Titles 3, 17, 33, and all other Titles.
- g. Disband and dissolve the Portland Planning Commission.
- h. Disband and dissolve the Portland/Multnomah County Sustainable Development Commission. This is contingent on the Multnomah County Commission also adopting an ordinance directing the same action.
- i. If any section, subsection, sentence, clause, phrase, diagram or drawing contained in this ordinance, or the plan, map or code it adopts or amends, is held to be deficient, invalid or unconstitutional, that shall not affect the validity of the remaining portions. The Council declares that it would have adopted the plan, map, or code and each section, subsection, sentence, clause, phrase, diagram and drawing thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, phrases, diagrams or drawings contained in this Ordinance, may be found to be deficient, invalid or unconstitutional.

Passed by the Council:

AUG 11 2010

Mayor Adams

Prepared by: J. Richman

Date Prepared: June 23, 2010

LaVonne Griffin-Valade  
Auditor of the City of Portland  
By

*Susan Parsons*  
Deputy

1122 1738

✓ 140

Agenda No.  
**ORDINANCE NO. 184046**  
Title

Create Planning and Sustainability Commission; dissolve Planning Commission and Sustainable Development Commission (Ordinance; Amend Title 3, 17, and 33)

<b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Sam Adams</b>	<b>CLERK USE: DATE FILED</b> <u>JUL 30 2010</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration <i>Sam Adams</i> Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland  By: <i>[Signature]</i> Deputy
<b>BUREAU APPROVAL</b> Bureau: Planning and Sustainability Bureau Head: Susan Anderson <i>Susan Anderson</i> Prepared by: J Richman Date Prepared: July 21, 2010 Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/> Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Council Meeting Date August 4, 2010 City Attorney Approval <i>K. Braum</i>	<b>ACTION TAKEN:</b> AUG 04 2010 PASSED TO SECOND READING AUG 11 2010 9:30 A.M.

<b>AGENDA</b> <b>TIME CERTAIN</b> <input checked="" type="checkbox"/> <i>10P2</i> <b>Start time: 3:30 pm</b> <b>Total amount of time needed: 30 minutes</b> (for presentation, testimony and discussion) <b>CONSENT</b> <input type="checkbox"/> <b>REGULAR</b> <input type="checkbox"/> <b>Total amount of time needed: _____</b> (for presentation, testimony and discussion)
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FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Leonard	✓	
Adams	✓	



City of Portland  
Bureau of  
**Planning and  
Sustainability**

Sam Adams, Mayor  
Susan Anderson, Director

**Planning**

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**Exhibit A**

184046

**MEMO**

Date: July 19, 2010

To: Mayor Adam  
Commissioner Nick Fish  
Commissioner Amanda Fritz  
Commissioner Randy Leonard  
Commissioner Dan Saltzman

From: Sandra Wood, Senior Planning Manager

Re: ***Planning and Sustainability Commission: Recommended Draft***

This memo outlines the proposal to create a Planning and Sustainability Commission (PSC). The new commission will replace both the Portland Planning Commission and the Multnomah County/Portland Sustainable Development Commission.

While Portland has been a leader in creative planning and sustainability programs, the City must address increasingly complex and significant challenges that threaten our quality of life. In response, City Council merged Portland's renowned Bureau of Planning with the innovative Office of Sustainable Development into the new Bureau of Planning and Sustainability in early 2009. The new bureau makes Portland distinct from other cities and helps ensure that sustainability is an integral part of all planning and management of the City.

The newly merged commission will follow suit and reflect the formally integrated structure of planning and sustainability under one bureau. The goal is to more explicitly integrate concepts of sustainability into land use planning and development, as well as in program and policy implementation. In the near-term, the PSC will guide the development and implementation of the Portland Plan, as well as monitor the implementation of the Climate Action Plan.

The creation of the new commission and dissolution of the Planning Commission and the Sustainable Development Commission requires amendments to the Comprehensive Plan and several Titles of the City Code, including Title 3, Administration; Title 17, Public Improvements; and Title 33, Planning and Zoning. These amendments are on the following pages. Most of the proposed amendments simply change the name of the commission. However, there are some substantive changes. Generally, there is staff commentary on such changes. The commentary is boxed and in Comic Sans font.

Please let me know if you have any questions or would like more information. I can be contacted at 503-823-7949 or [sandra.wood@portlandoregon.gov](mailto:sandra.wood@portlandoregon.gov).

A digital copy of this memo is available at: <http://www.portlandonline.com/bps/index.cfm?c=52999>.

184046

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The City of Portland is committed to providing equal access to information and hearings. If you need special accommodation, please call 503-823-7700, the City's TTY at 503-823-6868, or the Oregon Relay Service at 1-800-735-2900.

# Amendments to the Portland Comprehensive Plan and Portland City Code to Create a Planning and Sustainability Commission

## *Recommended Draft*

July 19, 2010

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## A. Amendments to the Comprehensive Plan Text

### Amend Comprehensive Plan Policies as shown:

Text to be added is underlined; text to be deleted is shown in ~~striketrough~~

#### **Policy 3.5 Neighborhood Involvement**

Provide for the active involvement of neighborhood residents and businesses in decisions affecting their neighborhood through the promotion of neighborhood and business associations. Provide information to neighborhood and business associations which allows them to monitor the impact of the Comprehensive Plan and to report their findings annually to the Planning and Sustainability Commission.

#### **Policy 10.6 Amendments to the Comprehensive Plan Goals, Policies, and Implementing Measures**

The Planning and Sustainability Commission must review and make recommendations to the City Council on all proposed amendments to the Comprehensive Plan Goals and Policies and implementing ordinances.

#### **Policy 10.7 Amendments to the Comprehensive Plan Map**

The Planning and Sustainability Commission must review and make recommendations to the City Council on all legislative amendments to the Comprehensive Plan Map. [No other changes.]

### Amend Comprehensive Plan Definitions as shown:

Text to be added is underlined; text to be deleted is shown in ~~striketrough~~

#### **Bureau of Planning and Sustainability**

The professional staff responsible for providing the Portland Planning and Sustainability Commission with the research and information necessary for the Commission's recommendations to the Portland City Council.

#### **Portland City Planning and Sustainability Commission**

The Planning and Sustainability Commission is composed of ~~nine~~ eleven ~~citizen community~~ members appointed by the Mayor and approved by City Council. The Commission's role is advisory to the City Council.

## B. Amendments to Title 3, Administration

### Amend Title 3, Administration, as shown:

Text to be added is underlined; text to be deleted is shown in ~~strikethrough~~

#### Chapter 3.33 Bureau of Planning and Sustainability

##### Section 3.33.030 Functions

The Bureau of Planning and Sustainability is responsible for planning, implementing, and managing complex programs and projects related to sustainability, urban design, land use, and long range planning.

The Bureau of Planning and Sustainability:

- A. Works with the City Council, Planning and Sustainability Commission, and the community to define shared values and develop a cohesive vision for the future of Portland;
- B. through I. [No change.]
- J. Provides support for:
  - 1. The activities of the Planning and Sustainability Commission;
  - 2. ~~The activities of the Sustainable Development Commission;~~ and
  - ~~3-2.~~ The legislative activities of the Portland Historic Landmarks Commission and the Portland Design Commission.
- K. [No change.]

**Commentary:** Because the Sustainable Development Commission (SDC) will be replaced by the new Planning and Sustainability Commission, the chapter establishing the SDC and its duties is deleted.

#### Chapter 3.112 Sustainable Development Commission

##### ~~3.112.010 Sustainable Development Commission; Mission.~~

~~(Amended by Ordinance Nos. 168886 and 176207, effective February 15, 2002.) A sustainable community is one in which economic, ecological, and social well-being are integrated to ensure all live well, within nature's means. The mission of the Sustainable Development Commission is to develop and advocate for programs, policies, and actions by government, citizens, and businesses leading to sustainable communities in the Portland metropolitan area, including those that:~~

- ~~A. Support a diverse and vibrant economy;~~
- ~~B. Promote an equitable distribution of resources;~~
- ~~C. Protect and restore the integrity of the natural systems that support life, including air, water, and land;~~
- ~~D. Preserve the diversity of plant and animal life; and~~
- ~~E. Reduce human impacts on local and worldwide ecosystems.~~

**3.112.020 Powers and Duties.**

(Amended by Ordinance Nos. 168886, 176207 and 179680 effective October 19, 2005.) The Commission is not authorized to modify, limit or alter any permit or regulatory process of any City or County office or bureau. Subject to that limitation, in order to carry out its mission, the Commission is authorized to:

- ~~A. Work closely with the Jurisdiction on respective Sustainable Government Initiatives including review and recommendations on Sustainability Plans;~~
- ~~B. Advise the Jurisdictions on the creation, maintenance and marketing of a "Sustainable Community Report Card" to inform residents and businesses about how we are doing as a community related to a specific set of sustainability indicators;~~
- ~~C. Help enhance sustainable economic development through public forums, media outreach and public speaking opportunities;~~
- ~~D. Advise and make recommendations to the Portland City Council and the Multnomah County Board of Commissioners on policies and programs that create sustainable communities;~~
- ~~E. Articulate and promote long-range goals and objectives for developing and achieving sustainable communities;~~
- ~~F. Promote sustainable communities among citizens, businesses, governmental agencies and community-based organizations;~~
- ~~G. Develop opportunities for all citizens to learn about values, principles, and practices that will bring about sustainable communities;~~
- ~~H. Assist City and County personnel in the coordination of policies and actions creating sustainable communities.~~
- ~~I. Conduct public meetings as necessary;~~
- ~~J. Meet at least six times a year and keep minutes of its proceedings;~~
- ~~K. Provide an annual report to the governing bodies on the Commission's activities, achievements and plans for the coming year; and~~
- ~~L. Adopt rules or bylaws as necessary for its operation and undertake any other activities necessary to the accomplishment of its mission within the terms of this Section.~~

**3.112.030 Membership.**

The Commission shall consist of eleven members as provided in the Intergovernmental Agreement entered into by the City of Portland and Multnomah County. Following recommendation by the Commissioner in Charge of the Director of the Bureau of Planning and Sustainability, six of the commission members shall be appointed by the Mayor, subject to confirmation by the City Council. Five shall be appointed by Multnomah County. All appointments to the Commission shall be for terms of two years. Members shall serve without compensation. However, reasonable expenses for carrying out the work of the Commission may be reimbursed by the City. Absence from four consecutive Commission meetings shall constitute cause for removal.

