



Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

BOARD OF COMMISSIONERS

Diane Linn, Chair

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

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

Email: mult.chair@co.multnomah.or.us

Maria Rojo de Steffey, **Commission Dist. 1**

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5220 FAX (503) 988-5440

Email: district1@co.multnomah.or.us

Serena Cruz, Commission Dist. 2

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5219 FAX (503) 988-5440

Email: serena@co.multnomah.or.us

Lisa Naito, Commission Dist. 3

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5217 FAX (503) 988-5262

Email: lisa.h.naito@co.multnomah.or.us

Lonnie Roberts, Commission Dist. 4

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5213 FAX (503) 988-5262

Email: lonnie.j.roberts@co.multnomah.or.us

ANY QUESTIONS? CALL BOARD

CLERK DEB BOGSTAD @ (503) 988-3277

Email: deborah.l.bogstad@co.multnomah.or.us

INDIVIDUALS WITH DISABILITIES PLEASE
CALL THE BOARD CLERK AT (503) 988-3277,
OR MULTNOMAH COUNTY TDD PHONE
(503) 988-5040, FOR INFORMATION ON
AVAILABLE SERVICES AND ACCESSIBILITY.

OCTOBER 30 & NOVEMBER 1, 2001 BOARD MEETINGS

FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	9:30 a.m. Tuesday Budget Work Session
Pg 3	9:30 a.m. Thursday Employee 5 to 30 Years Service Awards
Pg 3	10:00 a.m. Thursday 1st Reading Ordinance Amending MCC Chapter 27
Pg 4	11:00 a.m. Thursday Facilities Discussion
Pg 5	November Public Budget Hearing Schedule
** *	Thursday November 15, 2001 & November 22, 2001 Board Meetings Cancelled
** *	Board and Agenda Web Site: http://www.co.multnomah.or.us/cc/index.html

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

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

Friday, 11:00 PM, Channel 30

Saturday, 10:00 AM, Channel 30

(Saturday Playback for East County Only)

Sunday, 11:00 AM, Channel 30

Produced through Multnomah Community
Television

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

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

Tuesday, October 30, 2001 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

BUDGET WORK SESSION

WS-1 The Board of Commissioners, Auditor, District Attorney, Sheriff and Invited Participants Will Meet to Review Priorities, Issues and Ideas, and to Discuss Mid-Year Reductions to the 2001-2002 Multnomah County Budget. Facilitated by John Rakowitz and John Ball. **[This is a Public Meeting and Interested Persons are Welcome to Attend, However Public Testimony Will be Taken During Budget Hearings Scheduled in November.]**

Thursday, November 1, 2001 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

CONSENT CALENDAR - 9:30 AM

DEPARTMENT OF SUSTAINABLE COMMUNITY DEVELOPMENT

C-1 RESOLUTION Authorizing Private Sale of Certain Tax Foreclosed Property to CAROLYN CONNER Including Direction to Tax Title for Publication of Notice Pursuant to ORS 275.225

SHERIFF'S OFFICE

C-2 Budget Modification MCSO 02-03 Appropriating \$8,200 Additional Revenue from the City of Fairview to Pay for Additional Patrol and Record Processing

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES

C-3 Amendment 4 to Intergovernmental Revenue Agreement 9910363 with the U.S. Department of Labor Employment and Training Administration, Extending the Performance Period; Increasing Funding by \$269,998; Modifying the Statement of Work; Incorporating Special Conditions; and Changing the Grant Officer's Technical Representative

C-4 Intergovernmental Revenue Agreement 0010218 with the State Office for Services to Children and Families, for Family Support Team-Midtown Branch

to Provide Residential and Out Patient Alcohol and Drug Treatment Services for Eligible Clients

- C-5 Intergovernmental Revenue Agreement 0210217 with the City of Portland, Office of Sustainable Development, Providing Funding Up to \$127,000 for the Block-By-Block Weatherization Program for Fiscal Year 2001/02
- C-6 Intergovernmental Revenue Agreement 0210019 with the Regional Drug Initiative, Providing Administrative Services for Personnel and Motor Pool Expenses

REGULAR AGENDA - 9:30 AM
PUBLIC COMMENT - 9:30 AM

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

DEPARTMENT OF SUPPORT SERVICES - 9:30 AM

- R-1 Presentation of Employee Service Awards Honoring 100 Multnomah County Employees with 5 to 30 Years of Service
- R-2 Budget Modification DSS 01-04 Authorizing Retroactive Expenditure and Revenue Budget Increase for FY 2001 for Pass-Through Funds Per ORS 294.450(6), to Reflect Actual Expenditures
- R-3 Budget Modification DSS 02-01 Restoring Indirect Costs to Sheriff's Office Program Budgets in the Public Safety Levy Fund

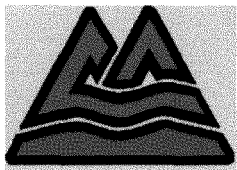
DEPARTMENT OF SUSTAINABLE COMMUNITY DEVELOPMENT - 10:00 AM

- R-4 First Reading of an ORDINANCE Amending MCC §§ 27.10-27.158 and Adding Provisions Relating to Procedures for Determining Priority of Tax Foreclosed Property Uses

Thursday, November 1, 2001 - 10:05 AM
(OR IMMEDIATELY FOLLOWING REGULAR MEETING)
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

BOARD BRIEFINGS

- B-1 Multnomah County Attorney's 2000-2001 Annual Report. Presented by Thomas Sponsler, Gerry Itkin, Jenny Morf and Doug Hicks.
- B-2 Budget and Policy Discussion on Facilities and Property Management Issues. Presented by John Rakowitz, Mike Oswald, Peter Wilcox and Invited Others.



Deborah Bogstad, Board Clerk
MULTNOMAH COUNTY OREGON

Multnomah County Chair's Office
501 SE Hawthorne Boulevard, Suite 600
Portland, Oregon 97214
(503) 988-3277 phone
(503) 988-3013 fax

Tuesday, November 6, 2001 - 6:00 PM
Gresham Branch Library, Conference Room
385 NW Miller Street, Gresham

PUBLIC BUDGET HEARING

PH-1 Opportunity for Public Input on Proposed Mid-Year Reductions to the 2001-2002 Multnomah County Budget. Please fill out a speaker card available at the back table and present it to the Clerk. Testimony Limited to Three Minutes Per Person.

Thursday, November 8, 2001 - 6:30 PM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

PUBLIC BUDGET HEARING

PH-2 Opportunity for Public Input on Proposed Mid-Year Reductions to the 2001-2002 Multnomah County Budget. Please fill out a speaker card available at the back table and present it to the Clerk. Testimony Limited to Three Minutes Per Person.

Monday, November 19, 2001 - 6:00 PM
North Portland Branch Library Conference Room
512 N Killingsworth Street, Portland

PUBLIC BUDGET HEARING

PH-3 Opportunity for Public Input on Proposed Mid-Year Reductions to the 2001-2002 Multnomah County Budget. Please fill out a speaker card available at the back table and present it to the Clerk. Testimony Limited to Three Minutes Per Person.

MEETING DATE: November 1, 2001
AGENDA NO: C-1
ESTIMATED START TIME: 9:30
LOCATION: Boardroom 100

(Above Space for Board Clerk's use only)

AGENDA PLACEMENT FORM

SUBJECT: Request Approval of Private Sale

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

REGULAR MEETING: Date Requested: November 1, 2001
Amount of Time Needed: _____

DEPARTMENT: Sustainable Community DIVISION: Housing

CONTACT: Gary Thomas TELEPHONE #: 503-988-3590 x22591

BLDG/ROOM #: 503/320/Tax Title

PERSON(s) MAKING PRESENTATION Consent Calendar

ACTION REQUESTED:

{ } INFORMATION ONLY { } POLICY DIRECTION {X} APPROVAL { } OTHER

SUGGESTED AGENDA TITLE:

Request approval of Private Sale of Tax Foreclosed Property under ORS 275.225 to Carolyn Conner.

Return original documents and copies of all to Becky Grace 503/320 following approval

11/05/01 ORIGINAL DEED & COPIES OF ALL TO
BECKY GRACE

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

OR

DEPARTMENT MANAGER: Mike Oswald

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ (503) 988-3277 or email
deborah.I.bogstad@co.multnomah.or.

01 OCT 2 11 12 05
MULTNOMAH COUNTY
CLERK OF BOARD
CLERK OF BOARD

MEETING DATE: _____
AGENDA NO _____
ESTIMATED START TIME _____
LOCATION _____

(Above Space for Board Clerk's use only)

AGENDA PLACEMENT FORM

SUBJECT: Request Approval of Private Sale

BOARD BRIEFING:

Date Requested: _____
Requested by: _____
Amount of Time Needed: _____

REGULAR MEETING:

Date Requested: November 1, 2001
Amount of Time Needed: _____

DEPARTMENT: Sustainable Community DIVISION: Housing

CONTACT: Gary Thomas TELEPHONE #: 503-988-3590 x22591

BLDG/ROOM #: 503/320/Tax Title

PERSON(S) MAKING PRESENTATION Consent Calendar

ACTION REQUESTED:

{ } INFORMATION ONLY { } POLICY DIRECTION {X} APPROVAL { } OTHER

SUGGESTED AGENDA TITLE:

Request approval of Private Sale of Tax Foreclosed Property under ORS 275.225
Carolyn Conner.

Return original documents and copies of all to Becky Grace 503/320 following approval

SIGNATURES REQUIRED:

ELECTED OFFICIAL:

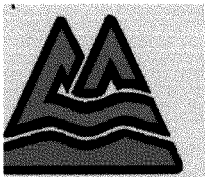
OR

DEPARTMENT MANAGER:

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ (503) 988-3277 or email
deborah.I.bogstad@co.multnomah.or.

BOARD OF
MULTNOMAH COUNTY
OREGON
OCT 23 PM 1:26



Department of Sustainable Community Development
MULTNOMAH COUNTY OREGON

501 SE Hawthorne Blvd, Suite 320
Portland, Oregon 97214
(503) 988-5000 phone
(503) 988-3048 fax

SUPPLEMENTAL STAFF REPORT

TO: Board of County Commissioners
FROM: Tax Title, Gary Thomas
DATE: Thursday, November 1, 2001
RE: Request approval to sell a Tax Foreclosed Property by Private Sale

1. Recommendation/Action Requested:

Approval to sell a Tax Foreclosed Property by Private Sale.

2. Background/Analysis:

This property was deeded to the County on 9/23/1999, through foreclosure for non-payment of property taxes. This property was made available to Government Agencies and Non-Profit Housing Developers of Multnomah County during fiscal years 2000 and 2001, in accordance with Multnomah County Code Chapter 27. The Private Sale parcel is an approximately 13.1'x198' (2,595 square feet) strip between 2400 and 2440 SE 117th Avenue. The strip contains a portion of a detached garage at 2400 SE 117th Avenue. The Multnomah County Tax Title Division conducted a sealed bid auction limited to only adjacent property owners. The individual named in this proposed sale was the successful and only bidder.

3. Financial Impact:

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

4. Legal Issues:

No legal issues are expected. Private Sales are provided for in ORS 275.225. This parcel would be sold "AS IS" without guarantee of clear title.

5. Controversial Issues:

Under ORS 275.225 Private Sales are available on property that is unsuitable for construction and that is assessed at less than \$5,000. The current assessed value on the property is \$2,810.

6. Link to Current County Policies:

This property has been through all the processes provided by Multnomah County Code Chapter 27.

7. Citizen Participation:

Once the Board of Commissioners approves the action to sell, a notice will be placed in the Daily Journal of Commerce to advertise the Private Sale.

8. Other Government Participation:

Property sold at Multnomah County Public or Private Sale is subject to ORS 275.275.

