

**Minutes of the Board of Commissioners Meeting
Multnomah County, Oregon
Tuesday, September 28, 2010 - 10:00 am
Multnomah Building, Commissioners Board Room 100
501 SE Hawthorne Boulevard, Portland**

BOARD BRIEFINGS

Chair Jeff Cogen (or Vice Chair Diane McKeel) convened the meeting at 10:05 a.m. with Vice-Chair Diane McKeel and Commissioners Barbara Willer and Judy Shiprack present and Commissioner Kafoury excused.

B-1 County Attorney's Annual Litigation Report. Presenters: Agnes Sowle, County Attorney and Jenny Morf and Stephen Madkour, Assistant County Attorneys

Chair Cogen recognized Ms. Sowle's last board event as County Attorney, and commended her for her hard work and dedication. The Commissioners also voiced their thanks and wished Ms. Sowle well in her retirement.

Ms. Sowle thanked the Board for their kind words and said this report would be her last official function as County Attorney. Ms. Sowle made the introductions.

Ms. Sowle stated that the mission of the County Attorney's office is to provide cost-effective legal advice and representation. Code requires the County Attorney to submit a formal annual litigation report to the Board that summarizes legal services provided to county clients during the last fiscal year, ending June 30, 2010, with a specific emphasis on litigation services.

Ms. Sowle reviewed the composite, tenure and expertise of their attorneys, staff and students in the law clerk program. She discussed the case management computer database utilized to record time spent on cases, clients and matters. Of the total 26,980 hours invested this past fiscal year, 94%, or 25,310.41 hours, were provided in direct legal services. She reviewed the services by county department and the percentages of time spent on each. During her succession planning, she appointed Jenny Morf and Steven Madkour as leads and they assign and supervise the cases.

Ms. Morf acknowledged staff in the audience and gave an overview of the direct services they provide, by percentage and department, including litigation, contracts/documents, legal consultation and client training.

Mr. Madkour discussed the handling of labor and employment litigation they handle, including tort claims. The County received 180 tort claims last year; 123 or 678% of them were filed *pro se*. The County was also served with 35 lawsuits this past fiscal year. Of those filed, 15 were filed *pro se* and 20 were represented by Counsel. He reviewed the highlights for the year including trials, dismissals, favorable resolutions, arbitrations,

concealed hand gun permit cases and guardianship proceedings. Additionally, they have created and implemented a civil forfeiture process that has processed 56 claims and secured over \$68,800 in cash and property. Some cases were resolved by seeking legislative remedy from the Oregon Legislature in cooperation with the City of Portland. He reviewed the increases and costs of defending and prosecuting cases and covered client satisfaction results.

Ms. Sowle said the effective rate paid for each hour of direct legal service was \$130.96, down slightly from last year, and comparatively less than what the County would pay for attorneys in the private sector. She summarized by stating that their office is highly regarded in the legal community for their ethics and professionalism.

The Chair and Commissioners expressed their appreciation for the benefits their department provides to the taxpayers because the County is functioning at its optimum. The Board thanked them for their presentation and bid County Attorney Agnes Sowle a sad and fond farewell.

Chair Cogen called for a recess at 10:36 am.

Chair Cogen reconvened the meeting at 10:45 am.

B-2 Informational Board Briefing on the Sellwood Bridge Project. Presenter: Ian Cannon, Manager, Engineering Services, LUT Div., Bridges Sect.; Mike Baker, Owner's Representative from David Evans and Assoc.; and, Mike Pullen, Coordinator, Public Affairs Office.

Mr. Cannon made the introductions. He gave an update to the Board. He said the application for \$40M TIGER II grant funding has been submitted; plans to issue a Bond for \$50M is targeted for December 1st; and the current project estimate stands at \$330M.

He answered the Board's questions about the new procurement plan, which ensures that the means, methods, labor and materials are sustainable and they are working with appropriate staff and agencies to achieve the goals of this project.

Mr. Baker, the Owners Representative, reviewed the project management team; CMGC procurement; document management, programmatic schedule, and project management plan.

Mr. Pullen spoke of public involvement, the Record of Decision expected from NEPA this week, the deterioration of the bridge and inspections that are ongoing to ensure the bridge's safety until it is replaced. He spoke of the next phase being the design of the bridge type selection process and the calendar for upcoming meetings. Those items on the calendar are:

- CAC bridge type recommendation – October 4
- Final design Engineer procurement – RFP October 8
- CAC/PSC joint meeting for CAC recommendation – mid October

- Right of Way acquisition begins – BCC action in October
- PSC recommendation – October 2010
- BCC selects bridge type – late October 2010
- 30% design developed – late November 2010
- ODOT and FHWA approval of 30% design – January 2011
- Design continues – Spring 2011 to 2013
- Permit applications – Spring 2011
- Construction starts – Summer 2012
- Construction finished – Fall 2016

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:06 am.

Submitted by:

Lynda J. Grow, Board Clerk and
Marina Baker, Assistant Board Clerk
Board of County Commissioners
Multnomah County