**3.112.040 Officers.**

Two co-chairs shall be appointed by the Jurisdictions. One co-chair shall be a City appointee, and one shall be a County appointee. All Commission officers shall serve for two years. No officer may be elected for more than two consecutive terms.

## C. Amendments to Title 17, Public Improvements

### Amend Title 17, Public Improvements, as shown:

Text to be added is underlined; text to be deleted is shown in ~~strike through~~

#### Chapter 17.84 Vacations

##### Section 17.84.030 Preliminary Consideration of Petition.

(Replaced by Ordinance No. 182760, effective June 5, 2009.) Pursuant to ORS 271.080 through 271.100, when a petition for the vacation of a street, public place or plat is presented to the City, the Auditor shall review the petition as provided by the statutes, and shall submit the petition to the Commissioner-in-Charge of the Bureau of Transportation, City Engineer and Bureau of Planning and Sustainability for review. The Commissioner in charge of the Bureau of Planning and Sustainability shall refer the petition to the Planning and Sustainability Commission for action. The Commissioner in charge of the Bureau of Planning and Sustainability shall prepare a report to Auditor containing the findings and recommendations of the Planning and Sustainability Commission and City Engineer, and shall submit the report and petition to Council for consideration. The report may include recommended conditions of approval. Upon receiving the report of the Commission, the Auditor shall file the petition and forward the petition and Commissioner's report to the Council for its preliminary consideration as provided by ORS 271.100. This review process shall be completed before the City publishes or posts public notices of the contemplated vacation.

#### Chapter 17.93 Renaming City Streets

##### Section 17.93.040 Review of Application and Public Hearings.

Upon receipt of the applicant's packet, the City shall process the application as follows:

- A. – D. [No change.]
- E. The City Engineer shall prepare and submit to the Planning and Sustainability Commission a budget impact statement as to the direct cost of production and installation of new street name signs and related City costs.
- F. The City Planning and Sustainability Commission shall conduct a public hearing on the matter and make a recommendation to the City Council as to the best interest of the City and the area within six miles of the City limits in accordance with ORS 227.120.
- G. – I. [No change.]

## D. Amendments to Title 33, Planning and Zoning

### Amend Title 33, Planning and Zoning, as shown:

Text to be added is underlined; text to be deleted is shown in ~~strikethrough~~

#### Chapter 33.710, Review Bodies

##### Sections:

- 33.710.010 Purpose
- 33.710.020 Delegation of Authority
- 33.710.030 Commissions, Committees, and Boards Generally
- 33.710.040 Planning and Sustainability Commission
- 33.710.050 Design Commission
- 33.710.060 Historic Landmarks Commission
- 33.710.070 Adjustment Committee
- 33.710.080 Land Use Hearings Officer
- 33.710.090 Director of the Bureau of Development Services
- 33.710.100 City Council
- 33.710.120 Healy Heights Radiofrequency Advisory Board

#### 33.710.010 Purpose

Review bodies are established to make decisions on land use actions and to recommend land use policy to the City Council. The review bodies provide an opportunity for citizen involvement and provide expertise for specialized topic areas. Review bodies that make quasi-judicial decisions do so on authority delegated by the City Council. The provisions of this chapter define the powers and duties for each review body and state how each body will operate.

#### 33.710.020 Delegation of Authority

The commissions, committees, boards, and officers established in this chapter are empowered to perform all duties assigned to them by State law or this Title on behalf of the City Council.

#### 33.710.030 Commissions, Committees, and Boards Generally

**Commentary:** Current regulations limit Planning Commission members to three 4-year terms. Some years ago the limit was two 4-year terms, but it was increased at a time when some Commission members were about to be "term-limited out" while the City was in the middle of several significant projects. The change back to two terms will give us more opportunity to gain fresh perspectives, as the maximum will be 8 years rather than 12.

- A. Length of terms.** Members of commissions, committees, and boards provided under this chapter may be appointed to terms of not more than 4 years. Initial appointments for newly formed commissions, committees, and boards must include a sufficient number of appointments for less than the maximum 4 year term of office to provide overlap and a continuity of membership. ~~Members of the Planning Commission are limited to a maximum of three full terms.~~ Members of other commissions are limited to a maximum of two full terms. Vacancies which may occur must be filled for the unexpired terms.
- B. Required attendance.** If a member fails to attend three consecutive meetings or misses 20 percent or more of the meetings held during a calendar year, the Mayor may declare the position vacant.
- C. Officers and rules.** Each commission, committee, or board elects its own presiding officers and adopts rules of procedure that are necessary to fulfill its duties. The rules of procedure

must be in writing and comply with the Oregon Public Meetings law, Statutory land use hearing requirements, and this Title.

- D. Voting.** A majority of the members present must vote affirmatively in order to take action. Individual members may not have more than one vote for the conduct of commission or committee business.
- E. Pay.** All members on a commission, committee, or board serve without pay.
- F. Public meetings.** All meetings, including briefing sessions, must be open to the public and comply with the Oregon Public Meetings law.
- G. Staff.**

1. Planning and Sustainability Commission. The Director of the Bureau of Planning and Sustainability must provide the Planning and Sustainability Commission with staff assistance necessary to enable it to discharge its duties.
2. [No change.]

**H. Records.**

1. Planning and Sustainability Commission. The Director of the Bureau of Planning and Sustainability keeps an accurate record or minutes of all proceedings of the Planning and Sustainability Commission.
2. [No change.]

**I. Conflict of interest.** [No change.]

**Commentary:** The current code requires that one member of the Planning Commission must sit on the Design Commission, and another member must sit on the Historic Landmarks Commission. Changes to language on the following pages remove these requirements. While it is desirable to have a Planning and Sustainability Commissioner seated on both commissions, the time commitment required to serve on both commissions is too great for one individual. The coordination and communication provided by such "double-seating" is addressed, to some extent, by the new provision for quarterly meetings among the leadership of the Planning and Sustainability Commission, the Design Commission, and the Historic Landmarks Commission. This is proposed in J.

- J. Commission coordination.** The chairs, or their delegates, of the Planning and Sustainability Commission, Design Commission, and Historic Landmarks Commission meet quarterly to discuss trends and issues relevant to their respective commissions and, as appropriate, to coordinate the Commissions' programs. The chairs will share a summary of their meeting with their respective Commissions.

**33.710.040 Planning and Sustainability Commission**

- A. Purpose.** ~~The Planning Commission is a body that makes recommendations on land use plans and policies to the City Council. The Commission provides a stewardship role regarding the Comprehensive Plan, and fosters public communication and leadership on related land use issues. These issues include land use development, transportation, housing, economic development, zoning, and the environment.~~

**Commentary:** The purpose statement is recast to reflect the integration of both planning and sustainability in the Commission's role.

- A. Purpose.** The Planning and Sustainability Commission advises City Council on the City's long-range goals, policies, and programs for land use, planning, and sustainability. In making recommendations and decisions, it considers the economic, environmental, and social well-being of the city in an integrated fashion. The Commission has specific responsibility for the stewardship, development, and maintenance of the City's Comprehensive Plan, Climate Action Plan, and zoning code. The Commission is committed to effective public involvement and leadership in its work and in the decisions it considers.

- B. Membership.** The Planning and Sustainability Commission consists of ~~nine~~ eleven members, none of whom may hold public elective office. The members are appointed by the Mayor and confirmed by the City Council. The membership of the Planning and Sustainability Commission should include broad representation of Portland's community and reflect the dynamic nature of this changing city. No more than two members of the Planning and Sustainability Commission may be engaged in the same occupation, business, trade, or profession. No more than two members of the Commission may be individuals, or members of any partnership, or officers or employees of any corporation that engages principally in the buying, selling, leasing, or developing of real estate for profit.