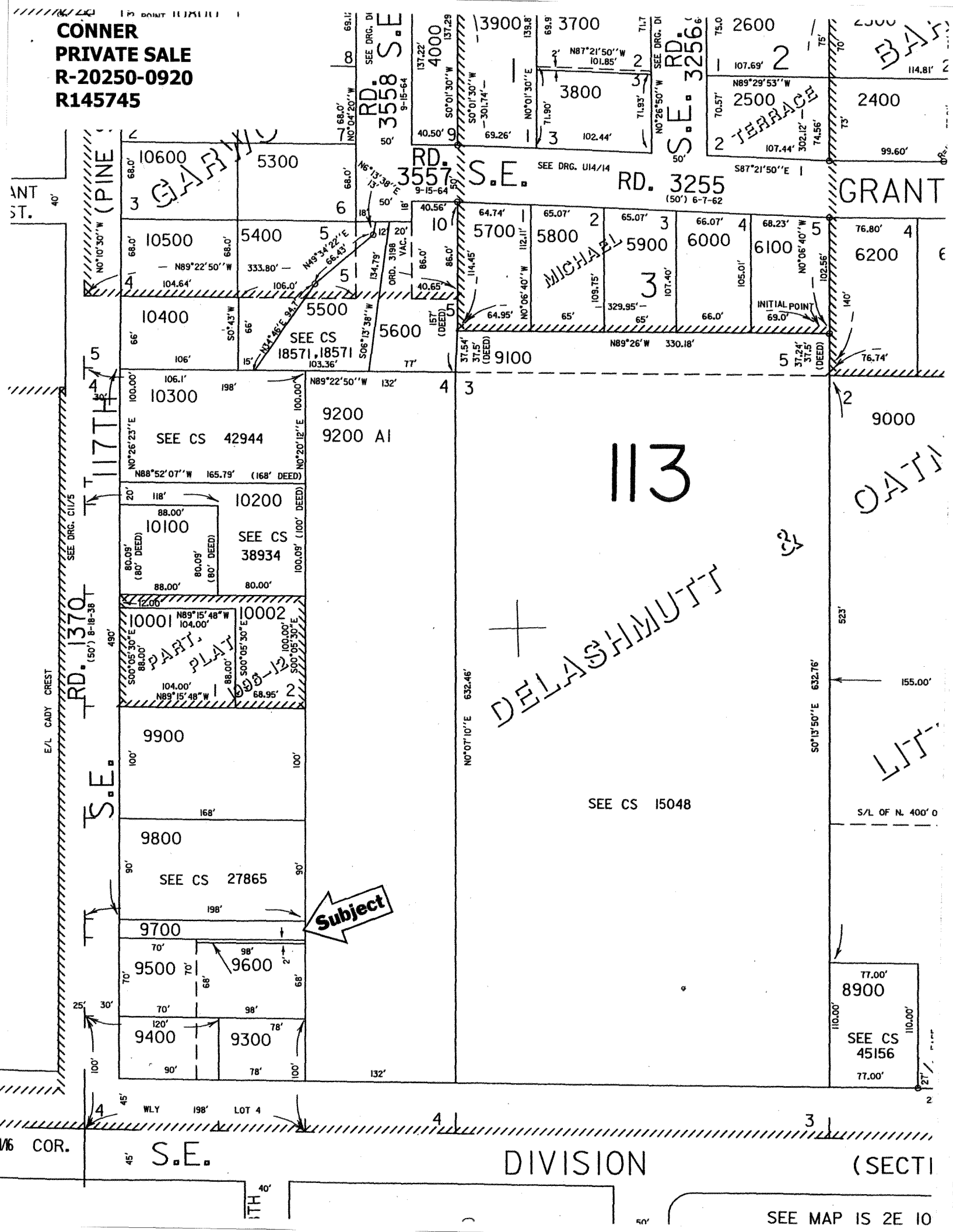
EXHIBIT "A" SUPPLEMENTAL STAFF REPORT
PROPOSED PROPERTY LISTED FOR PRIVATE SALE
FISCAL YEAR 2001/02

LEGAL DESCRIPTION:	EXC PT IN ST EXC N 490' & EXC S 170' W 198' OF LOT 4; DELASHMUTT & OATMAN'S LITTLE HOMES SUBDIVISION NO. 1
ADJACENT PROPERTY ADDRESS:	2440 SE 117 TH Avenue
TAX ACCOUNT NUMBER:	R-20250-0920 / R145745
GREENSPACE DESIGNATION:	No Designation
SIZE OF PARCEL:	Approximately 13.1'x198' (2,535 square feet).
ASSESSED VALUE 2001:	\$2810.00

ITEMIZED EXPENSES FOR TOTAL PRICE OF PRIVATE SALE:

BACK TAXES & INTEREST:	448.39
TAX TITLE MAINTENANCE COST & EXPENSES:	0.00
ADVERTISING COST:	50.00
RECORDING FEE:	24.00
CITY LIENS:	0.00
SUB-TOTAL	<hr/> 522.39
MINIMUM PRICE REQUEST OF PRIVATE SALE	\$550.00

**CONNER
PRIVATE SALE
R-20250-0920
R145745**



BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 01-143

Authorizing Private Sale of Certain Tax Foreclosed Property to CAROLYN CONNER Including Direction to Tax Title for Publication of Notice Pursuant to ORS 275.225

The Multnomah County Board of Commissioners Finds:

- a) Multnomah County acquired the real property hereinafter described through the foreclosure of liens for delinquent taxes.
- b) The property is assessed at \$2810 in value on the County's current tax roll.
- c) Although no written confirmation from the City of Portland was obtained, the Tax Title Division is confident the irregular shape and size of the property, i.e. 13' by 198', make it unsuitable for construction or placement of residential structures thereon, as provided under ORS 275.225.
- d) CAROLYN CONNER has agreed to pay \$601.00 an amount the Board hereby finds to be a reasonable price for the property in conformity with ORS 275.225
- e) CAROLYN CONNER has agreed to reimburse the County for the cost of publishing the notice of this sale.

The Multnomah County Board of Commissioners Resolves:


- 1. That Multnomah County Tax Title Division is directed to publish notice of this sale in a newspaper of general circulation as provided under ORS 275.225(2).
- 2. That not earlier than 15 days after publication of the notice and upon Tax Title's receipt of the payment of \$601, the Chair on behalf of Multnomah County, is hereby authorized to execute a deed conveying to CAROLYN CONNER the following real property:

EXC PT IN ST EXC N 490' & EXC S 170' W 198' OF LOT 4; DELASHMUTT & OATMAN'S LITTLE HOMES SUBDIVISION NO. 1 in the City of Portland, Multnomah County, Oregon.

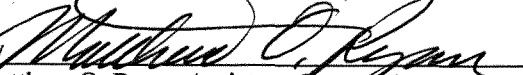
ADOPTED this 1st day of November, 2001.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

REVIEWED:
THOMAS SPONSER, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to CAROLYN CONNER Grantee, that certain real property, located in the City of Portland, Multnomah County, Oregon more particularly described as follows:

The true and actual consideration paid for this transfer; stated in the terms of dollars is \$601.00.

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

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 19th day of November, 2001, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.

Diane M. Linn, Chair

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

This Deed was acknowledged before me this 19th day of November, 2001, by Diane M. Linn, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

Page 2 of 3 – Resolution and Deed Authorizing Private Sale

**NOTICE OF PRIVATE SALE
PURSUANT TO ORS 275.225**

Multnomah County, Department of Sustainable Community Development, Tax Title Unit, 501 SE Hawthorne, Portland, Oregon 97214-3560, will sell the following property:

EXC PT IN ST EXC N 490' & EXC S 170' W 198' OF LOT 4; DELASHMUTT & OATMAN'S LITTLE HOMES SUBDIVISION NO. 1 in the City of Portland, Multnomah County, Oregon.

An approximately 13.1'x198' strip adjacent to 2440 SE 117th Ave, Multnomah County, Oregon, also known as tax account number R-20250-0920 The parcel has a current assessed value of \$2810 for the 2001/02 tax year.

NOV 01 2001

C-2

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR:

8/9/2001

(Date)

DEPARTMENT: Multnomah County Sheriff's OfficeDIVISION: N/ACONTACT: Larry AabPHONE: 988-4489

* NAME(S) OF PERSON MAKING PRESENTATION TO BOARD: _____

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

Budget Modification to appropriate \$8,200 of additional Revenue from the City of Fairview to pay for additional patrol and record processing. .

2. DESCRIPTION OF MODIFICATION: [Explain the changes being made: What budget does it increase / decrease? What do the changes accomplish? Where does the money come from?]

[] PERSONNEL CHANGES ARE SHOWN IN DETAIL ON THE ATTACHED SHEET

This bud modifications adds \$8,200 in additional revenue to our Enforforcement Patrol budget due to increase patrol in the City of Fairview and addition record processing. This revenue will increase the overtime line item in the Patrol budget.

This budmod changes our original adopted budget amount of \$11,800.⁰⁰ to the contract amount of \$10,000.⁰⁰

Angela Wray
MCSO

01 OCT 24 AM 9:07
MULTNOMAH COUNTY
OREGON

3. REVENUE IMPACT: [Explain revenues being changed and reason for the change]

Adds revenue from Reynolds School District

\$8,200

TOTAL \$8,200

4. CONTINGENCY STATUS [To Be Completed by Budget & Planning]

_____ Fund Contingency BEFORE THIS MODIFICATION (as of _____): \$ _____
(Specify Fund) AFTER THIS MODIFICATION: \$ _____

Originated By:

Date:

Angela Wray

8-10-01

Department Director:

Date:

Dan N...

8/10/01

Plan / Budget Analyst:

Date:

N...

10-23-01

Employee Services:

Date:

Board Approval:

Date:

D... 11-01-01

BUDGET MODIFICATION: # MCSO 02-03

EXPENDITURES & REVENUES

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

Budget Fiscal Year: 00/01

Line No.	Fund Center	Fund Code	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
			Internal Order	Cost Center	WBS Element						
1	60-50	1000		601615		50200	(165,324)	(173,524)	(8,200)		Misc revenue
2	60-50	1000		601615		60000	282,115	288,176	6,061		Overtime
3	60-50	1000		601615		60135	83,891	85,413	1,522		Salary related Expenses
4	60-50	1000		601615		60145	28,723	29,340	617		Insurance
5								0			
6								0			
7								0			
8								0			
9								0			
10								0			
11								0			
12								0			
13								0			
14								0			
15								0			
16								0			
17								0			
18								0			
19								0			
20								0			
21								0			
22								0			
23								0			
24								0			
25								0			
26								0			
27								0			
28								0			
29								0			
									0	0	Total - Page 1
									0	0	GRAND TOTAL



Multnomah County Sheriff's Office

501 SE Hawthorne Blvd. Ste 350, Portland, OR 97214

DAN NOELLE
SHERIFF

Phone: (503) 988-4300
TTY: (503) 988-4500

BOARD OF COUNTY COMMISSIONERS AGENDA ITEM BRIEFING—SUPPLEMENTAL STAFF REPORT

To: Board of County Commissioners
From: Barbara Simon
Today's Date: October 8, 2001
Requested Placement Date: October 18, 2001

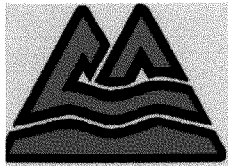
- I. Recommendation/Action Requested**
Approval of Budget Modification MCSO #02-03 adding \$8,200 in additional revenue to Enforcement Patrol Budget
Background Analysis
As a result of increased revenues from an amendment to the IGA between the MCSO and the City of Fairview and a revised projected income based on actual patrol services provided to the City of Fairview last fiscal year, a budget modification is needed .
Financial Impact
This budget modification adds \$8,200 to the MCSO Enforcement Patrol budget.
- II. Legal Issues:**
The original IGA and subsequent amendments were reviewed by the County Attorney's Office.
- III. Controversial Issues**
None
- IV. Link to Current County Policies**
Good Government
Safe Communities
- V. Citizen Participation**
None
- VI. Other Government Participation**
City of Fairview

(Above Space for Board Clerk's Use ONLY)

SUBJECT: Approval of Amendment #4 to the Intergovernmental Agreement with the Department of Labor to: a) extend performance period, b) Increase funding by \$269,998, c) Modify the Statement of Work, d) Incorporate Part IV, Special Conditions #11 and e) Change the Grant Officer's Technical Representative.

Any Questions: Call the Board Clerk @ (503) 988-3277 or email deborah.l.bogstad@co.multnomah.or.us

01 OCT 21 PM 12:10
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 01-01-2001 BY 60322
UCBAW



MULTNOMAH COUNTY OREGON

421 SW Sixth – Seventh Floor
Portland OR 97216-1618
(503) 988-3691 phone
(503) 988-3379 fax

TO: Board of County Commissioners

FROM: Lorenzo Poe, Director
Department of Community and Family Services

DATE: October 24, 2001

SUBJECT: Intergovernmental Revenue Agreement modification with the U.S. Department of Labor Employment and Training Administration Office

- I. **Recommendation/Retroactive Action Requested:** The Department of Community and Family Services recommends Board of County Commissioner approval of the modification for this Intergovernmental Revenue Agreement #4 with the U.S. Department of Labor Employment and Training Administration Office for the period September 13, 2001 through September 30, 2002. This modification is retroactive due to being received recently by the Department.
- II. **Background/Analysis:** The Department of Community and Family Services received notification of the fourth modification to the current Urban/Rural Opportunities Grant (UROG) fund for Empowerment and Enterprise Communities from the Department of Labor/Employment and Training Administration (see attached). This amendment: a) Extends the performance period through September 30, 2002, b) Increases funding by \$269,998, c) Modifies the Statement of Work, d) Incorporates Part IV, Special Conditions #11, and e) Changes the Grant Officer's Technical Representative. The increased funding will be used to sustain existing services
- III. **Financial Impact:** This modification #4 increases grant revenue funding up to \$269,998. The revised grant revenue total is \$2,119,760.
- IV. **Legal Issues:** None
- V. **Controversial Issues:** None
- VI. **Link to Current County Policies:** The Urban/Rural Opportunities Grant for Empowerment and Enterprise Communities relate to County Urgent Benchmark to increase high school completion or an equivalency program.
- VII. **Citizen Participation:** The Portland/Multnomah Enterprise Community Commission is involved in reviewing these services.
- VIII. **Other Government Participation:** The Intergovernmental Agreement demonstrates cooperation and coordination in planning and implementation of School-to-Work activities for students attending alternative schools in the Enterprise Community.