Project Briefing

Board of County Commissioners
September 28, 2010

*Comm Kafoumy
ARRIVED
DURING PRES.*

Update

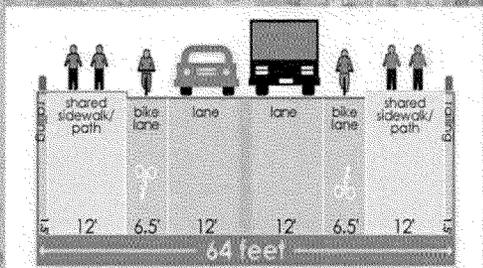
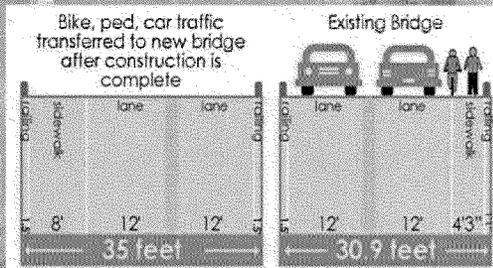
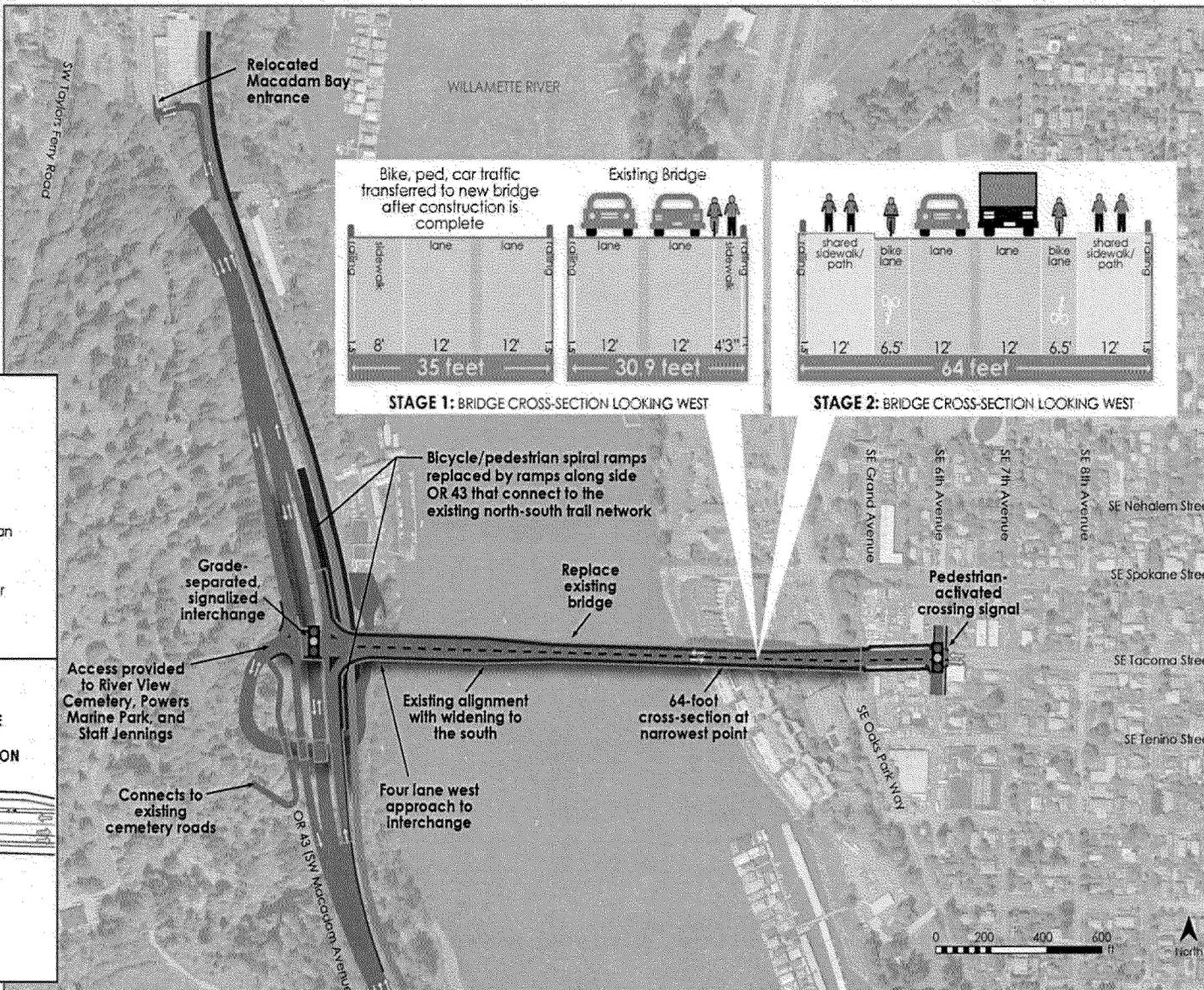
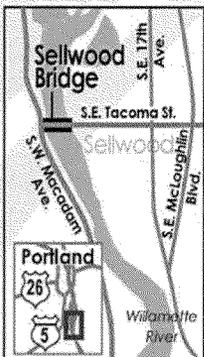
- Funding – Application for \$40M TIGER II grant submitted
- Finance – Plan to bond \$50M, target December 1
- Project estimate - \$330M
- Owners Representative
 - Project Management Team
 - CMGC procurement
 - Document Management
 - Programmatic Schedule
 - Project Management Plan
- Staying Informed
 - Monthly Briefings
 - Sellwood Leadership Team
 - Newsletter

Public Involvement

Next Steps

- NEPA process – Record of Decision expected this week
- Design – Bridge type selection process
- CAC bridge type recommendation – October 4
- Final design Engineer procurement – RFP October 8
- CAC/PSC joint meeting for CAC recommendation – mid October
- Right of Way acquisition begins – BCC action in October
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- 30% design developed – late November 2010
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Preferred Alternative

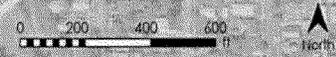
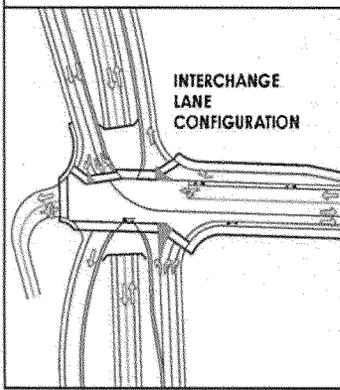


STAGE 1: BRIDGE CROSS-SECTION LOOKING WEST

STAGE 2: BRIDGE CROSS-SECTION LOOKING WEST

LEGEND

- Proposed road/streets
- Proposed street/car line
- Proposed bike/pedestrian path
- Direction of traffic/number of lanes
- Bridges



Revised December 2009





Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

BOARD OF COMMISSIONERS

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Free public access to wireless internet M-F from 6 AM to 9 PM during meetings in the Boardroom

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Tue., Sept. 28, 2010 BOARD MEETINGS HIGHLIGHTS

Tuesday @ 10:00 am - County Attorney's Annual Litigation Report
Tuesday @ 10:45 am - Sellwood Bridge Project
NO Board Meetings on Thursday This Week

Meetings of the Multnomah County Board of Commissioners are held at 501 SE Hawthorne Blvd. most usually in the Commissioners Chamber off of the main lobby, on the first floor.

Thursday meetings are cable-cast live and recorded and may be seen by Cable subscribers in Multnomah County at the following times

(Portland & East County)

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

Sunday, 11:00 AM Channel 30

(East County Only)

Saturday, 10:00 AM, Channel 29

Tuesday, 8:15 PM, Channel 29

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Tuesday, September 28, 2010 - 10:00 am
Board of Commissioners Meeting
Multnomah County, Oregon
Multnomah Building, Commissioners Board Room 100
501 SE Hawthorne Boulevard, Portland

BOARD BRIEFINGS

NON-DEPARTMENTAL – 10:00 am

B-1 County Attorney's Annual Litigation Report. Presenters: Agnes Sowle, John Thomas, Jenny Morf and Stephen Madkour (45 min)

DEPARTMENT OF COMMUNITY SERVICES – 10:45 am

B-2 Informational Board Briefing on the Sellwood Bridge Project. Presenter: Ian Cannon (30 min.)

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

NO REGULAR BOARD MEETING

THIS WEEK



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
501 S.E. HAWTHORNE BLVD. , Suite 600
PORTLAND, OREGON 97214
(503) 988-5220

Deborah Kafoury ● DISTRICT 1
COMMISSIONER

MEMORANDUM

TO: Chair Jeff Cogen
Commissioner Barbara Willer
Commissioner Judy Shiprack
Commissioner Diane McKeel
Board Clerk Lynda Grow

FROM: Aaron Ridings
Staff Assistant to Commissioner Deborah Kafoury

DATE: September 27, 2010

RE: Excuse memo for September 28, 2010.

Commissioner Kafoury will not be available for the Board meeting responsibilities on Tuesday, September 28th.

