

ANNOTATED MINUTES

Tuesday, March 11, 1997 - 9:30 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

BOARD POLICY DISCUSSION

Chair Beverly Stein convened the meeting at 9:35 a.m., with Vice-Chair Gary Hansen and Commissioners Sharron Kelley, Tanya Collier and Dan Saltzman present.

B-1 SB 1145 Implementation Update. Presented by Dave Warren, Sheriff Dan Noelle and Elyse Clawson

ELYSE CLAWSON, SHERIFF DAN NOELLE, DAVE WARREN AND BILL WOOD PRESENTATIONS AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION.

The policy discussion was adjourned and the regular meeting convened at 10:30 a.m.

Tuesday, March 11, 1997 - 10:30 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

REGULAR MEETING

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-5) WAS UNANIMOUSLY APPROVED.

NON-DEPARTMENTAL

C-1 Appointment of Gloria Fisher to the ANIMAL CONTROL ADVISORY COMMITTEE

- C-2 Appointment of Mary L. Garcia to the DUII COMMUNITY ADVISORY BOARD

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES

- C-3 RESOLUTION Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

RESOLUTION 97-36.

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-4 FINAL ORDER for Land Use Planning Case CS 3-96 Amending the January 7, 1997 Hearings Officer Decision to Approve a Conditional Use Permit for a Community Service Use

ORDER 97-37.

- C-5 ORDER Authorizing County Retention of Three Tax Foreclosed Properties for Public Use Pursuant to ORS 271.090 and 271.330

ORDER 97-38.

REGULAR AGENDA

PUBLIC COMMENT

- R-1 Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.

NO ONE WISHED TO COMMENT.

NON-DEPARTMENTAL

- R-2 1996 Dedicated Fund Review Report. Presented by Jack Pessia, Chair, Multnomah County Central Citizen Budget Advisory Committee

PRESENTATION RESCHEDULED FOR 9:30 AM, THURSDAY, MARCH 20, 1997.

DEPARTMENT OF ENVIRONMENTAL SERVICES

R-5 RESOLUTION Authorizing Condemnation and Immediate Possession of Certain Real Properties Necessary to Complete Permanent Slide Damage Repairs to SW Scholls Ferry Road

AT THE REQUEST OF CHAIR STEIN AND UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER KELLEY, R-5 WAS UNANIMOUSLY POSTPONED INDEFINITELY.

DEPARTMENT OF JUVENILE AND ADULT COMMUNITY JUSTICE

R-3 Budget Modification DCC 7 Increasing the Juvenile and Adult Community Justice Budget by \$1,365,486 for the Supervision of Offenders Convicted of Felonies who are Sentenced to 12 Months or Less of Incarceration

R-4 Budget Modification DCC 8 Increasing the Juvenile and Adult Community Justice Budget by \$985,725 for the Supervision of Offenders Convicted of Felonies who are Sentenced to 12 Months or Less of Incarceration

CHAIR STEIN EXPLANATION AND COMMENTS IN SUPPORT OF DCC 7. COMMISSIONER KELLEY MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF DCC 7. ELYSE CLAWSON, DAVE WARREN, SHERIFF DAN NOELLE AND CARY HARKAWAY RESPONSE TO BOARD QUESTIONS AND DISCUSSION. BUDGET MODIFICATION DCC 7 UNANIMOUSLY APPROVED.

There being no further business, the meeting was adjourned at 10:45 a.m.

*OFFICE OF THE BOARD CLERK
FOR MULTNOMAH COUNTY, OREGON*

Deborah L. Bogstad

Deborah L. Bogstad



MULTNOMAH COUNTY OREGON

BOARD CLERK

OFFICE OF BEVERLY STEIN, COUNTY CHAIR
1120 SW FIFTH AVENUE, SUITE 1515
PORTLAND, OREGON 97204
TELEPHONE • (503) 248-3277
FAX • (503) 248-3013

BOARD OF COUNTY COMMISSIONERS

BEVERLY STEIN •	CHAIR	•248-3308
DAN SALTZMAN •	DISTRICT 1	• 248-5220
GARY HANSEN •	DISTRICT 2	•248-5219
TANYA COLLIER •	DISTRICT 3	•248-5217
SHARRON KELLEY •	DISTRICT 4	•248-5213

*MEETINGS OF THE MULTNOMAH COUNTY
BOARD OF COMMISSIONERS*

AGENDA

FOR THE WEEK OF

MARCH 10, 1997 - MARCH 14, 1997

Tuesday, March 11, 1997 - 9:30 AM - Board Policy Discussion Page 2

Tuesday, March 11, 1997 - 10:30 AM - Regular Meeting.....Page 2

THURSDAY, MARCH 13, 1997 - MEETING CANCELLED

INDIVIDUALS WITH DISABILITIES MAY CALL THE BOARD CLERK AT (503) 248-3277, OR MULTNOMAH COUNTY TDD PHONE (503) 248-5040, FOR INFORMATION ON AVAILABLE SERVICES AND ACCESSIBILITY.

AN EQUAL OPPORTUNITY EMPLOYER

Tuesday, March 11, 1997 - 9:30 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

BOARD POLICY DISCUSSION

- B-1 *SB 1145 Implementation Update. Presented by Dave Warren, Sheriff Dan Noelle and Elyse Clawson. 1 HOUR REQUESTED.*
-

Tuesday, March 11, 1997 - 10:30 AM
Multnomah County Courthouse, Room 602
1021 SW Fourth, Portland

REGULAR MEETING

CONSENT CALENDAR

NON-DEPARTMENTAL

- C-1 *Appointment of Gloria Fisher to the ANIMAL CONTROL ADVISORY COMMITTEE*
- C-2 *Appointment of Mary L. Garcia to the DUII COMMUNITY ADVISORY BOARD*

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES

- C-3 *RESOLUTION Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody*

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-4 *FINAL ORDER for Land Use Planning Case CS 3-96 Amending the January 7, 1997 Hearings Officer Decision to Approve a Conditional Use Permit for a Community Service Use*
- C-5 *ORDER Authorizing County Retention of Three Tax Foreclosed Properties for Public Use Pursuant to ORS 271.090 and 271.330*

REGULAR AGENDA

PUBLIC COMMENT

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NON-DEPARTMENTAL

- R-2 *1996 Dedicated Fund Review Report. Presented by Jack Pessia, Chair, Multnomah County Central Citizen Budget Advisory Committee*

DEPARTMENT OF JUVENILE AND ADULT COMMUNITY JUSTICE

- R-3 *Budget Modification DCC 7 Increasing the Juvenile and Adult Community Justice Budget by \$1,365,486 for the Supervision of Offenders Convicted of Felonies who are Sentenced to 12 Months or Less of Incarceration*
- R-4 *Budget Modification DCC 8 Increasing the Juvenile and Adult Community Justice Budget by \$985,725 for the Supervision of Offenders Convicted of Felonies who are Sentenced to 12 Months or Less of Incarceration*

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-5 *RESOLUTION Authorizing Condemnation and Immediate Possession of Certain Real Properties Necessary to Complete Permanent Slide Damage Repairs to SW Scholls Ferry Road*

MEETING DATE: MAR 11 1997

AGENDA #: C-1

ESTIMATED START TIME: 10:30am

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Appointment to Animal Control Advisory Committee

BOARD BRIEFING:

DATE REQUESTED:

REQUESTED BY:

AMOUNT OF TIME NEEDED:

REGULAR MEETING:

DATE REQUESTED: 3/13/97

AMOUNT OF TIME NEEDED: Consent Agenda

DEPARTMENT: Nondepartmental

DIVISION: Chair's Office

CONTACT: Delma Farrell

TELEPHONE #: 248-3953

BLDG/ROOM #: 106/1515

PERSON(S) MAKING PRESENTATION:

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE:

Appointment of Gloria Fisher to the Animal Control Advisory Committee, Citizen Involvement Committee Recommendation, for a term ending March 30, 2000.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Beverly Stein
(OR)
DEPARTMENT
MANAGER: _____

BOARD OF
COUNTY COMMISSIONERS
97 MAR -3 AM 9:53
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Office of the Board Clerk 248-3277 or 248-5222



MULTNOMAH COUNTY OREGON

INTEREST FORM FOR BOARDS AND COMMISSIONS

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

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

Animal Control Adv Committee

B. Name Gloria Fisher

Address 8725 NE Davis

City Portland State OR Zip Code 97220

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

Home Phone 255-0943

C. Current Employer retired

Address _____

City _____ State _____ Zip Code _____

Your Job Title _____

Work Phone _____ (Ext) _____

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

D. Previous Employers	Dates	Job Title
<u>Multco Citizen Adv Comm.</u>	<u>4/87 - 2/96</u>	<u>Staff Assn</u>
<u>Oregon Legislative</u>	<u>1/87 - 7/87</u>	<u>leg. Sect.</u>
<u>American Contractor</u>	<u>10/86 - 12/87</u>	<u>Editor</u>

BOARDS AND COMMISSIONS

E. Please list all current and ~~past~~ volunteer activities.

Name of Organization	Dates	Responsibilities
Adopt-A-School	current	raise funds for school supplies for Bel's Recreation (underground)
Mazzara's Outing Comm.	10/1992 - 10/95 1/97-current	(Chair 1 yr) - approve clubs (Committee 3 seats) activities
Oregon Natural Resource Council	1990-current	maintaining clubs petition drive, fund raising events, educational events, etc Weg's Rescue Conference volunteer

F. Please list all post-secondary school education.

Name of School	Dates	Responsibilities
U of Oregon	1950-51	-
PSU	1951-2 1955-6	BS 1959-1963 grad classes
Columbia University	1963-4	graduate school - Anthropology

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

658-5561 658-8269
 Dr. Renasa Hahn - Francine (vet) 11212 SE 250 Pl Astoria 97103
 John Logey - 2115 SE Morrison - 248-3450

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

None

I. Affirmative Action Information

F - Caucasian
 sex/racial ethnic background

Birth date: Month 6 Day 23 Year 31

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

Signature

John M Logey

Date

1-28-97

MEETING DATE: MAR 11 1997

AGENDA # : C-2

ESTIMATED START TIME: 10:30 am

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Appointment to DUII Community Advisory Board

BOARD BRIEFING:

DATE REQUESTED:

REQUESTED BY:

AMOUNT OF TIME NEEDED:

REGULAR MEETING:

DATE REQUESTED: 3/13/97

AMOUNT OF TIME NEEDED: Consent Agenda

DEPARTMENT: Nondepartmental

DIVISION: Chair's Office

CONTACT: Delma Farrell

TELEPHONE #: 248-3953

BLDG/ROOM #: 106/1515

PERSON(S) MAKING PRESENTATION:

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE:

Appointment of Mary L. Garcia to the DUII Community Advisory Board, State Department of Motor Vehicles Position, for a term ending September 30, 1999.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Beverly Stein

(OR)

DEPARTMENT

MANAGER: _____

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
97 MAR 14 AM 11:50

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Office of the Board Clerk 248-3277 or 248-5222



MULTNOMAH COUNTY OREGON

BOARDS AND COMMISSIONS

INTEREST FORM FOR BOARDS AND COMMISSIONS

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

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

B. Name Mary L. Garcia

Address 1111 N. 5th St.

City Woodburn State OR Zip 97071

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

Home Phone (503) 982-1749

C. Current Employer state of Oregon - DMV

Address 1905 Lana Ave.

City SALEM State OR Zip 97314

Your Job Title Technical Assistant

Work Phone (503) 945-5050 (Ext) _____

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

D. Previous Employers _____ Dates _____ Job Title _____

American First 11/85 3/90 Public Service Rep

Comfort Inn Woodburn 10/87 11/89 Front Desk Manager

CONTACT:

G

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

Name of Organization	Dates	Responsibilities
Nellie Muir PTA	89/90	Organize Fund Raisers

F. Please list all post-secondary school education.

Name of School	Dates	Degree/Course of Study
Chemeketa, Woodburn	9/83 - 3/84	various office courses.

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

Cindi Tuttle, 1905 Lam Ave, SALEM OR 97314 (503) 945-5222
Julie Santos, " " (503) 945-5047

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

I. Affirmative Action Information

F / Hispanic
sex / racial ethnic background

birth date: Month 03 Day 12 Year 65

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

Signature Mary Lu Garcia Date 02/25/97

MEETING DATE: MAR 11 1997

AGENDA #: C-3

ESTIMATED START TIME: 10:30am

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Director Custody Holds per ORS 426.215

BOARD BRIEFING: DATE REQUESTED: _____

REQUESTED BY: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: _____

AMOUNT OF TIME NEEDED: Consent Calendar

DEPARTMENT: Community & Family Services DIVISION: Behavioral Health Program

CONTACT: Cathy Horey TELEPHONE #: 248-5464, ext 4447

BLDG/ROOM #: 166/6th Floor

PERSON(S) MAKING PRESENTATION: Consent Calendar Item

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE:

Resolution Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to take an Allegedly Mentally Ill person into custody.

3/17/97 copies to Cathy Horey

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

(OR) DEPARTMENT MANAGER: *Lorenzo Poemas*

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
97 FEB 28 AM 9:02

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Office of the Board Clerk 248-3277 or 248-5222

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Authorizing a Designee of the Mental)
Health Program Director to Direct a) ORDER
Peace Officer to Take an Allegedly) 97-36
Mentally Ill Person into Custody)

WHEREAS, if authorized by a county governing body, a designee of a mental health program director may direct a peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody, and treatment for mental illness; and

WHEREAS, there is a current need for specified designees of the Multnomah County Mental Health Program Director to have the authority to direct a peace officer to take an allegedly mentally ill person into custody; and

WHEREAS, the designees listed below have been specifically recommended by the Mental Health Program Director and meets the standards established by the Mental Health Division; now therefore

IT IS HEREBY ORDERED that the individuals listed below are authorized as a designees of the Mental Health Program Director for Multnomah County to direct any peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody or treatment for mental illness:

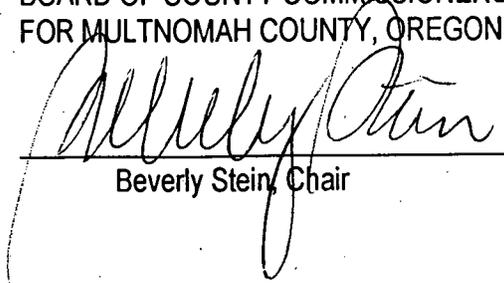
Added to the list of designees are:

Michael Domash	(122-40-6083)
Ron Lagergren	(532-82-5513)
Glenn Maynard	(542-58-9135)
Michael Resnick	(059-38-5480)
Melissa Eshelman	(466-31-9031)
Pat Gardner	(311-58-2594)
B. Kay Young	(257-02-0852)
Wade Morse	(516-78-7706)
Tom Bottemiller	(544-78-4563)
Kerri O'Halloran	(150-76-1415)
Timothy J. Peck	(567-60-7955)

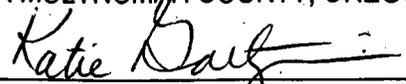
DATED this 11th day of March, 1997.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

REVIEWED:
SANDRA N. DUFFY, ACTING COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By 
Katie Gaetjens, Assistant County Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY

Land Use Planning Case CS 3-96)
Amending the January 7, 1997 Hearings) FINAL ORDER
Officer Decision to Approve a Conditional) 97-37
Use Permit for a Community Service Use)

WHEREAS, this matter is before the Multnomah County Board of Commissioners as an appeal of the Hearing Officer's Decision in land use case CS 3-96, filed by Carl Bean of Dull Olson Weekes Architects on behalf of the applicant, the Beaverton School District; and

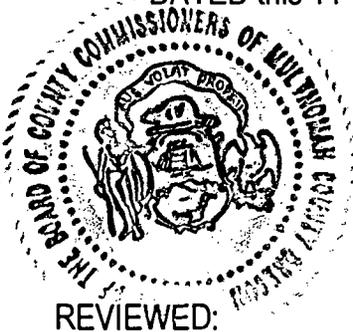
WHEREAS, after proper notice of a public hearing, the Board of County Commissioners accepted testimony and evidence presented at a de novo hearing on February 25, 1997, and the Board being fully advised; now therefore

IT IS HEREBY ORDERED that Condition No. 2 of the Hearing Officer's decision dated January 7, 1997 in the matter of CS 3-96 is AMENDED to read "Approval is granted for the use described in the land use application. Any substantial change in the use shall require a new Community Service Use review and conditional use permit. The school use approved is for a school of approximately 60 students. In no event, may the number of students served by the school during any one day exceed 70 students. Further, physical education classes may be provided on the subject property. The addition of showers may only be permitted if sanitation approval for use or expansion of the existing septic system can be obtained.

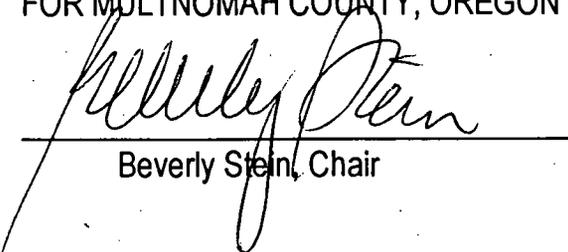
IT IS FURTHER ORDERED that the Board of County Commissioners adopts the following findings and conclusions:

1. The Hearings Officer's findings and conclusions in the decision dated January 7, 1997.
2. The findings of fact in the Staff Report dated December 11, 1996 except as modified and supplemented by the Hearings Officer's January 2, 1997 decision.

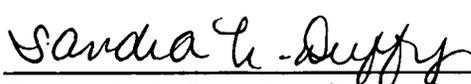
DATED this 11th day of March, 1997, nunc pro tunc February 25, 1997.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

SANDRA N. DUFFY, ACTING COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON


Sandra N. Duffy, Acting County Counsel

MULTNOMAH COUNTY, OREGON**DECISION OF LAND USE HEARINGS OFFICER**

Case File: CS 3-96

Proposed Action(s) and Use(s): Conditional Use Permit for Community Service School Use

Matter Appealed: November 20, 1996 Decision of Planning Director Denying MC 3-96

Location of Property: 10351 NW Thompson Road, Portland, Oregon

Zoning Designation: Rural Residential (RR)

Plan Designation: Rural Residential

Site Size: 3.83 acres

Applicant: Dull Olson Weekes Architects, Carl Bean
319 SW Washington St. Suite 200
Portland, Oregon 97204

Owner: Beaverton School District
16650 SW Merlo Road
Beaverton, OR 97006

Hearings Officer: Liz Fancher

I. DECISION

The Hearings Officer hereby **APPROVES** the Applicant's request for a conditional use permit for a community service use, as outlined in the Applicant's application and subject to the conditions of approval contained in Section II of this decision. This approval is based upon the findings of fact and conclusions of law contained in the Staff Report prepared by Lisa Estrin for CS 3-96, as modified by the findings and conclusions contained in this decision.

II. CONDITIONS OF APPROVAL

1. Approval of this use shall expire two years from the date of this decision unless substantial development or utilization has taken place in accordance with MCC 11.15.7010(C).
2. Approval is granted for the use described in the land use application. Any substantial change in the use shall require a new Community Service Use review and conditional use permit. The school use approved is for a school of approximately 60 students. In no event, may the number of students served by the school during any one day exceed 70 students. Further, no physical education classes, shower or after-school sports activities may be provided on the subject property.
3. Students attending the school shall be transported to the school facility by district bus.
4. Approval is granted upon the condition that the Owner apply for and obtain Multnomah County Design Review approval for the proposed use, prior to issuance of any building permit or use of the subject property for "at risk" students. During such review, the Owner shall demonstrate that the proposed site design complies with Comprehensive Plan Policy #14
5. As part of design review, the applicant shall develop and submit an on-site drainage system to manage the run-off from the paved areas and building roofs. The system shall utilize a french drain system, drainage swale or other on-site drainage system approved by the Planning and Building Departments.
6. As a part of final Design Review, the Bonny Slope School shall develop, submit and obtain approval of an on-site parking and circulation plan that complies with the County code (particularly MCC 11.15.6100-.6148) and which reduces any hazardous conditions caused by vehicular/pedestrian conflicts.
7. Prior to final Design Review, the School District shall show compliance with required sight distances for driveways and shall modify the site plan to show the dedications and physical improvements required within the abutting public street right-of-way, as determined necessary by the County Engineer.
8. Prior to issuance of a building permit, the School District shall show compliance with all dedication requirements or in-lieu of fees required by the County Engineer. Those fees and requirements shall be determined and imposed by the County as a part of the Design Review process.

9. The School District shall comply with the on-site septic system requirements of the City of Portland Sanitation Permits section and shall obtain an alteration permit prior to occupancy of the property for the approved use.

III. EXHIBITS

A Applicant Submittals

- A1 Multnomah County General Application, 9/10/96
- A2 Applicant Response to Approval Criteria, 8/7/96
- A3 Hillside Development Form -1
By Foster Geotechnical PC, November 15, 1996
- A4 Aerial Photo
- A5 Site Plan

B Multnomah County Code

- B1 11.15.2202, RR
- B2 11.14.7004, Community Service

C Notification Information

- C1 Preapplication notice 10/26/95 for PA 20-95
- C2 Affidavit of Posting 12/6/96
- C3 Notice of Hearing 11/27/96
- C4 Mailing list for 11/27/96 Notice

D Written Public Comments - None

E Service Provider Forms

- E1 Fire District Review
- E2 Police Service Review
- E3 School District Review
- E4 Certificate of Water Service
- E5 Certification of Private On-Site Sewage Disposal
- E6 Authorization Notice for Connection to an Existing Subsurface System
- E7 Authorization Notice for Bonny Slope School 10/22/96

F Staff Reports

- F1 Report for 12/18/96 Hearing

IV. FINDINGS AND CONCLUSIONS

The Hearings Officer makes the following additional findings of fact and conclusions of law to support her decision to approve the above-referenced land use application and to impose the conditions of approval listed above:

1. Comprehensive Plan Policies

Not all comprehensive plan policies serve as approval criteria for plan amendment and zone change applications. Some plan policies direct local government legislation, rather than guide the course of quasi-judicial plan and zoning ordinance amendments. As a result, each plan policy must be reviewed to determine whether the a policy is intended to serve as an approval criterion for a particular land use application. *Stewart v. City of Brookings*, ___ Or LUBA ___ (LUBA No. 96-001, June 27, 1996); *Ellison v. Clackamas County*, 28 Or LUBA 521, 525 (1995); *Tektronix, Inc. v. City of Beaverton*, 18 Or LUBA 473, 489 (1989); *Standard Insurance Co. v. Washington County*, 16 Or LUBA 30, 34, 38 (1987); *Citizens for Better Transit v. Metro Service District*, 15 Or LUBA 482, 487 (1987). The Hearings Officer, therefore, has reviewed the Plan policies cited in the Staff Report to determine which are approval criteria for this application. The Hearings Officer has also made findings of compliance with Plan policies below, for provisions of Plan policies which require such findings.