MULTNOMAH COUNTY CONTRACT APPROVAL FORM

(See Administrative Procedure CON-1)

Contract #: 9910363

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

Amendment #: 4

Class I	Class II	Class III
<input type="checkbox"/> Professional Services not to exceed \$50,000 (and not awarded by RFP or Exemption) <input type="checkbox"/> Revenue not to exceed \$50,000 (and not awarded by RFP or Exemption) <input type="checkbox"/> Intergovernmental Agreement (IGA) not to exceed \$50,000 <input type="checkbox"/> Expenditure <input type="checkbox"/> Revenue <input type="checkbox"/> Architectural & Engineering not to exceed \$10,000 (for tracking purposes only)	<input type="checkbox"/> Professional Services that exceed \$50,000 or awarded by RFP or Exemption (regardless of amount) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue that exceeds \$50,000 or awarded by RFP or Exemption (regardless of amount)	<input checked="" type="checkbox"/> Intergovernmental Agreement (IGA) that exceeds \$50,000 <input type="checkbox"/> Expenditure <input checked="" type="checkbox"/> Revenue Non 190 <p align="center">APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</p> <p align="center">AGENDA # <u>C-3</u> DATE <u>11-01-01</u> DEB BOGSTAD, BOARD CLERK</p>

Department: Community and Family Services Division: Operations and Support Services Date: October 19, 2001
 Originator: Sydney Roberts Phone: 22701 Bldg/Rm: 166/7
 Contact: Lynn Ervins & Debra Crawford (GA) Phone: 26644 & 27343 Bldg/Rm: 166/7

Description of Contract: **This modification: a) Extends the performance period through September 30, 2002, b) Increases funding by \$269,998, c) Modifies the Statement of Work, d) Incorporates Part IV, Special conditions #11, and e) Changes the Grant Officer's Technical Representative.**

RENEWAL: <input type="checkbox"/>	PREVIOUS CONTRACT #(S):
RFP/BID: <u>N/A</u>	RFP/BID DATE:
EXEMPTION	EXEMPTION EXPIRATION
#/DATE:	DATE:
CONTRACTOR IS: <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> ESB <input type="checkbox"/> QRF <input type="checkbox"/> N/A <input type="checkbox"/> NONE (Check all boxes that apply)	

Contractor	U.S. Department of Labor Employment and Training Administration		
Address	<u>200 Constitution Avenue NW</u>	Remittance Address	<u>(If different)</u>
	<u>Washington, D.C. 20210</u>		
Phone	<u>202.219.8764</u>	Payment Schedule / Terms	
Employer ID# or SS#		<input type="checkbox"/> Lump Sum \$	<input type="checkbox"/> Due on Receipt
Effective Date	<u>September 13, 2001</u>	<input type="checkbox"/> Monthly \$ <u>Invoice</u>	<input type="checkbox"/> Net 30
Termination Date	<u>September 30, 2002</u>	<input type="checkbox"/> Other \$	<input type="checkbox"/> Other
Original Contract Amount \$	<u>539,995</u>		
Total Amt of Previous Amendments \$	<u>1,309,767</u>	<input type="checkbox"/> Requirements \$	
Amount of Amendment \$	<u>269,998</u>		
Total Amount of Agreement \$	<u>2,119,760</u>	Encumber <input type="checkbox"/> Yes <input type="checkbox"/> No	

REQUIRED SIGNATURES

Department Manager	<u>Lolenzoboe mrs</u>	DATE	<u>10/24/01</u>
Purchasing Manager	<u>Katie Smith</u>	DATE	<u>10/24/01</u>
County Counsel	<u>Chris Smith</u>	DATE	<u>11-1-01</u>
County Chair		DATE	
Sheriff		DATE	
Contract Administration		DATE	

SAP CUSTOMER CODE 300140		DEPT REFERENCE
LINE #	WBS Code	AMOUNT
01	BS OSS ECC URB.ADM	\$24,545
02	BS OSS ECC URB. SVC	\$245,453

U.S. DEPARTMENT OF LABOR - EMPLOYMENT AND TRAINING ADMINISTRATION

PROJECT TITLE: SCHOOL-TO-WORK URBAN/RURAL OPPORTUNITIES

MODIFICATION NOTIFICATION OF AWARD / OBLIGATION		EFFECTIVE DATE: September 13, 2001	PAGE NO. 1	NO. PAGES 3
GRANT / AGREEMENT NUMBER: U-7018-8-00-88-60	MODIFICATION NUMBER: 04	APPROPRIATION NUMBER: 00-A190-VNAA-4123-5SW10-000 EIN NUMBER: 93-6002309		
TO: (AWARDEE'S NAME AND ADDRESS) Multnomah County 421 SW - 6 th Avenue, Suite 700 Portland, OR 97204		ISSUED BY U. S. DEPARTMENT OF LABOR/ETA/OGCM DIVISION OF FEDERAL ASSISTANCE 200 CONSTITUTION AVENUE, N.W. RM. 3-4203 WASHINGTON, D.C. 20210		


CHANGES HERE HAVE THE FOLLOWING EFFECT ON FEDERAL GOVERNMENT FUNDS IN THIS AWARD

<input checked="" type="checkbox"/> INCREASED BY \$269,998	<input type="checkbox"/> DECREASED BY - \$ N/A	<input type="checkbox"/> REMAIN UNCHANGED
--	--	---

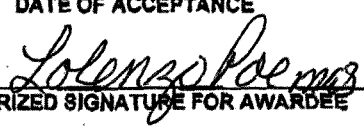
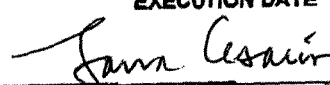
THE ABOVE-NUMBERED GRANT / AGREEMENT IS MODIFIED AS FOLLOWS:

1. To extend the period of performance through September 30, 2002.
2. To increase funding by \$269,998 from \$1,849,762 to \$2,119,760 according to page 2 of this modification, this includes a realignment to previous budget line items.
3. To modify the Statement of Work according to the awardee's Continuation Funding Matrix dated August 15, 2001, which is incorporated by reference.
4. To incorporate Part IV, Special Condition #11, according to page 3 of this modification.
5. To change the Grant Officer's Technical Representative to: Mr. Wes Davison, USDOL/ETA, 1111 Third Avenue, Suite 815, Seattle, WA 98101-3212, Phone No. 206-553-5642 ext.8009.

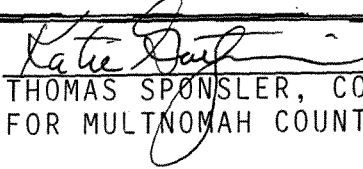
APPROVED BY THE COUNTY


 Diane M. Linn, Multnomah County Chair DATE 11-1-01

EXCEPT AS HEREBY MODIFIED, ALL TERMS AND CONDITIONS OF SAID GRANT/AGREEMENT REMAIN UNCHANGED AND IN FULL EFFECT.

ACCEPTED THIS DATE FOR THE AWARDEE	EXECUTED FOR THE SECRETARY, U. S. DEPARTMENT OF LABOR
<u>9/24/01</u> DATE OF ACCEPTANCE  AUTHORIZED SIGNATURE FOR AWARDEE <u>LORENZO POE DIRECTOR</u> (TYPED NAME AND TITLE)	<u>SEP 27 2001</u> EXECUTION DATE  SIGNATURE OF GRANT/CONTRACTING OFFICER <u>LAURA A. CESARIO</u> (TYPE NAME)

Reviewed:


 THOMAS SPÖNSLER, COUNTY ATTORNEY
 FOR MULTNOMAH COUNTY, OREGON

DATE 10/24/01

 APPROVED MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # C-3 DATE 11-01-01
 DEB BOGSTAD, BOARD CLERK

PART II - BUDGET INFORMATION**SECTION A - Budget Summary by Categories**

	(A)	(B)	(C)
1. Personnel			
2. Fringe Benefits (Rate %)			
3. Travel			
4. Equipment			
5. Supplies			
6. Contractual	1,684,501	245,453	1,927,054
7. Other			
8. Total, Direct Cost (Lines 1 through 7)			
9. Indirect Cost (Rate 10.%)	168,161	24,545	192,706
10. Training Cost/Stipends			
11. TOTAL Funds Requested (Lines 8 through 10)	1,849,762	269,998	2,119,760

SECTION B - Cost Sharing/ Match Summary (if appropriate)

	(A)	(B)	(C)
1. Cash Contribution			
2. In-Kind Contribution			
3. TOTAL Cost Sharing / Match (Rate %)			

NOTE: Use Column A to record funds requested for the initial period of performance (i.e. 12 months, 18 months, etc.); Column B to record changes to Column A (i.e. requests for additional funds or line item changes; and Column C to record the totals (A plus B).

- (B) Quarterly Progress Reports due 30 days after the end of the calendar year quarters;
- (C) The Final Reports must be submitted no later than 90 days after the grant expires.

6. Consults: Consultant fees paid under this grant/agreement shall be limited to \$450 per day without additional DOL Grant Officer approval.
7. Rebates: The awardee agrees to advise the Grant Officer, in writing, of any forthcoming income resulting from lease/rental rebates or other rebates, interest, credits or any other monies or financial benefits to be received directly or indirectly as a result of or generated by these award dollars. Appropriate action must be taken to ensure that the Government is reimbursed proportionally from such income.
8. Publicity: No funds provided under this grant shall be used for publicity or propaganda purposes, for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself. Nor shall grant funds be used to pay the salary or expenses of any grant or agreement awardee or agent acting for such awardee, related to any activity designed to influence legislation or appropriations pending before the Congress.
9. Public Announcements: When issuing statements, press releases, requests for proposals, bid solicitation, and other documents describing project or programs funded in whole or in part with Federal money, all awardees receiving Federal funds, shall clearly state (1) the percentage of the total cost of the program or project which will be financed with Federal money, and (2) the dollar amount of Federal funds for the project or program.
10. HBCU's, HSI's and TCU's: In compliance with Executive Order 12876, 12900, 12928 and 13021, the grantee is strongly encouraged to provide subgranting opportunities for Historically Black Colleges and Universities, Hispanic Serving Institutions and Tribal Colleges and Universities.
11. Procurement: Except as specifically provided, DOL/ETA acceptance of a proposal and an award of federal funds to sponsor any program(s) does not provide a waiver of any grant requirements and/or procedures. For example, the OMB circulars require an entity's procurement procedures must require that all procurement transactions shall be conducted, as practical, to provide open and free competition. If a proposal identifies a specific entity to provide the services, the DOL/ETA's award does not provide the justification or basis to sole-source the procurement, i.e., avoid competition.

MEETING DATE: November 1, 2001
AGENDA NO: C-4
ESTIMATED START TIME: 9:30
LOCATION: Boardroom 100

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Approval of Intergovernmental Agreement #99186 and (County reference no. 0010218) with the Department of State Office for Services to Children and Families Midtown Branch for Family Support Team Services for the period July 1, 2001 through June 30, 2003. The funding is up to \$84,000

BOARD BRIEFING: DATE REQUESTED: _____
REQUESTED BY: _____
AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: _____ **Next Available**
AMOUNT OF TIME NEEDED: _____ **Consent**

DEPARTMENT: Community and Family Services DIVISION: Behavioral Health

CONTACT: Jim Peterson/Gayle Kron TELEPHONE #: 503.988.5464 x 26392
BLDG/ROOM #: 166/6

PERSON(S) MAKING PRESENTATION: _____ **NA**

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

Approval Of Intergovernmental Agreement #99186 And (County Reference No. 0010218) With The Department Of State Office For Services To Children And Families Midtown Branch For Family Support Team Services.

11/05/01 originals to Lynn Ewins

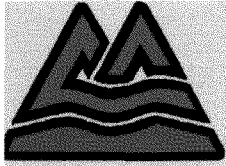
SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

(OR) DEPARTMENT MANAGER: Lorenzo T. Poe, Jr.

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ (503) 988-3277 or email
deborah.l.bogstad@co.multnomah.or.us



MULTNOMAH COUNTY OREGON

421 SW Sixth – Seventh Floor
Portland OR 97216-1618
(503) 988-3691 phone
(503) 988-3379 fax

TO: Board of County Commissioners

FROM: Lorenzo Poe, Director
Department of Community and Family Services

DATE: October 24, 2001

SUBJECT: Intergovernmental Revenue Agreement with the State Office for
Services to Children and Families-Midtown Branch

- I. **Recommendation/Retroactive Action Requested:** The Department of Community and Family Services recommends Board of County Commissioner approval of the revenue agreement with the State Office for Services to Children and Families (SOSCF) Midtown Branch, for the period July 1, 2001 through June 30, 2003. This agreement is retroactive due to negotiations being recently finalized.
- II. **Background/Analysis:** The Department of Community and Family Services has received a renewal revenue agreement from SOSCF, Midtown Branch, which funds County staff and services. Under this agreement, the County provides substance abuse services for clients of the multi-agency Family Support Team Project. The services include residential services with a maximum stay of 95 days per client and outpatient services with a maximum of 90 days per client. The length of stay may be extended only upon written authorization by a Family Support Team staff.
- III. **Financial Impact:** This revenue agreement is for up to \$84,000.
- IV. **Legal Issues:** N/A
- V. **Controversial Issues:** N/A
- VI. **Link to Current County Policies:** This agreement supports activities to strengthen families, reduce potential for crime, and increase intergovernmental cooperation and coordination.
- VII. **Citizen Participation:** N/A
- VIII. **Other Government Participation:** The agreement represents an ongoing, intergovernmental cooperative project to support families.