Thank you,

Aaron Ridings



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

Board Clerk Use Only

Meeting Date: 9/28/2010
 Agenda Item #: B-1
 Est. Start Time: 10:00 am

Agenda Title: County Attorney's Annual Litigation Report

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

Requested Meeting Date: September 28, 2010 **Amount of Time Needed:** 45 minutes
Department: Nondepartmental **Division:** County Attorney
Contact(s): Agnes Sowle, County Attorney
Phone: 503-988-3138 **Ext.** 83138 **I/O Address:** 503/500
Presenter(s): Agnes Sowle, John Thomas, Jenny Morf, Stephen Madkour

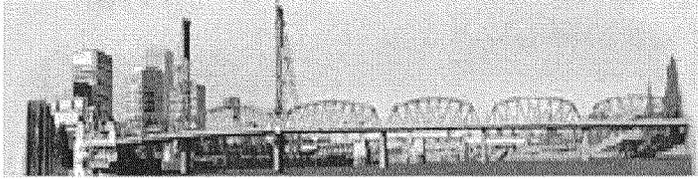
General Information

1. What action are you requesting from the Board?
 Informational Only
2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.
 Presentation of the County Attorney's FY 09/10 Litigation Report
3. Explain the fiscal impact (current year and ongoing).
 N/A
4. Explain any legal and/or policy issues involved.
 N/A
5. Explain any citizen and/or other government participation that has or will take place.
 N/A

Required Signature

Elected Official or
 Department/
 Agency Director:

Date: 8/30/2010



Office of Multnomah County Attorney

501 SE Hawthorne Blvd., Ste. 500,
Portland, OR 97214

2009-2010 Annual Litigation Report

*County Attorney's Litigation Report
to the Multnomah County
Board of Commissioners
September 2010*



AGNES SOWLE
County Attorney

JOHN S. THOMAS
Deputy County Attorney

OFFICE OF MULTNOMAH COUNTY ATTORNEY

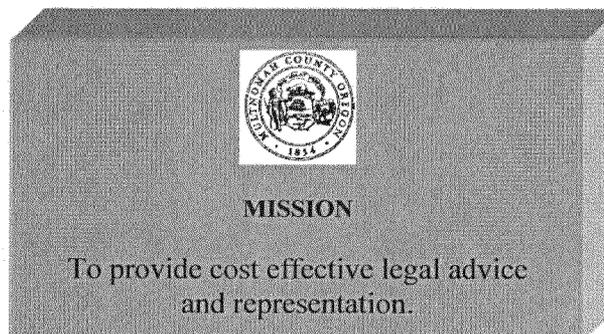
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PATRICK W. HENRY
STEPHEN L. MADKOUR
JENNY M. MORF
BERNADETTE D. NUNLEY
MATTHEW O. RYAN
KATHRYN A. SHORT
JED R. TOMKINS
JACQUELINE A. WEBER
Assistants

INTRODUCTION

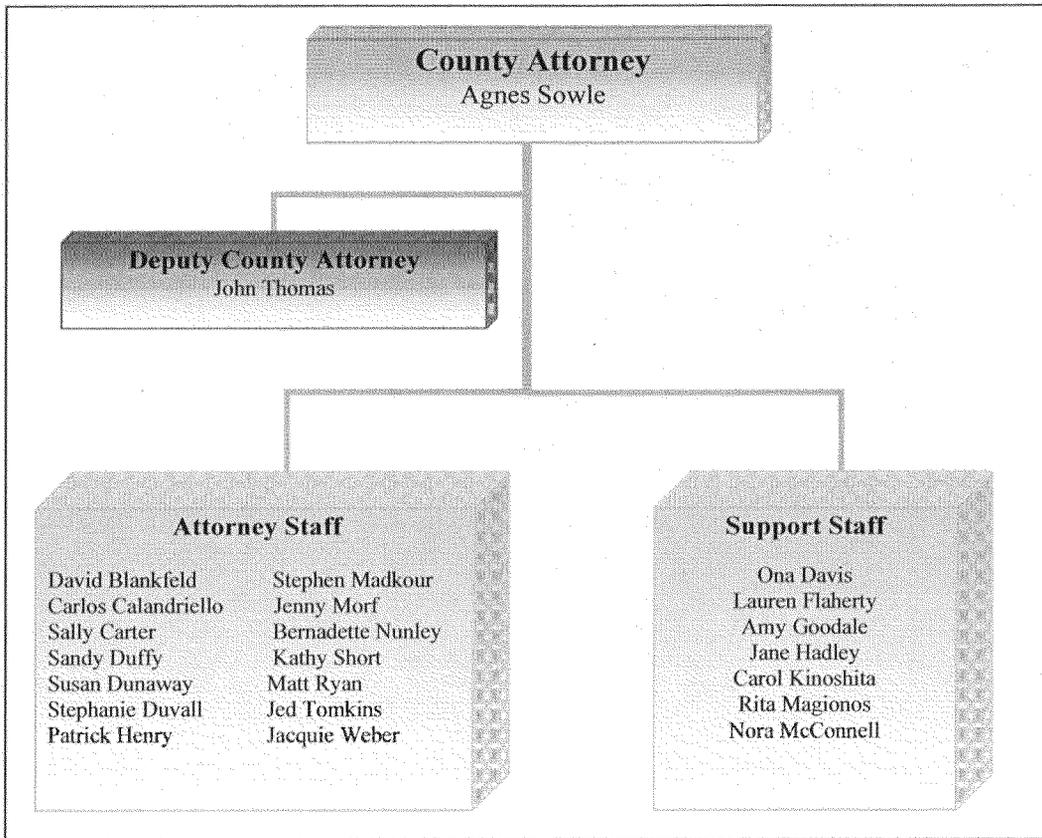
The mission of the County Attorney's office is to provide cost effective legal services for all county elected officials, officers and departments.



Multnomah County Code Section 25.320(I) requires the County Attorney to submit a formal annual litigation report to the Board. This Annual Litigation Report summarizes the legal services provided to county clients during the last fiscal year, with a specific emphasis on litigation services.

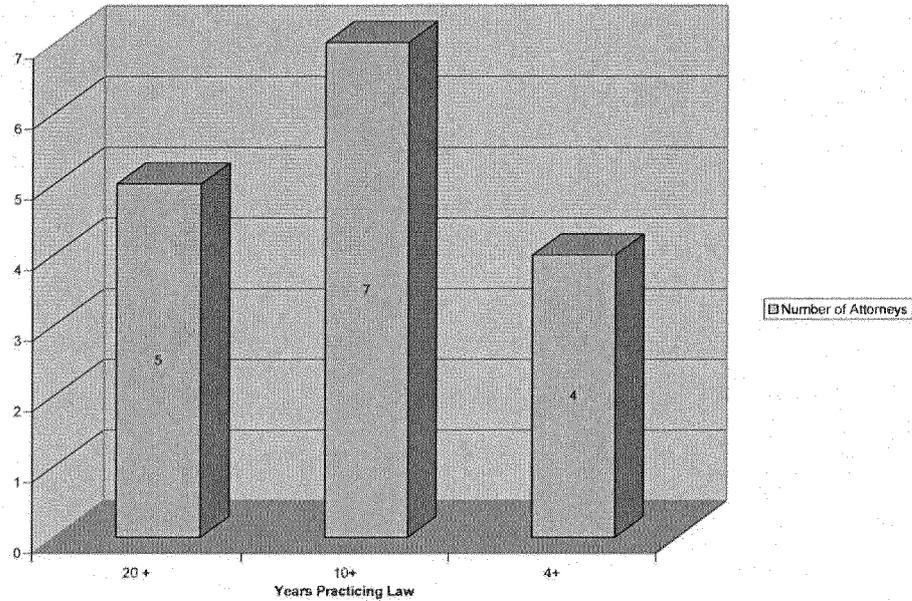
OFFICE STAFF

During the 2009–2010 fiscal year, our office had sixteen attorneys and seven permanent support staff. Our legal support staff provides exemplary service and support to the litigation team.