**C. Meetings, officers, and subcommittees.**

1. The Planning and Sustainability Commission meets at least once a month. Meetings are conducted in accordance with adopted rules of procedure. ~~Five~~ Six members constitute a quorum at a meeting. The election of officers takes place at the first meeting of each calendar year.
2. The Planning and Sustainability Commission may divide its membership into special subcommittees which are authorized to act on behalf of the Commission for an assigned purpose. Three members of the Commission constitute a quorum on such subcommittees. Subcommittee actions require the affirmative vote of at least three members.

**Commentary:** The changes to the powers and duties of the Commission recognize the addition of sustainability issues to the Commission's responsibilities. The reference to the subdivision and partitioning code is deleted as those regulations are now part of the zoning code.

- D. Powers and duties.** The Planning and Sustainability Commission has all of the powers and duties which are now or may in the future be imposed upon City planning commissions by State law, by this Title, by the City Council, or by the City Charter. The Planning Commission's ~~must~~ power and duties include:

1. ~~Holding~~ make ~~hold~~ making hearings and make making recommendations on all policy matters related to the Comprehensive Plan; the Climate Action Plan, the zoning code; significant

transportation and sustainable development policies, projects, and issues; and the subdivision and partitioning code; street vacations; sign regulations, and renaming city streets;

2. ~~The Planning Commission also advises~~ Advising the City Council on land-use plans and policies regarding such issues as land use, zoning, housing, energy, transportation, urban renewal plans, urban design, equity, economic development, public buildings, land-use goals, climate change, sustainable development, environmental protection, resource conservation, and other land-use policies of City-wide interest;

3. Articulating and guiding the City's long-range goals, policies, and programs for developing and achieving sustainable communities; and

4. Developing opportunities for community members to learn about principles, policies, and programs that promote sustainable practices and development.

**E. Communications on appeals.** The Planning and Sustainability Commission may submit written responses or appear in person on appeals of quasi-judicial land use decisions to the City Council.

**F. Annual report.** The Commission must make an annual report of its actions and accomplishments for each fiscal year. The report must be filed with the Planning and Sustainability Director by the first working day of September. The Planning and Sustainability Director may combine the report with annual reports of other bodies for transmission to the City Council.

### 33.710.050 Design Commission

**A. Purpose.** The Design Commission provides leadership and expertise on urban design and architecture and on maintaining and enhancing Portland's historical and architectural heritage.

**Commentary:** The change to B removes the requirement that a member of the Planning Commission also serve on the Design Commission. While it is desirable to have someone seated on both commissions, the time commitment required to serve on both commissions is too great for one individual. The coordination and communication provided by such "double-seating" is addressed, to some extent, by the new provision for quarterly meetings among the leadership of the Planning and Sustainability Commission, the Design Commission, and the Historic Landmarks Commission. See the proposed language in 33.710.030.J.

**B. Membership.** The Design Commission consists of eight members, none of whom may hold public elective office. The Commission must include ~~a member of the Planning Commission,~~ a representative of the Regional Arts and Culture Council, one person representing the public at-large, and five members experienced in either design, engineering, financing, construction or management of buildings, and land development. No more than two members may be appointed from any one of these areas of expertise. ~~The Planning Commission member is chosen by the Planning Commission chair.~~ The Regional Arts and Culture Council member is nominated by the Regional Arts and Culture Council chair and approved by the Mayor. The other members are appointed by the Mayor and confirmed by the City Council.

**C. Meetings, officers, and subcommittees.** [No change.]

- D. Powers and duties.** The Design Commission has all of the powers and duties which are assigned to it by this Title or by City Council. The Commission's powers and duties include:

**Commentary:** The change to D.1 corrects an error. Historic Districts and Conservation Districts are no longer also design districts, so the deleted language is no longer necessary.

1. Recommending the establishment, amendment, or removal of a design district to the Planning and Sustainability Commission and City Council, ~~except Historic Districts and Conservation Districts;~~

2. – 4. [No change.]

Providing advice on design matters to the Hearings Officer, Planning and Sustainability Commission, Historic Landmarks Commission, Portland Development Commission, and City Council.

- E. Annual report.** [No change.]

### 33.710.060 Historic Landmarks Commission

- A. Purpose.** The Historic Landmarks Commission provides leadership and expertise on maintaining and enhancing Portland's historic and architectural heritage. The Commission identifies and protects buildings and other properties that have historic or cultural significance or special architectural merit. The Commission provides advice on historic preservation matters, and coordinates historic preservation programs in the City. The Commission is also actively involved in the development of design guidelines for historic design districts.

**Commentary:** The change to B is similar to the change proposed to 33.710.050.B for the Design Commission. See the commentary for that change.

- B. Membership.** The Historic Landmarks Commission consists of eight members, none of whom may hold public elective office. The Commission must include a ~~member of the Planning Commission;~~ a historian with knowledge of local history; ~~... The Planning Commission member is chosen by the Planning Commission chair.~~ The other members are appointed by the Mayor and confirmed by the City Council.

- C. Meetings, officers, and subcommittees.** [No change.]

- D. Powers and duties.** The Historic Landmarks Commission has all of the powers and duties which are assigned to it by this Title or by City Council. The Commission's powers and duties include:

1. – 2. [No change.]

3. Recommending the establishment, amendment, or removal of Historic Districts and Conservation Districts to the Planning and Sustainability Commission and the City Council;

4. – 6. [No change.]

7. Providing advice on historic preservation matters to the Hearings Officer, Design Commission, Planning and Sustainability Commission, Portland Development Commission, other City commissions and committees, and City Council; and

8. [No change.]

- E. Annual report.** [No change.]

ORDINANCE No. 184046

Create Planning and Sustainability Commission; dissolve Planning Commission and Sustainable Development Commission (Ordinance; amend Title 3, 17 and 33)

The City of Portland Ordains:

Section 1. The Council finds:

**General Findings**

1. In 1918, the Portland City Council adopted Ordinance No. 34870, establishing the Portland Planning Commission. The first Portland Planning Commission meeting was held in 1919.
2. In 1993, the City created the Energy and Environment Commission by merging the Energy Commission (created in 1979) and the Environmental Commission (created in 1991). In 1995, the Energy and Environment Commission became the Sustainable Portland Commission with its mission broadened to include issues of sustainable development. In 2002, the Commission became a joint commission of the City and Multnomah County, and was renamed the Sustainable Development Commission.
3. The duties and powers of the Portland Planning Commission are set out in the Zoning Code as follows: "The Planning Commission must hold hearings and make recommendations on all policy matters related to the Comprehensive Plan; the zoning code; significant transportation policies, projects, and issues; and the subdivision and partitioning code. The Planning Commission also advises the City Council on land use plans and policies regarding such issues as zoning, housing, alternative energy, transportation, urban renewal plans, public buildings, land use goals, and other land use policies of City-wide interest." [33.710.040.D]
4. As set out in Chapter 3.112 of City Code, the mission of the Portland/Multnomah County Sustainable Development Commission is to "...develop and advocate for programs, policies, and actions by government, citizens, and businesses leading to sustainable communities in the Portland metropolitan area, including those that: A. Support a diverse and vibrant economy; B. Promote an equitable distribution of resources; C. Protect and restore the integrity of the natural systems that support life, including air, water, and land; D. Preserve the diversity of plant and animal life; and E. Reduce human impacts on local and worldwide ecosystems."
5. In January 2009, City Council merged the Bureau of Planning and the Office of Sustainable Development, recognizing that sustainability is an integral part of all planning, and should be part of management of the City.
6. Creating a new Planning and Sustainability Commission (PSC) will continue the efforts and strong traditions of both the Portland Planning Commission and the Portland/Multnomah County Sustainable Development Commission.
7. Because the City is currently in Periodic Review, a state-required process to update our Comprehensive Plan, creation of the new Commission must be reviewed by the Oregon Department of Land Conservation and Development as an amendment to the City's Community Involvement Program.
8. The changes proposed affect the Comprehensive Plan and three City Titles: Title 3, Administration; Title 17, Public Improvements; and Title 33, Planning and Zoning.

9. On April 27, 2010, the Mayor met with the Planning Commission at a public meeting to discuss the proposed Commission with them. On the same day, he also met with the Sustainable Development Commission at a public meeting to discuss the proposed Commission with them.
10. During the week of June 7, 2010, the Mayor's Office sent letters to nearly 900 people, including members of both Commissions, to inform them of the proposed new Commission.
11. On June 11, 2010, notice of the proposed Commission and amendments to City Code was mailed to more than 500 people and organizations, including all neighborhood associations and coalitions and business associations in the City of Portland. The notice informed them of the proposal, the availability of *Planning and Sustainability Commission—Proposed Draft*, and the public hearing before the Planning Commission.
12. On June 14, 2010, the same notice was emailed to more than 800 people.
13. On June 21, 2010, *Planning and Sustainability Commission—Proposed Draft* was published. It was made available to the public, posted on the Bureau's website, and mailed to those who requested copies.
14. On July 13, 2010, the Planning Commission held a hearing on the proposal for a new Planning and Sustainability Commission. Staff from the Bureau of Planning and Sustainability presented the proposal, and public testimony was received. The Commission voted to forward the proposal to City Council.
15. On July 21, 2010 notice of the City Council hearing was mailed to 130 people and organizations, including all those who had testified at the Planning Commission hearing in person or in writing, and those who had requested notice. The notice informed them of the availability of the *Planning and Sustainability Commission—Recommended Draft*, and the public hearing before the City Council.
16. On July 21, 2010, the *Planning and Sustainability Commission—Recommended Draft* was published. It was made available to the public, posted on the Bureau's website, and mailed to those who requested copies.
17. On August 4, 2010, City Council held a hearing on the Planning Commission recommendation for a new Planning and Sustainability Commission. Staff from the Bureau of Planning and Sustainability presented the proposal, and public testimony was received.
18. On August 11, 2010 City Council voted to adopt this ordinance to create a new Planning and Sustainability Commission and dissolve both the Planning Commission and the Sustainable Development Commission.