MULTNOMAH COUNTY CONTRACT APPROVAL FORM
(See Administrative Procedure CON-1)

Contract #: **0010218**

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

Amendment #: **0**

Class I	Class II	Class III
<input type="checkbox"/> Professional Services not to exceed \$50,000 (and not awarded by RFP or Exemption) <input type="checkbox"/> Revenue not to exceed \$50,000 (and not awarded by RFP or Exemption) <input type="checkbox"/> Intergovernmental Agreement (IGA) not to exceed \$50,000 <input type="checkbox"/> Expenditure <input type="checkbox"/> Revenue <input type="checkbox"/> Architectural & Engineering not to exceed \$10,000 (for tracking purposes only)	<input type="checkbox"/> Professional Services that exceed \$50,000 or awarded by RFP or Exemption (regardless of amount) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue that exceeds \$50,000 or awarded by RFP or Exemption (regardless of amount)	<input checked="" type="checkbox"/> Intergovernmental Agreement (IGA) that exceeds \$50,000 <input type="checkbox"/> Expenditure <input checked="" type="checkbox"/> Revenue Non 190 Agreement <div align="center">APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS AGENDA # <u>C-4</u> DATE <u>11.01.01</u> DEB BOGSTAD, BOARD CLERK</div>

Department:	<u>Community and Family Services</u>	Division:	<u>Behavioral Health</u>	Date:	<u>October 18, 2001</u>
Originator:	<u>Gayle Kron</u>	Phone:	<u>26392</u>	Bldg/Rm:	<u>166/6</u>
Contact:	<u>Lynn Ervins & Aimee Ortiz (GA)</u>	Phone:	<u>26644 & 26367</u>	Bldg/Rm:	<u>166/7</u>

Description of Contract **This revenue agreement is for Family Support Team-Midtown Branch to provide residential and out patient Alcohol and Drug treatment services for eligible clients.**

RENEWAL: <input checked="" type="checkbox"/>	PREVIOUS CONTRACT #(S):	<u>104715 & 102248 & 0010211</u>	
RFP/BID:	<u>N/A</u>	RFP/BID DATE:	
EXEMPTION		EXEMPTION EXPIRATION	ORS/AR
#/DATE:		DATE:	#:
CONTRACTOR IS: <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> ESB <input type="checkbox"/> QRF <input type="checkbox"/> N/A <input type="checkbox"/> NONE (Check all boxes that apply)			

Contractor	State Office for Services to Children and Families		
Address	Human Resource Bldg., 4th Floor (DHR Contract)	Remittance Address	
	500 Summer Street NE	(If different)	
	Salem OR 97310-1017		
Phone	(503) 945-6693	Payment Schedule / Terms	
Employer ID# or SS#		<input type="checkbox"/> Lump Sum \$	<input type="checkbox"/> Due on Receipt
Effective Date	July 1, 2001	<input checked="" type="checkbox"/> Monthly \$ <u>Invoice</u>	<input type="checkbox"/> Net 30
Termination Date	June 30, 2003	<input type="checkbox"/> Other \$	<input type="checkbox"/> Other
Original Contract Amount \$	84,000		
Total Amt of Previous Amendments \$		<input type="checkbox"/> Requirements \$	
Amount of Amendment \$			
Total Amount of Agreement \$	84,000	Encumber <input type="checkbox"/> Yes <input type="checkbox"/> No	

REQUIRED SIGNATURES

Department Manager	<u>Lolenz, Poe</u>	DATE	<u>10/24/01</u>
Purchasing Manager		DATE	
County Counsel	<u>Katie Lenz</u>	DATE	<u>10/24/01</u>
County Chair	<u>Quai</u>	DATE	<u>11.1.01</u>
Sheriff		DATE	
Contract Administration		DATE	

CUSTOMER CODE 300065	PREVIOUS DEPT REFERENCE GV5257		
LINE #	WBS #s	AMOUNT	INC DEC
	Level 4 Personnel BH AD/AR SCF MIDTOWN		
02	Level 3 Treatment BH A&D SCF RES/OP TX		
03			

STATE OF OREGON INTERGOVERNMENTAL AGREEMENT

Agreement Number: 99186Date: July 12, 2001

This Agreement is between the State of Oregon, acting by and through its Department of Human Services, State Office for Services to Children and Families, hereinafter referred to as the "Department" and MULTNOMAH COUNTY hereinafter referred to as the County. The Department's supervising representative for this Agreement is Lee Coleman

Effective Date and Duration: This Agreement shall become effective on July 1, 2001 or on the date at which every party has signed this Agreement and, when required, the Department of Administrative Services and the Department of Justice have approved this Agreement, whichever date is later. This Agreement shall expire, unless otherwise terminated or extended, on June 30, 2003. However, such expiration shall not extinguish or prejudice Department's right to enforce this Agreement with respect to (i) any breach of a County warranty; or (ii) any default or defect in County performance that has not been cured.

Statement of Work: The statement of services to be performed and Agreement provisions are contained in the following documents which are attached hereto and are by this reference made a part of this Agreement:

<u>Document</u>	<u>Pages</u>	<u>Document</u>	<u>Pages</u>
SCHEDULE	6	GOVERNMENTAL PROVISIONS	4

Consideration: Department agrees to pay County an amount not to exceed \$84,000.00 for accomplishment of the work, including any allowable expenses. Interim payments shall be made to County as outlined in the Agreement document entitled SCHEDULE.

Amendments: The terms of this Agreement shall not be waived, altered, modified, supplemented or amended, in any manner whatsoever, except by written instrument signed by the parties, including, when required, the Department of Administrative Services and the Department of Justice.

COUNTY, BY EXECUTION OF THIS AGREEMENT HEREBY ACKNOWLEDGES THAT COUNTY HAS READ THIS AGREEMENT, UNDERSTANDS IT, AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS.

COUNTY DATA AND CERTIFICATIONNAME: (tax filing): Multnomah CountyADDRESS: 421 SW 6th Avenue, Suite 700, Portland, OR 97204Social Security # or Federal Tax I.D. # 93-6002309 Phone #: 503.988.3691 Fax #: 503.988.3379

Certification: The undersigned agrees to perform work outlined in this agreement in accordance with the terms and conditions and the attachments referenced herein.

COUNTY: YOU WILL NOT BE PAID FOR SERVICES RENDERED PRIOR TO NECESSARY STATE APPROVALS.

Diane M. Linn
Multnomah County Chair

Date 11.1.01**APPROVED BY THE COUNTY:**By: Lorenzo Poe Title: DirectorDate: 10/24/01

State Office for Services to Children and Families:

BY: _____ Title: Deputy/Assistant Administrator

Date: _____

Reviewed by DHS Contracts Officer Coordinator: _____

Date: _____

Approved as to Legal Sufficiency: Thomas SpenslerDate: 7/27/01Reviewed: Thomas Spensler

THOMAS SPENSER DATE 10/24/01
ATTORNEY FOR MULTNOMAH COUNTY, OREGON

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS

AGENDA # C-4 DATE 11.01.01

SCHEDULECOUNTY: **MULTNOMAH COUNTY**Date: July 12, 2001**SECTION A SERVICES TO BE PERFORMED**

1. The County agrees to provide for residential and out-patient alcohol and drug treatment services to Department referred Family Support Team (FST) clients who are ineligible for treatment services from other program sources.

Out-patient length of service shall be limited to a maximum of 90 days per client. Length of service may be extended but only upon the authorization, in writing, by an FST staff member.

Residential treatment length of stay shall be limited to a maximum of 95 days per client. Length of stay may be extended but only upon the authorization, in writing, by an an FST staff member.

County agrees that all services provided under this Agreement shall be by State certified alcohol and drug treatment providers who are currently under contract with the County to provide the services specified in this Agreement. County agrees to reimburse providers of treatment services of Department referred clients in accordance with the specifications in Section B., Consideration, 1., a. and b.

2. The Department enters into this contract in anticipation of requiring the County's services. However, the Department makes no guarantee of the number of clients who may be referred to the County.
3. County shall provide, monthly, clinical reports and treatment summaries, notices of successful or unsuccessful completion of treatment services, to State Office for Services to Children and Families, Attn: Lee Coleman, Metro Region, 827 NE Oregon, Suite 250, Portland, Oregon, 97232. County shall actively participate in FST meetings, FDM meetings, and other staff meetings as requested.

SECTION B CONSIDERATION

1. As consideration for costs of providing the agreed services for the period July 1, 2001(or on the date this Agreement is fully executed) and ending June 30, 2003, the Department will pay the County, by check(s), ~~a maximum of up to \$3,500.00 per month for a total sum~~ *LTP/mrs*
payable not to exceed \$84,000.00, as follows: *FB*
OT

- a. Outpatient treatment services shall be reimbursed according to the scope and content of services provided by the Medicaid Program to Medicaid-eligible clients. Reimbursements for out-patient treatment services shall be made to the County at Medicaid rates in effect at the time services are rendered.
- b. Residential treatment services shall be reimbursed to the County at the equivalent daily rate of a State funded residential bed, currently \$100.00 per day.

Payment, inclusive of all costs associated with this Agreement, shall be subject to the provisions of ORS 293.462 (payment of overdue account charges).

2. Billings shall be submitted monthly on a CF 294A invoice to: State Office for Services to Children and Families, Attn: Lee Coleman, Metro Region, 827 NE Oregon, Suite 250, Portland, Oregon, 97232. Timely payment is contingent upon the Department's receipt and approval of the County's invoice by the 10th of each month.
3. The Department reserves the right to audit and review the actual expenses of the County to assure that the payments under this agreement do not exceed amounts that are reasonable and necessary to assure quality service, and to assure that the County's expenses are in accordance with applicable federal regulations on allowable costs. If the Department finds, from its audit and review, that the County has made expenditures, from the funds under this agreement for costs, which are not allowable under the agreement or have not been approved by the Department, the County agrees to promptly refund the monies so expended to the Department upon request.
4. County shall not submit billings for, and Department will not pay, any amount in excess of the maximum compensation set forth above. If this maximum compensation amount is increased by amendment of this contract, the amendment must be fully effective before County performs work subject to the amendment. County shall notify Department's supervising representative in writing thirty (30) calendar days before this contract expires of the upcoming expiration of the contract. No payment will be made for any services performed before the beginning date or after the expiration date of this contract. This contract will not be amended after the expiration date

SECTION C PROVISIONS SPECIFIC TO THIS AGREEMENT

1. PROGRAM:

- a. County-Client Relationship: The County will establish a system through which a child and the child's parents or guardian may present grievances about the operation of the County's service program. At the time arrangements are made for the County's services,

the County will advise the child and parents or guardian of this provision. The County shall notify the Department of all unresolved grievances.

- b. Program Records, Controls, Reports and Monitoring Procedures: The County agrees to maintain program records including statistical records, and to provide program records to Department at times and in the form prescribed by Department. The County agrees to establish and exercise such controls as are necessary to assure full compliance with the program requirements of this agreement. The County also agrees that a program and facilities review (including Meetings with consumers, review of policy and procedures, review of staffing ratios and job descriptions, and Meetings with any staff directly or indirectly involved in the provision of services) may be conducted at any reasonable time by state and federal personnel and other persons authorized by Department.
- c. Services to Culturally Diverse Children and Families: Providing equal access to and maximum benefit from services for children and youth who are members of culturally diverse groups is a priority for Department. The Department reserves the right to review information regarding efforts to deliver services that benefit culturally diverse children and youth.
- d. Confidentiality of Information: The use or disclosure by any party of any information concerning a recipient of services purchased under this Agreement, for any purpose not directly connected with the administration of the Department's or the County's responsibilities with respect to such purchased services, is prohibited, except on written consent of the Department, or if the Department is not the recipient's guardian, on written consent of the recipient's responsible parent, guardian, or attorney.
- e. Compliance with the Americans with Disabilities Act: This Agreement is available in alternate formats such as Braille, large print, audio tape, oral presentation, and computer disk. To request an alternate format call the State of Oregon Department of Human Resources Contract Unit at (503) 945-5818 or TTY (503) 945-5928.
- f. Media Disclosure. The County shall not provide information to the media regarding a recipient of services purchased under this Agreement without first consulting the Department office which referred the child or family. The County shall make immediate contact with the Department office when media contact occurs. The Department office will assist the County with an appropriate follow-up response for the media.
- g. Termination

Parties' Right to Terminate for Convenience: This Agreement may be terminated at any time by mutual written consent of the parties.

Parties' Right to Terminate for Convenience: Either party may terminate this Agreement, in whole or in part, upon 30 days notice to the other party.

g. All records identifying family members as alcohol and drug abuse treatment clients are protected by 42 CFR Part 2, Confidentiality Regulations for Alcohol and Drug Abuse Treatment records. Disclosures of information that identifies alcohol and drug abuse clients are also protected from re-disclosure and should be stamped with the following statement: "Federal rules prohibit you from making further disclosure of this information unless further disclosure is expressly permitted by the written consent of the person to whom it pertains or as otherwise permitted by 42 CFR Part 2. A general authorization for the release of medical or other information is NOT sufficient for this purpose. The Federal rules restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient."

h. Criminal History Check

The County shall verify that any employee working with children referred by the Department has not been convicted of child abuse, offenses against persons, sexual offenses, child neglect, or any other offense bearing a substantial relation to the qualifications, functions or duties of an employee scheduled to work with Department's children. The County shall establish verification by:

- (1) having the applicant as a condition of employment, apply for and receive a criminal history check from a local Oregon State Police (OSP) office, which will be shared with the County, OR
- (2) the County as an employer will contact the local OSP for an "Oregon only" criminal history check on the applicant/employee. The County will need to give to OSP the applicant's name, birth date and social security number.

The County shall determine after receiving the criminal history check, whether the employee has listed convictions, and whether these convictions pose a risk to working safely with children. If the County notes a conviction from any of the above listed crimes on the applicant/employee's record, and the County chooses to hire the employee/applicant, the County shall confirm in writing, the reasons for hiring the individual.

These reasons shall address how the applicant/employee is presently suitable or able to work with referred children in a safe and trustworthy manner. The County will place this information, along with the applicant/employee's criminal history check, in the employee's personnel file.