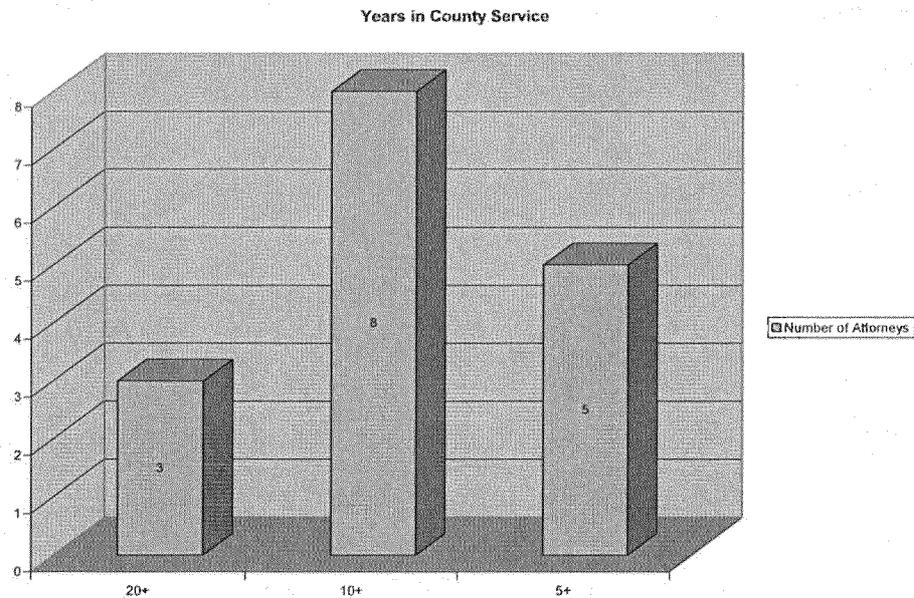


In addition to the full-time staff, the office also manages a successful law clerk program and provides work experience and mentoring to law students. We are also annual participants in the Lewis & Clark Law School’s externship program, which allows third-year law students an opportunity to volunteer their services to gain valuable public-sector legal experience. In the 2009-2010 fiscal year we provided work experience to two volunteer clerks, three legal externs, and one paid law clerk. These six students provided over 2,346 hours of legal research and writing, for a total cost of \$7,110.00 to the County.

Of the sixteen attorneys, five have 20 or more years of general legal experience, seven have more than 10 years of experience, and four have between 4 and 6 years of experience.



Our attorneys also have long tenures in public service and are subject matter experts on issues of County concern. We have three attorneys with more than 20 years of County service, eight attorneys with more than 10 years, and five attorneys with 5 or less years of County service.



DIRECT SERVICE HOURS

The County Attorney utilizes a case management computer database to record time dedicated to cases, clients and matters. During the 2009-2010 fiscal year, attorneys reported a total of 26,980 hours. Of those hours, 25,310.41 hours provided direct legal services. Direct service hours represent attorney time dedicated to litigation, legal consultation, legal document preparation and review and client training. Direct service hours exclude time spent on professional development, administrative, clerical or office related tasks. Chart 1 demonstrates that 94% of County Attorney hours were dedicated to the provision of direct service hours.

Chart 1

Total Hours Reported		26980.00
Direct Service	94%	25310.00
Non-Direct Service	6%	1670.00
16 Attorney FTE Average Direct Service Hours		1581.88

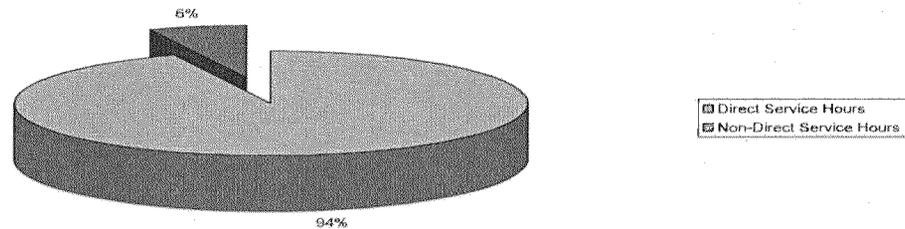
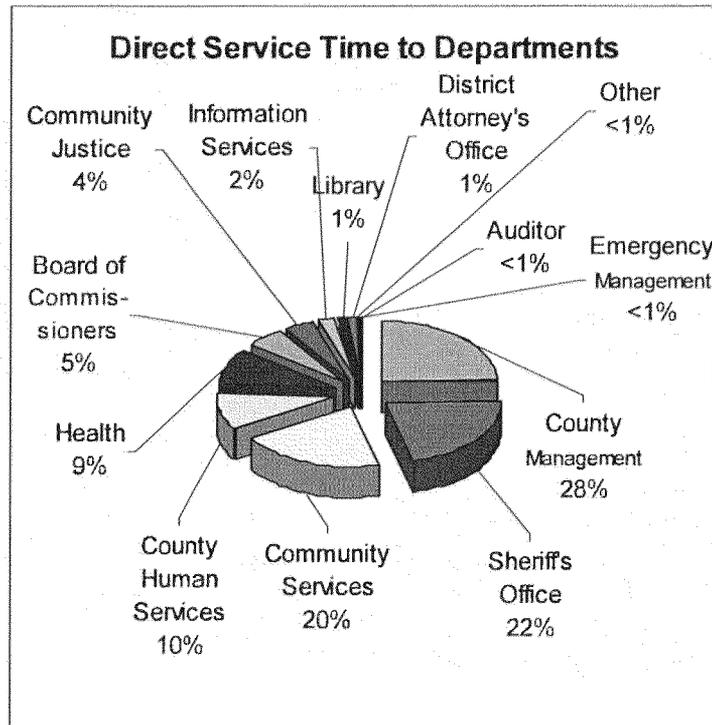


Chart 2 shows direct services hours broken down by county department. The greatest user of County Attorney time was County Management, with 28% of the hours, a 3% increase over last year. This increase is likely due to significant tax litigation and an employment suit in the Department. The Sheriff's Office is also a major consumer of our office's resources, utilizing 22% of attorney direct service hours last fiscal year. The Health Department and County Human Services also increased their use of County Attorney time over last year.

Chart 2



Department	Time
County Management	6,289.90
Sheriff's Office	5,356.86
Community Services	5,085.65
County Human Services	2,562.10
Health	2,350.05
Board of Commissioners	1,363.00
Community Justice	1,036.10
Information Technology	548.60
Library	327.75
District Attorney's Office	230.00
Other	101.20
Emergency Management	45.10
Auditor	14.10
Total	25,310.41

LITIGATION

Our litigation team defends against all claims brought against the County, its employees, and elected officials. We represent the County in all aspects of litigation and in all venues. We appeared in small claims court, community court, before administrative tribunals and arbitrators, County Circuit Courts, Tax Court, Land Use Board of Appeals, Oregon Court of Appeals, Oregon Supreme Court, United States Federal District Court, Court of Appeals for the Ninth Circuit and the Supreme Court of the United States of America.

Litigation takes many forms and includes lawsuits alleging civil rights violations, medical malpractice, tax appeals and employment discrimination. We also represent the County in matters arising out of County operations and legal duties. These cases include land use matters, guardianship proceedings, Animal Service Enforcement actions, Adult Care Home Program regulatory proceedings, Sheriff's Office hand gun permitting and civil forfeiture actions.

Chart 3 depicts direct service hours expended by the various work types. Litigation represents 48% of our direct service attorney hours, and office attorneys dedicated over 12,300 hours defending the County. These numbers vary slightly each year but have remained fairly consistent over a number of years.

Chart 3



Chart 4 shows our direct service litigation hours broken down by department. As demonstrated by Chart 4, the largest percentage of the office's time spent on litigation involves the Sheriff's Office. Attorneys reported 33% of litigation (4,092 hours) dedicated to the Sheriff's Office last fiscal year. The Sheriff's Office had one federal jury trial, 56 civil forfeiture cases, 22 concealed handgun appeals, and at least five other major pieces of litigation last fiscal year. Most of the Sheriff's Office litigation involves jail operations and lawsuits brought by current or former inmates (many representing themselves) and include claims of excessive use of force, religious discrimination, violation of ADA and other various civil rights claims.