- A. Policy #8 is not an approval criterion for review of this application as it provides direction to Multnomah County regarding the County's selection of areas for rural residential development, not to the siting of community services in rural residential areas.
- B. Parts A-D of Policy 13 are not approval criteria for this conditional use application. Those parts of the policy guide County actions regarding air, noise and water quality matters but do not contain approval criteria. The second full, unnumbered paragraph of Policy 13 is an approval criterion for quasi-judicial land use applications. The section does not, however, apply to the proposed use because the proposed use is not located in a noise impacted area and the proposed use is not a "noise generator," as such term is defined by County land use regulations.
- C. Policy #14 applies to development of the subject property. This policy must be considered during the design review process for the subject property when development activities are being reviewed. Compliance with Policy #14 has been required as a condition of approval of this application.
- D. Policy #19 directs the County to adopt and apply a design review process to land development. Policy #19 is not, however, a policy which serves as an approval

criterion for this land use application. The County has complied with this policy by adopting an ordinance to require the Applicant to obtain design review approval for site improvements.

- E. The Hearings Officer has considered the factors listed in Policy #22 prior to approving this land use application, as required by Policy #22.
- F. Policy #23 is a direction to the County and is not an approval criterion for this land use application. The approval of this application will, however, further the aims of this policy.
- G. This decision imposes a condition of approval requiring compliance with County sight distance standards for all school accesses to Thompson Road. The imposition of this condition will assure that the proposed use will comply with Policy #31H. Policy #31H requires the County to restrict the siting of community facilities in locations where site access would cause dangerous intersections. As Thompson Road curves and winds around the subject property and portions of the school site are heavily wooded, sight distance may be a problem at the school road entrances.
- H. Subsection B of Policy #37 is met by the Applicant as the Applicant has established that the proposed use is connected to a public water system and that approval of an on-site subsurface sewage disposal system can be obtained for the site from agencies authorized to enforce DEQ regulations. Approval of this application has also been conditioned upon approval of an alteration permit, as outlined in Exhibit E7 to assure compliance with Plan Policy #37.
- I. Compliance with subsections F and G of Policy #37 has been established by the Applicant and County staff. The County's water drainage permit process will assure that all run-off will be contained on site or by adequate, County approved methods. The County's regulations will prevent run-off from the site from adversely affecting the water quality in adjacent streams, ponds, lakes or from altering the drainage of water onto adjacent lands by containing the water on site.
- J. The Applicant has also established that there is an adequate energy supply to handle the levels of use projected by the Plan and that communications facilities are available, as required by Policy #37 H & I.
- K. Subsection A of Policy 40 does not require dedication of bicycle or pedestrian paths as no such paths are designated for the subject property and its surrounding area by the Bicycle Corridor Capital Improvements Program and Map. Subsection B of Policy 40 does not apply to this application as the proposed use is not a commercial, industrial or multiple family development. Subsection C of

Policy #40 does not require the installation of bicycle parking facilities as students will be bussed to the school site from distant locations, from which bicycle riding is not a viable transportation option.

2. The Applicant has objected to the staff report's condition of approval #2 which limits school occupancy to 60 students. The Applicant requested approval of a school use which will serve from 30 to approximately 60 students. Information submitted by the applicant in support of the application indicates that as many as 70 students might attend and occupy the Bonny Slope School (Exhibit E7) and it is this number of students which was considered by the City of Portland's Bureau of Buildings when it reviewed and commented upon the septic feasibility of the school site. At the hearing, the Applicant indicated that the District would like to serve as many as 70-75 students at the site.

Oregon Land Use Board of Appeals decisions hold that an applicant is bound by the representations it makes in the land use process which are relevant to approval criteria, even if compliance with the applicant's representations is not required by conditions of approval. *Wilson Park Neighborhood Assn. v. City of Portland*, 27 Or LUBA 106, remanded on other grounds, 129 Or App 33 (1994); *Perry v. Yamhill County*, 26 Or LUBA 73, aff'd 125 Or App 588 (1993); *Friends of the Metolius v. Jefferson County*, 25 Or LUBA 411 (1993). The Applicant's representations about a use are used by the County to determine whether a use complies with all relevant County land use approval criteria and for giving notice to project neighbors. As a result, land use approval is limited to the use proposed by the Applicant in its application, not some more intensive use, which may be allowed by the Hearings Officer. The size of the student population is critical in reviewing the impact of the proposed use on public infrastructure and upon sewage and other utility facilities.

The fact that the application for the school use indicated that a maximum of *approximately* 60 students would be served by the school indicates to the Hearings Officer that some number of students, over and above 60, might be accommodated on the school site. The Hearings Officer finds that the phrase "approximately" 60 could be read broadly to allow as many as, but no more than, 70 students at the school, the number of students the District told the City's Environmental Soils Specialist would be located at the school (Exhibit E7). Condition of approval #2 has been revised accordingly.

3. The application indicates that there will be no physical education classes or after school sports offered at the school. This fact is relevant to approval of the application as it was relied upon by Jason Abraham, Environmental Soils Specialist, in rendering his decision that the school site could handle its own septic disposal needs on site. As such, the Hearings Officer revised condition of approval #2 to prohibit such activities unless a new land use approval is obtained from the County.

Dated and signed this 7th day of January, 1996.

A handwritten signature in cursive script, appearing to read "Liz Fancher". The signature is written in black ink and is positioned above a horizontal line.

Liz Fancher, Multnomah County Hearings Officer



STAFF REPORT

This staff report consists of Findings and Conclusions
addressing applicable criteria
Prepared for a Public Hearing to be held on December 18, 1996.

Case File: Community Service 3-96

**Proposed Action(s)
and Use(s):** Applicant is applying for a community service application to convert an existing building into a small alternative middle and high school for use by the Washington County Education Service District and Beaverton School District. The Facility will initially house about 30 students, growing to approximately 60 students, and about 10 teachers and support personnel. Limited interior renovation is proposed to bring the building into conformance with current structural codes. A second phase, dependent upon funding, is proposed to add a 300 square foot administrative office to the existing building.

Location of the Proposal: 10351 NW Thompson Road

**Legal Description
of Property:** Tax Lot '11', '7' & '13', Section 26, Township: 1 North, Range: 1 West

Plan Designation: Rural Residential

Zoning District: Rural Residential (RR)

Site Size: 3.83 acres

Applicant: Dull Olson Weekes Architects, Carl Bean
319 SW Washington St. Suite 200
Portland, Oregon 97204

Owner: Beaverton School District
16650 SW Merlo Road
Beaverton, OR 97006

Timing of Decision: ORS 215.428 requires a final decision on this permit by the County, including resolution of all appeals under ORS 215.433, within 120 days after the application is deemed complete. The application was deemed complete on October 25, 1996. The December 18, 1996 Public Hearing will take place on **Day 55 of the 120 day clock.**

Recommended Hearings Officer Decision:

Community Service

(CS 3-96): Approve, subject to conditions, the applicants request for a Community Service designation based on the following findings and conclusions.

Conditions of Approval:

1. Approval of this Community Service Use shall expire two (2) years from the date of this decision unless substantial development or utilization has taken place in accordance with MCC 11.15.7010.
2. The Bonny Slope School facility shall be limited to serving a maximum of 60 students at the facility as described in the application. Any alteration in use, such as expansion of the school to a different type of school program, either permanent or temporary, will be considered a modification of the use that will require Community Service Use review and approval.
3. Students attending the school shall be transported to the school facility by district bus.
4. Compliance with and approval of the Multnomah County Design Review process shall be required prior to the issuance of any building permit or operation related to this proposal on this site.
5. As part of design review, the applicant shall develop and submit a on-site drainage system to manage the run-off from the paved areas and building roofs. The system shall utilize either a french drain system or drainage swale as approved by the Planning and Building Departments.
6. Prior to final Design Review, the Bonny Slope School shall develop and submit an On-site Parking and Circulation Plan that complies with County code and reduces any hazardous conditions caused by vehicular/pedestrian conflicts, as part of the design review process.
7. Prior to final Design Review, the School District shall show compliance with required sight distances for the new driveway and modify the site plan to show the dedications and physical improvements required within the abutting public street right-of-way as determined by the County Engineer.
8. Prior to issuance of a building permit, the School District shall show compliance with all dedication requirements or in-lieu of fees required by the County Engineer.
9. The School District shall comply with the on-site septic system requirements of the City of Portland Sanitation Permits section.

Applicant's Proposal:

The Washington County Education Service District and the Beaverton School District are seeking a Community Use Designation for the property located at 10351 NW Thompson Rd. Portland, Oregon. Tax lots 7, 11, 13 -- Map I N I W 26 Multnomah County. Prior to 1980 the existing building (with additions) functioned as a school for 40 years. In 1980 it was converted to the Beaverton School District Print Shop. Currently it is vacant.

The Districts are interested in re-opening the existing Bonny Slope building as a school. The Facility is proposed to be an Alternative middle and high school, housing about 30 students with growth to approximately 60 students, and about 10 teachers and support personnel. The curriculum taught will be the standard for school districts in Washington County, but the student teacher ratio will be significantly lower, at about a 5 students to each teacher. The students will be drawn from school districts in Washington County. The students that are selected to attend Bonny Slope are students that have been identified by their home school district as being "At Risk", meaning that during their school years they have a potential for dropping out of school before they reach graduation of high school. The districts feel exposing these children to more guidance by allowing the teacher to spend more one on one time with each student will help build self esteem, confidence, and increase learning skills. It must be noted that these students are not children who have been "trouble makers", but are students who need more attention and guidance in a school setting.

All students will be bused from their home district for a starting time at approximately 9:20 AM and for closing time at 3:35PM. Buses used are small mini school buses.

Most remodeling to the building will be internal to bring the structure up to current codes. As a second phase dependent upon funding, a 300 square foot administrative office is proposed at the existing entry area deck and will not extend beyond the front of the facade. The general appearance of the building will not change. A new entry will be created directly behind the existing entry on what is currently the back of the building. Orienting the entry toward the play fields at the paved area, will allow better access, safer school bus loading and unloading for students, and delivery of supplies. Amount of funding will not change the proposal to realign the entry to the west. There are no proposed changes to the play fields.

Community Service Ordinance Considerations and Findings:

NOTE: THE APPLICANT'S RESPONSE TO AN APPROVAL CRITERIA WILL BE INDICATED BY THE BEGINNING NOTATION "Applicant:"

Additional Planning Staff comments may be added where supplemental information is determined to be needed or where staff may not concur with the applicant's statements.

The Hearings Officer must find that the proposal meets the following criteria:

I. Zoning Ordinance Requirements

MCC 11.15.2212 Conditional Uses [Rural Residential].

The following uses may be permitted when found by the Hearings Officer to satisfy the applicable Ordinance standards:

(A) Community Services Uses under the provisions of MCC .7005 through .7041.

MCC 11.15.7020 Uses.

(A) Except as otherwise provided in MCC .2012, the following Community Service Uses and those of a similar nature, may be permitted in any district when approved at a public hearing by the approval authority.

(20) School, private, parochial or public; educational institution.

Staff: The proposed use is for a middle and high school in an existing building.

MCC 11.15.7015 Community Service Approval Criteria.

The approval authority must find that the proposal:

(1) Is consistent with the character of the area;

Applicant: Bonny Slope area is designated a rural residential neighborhood. Residential areas near by are developing at a higher density. Schools have traditionally been located in these types of zoned areas. Bonny Slope School will serve a countywide school base and is not required to be located in a more urban setting. The small school (30 to 60 students) will not generate noticeable increase of traffic. Noise levels will be consistent with the quiet nature of a Rural area. All instruction will be held inside the building. There are no P.E. classes held at this school. The school will not have after school sports either. The school site size is consistent with the parcelization in the area.

The building and school yard are existing. The last building addition to the former school was in 1967. Visually the site has not changed in 28 years. There are no plans for removal of any trees on site. The existing parking areas are in poor condition and are proposed to be reconditioned. The net area of land paved will not exceed existing quantities. A minor addition is planned at the current entry, and will not change the general appearance of the building and site.

(2) Will not adversely affect natural resources;

Applicant: No mineral and aggregate sites have been designated a Geologic resource in the area. The school will not adversely affect any energy source, wilderness areas, cultural and historic resources, or wild & scenic water ways. Operating the building as a school will preserve the school yard as open space for use for nearby residences throughout the year. Opening the building as a school will also insure that the character of the existing building will not change. The school has been located on this site since 1938. The building is currently a land mark for the local community, even though it has been closed for many years. Since there are minimal changes to the building exterior or site, views through the site, and from the site will not change. In addition there are no plans to remove any trees or landscaping which would support small wildlife or change any view on or from the site.

(3) Will not conflict with farm and forest uses in the area;

Applicant: There are no farms (mostly houses large lot or under 5 acres) or forest use areas near the proposed school site. The site is located in a rural residential neighborhood. All school activities are proposed to be held inside the school. Air quality requirements for a school are consistent with that of a rural residential neighborhood. See attached Aerial photo.

Staff: The subject parcel is designated Rural Residential under the Multnomah County Comprehensive Framework Plan. Statewide Planning Goal 3 - Agricultural Lands and Goal 4 - Forest Lands were established in part to preserve and maintain agricultural lands and to conserve forest lands for forest uses. An exception has been taken to Goal(s) 3 and 4, that is, Rural Residential lands have been identified and determined to possess qualities from which the rules established to protect agricultural and forest lands do not specifically apply.

(4) Will not require public services other than those existing or programmed for the area;

Applicant: This project will not require public services other than those existing or programmed for the Area. The facility is within the unincorporated area of Multnomah County. The county provides zoning and planning reviews and contracts with the City of Portland for building code review and permitting. Tualatin Valley Fire and Rescue provide fire and rescue service. Unified Sewage Agency provides services to developments in the area, however, the building is on a septic system and is more than 600 feet away from the closest sanitary sewer system. Continued use of the existing septic system will be allowed providing that the existing tank is tested. Tualatin Valley Water District provides water supply. Beaverton School District owns the building and Washington County Education Service District will operate the building.

Staff: The applicant has submitted in the following service provider forms which demonstrates that the school can be served by the public services existing or programmed for the area: Police Service, Fire Service, On-site Sewage Disposal, School Review, Certification of Water Service.

(5) Will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife or that agency has certified that the impacts will be acceptable;

Applicant: The Oregon Department of Fish and Wild Life has not designated this site as a big game winter habitat. Site is located at 10351 NW Thompson Rd. Portland, Oregon.

Staff: Staff concurs.

(6) Will not create hazardous conditions;

Applicant: The school building and site will not create any hazardous conditions, and will satisfy the comprehensive plan. It has been several years since the facility functioned as a school, and it is understood that complying with current Fire and Life Safety codes is necessary prior to use.

The school district acknowledges that a half street improvement may be required, or fee in lieu of maybe accepted. The building is located in a designated SLOPE HAZARD area. HDP Form 1 has been completed by Foster Geotechnical, P.C., which finds that this site is suitable for the proposed use. The only on site grading anticipated is for additional parking.

Staff: The movement of the bus loading and unloading areas to the back of the property will reduce hazardous conditions by creating an area large enough to accommodate the influx of buses during the drop-off and pick-up times. Condition #6, through the design review process, requires a on-site parking and circulation plan which will allow staff to thoroughly review vehicular/pedestrian conflicts in the parking area. In addition, the County Engineer will be reviewing all driveway access points for proper site distances along Thompson Road. Through this process, the driveways may need to be relocated to allow for proper site distances for vehicles leaving the site.

(7) Will satisfy the applicable policies of the Comprehensive Plan; and

Staff: The applicant has addressed the applicable Comprehensive Plan Policies in Section II below.

(8) Will satisfy such other applicable Approval Criteria, as are stated in this Section.

MCC 11.15.7025 Restrictions.

A building or use approved under MCC .7020 through .7030 shall meet the following requirements:

(A) Minimum yards in the ...RR...district:

- (1) Front yards shall be 30 feet.
- (2) Side yard for one-story buildings shall be 20 feet; for two-story buildings, 25 feet.
- (3) Rear yards shall be as required in the district (RR zoning district: 30 feet).

Staff: The school building currently meets the minimum yard requirements for the Rural Residential zoning district. The front setback is currently 48 ft, north side setback is 63 ft, the south side setback is 68 ft and the rear setback is well over 200 ft.

(E) Off-street parking and loading shall be provided as required in MCC .6100 through .6148.

Staff: The applicant is proposing approximately 45 parking spaces, many of which are currently existing. There is additional room available to add parking if it is determined to be necessary through the design review process.

(F) Signs for Community Service Uses located in districts in MCC .2002 - .2966 pursuant to the provisions of MCC .7902 - .7982.

Staff: The applicant is not proposing any signage at this time. Through the design review process, any signage desired will need to comply with the provisions of MCC .7902 - .7982.

(G) Other restrictions or limitations of use or development not required under this subsection shall be provided in the district.

II. Applicable Comprehensive Plan Policies.

POLICY #8, RURAL RESIDENTIAL LAND:

THE COUNTY'S POLICY IS TO DESIGNATE CERTAIN LIMITED AREAS FOR RURAL RESIDENTIAL DEVELOPMENT. SUCH AREAS ARE ESTABLISHED BASED UPON THE FOLLOWING:

- A. SIGNIFICANT PARCELIZATION WHERE AN AVERAGE OF FIVE (5) ACRES OR LESS HAS ALREADY OCCURRED, THE MAJORITY OF WHICH ARE SEPARATELY OWNED AND DEVELOPED;
- B. THE AREA IS NOT A COHESIVE COMMERCIAL FARM OR FOREST RESOURCE AREA;
- C. THE DESIGNATED AREA IS COMPATIBLE WITH ANY ADJACENT FARM OR FOREST RESOURCE AREA;
- D. THE LAND RESOURCE IS PREDOMINANTLY FOREST OR FOREST AGRICULTURAL IN NATURE (DISCOUNTING THE RESIDENCES), RATHER THAN AGRICULTURAL IN CHARACTER;
- E. THERE ARE NO PHYSICAL DEVELOPMENT LIMITATIONS WHICH WOULD CAUSE THE AREAS TO BE HAZARDOUS FOR DEVELOPMENT; AND
- F. LIMITED, BUT ADEQUATE SERVICES MUST BE AVAILABLE FOR THESE AREAS, INCLUDING THOSE PROVIDED ON-SITE (WATER AND SUBSURFACE SEWAGE DISPOSAL) AS WELL AS OFF-SITE (SCHOOL, FIRE, POLICE).

Applicant: The area is designated rural residential, the size of the existing lot is 3.83 acres which is consistent with parcelization of 5 acres or less sized lots in the area. There is no cohesive commercial farming or forest resources in the area. The use of the building as a school is a use which would be normally found in and service residential developments. Adequate services such as fire, police, water are available. Sewage disposal is handled by a septic system. See the HDP form 1 which addresses any potential slope hazards. The property is generally flat with slopes at the perimeter. Any grading for parking will be designed by a civil engineer.

POLICY #13, AIR, WATER AND NOISE QUALITY:

MULTNOMAH COUNTY, RECOGNIZING THAT THE HEALTH, SAFETY, WELFARE, AND QUALITY OF LIFE OF ITS CITIZENS MAY BE ADVERSELY AFFECTED BY AIR, WATER AND NOISE POLLUTION, SUPPORTS EFFORTS TO IMPROVE AIR AND WATER QUALITY AND TO REDUCE NOISE LEVELS. THEREFORE, IT IS MULTNOMAH COUNTY'S POLICY TO:

- A. COOPERATE WITH PRIVATE CITIZENS, BUSINESSES, UTILITIES AND PUBLIC AGENCIES TO MAINTAIN AND IMPROVE THE QUALITY OF AIR AND WATER, AND TO REDUCE NOISE POLLUTION IN MULTNOMAH COUNTY.
- B. SUPPORT AND PARTICIPATE IN THE IMPLEMENTATION OF STATE AND REGIONAL PLANS AND PROGRAMS TO REDUCE POLLUTION LEVELS.
- C. MAINTAIN HEALTHFUL AIR QUALITY LEVELS IN THE REGIONAL AIRSHED; TO MAINTAIN HEALTHFUL GROUND AND SURFACE WATER RESOURCES; AND TO

PREVENT OR REDUCE EXCESSIVE SOUND LEVELS WHILE BALANCING SOCIAL AND ECONOMIC NEEDS IN MULTNOMAH COUNTY.

- D. DISCOURAGE THE DEVELOPMENT OF NOISE SENSITIVE USES IN AREAS OF HIGH NOISE IMPACT.

FURTHERMORE, IT IS THE COUNTY'S POLICY TO REQUIRE, PRIOR TO APPROVAL OF A LEGISLATIVE OR QUASI-JUDICIAL ACTION, A STATEMENT FROM THE APPROPRIATE AGENCY THAT ALL STANDARDS CAN BE MET WITH RESPECT TO AIR QUALITY, WATER QUALITY, AND NOISE LEVELS. IF THE PROPOSAL IS A NOISE SENSITIVE USE AND IS LOCATED IN A NOISE IMPACTED AREA, OR IF THE PROPOSED USE IS A NOISE GENERATOR, THE FOLLOWING SHALL BE INCORPORATED INTO THE SITE PLAN:

1. BUILDING PLACEMENT ON THE SITE IN AN AREA HAVING MINIMAL NOISE LEVEL DISRUPTIONS.
2. LANDSCAPING OR OTHER TECHNIQUES TO LESSEN NOISE GENERATION TO LEVELS COMPATIBLE WITH SURROUNDING LAND USES.
3. INSULATION OR OTHER CONSTRUCTION TECHNIQUES TO LOWER INTERIOR NOISE LEVELS IN NOISE IMPACTED AREAS.

Applicant: The existing building is located on a 3.83 acre site providing open space adjacent to rural residential lots. Average number of people on site will be approximately be forty (40 to 70), and should not impact noise levels in the area. All students will be bussed to the school in small mini-size busses. The facade that faces the street is glazed with glass block which while letting daylighting in will help prevent noise from the truck traffic from penetrating the exterior walls. In addition an existing landscaping buffer exists between the building and N.W. Thompson Road.

Water quality will be maintained through retaining run off from parking and building roofs in retention barriers (swales, ponds) as required from the Tualatin Basin district. Air quality will be maintained since the small number of students and staff (40 to 70) will provide a minimal impact on Thompson Road. All students will be bused to and from the site by small mini buses. The bus drop off area is on the play field side of the school away from the street and residences. Carpooling is encouraged for use by parents and staff.