The criminal history check procedures listed above also apply to the County. The County shall establish a personal personnel file and place County's criminal history check in named file for possibility of future Department audit.

2. PAYMENT

a. Definitions

- 1) Allowable Costs are those costs which are reasonable and necessary for delivery of services herein agreed upon as determined to be in accordance with the Department's Summary of allowable and Unallowable Costs which is based on the office of Management and Budget (OMB) Circular A-122 as revised.
- 2) Restricted Funds are funds paid to County by Department, plus any interest accrued thereon, which are expendable only for allowable costs under this agreement.
- 3) Surplus Funds are that excess of restricted Department funds remaining after allowable costs have been deducted.

b. The funds paid by the Department to the County under this agreement are restricted funds. The County agrees to expend the restricted funds strictly in accordance with the agreement.

c. County shall not exceed, and Department will not pay, any amount in excess of the maximum compensation amount set forth above. If this maximum compensation amount is increased by amendment of this agreement, the amendment must be fully effective before County performs work subject to the amendment. No payment will be made for any services performed before the beginning date or after the expiration date of this agreement. This agreement will not be amended after the expiration date.

d. In addition to audit provisions under the General Provisions Department reserves the right to periodically audit and review the actual expenses of the County for the following purposes:

- 1) To document the relation between the established payments under this agreement and the amounts spent by the County.
- 2) To document that the amounts spent by the County are reasonable and necessary to assure quality service.

If it is determined from the County's expense statements or the audits referred to above that County has made expenditures from the funds under this agreement for costs that

are not allowable under the agreement, the County agrees to promptly refund the moneys so expended to Department upon request.

- e. Fiscal Responsibility, Records, Controls, Reports and Monitoring Procedures: The County agrees to maintain fiscal records consistent with accepted accounting practices and controls, which will properly reflect all direct and indirect costs and funds expended in the performance of this agreement, and all revenue received for programs under this agreement.

97-99 IG. 7-99

GENERAL PROVISIONS

1. Government Employment Status - If payments under this contract are to be charged against federal funds, the Contractor/County certifies that it is not currently employed by the federal government.
2. Payments under this Contract - Contractor/County will be responsible for any federal or state taxes applicable to any compensation or payments paid to Contractor/County under this contract. Contractor/County will not be eligible for any benefits from these contract payments of Federal Social Security, unemployment insurance, or workers' compensation, except as a self-employed individual.
3. Compliance with Applicable Law Contractor shall comply with all federal, state and local laws, regulations, executive orders and ordinances applicable to the Work under this Contract. Without limiting the generality of the foregoing, Contractor expressly agrees to comply with: (i) Title VI of Civil Rights Act of 1964; (ii) Section V of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 and ORS 659.425; (iv) all regulations and administrative rules established pursuant to the foregoing laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations. Agency's performance under this Contract is conditioned upon Contractor's compliance with the provisions of ORS 279.312, 279.314, 279.316, 279.320, and 279.555, which are incorporated by reference herein.
4. Safeguarding of Client Information - The use or disclosure by any party of any information concerning a recipient of services purchased under this contract for any purpose not directly connected with the administration of the Department's or the Contractor/County's responsibilities with respect to such services is prohibited except on written consent of the Department, or if the Department is not the recipient's guardian, on written consent of the recipient's responsible parent, guardian or attorney.
5. Equal Rights - The Contractor/County agrees to comply with Title VI of the Civil Rights Act of 1964, with Section V of the Rehabilitation Act of 1973, and with all applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations. Contractor/County also shall comply with the Americans with Disabilities Act of 1990 (Pub L No. 101-336), including Title II of that Act, ORS 659.425, and all regulation and administrative rules established pursuant to those laws.
6. Access to Records - The Department, the Secretary of State's Office of the State of Oregon, the Federal Government, and their duly authorized representatives shall have access to the books, documents, papers and records of the Contractor/County which are directly pertinent to the contract for the purpose of making audits, examinations, excerpts, copies and transcriptions. The Contractor/County agrees to include this provision in any subcontracts which may be authorized.
7. Retention of Records - The Contractor/County agrees to retain all books, records, and other documents relevant to this contract for three years after final payment is made under the contract or all pending matters are closed, whichever is later. If an audit, litigation or other action involving the contract is started before the end of the three year period, the records shall be retained until all issues arising out of the action are resolved or until the end of the three year period, whichever is later.
8. Subcontracting - Unless subcontracting is authorized elsewhere in the contract, the Contractor/County shall not enter into any subcontracts for any of the work contemplated under this contract without obtaining prior written approval from the Department, which approval shall be attached to the original contract. Prior written approval shall not be required for the purchase by the Contractor/County of articles, supplies and services which are incidental to the provision of residential care and related services under this contract but necessary for the performance of such work (e.g. facilities maintenance). Approval by the Department of a subcontract shall not result in any obligations to the Department in addition to the agreed rates of payment and total consideration. Any subcontracts which the Department may authorize shall contain all requirements of this contract, and the Contractor/County shall be responsible for the performance of the subcontractor.
9. Force Majeure - Neither the Department nor Contractor/County shall be held responsible for delay or default caused by fire, civil unrest, labor unrest, natural causes and war which is beyond respectively, the Department's or

97-99 IG. 7-99

Contractor/County's reasonable control. Contractor/County shall, however, make all reasonable efforts to remove or eliminate such a cause of delay or default and shall, upon the cessation of the cause, diligently pursue performance of its obligations under the contract.

10. Termination

a. **Parties' Right to Terminate For Convenience** Either party may, at its sole discretion, terminate this Contract, in whole or in part, upon 30 days written notice to other party.

b. **Department's Right to Terminate For Cause** Department may also terminate this contract effective upon delivery of written notice to the Contractor/County, or at such later date as may be established by the Department, under any of the following conditions:

1) If Department funding from state or other sources is not obtained and continued at levels sufficient to allow for the purchase of the indicated quantity of services as required in this contract. The contract may be modified to accommodate the change in available funds.

2) If state laws, regulations or guidelines are modified, changed or interpreted in such a way that the services are no longer allowable or appropriate for purchase under this contract or are no longer eligible for the funding proposed for payments authorized by this contract.

3) If any license or certificate required by law or regulation to be held by the Contractor/County to provide the services required by this contract is for any reason denied, revoked, suspended, not renewed or changed in such a way that the Contractor/County no longer meets requirements for such license or certificate.

Termination under this paragraph, a., and b. shall be without prejudice to any obligations or liabilities of either party already reasonably incurred prior to such termination.

c. **Department's Right to Terminate For Performance** Contractor/County's timely and accurate performance in accordance with the requirements and delivery schedule set forth in this contract is of the essence of this contract. The Department, by written notice to the Contractor/County, may immediately terminate the whole or any part of this contract under any of the following conditions:

1) If the Contractor/County fails to provide services called for by this contract within the time specified or any extension thereof.

2) If the Contractor/County fails to perform any of the other requirements of this contract or so fails to pursue the work so as to endanger performance of this contract in accordance with its terms, and after receipt of written notice from the Department specifying such failure, the Contractor/County fails to correct such failure within 15 calendar days or such other period as the Department may authorize.

If the contract is terminated under this paragraph, the Department's obligations shall be limited to payment for services provided in accordance with the contract prior to the date of termination, less any damages suffered by the Department. The rights and remedies of the Department in this section related to defaults (including breach of contract) by the Contractor/County shall not be exclusive and are in addition to many other rights and remedies provided to the Department by law or under this contract.

11. **Enforcement of Contract** - The passage of the contract expiration date shall not extinguish or prejudice the Department's or Contractor/County's right to enforce this contract with respect to any default or defect in performance that has not been cured.

12. **Waiver of Default** - The failure of the Department to enforce any provision of this contract shall not constitute a waiver by the Department of that or any other provision.

13. **Severability** - The parties agree that if any term or provision of this contract is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the contract did not contain the particular term or provision held to be invalid.

14. **Dual Payment** - Contractor/County shall not be compensated for work performed under this contract by any other agency of the State of Oregon.

15. **Fees Prohibited** - The Contractor/County will not impose or demand any fees from any person or agency for services provided and paid for under this contract, unless the fees have been approved in advance by the Department.

97-99 IG. 7-99

16. State Tort Claims Act - Contractor/County is not an officer, employee, or agent of the state as those terms are used in ORS 30.265.

17. Indemnity/Hold Harmless Provision - Department and Contractor/County shall be responsible exclusively with respect to their employees, for providing for employment-related benefits and deductions that are required by law, including but not limited to federal and state income tax deductions, workers compensation coverage, and PERS contributions. Contractor/County shall perform the services under this contract as an independent contractor. Contractor/County and Department each shall be responsible, to the extent permitted by the Oregon Constitution, subject to the limitations of the Tort Claims Act (ORS 30.160-30.300), only for the acts, omissions or negligence of its own officers, employees or agents.

18. Assignment of Contract - Successors in Interest - The Contractor/County shall not assign or transfer its interest in this contract without prior written approval of the Department which shall be attached to the original contract. Any such assignment or transfer, if approved, is subject to such conditions and provisions as the Department may deem necessary. No approval by the Department of any assignment or transfer of interest shall be deemed to create any obligation of the Department in addition to the agreed rates of payment and total contract consideration. The provisions of this contract shall be binding upon and shall inure to the benefit of the parties hereto, and their respective successors and assigns.

19. Funds Available and Authorized

- a. Contractor shall not be compensated for work performed under this Contract by any other agency or department of the State of Oregon. Department has sufficient funds currently available and authorized for expenditure to finance the costs of this Contract within the Department's biennial appropriation or limitation. Contractor understands and agrees that Department's payment of amounts under this Contract attributable to Work performed after the last day of the current biennium is contingent on Department receiving from the Oregon Legislative Assembly appropriations, limitations, or other expenditure authority sufficient to allow Department, in the exercise of its reasonable administrative discretion, to continue to make payments under this Contract.
- b. Department will only pay for completed work that is accepted by Department.

20. Recovery of Overpayments - If billings under this contract, or under any other contract between the Contractor/County and the Department, result in payments to the Contractor/County to which the Contractor/County is not entitled, the Department, after giving written notification to the Contractor/County, may withhold from payments due to the Contractor/County such amounts, over such periods of time, as are necessary to recover the amount of the overpayment.

21. Other Agency Approvals - If the amount of this contract, including all amendments thereto, exceeds \$75,000, approval for legal sufficiency by the Attorney General is required. If this contract provides for the provision of professional service to the benefit of the Department and is not exclusively for the benefit of Department clients or other third party entities, approval by the Department of Administrative Services is required. All such approvals, when required, shall be obtained before any work may begin under this contract.

22. Controlling State Law - The provisions of this contract shall be construed and enforced in accordance with the provisions of the laws of the State of Oregon. Any action or suit involving any question arising under this contract must be brought in the appropriate court of the State of Oregon.

23. Ownership of Work Product - All work products of the Contractor/County which result from this contract are the exclusive property of the Department.

24. Equal Employment Opportunity - If this contract, including amendments, is for more than \$10,000, then Contractor/County shall comply with Executive Order 11246, entitled "Equal Employment Opportunity," as amended by Executive Order 11375, and as supplemented in Department of Labor regulations (41 CFR Part 60). OMB Circular A - 102, § 14.c.

97-99 IG. 7-99

25. Clean Air, Clean Water, EPA Regulations - If this contract, including amendments, exceeds \$100,000 then Contractor/County shall comply with all applicable standards, orders, or requirements issued under Section 306 of the Clean Air Act (42 U.S.C. 1857(h), Section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR Part 15), which prohibit the use under non-exempt Federal contracts, grants or loans of facilities included on the EPA List of Violating Facilities. Violations shall be reported to the Department and to the U.S.E.P.A. Assistant Administrator for Enforcement (EN-329). All subcontracts, including amendments, which exceed \$100,000 shall include this language. OMB Circular A-102, ¶14.i.

26. Energy Efficiency - Contractor/County shall comply with applicable mandatory standards and policies relating to energy efficiency which are contained in the Oregon energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-165). OMB Circular A-102, ¶ 14.j.

27. Truth in Lobbying - The Contractor/County certifies, to the best of the Contractor/County's knowledge and belief that:

a. No federal appropriated funds have been paid or will be paid, by or on behalf of the Contractor/County, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any federal contract, grant, loan or cooperative agreement.

b. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence any such officer, employee or member in connection with this federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying" in accordance with its instructions.

c. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

d. The undersigned is solely responsible for all liability arising from a failure by the undersigned to comply with the terms of this certification. Additionally, the undersigned promises to indemnify the Department for any damages suffered by the Department as a result of the undersigned's failure to comply with the terms of this certification.

This certification is a material representation of facts upon which reliance was placed when this contract was made or entered into. Submission of this certification is a prerequisite for making or entering into this contract imposed by section 1352, Title 31, U.S.Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

28. Merger Clause - THIS CONTRACT WHICH INCLUDES ALL ATTACHED OR REFERENCED EXHIBITS, CONSTITUTES THE ENTIRE AGREEMENT BETWEEN THE PARTIES. NO WAIVER, CONSENT, MODIFICATION OR CHANGE OF TERMS OF THIS CONTRACT SHALL BIND EITHER PARTY UNLESS IN WRITING AND SIGNED BY BOTH PARTIES AND WHEN REQUIRED THE DEPARTMENT OF ADMINISTRATIVE SERVICES AND DEPARTMENT OF JUSTICE. SUCH WAIVER, CONSENT, MODIFICATION OR CHANGE, IF MADE, SHALL BE EFFECTIVE ONLY IN THE SPECIFIC INSTANCE AND FOR THE SPECIFIC PURPOSE GIVEN. THERE ARE NO UNDERSTANDINGS, AGREEMENTS, OR REPRESENTATIONS, ORAL OR WRITTEN, NOT SPECIFIED HEREIN REGARDING THIS CONTRACT. CONTRACTOR/COUNTY, BY SIGNATURE OF ITS AUTHORIZED REPRESENTATIVE, HEREBY ACKNOWLEDGES THAT IT HAS READ THIS CONTRACT, UNDERSTANDS IT, AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS.