### Findings on Statewide Planning Goals

19. State planning statutes require cities to adopt and amend comprehensive plans and land use regulations in compliance with state land use goals. Only the state goals addressed below apply.
20. **Goal 1, Citizen Involvement**, requires provision of opportunities for citizens to be involved in all phases of the planning process. The preparation of these amendments has provided numerous opportunities for public involvement as described below.
21. On April 27, 2010, the Mayor met with the Planning Commission at a public meeting to discuss the proposed Commission with them. On the same day, he also met with the Sustainable Development Commission at a public meeting to discuss the proposed Commission with them.
22. On June 11, 2010, notice of the proposed Commission and amendments to City Code was mailed to more than 500 people and organizations, including all neighborhood associations and coalitions and

business associations in the City of Portland. The notice informed them of the proposal, the availability of *Planning and Sustainability Commission—Proposed Draft*, and the public hearing before the Planning Commission.

23. On June 14, 2010, the same notice was emailed to more than 800 people.
24. During the week of June 7, 2010, the Mayor's Office sent letters to nearly 900 people, including members of both Commissions, to inform them of the proposed new Commission.
25. On June 21, 2010, *Planning and Sustainability Commission—Proposed Draft* was published. It was made available to the public, posted on the Bureau's website, and mailed to those who requested copies.
26. On July 13, 2010, the Planning Commission held a hearing on the proposal for a new Planning and Sustainability Commission. Staff from the Bureau of Planning and Sustainability presented the proposal, and public testimony was received. The Commission voted to forward the proposal to City Council.
27. On July 21, notice of the City Council hearing was mailed to 130 people and organizations, including all those who had testified at the Planning Commission hearing in person or in writing, and those who had requested notice. The notice informed them of the availability of *Planning and Sustainability Commission—Recommended Draft*, and the public hearing before the City Council.
28. On July 21, 2010, *Planning and Sustainability Commission—Recommended Draft* was published. It was made available to the public, posted on the Bureau's website, and mailed to those who requested copies.
29. August 4, 2010, City Council held a hearing on the Planning Commission recommendation for a new Planning and Sustainability Commission. Staff from the Bureau of Planning and Sustainability presented the proposal, and public testimony was received.
30. **Goal 2, Land Use Planning**, requires the development of a process and policy framework that acts as a basis for all land use decisions and assures that decisions and actions are based on an understanding of the facts relevant to the decision. The amendments also support this goal because development of the recommendations followed established city procedures for legislative actions. See also findings for Portland Comprehensive Plan Policy 1.4, **Intergovernmental Coordination**.

### Findings on Portland's Comprehensive Plan Goals

31. Only the Comprehensive Plan goals addressed below apply.
32. **Policy 1.4, Intergovernmental Coordination**, requires continuous participation in intergovernmental affairs with public agencies to coordinate metropolitan planning and project development and maximize the efficient use of public funds. The amendments support this policy because a number of other government agencies were notified of this proposal and given the opportunity to comment. These agencies include Metro and Multnomah County.
33. **Goal 9, Citizen Involvement**, calls for improved methods and ongoing opportunities for citizen involvement in the land use decision-making process, and the implementation, review, and amendment of the Comprehensive Plan. This project followed the process and requirements specified in Chapter 33.740, Legislative Procedure. The amendments support this goal for the reasons found in the findings for Statewide Planning Goal 1, Citizen Involvement.

184046

NOW, THEREFORE, the Council directs:

- a. Adopt Exhibit A, *Planning and Sustainability Commission—Recommended Draft*, dated July 2010.
- b. Amend the Portland Comprehensive Plan by amending Policies 3.5 Neighborhood Involvement, 10.6 Amendments to the Comprehensive Plan Goals, Policies, and Implementing Measures, and 10.7 Amendments to the Comprehensive Plan Map, and amend the definitions, as shown in Exhibit A, *Planning and Sustainability Commission—Recommended Draft*.
- c. Amend Title 3 Administration, by amending Chapter 3.33 Bureau of Planning and Sustainability, and deleting Chapter 3.112, Sustainable Development Commission, as shown in Exhibit A, *Planning and Sustainability Commission—Recommended Draft*.
- d. Amend Title 17 Public Improvements, by amending Chapter 17.84 Vacations and Chapter 17.93 Renaming City Streets, as shown in Exhibit A, *Planning and Sustainability Commission—Recommended Draft*.
- e. Amend Title 33 Planning and Zoning, by amending Chapter 33.710 Review Bodies, as shown in Exhibit A, *Planning and Sustainability Commission—Recommended Draft*.
- f. Change references in the Portland City Code from "Planning Commission," "Portland Planning Commission," "Sustainable Development Commission," and "Portland/Multnomah County Sustainable Development Commission" to "Planning and Sustainability Commission." This includes references in Titles 3, 17, 33, and all other Titles.
- g. Disband and dissolve the Portland Planning Commission.
- h. Disband and dissolve the Portland/Multnomah County Sustainable Development Commission. This is contingent on the Multnomah County Commission also adopting an ordinance directing the same action.
- i. If any section, subsection, sentence, clause, phrase, diagram or drawing contained in this ordinance, or the plan, map or code it adopts or amends, is held to be deficient, invalid or unconstitutional, that shall not affect the validity of the remaining portions. The Council declares that it would have adopted the plan, map, or code and each section, subsection, sentence, clause, phrase, diagram and drawing thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, phrases, diagrams or drawings contained in this Ordinance, may be found to be deficient, invalid or unconstitutional.

Passed by the Council:

AUG 11 2010

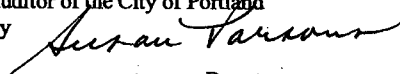
Mayor Adams

Prepared by: J. Richman

Date Prepared: June 23, 2010

LaVonne Griffin-Valade  
Auditor of the City of Portland

By



Deputy



City of Portland  
Bureau of  
**Planning and  
Sustainability**

Sam Adams, Mayor  
Susan Anderson, Director

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**ADOPTED**

This report was adopted without change by  
City Council on August 11, 2010.

Ordinance No.: 184046

Effective: September 20, 2010

**MEMO**

Date: July 19, 2010

To: Mayor Adams  
Commissioner Nick Fish  
Commissioner Amanda Fritz  
Commissioner Randy Leonard  
Commissioner Dan Saltzman

From: Sandra Wood, Senior Planning Manager

Re: ***Planning and Sustainability Commission: Recommended Draft***

This memo outlines the proposal to create a Planning and Sustainability Commission (PSC). The new commission will replace both the Portland Planning Commission and the Multnomah County/Portland Sustainable Development Commission.

While Portland has been a leader in creative planning and sustainability programs, the City must address increasingly complex and significant challenges that threaten our quality of life. In response, City Council merged Portland's renowned Bureau of Planning with the innovative Office of Sustainable Development into the new Bureau of Planning and Sustainability in early 2009. The new bureau makes Portland distinct from other cities and helps ensure that sustainability is an integral part of all planning and management of the City.

The newly merged commission will follow suit and reflect the formally integrated structure of planning and sustainability under one bureau. The goal is to more explicitly integrate concepts of sustainability into land use planning and development, as well as in program and policy implementation. In the near-term, the PSC will guide the development and implementation of the Portland Plan, as well as monitor the implementation of the Climate Action Plan.

The creation of the new commission and dissolution of the Planning Commission and the Sustainable Development Commission requires amendments to the Comprehensive Plan and several Titles of the City Code, including Title 3, Administration; Title 17, Public Improvements; and Title 33, Planning and Zoning. These amendments are on the following pages. Most of the proposed amendments simply change the name of the commission. However, there are some substantive changes. Generally, there is staff commentary on such changes. The commentary is boxed and in Comic Sans font.

Please let me know if you have any questions or would like more information. I can be contacted at 503-823-7949 or [sandra.wood@portlandoregon.gov](mailto:sandra.wood@portlandoregon.gov).

A digital copy of this memo is available at: <http://www.portlandonline.com/bps/index.cfm?c=52999>.

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The City of Portland is committed to providing equal access to information and hearings. If you need special accommodation, please call 503-823-7700, the City's TTY at 503-823-6868, or the Oregon Relay Service at 1-800-735-2900.