POLICY #14, DEVELOPMENTAL LIMITATIONS:

THE COUNTY'S POLICY IS TO DIRECT DEVELOPMENT AND LAND FORM ALTERATIONS AWAY FROM AREAS WITH DEVELOPMENT LIMITATIONS EXCEPT UPON A SHOWING THAT DESIGN AND CONSTRUCTION TECHNIQUES CAN MITIGATE ANY PUBLIC HARM OR ASSOCIATED PUBLIC COST, AND MITIGATE ANY ADVERSE EFFECTS TO SURROUNDING PERSONS OR PROPERTIES. DEVELOPMENT LIMITATIONS AREAS ARE THOSE WHICH HAVE ANY OF THE FOLLOWING CHARACTERISTICS:

- A. SLOPES EXCEEDING 20%;
- B. SEVERE SOIL EROSION POTENTIAL;
- C. LAND WITHIN THE 100 YEAR FLOOD PLAIN;
- D. A HIGH SEASONAL WATER TABLE WITHIN 0-24 INCHES OF THE SURFACE FOR 3 OR MORE WEEKS OF THE YEAR;

- E. A FRAGIPAN LESS THAN 30 INCHES FROM THE SURFACE;
- F. LAND SUBJECT TO SLUMPING, EARTH SLIDES OR MOVEMENT.

Applicant: The average slope of the property as determined by Foster Geotechnical is 5%. The School facilities are built away from the Steep (50%) slopes which are at the entire N-E Corner of the Parcel. There is limited potential for soil erosion due to the existence of to facilities already at this location. Though the site is located in a "Slope Hazard" area, an engineer with Foster Geotechnical has certified in the HDP form 1 that this site is acceptable for a school use.

The building proposed for the school exists. The only proposed alterations on site are a 300 square foot office which will be built within the existing building foot print, and additional parking. A HDP Form 1 has been completed and development of new parking spaces will consider potential slope hazards to the north. No trees are planned to be removed.

POLICY #19, COMMUNITY DESIGN:

THE COUNTY'S POLICY IS TO MAINTAIN A COMMUNITY DESIGN PROCESS WHICH:

- A. EVALUATES AND LOCATES DEVELOPMENT PROPOSALS IN TERMS OF SCALE AND RELATED COMMUNITY IMPACTS WITH THE OVERALL PURPOSE BEING A COMPLEMENTARY LAND USE PATTERN.
- B. EVALUATES INDIVIDUAL PUBLIC AND PRIVATE DEVELOPMENTS FROM A FUNCTIONAL DESIGN PERSPECTIVE, CONSIDERING SUCH FACTORS AS PRIVACY, NOISE, LIGHTS, SIGNING, ACCESS, CIRCULATION, PARKING, PROVISIONS FOR THE HANDICAPPED AND CRIME PREVENTION TECHNIQUES.
- C. MAINTAINS A DESIGN REVIEW PROCESS AS AN ADMINISTRATIVE PROCEDURE WITH AN APPEAL PROCESS, AND BASED ON PUBLISHED CRITERIA AND GUIDELINES. CRITERIA AND GUIDELINES SHALL BE DEVELOPED SPECIFICALLY FOR COMMERCIAL, INDUSTRIAL AND RESIDENTIAL DEVELOPMENTS.
- D. ESTABLISHES CRITERIA AND STANDARDS FOR PRE-EXISTING USES, COMMENSURATE WITH THE SCALE OF THE NEW DEVELOPMENT PROPOSED.
- E. EVALUATES INDIVIDUAL PUBLIC AND PRIVATE DEVELOPMENT ACCORDING TO DESIGN GUIDELINES IN THE APPLICABLE ADOPTED COMMUNITY PLAN.

Applicant: The Bonny Slope facility will be enlarged approximately 300 square feet and will maintain the buildings scale to the surrounding community. This addition will be processed through the county's Design Review Procedure. Upgrading of the path of travel from parking area to and through the building will meet current ADA guidelines as required by the State of Oregon Structural Specialty Code and the current Uniform Building Code. Safety is major concern of the school districts. All current Fire Life Safety requirements will be met. Exterior lighting will be reviewed from a crime and safety aspect and all county requirements will be met. Access to the site, and circulation on the site is proposed to be redesigned for safety, convenience, and compliance with county regulations.

POLICY #20, ARRANGEMENT OF LAND USES:

THE COUNTY'S POLICY IS TO SUPPORT HIGHER DENSITIES AND MIXED LAND USES WITHIN THE FRAMEWORK OF SCALE, LOCATION AND DESIGN STANDARDS WHICH:

- A. ASSURE A COMPLIMENTARY BLEND OF USES;
- B. REINFORCE COMMUNITY IDENTITY;
- C. CREATE A SENSE OF PRIDE AND BELONGING; AND
- D. MAINTAIN OR CREATE NEIGHBORHOOD LONG TERM STABILITY.

Applicant: Mixing compatible land uses with this locale will help strengthen the long term stability of the neighborhood. As the area develops and densities increase, the school site with its open space will not change. The 3.83 acre site size is more compatible with the existing rural residential area and could help mitigate the higher density housing being developed to the west. This regional school will not only be a landmark for the neighborhood, as it is now, it will serve as a connection between the neighborhood and the residence of the regional service district since students come to this location from all over the service district.

POLICY #22, ENERGY CONSERVATION:

THE COUNTY'S POLICY IS TO PROMOTE THE CONSERVATION OF ENERGY AND TO USE ENERGY RESOURCES IN A MORE EFFICIENT MANNER. ... THE COUNTY SHALL REQUIRE A FINDING PRIOR TO APPROVAL OF A LEGISLATIVE OR QUASI-JUDICIAL ACTION THAT THE FOLLOWING FACTORS HAVE BEEN CONSIDERED:

- A. THE DEVELOPMENT OF ENERGY-EFFICIENT LAND USES AND PRACTICES;
- B. INCREASED DENSITY AND INTENSITY OF DEVELOPMENT IN URBAN AREAS, ESPECIALLY IN PROXIMITY TO TRANSIT CORRIDORS AND EMPLOYMENT, COMMERCIAL AND RECREATION CENTERS;
- C. AN ENERGY-EFFICIENT TRANSPORTATION SYSTEM LINKED WITH INCREASED MASS TRANSIT, PEDESTRIAN AND BICYCLE FACILITIES;
- D. STREET LAYOUTS, LOTTING PATTERNS AND DESIGNS THAT UTILIZE NATURAL ENVIRONMENTAL AND CLIMACTIC CONDITIONS TO ADVANTAGE.
- E. FINALLY, THE COUNTY WILL ALLOW GREATER FLEXIBILITY IN THE DEVELOPMENT AND USE OF RENEWABLE ENERGY RESOURCES.

Applicant: All students will be bused to and from their home school district. Tri-Met does not have bus routes with in a ¼ mile of the site. However, carpooling by parents, and staff is encouraged by the school districts. The restoration and upgrading of the existing school building makes sense from an energy aspect. The building in its present state requires less building materials and energy to remodel new teaching stations since the building is currently configured as a school.

POLICY #23, REDEVELOPMENT:

IT IS THE COUNTY'S POLICY TO :

- A. ENCOURAGE AND SUPPORT REDEVELOPMENT IN ORDER TO CREATE, MAINTAIN OR ENHANCE COMMUNITY DESIGN STABILITY AND EFFICIENCY,
- B. SEEK PUBLIC AND PRIVATE RESOURCES FOR REDEVELOPMENT AND REVITALIZATION OF COMMERCIAL, INDUSTRIAL, AND RESIDENTIAL AREAS AND STRUCTURES,
- C. HELP INITIATE AND ACTIVELY SUPPORT PUBLIC AND PRIVATE COMMUNITY BASED ECONOMIC REVITALIZATION AND REDEVELOPMENT EFFORTS,

- D. IMPLEMENT THE COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CONTINGENT ON CONTINUOUS FUNDING AND IN ACCORD WITH STATE GOALS AND REGULATIONS, AND LOCAL PROGRAM GOALS TO...
- E. PROVIDE ONGOING PUBLIC INVOLVEMENT OPPORTUNITIES IN PLANNING, IMPLEMENTATION AND EVALUATION OF ALL REDEVELOPMENT ACTIVITIES.

Applicant: Public funds will be used to renovate this building to current standards for building code requirements and for educational uses. During the design process committees consisting of school district employees, teachers, parents, neighbors, and design professionals can hold regular meetings to discuss the progress of the design. The proposed changes to the building are minimal and formal meetings with the entire group may not be needed. All community members are welcome to review the progress plans and to give input. Plans can be viewed at the school district office, or possibly news letters could be sent to the neighbors.

POLICY #31, COMMUNITY FACILITIES AND USES:

THE COUNTY'S POLICY IS TO:

- A. SUPPORT THE SITING AND DEVELOPMENT OF A FULL RANGE OF COMMUNITY FACILITIES AND SERVICES BY SUPPORTING THE LOCATION AND SCALING OF COMMUNITY FACILITIES AND USES MEETING THE NEEDS OF THE COMMUNITY AND REINFORCING COMMUNITY IDENTITY.
- B. ENCOURAGE COMMUNITY FACILITIES SITING AND EXPANSION AT LOCATIONS REINFORCING ORDERLY AND TIMELY DEVELOPMENT AND EFFICIENT PROVISION OF ALL PUBLIC SERVICES AND FACILITIES.
- C. ENCOURAGE LAND USE DEVELOPMENT WHICH SUPPORT THE EFFICIENT USE OF EXISTING AND PLANNED COMMUNITY FACILITIES.
- D. SUPPORT THE DEVELOPMENT OF A UNIFIED APPROACH TO LONG RANGE COMMUNITY FACILITIES PLANNING AND CAPITAL INVESTMENT PROGRAMMING IN MULTNOMAH COUNTY.
- E. CLASSIFY COMMUNITY FACILITIES ACCORDING TO THEIR FUNCTION AND SCALE OF OPERATIONS.

The proposed middle school is considered to be a Minor Community Scale Facility. The high school portion of the project is considered a Major Community Scale Facility per Policy #31.

- F. LOCATE COMMUNITY FACILITIES ON SITES WITH AVERAGE SITE GRADES CONSISTENT WITH A PROJECT'S SCALE AND IMPACTS. SITE SLOPE REQUIRMENTS BY SCALE ARE:

<u>SCALE</u>	<u>AVERAGE SITE SLOPE STANDARD</u>
MINOR COMMUNITY	10 PERCENT
MAJOR COMMUNITY	10 PERCENT

FOR SITES WITH AVERAGE SLOPES STEEPER THAN THE STANDARD THE DEVELOPER MUST BE ABLE TO DEMONSTRATE THAT THROUGH ENGINEERING

TECHNIQUES ALL LIMITATIONS TO DEVELOPMENT AND THE PROVISION OF SERVICES CAN BE MITIGATED.

G. SUPPORT THE LOCATION OF COMMUNITY FACILITIES ON EXISTING TRANSPORTATION SYSTEMS WITH VOLUME CAPACITIES AND MODAL MIX SPLITS AVAILABLE LAND APPROPRIATE TO SERVE PRESENT AND FUTURE SCALES OF OPERATION. VEHICULAR ACCESS REQUIREMENTS BY SCALE OF FACILITY ARE:

SCALE

VEHICULAR ACCESS STANDARDS

MINOR COMMUNITY

DIRECT ACCESS TO A COLLECTOR STREET AND NO ROUTING THROUGH LOCAL NEIGHBORHOOD STREETS; AND

PUBLIC TRANSIT AVAILABLE WITHIN 1/4 MILE OF THE SITE.

MAJOR COMMUNITY

DIRECT ACCESS TO A COLLECTOR STREET AND NO ROUTING THROUGH LOCAL NEIGHBORHOOD STREETS; AND

PUBLIC TRANSIT AVAILABLE WITHIN 1/4 MILE OF THE SITE.

H. RESTRICT THE SITING OF COMMUNITY FACILITIES IN LOCATIONS WHERE SITE ACCESS WOULD CAUSE DANGEROUS INTERSECTIONS OR TRAFFIC CONGESTION CONSIDERING THE FOLLOWING:

1. ROADWAY CAPACITIES.
2. EXISTING AND PROJECTED TRAFFIC COUNTS.
3. SPEED LIMITS.
4. NUMBER OF TURNING POINTS.

I. SUPPORT COMMUNITY FACILITIES SITING AND DEVELOPMENT AT SITES OF A SIZE WHICH CAN ACCOMMODATE THE PRESENT AND FUTURE USES AND IS OF A SHAPE WHICH ALLOWS FOR A SITE LAYOUT IN A MANNER WHICH MAXIMIZES USER CONVENIENCE, ENERGY CONSERVATION, AND PEDESTRIAN AND BICYCLE ACCESS TO AND WITHIN THE SITE.

J. PROMOTE COMPATIBLE DEVELOPMENT AND MINIMIZE ADVERSE IMPACTS OF SITE DEVELOPMENT ON ADJACENT PROPERTIES AND THE COMMUNITY THROUGH THE APPLICATION OF DESIGN REVIEW STANDARDS CODIFIED IN MCC 11.15.7805 - 11.15.7865.

K. PROVIDE FOR THE SITING AND EXPANSION OF COMMUNITY FACILITIES IN A MANNER WHICH ACCORDS WITH THE OTHER APPLICABLE POLICIES OF THIS PLAN.

Applicant: Bonny slope school will be a small alternative middle/high school (30 to 60 students total). This facility type is designated as "Minor Community" for the middle school aged students

and "Major Community for the High school aged students. Traffic impact will be low to the area. The site is located with direct access to Thompson Road which is a rural collector road. Thompson Road does not cut through any local neighborhood streets. A few students proposed for this school are of driving age; and the staffing requirements for this facility are no more than ten. All students will be delivered to the school by small shuttle buses (including students of driving age). Buses will arrive in the morning and late afternoon. Since this school is a regional school, and students are to be transported by school bus (a mass transit system), we feel public transit is not practical, or would not be used by the staff, students or parents. Carpooling is encouraged for parents and staff. In addition, Tri-Met's closest bus stop at present time is more than 5 miles away.

The site is generally flat and does not have an average slope greater than 10%. A HDP form -1 completed by Foster Geotechnical finds the parcel suitable for the use.

Staff: The location policy standard requiring that there be public transit within ¼ mile of the site cannot be met. However, the introduction to the "Land Use Location Policies" section of the Comprehensive Framework Plan states "It is intended that these locational criteria be construed in a flexible manner, in the interest of accommodating proposals which, though not strictly in conformance with the applicable criteria, are found to be in the public interest and capable of harmonious integration into the community." This allows for some flexibility in the evaluation of the transit requirement criteria of Policy 31. The use of mini buses to transport the students to and from the school means that public transit is not necessary in the transportation needs of the facility. The transportation needs of the students are strictly defined. Condition #3 requires that all students attending this school be transported in a district bus. Students will not be allowed to drive to the site and alternative sources of transportation are not needed to reduce impacts to the surrounding community by the vehicle trips generated by this facility.

POLICY #34, TRAFFICWAYS:

THE COUNTY'S POLICY IS TO DEVELOP A SAFE AND EFFICIENT TRAFFICWAY SYSTEM USING THE EXISTING ROAD NETWORK, AND BY:

- A. MAINTAINING A TRAFFICWAY CLASSIFICATION SYSTEM;**
- B. IMPROVING STREETS TO THE STANDARDS ESTABLISHED BY THE CLASSIFICATION SYSTEM, WHERE NECESSARY, AND/OR APPROPRIATE TO MITIGATE TRANSPORTATION PROBLEMS;**
- C. PLACING PRIORITY ON MAINTAINING THE EXISTING TRAFFICWAYS;**
- D. DEVELOPING ADDITIONAL TRANSPORTATION FACILITIES TO MEET COMMUNITY AND REGIONAL TRANSPORTATION NEEDS WHERE CAPACITY OF THE EXISTING SYSTEM HAS BEEN MAXIMIZED THROUGH TRANSPORTATION SYSTEM MANAGEMENT AND DEMAND MANAGEMENT MEASURES;**
- E. PROVIDING A SAFE AND CONVENIENT PEDESTRIAN ENVIRONMENT WITH ROAD CROSSINGS AND SIDEWALK NETWORK DESIGNED FOR PEDESTRIAN TRAVEL;**
- F. LIMITING THE NUMBER OF AND CONSOLIDATING INGRESS AND EGRESS POINTS ON ARTERIALS AND MAJOR COLLECTORS TO PRESERVE TRAFFIC FLOW;**
- G. REDUCING RELIANCE ON THE AUTOMOBILE AND ASSURING THAT THE PLANNED TRANSPORTATION SYSTEM SUPPORTS PATTERNS OF TRAVEL AND LAND USE WHICH WILL AVOID OR MITIGATE PROBLEMS OF AIR POLLUTION, TRAFFIC CONGESTION AND COMMUNITY LIVEABILITY;**

- H. ENCOURAGING RIDE-SHARE AND FLEXTIME PROGRAMS TO HELP MEET THE PROJECTED INCREASE IN TRAVEL DEMAND. THE COUNTY WILL WORK WITH THE METROPOLITAN SERVICE DISTRICT AND TRI-MET TO DEVELOP RIDE-SHARE PROGRAMS, FLEXTIME AND OTHER TRANSPORTATION DEMAND STRATEGIES TO ACHIEVE THE RIDE SHARE GOAL GIVEN IN THE REGIONAL TRANSPORTATION PLAN; AND
- I. IMPLEMENTING THE STREET STANDARDS CHAPTER 11.60 STREET STANDARDS CODES AND RULES, INCLUDING ADHERENCE TO ACCESS CONTROL AND INTERSECTION DESIGN GUIDELINE CRITERIA, AND ESTABLISHING A PROCEDURE FOR ALLOWING VARIANCES FROM THAT ORDINANCE.

EXCLUDING THAT PORTION OF MULTNOMAH COUNTY INCLUDED IN THE COLUMBIA RIVER GORGE NATIONAL SCENIC AREA, THIS POLICY AND THE FUNCTIONAL CLASSIFICATION OF TRAFFICWAYS MAP ACCOMPANYING THIS POLICY SHALL CONTROL OVER CONFLICTING PROVISIONS OF COMMUNITY PLANS OR OTHER PRE-EXISTING PLANS IN DETERMINING THE FUNCTIONAL CLASSIFICATION OF TRAFFICWAYS. TRAFFICWAYS LOCATED WITHIN THE COLUMBIA RIVER GORGE NATIONAL SCENIC AREA ARE SUBJECT TO AND SUPERSEDED BY PROVISIONS OF THE COLUMBIA RIVER GORGE NATIONAL SCENIC AREA MANAGEMENT PLAN.

Applicant: The site is located on Thompson Road which is a rural collector road. The school districts recognizes that a half street improvement may be required. A new school entrance is proposed at the intersection of McDaniel and Thompson Roads to improve site lines when entering and exiting the site. This is the correct road classification for minor and major community facilities.

POLICY #36, TRANSPORTATION SYSTEM DEVELOPMENT REQUIREMENTS:

THE COUNTY'S POLICY IS TO INCREASE THE EFFICIENCY AND AESTHETIC QUALITY OF THE TRAFFICWAYS AND PUBLIC TRANSPORTATION BY REQUIRING:

- A. THE DEDICATION OF ADDITIONAL RIGHT-OF-WAY APPROPRIATE TO THE FUNCTIONAL CLASSIFICATION OF THE STREET GIVEN IN POLICY 34 AND CHAPTER 11.60.
- B. THE NUMBER OF INGRESS AND EGRESS POINTS BE CONSOLIDATED THROUGH JOINT USE AGREEMENTS;
- C. VEHICULAR AND TRUCK OFF-STREET PARKING AND LOADING AREAS,
- D. OFF-STREET BUS LOADING AREAS AND SHELTERS FOR RIDERS;
- E. STREET TREES BE PLANTED;
- F. A PEDESTRIAN CIRCULATION SYSTEM AS GIVEN IN THE SIDEWALK PROVISION, CHAPTER 11.60.
- G. IMPLEMENTATION OF THE BICYCLE CORRIDOR CAPITAL IMPROVEMENTS PROGRAM;
- H. BICYCLE PARKING FACILITIES AT BICYCLE AND PUBLIC TRANSPORTATION SECTIONS IN NEW COMMERCIAL, INDUSTRIAL AND BUSINESS DEVELOPMENTS; AND
- I. NEW STREET IMPROVED TO COUNTY STANDARDS IN UNINCORPORATED COUNTY MAY BE DESIGNATED PUBLIC ACCESS ROADS AND MAINTAINED BY THE COUNTY UNTIL ANNEXED INTO A CITY, AS STATED IN ORDINANCE 313.

Applicant: The site is located on Thompson Road which is a rural collector road. The School District recognizes that a half street improvement may be required. One egress point is proposed across from the intersection of Thompson road and McDaniel road. All off street parking area will be located to the south and to the west of the building. Existing parking off of Thompson Road will not be used. The bus loading area will be adjacent to the new entry on west side of building. Tri Met does not have a bus route near the school, however carpooling is encouraged.

Staff: The Traffic Engineering section of the Transportation Division has determined that the proposed driveway location across from McDaniel street needs additional review for site distance requirements prior to allowing the driveway at that location. In addition, improvements to Thompson Road may be required as an outcome of their review. Condition # 7 & 8 allows for the additional time and information necessary for the County Engineer to review and approve safe ingress and egress points and to obtain the need improvements to Thompson Road based upon the impacts this proposal will have on the public right-of-way.

POLICY # 37, UTILITIES:

THE COUNTY'S POLICY IS TO REQUIRE A FINDING PRIOR TO APPROVAL OF A LEGISLATIVE HEARING OR QUASI-JUDICIAL ACTION THAT:

WATER DISPOSAL SYSTEM:

- A. THE PROPOSED USE CAN BE CONNECTED TO A PUBLIC SEWER AND WATER SYSTEM, BOTH OF WHICH HAVE ADEQUATE CAPACITY; OR
- B. THE PROPOSED USE CAN BE CONNECTED TO A PUBLIC WATER SYSTEM, AND THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) WILL APPROVE A SUBSURFACE SEWAGE DISPOSAL SYSTEM ON THE SITE; OR
- C. THERE IS AN ADEQUATE PRIVATE WATER SYSTEM, AND THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) WILL APPROVE A SUBSURFACE SEWAGE DISPOSAL SYSTEM; OR
- D. THERE IS AN ADEQUATE PRIVATE WATER SYSTEM, AND A PUBLIC SEWER WITH ADEQUATE CAPACITY.

DRAINAGE:

- E. THERE IS ADEQUATE CAPACITY IN THE STORM WATER SYSTEM TO HANDLE THE INCREASED RUN-OFF; OR
- F. THE WATER RUN-OFF CAN BE HANDLED ON THE SITE OR ADEQUATE PROVISIONS CAN BE MADE; AND
- G. THE RUN-OFF FROM THE SITE WILL NOT ADVERSELY AFFECT THE WATER QUALITY IN ADJACENT STREAMS, PONDS, LAKES OR ALTER THE DRAINAGE ON ADJACENT LANDS.

ENERGY AND COMMUNICATIONS:

- H. THERE IS AN ADEQUATE ENERGY SUPPLY TO HANDLE LEVELS PROJECTED BY THE PLAN; AND
- I. COMMUNICATIONS FACILITIES ARE AVAILABLE.