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

From: WURSCHER Jay M [mailto:Jay.M.WURSCHER@state.or.us]
Sent: Wednesday, September 19, 2001 12:09 PM
To: Gayle.e.kron@co.multnomah.or.us
Subject: Fwd: Re: Multnomah County Contract - Request from them

Date: 09/19/2001 11:22 am -0700 (Wednesday)
From: John S DOTSON
To: BROWN, Brenda; Honse, Charlotte; WURSCHER, Jay M
Subject: Re: Multnomah County Contract - Request from them

Jay,

We wrote the \$3,500.00 per month into the contract per the request received from Lee Coleman. My question here would be " Was there a reason why program decided to limit it to the stated monthly amount?".

If there isn't and since the contract does have language in it that speaks to reimbursements according to specific rates, I don't see any reason why we should limit payment to a maximum monthly amount as long as we don't exceed the total sum payable.

May I suggest that when you contact Gayle again, have her do the following: Schedule, Section B Consideration, sub-section 1., have her strike out and have initialed, in ink, the following "a maximum of up to \$3,500.00 per month for".

If I can be of further assistance, please contact me.

John Dotson
Assistant Contracts Coordinator
Phone: (503) 945-5822
Fax: (503) 373-7889
e-mail: John.S.DOTSON@state.or.us

>>> Jay M WURSCHER 09/19/2001 9:56:03 AM >>>

Charlotte, Brenda, John, Heather,
I just spoke with Gayle Kron, contract person at Multnomah County. Gayle says contract 99186, which provides money to Family Support Team clients to pay for Alcohol & Drug treatment when they aren't covered otherwise - is still not signed. She says there is a contract statement which says they cannot exceed \$3500.00 per month, which of course is the budgeted amount divided by 12. The problem is that client flow doesn't work that way. You get runs of client's going to residential that have no coverage and therefore more of this money is expended, and then you have periods of time when lots of clients have coverage and there is very little money used from this contract. In addition, TX providers almost never bill monthly.
Question:
Does the monthly limitation have to be in this contract.?

MEETING DATE: November 1, 2001
AGENDA NO: C-5
ESTIMATED START TIME: 9:30
LOCATION: Boardroom 100

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Approval of Revenue Agreement with the City of Portland Office of Sustainable Development for the Block by Block Weatherization program in the amount of \$127,000 for Fiscal Year 2001/02.

BOARD BRIEFING: DATE REQUESTED: _____
REQUESTED BY: _____
AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: _____ **Next Available**
AMOUNT OF TIME NEEDED: _____ **Consent**

DEPARTMENT: Community and Family Services DIVISION: Community Programs & Partnerships

CONTACT: Tom Brodbeck TELEPHONE #: 503. 988.6295 x 26057
BLDG/ROOM #: 166/2

PERSON(S) MAKING PRESENTATION: _____ **N/A**

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

Approval Of Revenue Agreement With The City Of Portland Office of Sustainable Development Block By Block Weatherization Program For Fiscal Year 2001/02.

11/05/01 originals to Lynn Evers

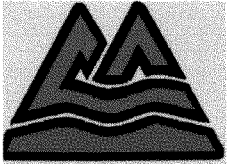
SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

(OR) DEPARTMENT MANAGER: Lorenzo T. Poe, Jr.

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

**Any Questions: Call the Board Clerk @ (503) 988-3277 or email
deborah.l.bogstad@co.multnomah.or.us**



MULTNOMAH COUNTY OREGON

421 SW Sixth – Seventh Floor
Portland OR 97216-1618
(503) 988-3691 phone
(503) 988-3379 fax

TO: Board of County Commissioners

FROM: Lorenzo Poe, Director
Department of Community and Family Services

DATE: October 24, 2001

SUBJECT: Intergovernmental Revenue Agreement with the City of Portland Office of Sustainable Development, Block By Block Weatherization

- I. **Recommendation/Retroactive Action Requested:** The Department of Community and Family Services recommends Board of County Commissioner approval of the Intergovernmental Agreement with the City of Portland Office of Sustainable Development, for the period July 1, 2001 through June 30, 2002. Funding will be used for the Weatherization Program. This Agreement is retroactive to July 1, 2001. The document was received October 9, 2001.
- II. **Background/Analysis:** The Department of Community and Family Services is cooperating with the City of Portland Office of Sustainable Development for the Block by Block Weatherization Program to continue to provide energy audits, blower door tests, weatherization, air leakage control, and inspection services for qualified homes.
- III. **Financial Impact:** This revenue agreement is for up to \$127,000.
- IV. **Legal Issues:** None
- V. **Controversial Issues:** None
- VI. **Link to Current County Policies:** This program provides an opportunity for low-income people to extend their personal resources and increase economic self-sufficiency.
- VII. **Citizen Participation:** The Division of Community Program and Partnerships (DCPP) Manages The Energy Assistance Program. Citizens provide input to DCPP regarding program services through participation in the Commission on Children, Families and Community.
- VIII. **Other Government Participation:** This agreement represents a cooperative undertaking between the City of Portland and Multnomah County.

MULTNOMAH COUNTY CONTRACT APPROVAL FORM
(See Administrative Procedure CON-1)

Contract #: **0210217**

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

Amendment #: **0**

Class I	Class II	Class III
<input type="checkbox"/> Professional Services not to exceed \$50,000 (and not awarded by RFP or Exemption) <input type="checkbox"/> Revenue not to exceed \$50,000 (and not awarded by RFP or Exemption) <input type="checkbox"/> Intergovernmental Agreement (IGA) not to exceed \$50,000 <input type="checkbox"/> Expenditure <input type="checkbox"/> Revenue <input type="checkbox"/> Architectural & Engineering not to exceed \$10,000 (for tracking purposes only)	<input type="checkbox"/> Professional Services that exceed \$50,000 or awarded by RFP or Exemption (regardless of amount) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue that exceeds \$50,000 or awarded by RFP or Exemption (regardless of amount)	<input checked="" type="checkbox"/> Intergovernmental Agreement (IGA) that exceeds \$50,000 <input type="checkbox"/> Expenditure <input checked="" type="checkbox"/> Revenue <div style="text-align: center;"> APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS AGENDA # <u>C-5</u> DATE <u>11-01-01</u> DEB BOGSTAD BOARD CLERK </div>

Department: Community and Family Services Division: Community Programs and Partnership Date: October 18, 2001
 Originator: Tom Brodbeck Phone: 26057 Bldg/Rm: 166/2
 Contact: Lynn Ervins & Heather McGillivray (GA) Phone: 26644 & 24261 Bldg/Rm: 166/7

Description of Contract **This revenue agreement provides funding up to \$127,000 for the Block By Block Weatherization program for Fiscal Year 2001/02.**

RENEWAL: <input checked="" type="checkbox"/>	PREVIOUS CONTRACT #(S): <u>9910360, 0010209 & 0110879</u>
RFP/BID: <u>N/A (IGA)</u>	RFP/BID DATE: _____
EXEMPTION	EXEMPTION EXPIRATION _____
#/DATE: _____	DATE: _____
CONTRACTOR IS: <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> ESB <input type="checkbox"/> QRF <input type="checkbox"/> N/A <input type="checkbox"/> NONE (Check all boxes that apply)	

Contractor	City of Portland, Office of Sustainable Development		
Address	<u>1120 SW 5th Avenue, Suite 706</u>	Remittance Address	_____
	<u>Portland, OR 97204</u>	(If different)	_____
Phone	<u>(503) 823-7590</u>	Payment Schedule / Terms	
Employer ID# or SS#	<u>93-6002236</u>	<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on Receipt
Effective Date	<u>July 1, 2001</u>	<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30
Termination Date	<u>June 30, 2002</u>	<input type="checkbox"/> Other \$ _____	<input type="checkbox"/> Other
Original Contract Amount \$	<u>127,000</u>		
Total Amt of Previous Amendments \$	<u>0</u>	<input type="checkbox"/> Requirements \$ _____	
Amount of Amendment \$	<u>0</u>		
Total Amount of Agreement \$	<u>127,000</u>	Encumber <input type="checkbox"/> Yes <input type="checkbox"/> No	

REQUIRED SIGNATURES

Department Manager <u>Lorenzo Poe mms</u>	DATE <u>10/24/01</u>
Purchasing Manager <u>Kate Day</u>	DATE _____
County Counsel <u>Quani</u>	DATE <u>10/24/01</u>
County Chair <u>Quani</u>	DATE <u>11-1-01</u>
Sheriff _____	DATE _____
Contract Administration _____	DATE _____

SAP Customer Code 300045		DEPT REFERENCE				
LINE #	WBS	FM	GL	DESCRIPTION	AMOUNT	INC DEC
01	CPP2WXEGAD.PDXBBB.AD				\$33,000	
02	DCPPWXEGWXOTHPDXBBB.PG				\$94,000	

City Of Portland
Block-By-Block Weatherization Program
2001-2002

Contract #0210217

INTERGOVERNMENTAL AGREEMENT

This Agreement for Services (Agreement) is between the CITY OF PORTLAND, OREGON Office of Sustainable Development (City) and MULTNOMAH COUNTY DEPT. OF COMMUNITY AND FAMILY SERVICES, DIVISION OF COMMUNITY PROGRAMS AND PARTNERSHIPS (DCPP) (Contractor).

RECITALS:

The purpose of this Agreement is to assist the Office of Sustainable Development with implementation of the 2001-2002 Block-By-Block (BBB) Weatherization Program. The contractor will provide energy audits, blower door tests, weatherization, air leakage control, and inspection services for qualified homes. The contractor will maintain records of homes served and apply for and collect utility and state weatherization rebates resulting from the work performed, in accordance with this Agreement.

AGREEMENT:

1. **SCOPE OF CONTRACTOR SERVICES** The Contractor shall provide the services set out in Exhibits A - Scope of Work, B - Schedule For Contractor Services, and C - Budget. The Contractor shall adhere to the schedule set forth in Exhibit B - Schedule For Contractor Services.
2. **SCOPE OF CITY SERVICES** The City shall:
 - (1) Provide completed applications from eligible households.
 - (2) Make program policy decisions and provide overall program direction. Prioritize energy efficiency measures to be installed, jointly determine audit methodology and cost effective criteria, goals for numbers of completed jobs.

The City shall perform the above on the following schedule:

- (1) Provide completed applications year round and revolving around each Fix-it Fair.
- (2) In sufficient numbers to meet the audit and installation schedule set out in Exhibit B - Schedule For Contractor Services.

3. COMPENSATION

The City shall pay the Contractor for work performed under this Agreement after the effective date as set out below. The payment shall be full compensation for work performed, for services rendered, and for all labor, materials, supplies, equipment, and incidentals necessary to perform the work and services.

The City shall pay Multnomah up to \$127,000 as compensation for these services. The budget is set out in Exhibit C - Budget.

4. BILLING AND PAYMENT PROCEDURE

The Contractor's billing and City's payment procedures shall be as set out below:

Billings shall be accompanied by supporting documentation. The City shall pay the billed amount within thirty (30) days provided the project manager has certified the billing and documentation as complete and valid.

5. EFFECTIVE AND TERMINATION DATES

This Agreement shall be effective as of July 1, 2001 and shall terminate as of June 30, 2002.

6. **TERMINATION** This agreement may be terminated by either party upon 30 days written notice.

7. **CITY PROJECT MANAGER**

- (a) The City Project Manager shall be Jill Kolek or such other person as shall be designated in writing by the director of the Office of Sustainable Development
- (b) The Project Manager is authorized to approve work and billings hereunder, to give notices referred to herein, to terminate this Agreement as provided herein, and to carry out any other City actions referred to herein.

8. **COMPLIANCE WITH LAWS** Contractor and City shall comply with all federal, state and local laws and ordinances applicable to this agreement.

9. **ACCESS TO RECORDS** Each party shall have access to the books, documents and other records of the other party which are related to this agreement for the purpose of examination, copying and audit.

10. **INDEMNIFICATION**

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

11. **BREACH OF AGREEMENT**

- (a) The City or the Contractor shall breach this Agreement if it fails to perform any substantial obligation under the Agreement, except as provided in subsection (b) of this section.
- (b) Neither the City nor the Contractor shall have breached this Agreement by reason of any failure to perform a substantial obligation under the Agreement if the failure arises out of causes beyond its control and without its fault or negligence. Such causes may include, without limitation, acts of God or the public enemy, acts of the federal, state, or local governments, fires, floods, epidemics, volcanic eruptions, quarantine restrictions, strikes, freight embargoes, and unusually severe weather. Should either the City or the Contractor fail to perform because of a cause described in this subsection, the City and the Contractor shall make a mutually acceptable revision in the Scope of Services, Schedule, or Compensation.