Chart 4

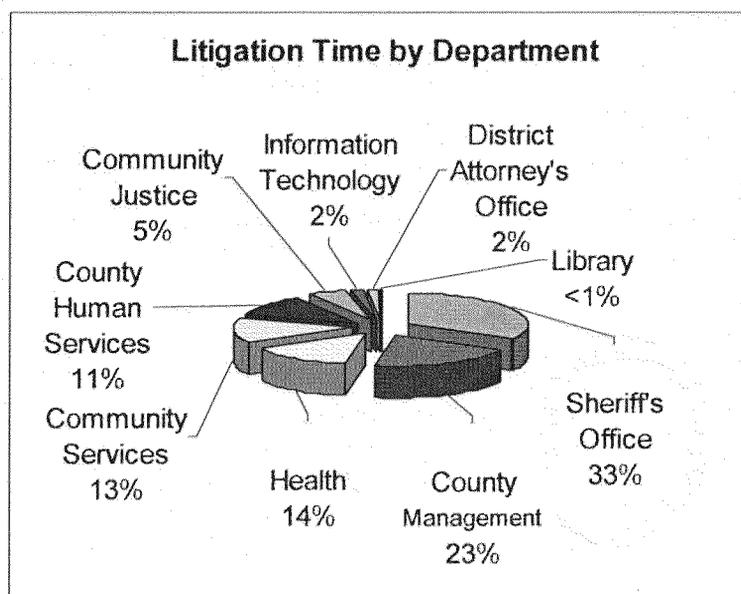
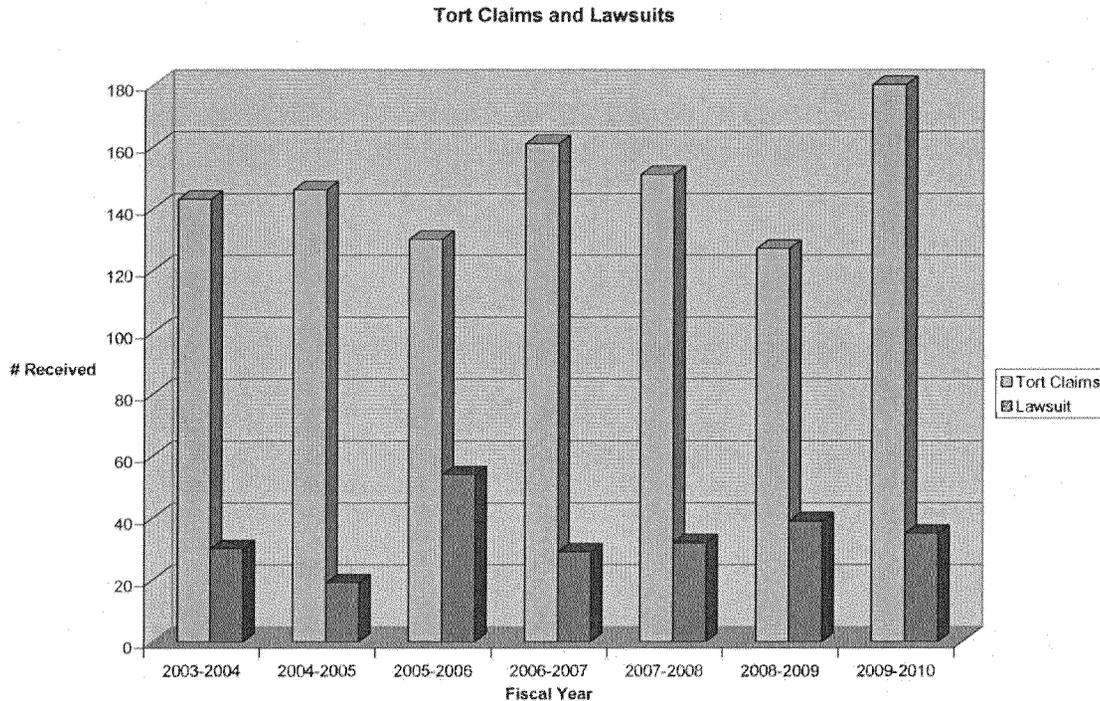


Chart 4 also reveals increases of 10% in litigation hours dedicated to the Health Department and County Human Services over previous years. These increases are attributed to a federal court jury trial and complex lawsuits filed in both Departments. County Human Services had one federal jury trial that resulted in a full defense verdict and an award of costs. The Health Department has several major pieces of litigation regarding the provision of medical care in the jails. It only takes one or two cases to change the numbers substantially from year to year.

CLAIMS PROCESSING

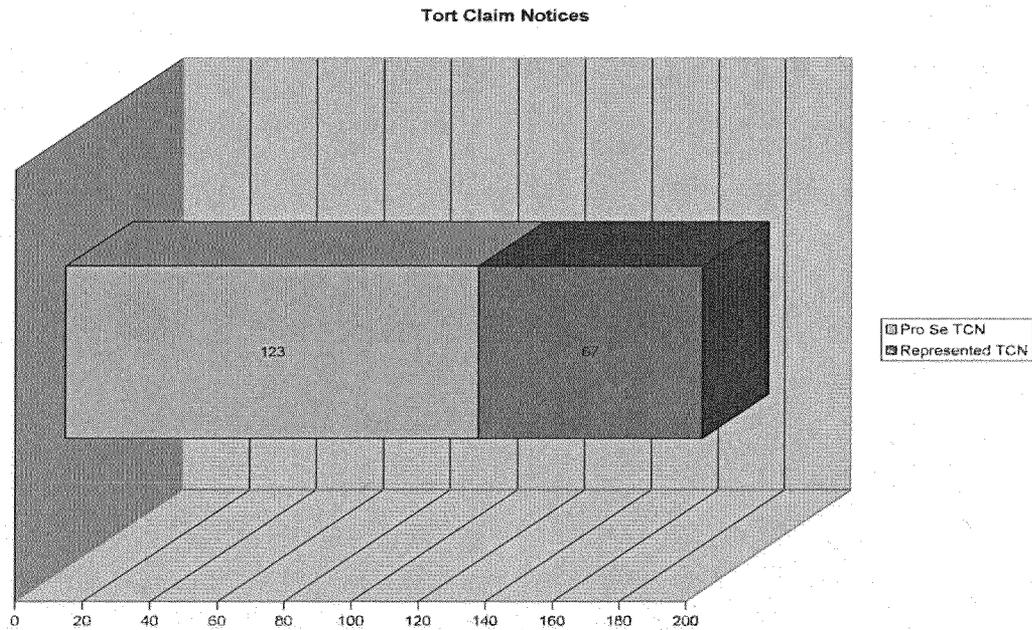
New matters are evaluated upon intake, and a litigation strategy is developed by the lead attorney and litigation leads. Although we pursue prompt resolutions, civil lawsuits typically extend over two or more years. For example, a civil matter that began in 2001 was resolved in 2010 after being appealed up through the United States Supreme Court.

During the 2009-2010 fiscal year, we received 180 new tort claims. A tort claim is a notice of intent to bring a lawsuit for damages against the County or its employees. The County was also served with thirty-five lawsuits last year. The graph below shows the number of tort claim notices and lawsuits received by the County over the past seven fiscal years.