FURTHERMORE, THE COUNTY'S POLICY IS TO CONTINUE COOPERATION WITH THE DEPARTMENT OF ENVIRONMENTAL QUALITY, FOR THE DEVELOPMENT AND IMPLEMENTATION OF A GROUNDWATER QUALITY PLAN TO MEET THE NEEDS OF THE COUNTY.

Applicant: The school site is currently connected to an on site septic system. The capacity is adequate to handle the proposed initial student body and staff. The septic tank has been inspected and is approved by the City of Portland for use. Water supply for the building exists and is adequate to handle the proposed student body and staff. See review form from the water district.

The water run off from the site will not adversely affect the water quality in the adjacent areas. The water run off can be handled on the site provided adequate retention provisions are made. There are no lakes ponds, or streams adjacent to the property. The existing drainage on or to adjoining property will remain unchanged.

The building will have adequate power and communication systems for a school. Both power and telephone exist on the property now.

Staff: The existing on-site septic system has been approved for up to 30 students and 10 teachers/school staff. If the school is to expand to 60 students, the septic system will need to be upgraded. A condition of approval is proposed to contain the run-off of the parking area and building roofs into a french drain system or approved drainage swale on the property. A condition of approval also recognizes the need for review of the septic system upgrade by the permitting agency that the County contracts with for this service.

POLICY # 38, FACILITIES:

THE COUNTY'S POLICY IS TO REQUIRE A FINDING PRIOR TO APPROVAL OF A LEGISLATIVE OR QUASI-JUDICIAL ACTION THAT:

- A. THE APPROPRIATE SCHOOL DISTRICT HAS HAD AN OPPORTUNITY TO REVIEW AND COMMENT ON THE PROPOSAL.
- B. THERE IS ADEQUATE WATER PRESSURE AND FLOW FOR FIRE FIGHTING PURPOSES; AND
- C. THE APPROPRIATE FIRE DISTRICT HAS HAD AN OPPORTUNITY TO REVIEW AND COMMENT ON THE PROPOSAL.
- D. THE PROPOSAL CAN RECEIVE ADEQUATE LOCAL POLICE PROTECTION WITH THE STANDARDS OF THE JURISDICTION PROVIDING POLICE PROTECTION.

Applicant: Police and agencies have reviewed the proposal. Police protection is adequate in the area. The Fire District has the man power and equipment in the area that can respond to any emergency incident and implement what ever action needs to be taken. The School Districts believe this facility is needed in this region. The students will be drawn from school districts in Washington County. The students that are selected to attend Bonny Slope are students that have been identified by their home school district as being "At Risk", meaning that during there school years they have a potential for dropping out of school before they reach graduation of high school. The districts feel exposing these children to more guidance by

allowing the teacher to spend more one on one time with each student will help build self esteem, confidence, and increase learning skills. It must be noted that these students are not children who have been "trouble makers", but are students who need more attention and guidance in a school setting.

POLICY # 40, DEVELOPMENT REQUIREMENTS:

THE COUNTY'S POLICY IS TO ENCOURAGE A CONNECTED PARK AND RECREATION SYSTEM AND TO PROVIDE FOR SMALL PRIVATE RECREATION AREAS BY REQUIRING A FINDING PRIOR TO APPROVAL OF LEGISLATIVE OR QUASI-JUDICIAL ACTION THAT:

- A. PEDESTRIAN AND BICYCLE PATH CONNECTIONS TO PARKS, RECREATION AREAS AND COMMUNITY FACILITIES WILL BE DEDICATED WHERE APPROPRIATE AND WHERE DESIGNATED IN THE BICYCLE CORRIDOR CAPITAL IMPROVEMENTS PROGRAM AND MAP.
- B. LANDSCAPED AREAS WITH BENCHES WILL BE PROVIDED IN COMMERCIAL, INDUSTRIAL AND MULTIPLE FAMILY DEVELOPMENTS, WHERE APPROPRIATE.
- C. AREAS FOR BICYCLE PARKING FACILITIES WILL BE REQUIRED IN DEVELOPMENT PROPOSALS, WHERE APPROPRIATE.

Applicant: Appropriate landscaping will be maintained on site. Outdoor seating will be provided as required. Bicycle parking may not be necessary, since all students will be bussed.

Staff: There are no bicycle paths planned along Thompson Road in the Bonny Slope area. The reconversion and then maintenance of this property as a school would create an area of open space which may, with the approval of the school district, be utilized for recreation.

CONCLUSIONS:

1. The proposed alternative middle and high school requires application and approval for a community service use, which is a type of conditional use in the Rural Residential district [MCC 11.15.2212(A)]. Specific criteria are listed in MCC 11.15.7005 through .7041 for review and approval of a community service use.
2. The proposed alternative middle and high school at the Bonny Slope facilities as conditioned by staff meets the criteria for a community service use listed in MCC 11.15.7001 through .7041 and is in compliance with the applicable Comprehensive Plan Policies.
3. Conditions of Approval are necessary in order to ensure that the proposed use does not increase or alter the use or intensity which may impact surrounding properties.

This Staff Report and recommendation was available on December 11, 1996, seven days before the December 18, 1996 public hearing scheduled before a County Hearings Officer. The Hearings Officer may announce a decision on this application (1) at the

close of the hearing; (2) upon continuance of a date and time certain; or (3) after the close of the record following the hearing.

A written decision is usually mailed to all parties and filed with the Clerk of the Board within ten days of the decision by the Hearings Officer.

Appeal to the Board of County Commissioners:

The Hearings Officer Decision may be appealed to the Board of County Commissioners (Board) by any person or organization who appears and testifies at the hearing, or by those who submit written testimony into the record. An appeal must be filed with the County Planning section within ten days after the Hearings Officer decision is submitted to the Clerk of the Board. An Appeal requires a completed "Notice of Review" for and a fee of \$500.00 plus a \$3.50 - per- minute charge for a transcript of the initial hearing(s). [ref. MCC 11.15.8260(A)(1) and MCC 11.15.9020(B)]. Instructions and forms are available at the County Planning Office at 2115 SE Morrison Street (in Portland) or you may call 248-3043 for additional instructions.

BONNY PROJECT SCHOOL
FEASIBILITY STUDY

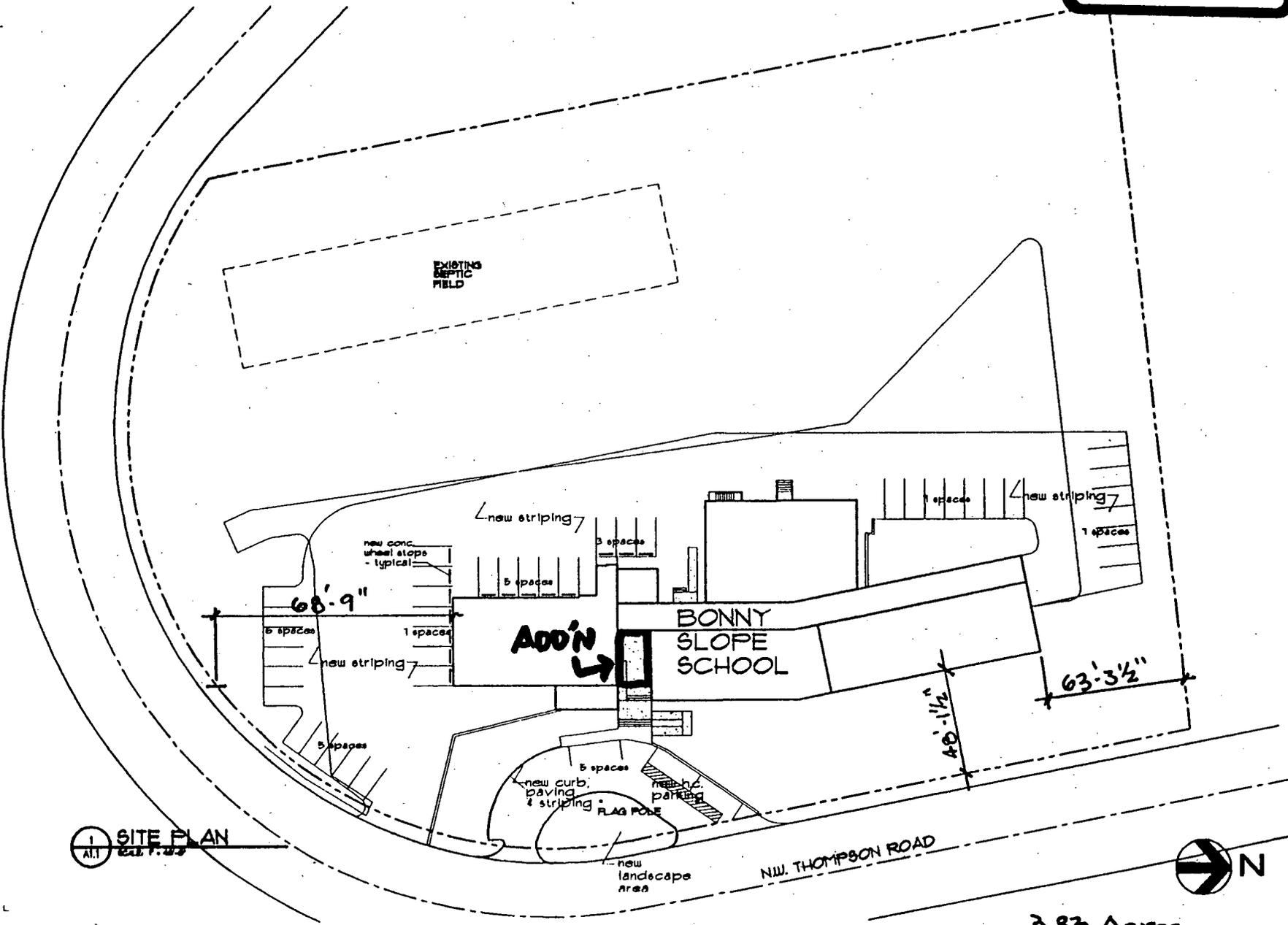
BEAVERTON SCHOOL DISTRICT
1840 BY MER BEAVERTON OF

FULL OPEN VIEW

DATE 11/29/00
BY J. 9-5010
DRAWN BY MR. CHRYSLER

SITE PLAN

A1.1



SITE PLAN
A1.1

NW THOMPSON ROAD

3.83 Acres

MEETING DATE: MAR 11 1997
AGENDA #: C-5
ESTIMATED START TIME: 10:30

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: REQUESTING APPROVAL FROM THE BOARD OF COUNTY COMMISSIONERS TO
RETAIN **THREE** TAX FORECLOSED PROPERTIES FOR COUNTY PUBLIC PURPOSES

BOARD BRIEFING: DATE REQUESTED: _____

REQUESTED BY: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: _____

AMOUNT OF TIME NEEDED: CONSENT

DEPARTMENT: Environmental Services DIVISION: Assessment & Taxation

CONTACT: Pat Frahler TELEPHONE #: 248-3590
BLDG/ROOM #: 166/300 Tax Title

PERSON(S) MAKING PRESENTATION: Pat Frahler

ACTION REQUESTED:

[] INFORMATIONAL ONLY [] POLICY DIRECTION [X] APPROVAL [] OTHER

SUGGESTED AGENDA TITLE:

Multnomah County retains three tax foreclosed properties for County public purposes, per ORS 271.330.

Attached documents: Staff Report (Briefing, Property Information, Applications for Public Use, and Location Maps) Board Order with Exhibit A.

3/17/97 true copies & copies to PAT FRAHLER

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

(OR)

DEPARTMENT MANAGER: *K.A. Jureberg* *Jan E. K. Nicholas*

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Office of the Board Clerk 248-3277/248-5222

97 MAR - 5 PM 3:57
MULTNOMAH COUNTY
OREGON
BOARD OF
COUNTY COMMISSIONERS

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM BRIEFING - STAFF REPORT SUPPLEMENT**

TO: BOARD OF COUNTY COMMISSIONERS
FROM: Pat Frahler, Tax Title
TODAY'S DATE: February 26, 1997
REQUESTED PLACEMENT DATE: Consent Item

RE: REQUEST APPROVAL FROM THE BOARD TO RETAIN THREE TAX FORECLOSED PROPERTIES FOR PUBLIC USE.

I. Recommendation/Action Requested:

The Board of County Commissioners approve the retention of three tax foreclosed properties for public use.

II. Background/Analysis:

The County's Department of Environmental Services(DES), Facilities and Property Management Division requests two properties be retained for County public use, in accordance with ORS 271.330. The two properties are to be used for the proposed Multnomah County North Portland Health Clinic.

The County's Department of Environmental Services(DES), Transportation Division requests one property be retained for County public use, in accordance with ORS 271.330. The property is to be used for road purposes.

There were no duplicate applications submitted to Tax Title from another government entity requesting these properties. (See attached pages for property information, applications for public use and maps.)

III. Financial Impact:

The Tax Title Fund has incurred expenses associated with preparation of briefing materials and preparation of Board documents. Future costs will include recording a Board Order for these three tax foreclosed properties.

IV. Legal Issues:

No legal issue is expected to develop as a result of this action.

V. Controversial Issues:

No public controversy is expected as a result of subsequently approving this transfer request.

VI. Link to Current County Policies:

There are no known conflicts with County policies.

VII. Citizen Participation:

Citizen participation is not anticipated.

VIII. Other Government Participation:

Government entities and neighborhood associations within the County were notified of the available tax foreclosed properties.

*** STAFF REPORT ***

**MULTNOMAH COUNTY TAX TITLE
PROPERTIES RETAINED BY COUNTY - FISCAL YEAR 1996/97**

FEBRUARY 26, 1997

Property information is provided below for three tax foreclosed properties. Properties one and two are to be retained by Multnomah County, Department of Environmental Services(DES) Facilities and Property Management Division for public use. Property three is to be retained by DES, Transportation Division for public use.

Government Entity: **MULTCO DES-FACILITIES AND PROPERTY MANAGEMENT DIVISION**

*** PROPERTY 1 ***

Tax Account Number: R-42580-5000
Legal Description: Lot 1, Block 43, James Johns Addition, in the City of Portland, Multnomah County, Oregon

Type of Use: Health Clinic
Note: No Greenspace Designation assigned to this property.

Taxes: \$13,966.20
Expenses: \$ 16.50

*** PROPERTY 2 ***

Tax Account Number: R-42580-5020
Legal Description: TL 1 of Lot 2, Block 43, James Johns Addition, Willamette Meridian, Multnomah County, Oregon

Type of Use: Health Clinic
Note: No Greenspace Designation assigned to this property.

Taxes: \$13,431.39
Expenses: \$ 16.50

Total Costs for
Properties 1 & 2: \$27,430.59

Government Entity: **MULTCO DES-TRANSPORTATION DIVISION**

*** PROPERTY 3 ***

Tax Account Number: R-94528-0210
Legal Description: TL 21 Section 28, 1N 5E, Willamette Meridian, Multnomah County, Oregon

Type of Use: Relocation/Road Repairs
Note: This property received one Greenspace Designation.
"P" Park Deficient Area

Taxes: \$429.63
Expenses: \$133.14

Total costs: \$562.77

1996 APPLICATION
for
PUBLIC USE OF TAX FORECLOSED PROPERTY
Multnomah County Tax Title Section

(TAX) NUMBER: R-42580-5000 ADDITION: JAMES JOHNS ADDITION

PROP(ERTY ADDRESS): NO ADDRESS LEGAL1: LOT 1, BLOCK 43

AGENCY: Multnomah Cty. Dept. Health Services, Fac. & Prop. Management CONTACT: Bob Oberst, Property Manager

DEPARTMENT: _____ TELEPHONE: 248-3851

ADDRESS: Ford Building 421/3 FAX NO.: 248-5082

Larry Nicholas
AGENCY HEAD NAME TELEPHONE

Billi Odegaard
AGENCY HEAD SIGNATURE DATE May 25, 1996

PROPOSED USE OF PROPERTY: Construction of Multnomah County Department of Health Services North Portland Clinic.

Submission of this Application signifies acceptance of the Guidelines, Requirements and Conditions listed on the back of this page. (If-application)

1996 APPLICATION
for
PUBLIC USE OF TAX FORECLOSED PROPERTY
Multnomah County Tax Title Section

(TAX) NUMBER: R-42580-5020 ADDITION: JAMES JOHNS ADDITION

PROP(ERTY ADDRESS): NO ADDRESS LEGAL1: TL #1, of LOT 2, BLOCK 43

AGENCY: Multnomah County CONTACT: Bob Oberst, Property Manger

Fac.

DEPARTMENT: Health Services/Prop.MGT. TELEPHONE: 248-3851

ADDRESS: Ford Building 421/3 FAX NO.: 248-5082

Larry Nicholas

AGENCY HEAD NAME

TELEPHONE

Billi Odegaard

May 25, 1996

AGENCY HEAD SIGNATURE

DATE

PROPOSED USE OF PROPERTY: Construction of Multnomah County Department of
Health Services North Portland Clinic.

1996 APPLICATION
for
PUBLIC USE OF TAX FORECLOSED PROPERTY
Multnomah County Tax Title Section

(TAX) NUMBER: R 945280210 ADDITION: Sec 28 IN 5E TL# 21

PROP(ERTY ADDRESS): SW of 4445 LEGAL1: _____
SE. Alex Barr Rd

AGENCY: TRANSPORTATION DIVISION CONTACT: Bob Thomas

DEPARTMENT: ENVIRONMENTAL SUCS TELEPHONE: 248-3838

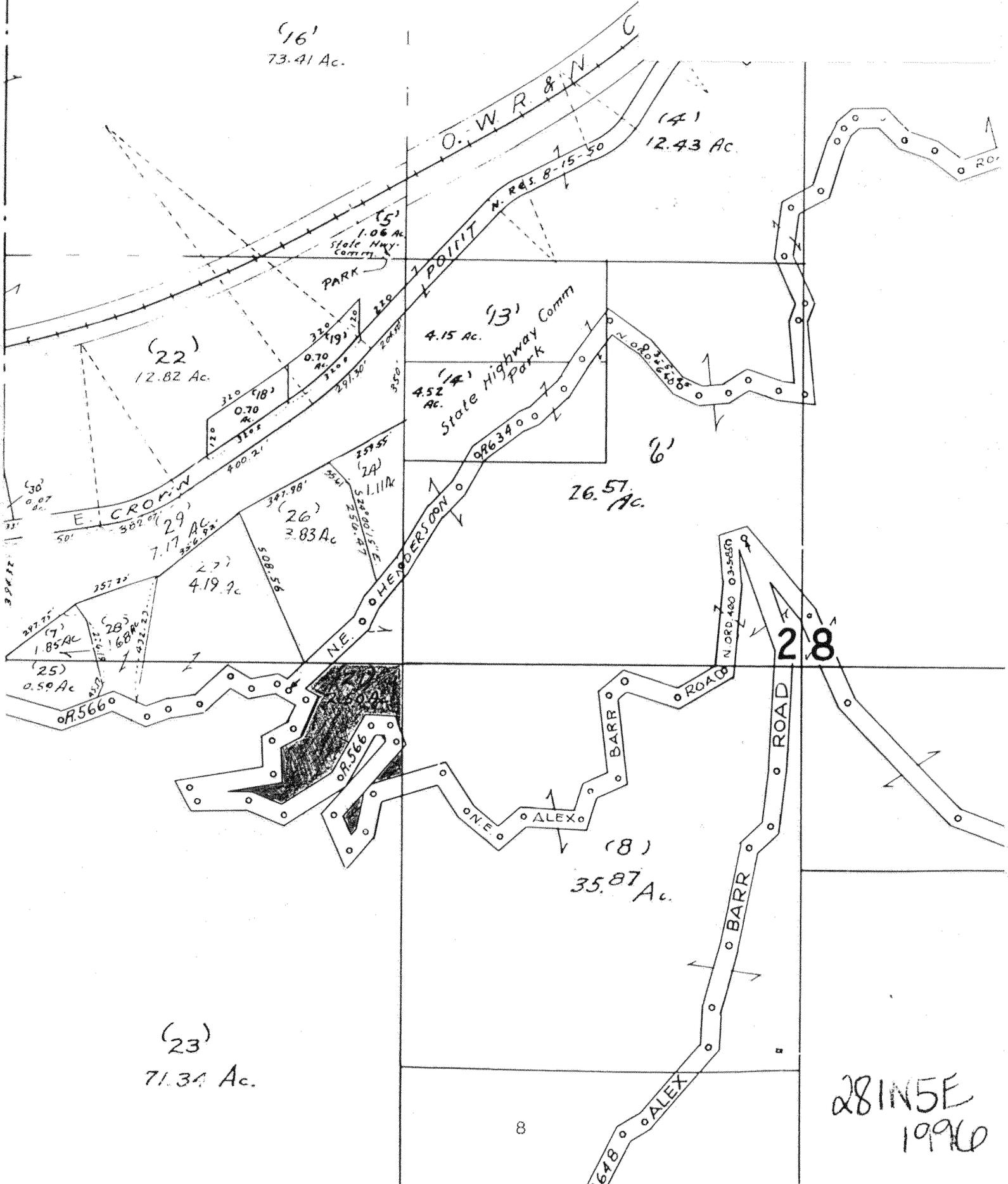
ADDRESS: 1620 SE. 190TH Ave. Ptland 97233 FAX NO.: 248-3321
Bldg 425

Larry F. Nicholas
AGENCY HEAD NAME TELEPHONE
Larry F. Nicholas July 3, 1996
AGENCY HEAD SIGNATURE DATE

PROPOSED USE OF PROPERTY: This vacant lot sits adjacent to both N.E. Alex Barr Rd and N.E. Henderson Rd. The Transportation and Land Use Division seeks acquisition of this property to facilitate any future relocation or repairs to Alex Barr Rd. that may be necessary in the event of slides or washouts that frequent the area.

← NORTH

Tax Acct # R-94528-0210



(16)
73.41 Ac.

(4)
12.43 Ac.

(22)
12.82 Ac.

(13)
4.15 Ac.

(14)
4.52 Ac.

(6)
26.57 Ac.

(29)
7.17 Ac.

(26)
2.83 Ac.

(27)
4.19 Ac.

(25)
0.50 Ac.

28

(8)
35.87 Ac.

(23)
71.34 Ac.

28 IN 5E
1996

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of the County Retaining Three
Tax Foreclosed Properties for Public Use

} ORDER
97-38

WHEREAS, ORS 271.090 and 271.330 allows the County to retain tax foreclosed property necessary for a public use, and

WHEREAS, the County's Department of Environmental Services (DES), Facilities and Property Management Division has requested two properties more particularly described in the attached Exhibit A as parcels I and II, be retained by the County for a public use, namely the North Portland Health Clinic, and

WHEREAS, the County's Department of Environmental Services (DES), Transportation Division has likewise requested an additional parcel, more particularly described in the attached Exhibit A as Parcel III, be retained by the County for road purposes.

NOW, THEREFORE, IT IS ORDERED, that the separate properties described in the attached Exhibit A as parcel I and II, be removed from Multnomah County Tax Title Division's inventory, and that the property will be maintained by Multnomah County DES, Facilities and Management Division.