12. **OWNERSHIP OF DOCUMENTS**

- (a) All work the Contractor performs under this Agreement shall be considered work made for hire, and shall be the property of the City. The City shall own any and all data, documents, plans, copyrights, specifications, working papers, and any other materials the Contractor produces in connection with this Agreement. On completion or termination of the Agreement, the Contractor shall deliver these materials to the Project Manager. Any use the City makes of the materials referred to in subsection (a) of this section, except for purposes of the work contemplated by this Agreement, shall be at the City's risk.

13. **NOTICE**

Any notice provided for under this Agreement shall be sufficient if in writing and delivered personally to the following addressee or deposited in the United States Mail, postage prepaid, certified mail, return receipt requested, addressed as follows, or to such other address as the receiving party hereafter shall specify in writing:

If to the City: Office of Sustainable Development
1120 SW 5th Ave., #706
Portland, Oregon 97204

If to the Contractor: Multnomah County
Dept. of Community and Family Services
Division of Community Programs and
Partnerships (DCPP)
421 SW 6th Avenue, Suite 200
Portland, Oregon 97204

14. SEVERABILITY

If any provision of this Agreement is found to be illegal or unenforceable, this Agreement nevertheless shall remain in full force and effect and the provision shall be stricken.

15. PROGRESS REPORTS

The Contractor shall provide quarterly electronic progress reports to the Project Manager. Each progress report shall contain the following information:

For the reporting quarterly and year-to-date reports:

a) The clients name b) address c) number in family, d) number under 6 years old e) number over 6 years old f) number of handicapped people g) household income h) heating utility i) type of space heating j) a breakdown of the measures installed k) blower door reading, etc. l) estimated energy savings per audit. In addition to the statistical information requested above, also include general "lifestyle data" a) do they recycle b) do they perform any outside watering—if so what and how much c) their most commonly used mode of transportation d) laundry facility, etc. Information gathered by the auditor at the time of the extended audit including: a) how many compact fluorescent light bulbs were installed b) if the auditor was able to install a showerhead, record what the flow of the replaced showerhead c) age of refrigerator d) age of water heater e) temperature of hot water, was the auditor able to turn it down f) age of furnace, did the auditor replace the furnace filter, etc. Summary of the job's status descriptor such as: a) application received b) audited c) work order released (work is scheduled) d) work complete e) cancelled before audit-why f) cancelled before work scheduled-why g) BBB total job costs h) BBB rebate amount for each job.

The final report is to include all the above information requested for the quarterly report with the addition of it being in both a written and electronic format. Additional information needed for the final report is: 1) cost of work 2) rebate amount for each job and 3) a brief narrative discussing program problems, strengths, and recommendations for improvement.

16. INTEGRATION

This Agreement contains the entire agreement between the City and the Contractor and supersedes all prior written or oral discussions or agreements.

AGREED:

CONTRACTOR: Multnomah County, Oregon,
Department Of Community And Family Services,
Office For Community Action And Development.

By: *Lorenzo Paez*
Dept. of Community and Family Services, Director

Date: 10/24/01

By: *Chris Walsh*
Multnomah County Chair

Date: 11.1.01

Reviewed: Multnomah County Counsel

By: *Katie Day*
County Counsel

Date: 10/24/01

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS

AGENDA # C-5 DATE 11.01.01
DEB BOGSTAD, BOARD CLERK

CITY OF PORTLAND

By: _____
Portland City Commissioner

Date: _____

By: _____
City Auditor

Date: _____

Approved as to form:

By: _____
City Attorney

Date: _____

City Of Portland
Block-By-Block Weatherization Program
2001-2002

Exhibit A
SCOPE OF CONTRACTOR SERVICES

For Multnomah County, Oregon
Department of Community and Family Services
Division of Community Programs and Partnerships (DCPP)

The Block-By-Block (BBB) Weatherization Program is a City of Portland funded, neighborhood-based conservation program providing free air sealing, insulation work and install water heaters in low-income homes. This program will be marketed to lower-income households by partnering with neighborhood associations and neighborhood coalition offices.

Three "Fix-it Fairs" will be held to help residents learn about a variety of home improvement topics including energy savings, buying a new furnace, home security, home repair and improvement, fire safety, water conservation and other fix-it subjects. Do-it-yourself weatherization kits will be distributed at energy efficiency workshops offered at each fair. Qualifying lower income households can sign-up for free energy savings services through Block-By-Block. These residents will receive in-home education and an energy audit to identify cost effective weatherization work to be installed by licensed contractors or Multnomah County staff. Multnomah County will staff a weatherization and energy assistance sign-up booth at all three Fix-It Fairs.

Multnomah County, Department of Community and Family Services Division of Community Programs and Partnerships (DCPP) will perform energy audits to identify measures to be paid for by BBB and select, schedule and pay contractors to perform the work. DCPP will provide in-home energy education, job inspections, submit applications for utility and state weatherization rebates and report to the Office of Sustainable Development.

The contractor shall perform the following:

1. Receive Block-By-Block application from the Office of Sustainable Development, entering names into a client database. The Office of Sustainable Development will deliver up to 200 qualified participant names. These will be added to the existing BBB waiting list (if any) and serviced on a first come first served basis, unless otherwise directed. If during the contract period, it appears that additional qualified enrollments will be needed to meet the goal to weatherize 125 homes, DCPP will notify the Office of Sustainable Development.
2. Provide both qualified and sufficient Energy Auditors to complete energy audits in a timely manner.
3. Contact each BBB participant to schedule and perform a "Home Energy Visit" on each home enrolled. The "Home Energy Visit" has two major components, including, A) an extended weatherization audit that will identify and prioritize weatherization measures and/or opportunities to change out major energy using appliances like water heaters, and B) in-home energy education.

A. Extended Weatherization Audit

- (1) This weatherization/energy audit shall be an assessment with a level of detail to meet minimum requirements of the BBB audit approved for use by State of Oregon and utility programs. Audit methodology, procedures and priority of measures will be jointly agreed to by DCPP and the Office of Sustainable Development. The weatherization program WXEOR is pre-approved for use by DCPP on BBB jobs.

The purpose of the extended audit is to prioritize and identify the most cost-effective insulation, replacement natural gas water heaters and/or oil furnace measures to be installed—keeping in mind that the objective of BBB is to provide one major conservation measure and air infiltration work at a job cost of about \$950. The energy audit will include identifying the most appropriate cost-effective measure to be installed, the installation of various low cost resource-saving components and a survey of the household's current equipment. The extended audit includes:

- (a) Installing of two compact fluorescent lights, provided by the City of Portland

- (b) Measure and contract for installing low flow showerhead(s), provided by the City of Portland.
- (c) Metering and recording the age and useful life of the refrigerator, when physically accessible, provided by City of Portland.
- (d) Recording the age and useful life of water heater
- (e) Measure tap water temperature and turning the water temperature down at tank if above 131 degree F.
- (f) Recording the furnace age or estimated age and useful estimated life along with replacing the current furnace filter with a washable type and clearly placing a furnace stick stating its age, last service date, filter size and last date the filter with changed. The City of Portland will purchase furnace stickers and filters.

DCPP and the Office of Sustainable Development will jointly revise the priority list which states which measures will be recommended and under which circumstances.

- (2) When a natural gas or oil furnace is present, perform an efficiency test determining net exhaust gas temperature, smoke spot, O₂ and CO percentages, and steady state furnace efficiency. Also perform a combustion safety test. The auditor shall include in the audit report their recommendation to either (a) tune the furnace, (b) install a flame retention burner and/or fire box liner (oil furnaces), (c) power vacuum the fire box, (d) clean the oil tank, (e) refer this customer to DCP's program for furnace replacement if eligible and if funds are available, or (f) recommend no action. Furnace tune-ups will be offered along with one insulation measure. Oil burner replacement will be considered a major measure by itself, but may be combined with an insulation measure if an exceptionally good savings opportunity exists to also add insulation.
- (3) When a natural gas furnace and outdated 50-gallon electric water heater are present, the auditor should assess whether replacing the water heat with a 40-gallon natural gas water heater is feasible. Water heater replacement will be considered a major measure by itself, but may be combined with ceiling insulation if no insulation currently exist. The goal of the 2000-2001's program is to install approximately 25 water heaters in BBB households. Please refer to the Water Heater Change-Out Pilot Project Procedures created jointly by NW Natural, Multnomah County and the City of Portland.
- (4) Perform a blower door air leakage test, recording the results, and identifying major infiltration points to be sealed by a subcontractor, or County staff, if an insulation measure is installed.
- (5) Recognizing (a) that many BBB households are also eligible for services under federally funded weatherization programs and (b) that service under DCP a home usually receives full insulation services rather than one major insulation measure, some BBB jobs may be transferred or "rolled-over" for service under DCP's county-wide program. The number of BBB homes rolled over, and the type of rollover, will be mutually agreed on by city and county program managers. In the case of shared rollovers, any utility rebates will be split between BBB and the county based on the percentage of weatherization dollars spent by each agency.

B. In-Home Energy Education.

- (1) DCP staff, as part of the Home Energy Visit, will meet with members of the household to discuss energy use in the home. The objectives of this visit will be to (a) review what uses account for most of the cost of energy, i.e. space heat and hot water, (b) to clearly demonstrate basic energy and water savings equipment maintenance (b) identify actions that household members can take to reduce use, and (c) to enlist a written commitment from the resident to follow through on their Energy Action Plan. Follow-up will include mailing a postcard reminding the customer of their commitment approximately ten days after the home visit. The targeted time for the energy education component is 30 minutes.
- (2) The Office of Sustainable Development has worked jointly with DCP to develop the In-Home Education Procedure.
- (3) As stated in the Extended Weatherization Audit the In-Home Education components will consist of:
 - (a) Installing of two compact fluorescent lights, provided by the City of Portland
 - (b) Measure and contract for installing low flow showerhead(s), provided by the City of Portland.
 - (c) Metering and recording the age and useful life of the refrigerator, when feasible.
 - (d) Recording the age and useful life of water heater

- (e) Measure tap water temperature and turning the water temperature down at tank if above 131 degree F.
 - (f) Recording the furnace age or estimated age and useful estimated life along with replacing the current furnace filter with a washable type and clearly placing a furnace stick stating its age, last service date, filter size and last date the filter with changed. The City of Portland will purchase furnace stickers and filters.
- 4. Select contractor(s), schedule and pay for major measure work on approximately 110-125 homes as recommended and prioritized in the energy audit report. Standards for work performance shall comply with the most recent edition of Multnomah County's Weatherization Specifications. For wall insulation, DCPD will require use of dense fill cellulose application for walls, (or an alternative only if approved by the Office of Sustainable Development), with a maximum voided area of five percent. Charges for subcontractor services shall be based upon a predetermined pricing schedule developed by DCPD for use in their state funded weatherization program. The target for average subcontractor cost is \$950 per home.
- 5. Billing to the Block-By-Block program for this weatherization work will be made using a price schedule similar to the one developed for private sector contractors.
- 6. By April 30, 2002, provide the Office of Sustainable Development with an accounting report documenting BBB money spent in the first three quarters. The Office of Sustainable Development and Multnomah County will review program spending to determine if a three month contract extension is necessary.
- 7. Conduct post work inspections on at least 75 percent of the homes weatherized. In general, wall and attic insulation will receive first priority for scheduling inspections with burner replacement having less importance. Infrared scan inspection of wall insulation is desirable, and should be used when equipment is available to determine if the work meets the five-percent maximum voided area standard. The inspection call will also include a blower test when insulation measures are installed. Complete inspections within 10 working days of receipt of contractor invoices.
- 8. Complete all necessary documentation, and apply for all weatherization rebates and administrative reimbursement from the Oregon Office of Energy, Northwest Natural, Portland General Electric Co., and Pacific Power and Light Co. for all completed weatherization jobs. All applications and supporting paperwork should be submitted by DCPD in a timely manner. Utility and state rebates shall be collected, documented and applied directly to weatherization costs of BBB. This years program budget anticipates receipt of \$25,000 in rebates and administrative reimbursement.
- 9. Carryover to the 2000-01 BBB weatherization budget any rebates applied for and/or collected but not spent on BBB jobs in previous years. This years budget, Exhibit C, notes approximately zero dollars in carryover rebates (collection is pending) to be used for direct weatherization work this year. Similarly, any unspent rebates from this year's contract will be transferred to the 2001-02 Block-By-Block Program or returned to the Office of Sustainable Development.
- 10. Keep accurate records on the work performed and the corresponding cost, and deliver a quarterly report, as set out in Section 25, Progress Reports.
- 11. Maintain a client/job database, and use the database to create quarterly and final reports. All report to be delivered in a mutually agreed upon electronic format.
- 12. The quarterly reports are to include:

<ul style="list-style-type: none"> (a) clients name (b) address (c) number in family (d) number under 6 years old (e) number over 6 years old (f) number of handicapped people 	<ul style="list-style-type: none"> (g) household income (h) heating utility (i) type of space heating (j) a breakdown of the measures installed (k) blower door reading, etc. (l) estimated energy savings per audit
--	--

In addition to the statistical information requested above, also include general "lifestyle data" such as:

 - (a) if they recycle
 - (b) do they perform any outside watering—if so what and how often
 - (c) their most commonly used mode of transportation
 - (d) do they own a clothes washer

Information gathered by the auditor at the time of the extended audit including:

- (a) how many compact fluorescent light bulbs were installed
- (b) if the auditor was able to install a showerhead, record what the flow of the replaced showerhead
- (c) age of refrigerator
- (d) age of water heater
- (e) temperature of hot water, was the auditor able to turn it down
- (f) age of furnace, did the auditor replace the furnace filter

Quarterly reports should include a status report on each job outlining where the project is at during at the time the report is generated. Some suggested status descriptors are:

- | | |
|--|---|
| (a) application received | (e) cancelled before audit-why |
| (b) audited | (f) cancelled before work scheduled-why |
| (c) work order released (work in progress) | (g) BBB total job costs |
| (d) work complete | (h) BBB rebate amount for each job |

13. The final report is to include all the above information requested for the quarterly report with the addition of it being in both a written and database format. Additional information needed for the final report is a brief narrative discussing program problems and strengths and recommendations for improvement. Final Report is due no later than August 30, 2002.
14. The City desires to encourage the development of stronger economic bases in the neighborhoods served by BBB, as well as a qualified and experienced labor pool. If private contractors are used for the performance of weatherization services, DCPD shall consider this goal. When possible, preference in selecting contractors shall be given to residents of and businesses located in this year's participating neighborhoods. Additionally, small disadvantaged businesses with previous weatherization experience should be used, when possible.