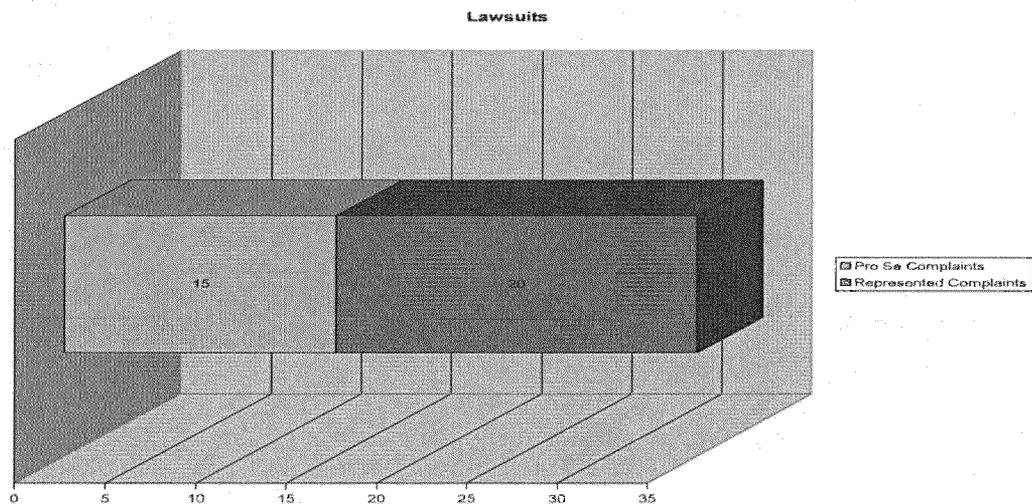


As evidenced by the graph above, the number of tort claims received far exceeds the number of lawsuits filed. To illustrate, in the 2008-2009 fiscal year we received 127 tort claims, however, those claims resulted in only thirty-five lawsuits this fiscal year.

A large portion of the tort claims and lawsuits received were filed by people representing themselves in a *pro se* capacity. Litigating *pro se* cases can be particularly challenging and time consuming. The majority of the *pro se* claims were filed by Multnomah County Sheriff's Office inmates and were related to their incarceration or medical treatment provided by Corrections Health. Of the 180 tort claims received last year, 123 or 68% of them were filed *pro se*.



The County was also served with 35 lawsuits in fiscal year 2009-2010. Of the lawsuits filed, 15 were filed *pro se* and 20 were represented by counsel.



ACCOMPLISHMENTS AND RESOLUTIONS

Our litigation team is very successful in obtaining dismissals and favorable resolutions of complex litigation. Although most cases extend over a period of years, a snap shot of last fiscal year reveals that the number of cases resolved far exceeds the number of new lawsuits filed. We obtained orders of dismissal in at least 42 cases at the trial and appellate levels, defended two jury trials in federal court, one court sanctioned arbitration, four small claims matters and three writs of habeas corpus.

In addition, this office defended eight labor arbitrations, sixteen guardianship proceedings, five BOLI/EEOC complaints, twenty Animal Services enforcement actions, four land use matters, one stalking protective order and one writ of review. We defended 22 concealed hand gun permit cases for the Sheriff's Office; a marked increase from previous years because of changes to state law. Finally, the County Attorney's Office created and implemented a civil forfeiture process that has processed 56 claims, and secured over \$68,800.00 in cash and property.

2009-2010 LITIGATION HIGHLIGHTS

- * 2 Federal Jury Trials
- * 42 Orders of Dismissal
- * 22 Concealed Hand Gun Permit Cases
- * 56 Civil Forfeiture Cases
- * 3 Writs of Habeas Corpus
- * 16 Adult Protective Services Hearing and Guardianship matters
- * 8 Labor Arbitrations
- * 20 Animal Services Administrative Hearings
- * 4 Land Use Cases

The majority of cases are resolved through litigation or settlement. However, some cases require legislative remedies to resolve disputes or provide direction for future County action. For example, we resolved twelve Tax Court cases by seeking a legislative remedy from the Oregon legislature in cooperation with the City of Portland.

Over the past several years we have witnessed increases in the costs associated with litigation and settlement. Claims are paid out through the County's third-party administrator, negotiated settlements or mediated settlements. In fiscal year 2007-2008, we paid out \$724,346 for claims. In fiscal year 2008-2009, the County paid out \$1,101,873.61 for claims. In fiscal year 2009-2010, the County paid \$1,389,712.94 for claims. Significantly, \$925,000.00 of that was associated with the settlement of one lawsuit, and the County is seeking reimbursement of approximately \$290,000.00 in associated litigation expenses from the excess insurance carrier.

CLIENT SATISFACTION

In order to gauge client satisfaction we seek input from clients on an annual basis. We requested input from about 220 County employees and elected officials. Of the responders, 96% rated their overall satisfaction with County Attorney services as "satisfied" to "very satisfied".

CLIENT SATISFACTION SURVEY HIGHLIGHTS				
	Very Dissatisfied	Dissatisfied	Satisfied	Very Satisfied
Overall satisfaction rating	1%	2%	28%	68%
The attorneys respond in a timely manner	1%	2%	30%	66%
The attorneys have high standards of ethics and integrity	1%	0%	7%	90%
The attorneys treat me with respect	1%	1%	10%	88%
The County Attorney's Office provides me all the legal services I need	1%	2%	33%	62%

EFFECTIVE RATE

The effective rate paid for each hour of direct legal service was \$130.96, down from last year's \$132.32. The rate is calculated by dividing the actual expenditures of the office, including payroll for attorneys and staff, rent, supplies, professional dues and the like, by the hours of direct service provided by the attorneys. The rate has been calculated by using direct service hours only and does not take into account the 1670 hours spent on office administration and continuing legal education activities.

Of all hours reported by county attorneys, 94% went to direct client legal services. Attorneys reported 6% of hours devoted to administrative and professional development services. Those hours include management of the office, staff meetings, litigation meetings, library maintenance, and professional development, including the hours attorneys attend Mandatory Continuing Legal Education.

Effective Hourly Rate		
Total Hours Reported		26,980.00
Direct Service	94%	25,310.00
Non-Direct Service	6%	1,670.00
16 Attorney FTE Average Direct Service Hours		1,581.88
Office Actual Expenditures 2009-10		3,314,497.00
Divided by Direct Service Hours		25,310.00
Effective Hourly Rate		130.96

This rate is significantly lower than the rates charged by comparable private law firms. The Oregon State Bar Attorney Salary survey states that a civil litigator in private practice in the Portland area bills an average rate of \$245.00 per hour, and practitioners at the highest levels billed at \$396.00 per hour.

OREGON STATE BAR 2007 ECONOMIC SURVEY		
Civil Litigation	Average	\$245
	Median	\$232
	25 th Percentile	\$190
	75 th Percentile	\$282
	95 th Percentile	\$396

With an effective rate of \$130.96 per hour, the County Attorney provides quality legal services at a greatly discounted rate from rates charged by private law firms.

CONCLUSION

We have compiled eleven years of legal service data, permitting us to quantify the hours of legal services, the nature of the services and the clients that receive our services. The data allows us to more efficiently manage, monitor and deploy the county’s legal assets. We continue to work to improve the accuracy of our data.

Our challenge is to provide efficient and effective legal services and to increase appropriate non-litigation use of our resources. We also must meet the increasing demands of more complex litigation. We continue to work closely with Risk Management and with the Sheriff’s Office, the department that uses a large share of our resources. We seek opportunities to effectively use county legal resources and look for ways to improve our services to best meet the county’s legal needs. Our mission is to provide the highest quality, customer-focused service and good value for the tax dollar. We believe we perform that mission well.