# Amendments to the Portland Comprehensive Plan and Portland City Code to Create a Planning and Sustainability Commission

## *Recommended Draft*

July 19, 2010

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## **A. Amendments to the Comprehensive Plan Text**

### **Amend Comprehensive Plan Policies as shown:**

Text to be added is underlined; text to be deleted is shown in ~~strike through~~

#### **Policy 3.5 Neighborhood Involvement**

Provide for the active involvement of neighborhood residents and businesses in decisions affecting their neighborhood through the promotion of neighborhood and business associations. Provide information to neighborhood and business associations which allows them to monitor the impact of the Comprehensive Plan and to report their findings annually to the Planning and Sustainability Commission.

#### **Policy 10.6 Amendments to the Comprehensive Plan Goals, Policies, and Implementing Measures**

The Planning and Sustainability Commission must review and make recommendations to the City Council on all proposed amendments to the Comprehensive Plan Goals and Policies and implementing ordinances.

#### **Policy 10.7 Amendments to the Comprehensive Plan Map**

The Planning and Sustainability Commission must review and make recommendations to the City Council on all legislative amendments to the Comprehensive Plan Map. [No other changes.]

### **Amend Comprehensive Plan Definitions as shown:**

Text to be added is underlined; text to be deleted is shown in ~~strike through~~

#### **Bureau of Planning and Sustainability**

The professional staff responsible for providing the Portland Planning and Sustainability Commission with the research and information necessary for the Commission's recommendations to the Portland City Council.

#### **~~Portland City~~ Planning and Sustainability Commission**

The Planning and Sustainability Commission is composed of ~~nine eleven~~ eleven ~~citizen~~ community members appointed by the Mayor and approved by City Council. The Commission's role is advisory to the City Council.

## B. Amendments to Title 3, Administration

### Amend Title 3, Administration, as shown:

Text to be added is underlined; text to be deleted is shown in ~~strike~~through

#### Chapter 3.33 Bureau of Planning and Sustainability

##### Section 3.33.030 Functions

The Bureau of Planning and Sustainability is responsible for planning, implementing, and managing complex programs and projects related to sustainability, urban design, land use, and long range planning.

The Bureau of Planning and Sustainability:

- A. Works with the City Council, Planning and Sustainability Commission, and the community to define shared values and develop a cohesive vision for the future of Portland;
- B. through I. [No change.]
- J. Provides support for:
  - 1. The activities of the Planning and Sustainability Commission;
  - 2. ~~The activities of the Sustainable Development Commission;~~ and
  - 3. ~~2.~~ The legislative activities of the Portland Historic Landmarks Commission and the Portland Design Commission.
- K. [No change.]

**Commentary:** Because the Sustainable Development Commission (SDC) will be replaced by the new Planning and Sustainability Commission, the chapter establishing the SDC and its duties is deleted.

#### ~~Chapter 3.112 Sustainable Development Commission~~

##### ~~3.112.010 Sustainable Development Commission; Mission.~~

~~(Amended by Ordinance Nos. 168886 and 176207, effective February 15, 2002.) A sustainable community is one in which economic, ecological, and social well being are integrated to ensure all live well, within nature's means. The mission of the Sustainable Development Commission is to develop and advocate for programs, policies, and actions by government, citizens, and businesses leading to sustainable communities in the Portland metropolitan area, including those that:~~

- ~~A. Support a diverse and vibrant economy;~~
- ~~B. Promote an equitable distribution of resources;~~
- ~~C. Protect and restore the integrity of the natural systems that support life, including air, water, and land;~~
- ~~D. Preserve the diversity of plant and animal life; and~~
- ~~E. Reduce human impacts on local and worldwide ecosystems.~~

### **3.112.020 Powers and Duties.**

(Amended by Ordinance Nos. 168886, 176207 and 179680 effective October 19, 2005.) The Commission is not authorized to modify, limit or alter any permit or regulatory process of any City or County office or bureau. Subject to that limitation, in order to carry out its mission, the Commission is authorized to:

- ~~A. Work closely with the Jurisdiction on respective Sustainable Government Initiatives including review and recommendations on Sustainability Plans;~~
- ~~B. Advise the Jurisdictions on the creation, maintenance and marketing of a "Sustainable Community Report Card" to inform residents and businesses about how we are doing as a community related to a specific set of sustainability indicators;~~
- ~~C. Help enhance sustainable economic development through public forums, media outreach and public speaking opportunities;~~
- ~~D. Advise and make recommendations to the Portland City Council and the Multnomah County Board of Commissioners on policies and programs that create sustainable communities;~~
- ~~E. Articulate and promote long range goals and objectives for developing and achieving sustainable communities;~~
- ~~F. Promote sustainable communities among citizens, businesses, governmental agencies and community based organizations;~~
- ~~G. Develop opportunities for all citizens to learn about values, principles, and practices that will bring about sustainable communities;~~
- ~~H. Assist City and County personnel in the coordination of policies and actions creating sustainable communities.~~
- ~~I. Conduct public meetings as necessary;~~
- ~~J. Meet at least six times a year and keep minutes of its proceedings;~~
- ~~K. Provide an annual report to the governing bodies on the Commission's activities, achievements and plans for the coming year; and~~
- ~~L. Adopt rules or bylaws as necessary for its operation and undertake any other activities necessary to the accomplishment of its mission within the terms of this Section.~~

### **3.112.030 Membership.**

~~The Commission shall consist of eleven members as provided in the Intergovernmental Agreement entered into by the City of Portland and Multnomah County. Following recommendation by the Commissioner in Charge of the Director of the Bureau of Planning and Sustainability, six of the commission members shall be appointed by the Mayor, subject to confirmation by the City Council. Five shall be appointed by Multnomah County. All appointments to the Commission shall be for terms of two years. Members shall serve without compensation. However, reasonable expenses for carrying out the work of the Commission may be reimbursed by the City. Absence from four consecutive Commission meetings shall constitute cause for removal.~~

### **3.112.040 Officers.**

~~Two co-chairs shall be appointed by the Jurisdictions. One co-chair shall be a City appointee, and one shall be a County appointee. All Commission officers shall serve for two years. No officer may be elected for more than two consecutive terms.~~

## **C. Amendments to Title 17, Public Improvements**

### **Amend Title 17, Public Improvements, as shown:**

Text to be added is underlined; text to be deleted is shown in ~~strike through~~

#### **Chapter 17.84 Vacations**

##### **Section 17.84.030 Preliminary Consideration of Petition.**

(Replaced by Ordinance No. 182760, effective June 5, 2009.) Pursuant to ORS 271.080 through 271.100, when a petition for the vacation of a street, public place or plat is presented to the City, the Auditor shall review the petition as provided by the statutes, and shall submit the petition to the Commissioner-in-Charge of the Bureau of Transportation, City Engineer and Bureau of Planning and Sustainability for review. The Commissioner in charge of the Bureau of Planning and Sustainability shall refer the petition to the Planning and Sustainability Commission for action. The Commissioner in charge of the Bureau of Planning and Sustainability shall prepare a report to Auditor containing the findings and recommendations of the Planning and Sustainability Commission and City Engineer, and shall submit the report and petition to Council for consideration. The report may include recommended conditions of approval. Upon receiving the report of the Commission, the Auditor shall file the petition and forward the petition and Commissioner's report to the Council for its preliminary consideration as provided by ORS 271.100. This review process shall be completed before the City publishes or posts public notices of the contemplated vacation.

#### **Chapter 17.93 Renaming City Streets**

##### **Section 17.93.040 Review of Application and Public Hearings.**

Upon receipt of the applicant's packet, the City shall process the application as follows:

**A. – D.** [No change.]

**E.** The City Engineer shall prepare and submit to the Planning and Sustainability Commission a budget impact statement as to the direct cost of production and installation of new street name signs and related City costs.

**F.** The City Planning and Sustainability Commission shall conduct a public hearing on the matter and make a recommendation to the City Council as to the best interest of the City and the area within six miles of the City limits in accordance with ORS 227.120.

**G. – I.** [No change.]

## **D. Amendments to Title 33, Planning and Zoning**

### **Amend Title 33, Planning and Zoning, as shown:**

Text to be added is underlined; text to be deleted is shown in ~~striketrough~~

#### **Chapter 33.710, Review Bodies**

##### Sections:

- 33.710.010 Purpose
- 33.710.020 Delegation of Authority
- 33.710.030 Commissions, Committees, and Boards Generally
- 33.710.040 Planning and Sustainability Commission
- 33.710.050 Design Commission
- 33.710.060 Historic Landmarks Commission
- 33.710.070 Adjustment Committee
- 33.710.080 Land Use Hearings Officer
- 33.710.090 Director of the Bureau of Development Services
- 33.710.100 City Council
- 33.710.120 Healy Heights Radiofrequency Advisory Board

#### **33.710.010 Purpose**

Review bodies are established to make decisions on land use actions and to recommend land use policy to the City Council. The review bodies provide an opportunity for citizen involvement and provide expertise for specialized topic areas. Review bodies that make quasi-judicial decisions do so on authority delegated by the City Council. The provisions of this chapter define the powers and duties for each review body and state how each body will operate.

#### **33.710.020 Delegation of Authority**

The commissions, committees, boards, and officers established in this chapter are empowered to perform all duties assigned to them by State law or this Title on behalf of the City Council.