IT IS FURTHER ORDERED, that the property described in the attached Exhibit A as parcel III, be removed from Multnomah County Tax Title Division's inventory, and that the property will be maintained by Multnomah County DES, Transportation Division.

APPROVED this 11th day of March, 1997.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By Beverly Stein
Beverly Stein, Chair

REVIEWED:
Laurence Kressel, County Counsel
for Multnomah County, Oregon

By Matthew O. Ryan
Matthew O. Ryan, Assistant County Counsel

After Recording, Return to: 166/300 Tax Title Unit

EXHIBIT A

PARCEL I:

Legal Description: Lot 1, Block 43, James Johns Addition, City of Portland, Multnomah County, Oregon

Tax Account Number: R-42580-5000

Deed Number: D971373

PARCEL II:

Legal Description: A tract of land in the Southwest One-Quarter of Section 2, Township 1 North, Range 1 West, of the Willamette Meridian, Multnomah County, Oregon, being a portion of Lot 2, Block 43, James Johns Addition to the Town of St. Johns, described as follows:

Lot 2, Excepting therefrom the following described tract of land: Beginning at a point on the Northwesterly line of said Lot 2, that is N55°53'E (Basis of Bearings), a distance of 45.82 feet from the most Westerly corner of said Lot; thence along the arc of a 192.00 foot radius curve to the left, (the long chord of which bears S39°08'57"W, a distance of 24.31 feet); thence along the arc of a compound 32 foot radius curve to the left, (the long chord bears S07°07'15"W, a distance of 30.44 feet), an arc distance of 31.72 feet; thence along the arc of a 112.00 foot radius compound curve to the left, (the long chord of which bears S25°30'43"E, a distance of 16.54 feet), an arc distance of 16.55 feet to a point on the Southwesterly line of said Lot 2, said point being S34°07'E, a distance of 46.24 feet from the most Westerly corner of said Lot 2; thence N34°07'W, a distance of 46.24 feet, to the most Westerly corner of said Lot 2; thence N55°53'E, a distance of 45.82 feet to the point of beginning.

Tax Account Number: R-42580-5020

Deed Number: D971374

PARCEL III:

Legal Description: A tract of land in the Southwest One-Quarter of Section 28, Township 1 North, Range 5 East of the Willamette Meridian, Multnomah County, Oregon described as follows:

All that part of the Northwest One-Quarter of the Southwest One-Quarter of said Section 28 lying Easterly of Henderson Road County Rd. No. 634 and Northerly of Alex Barr Road (formerly Toll Road) County Rd. No. 566.

Tax Account Number: R-94528-0210

Deed Number: D971372

MEETING DATE: MAR 11 1997

AGENDA #: R-2

ESTIMATED START TIME: 10:30

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: 1996 Dedicated Fund Review Report

BOARD BRIEFING: DATE REQUESTED: _____

REQUESTED BY: _____

AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: March 13, 1997

AMOUNT OF TIME NEEDED: 5min

DEPARTMENT: CIC DIVISION: Non-departmental

CONTACT: Kathleen Todd TELEPHONE #: 22438
BLDG/ROOM #: 412/215/CIC

PERSON(S) MAKING PRESENTATION: Jack Pessia, Chair, Central CBAC

ACTION REQUESTED:

INFORMATIONAL ONLY [] POLICY DIRECTION [] APPROVAL [] OTHER

SUGGESTED AGENDA TITLE:

1996 Dedicated Fund Review

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
(OR)
DEPARTMENT MANAGER: John Pessia

BOARD OF COUNTY COMMISSIONERS
97 MAR -4 AM 11:51
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Office of the Board Clerk 248-3277 or 248-5222

BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM BRIEFING
STAFF REPORT SUPPLEMENT

I. Purpose

To describe the information needed by the Board of County Commissioners for items submitted for agenda placement. Multnomah County Administrative Procedures #BCC-1 and #BCC-2 describe how to place items on the board agenda and how to format ordinances, resolutions, orders and proclamations. The following is the procedure for preparing staff reports to accompany each agenda item.

II. Preparation of Staff Reports

Staff reports are to be consistent with the following example. If one of the items is not applicable, do not leave it out, simply list as N/A. This report is a supplement to the Agenda Placement Form, it is not a substitute.

TO: BOARD OF COUNTY COMMISSIONERS

FROM: Kathleen Todd

TODAY'S DATE: 2/28/97

REQUESTED PLACEMENT DATE: _____

RE: 1996 Dedicated Fund Review Report
(Descriptive title using appropriate dates and wording such as Public Hearing, Resolution, Ordinance, etc.)

I. Recommendation/Action Requested: Information only.

(Concise listing of recommendation/action requested.)

II. Background/Analysis: Annual Report of the Dedicated Funds by the Central CBAC.

(Explanation of the item. This section should be as detailed as necessary to provide the BCC with the information it needs to make a decision. Why does this item have to go to the Board? What has the Board already seen about this issue?)

III. Financial Impact: NONE

(Revenue/Expenditure? Address current and long term issues. Is it going to result in a budget modification? If so, what is the timeline? If it is a budget modification, what caused the need for change? Has the budget office been consulted? Detailed explanation.)

IV. Legal Issues: NONE

(What are the legal issues? How do you know? Cite ORS, ordinance or administrative procedure if appropriate.)

V. Controversial Issues: NONE

(Policy/Political)

VI. Link to Current County Policies: Per Resolution 88-86

(Consistent/Changes Needed)

VII. Citizen Participation: Report of Citizen Committee

(What has been the degree of citizen involvement - Formal, i.e. task force or committee - Informal input? Do you anticipate citizen testimony at the board meeting?)

VIII. Other Government Participation: NONE

(Does it affect another jurisdiction/county department? Do they know about it?)



Citizen Involvement Committee

2115 SE MORRISON

PORTLAND, OREGON 97214

248-3450

February 21, 1997

To: Chair Beverly Stein
Commissioner Tanya Collier
Commissioner Gary Hansen
Commissioner Sharron Kelley
Commissioner Dan Saltzman

From: Jack Pessia, Chair
Central Citizen Budget Advisory Committee

Re: 1996 Dedicated Fund Review Report

The Central Citizen Budget Advisory Committee presents its Report for your review as directed by Resolution 88-86 adopted May 26, 1988.

This year's Report was prepared by interested citizens and volunteers from Multnomah County Citizen Budget Advisory Committees and the Central Citizen Budget Advisory Committee. Creating a more diverse group, a broader approach was designed to provide a wider participation. The Dedicated Fund Review Sub-Committee, chaired by Mr. Bob Boyer, prepared an interview schedule and questions in advance. This minimized Department staff time commitment and predetermined what information would be needed as each fund representative met with the Committee. This approach worked well and minimized the time commitment of all.

The Dedicated Fund Review Sub-Committee clearly feels there are fine programs that the County should take pride in. It also feels the County should take steps to ensure that these successful programs are publicized as demonstrations of how County dollars are used effectively. The Central Citizen Budget Advisory Committee fully supports these findings. As was requested in the last review of these funds, emphasis should continue to be placed on preventative programs related to justice services and alternative programs in the jails and community corrections.

A significant enhancement to program assessment will come from the compilation of success rate information for drug/alcohol treatment programs. It is the Committee's

hope the recent increases in MIS Administration and Field Services staffing will resolve the long-standing need for more assessment information.

In order to stretch available funding for these programs, the Central Citizen Budget Advisory Committee strongly recommends that not only the Department of Community Corrections, the Sheriff's Office, and the District Attorney's Office, but also County Departments as a whole look into linking up with Portland State's Capstone Program. Undergraduates and a supervising professor would be available to tackle problems and offer recommendations and technical assistance in exchange for the opportunity to fulfill graduation requirements.

Finally, the Committee continues to desire direct feedback on their comments and the recommendations contained in the Report. Feedback and reactions from either the Board or Department level greatly assist the Committee in providing more effective fund reports. Your efforts to help complete this communication loop are greatly appreciated.

CC: Elyse Clawson, Department of Juvenile and Adult Community Justice
Sheriff Dan Noelle
Gary Blackmer, Auditor
Michael Schrunk, District Attorney
CIC
file

**CENTRAL CITIZEN BUDGET ADVISORY
COMMITTEE**

**DEDICATED FUND
REVIEW
1996**

**Department of Community Corrections
District Attorney's Office
Sheriff's Office**

Multnomah County Citizen Involvement Committee
2115 SE Morrison Street - Portland, Oregon 97214
(503) 248-3450

Central Citizen Budget Advisory Committee

Jack Pessia - Chair
M'Lou Christ - DES CBAC
John Carter - DCC CBAC
Bill Davis - H CBAC
Shane Endicott - JJ CBAC
Susan Hathaway-Marxer - Library CBAC
Barbara Lentz - ND CBAC
Doug Montgomery - CFS CBAC
Vera Robbins - Sheriff CBAC
Jim Robison - DSS CBAC
Dick Wegner - DA CBAC

Dedicated Fund Review Sub-Committee

Bob Boyer - Chair
John Carter - DCC CBAC
M'Lou Christ - DES CBAC
Scott Ellertson
Charlotte Olson
Charlsie Sprague - DES CBAC
Jack Pessia - Central CBAC

Dedicated Fund Review 1996

The Central Citizen Budget Advisory Committee has reviewed the dedicated funds of the Multnomah County Department of Justice Services, Sheriff, and District Attorney as directed by resolution 88-86 adopted May 26, 1988.

The resolution provides that these funds be reviewed by the Central Citizen Budget Advisory Committee (CBAC) every four years to determine if the purpose for which the fund is dedicated is being met, whether the level of funds is reasonable for the purpose, and whether the need for the fund has increased or decreased.

The Central CBAC has reviewed the following funds for 1996:

- Jail Levy Fund 169 (Separate reviews of the Department of Community Corrections and Sheriff's Office portions of this fund were conducted)
- Inmate Welfare Fund 168
- Justice Services Special Operations Fund 180
 - Criminal Fees 6150
 - Alarm Permit Fees 4124
 - Concealed Handgun Permit Fees 3150
 - Marriage License and Conciliation Fees 3021 & 4850
 - Forfeiture Fund 6150 (Separate reviews of the Department of Community Corrections and District Attorney's Office portions of this fund were conducted)
- Emergency Communication Fund 151
- Public Safety Sinking Fund 228
- Justice Bond Project Fund 230

Methodology

The fund review was assigned to the Dedicated Fund Review Sub-Committee (DFR) made up of volunteers from Multnomah County Citizen Budget Advisory Committees (CBACs) and interested citizens. The DFR Sub-Committee met with Pete Vandyke, Jackie Jamison, Warren Cook, Brian Martinek, Mary Ann Inglesby, Bart Whalen, and Laura Harryman from the Sheriff's Office; Tom Simpson from the District Attorney's Office; Diane

Smith, Tichenor McBride, and Hugh McIsaac from the Department of Community Corrections to discuss financial and program information pertaining to each of the funds.

The findings and recommendations were reviewed and endorsed by the Central Citizen Budget Advisory Committee.

General findings:

The Central CBAC found the funds to be well managed. The funds are acceptable and no major changes are required currently. The Multnomah County personnel interviewed were both knowledgeable of the funds and able to explain details.

General recommendations:

Emphasis should continue to be placed on preventive criminal justice programs, as well as alternative programs in the areas of jails and community corrections.

For many of the funds reviewed, it appeared that a portion of the fund was intended to be spent on specific crime prevention programs such as drug and alcohol rehabilitation, continuing education, and job skill programs. We recommend that the portion of these funds earmarked for these programs continue to be tracked to assure that they are spent on the appropriate programs.

In order to stretch available funding for these programs, the Central CBAC strongly recommends that not only the Department of Community Corrections, the Sheriff's Office, and the District Attorney's Office, but also County Departments as a whole look into linking up with Portland State's Capstone Program. Undergraduates and a supervising professor would be available to tackle problems and offer recommendations and technical assistance in exchange for the opportunity to fulfill graduation requirements.

The Central CBAC recommends that more emphasis be placed on publicizing the success and value of programs within the justice system.

Specific recommendations:

Jail Levy Fund 169 (Department of Community Corrections)

Jail Serial Levy was established by the voters in 1989, 1993 and 1996 for the operation of the Inverness Jail and for alcohol and drug treatment beds.

The portion of the levy, approximately \$1.75 million, allocated to the Department of Community Corrections for drug and alcohol treatment programs is used to contract with the Volunteers of America for operation of residential treatment centers for men and women.

Findings:

The Central CBAC is very impressed with the program and considers it an important alternative to incarceration.

Recommendations:

1. The County should develop information on the success rate for this program and link that information to the need for continued funding of the program. The value and benefits of the program should be related to the cost of the program which is about half what beds in a correctional facility cost the County.
2. The Central CBAC looks forward to the results that may be provided from the 9.0 FTE MIS Administration and Field Services. This will enhance evaluation efforts on the heels of the elimination of the Program Development and Evaluation Unit.
3. A continuing, stable source of revenue for this program should be developed rather than depending on levy renewals.
4. The department should return to the prior arrangement of assigning two parole officers to the clients of this program. These officers would supervise the clients and follow their progress after release, as well as maintaining contact with the program staff.
5. Parenting classes are not only recommended for female clients but male clients as well.

Jail Levy Fund 169 (Sheriff's Office)

The Jail Serial Levy was established by the voters on November 7, 1989 and renewed in May of 1993 May of 1996 for the operation of the Inverness Jail and for alcohol and drug treatment programs.

Findings:

Approximately 16 million is allocated to the Sheriff's Office from the current Levy for the FY 96/97 operation of Inverness Jail.

Recommendations:

1. A continuing, stable source of revenue for this program should be developed rather than depending on levy renewals.
2. The Central CBAC looks forward to the results of the staffing level study which is due out by January of 1997. If necessary the staff should be increased to an appropriate level to eliminate overtime expenses and reduce associated risks to inmates, corrections personnel, and the public.
3. Video arraignments should continue to be used to the maximum extent possible in order to keep transportation costs down.
4. Staff should continue to develop programs that provide offenders with the education and skills to reintegrate back into the community successfully.

Inmate Welfare Fund 168

The Inmate Welfare Fund was established by the Board of County Commissioners by Ordinance on September 22, 1988, to account for the purchase and sale of commissary items to inmates of County correctional facilities.

Findings:

Items are sold at current retail market value. The profit provides for essential items for indigent inmates and for recreational and educational items for the inmate population. An Inmate Welfare Committee made up of various corrections personnel oversees purchases. The addition of pay phones has increased the revenue in the fund. This fund will continue to increase as more and more offenders are added to the system.

Recommendations:

1. Inmate input should continue to be sought in the selection of commissary items and equipment purchased with these funds.
2. Staff should look for ways to publicize the positive outcomes of the various programs that Corrections runs for the offenders.
3. Profit from the fund should continue to be used for essential items for indigent offenders and for recreational and educational items for the inmate population such as the continued maintenance and periodic upgrades of the computer system.
4. The DRF Committee suggests that the use of "Welfare" in the name of this fund has a negative feeling. A name change to the Commissary Fund would add a more positive note.

Justice Services Special Operations Fund 180

This fund was established in the 1993-94 budget to account for revenues previously placed in the General Fund that are dedicated to Justice Services in the Community Corrections Department, the District Attorney's Office, and the Sheriff's Office.

Findings:

This fund accounts for probation fees, criminal processing assessment fees, conciliation court fees and marriage license fees for the Community Corrections Department. This fund accounts for revenues received from forfeitures and video lottery for the District Attorney's Office. This fund also accounts for the Sheriff's Office revenues received from forfeitures, alarm permits, concealed handgun permits, gun ordinance fees and liquor license fees collected for civil processing inspection.

This fund appears to be properly managed.

The Central CBAC chose several of the funds contained within the Justice Services Special Operations Fund 180 to review in detail.

Specific recommendations:

Criminal Fees 6150

Criminal fees assessed by the state courts are collected by the court system and transferred to the County. The County's intergovernmental agreement gives 15% to the General Fund of each jurisdiction.

Findings:

In Multnomah County these funds are used by the Department of Community Corrections for the (1) Women's Transitional Services program which provides drug and alcohol intervention and treatment and case management to pregnant, drug -addicted female offenders and their children, and (2) the Pre-Trial Release Supervision Program which provides intensive non-custody supervision for those individuals the Court feels cannot comply with recognizance release.

Recommendations:

1. Continue funding the Women's Transition Unit to enhance drug and alcohol intervention and treatment and case management programs.
2. Continue funding the Pre-Trial Release Program.

Alarm Control Fund 4124

The Alarm Control Fund is established by the Board of County Commissioners through ordinance. This fund comes from permit fees for home and business burglary alarm permits and from false alarm fines.

Findings:

The fund is used to operate the alarm permit office and the "profit" is allocated to the general funds of the seven participating jurisdictions. Policy is made by a consortium of the involved jurisdictions, while the program is administered by the Sheriff's Office.

Recommendations:

1. The County should pursue shifting the cost of the education component to the alarm companies in the private sector.

2. The County should educate the public on the success and value of the program, especially in the area of decreasing false alarms and saving police time and resources.
3. The Central CBAC supports a raise in fees for this program as requested by the Alarm Ordinance Task Force. The added revenue should be returned to the various jurisdictions to off-set the costs of police response to alarms.
4. The program should explore changes in the latest computer technology and examine possible enhancements to the current system as recommended in the 1992 review.

Concealed Handgun Permit Fees 3150

The Concealed Handgun Fund was established by the Board of County Commissioners in response to 1990-91 legislation regulating gun purchase and concealed weapons permits.

Findings:

This fund collects fees from persons wanting to purchase a handgun, take training, or have a concealed weapon permit. Fees are used to pay the cost of the program. Revenue is on a 4 year cycle that matches renewals. This cycle accounts for shortfalls matching the renewal cycle. There are 14,000 handgun permits in this County. There are no medical limitations on receiving a license.

Recommendations:

1. Accounting for the background investigation and the permit fee should be conducted separately so that the County can determine if the actual costs of each operation are covered by the fees as recommended in the 1992 Dedicated Fund Review. If it is determined that the fees do not cover costs than the fees should be increased.
2. The Central CBAC recommends that as a cost-saving measure there not be a uniformed officer working with this program unless mandated by Ordinance. A civilian could perform the supervisory function, freeing up a uniformed officer's time to perform other duties.
3. Because there are no medical limitations contained in the original handgun statute, safety concerns need to be addressed in the form of an

amendment. A change in the language should read "denial of license if it is physically impossible to operate a handgun safely".

4. In order to correct the need to dip into the General Fund every four years due to the renewal cycle, the Central CBAC recommends that renewals be on a 2 year cycle.
5. Tuition for the County Safety Class should be at the same rate as comparable classes in the private sector.

Marriage License Fees 3021 Conciliation Court Fees 4850

The Conciliation Fund, which provides for Family Services, receives funds from the marriage license and divorce filing fees to provide family counseling and recommendations to the court on child custody and support.

Findings:

This program is supervised by the presiding judge of the Court of Domestic Relations and is accounted for in the Department of Community Corrections. The staff are County employees.

Recommendations:

1. Continue parent education requirement and fees.
2. Increase publicity of Parent Education and related programs.

Forfeiture Fund 6150

These funds account for the revenue derived from the sale of goods seized under federal and state statutes that allow seizure of property that has been used for criminal purpose or was purchased with funds from criminal activity.

Findings:

According to Multnomah County Ordinance 633, half of the revenue is returned to the seizing agency, 35% goes to the District Attorney for prosecution costs, and 15% is distributed to the General Fund of the seizing jurisdiction.

Federal Law requires the revenue be used to enhance the seizing agency's budget, not for replacement. The state law allows expenditures for justice/law enforcement programs.

This fund has internal controls in place and is audited regularly.

Recommendations:

1. Continue the use of "Legal Claims Against Forfeiture" account of \$250,000 as carry-over account in the District Attorney's Office.
2. More funds need to be used for drug and alcohol treatment. There is a need to start looking to the private sector for additional monies.
3. The Central CBAC congratulates both the Sheriff's and District Attorney's Offices on their efforts and recommends that these efforts be continued and increased.

Emergency Communication Fund: Fund 151

This fund consists of telephone excise taxes collected by the State and distributed to the local jurisdictions. This revenue is based on the number of residents in the unincorporated areas of the County.

Findings:

The revenue is used, as required by state statute, to help pay for "911" calls, ambulance dispatch, and Sheriff patrol dispatch costs. The County contracts by "letter of understanding" with the City of Portland for this service.

Only 1/3 of the County's costs are covered by this fund. Continuing needs are met with large supplements from the General Fund.

Recommendations:

The Central CBAC recommends that the County should continue to contract with the City of Portland while examining the possibility of organizing a Chapter 190 program as stated in the 1992 review.

Public Safety Bond Sinking Fund 228

This fund accounts for the retirement of General Obligation Bonds approved in May 1996 to expand Inverness Jail, construct new jail facilities, upgrade

other jail facilities, and pay for major data processing linkages in the Corrections system. Proceeds are derived from property taxes. The fund was created in the 1996-97 Adopted Budget.

Findings:

This fund does appear in the FY 96/97 Adopted Budget. The Central CBAC did not review due to no activity in the fund.

Justice Bond Project Fund 230

This fund accounts for projects to expand Inverness Jail, construct new jail facilities, upgrade other jail facilities, and pay for major data processing linkages in the Corrections system. Proceeds are derived from the sale of General Obligation Bonds approved by voters May 21, 1996. The fund was created in the 1996-97 Adopted Budget.

Findings:

This fund does appear in the FY 96/97 Adopted Budget. The Central CBAC did not review due to no activity in the fund.

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR

(Date)

DEPARTMENT Juvenile & Adult Community Justice
CONTACT John Turner, Patrick Brun

DIVISION Adult
TELEPHONE 248-3701 248-3438

* NAME(S) OF PERSON MAKING PRESENTATION TO BOARD

Elyse Clawson, Director

SUGGESTED

AGENDA TITLE (to assist in preparing a description for the printed agenda)

A budget modification to increase the Juvenile and Adult Community Justice (JACJ) budget by \$1,365,486 for the supervision of offenders convicted of felonies who are sentenced to 12 months or less of incarceration. The Department will provide community-based supervision, sanctions and services for offenders.

(ESTIMATED TIME NEEDED ON THE AGENDA)

2. DESCRIPTION OF MODIFICATION

(Explain the changes this Bud Mod makes. What budget does it increase? What do changes accomplish? Where does the money come from? What budget is reduced? Attach additional information if you need more space.)

Personnel changes are shown in detail on the attached sheet

The State of Oregon Department of Corrections has allocated to Multnomah County \$3,167,422 for handling offenders receiving sentences of less than 12 months for felony crimes (SB1145) for the period January 1, 1997 through June 30, 1997. A portion of this offender population will be housed in prison beds. The other portion will be supervised in the community. Upon recommendation of the Local Public Safety Coordinating Council (LPSCC), the Department is requesting additional personnel, materials and expansion of existing sanction programs and services to provide community supervision. Total increase in costs to support the basic model of offender management is \$1,365,486. The State allocation is not sufficient to support the basic model of community supervision and housing of inmates. This modification will require General Fund supplement of \$379,732 to fully support the community supervision component. This modification will affect several program budgets within the Department (see attached expend detail). Personnel and sanction programs will be phased in over a 3 month period beginning February 1, 1997.