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 08/02/10)

Board Clerk Use Only

Meeting Date:	<u>9/28/2010</u>
Agenda Item #:	<u>B-2</u>
Est. Start Time:	<u>10:45 am</u>
	<u> </u>

Agenda Title: **Informational Board Briefing on Sellwood Bridge Project**

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

Requested Meeting Date:	<u>9/28/2010</u>	Amount of Time Needed:	<u>30 minutes</u>
Department:	<u>Community Services</u>	Division:	<u>Bridges</u>
Contact(s):	<u>Ian Cannon</u>		
Phone:	<u>503-988-3595</u>	Ext.:	<u> </u>
		I/O Address:	<u>446</u>
Presenter Name(s) & Title(s):	<u>Ian Cannon, Bridge Services Manager</u>		
	<u>Michael Baker, Owner's Representative</u>		

General Information

- 1. What action are you requesting from the Board?**
Informational Board briefing.
- 2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.**
The Sellwood Project is approaching the end of the National Environmental Policy Act Planning Phase. The Project has been working with the community to gather information about potential bridge types. This briefing will provide information about current project status, upcoming events and activities, the project schedule, and provide more detailed information about the bridge type selection process.
- 3. Explain the fiscal impact (current year and ongoing).**
No fiscal impact, briefing only.
- 4. Explain any legal and/or policy issues involved.**
No legal or policy issues, briefing only.
- 5. Explain any citizen and/or other government participation that has or will take place.**

Agenda Placement Request
Submit to Board Clerk

The Sellwood Project has had an extensive public outreach program. There have been public meetings, open houses, and online surveys. In addition there have been numerous meetings of the project Community Advisory Committee, a group of 17 community members representing various interests in the project. The project has a Public Stakeholder Committee (PSC) consisting of elected officials from Multnomah County, Clackamas County, Metro, Portland, Milwaukie, the Oregon House of Representatives, and Oregon Senate. In addition the PSC includes representatives from the offices of Representative Blumenauer and Senator Merkely. Officials from the Oregon Department of Transportation, TriMet, and the Federal Highway Administration are included on the PSC. The Sellwood Project has involved numerous local, state, and federal regulatory agencies. The public and agency involvement will continue throughout the design and construction phases of the project

Required Signature

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



Date: 9/23/10

**Agenda Placement Request
Submit to Board Clerk**



Project Briefing

Board of County Commissioners
September 28, 2010

Update

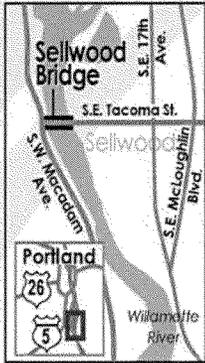
- Funding – Application for \$40M TIGER II grant submitted
- Finance – Plan to bond \$50M, target December 1
- Project estimate - \$330M
- Owners Representative
 - Project Management Team
 - CMGC procurement
 - Document Management
 - Programmatic Schedule
 - Project Management Plan
- Staying Informed
 - Monthly Briefings
 - Sellwood Leadership Team
 - Newsletter

Public Involvement

Next Steps

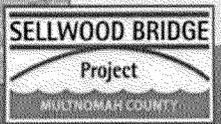
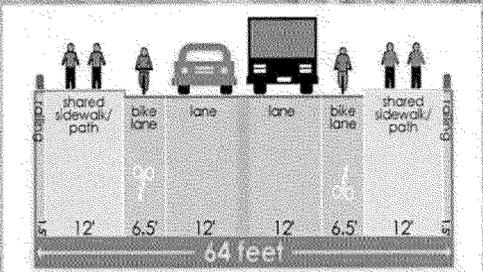
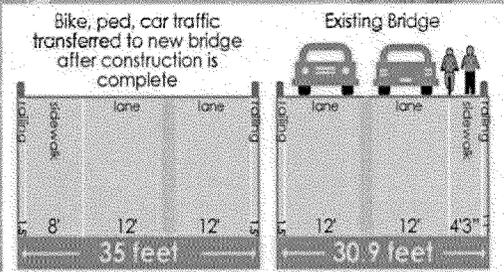
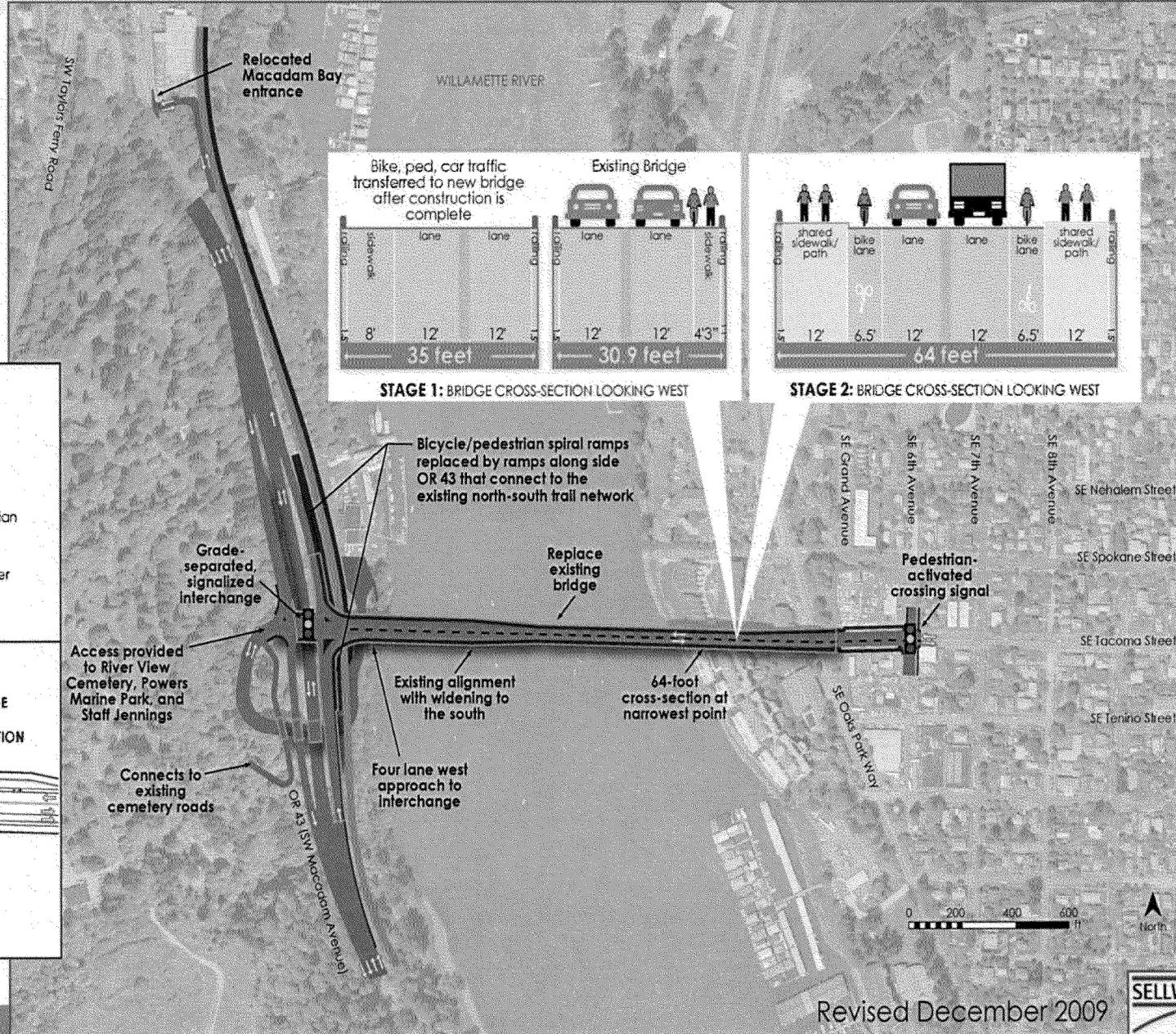
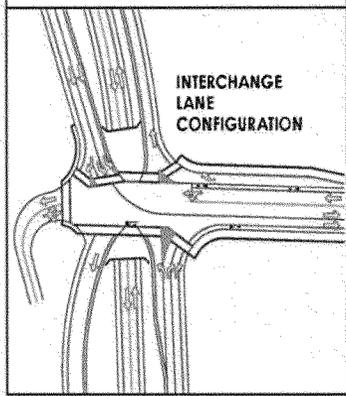
- NEPA process – Record of Decision expected this week
- Design – Bridge type selection process
- CAC bridge type recommendation – October 4
- Final design Engineer procurement – RFP October 8
- CAC/PSC joint meeting for CAC recommendation – mid October
- Right of Way acquisition begins – BCC action in October
- PSC recommendation – October 2010
- BCC selects bridge type – late October 2010
- 30% design developed – late November 2010
- ODOT and FHWA approval of 30% design – January 2011
- Design continues – Spring 2011 to 2013
- Permit applications – Spring 2011
- Construction starts – Summer 2012
- Construction finished – Fall 2016