#### **33.710.030 Commissions, Committees, and Boards Generally**

**Commentary:** Current regulations limit Planning Commission members to three 4-year terms. Some years ago the limit was two 4-year terms, but it was increased at a time when some Commission members were about to be "term-limited out" while the City was in the middle of several significant projects. The change back to two terms will give us more opportunity to gain fresh perspectives, as the maximum will be 8 years rather than 12.

- A. Length of terms.** Members of commissions, committees, and boards provided under this chapter may be appointed to terms of not more than 4 years. Initial appointments for newly formed commissions, committees, and boards must include a sufficient number of appointments for less than the maximum 4 year term of office to provide overlap and a continuity of membership. ~~Members of the Planning Commission are limited to a maximum of three full terms.~~ Members of other commissions are limited to a maximum of two full terms. Vacancies which may occur must be filled for the unexpired terms.
- B. Required attendance.** If a member fails to attend three consecutive meetings or misses 20 percent or more of the meetings held during a calendar year, the Mayor may declare the position vacant.
- C. Officers and rules.** Each commission, committee, or board elects its own presiding officers and adopts rules of procedure that are necessary to fulfill its duties. The rules of procedure

must be in writing and comply with the Oregon Public Meetings law, Statutory land use hearing requirements, and this Title.

**D. Voting.** A majority of the members present must vote affirmatively in order to take action. Individual members may not have more than one vote for the conduct of commission or committee business.

**E. Pay.** All members on a commission, committee, or board serve without pay.

**F. Public meetings.** All meetings, including briefing sessions, must be open to the public and comply with the Oregon Public Meetings law.

**G. Staff.**

1. Planning and Sustainability Commission. The Director of the Bureau of Planning and Sustainability must provide the Planning and Sustainability Commission with staff assistance necessary to enable it to discharge its duties.
2. [No change.]

**H. Records.**

1. Planning and Sustainability Commission. The Director of the Bureau of Planning and Sustainability keeps an accurate record or minutes of all proceedings of the Planning and Sustainability Commission.
2. [No change.]

**I. Conflict of interest.** [No change.]

**Commentary:** The current code requires that one member of the Planning Commission must sit on the Design Commission, and another member must sit on the Historic Landmarks Commission. Changes to language on the following pages remove these requirements. While it is desirable to have a Planning and Sustainability Commissioner seated on both commissions, the time commitment required to serve on both commissions is too great for one individual. The coordination and communication provided by such "double-seating" is addressed, to some extent, by the new provision for quarterly meetings among the leadership of the Planning and Sustainability Commission, the Design Commission, and the Historic Landmarks Commission. This is proposed in J.

**J. Commission coordination.** The chairs, or their delegates, of the Planning and Sustainability Commission, Design Commission, and Historic Landmarks Commission meet quarterly to discuss trends and issues relevant to their respective commissions and, as appropriate, to coordinate the Commissions' programs. The chairs will share a summary of their meeting with their respective Commissions.

### 33.710.040 Planning and Sustainability Commission

**A. Purpose.** ~~The Planning Commission is a body that makes recommendations on land use plans and policies to the City Council. The Commission provides a stewardship role regarding the Comprehensive Plan, and fosters public communication and leadership on related land use issues. These issues include land use development, transportation, housing, economic development, zoning, and the environment.~~

**Commentary:** The purpose statement is recast to reflect the integration of both planning and sustainability in the Commission's role.

**A. Purpose.** The Planning and Sustainability Commission advises City Council on the City's long-range goals, policies, and programs for land use, planning, and sustainability. In making recommendations and decisions, it considers the economic, environmental, and social well-being of the city in an integrated fashion. The Commission has specific responsibility for the stewardship, development, and maintenance of the City's Comprehensive Plan, Climate Action Plan, and zoning code. The Commission is committed to effective public involvement and leadership in its work and in the decisions it considers.

**B. Membership.** The Planning and Sustainability Commission consists of nine eleven members, none of whom may hold public elective office. The members are appointed by the Mayor and confirmed by the City Council. The membership of the Planning and Sustainability Commission should include broad representation of Portland's community and reflect the dynamic nature of this changing city. No more than two members of the Planning and Sustainability Commission may be engaged in the same occupation, business, trade, or profession. No more than two members of the Commission may be individuals, or members of any partnership, or officers or employees of any corporation that engages principally in the buying, selling, leasing, or developing of real estate for profit.

**C. Meetings, officers, and subcommittees.**

1. The Planning and Sustainability Commission meets at least once a month. Meetings are conducted in accordance with adopted rules of procedure. ~~Five~~ Six members constitute a quorum at a meeting. The election of officers takes place at the first meeting of each calendar year.
2. The Planning and Sustainability Commission may divide its membership into special subcommittees which are authorized to act on behalf of the Commission for an assigned purpose. Three members of the Commission constitute a quorum on such subcommittees. Subcommittee actions require the affirmative vote of at least three members.

**Commentary:** The changes to the powers and duties of the Commission recognize the addition of sustainability issues to the Commission's responsibilities. The reference to the subdivision and partitioning code is deleted as those regulations are now part of the zoning code.

**D. Powers and duties.** The Planning and Sustainability Commission has all of the powers and duties which are now or may in the future be imposed upon City planning commissions by State law, by this Title, by the City Council, or by the City Charter. The Planning Commission's ~~must~~ power and duties include:

1. ~~Holding~~ hold hearings and ~~make~~ making recommendations on all policy matters related to the Comprehensive Plan; the Climate Action Plan, the zoning code; significant

transportation and sustainable development policies, projects, and issues; and the subdivision and partitioning code; street vacations; sign regulations, and renaming city streets;

2. The Planning Commission also advises ~~The Planning Commission also advises~~ Advising the City Council on ~~land use~~ plans and policies regarding such issues as land use, zoning, housing, energy, transportation, urban renewal plans, urban design, equity, economic development, public buildings, land use goals, climate change, sustainable development, environmental protection, resource conservation, and other ~~land use~~ policies of City-wide interest;

3. Articulating and guiding the City's long-range goals, policies, and programs for developing and achieving sustainable communities; and

4. Developing opportunities for community members to learn about principles, policies, and programs that promote sustainable practices and development.

**E. Communications on appeals.** The Planning and Sustainability Commission may submit written responses or appear in person on appeals of quasi-judicial land use decisions to the City Council.

**F. Annual report.** The Commission must make an annual report of its actions and accomplishments for each fiscal year. The report must be filed with the Planning and Sustainability Director by the first working day of September. The Planning and Sustainability Director may combine the report with annual reports of other bodies for transmission to the City Council.

### **33.710.050 Design Commission**

**A. Purpose.** The Design Commission provides leadership and expertise on urban design and architecture and on maintaining and enhancing Portland's historical and architectural heritage.

**Commentary:** The change to B removes the requirement that a member of the Planning Commission also serve on the Design Commission. While it is desirable to have someone seated on both commissions, the time commitment required to serve on both commissions is too great for one individual. The coordination and communication provided by such "double-seating" is addressed, to some extent, by the new provision for quarterly meetings among the leadership of the Planning and Sustainability Commission, the Design Commission, and the Historic Landmarks Commission. See the proposed language in 33.710.030.J.

**B. Membership.** The Design Commission consists of eight members, none of whom may hold public elective office. The Commission must include ~~a member of the Planning Commission;~~ a representative of the Regional Arts and Culture Council, one person representing the public at-large, and five members experienced in either design, engineering, financing, construction or management of buildings, and land development. No more than two members may be appointed from any one of these areas of expertise. ~~The Planning Commission member is chosen by the Planning Commission chair.~~ The Regional Arts and Culture Council member is nominated by the Regional Arts and Culture Council chair and approved by the Mayor. The other members are appointed by the Mayor and confirmed by the City Council.

**C. Meetings, officers, and subcommittees.** [No change.]

- D. Powers and duties.** The Design Commission has all of the powers and duties which are assigned to it by this Title or by City Council. The Commission's powers and duties include:

**Commentary:** The change to D:1 corrects an error. Historic Districts and Conservation Districts are no longer also design districts, so the deleted language is no longer necessary.

1. Recommending the establishment, amendment, or removal of a design district to the Planning and Sustainability Commission and City Council, ~~except Historic Districts and Conservation Districts;~~
2. – 4. [No change.]
- Providing advice on design matters to the Hearings Officer, Planning and Sustainability Commission, Historic Landmarks Commission, Portland Development Commission, and City Council.

- E. Annual report.** [No change.]

### **33.710.060 Historic Landmarks Commission**

- A. Purpose.** The Historic Landmarks Commission provides leadership and expertise on maintaining and enhancing Portland's historic and architectural heritage. The Commission identifies and protects buildings and other properties that have historic or cultural significance or special architectural merit. The Commission provides advice on historic preservation matters, and coordinates historic preservation programs in the City. The Commission is also actively involved in the development of design guidelines for historic design districts.

**Commentary:** The change to B is similar to the change proposed to 33.710.050.B for the Design Commission. See the commentary for that change.