3. REVENUE IMPACT

(Explain revenues being changed and reason for the change)

Transfer of State SB1145 New Impact revenue from Non-departmental to JACJ **\$985,754**
General Fund Supplement **379,732**
\$1,365,486

4. CONTINGENCY STATUS

(to be completed by Budget & Planning)

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

Originated By	Date	Department Director	Date
		<i>[Signature]</i>	2-5-97
Plan/Budget Analyst	Date	Employee Services	Date
<i>[Signature]</i>	2/6/97	<i>[Signature]</i>	2-6-97
Board Approval	Date		
<i>[Signature]</i>	3/11/97		

97 FEB - 6 AM 11: 24
MULTNOMAH COUNTY
OREGON
BOARD OF
COUNTY COMMISSIONERS

PERSONNEL DETAIL FOR BUDGET MODIFICATION NO.

DCC 7

5. ANNUALIZED PERSONNEL CHANGES (Compute on a full-year basis even though this action affects only a part of the fiscal year (FY).)

FTE Increase (Decrease)	POSITION TITLE	BASE PAY Increase (Decrease)	ANNUALIZED Increase/(Decrease)		TOTAL Increase (Decrease)
			Increase/(Decrease)		
			Fringe	Ins.	
4.00	Office Assistant II	96,174	16,840	20,174	133,188
5.00	Corrections Technician	140,835	24,659	25,959	191,453
1.00	Community Works Leader	33,199	5,813	5,373	44,385
3.00	Corrections Counselor	112,062	19,623	16,569	148,254
6.00	Probation/Parole Officer	237,156	57,792	33,606	328,554
1.00	Basic Skills Educator	37,918	6,640	5,544	50,102
1.00	Community Corrections Program Administrator	51,803	9,071	6,665	67,539
21.00	TOTAL CHANGE (ANNUALIZED)	709,147	140,438	113,890	963,475

6. CURRENT YEAR PERSONNEL DOLLAR CHANGES (Calculate costs/savings that will take place in this FY; these should explain the actual dollar amounts being changed by this BudMod.)

Permanent Positions, Temporary, Overtime, or Premium	Explanation of Change	BASE PAY Increase (Decrease)	CURRENT FY Increase/(Decrease)		TOTAL Increase (Decrease)
			Increase/(Decrease)		
			Fringe	Ins.	
	156-021-2190-Offender Monitoring Team JCN				
Perm	Add 1 FTE Office Assistant II 6001	9,945	1,741	2,099	13,785
Perm	Add 2 FTE Corrections Tech 6266	22,900	4,010	4,306	31,216
Perm	Add 6 FTE Probation/Parole Officer 6276	98,823	24,083	14,003	136,909
Perm	Add 1 FTE Comm Corr Program Admin 9772	21,586	3,780	2,777	28,143
	156-021-2802-Alt Comm Svcs				
Perm	Add 1 FTE Comm Works Leader 6267	11,065	1,938	1,791	14,794
	156-021-2804-Day Reporting Center				
Perm	Add 2 FTE Office Assistant II 6001	11,933	2,089	2,519	16,541
Perm	Add 2 FTE Corrections Tech 6266	13,739	2,406	2,584	18,729
Perm	Add 3 FTE Corrections Counselor 6268	28,016	4,906	4,142	37,064
Perm	Add .5 FTE Basic Skills Educator 6344	4,740	830	693	6,263
	156-021-2806-Londer Learning Center				
Perm	Add 1 FTE Office Assistant II 6001	10,241	1,793	2,110	14,144
Perm	Add .5 FTE Basic Skills Educator 6344	7,900	1,383	1,155	10,438
	156-021-2801-Home Detention				
Perm	Add 1 FTE Corrections Tech 6266	7,731	1,354	1,323	10,408
TOTAL CURRENT FISCAL YEAR CHANGES		248,619	50,313	39,502	338,434

BUDGET MODIFICATION NO.

DCC 7

EXPENDITURE

TRANSACTION EB GM []

TRANSACTION DATE _____

ACCOUNTING PERIOD _____

BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		156	021	2825		1145	5100			153,254		Permanent
		156	021	2825		1145	5500			33,614		Fringe
		156	021	2825		1145	5550			23,185		Insurance
											210,053	
		156	021	2825		1145	6110			612,295		Professional Svcs
		156	021	2825		1145	6120			920		Printing
		156	021	2825		1145	6180			417		Repairs & Maint
		156	021	2825		1145	6190			542		Maintenance Contracts
		156	021	2825		1145	6230			23,542		Supplies
		156	021	2825		1145	6310			1,731		Education & Training
		156	021	2825		1145	6330			2,083		Travel
		156	021	2825		1145	7100			57,164		Indirect
		156	021	2825		1145	7150			1,521		Telephone
		156	021	2825		1145	7300			39,833		Motor Pool
		156	021	2825		1145	7400			25,940		Building Management
		156	021	2825		1145	7560			3,125		Distribution
											769,113	
		156	021	2825		1145	8400			24,000		Capital Equipment
											24,000	
TOTAL EXPENDITURE CHANGE										1,003,166	1,003,166	

REVENUE

TRANSACTION EB GM []

TRANSACTION DATE _____

ACCOUNTING PERIOD _____

0

BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Revenue	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
TOTAL REVENUE CHANGE										0		

BUDGET MODIFICATION NO. DCC 7

EXPENDITURE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD _____ BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		156	021	2802		1145	5100			11,065		Permanent
		156	021	2802		1145	5500			1,938		Fringe
		156	021	2802		1145	5550			1,791		Insurance
											14,794	
		156	021	2802		1145	6230			3,083		Supplies
		156	021	2802		1145	6310			200		Education & Training
		156	021	2802		1145	7100			2,661		Indirect
		156	021	2802		1145	7150			250		Telephone
		156	021	2802		1145	7300			23,333		Motor Pool
		156	021	2802		1145	7400			1,267		Building Management
											30,794	
		156	021	2802		1145	8400			3,000		Capital Equipment
											3,000	
TOTAL EXPENDITURE CHANGE										48,588	48,588	

REVENUE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD 0 BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Revenue	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
TOTAL REVENUE CHANGE										0		

BUDGET MODIFICATION NO. DCC 7

EXPENDITURE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD _____ BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		156	021	2806		1145	5100			18,141		Permanent
		156	021	2806		1145	5500			3,176		Fringe
		156	021	2806		1145	5550			3,265		Insurance
											24,582	
		156	021	2806		1145	6110			25,451		Professional svcs
		156	021	2806		1145	6230			4,334		Supplies
		156	021	2806		1145	6310			417		Education & Training
		156	021	2806		1145	6330			1,479		Travel
		156	021	2806		1145	7100			3,504		Indirect
		156	021	2806		1145	7150			250		Telephone
											35,435	
		156	021	2806		1145	8400			7,000		Capital Equipment
											7,000	
TOTAL EXPENDITURE CHANGE										67,017	67,017	

REVENUE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD 0 BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Revenue	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
TOTAL REVENUE CHANGE										0		

BUDGET MODIFICATION NO.

DCC 7

EXPENDITURE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD _____ BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		156	021	2801		1145	5100			7,731		Permanent
		156	021	2801		1145	5500			1,354		Fringe
		156	021	2801		1145	5550			1,323		Insurance
											10,408	
		156	021	2801		1145	6110			32,400		Professional Svcs
		156	021	2801		1145	6230			60		Supplies
		156	021	2801		1145	7100			2,670		Indirect
		156	021	2801		1145	7150			188		Telephone
											35,318	
		400	050	7531		1145	6580			39,501		Internal Svc Reimb-Insur Fund
		402	030	7990		1145	6140			3,684		Internal Svc Reimb-Telephone Fund
		401	030	5910		1145	6180			75,627		Internal Svc Reimb-Motor Pool Fund
		404	030	7345		1145	6200			3,138		Internal Svc Reimb-Distribution Fund
											121,950	
		156	050	9045			6110			(1,365,486)		
											(1,365,486)	Cash Transfer to Fed/State Fund
TOTAL EXPENDITURE CHANGE										(1,197,810)	1,197,810	

REVENUE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD _____ 0 BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Revenue	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		156	021	2825			2340			1,003,166		State New Impact Revenue
		156	021	2802			2340			48,588		State New Impact Revenue
		156	021	2804			2340			200,989		State New Impact Revenue
		156	021	2806			2340			67,017		State New Impact Revenue
		156	021	2801			2340			45,726		State New Impact Revenue
											1,365,486	
		400	050	7040			6602			39,501		Reimbursement from Federal State Fund
		402	030	7990			6602			3,684		Reimbursement from Federal State Fund
		401	030	5900			6602			75,627		Reimbursement from Federal State Fund
		404	030	7345			6602			3,138		Reimbursement from Federal State Fund
											121,950	
		156	050	9045			2340			(1,365,486)		
											(1,365,486)	
TOTAL REVENUE CHANGE										121,950	121,950	

REQUEST FOR GENERAL FUND CONTINGENCY TRANSFER

1. Attachment to Bud Mod No. DCC 7
2. Amount requested from General Fund Contingency \$379,732
3. Summary of Request

Supplements State funding for SB 1145 programs.

4. Has the expenditure for which this transfer is sought been included in any budget request during the past five years?
If so, when? NO
If so, what were the circumstances of its denials

5. Why was this expenditure not included in the annual budget process?

It was not known that program costs for this new responsibility were possibly going to exceed the State funding.

6. What efforts have been made to identify funds from another source within the Department, to cover this expenditure?
Why are no other Departmental sources of funds available?

Any reallocation of existing funds would constitute a local subsidy to the former State program. The Contingency transfer represents the cleanest way for the Board to authorize such a subsidy.

7. Describe any new revenue that this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account.

None

8. This request is for a (Quarterly , Emergency) review.
9. FOR EMERGENCY REQUESTS ONLY: Describe in detail on an additional sheet the costs or risks that would be incurred by waiting for the next quarterly review, in justification of the emergency nature of this request.

The Board briefing on 2/11/97 will explain the reasons for this request and the options that may be available.

10. Attach any additional information or comments you feel helpful.

David C. Varra
Signature of Department Head/Selected Official

2/6/97
Date

**MULTNOMAH COUNTY
DEPARTMENT OF JUVENILE AND
ADULT COMMUNITY JUSTICE**

TO: *Board of County Commissioners*

FROM: *Elyse Clawson*

DATE: *February 28, 1997*

REQUESTED PLACEMENT DATE: *March 11, 1997*

SUBJECT: *Budget Modification - DCC 7 & 8*

I. Recommendation/Action Requested

Request approval of budget modification to implement SB1145 Community Intervention Programs (non jail beds), and to pay for staff, materials and services necessary due to the transfer of offenders from the state system to the county system.

II. Background/Analysis

The programs and staff noted in this budget modification are necessary to manage SB1145 offenders once they have left jail and return to the community under the supervision of Adult Community Justice.

There are two sets of budget modifications attached.

Attachment A outlines the Basic Program Budget (bud mod DCC 7), which is the level of programming that the Local Public Safety Coordinating Council has requested we implement. We believe that the State will fully fund this program through SB1145 funds and, if necessary, possible emergency funding from the Governor's budget. Due to several uncertainties, there is a chance that the General Fund may need to supplement this funding for the remainder of this fiscal year.

Attachment B outlines a level of programming that we can afford using only the available State SB1145 funding (bud mod DCC 8). This level offers less services and a slower implementation rate.

Attachment C outlines the financial difference between the two models, as well as the annualized cost for BFY 97/98.

III. Financial Impact

Resources for this program will come from the State's SB1145 funding.

The total cost for the Basic Model (bud mod DCC 7) is \$1,365,486. We believe that the State will fully fund this program through SB1145 funds and possible emergency funding from the Governor's budget. Due to several uncertainties, there is a chance that the General Fund may need to supplement this funding for the remainder of this fiscal year.

The total cost for the Available Funding Model is \$985,723, and is fully funded by the State SB1145 funds (bud mod DCC 8).

The annualized cost for these programs will be \$3,668,187. It is anticipated that the pool of SB1145 funds will increase in 97/98, so the annualized cost is based upon the Basic Model.

IV. Legal Issues

None associated with this budget modification. Numerous legal issues around SB1145 have previously been discussed with the Board.

V. Controversial Issues

The current amount of State SB1145 funding is not enough to adequately fund the jail beds, programs and services we feel are needed to manage this population. We will continue discussions with the State in an effort to increase the amount of funding made available to Multnomah County.

VI. Link to County Policies

The principle behind SB1145 is that local jurisdictions are in a better position to identify and individualize programs and services for this population. The programs identified in this budget modification expand existing County programs.

VII. Citizen Participation

The SB1145 program plan has been presented to the Local Public Safety Coordinating Council. They recommend approving the Basic Model of program implementation.

VIII. Other Government Participation

The SB1145 program plan has been a joint effort between Adult Community Justice and the Sheriffs Office. In addition, the Local Public Safety Coordinating Council has members from other justice agencies in the area, and they have approved this plan.

Attachment A Basic Model
 SB1145 Community Intervention Time Lines

		Total Cost	FTE
1145 Field Supervision Team (Community Intervention) Unit comprised of 6 PO's 2 Cor Techs 1 PA 1 OA II	Starts 02/01/97	\$ 397,872	10.00
Forest Project (Community Intervention) Provides slots for four SB1145 offender placements.	Starts 02/01/97	36,410	
Residential A/D Tx. (Community Intervention) Provides A/D treatment in a structured setting.	Starts 02/01/97 with 15 slots Adds 15 slots on 03/01/97; 30 slots total Adds 20 more slots on 04/01/97; 50 slots total	384,475	
Transitional Housing (Adjunct Service) Provides temporary housing that is alcohol/drug free.	Starts 02/01/97 with 25 slots Adds 10 slots on 03/01/97; 35 slots total Adds 15 slots on 04/01/97; 50 slots total	103,923	
Intensive Outpatient Tx. (Adjunct Service) Provides needed treatment for some offenders in the Com. Monitoring Unit.	Starts 02/01/97 with 10 slots Adds 40 slots on 03/01/97; 50 slots total Adds 50 slots on 04/01/97; 100 slots total	70,920	
Mental Health Consultation (Adjunct Service) Provides mental health consultations and medication monitoring for some offenders in the Com Monitoring Unit.	Starts 02/01/97 with 2 hrs/wk consultation Adds 2 more hrs/wk on 03/01/97; 4 hrs/wk total	9,567	
Day Reporting Center (Community Intervention) Provides daily structure, counseling, and education.	Starts with full staffing starting 04/01/97	200,987	7.50
Electronic Monitoring (Community Intervention) Provides "house arrest" capacity for 30 offenders.	Starts as a contract service on 04/01/97	45,727	1.00
Learning Center (Adjunct Service) Provides education and job search services.	Starts 02/01/97	67,017	1.50
Alternative Community Svcs (Adjunct Service) Provides a consequence instead of returning the offender to jail.	Starts 03/01/97	48,588	1.00
	Total	\$1,365,486	

Attachment B Available Funding Model
SB1145 Community Intervention Time Lines

		Total Cost	FTE
1145 Field Supervision Team (Community Intervention) Unit comprised of 6 PO's 2 Corrections Techs 1 PA. Phased in- 1 CT, 2 PO's, 1 PA 2/97 1 CT, 2 PO's 3/97 2 PO's 4/97	Starts 02/01/97	\$ 334,368	9.00
Forest Project (Community Intervention) Provides slots for four SB1145 offender placements.	Starts 02/01/97	36,410	
Residential A/D Tx. (Community Intervention) Provides A/D treatment in a structured setting.	Starts 02/01/97 with 5 slots Adds 15 slots on 03/01/97; 20 slots total Adds 20 more slots on 04/01/97; 40 slots total	142,846	
Transitional Housing (Adjunct Service) Provides temporary housing that is alcohol/drug free.	Starts 02/01/97 with 10 slots Adds 10 slots on 03/01/97; 20 slots total Adds 20 slots on 04/01/97; 40 slots total	75,093	
Intensive Outpatient Tx. (Adjunct Service) Provides needed treatment for some offenders in the Com. Monitoring Unit.	Starts 02/01/97 with 10 slots Adds 40 slots on 03/01/97; 50 slots total Adds 50 slots on 04/01/97; 100 slots total	70,920	
Mental Health Consultation (Adjunct Service) Provides mental health consultations and medication monitoring for some offenders in the Com Monitoring Unit.	Starts 02/01/97 with 2 hrs/wk consultation Adds 2 more hrs/wk on 03/01/97; 4 hrs/wk total	14,567	
Day Reporting Center (Community Intervention) Provides daily structure, counseling, and education. Delay start of 1 OA II to 7/97	Starts with full staffing starting 04/01/97	164,864	6.50
Electronic Monitoring (Community Intervention) Provides "house arrest" capacity for 30 offenders.	Starts as a contract service on 04/01/97	45,727	1.00
Learning Center (Adjunct Service) Provides education and job search services.	Starts 02/01/97	67,017	1.50

Alternative Community Svcs
(Adjunct Service)
Provides a consequence instead of
returning the offender to jail.

Starts 06/01/97

33,911

1.00

Total

\$985,723

Attachment C

Department of Juvenile and Adult Community Justice
 Adult Community Justice
 SB1145 Community Intervention

	Basic Model 96/97 Budget	Available Funds Model 96/97 Budget	Annualized 97/98 Budget
1145 Field Supervision Team	\$ 397,872	\$ 334,368	\$ 613,409
Forest Project	36,410	36,410	95,036
Residential A/D Tx	384,475	142,846	1,238,884
Transitional Housing	103,923	75,093	300,641
Intensive Outpatient Tx	70,920	70,920	249,189
Mental Health Consultation	9,567	14,567	34,659
Day Reporting Center	200,987	164,864	369,361
Electronic Monitoring	45,727	45,727	178,538
Learning Center	67,017	67,017	278,237
Alternative Community Svcs	48,588	33,911	53,513
total for current budget mod.	1,365,486	985,723	3,411,467
**approved on previous bud. mod.			
Offender Management Team	171,488	171,488	256,720
Total 1145 Program Budgets	\$ 1,536,974	\$ 1,157,211	\$ 3,668,187
Revenue Summary			
SB 1145 Funds	\$ 1,158,242	\$ 1,157,211	\$ 3,668,187
General Fund Supplement	378,732	0	0
Total	\$ 1,536,974	\$ 1,157,211	\$ 3,668,187

BUDGET MODIFICATION NO. DCC 7

EXPENDITURE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD _____ BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		156	021	2802		1145	5100			11,065		Permanent
		156	021	2802		1145	5500			1,938		Fringe
		156	021	2802		1145	5550			1,791		Insurance
											14,794	
		156	021	2802		1145	6230			3,083		Supplies
		156	021	2802		1145	6310			200		Education & Training
		156	021	2802		1145	7100			2,661		Indirect
		156	021	2802		1145	7150			250		Telephone
		156	021	2802		1145	7300			23,333		Motor Pool
		156	021	2802		1145	7400			1,267		Building Management
											30,794	
		156	021	2802		1145	8400			3,000		Capital Equipment
											3,000	
TOTAL EXPENDITURE CHANGE										48,588	48,588	

REVENUE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD 0 BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Revenue	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
TOTAL REVENUE CHANGE										0		

BUDGET MODIFICATION NO. DCC 7

EXPENDITURE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD _____ BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		156	021	2804		1145	5100			58,428		Permanent
		156	021	2804		1145	5500			10,231		Fringe
		156	021	2804		1145	5550			9,938		Insurance
											78,597	
		156	021	2804		1145	6110			19,250		Professional Svcs
		156	021	2804		1145	6120			150		Printing
		156	021	2804		1145	6170			180		Repairs & Maint
		156	021	2804		1145	6190			1,300		Maintenance Contracts
		156	021	2804		1145	6230			18,173		Supplies
		156	021	2804		1145	6270			175		Food
		156	021	2804		1145	6310			750		Education & Training
		156	021	2804		1145	6330			1,957		Travel
		156	021	2804		1145	7100			10,508		Indirect
		156	021	2804		1145	7150			1,475		Telephone
		156	021	2804		1145	7300			12,461		Motor Pool
		156	021	2804		1145	7400			35,000		Building Management
		156	021	2804		1145	7560			13		Distribution
											101,392	
		156	021	2804		1145	8400			21,000		Capital Equipment
											21,000	
TOTAL EXPENDITURE CHANGE										200,989	200,989	

REVENUE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD 0 BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Revenue	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
TOTAL REVENUE CHANGE										0		

BUDGET MODIFICATION NO. DCC 7

EXPENDITURE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD _____ BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		156	021	2806		1145	5100			18,141		Permanent
		156	021	2806		1145	5500			3,176		Fringe
		156	021	2806		1145	5550			3,265		Insurance
											24,582	
		156	021	2806		1145	6110			25,451		Professional svcs
		156	021	2806		1145	6230			4,334		Supplies
		156	021	2806		1145	6310			417		Education & Training
		156	021	2806		1145	6330			1,479		Travel
		156	021	2806		1145	7100			3,504		Indirect
		156	021	2806		1145	7150			250		Telephone
											35,435	
		156	021	2806		1145	8400			7,000		Capital Equipment
											7,000	
TOTAL EXPENDITURE CHANGE										67,017	67,017	

REVENUE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD 0 BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Revenue	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
TOTAL REVENUE CHANGE										0		

BUDGET MODIFICATION NO. DCC 7

EXPENDITURE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD _____ BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		156	021	2801		1145	5100			7,731		Permanent
		156	021	2801		1145	5500			1,354		Fringe
		156	021	2801		1145	5550			1,323		Insurance
											10,408	
		156	021	2801		1145	6110			32,400		Professional Svcs
		156	021	2801		1145	6230			63		Supplies
		156	021	2801		1145	7100			2,670		Indirect
		156	021	2801		1145	7150			188		Telephone
											35,321	
		400	050	7531		1145	6580			39,501		Internal Svc Reimb-Insur Fund
		402	030	7990		1145	6140			3,684		Internal Svc Reimb-Telephone Fund
		401	030	5910		1145	6180			75,627		Internal Svc Reimb-Motor Pool Fund
		404	030	7345		1145	6200			3,138		Internal Svc Reimb-Distribution Fund
											121,950	
		100	045	9120			7700			379,735	379,735	Cash Transfer to Fed/State Fund
TOTAL EXPENDITURE CHANGE										547,414	547,414	

REVENUE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD 0 BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Revenue	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		156	021	2190			2340			674,232		State New Impact Revenue
		156	021	2802			2340			33,911		State New Impact Revenue
		156	021	2804			2340			164,865		State New Impact Revenue
		156	021	2806			2340			67,017		State New Impact Revenue
		156	021	2801			2340			45,729		State New Impact Revenue
											985,754	
		156	021	2190			7601			328,934		General Fund Cash Transfer
		156	021	2802			7601			14,677		General Fund Cash Transfer
		156	021	2804			7601			36,124		General Fund Cash Transfer
											379,735	
		400	050	7040			6602			39,501		Reimbursement from Federal State Fund
		402	030	7990			6602			3,684		Reimbursement from Federal State Fund
		401	030	5900			6602			75,627		Reimbursement from Federal State Fund
		404	030	7345			6602			3,138		Reimbursement from Federal State Fund
											121,950	
		100	050	7410			6602			379,732	379,732	
TOTAL REVENUE CHANGE										1,867,171	1,867,171	



MULTNOMAH COUNTY DEPARTMENT OF
JUVENILE AND ADULT COMMUNITY JUSTICE

MEMORANDUM

TO: Board of County Commissioners
FROM: Elyse Clawson, Director *Elyse Clawson*
DATE: February 6, 1997
SUBJECT: Budget Modification for SB 1145 Programs

I. Recommendation/Action Requested

Approval of a budget modification for the Department's SB 1145 programs is requested. *This budget modification exceeds the allocation made available by the Oregon DOC and may require a General Fund supplement.*

II. Background/Analysis

During the last several months, staff from this Department, the Sheriff's Office, and Budget and Planning worked to identify a level of service and capacity sufficient to meet the needs of the expected target population of offenders sentenced to 12 months or less. This level of service was approved by the Public Safety Coordinating Council and the Board. Programming includes a Field Supervision Unit, Forest Project slots, residential treatment (contracted), Day Reporting Center slots, electronic monitoring, transitional housing, outpatient treatment, mental health consultation, and Learning Center slots. The cost of this level of programming exceeds the State allocation to Multnomah County for SB 115 operations.