Preferred Alternative



LEGEND

- Proposed road/streets
- Proposed street/car line
- Proposed bike/pedestrian path
- Direction of traffic/number of lanes
- Bridges



Revised December 2009

GROW Lynda

From: GROW Lynda
Sent: Friday, September 24, 2010 10:59 AM
To: BAKER Marina; FALKENBERG Keith E; FILES Sean; GROW Lynda; RIDINGS Aaron M; WHEELER-WEBER Mary M
Cc: SOWLE Agnes; GROW Lynda; BAKER Marina; MADRIGAL Marissa D; BEASLEY Charles; ISLEY Sheila L
Subject: For the Commissioners' Calendars: BCC Mtg. 9-30 Cancelled
Importance: High

Thur. 9-30 BCC Meeting is Cancelled.

DCS notified us this morning that the Public Hearing on Commercial Forest Use will be rescheduled at a later date after further evaluation. The other item on the agenda (appointments to the LAB) will be postponed until the following week.

Tues. 9-28 @ 9:30 am - NO Executive Session

Tues. 9-28 @ 10:00 am - We still have a Briefing scheduled, but distribution of the agenda/Briefing packet is delayed until late today or first thing Monday morning, when we receive the remaining information.

Lynda Grow

Lynda J. Grow, Board Clerk
Multnomah County Commissioners
501 SE Hawthorne Blvd., Ste. 600
Portland, OR 97214-3587
Lynda.Grow@co.multnomah.or.us
Phone & Voice Mail: 503-988-5274

GROW Lynda

From: BEASLEY Charles
Sent: Friday, September 10, 2010 2:01 PM
To: GROW Lynda
Cc: ISLEY Sheila L; TOMKINS Jed; SCHILLING Karen C
Subject: RE: APR for Sept 30 BCC Agenda

Lynda,

Yes, this requires the Chair to open the public hearing following that procedure. I've taken the script that was used for the Reserves hearing(s), and am working with Counsel on an update. We'll have the script for you early next week.

This is a legislative hearing rather than a quasi-judicial hearing. You are spot on to recognize that there are different opening procedures between the two.

We are providing newspaper notice of this hearing.

thanks for asking about this

Chuck Beasley, Senior Planner
Multnomah County Land Use Planning
1600 SE 190th Avenue, Suite 116
Portland, Oregon 97233
charles.beasley@co.multnomah.or.us
503-988-3043 ext 22610
FAX 503-988-3389

From: Sheila Isley [mailto:sheila.l.isley@multco.us]
Sent: Friday, September 10, 2010 7:03 AM
To: BEASLEY Charles
Cc: GROW Lynda
Subject: Re: APR for Sept 30 BCC Agenda

Hi Chuck,

Please let Lynda and I know if this item needs a public notice or if there is any other specific procedure for this item that Lynda needs to know about or post on this APR.

Thanks,
Sheila

On Thu, Sep 9, 2010 at 5:17 PM, GROW Lynda <lynda.grow@co.multnomah.or.us> wrote:
Sheila:

I just read this, and it sounds like it requires a specific procedure. This sounds like it's subject to a quasi-judicial hearing at our board meeting, correct?

Lynda J. Grow, Board Clerk

9/23/2010

Multnomah County Commissioners

Lynda.Grow@co.multnomah.or.us

Phone & Voice Mail: 503-988-5274

From: Sheila Isley [mailto:sheila.l.isley@multco.us]
Sent: Thursday, September 09, 2010 5:07 PM
To: MADRIGAL Marissa D
Cc: GROW Lynda; BAKER Marina; SCHILLING Karen C; BEASLEY Charles
Subject: Fwd: APR for Sept 30 BCC Agenda

Hi Marissa,

Please find attached the electronic documents for the September 30 BCC Agenda for your review and approval. Cecilia has signed the hard copies which are being forward to Lynda.

Respectfully,
Sheila
x85881

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

From: BEASLEY Charles <charles.beasley@co.multnomah.or.us>
Date: Thu, Sep 9, 2010 at 2:11 PM
Subject: APR for Sept 30 BCC Agenda
To: ISLEY Sheila L <sheila.l.isley@co.multnomah.or.us>
Cc: FARMER Stuart L <stuart.l.farmer@co.multnomah.or.us>, SCHILLING Karen C <karen.c.schilling@co.multnomah.or.us>

Sheila,

Attached is the APR for this agenda item.

Please note that the title is changed, and I've reduced the amount of time down to 10 minutes.

I'll walk the signed APR up to you this afternoon.

GROW Lynda

B-1

From: KINOSHITA Carol
Sent: Monday, September 13, 2010 9:57 AM
To: GROW Lynda
Cc: SOWLE Agnes; MORF Jenny M; MADKOUR Stephen L; THOMAS John S
Subject: RE: Annual litigation report

No problem at all – thanx for letting us know!

Carol

From: GROW Lynda
Sent: Friday, September 10, 2010 1:49 PM
To: KINOSHITA Carol
Subject: RE: Annual litigation report

Carol:

We have another Briefing now that is scheduled for that day, so we'd like to hold it in the board room. Is that going to be a problem w/the report your dept. is bringing forward?

Lynda J. Grow, Board Clerk
Multnomah County Commissioners
Lynda.Grow@co.multnomah.or.us
Phone & Voice Mail: 503-988-5274

From: KINOSHITA Carol
Sent: Wednesday, September 01, 2010 3:56 PM
To: GROW Lynda
Subject: RE: Annual litigation report

Room 635's fine.

Carol

From: GROW Lynda
Sent: Wednesday, September 01, 2010 3:40 PM
To: KINOSHITA Carol
Subject: RE: Annual litigation report

Ok – now is this type of subject normally done in Room 635, is that what you are saying? Or do we hold it in the board's chambers??
Lynda

From: KINOSHITA Carol
Sent: Wednesday, September 01, 2010 3:29 PM