- B. Membership.** The Historic Landmarks Commission consists of eight members, none of whom may hold public elective office. The Commission must include a ~~member of the Planning Commission;~~ a historian with knowledge of local history; . . . ~~The Planning Commission member is chosen by the Planning Commission chair.~~ The other members are appointed by the Mayor and confirmed by the City Council.

- C. Meetings, officers, and subcommittees.** [No change.]

- D. Powers and duties.** The Historic Landmarks Commission has all of the powers and duties which are assigned to it by this Title or by City Council. The Commission's powers and duties include:

1. – 2. [No change.]
3. Recommending the establishment, amendment, or removal of Historic Districts and Conservation Districts to the Planning and Sustainability Commission and the City Council;
4. – 6. [No change.]
7. Providing advice on historic preservation matters to the Hearings Officer, Design Commission, Planning and Sustainability Commission, Portland Development Commission, other City commissions and committees, and City Council; and
8. [No change.]

- E. Annual report.** [No change.]



**MULTNOMAH COUNTY  
AGENDA PLACEMENT REQUEST  
BUDGET MODIFICATION**

(revised 12/31/09)

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-4 DATE 9/9/2010  
LYNDA GROW, BOARD CLERK

**Board Clerk Use Only**

Meeting Date: 9/9/2010  
Agenda Item #: R-4  
Est. Start Time: 9:45 am

**BUDGET MODIFICATION: DCHS11 - 03**

**BUDGET MODIFICATION DCHS11-03 Increasing Aging and Disability Services Division Federal/State appropriation by \$22,000 with additional funding from U.S. Administration on Aging and increasing a .50 FTE Volunteer Coordinator position to a .80 FTE.**

*Note: For all other submissions (i.e. Notices of Intent, Ordinances, Resolutions, Orders or Proclamations) please use the APR short form.*

Requested Meeting Date: Next Available Amount of Time Needed: 5 Minutes  
Department: County Human Services Division: Aging & Disability Services  
Contact(s): Kathy Tinkle  
Phone: 503-988-3691 Ext. 26858 I/O Address: 167/240  
Presenter(s): Mary Shortall or Lee Girard (presenter was Dana Lloyd)

**General Information**

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

The Department of County Human Services recommends approval of budget modification DCHS11-03. This budget modification increases Aging and Disability Services Division (ADSD) fiscal year 2011 budget by \$22,000, which allows ADSD to continue the Health Promotion project and to increase a current Volunteer Coordinator position from .50 FTE to .80 FTE.

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

The Health Promotion project, funded by the US Administration on Aging (AoA), provides for the development of evidence-based programs for health promotion and chronic disease prevention. This additional one-time only funding will be used to continue the expansion of the Living Well with Chronic Conditions program and to develop sustainability of the program once grant funding has

ended. A portion of the funding will also be applied to temporarily expanding an existing Volunteer Coordination position from .50FTE to .80 FTE. The duties of the Volunteer Coordinator includes recruiting volunteer lay leaders for certification to provide course training, recruiting community based organizations to sponsor classes, coordinating with community based organizations to schedule and publicize classes, assisting community based organizations with reporting and submitting reporting to the State for grant purposes, and overseeing implementation of the workshops to ensure fidelity in implementation.

The grant supports the goal of Program Offer #25020 - Access & Early Intervention Services to provide early intervention and prevention services by continuing the Health Promotion project through May 2011. The additional \$22,000 funding will continue the development and provision of Living Well with Chronic Conditions workshops for older adults experiencing chronic conditions. This is an evidence-based program that has been proven to improve the health status and independence of individuals with chronic health conditions.

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

The FY11 ADSD budget for Access & Early Intervention Services will increase by a total of \$22,000. This additional funding will increase the following expenses: Personnel costs by \$18,042, Professional Services by \$2,974 and Indirect costs by \$984 (Department indirect \$627 and Central indirect \$357). The service reimbursement from the Federal/State fund to the risk management fund will increase by \$1,609.

When the funding expires on May 31, 2011, services will return to pre-grant funding levels.

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

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

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

N/A

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## ATTACHMENT A

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### Budget Modification

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

- **What revenue is being changed and why? If the revenue is from a federal source, please list the Catalog of Federal Assistance Number (CFDA).**

Budget Modification DCHS11-03 increases the Fiscal Year 2011 U.S Administration on Aging grant funding by \$22,000 in ADSD Access and Early Intervention Services. CFDA # 93-043

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

The fiscal year 2011 budget for Access & Early Intervention Services will increase by \$22,000. This funding will increase the following expenses: Personnel costs by \$18,042, Professional Services by \$2,974 and Indirect costs by \$984.

The budget for the risk management fund will increase by \$1,609.

- **What do the changes accomplish?**

The increased funding will allow ADSD to continue the evidence-based Health Promotion project through May 2011 and allow for an increase in the scheduled working hours for an existing Volunteer Coordinator.

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

A current .50 FTE Volunteer Coordinator position will increase by 0.30 FTE.

- **If a grant, is 100% of the central and department indirect recovered? If not, please explain why.**

Yes. The grant pays all indirect charges.

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

The additional revenue represents one-time-only funding through May 2011. When the funding ends, services will return to the same level prior to the grant award.

- **If a grant, what period does the grant cover? When the grant expires, what are funding plans? Are there any particular stipulations required by the grant (i.e. cash match, in kind match, reporting requirements etc)?**

The grant will cover this fiscal year - FY 2011 (July 1, 2010 through May 31, 2011).

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

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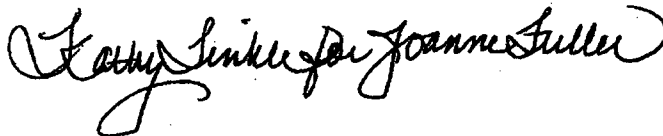
BUDGET MODIFICATION: DCHS11 - 03

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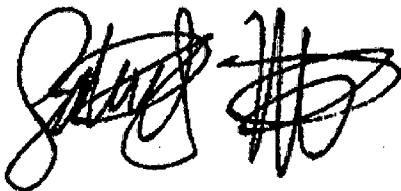
### Required Signatures

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Elected  
Official or  
Department/  
Agency  
Director:



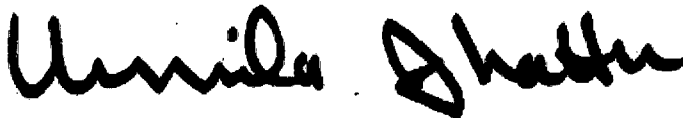
Date: 08/26/10



8/27/10

Budget Analyst:

Date:



Department  
HR:

Date: 8/26/2010

Countywide  
HR:

Date:

Budget Modification ID: **DCHS11-03****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2011

Line No.	Fund Center	Fund Code	Program #	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
						Cost Center	WBS Element						
1	30-45	32223	25020A	0040			ADSDIV43DAHP	50180	(4,016)	(26,016)	(22,000)		IG - OP Direct State
2	30-45	32223	25020A	0040			ADSDIV43DAHP	60000		12,403	12,403		Permanent
3	30-45	32223	25020A	0040			ADSDIV43DAHP	60130		4,030	4,030		Salary Related Exps
4	30-45	32223	25020A	0040			ADSDIV43DAHP	60140		1,609	1,609		Insurance
5	30-45	32223	25020A	0040			ADSDIV43DAHP	60170	4,016	6,990	2,974		Professional Services
6	30-45	32223	25020A	0040			ADSDIV43DAHP	60350		357	357		Central Indirect @ 1.70%
7	30-45	32223	25020A	0040			ADSDIV43DAHP	60355		627	627		Dept Indirect @ 2.98%
8													
9	72-10	3500		0020		705210		50316		(1,609)	(1,609)		Svc. Reim F/S to Risk
10	72-10	3500		0020		705210		60330		1,609	1,609		Claims Paid
11													
12	19	1000		0020		9500001000		50310		(357)	(357)		Svs Reim F/S to General
13	19	1000		0020		9500001000		60470		357	357		Contingency
14													
15	26-10	1000	25000	0040			CHSDO.IND1000	50370	(561,834)	(562,461)	(627)		Dept. Indirect Revenue
16	26-10	1000	25000	0040			CHSDO.IND1000	60240	4,275	4,902	627		Supplies
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											0	0	GRAND TOTAL

12-4

**GROW Lynda**

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**From:** HEATH Patrick  
**Sent:** Friday, August 27, 2010 10:00 AM  
**To:** GROW Lynda; MADRIGAL Marissa D  
**Cc:** TINKLE Kathy M  
**Subject:** Bud Mod for Placement on Board Agenda  
**Attachments:** DCHS11-03 ADS Health Promotion Grant.doc; DCHS11-03 ADS Health Promotion Grant.xls

Hi Lynda,

Attached is a bud mod for placement on the next available Board Agenda. Please let me know if you have any questions about it.

Patrick Heath  
Senior Budget Analyst  
x. 83364

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**From:** TINKLE Kathy M  
**Sent:** Friday, August 27, 2010 9:34 AM  
**To:** HEATH Patrick  
**Subject:** FW: FW: Bud Mod DCHS11-03

Patrick, Please find attached bud mod DCHS 11- 03. I have signed it on behalf of Joanne; Urmila Jhattu, DCHS HR Manager has signed and as you can see from the email below, Travis Graves has reviewed and approved to add his electronic signature. Please forward this bud mod to the Board Clerk for agenda placement on the next available BCC agenda. If you have questions, just let me know. Thanks.