III. Financial Impact

The budget modification may require a General Fund supplement.

IV. Legal Issues

None.

V. Controversial Issues

State and County officials continue to work on refining population estimates. If higher estimates prove to be accurate, it is possible that service levels funded by this budget modification, even with a General Fund supplement, will not be able to properly respond to offender risk and need factors.

VI. Link to County Policies

This budget modification provides the programs and services levels recommended by the Public Safety Coordinating Council and the Board of County Commissioners.

VII. Citizen Participation

None.

VIII. Other Government Participation

SB 1145 planning has been a collaborative endeavor with the Sheriff's Office and Budget and Planning.

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR _____

(Date)

DEPARTMENT Juvenile & Adult Community Justice

DIVISION Adult

CONTACT John Turner, Patrick Brun

TELEPHONE 248-3701 248-3438

* NAME(S) OF PERSON MAKING PRESENTATION TO BOARD

Elyse Clawson, Director

SUGGESTED

AGENDA TITLE (to assist in preparing a description for the printed agenda)

A budget modification to increase the Juvenile and Adult Community Justice (JACJ) budget by \$985,725 for the supervision of offenders convicted of felonies who are sentenced to 12 months or less of incarceration. The Department will provide community-based supervision, sanctions and services for offenders.

(ESTIMATED TIME NEEDED ON THE AGENDA)

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

Personnel changes are shown in detail on the attached sheet

The State of Oregon Department of Corrections has allocated to Multnomah County \$3,167,422 for handling offenders receiving sentences of less than 12 months for felony crimes (SB1145) for the period January 1, 1997 through June 30, 1997. A portion of this offender population will be housed in prison beds. The other portion will be supervised in the community. Upon recommendation of the Local Public Safety Coordinating Council (LPSCC), the Department is requesting additional personnel, materials and expansion of existing sanction programs and services to provide community supervision. Total increase in costs to support community supervision with available State funding is \$985,725. This modification will affect several program budgets within the Department (see attached expend detail). Personnel and sanction programs will be phased in over a 3 month period beginning February 1, 1997.

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

Transfer of State SB1145 New Impact revenue from Non-departmental to JACJ \$985,725

4. CONTINGENCY STATUS (to be completed by Budget & Planning)

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

Originated By	Date	Department Director	Date
		<i>B. S. Quinn</i>	2-5-97
Plan/Budget Analyst	Date	Employee Services	Date
<i>Elyse Clawson</i>	2/6/97	<i>D. S. Quinn</i>	2-6-97
Board Approval	Date		

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY OREGON
97 FEB - 6 AM 11: 31

PERSONNEL DETAIL FOR BUDGET MODIFICATION NO.

DCC 8

5. ANNUALIZED PERSONNEL CHANGES (Compute on a full-year basis even though this action affects only a part of the fiscal year (FY).)

FTE Increase (Decrease)	POSITION TITLE	BASE PAY Increase (Decrease)	ANNUALIZED Increase/(Decrease)		TOTAL Increase (Decrease)
			Increase/(Decrease)		
			Fringe	Ins.	
2.00	Office Assistant II	48,442	8,482	10,100	67,024
5.00	Corrections Technician	140,835	24,659	25,959	191,453
1.00	Community Works Leader	33,199	5,813	5,373	44,385
3.00	Corrections Counselor	112,062	19,623	16,569	148,254
6.00	Probation/Parole Officer	237,156	57,792	33,606	328,554
1.00	Basic Skills Educator	37,918	6,640	5,544	50,102
1.00	Community Corrections Program Administrator	51,803	9,071	6,665	67,539
19.00	TOTAL CHANGE (ANNUALIZED)	661,415	132,080	103,816	897,311

6. CURRENT YEAR PERSONNEL DOLLAR CHANGES (Calculate costs/savings that will take place in this FY; these should explain the actual dollar amounts being changed by this BudMod.)

Permanent Positions, Temporary, Overtime, or Premium	Explanation of Change	BASE PAY Increase (Decrease)	CURRENT FY Increase/(Decrease)		TOTAL Increase (Decrease)
			Increase/(Decrease)		
			Fringe	Ins.	
	156-021-2190-Offender Monitoring Team JCN				
Perm	Add 2 FTE Corrections Tech 6266	20,608	3,609	3,875	28,092
Perm	Add 6 FTE Probation/Parole Officer 6276	79,052	19,265	11,202	109,519
Perm	Add 1 FTE Comm Corr Program Admin 9772	21,586	3,780	2,777	28,143
	156-021-2802-Alt Comm Svcs				
Perm	Add 1 FTE Comm Works Leader 6267	2,765	484	448	3,697
	156-021-2804-Day Reporting Center				
Perm	Add 1 FTE Office Assistant II 6001	5,966	1,045	1,259	8,270
Perm	Add 2 FTE Corrections Tech 6266	13,739	2,406	2,584	18,729
Perm	Add 3 FTE Corrections Counselor 6268	28,016	4,906	4,142	37,064
Perm	Add .5 FTE Basic Skills Educator 6344	4,740	830	693	6,263
	156-021-2806-Londer Learning Center				
Perm	Add 1 Office Assistant II 6001	10,241	1,793	2,110	14,144
Perm	Add .5 FTE Basic Skills Educator 6344	7,900	1,383	1,155	10,438
	156-021-2801-Home Detention				
Perm	Add 1 FTE Corrections Tech 6266	7,731	1,354	1,323	10,408
TOTAL CURRENT FISCAL YEAR CHANGES		202,344	40,855	31,568	274,767

BUDGET MODIFICATION NO. DCC 8

EXPENDITURE

TRANSACTION EB GM [TRANSACTION DATE _____ ACCOUNTING PERIOD _____ BUDGET F 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		156	021	2190		1145	5100			121,246		Permanent
		156	021	2190		1145	5500			26,654		Fringe
		156	021	2190		1145	5550			17,854		Insurance
											165,754	
		156	021	2190		1145	6110			346,836		Professional Svcs
		156	021	2190		1145	6120			920		Printing
		156	021	2190		1145	6180			417		Repairs & Maint
		156	021	2190		1145	6190			542		Maintenance Contracts
		156	021	2190		1145	6230			23,542		Supplies
		156	021	2190		1145	6310			1,731		Education & Training
		156	021	2190		1145	6330			2,083		Travel
		156	021	2190		1145	7100			37,959		Indirect
		156	021	2190		1145	7150			1,521		Telephone
		156	021	2190		1145	7300			39,833		Motor Pool
		156	021	2190		1145	7400			25,940		Building Management
		156	021	2190		1145	7560			3,125		Distribution
											484,449	
		156	021	2190		1145	8400			24,000		Capital Equipment
											24,000	
TOTAL EXPENDITURE CHANGE										674,203	674,203	

REVENUE

TRANSACTION EB GM [TRANSACTION DATE _____ ACCOUNTING PERI _____ 0 BUDGET F 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Revenue	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
TOTAL REVENUE CHANGE										0		

BUDGET MODIFICATION NO. DCC 8

EXPENDITURE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD _____ BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		156	021	2802		1145	5100			2,765		Permanent
		156	021	2802		1145	5500			484		Fringe
		156	021	2802		1145	5550			448		Insurance
											3,697	
		156	021	2802		1145	6230			2,646		Supplies
		156	021	2802		1145	6310			50		Education & Training
		156	021	2802		1145	7100			1,805		Indirect
		156	021	2802		1145	7150			63		Telephone
		156	021	2802		1145	7300			22,333		Motor Pool
		156	021	2802		1145	7400			317		Building Management
											27,214	
		156	021	2802		1145	8400			3,000		Capital Equipment
											3,000	
TOTAL EXPENDITURE CHANGE										33,911	33,911	

REVENUE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD 0 BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Revenue	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
TOTAL REVENUE CHANGE										0		

BUDGET MODIFICATION NO. DCC 8

EXPENDITURE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD _____ BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		156	021	2804		1145	5100			52,461		Permanent
		156	021	2804		1145	5500			9,187		Fringe
		156	021	2804		1145	5550			8,678		Insurance
											70,326	
		156	021	2804		1145	6110			19,250		Professional Svcs
		156	021	2804		1145	6120			150		Printing
		156	021	2804		1145	6170			180		Repairs & Maint
		156	021	2804		1145	6190			1,300		Maintenance Contracts
		156	021	2804		1145	6230			18,173		Supplies
		156	021	2804		1145	6270			175		Food
		156	021	2804		1145	6310			750		Education & Training
		156	021	2804		1145	6330			1,957		Travel
		156	021	2804		1145	7100			8,399		Indirect
		156	021	2804		1145	7150			1,475		Telephone
		156	021	2804		1145	7300			461		Motor Pool
		156	021	2804		1145	7400			21,256		Building Management
		156	021	2804		1145	7560			13		Distribution
											73,539	
		156	021	2804		1145	8400			21,000		Capital Equipment
											21,000	
TOTAL EXPENDITURE CHANGE										164,865	164,865	

REVENUE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD 0 BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Revenue	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
TOTAL REVENUE CHANGE										0		

BUDGET MODIFICATION NO. DCC 8

EXPENDITURE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD _____ BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		156	021	2806		1145	5100			18,141		Permanent
		156	021	2806		1145	5500			3,176		Fringe
		156	021	2806		1145	5550			3,265		Insurance
											24,582	
		156	021	2806		1145	6110			25,451		Professional svcs
		156	021	2806		1145	6230			4,334		Supplies
		156	021	2806		1145	6310			417		Education & Training
		156	021	2806		1145	6330			1,479		Travel
		156	021	2806		1145	7100			3,504		Indirect
		156	021	2806		1145	7150			250		Telephone
											35,435	
		156	021	2806		1145	8400			7,000		Capital Equipment
											7,000	
TOTAL EXPENDITURE CHANGE										67,017	67,017	

REVENUE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD 0 BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Revenue	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
TOTAL REVENUE CHANGE										0		

BUDGET MODIFICATION NO. DCC 8

EXPENDITURE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD _____ BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Object	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		156	021	2801		1145	5100			7,731		Permanent
		156	021	2801		1145	5500			1,354		Fringe
		156	021	2801		1145	5550			1,323		Insurance
											10,408	
		156	021	2801		1145	6110			32,400		Professional Svcs
		156	021	2801		1145	6230			63		Supplies
		156	021	2801		1145	7100			2,670		Indirect
		156	021	2801		1145	7150			188		Telephone
											35,321	
		400	050	7531		1145	6580			31,568		Internal Svc Reimb-Insur Fund
		402	030	7990		1145	6140			3,497		Internal Svc Reimb-Telephone Fund
		401	030	5910		1145	6180			62,627		Internal Svc Reimb-Motor Pool Fund
		404	030	7345		1145	6200			3,138		Internal Svc Reimb-Distribution Fund
											100,830	
TOTAL EXPENDITURE CHANGE										146,559	146,559	

REVENUE

TRANSACTION EB GM [] TRANSACTION DATE _____ ACCOUNTING PERIOD 0 BUDGET FY 96-97

Document Number	Action	Fund	Agency	Organization	Activity	Reporting Category	Revenue	Current Amount	Revised Amount	Change Increase (Decrease)	Subtotal	Description
		156	021	2190			2340			674,203		State New Impact Revenue
				2802			2340			33,911		State New Impact Revenue
				2804			2340			164,865		State New Impact Revenue
				2806			2340			67,017		State New Impact Revenue
				2804			2340			45,729		State New Impact Revenue
											985,725	
		400	050	7040			6602			31568		Reimbursement from Federal State Fund
		402	030	7990			6602			3497		Reimbursement from Federal State Fund
		401	030	5900			6602			62627		Reimbursement from Federal State Fund
		404	030	7345			6602			3138		Reimbursement from Federal State Fund
											100,830	
TOTAL REVENUE CHANGE										1,086,555	1,086,555	

**MULTNOMAH COUNTY
DEPARTMENT OF JUVENILE AND
ADULT COMMUNITY JUSTICE**

TO: *Board of County Commissioners*

FROM: *Elyse Clawson*

DATE: *February 28, 1997*

REQUESTED PLACEMENT DATE: *March 11, 1997*

SUBJECT: *Budget Modification - DCC 7 & 8*

I. Recommendation/Action Requested

Request approval of budget modification to implement SB1145 Community Intervention Programs (non jail beds), and to pay for staff, materials and services necessary due to the transfer of offenders from the state system to the county system.

II. Background/Analysis

The programs and staff noted in this budget modification are necessary to manage SB1145 offenders once they have left jail and return to the community under the supervision of Adult Community Justice.

There are two sets of budget modifications attached.

Attachment A outlines the Basic Program Budget (bud mod DCC 7), which is the level of programming that the Local Public Safety Coordinating Council has requested we implement. We believe that the State will fully fund this program through SB1145 funds and, if necessary, possible emergency funding from the Governor's budget. Due to several uncertainties, there is a chance that the General Fund may need to supplement this funding for the remainder of this fiscal year.

Attachment B outlines a level of programming that we can afford using only the available State SB1145 funding (bud mod DCC 8). This level offers less services and a slower implementation rate.

Attachment C outlines the financial difference between the two models, as well as the annualized cost for BFY 97/98.

III. Financial Impact

Resources for this program will come from the State's SB1145 funding.

The total cost for the Basic Model (bud mod DCC 7) is \$1,365,486. We believe that the State will fully fund this program through SB1145 funds and possible emergency funding from the Governor's budget. Due to several uncertainties, there is a chance that the General Fund may need to supplement this funding for the remainder of this fiscal year.

The total cost for the Available Funding Model is \$985,723, and is fully funded by the State SB1145 funds (bud mod DCC 8).

The annualized cost for these programs will be \$3,668,187. It is anticipated that the pool of SB1145 funds will increase in 97/98, so the annualized cost is based upon the Basic Model.

IV. Legal Issues

None associated with this budget modification. Numerous legal issues around SB1145 have previously been discussed with the Board.

V. Controversial Issues

The current amount of State SB1145 funding is not enough to adequately fund the jail beds, programs and services we feel are needed to manage this population. We will continue discussions with the State in an effort to increase the amount of funding made available to Multnomah County.

VI. Link to County Policies

The principle behind SB1145 is that local jurisdictions are in a better position to identify and individualize programs and services for this population. The programs identified in this budget modification expand existing County programs.

VII. Citizen Participation

The SB1145 program plan has been presented to the Local Public Safety Coordinating Council. They recommend approving the Basic Model of program implementation.

VIII. Other Government Participation

The SB1145 program plan has been a joint effort between Adult Community Justice and the Sheriffs Office. In addition, the Local Public Safety Coordinating Council has members from other justice agencies in the area, and they have approved this plan.

Attachment A Basic Model
SB1145 Community Intervention Time Lines

		Total Cost	FTE
1145 Field Supervision Team (Community Intervention) Unit comprised of 6 PO's 2 Cor Techs 1 PA 1 OA II	Starts 02/01/97	\$ 397,872	10.00
Forest Project (Community Intervention) Provides slots for four SB1145 offender placements.	Starts 02/01/97	36,410	
Residential A/D Tx. (Community Intervention) Provides A/D treatment in a structured setting.	Starts 02/01/97 with 15 slots Adds 15 slots on 03/01/97; 30 slots total Adds 20 more slots on 04/01/97; 50 slots total	384,475	
Transitional Housing (Adjunct Service) Provides temporary housing that is alcohol/drug free.	Starts 02/01/97 with 25 slots Adds 10 slots on 03/01/97; 35 slots total Adds 15 slots on 04/01/97; 50 slots total	103,923	
Intensive Outpatient Tx. (Adjunct Service) Provides needed treatment for some offenders in the Com. Monitoring Unit.	Starts 02/01/97 with 10 slots Adds 40 slots on 03/01/97; 50 slots total Adds 50 slots on 04/01/97; 100 slots total	70,920	
Mental Health Consultation (Adjunct Service) Provides mental health consultations and medication monitoring for some offenders in the Com Monitoring Unit.	Starts 02/01/97 with 2 hrs/wk consultation Adds 2 more hrs/wk on 03/01/97; 4 hrs/wk total	9,567	
Day Reporting Center (Community Intervention) Provides daily structure, counseling, and education.	Starts with full staffing starting 04/01/97	200,987	7.50
Electronic Monitoring (Community Intervention) Provides "house arrest" capacity for 30 offenders.	Starts as a contract service on 04/01/97	45,727	1.00
Learning Center (Adjunct Service) Provides education and job search services.	Starts 02/01/97	67,017	1.50
Alternative Community Svcs (Adjunct Service) Provides a consequence instead of returning the offender to jail.	Starts 03/01/97	48,588	1.00
	Total	\$1,365,486	

Attachment B Available Funding Model
SB1145 Community Intervention Time Lines

		Total Cost	FTE
1145 Field Supervision Team (Community Intervention) Unit comprised of 6 PO's 2 Corrections Techs 1 PA. Phased in- 1 CT, 2 PO's, 1 PA 2/97 1 CT, 2 PO's 3/97 2 PO's 4/97	Starts 02/01/97	\$ 334,368	9.00
Forest Project (Community Intervention) Provides slots for four SB1145 offender placements.	Starts 02/01/97	36,410	
Residential A/D Tx. (Community Intervention) Provides A/D treatment in a structured setting.	Starts 02/01/97 with 5 slots Adds 15 slots on 03/01/97; 20 slots total Adds 20 more slots on 04/01/97; 40 slots total	142,846	
Transitional Housing (Adjunct Service) Provides temporary housing that is alcohol/drug free.	Starts 02/01/97 with 10 slots Adds 10 slots on 03/01/97; 20 slots total Adds 20 slots on 04/01/97; 40 slots total	75,093	
Intensive Outpatient Tx. (Adjunct Service) Provides needed treatment for some offenders in the Com. Monitoring Unit.	Starts 02/01/97 with 10 slots Adds 40 slots on 03/01/97; 50 slots total Adds 50 slots on 04/01/97; 100 slots total	70,920	
Mental Health Consultation (Adjunct Service) Provides mental health consultations and medication monitoring for some offenders in the Com Monitoring Unit.	Starts 02/01/97 with 2 hrs/wk consultation Adds 2 more hrs/wk on 03/01/97; 4 hrs/wk total	14,567	
Day Reporting Center (Community Intervention) Provides daily structure, counseling, and education. Delay start of 1 OA II to 7/97	Starts with full staffing starting 04/01/97	164,864	6.50
Electronic Monitoring (Community Intervention) Provides "house arrest" capacity for 30 offenders.	Starts as a contract service on 04/01/97	45,727	1.00
Learning Center (Adjunct Service) Provides education and job search services.	Starts 02/01/97	67,017	1.50

Alternative Community Svcs
(Adjunct Service)
Provides a consequence instead of
returning the offender to jail.

Starts 06/01/97

33,911

1.00

Total

\$985,723

Attachment C

Department of Juvenile and Adult Community Justice
 Adult Community Justice
 SB1145 Community Intervention

	Basic Model 96/97 Budget	Available Funds Model 96/97 Budget	Annualized 97/98 Budget
1145 Field Supervision Team	\$ 397,872	\$ 334,368	\$ 613,409
Forest Project	36,410	36,410	95,036
Residential A/D Tx	384,475	142,846	1,238,884
Transitional Housing	103,923	75,093	300,641
Intensive Outpatient Tx	70,920	70,920	249,189
Mental Health Consultation	9,567	14,567	34,659
Day Reporting Center	200,987	164,864	369,361
Electronic Monitoring	45,727	45,727	178,538
Learning Center	67,017	67,017	278,237
Alternative Community Svcs	48,588	33,911	53,513
total for current budget mod.	1,365,486	985,723	3,411,467
**approved on previous bud. mod.			
Offender Management Team	171,488	171,488	256,720
Total 1145 Program Budgets	\$ 1,536,974	\$ 1,157,211	\$ 3,668,187
Revenue Summary			
SB 1145 Funds	\$ 1,158,242	\$ 1,157,211	\$ 3,668,187
General Fund Supplement	378,732	0	0
Total	\$ 1,536,974	\$ 1,157,211	\$ 3,668,187



MULTNOMAH COUNTY DEPARTMENT OF
JUVENILE AND ADULT COMMUNITY JUSTICE

MEMORANDUM

TO: Board of County Commissioners

FROM: Elyse Clawson, Director *Elyse Clawson*

DATE: February 6, 1997

SUBJECT: Budget Modification for SB 1145 Programs

I. **Recommendation/Action Requested**

Approval of a budget modification for the Department's SB 1145 programs is requested. *This budget modification is within the allocation made available by the Oregon DOC*

II. **Background/Analysis**

During the last several months, staff from this Department, the Sheriff's Office, and Budget and Planning worked to identify a level of service and capacity sufficient to meet the needs of the expected target population of offenders sentenced to 12 months or less. This level of service was approved by the Public Safety Coordinating Council and the Board. Programming includes a Field Supervision Unit, Forest Project slots, residential treatment (contracted), Day Reporting Center slots, electronic monitoring, transitional housing, outpatient treatment, mental health consultation, and Learning Center slots. However, the cost of this level of programming exceeds the State allocation to Multnomah County. Therefore, the Department prepared the attached budget modification which is within the allocation of State funds. This budget provides the same services as the plan approved by the Public Safety Coordinating Council, but it delays some start dates and gets to full staffing more gradually.