*Kathy Tinkle*  
*DCHS Business Services Director*  
*(503) 988-3691 ext. 26858*  
[kathy.m.tinkle@co.multnomah.or.us](mailto:kathy.m.tinkle@co.multnomah.or.us)

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**From:** Travis Graves [mailto:travis.r.graves@multco.us]  
**Sent:** Friday, August 27, 2010 9:12 AM  
**To:** TINKLE Kathy M  
**Subject:** Re: FW: Bud Mod DCHS11-03

You may use my electronic signature for approval. Thanks.

--

**Travis Graves, SPHR, IPMA-CP**

Human Resources Director  
Multnomah County

501 SE Hawthorne Blvd., Suite 400  
Portland, Oregon 97214  
503.988.6134

8/31/2010

Fax 503.988.3009

On Fri, Aug 27, 2010 at 8:40 AM, TINKLE Kathy M <[kathy.m.tinkle@co.multnomah.or.us](mailto:kathy.m.tinkle@co.multnomah.or.us)> wrote:  
Hi Travis, I sent this bud mod to Joi for review and signature, but got an out of office message. Could you please review it, electronically sign and then return it to me? Thanks.

Kathy Tinkle

DCHS Business Services Director

(503) 988-3691 ext. 26858

[kathy.m.tinkle@co.multnomah.or.us](mailto:kathy.m.tinkle@co.multnomah.or.us)  
<<mailto:kathy.m.tinkle@co.multnomah.or.us>>

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From: TINKLE Kathy M  
Sent: Friday, August 27, 2010 8:39 AM  
To: DOI Joi  
Subject: Bud Mod DCHS11-03  
Importance: High

Hi Joi, attached is bud mod DCHS 11-03 which increase an FTE from .50 to .80 for the period of this grant. Once the grant expires, it will revert to .50FTE. Please take a look and sign if you approve and then return to me. If you have questions, just give me a call. Thanks!

Kathy Tinkle

DCHS Business Services Director

(503) 988-3691 ext. 26858

[kathy.m.tinkle@co.multnomah.or.us](mailto:kathy.m.tinkle@co.multnomah.or.us)  
<<mailto:kathy.m.tinkle@co.multnomah.or.us>>

8/31/2010



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST BUDGET MODIFICATION

(revised 08/02/10)

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-5 DATE 9/9/2010  
LYNDA GROW, BOARD CLERK

## Board Clerk Use Only

Meeting Date: 9/9/2010  
Agenda Item #: R-5  
Est. Start Time: 9:50 am

## BUDGET MODIFICATION: DCHS11 - 06

**Agenda** BUDGET MODIFICATION DCHS11 - 06 - Increasing Community Services  
**Title:** Division Federal/State appropriation by \$13,741, city of Portland funding.

*Note: For all other submissions (i.e. Notices of Intent, Ordinances, Resolutions, Orders or Proclamations) please use the APR short form.*

**Requested Meeting Date:** Next Available **Amount of Time Needed:** 5 Minutes  
**Department:** County Human Services **Division:** Community Services  
**Contact(s):** Kathy Tinkle  
**Phone:** 988-3691 **Ext.** 26858 **I/O Address:** 167/240  
**Presenter Name(s) & Title(s):** Mary Li, Division Manager

## General Information

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

The Department of County Human Services recommends approval of budget modification DCHS11 - 06. This budget modification increases the Community Services Division FY11 budget to recognize increased city of Portland funding of \$13,741. This funding will be appropriated into the Housing Stabilization for Vulnerable Populations program to provide three additional families with rental assistance.

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

This modification impacts Program offer #25133 – Housing Stabilization for Vulnerable Populations. Services in this program offer include emergency shelter, rent assistance, teen parent housing, along with other services, which support approximately 2,000 households annually, of which about 1,200 families receive shelter or housing assistance. The additional revenue in this

Budget Modification APR  
Submit to Board Clerk

budget modification will provide three additional families with rental assistance.

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

This revenue will increase the DCHS Community Services Division FY11 annual budget by \$13,741 and will increase pass through by \$13,741. This ongoing funding increase will provide three additional families with rental assistance.

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

N/A

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

N/A

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## ATTACHMENT A

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### Budget Modification

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

- **What revenue is being changed and why? If the revenue is from a federal source, please list the Catalog of Federal Assistance Number (CFDA).**

The Fed/State fund, city of Portland revenue will increase by \$13,741.

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

Program Offer #25133 – Housing Stabilization for Vulnerable Populations is increased by \$13,741.  
City of Portland revenue will increase by \$13,741 and Pass-Thru expenses will increase by \$13,741.

- **What do the changes accomplish?**

Program Offer # 25133 – This funding will provide three additional families with rental assistance.

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

N/A

- **If a grant, is 100% of the central and department indirect recovered? If not, please explain why.**

N/A – Per the Intergovernmental agreement; the city of Portland funds do not allow indirect charges.

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

This revenue is not one-time only and is expected to be continued in FY12.

- **If a grant, what period does the grant cover? When the grant expires, what are funding plans? Are there any particular stipulations required by the grant (i.e. cash match, in kind match, reporting requirements etc)?**

N/A

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

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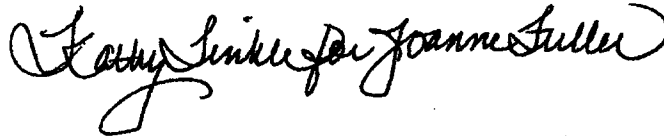
**BUDGET MODIFICATION: DCHS11-06**

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### Required Signatures

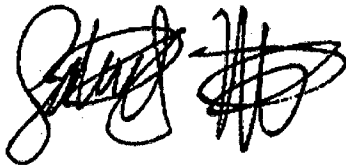
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**Elected Official  
or Department/  
Agency Director:**



**Date:** 09/02/10

**Budget Analyst:**



**Date:** 9/2/10

**Department HR:** N/A

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

**Countywide HR:** N/A

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

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**Budget Modification APR  
Submit to Board Clerk**

Budget Modification ID: **DCHS11-06****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2011

Line No.	Fund Center	Fund Code	Program #	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
						Cost Center	WBS Element						
1	22-10	27190	25133	40			SCPCHHHS.PDXGF	50200	(21,259)	(35,000)	(13,741)		IG-OP-Other
2	22-10	27190	25133	40			SCPCHHHS.PDXGF	60160	21,259	35,000	13,741		Pass thru
3										0			
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											0	0	GRAND TOTAL



# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 08/02/10)

## Board Clerk Use Only

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

**Agenda Title:** Acting as the Governing Body of the DUNTHORPE RIVERDALE SANITARY SERVICE DISTRICT, Public Hearing and Consideration of the District's Endorsing a Petition to Annex a Single Parcel of Land to the District Pursuant to ORS 198.857

**PUBLIC HEARING and Consideration of an Order Approving the Annexation of Territory to Dunthorpe-Riverdale County Service District**

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

**Requested Meeting Date:** September 9, 2010  
**Amount of Time Needed:** 10 minutes  
**Department:** Community Services  
**Division:** LUT - Road Services  
**Contact(s):** Kenneth Martin/Matthew Ryan/Tom Hansell  
**Phone:** (503) 988-5050  
**Ext.:** 29833  
**I/O Address:** 425/2  
**Presenter Name(s) & Title(s):** Kenneth Martin, Local Government Boundary Change Consultant;  
Matthew Ryan, Assistant County Attorney; & Tom Hansell, District Administrator

## General Information

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

Convene as the Governing Body of the Dunthorpe-Riverdale Sanitary Service District No. 1 and endorse annexation petition.

Reconvene as the Multnomah County Board of County Commissioners and open a Public Hearing to consider the annexation petition and adopt an order approving annexation of territory to Dunthorpe-Riverdale Sanitary Service District No. 1.

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

See attached Boundary Consultant Report.

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

Annexation provides the District with the taxing authority to assess properties the necessary fees to meet the District's operational requirements.

Agenda Placement Request  
Submit to Board Clerk

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

The Dunthorpe-Riverdale County Sanitary Service District is a county service district for sewer service for which the Multnomah County Board of County Commissioners serve as the District Board of Directors. As required by statute, the Board of the District will endorse the annexation prior to the hearing.

The property is located in unincorporated Clackamas County and falls inside the City of Lake Oswego's Urban Service Boundary. The petitioner entered into an annexation contract with the City of Lake Oswego to obtain the City's approval. The annexation contract recognizes the City is unable to provide sewer service to this property at this time. At such time the City can provide public sewer, the property will disconnect from the District, and annexation into the City shall take effect.

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

Prescribed noticing for this public hearing was completed per statute. Noticing includes a mailing to affected local governments and the petitioner.

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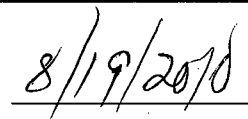
**Required Signature**

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Elected Official or  
Department/  
Agency Director:



Date:



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**Agenda Placement Request  
Submit to Board Clerk**