III. **Financial Impact**

The budget modification is fully supported by State funds.

IV. Legal Issues

None.

V. Controversial Issues

State and County officials continue to work on refining population estimates. If higher estimates prove to be accurate, it is possible that service levels funded by this budget modification will not be able to properly respond to offender risk and need factors.

VI. Link to County Policies

The Public Safety Coordinating Council and the Board of County Commissioners recommended a package of SB 1145 programs exceeding available funds. This budget modification provides the services recommended, but at reduced service levels.

VII. Citizen Participation

None.

VIII. Other Government Participation

SB 1145 planning has been a collaborative endeavor with the Sheriff's Office and Budget and Planning.

MEETING DATE: MAR 11 1997

AGENDA NO: R-5

ESTIMATED START TIME: 10:45

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Resolution authorizing condemnation and immediate possession of real property necessary to complete permanent slide damage repairs to SW Scholls Ferry Road.

BOARD BRIEFING *Date Requested:* _____
Requested by: _____
Amount of Time Needed: _____

REGULAR MEETING: *Date Requested:* March 13, 1997
Amount of Time Needed: 5 Minutes

DEPARTMENT: Environmental Services **DIVISION:** Transportation & Land Use Planning
CONTACT: Bob Thomas **TELEPHONE #:** 248-3838

BLDG/ROOM #: 425

PERSON(S) MAKING PRESENTATION: Bob Thomas

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE:

Resolution authorizing condemnation of property necessary to complete permanent slide damage repairs to SW Scholls Ferry Road.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
OR
DEPARTMENT MANAGER: *Paul Nicholas*

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
97 MAR - 4 AM 8:11

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: *Call the Office of the Board Clerk 248-3277/248-5222*



MULTNOMAH COUNTY OREGON

DEPARTMENT OF ENVIRONMENTAL SERVICES
TRANSPORTATION AND LAND USE PLANNING DIVISION
1620 SE 190TH AVENUE
PORTLAND, OREGON 97233
(503) 248-5050

BOARD OF COUNTY COMMISSIONERS
BEVERLY STEIN • CHAIR OF THE BOARD
DAN SALTZMAN • DISTRICT 1 COMMISSIONER
GARY HANSEN • DISTRICT 2 COMMISSIONER
TANYA COLLIER • DISTRICT 3 COMMISSIONER
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS

FROM: Larry Nicholas 

TODAY'S DATE: February 27, 1997

REQUESTED PLACEMENT DATE: March 13, 1997

**RE: Approval of Resolution Considering Condemnation and Immediate Possession of
Parcels of Land for Emergency Road Repairs to SW Scholls Ferry Road.**

I. Recommendation/Action Requested:

The Transportation and Land Use Planning Division seeks approval of a resolution requesting consideration to begin public condemnation and gain immediate possession of real property for road construction purposes.

II. Background/Analysis:

The Transportation and Land Use Planning Division is proceeding with plans to repair slide damage to SW Scholls Ferry Road, north of SW Patton Road. In order to make the necessary repairs, the County must purchase portions of several existing parcels. Multnomah County has begun actively pursuing the purchase of these properties.

Properties described in the resolution are vital to construct repairs to the roadway and must be in Multnomah County's possession at the earliest possible date. If we are unable to secure the properties through binding offers, then condemnation will be necessary.

III. Financial Impact:

Funds will be deposited in court to cover legal expenses of the condemnation proceedings. These funds will be deposited from current Road Fund assets.

IV. Legal Issues:

If a public entity is unable to reach agreement with the owner of property deemed necessary for construction or easement, Oregon State Law authorizes state, county and city governments to condemn property under the Eminent Domain Procedures in ORS CH 35.

V. Controversial Issues:

If Multnomah County is unable to reach a negotiated settlement for sale, condemnation proceedings will be necessary.

VI. Link to Current County Policies:

This roadway is a vital link for motorists driving in the SW portion of Portland and those accessing to and from Beaverton. Without these repairs, the County will not be able to reopen the roadway. Multnomah County has been working with property owners to reach an agreement to allow for construction to proceed. This condemnation will be used as a last resort, if necessary, to return the roadway to a safe useable condition.

VII. Citizen Participation:

Multnomah County is negotiating with the property owners.

VIII. Other Government Participation:

By agreement, the City of Portland maintains SW Scholls Ferry Road at this location. Multnomah County is responsible for any capital improvement projects required.

3. That upon final determination of any such proceeding, the deposit of funds and payment of judgment conveying the property to the County is hereby authorized; and
4. That the Board hereby finds that it is necessary to obtain immediate possession of such property to allow construction to proceed and be completed on schedule and within budgetary limitations and to reopen the road at the earliest possible date; and
5. Legal counsel is hereby authorized and directed to take such action in accordance with law to obtain immediate possession of the property; and
6. That there is hereby authorized the creation of a fund in the amount of the estimate of just compensation for each such property, which shall, upon obtaining possession of each such property, be deposited with the Clerk of the Court wherein the action was commenced for the use of the defendants in the action, and the Director of the Finance Division is authorized to draw a warrant on the fund of the County in such sum for deposit.

ADOPTED this _____ day of _____, 1997.

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By _____
Beverly Stein, Chair

REVIEWED:

SANDRA N. DUFFY, ACTING COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By  _____
John S. Thomas
Assistant County Counsel

B.S.G. CORP. (OREGON), and
SCHICHT, GERHARD and IRENE

S.W. SCHOLLS FERRY ROAD
South of Canyon Road
Item No. 97-21
February 20, 1997

PERMANENT DRAINAGE EASEMENT (DESCRIPTION)

A tract of land situated in the West One-half of the Northwest One-quarter of Section 7, T1S, R1E, W.M., in the County of Multnomah and the State of Oregon, being more particularly described as follows:

Beginning at an iron rod at the Northeast corner of Lot 17, ARGENT SUBDIVISION, recorded on December 13, 1973, in Book 1204, Page 93, Multnomah County Plat Records; thence N62°55'20"W along the northerly line of said Lot 17, a distance of 157.72 feet to an iron rod being the northwesterly corner of Lot 17; thence S32°34'49"W along the westerly line of said Lot 17, a distance of 35.16 feet to a point; thence S62°55'20"E, a distance of 25.12 feet to a point; thence N32°34'49"E, a distance of 25.12 feet to a point being 10.00 feet southwesterly, when measured at right angles to the northerly line of said Lot 17; thence S62°55'20"E, a distance of 132.60 feet to a point on the northwesterly right-of-way line of S.W. Scholls Ferry Road, County Road No. 1202; thence N32°35'E along said right-of-way line, a distance of 10.05 feet to the point of beginning.

Containing 2,205 square feet, more or less.

As shown on attached EXHIBIT "A", herein made a part of this description.

PERMANENT SLOPE EASEMENT (DESCRIPTION)

A tract of land situated in the West One-half of the Northwest One-quarter of Section 7, T1S, R1E, W.M., in the County of Multnomah and the State of Oregon, begin more particularly described as follows:

Beginning at an iron rod at the Northeast corner of Lot 17, ARGENT SUBDIVISION, recorded on December 13, 1973, in Book 1204, Page 93, Multnomah County Plat Records; thence $N62^{\circ}55'20''W$ along the northerly line of said Lot 17, a distance of 50.23 feet to a point; thence $S32^{\circ}35'W$ along a line being parallel to and 80.00 feet westerly, when measured at right angles to the centerline of S.W. Scholls Ferry Road, County Road No. 1202, a distance of 30.00 feet to a point; thence continuing parallel to said county road centerline, along an arc of a 438.10 foot radius curve to the left, the chord of which bears $S30^{\circ}31'07''W$, 31.57 feet, through a central angle of $4^{\circ}07'47''$, an arc length of 31.58 feet to a point; thence $S61^{\circ}32'47''E$, a distance of 50.00 feet to a point on the westerly right-of-way line of said S.W. Scholls Ferry Road; thence along the westerly right-of-way line of said County Road No. 1202, along the arc of a 388.10 foot radius curve to the right, the chord of which bears $N30^{\circ}31'07''E$, 27.97 feet, through the central angle of $4^{\circ}07'47''$, an arc length of 27.97 feet to a point; thence $N32^{\circ}35'E$, a distance of 34.82 feet to the point of beginning.

Containing 3,109 square feet, more or less.

As shown on attached EXHIBIT "A", herein made a part of this description.

TEMPORARY CONSTRUCTION EASEMENT

A tract of land situated in the West One-half of the Northwest One-quarter of Section 7, T1S, R1E, W.M., in the County of Multnomah and the State of Oregon, being more particularly described as follows:

Beginning at an iron rod at the Southeast corner of Lot 17, ARGENT SUBDIVISION, recorded on December 13, 1973, in Book 1204, Page 93, Multnomah County Plat Records; thence along the westerly right-of-way line of S.W. Scholls Ferry Road, County Road No. 1202, along the arc of a 388.10 foot radius curve to the right, the chord of which bears N25°54'58"E, 34.37 feet, through the central angle of 5°04'30", an arc length of 34.38 feet to a point; thence N61°32'47"W, a distance of 50.00 feet to a point being 80.00 feet, when measured at right angles to the centerline of said S.W. Scholls Ferry Road; thence along the arc of a 438.10 foot radius curve to the right, along a line being 80.00 feet distant, when measured at right angles to the centerline of said S.W. Scholls Ferry Road, through the central angle of 4°07'47", the chord of which bears N30°31'07"E, 31.57 feet, an arc length of 31.58 feet to a point; thence continuing parallel to the centerline of said county road N32°35'E, a distance of 30.00 feet to a point on the northerly line of said Lot 17; thence N62°55'20"W along the North line of Lot 17, a distance of 82.37 feet to a point; thence S32°34'49"W, a distance of 35.16 feet to a point; thence S61°22'38"E, a distance of 62.22 feet to a point; thence parallel to and 100.00 feet distant from the centerline of said county road, along the arc of a 458.10 foot radius curve to the left, through a central angle of 11°41'17", the chord of which bears S25°38'34"W, 93.29 feet, an arc length of 93.45 feet, to a point on the South line of said Lot 17; thence along said South line S89°06'24"E, a distance of 74.79 feet to the point of beginning.

Containing 4,856 square feet, more or less.

As shown on the attached EXHIBIT "A", herein made a part of this description.

PHJS1092.DESCRPTION

NO SCALE

N.W. 1/4 SEC.7
T1S, R1E, W.M.

EXHIBIT "A"

R-03560-0180
PLATA, GERHARD
30 NW 95TH AVE.
PORT. OR. 97229
PB-1777/1368 AQ-84

PERM. DRAINAGE EASE.

PERM. SLOPE EASE.

R-03560-0160
SCHICT, GERHARD & IRENE
B S G CO.
30 N.W. 95TH AVE.
PORT. OR. 97229
BP-941/1272 AQ-73

TEMP. CONST. EASE.

PC = 36+69.191

PT = 34+75.972

PERMANENT SLOPE EASEMENT (DESCRIPTION)

A tract of land situated in the West One-half of the Northwest One-quarter of Section 7, T1S, R1E, W.M., in the County of Multnomah and the State of Oregon, being more particularly described as follows:

Beginning at an iron rod at the Southeast corner of Lot 18, ARGENT SUBDIVISION, recorded on December 13, 1973, in Book 1204, Page 93, Multnomah County Plat Records; thence N32°35'E along the West right-of-way line of S.W. Scholls Ferry Road, County Road No. 1202, a distance of 69.38 feet to a point; thence N57°25'W, a distance of 50.00 feet to a point being 80.00 feet westerly, when measured at right angles to the centerline of S.W. Scholls Ferry Road; thence S32°35'W parallel to said centerline, a distance of 74.19 feet, to a point on the southerly line of said Lot 18; thence S62°55'20"E along the southerly line of Lot 18, a distance of 50.23 feet to the point of beginning.

Containing 3,589 square feet, more or less.

As shown on attached EXHIBIT "A", herein made a part of this description.

TEMPORARY CONSTRUCTION EASEMENT (DESCRIPTION)

A tract of land situated in the West One-half of the Northwest One-quarter of Section 7, T1S, R1E, W.M., in the County of Multnomah and the State of Oregon, being more particularly described as follows:

Commencing at an iron rod at the Southeast corner of Lot 18, ARGENT SUBDIVISION, recorded on December 13, 1973, in Book 1204, Page 93, Multnomah County Plat Records; thence N32°35'E along the West right-of-way line of S.W. Scholls Ferry Road, County Road No. 1202, a distance of 69.38 feet to a point being the point of beginning of the tract to be described; thence continuing along the

S.W. SCHOLLS FERRY ROAD DESCRIPTIONS

West right-of-way line of S.W. Scholls Ferry Road, N32°35'E, a distance of 55.62 feet to a point; thence N57°25'W, a distance of 70.00 feet to a point being 100.00 feet westerly, when measured at right angles to the centerline of S.W. Scholls Ferry Road; thence S32°35'W parallel to said centerline, a distance of 131.75 feet, to a point on the southerly line of said Lot 18; thence S62°55'20"E along the southerly line of Lot 18, a distance of 20.09 feet to a point; thence N32°35'E parallel to the centerline of said S.W. Scholls Ferry Road, a distance of 74.19 feet to a point; thence S57°25'E, a distance of 50.00 feet to the point of beginning.

Containing 5,397 square feet, more or less.

As shown on attached EXHIBIT "A", herein made a part of this description.

PHJS1093.DES

NO SCALE

N.W. 1/4 SEC. 7
T1S, R1E, W.M.

EXHIBIT "A"

R-03560-0180
PLATA, GERHARD
30 NW 95TH AVE.
PORT. OR. 97229
PB-1777/1368 AQ-84

TEMP. CONST. EASE.

PERM. SLOPE EASE.

R-03560-0160
SCHICT, GERHARD & IRENE
B S G CO.
30 N.W. 95TH AVE.
PORT. OR. 97229
BP-941/1272 AQ-73

S.W. SCHOLLS FERRY RD.

PC = 36+69.191

PT = 34+26.928

SLOPE and DRAINAGE EASEMENT

J. ROBERT ALVIS III and LUCINDA R. ALVIS convey to MULTNOMAH COUNTY, a political subdivision of the State of Oregon, a perpetual easement for the construction and maintenance of slope and drainage facilities through, over, under, along and within the following described parcel of land:

A parcel of land situated in the Northwest One-quarter of Section 7, T1S, R1E, W.M., Multnomah County, Oregon, more particularly described as follows:

Commencing at the most westerly corner of Lot 3, BEJA'S ACRES, a subdivision recorded on September 11, 1969, in Book 1201, Page 12, Multnomah County Plat Records, said point being on the easterly right-of-way line of S.W. Scholls Ferry Road, County Road No. 1202, being 30.00 feet southeasterly when measured at right angles to Engineers Centerline Station 35+63.13; thence N 32°35'00" E along said Southeast right-of-way line, a distance of 38.13 feet to the point of beginning of the tract being described; thence N 32°35'00" E continuing along said Southeast right-of-way line, a distance of 98.07 feet to a point; thence continuing along said Southeast right-of-way line, along an arc of a 379.30 foot radius curve to the right, through the central angle of 10°46'06", the chord of which bears N 37°58'03" E, 71.18 feet, an arc length of 71.29 feet to a point; thence leaving said Southeast right-of-way line S 46°38'54" E, a distance of 25.00 feet to a point being 55.00 feet southeasterly when measured at right angles to the centerline of said S.W. Scholls Ferry Road; thence parallel to and 55.00 feet distant from said centerline, southwesterly along an arc of a 354.30 foot radius curve to the left, through the central angle of 10°46'06", the chord of which bears S 37°58'03" W, 66.49 feet, an arc length of 66.59 feet to a point; thence S 32°35'00" W, a distance of 98.07 feet to a point; thence N 57°25'00" W, a distance of 25.00 feet to the point of beginning.

AFTER RECORDING, RETURN TO:
Patrick Hinds/Bldg. #425

FOR TAX STATEMENTS:
Multnomah County
Transportation Division
1620 SE 190th Avenue
Portland OR 97233

S.W. SCHOLLS FERRY ROAD
North of S.W. Canyon Road
Item No. 97-2
January 8, 1997
Page 2

Containing 4,161 square feet, more or less.

As shown on attached EXHIBIT "A", herein made a part of this document.

It is understood and agreed that no buildings shall be erected upon said easement without the written consent of the Board of County Commissioners.

The true and actual consideration for this conveyance is \$0.00.

DATED this _____ day of _____, 199__.

By _____
J. ROBERT ALVIS, III/Grantor

By _____
LUCINDA R. ALVIS/Grantor

STATE OF _____ County of _____

SIGNED BEFORE ME _____, 19__, personally appeared the above-named

_____ who acknowledged the foregoing instrument to be _____ voluntary act.

Notary Public for said State

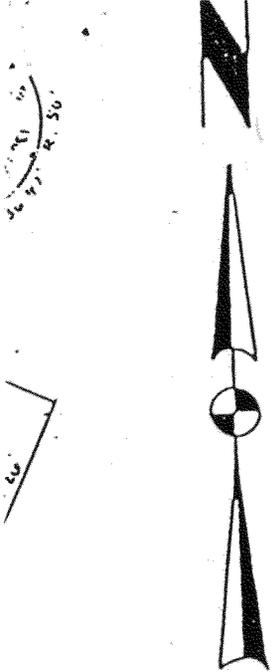
My Commission expires _____, _____

REVIEWED:

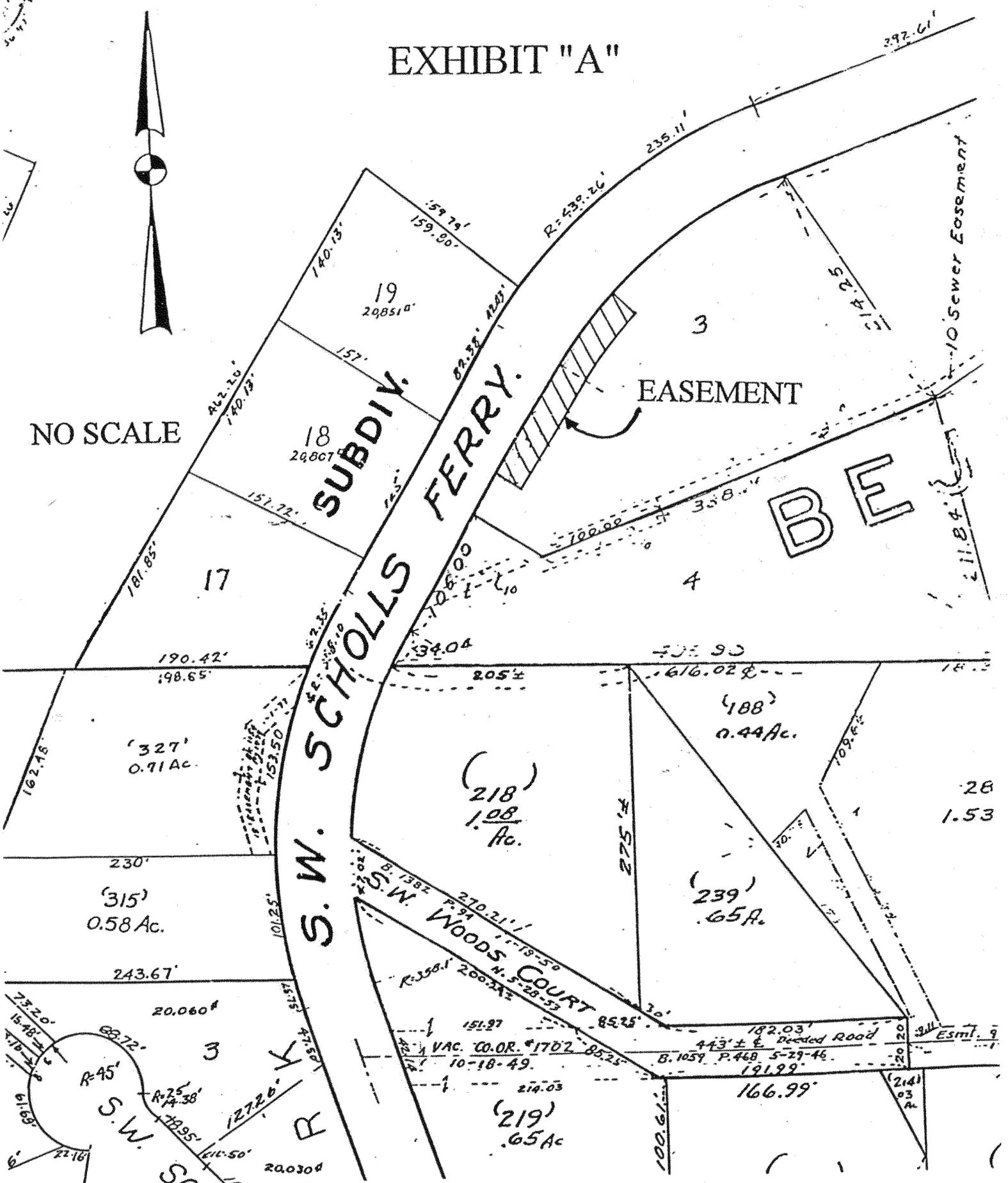
SANDRA N. DUFFY
Acting County Counsel
for Multnomah County, Oregon

PHIS1047.EAS

EXHIBIT "A"



NO SCALE



KIRIT S. SHAH and
RUPA K. SHAH

S.W. SCHOLLS FERRY ROAD
South of Highway 26
Item No. 97-23
February 20, 1997

DRAINAGE EASEMENT (DESCRIPTION)

A strip of land situated in the Northwest One-quarter of Section 7, T1S, R1E, W.M., Multnomah County, Oregon, more particularly described as follows:

Beginning at a ½ inch iron pipe on the West line of Lot 4, BEJA'S ACRES, a subdivision recorded in Book 1201, Page 12, on September 11, 1969, Multnomah County Plat Records, said point also being on the East right-of-way line of S.W. Scholls Ferry Road, County Road No. 1202, being 30.00 feet easterly when measured at right angles to Legal Centerline Station P.C.36+69.02; thence N32°35'E along said East right-of-way line, a distance of 13.96 feet to a point; thence N69°02'25"E, a distance of 41.91 feet to a point; thence S20°57'35"E, a distance of 15.00 feet to a point; thence S69°02'25"W, a distance of 61.90 feet to a point on the East right-of-way line of said S.W. Scholls Ferry Road, being 30.00 feet easterly when measured at right angles to the centerline thereof; thence northeasterly along an arc of a 328.10 foot radius curve to the right, through the central angle of 1°55'37", the chord of which bears N31°37'12"E, 11.03 feet, an arc length of 11.03 feet to the point of beginning.

Containing 780 square feet, more or less.

As shown on attached EXHIBIT "A", herein made a part of this document.

PHJS1095.DES

EXHIBIT "A"



NO SCALE

N.W. 1/4 SEC. 7
T1S, R1E, W.M.