City Of Portland
Block-By-Block Weatherization Program
2001-2002

Exhibit B
SCHEDULE FOR CONTRACTOR SERVICES

For Multnomah County, Oregon
Department of Community and Family Services
Division of Community Programs and Partnerships (DCPP)

- | | | |
|-----|--|--------------------|
| 1. | Contract begins. | July 1, 2001 |
| 2. | Staff booth a three Fix-it Fairs coordinated by the Office of Sustainable Development. | Winter 2001 - 2002 |
| 3. | Begin home energy visits. | July 1, 2001 |
| 4. | Accounting report documenting BBB money spent in the first third quarter of 2001/2002. | April 30, 2002 |
| 5. | Assign and complete all weatherization work within 60 days of the audit/infiltration date.
The schedule for completion is: <ul style="list-style-type: none">• 125 completed by | June 30, 2002 |
| 6. | Complete inspections on 75 percent of the jobs. Perform inspections within two weeks of receiving contractor invoice. | On-going |
| 7. | Complete applications for utility and state rebates on all jobs. | On-going |
| 8. | Contract ends. | June 30, 2002 |
| 9. | Submit final billing to the Office of Sustainable Development. | July 16, 2002 |
| 10. | Submit final report. | August 30, 2002 |

City Of Portland
Block-By-Block Weatherization Program
2001-2002

Exhibit C
BUDGET FOR CONTRACTOR SERVICES

For Multnomah County, Oregon
Department of Community and Family Services
Division of Community Programs and Partnerships (DCPP)

1. Supplies, transportation, office space, and all additional non-personnel expenses to perform the Scope of Work. Perform energy audits and home education visits on all applications delivered to DCPP, post-job inspections, maintain the BBB data base, select, supervise and pay sub-contractors, produce monthly and final reports, and apply for and process weatherization rebates. \$33,000

2. Purchase materials needed to perform the "Extended Energy Audit" and provide weatherization services such as insulation or install natural gas water heaters, for approximately 125 houses. Qualified subcontractors will perform the major measure weatherization work as identified and directed in the energy analysis.

This budget item will increase beyond \$94,000 as DCPP applies for and collects utility and state rebates and administrative reimbursements for this and previous years work. (see Rebate Budget on the following page) +94,000

- SUB-TOTAL: City Direct Funding** **\$127,000**

3. In addition to the contract budget, a rebate budget of \$25,000 is included (see the following page for details). This represents our best estimate of weatherization rebates to be collected under utility and state rebates and administrative reimbursements for this and previous years work. In no case shall the contractor spend rebate funds prior to receipt from utilities and the state.

(Therefore the combined weatherization rebate budget is zero carry-over, plus \$25,000 new =\$25,000) +\$25,000

- GRAND TOTAL** **\$152,000**

**REBATE BUDGET
2001-2002**

In addition to the above contracted budget, DCPD will collect rebates and administrative reimbursements from utilities and State weatherization programs for work performed. When collected, current year rebates will be combined with rebates carried over from 2000-01 to be used only for direct weatherization, and will be used after funds in this year's budget for weatherization (item 2, previous page) are expended. If the rebates are not spent in this fiscal year, they will be carried over into next year's Block-By-Block program or returned to the Office of Sustainable Development. The following is an accounting of the source of rebate funds to be used as a supplement to the \$93,000 budgeted for weatherization (item 2, previous page) on the current year's program.

1.	Rebates carried over from 2000-01.	\$0
2.	2000-01 Rebates. As of August 28, 2001 both parties estimate a zero balance for BBB rebates from the 2000-01 program budget. When a final accounting is completed, the rebates (if any) will be carried into the 2000-01 budget for direct weatherization.	\$0
3.	Estimated of rebates to be collected on jobs weatherized during this current 2000-01 BBB Program.	<u>+25,000</u>
	REBATE TOTAL (estimated)	\$25,000

MEETING DATE: November 1, 2001
AGENDA NO: C-6
ESTIMATED START TIME: 9:30
LOCATION: Boardroom 100

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Approval of Division of Behavioral Health's Agreement with Regional Drug Initiative for the service period from October 1, 2001 through December 31, 2001

BOARD BRIEFING: DATE REQUESTED: _____
REQUESTED BY: _____
AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: _____ **Next Available**
AMOUNT OF TIME NEEDED: _____ **Consent**

DEPARTMENT: DCFS
CONTACT: Jim Peterson/Gayle Kron

DIVISION: Behavioral Health
TELEPHONE #: 503 988-5464 x 26392
BLDG/ROOM #: 166/6

PERSON(S) MAKING PRESENTATION: _____ **N/A**

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

Approval of Division of Behavioral Health's Agreement With Regional Drug Initiative
11/05/01 Originals to Lynne Evers

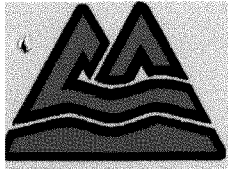
SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____

(OR) DEPARTMENT MANAGER: Lorenzo T. Poe, Jr.

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ (503) 988-3277 or email
deborah.l.bogstad@co.multnomah.or.us



MULTNOMAH COUNTY OREGON

421 SW Sixth – Seventh Floor
Portland OR 97216-1618
(503) 988-3691 phone
(503) 988-3379 fax

TO: Board of County Commissioners

FROM: Lorenzo Poe, Director

DATE: October 22, 2001

SUBJECT: FY2001/2002 Intergovernmental Agreement with Regional Drug Initiative

- I. **Recommendation/Action Requested:** The Department of Community and Family Services recommends approval of the attached intergovernmental agreement with the Regional Drug Initiative for the period October 1, 2001 through December 31, 2001. This agreement is retroactive due to extensive negotiations with the State regarding putting criminal background checks terminology in the contract.
- II. **Analysis:** The Regional Drug Initiative is an intergovernmental agency, which contracts with Multnomah County to provide administrative services for personnel and motor pool expenses.
- III. **Financial Impact:** The dollar amount of this contract is \$48,260.
- IV. **Legal Issues:** None
- V. **Controversial Issues:** None
- VI. **Link to Current County Policies:** The contract seeks to continue an effort with Multnomah County to implement programs and services to combat drug abuse in the County.
- VII. **Citizen Participation:** None
- VIII. **Other Government Participation:** RDI is an intergovernmental entity formed through an agreement between Multnomah County and the City of Portland.

MULTNOMAH COUNTY CONTRACT APPROVAL FORM

(See Administrative Procedure CON-1)

Contract #: 0210019

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

Amendment #: 1

Class I	Class II	Class III
<input type="checkbox"/> Professional Services not to exceed \$50,000 (and not awarded by RFP or Exemption) <input type="checkbox"/> Revenue not to exceed \$50,000 (and not awarded by RFP or Exemption) <input checked="" type="checkbox"/> Intergovernmental Agreement (IGA) not to exceed \$50,000 <input type="checkbox"/> Expenditure <input checked="" type="checkbox"/> Revenue Non 190 Agreement <input type="checkbox"/> Architectural & Engineering not to exceed \$10,000 (for tracking purposes only)	<input type="checkbox"/> Professional Services that exceed \$50,000 or awarded by RFP or Exemption (regardless of amount) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue that exceeds \$50,000 or awarded by RFP or Exemption (regardless of amount)	<input type="checkbox"/> Intergovernmental Agreement (IGA) that exceeds \$50,000 <input type="checkbox"/> Expenditure <input type="checkbox"/> Revenue <p>APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS AGENDA # <u>C-6</u> DATE <u>11-01-01</u> DEB BOGSTAD, BOARD CLERK</p>

Department: <u>Community and Family Services</u>	Division: <u>Behavioral Health</u>	Date: <u>October 22, 2001</u>
Originator: <u>Gayle Kron</u>	<u>26392</u>	Bldg/Rm: <u>166/6</u>
Contact: <u>Lynn Ervins & Aimee Ortiz (GA)</u>	Phone: <u>26644 & 26367</u>	Bldg/Rm: <u>166/7</u>

Description of Contract **The service period for this Intergovernmental Agreement for personnel services is for October 1, 2001 through December 31, 2001.**

RENEWAL: <input type="checkbox"/>	PREVIOUS CONTRACT #(S): <u>0110764</u>
RFP/BID: <u>Exempt as Governmental Agency</u>	RFP/BID DATE: _____
EXEMPTION	EXEMPTION EXPIRATION _____
#/DATE: _____	DATE: _____
CONTRACTOR IS: <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> ESB <input type="checkbox"/> QRF <input checked="" type="checkbox"/> N/A <input type="checkbox"/> NONE (Check all boxes that apply)	

Contractor Regional Drug Initiative	Remittance Address _____
Address 521 SW 11th, Suite 301	(If different) _____
Portland, OR 97205-2621	
Phone 503.294.7074	Payment Schedule / Terms
Employer ID# or SS# N/A	<input type="checkbox"/> Lump Sum \$ _____ <input type="checkbox"/> Due on Receipt
Effective Date October 1, 2001	<input checked="" type="checkbox"/> Monthly \$ <u>Invoice</u> <input type="checkbox"/> Net 30
Termination Date December 31, 2001	<input type="checkbox"/> Other \$ _____ <input type="checkbox"/> Other
Original Contract Amount \$ 48,260	
Total Amt of Previous Amendments \$ _____	<input type="checkbox"/> Requirements \$ _____
Amount of Amendment \$ _____	
Total Amount of Agreement \$ 48,260	Encumber <input type="checkbox"/> Yes <input type="checkbox"/> No

REQUIRED SIGNATURES

Department Manager <u>Lolynza Poe mas</u>	DATE <u>10/24/01</u>
Purchasing Manager <u>Katri Day</u>	DATE <u>10/24/01</u>
County Counsel <u>Debra Jancey</u>	DATE <u>11-1-01</u>
County Chair _____	DATE _____
Sheriff _____	DATE _____
Contract Administration _____	DATE _____

CUSTOMER VENDOR CODE 300053		PREVIOUS DEPT REFERENCE REV205	
LINE# 01	WBS	FUNDING AMOUNT	
BH RDI GRANT		\$48,260	

AGREEMENT

Contract #0210019

An agreement between the Regional Drug Initiative ("RDI") and Multnomah County ("County" or "Contractor") to provide staff assistance to the Regional Drug Initiative.

RECITALS:

1. The Regional Drug Initiative (RDI), a legal entity formed by intergovernmental Agreement, pursuant to ORS 190.010(5), seeks to continue an effort with Multnomah County to implement programs and services to combat drug abuse in Multnomah County.
2. The County (Contractor) seeks to enter into an agreement with RDI to delineate the means by which the County will be reimbursed for personnel and motor pool costs for RDI staff.
3. The period of the contract is from October 1, 2001 through December 31, 2001.

AGREED:

I. Scope of Services

The County (Contractor) will provide staffing to perform the duties as outlined in the attached job descriptions.

II. Compensation and Method of Payment

The County (Contractor) will be compensated by RDI for personnel and motor pool costs incurred. Payment to the County for eligible expenses will be made not more frequently than monthly upon submission of a statement of expenditures from the County. Supporting documentation of actual expenditures must be included in these submissions. Total compensation to the County for the period of October 1, 2001 through December 31, 2001, shall not exceed **\$48,260**. Personnel costs shall be for the following positions:

Program Administrator	1.00 FTE
Program Development Specialist	1.00 FTE

Estimated motor pool costs are **\$300**.

Compensation includes County indirect costs for personnel and material and supplies.

Indirect costs are **\$6,580**.

III. Project Manager

The RDI Project Manager shall be Jeanna Cernazanu or such other person as shall be designated in writing by the RDI Chair, Dave Barnes.

The Project Manager is authorized to approve work and billings hereunder, to give notices referred to herein, to terminate this Agreement as provided herein, and to carry out any other RDI actions referred herein.

IV. General Contract Provisions

- A. **TERMINATION FOR CAUSE.** If, through any cause, the Contractor shall fail to fulfill in timely and proper manner his/her obligations under this Agreement, or if the Contractor shall violate any of the covenants, agreements or stipulations of this Agreement, RDI shall have the right to terminate this Agreement by giving written notice to the Contractor of such termination and specifying the effective date thereof at least 30 days before the effective date of such termination. In such event, all finished or unfinished documents, data, studies, and reports prepared by the Contractor under this Agreement shall, at the option of RDI, become the property of RDI and the Contractor shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents.

Notwithstanding the above, the Contractor shall not be relieved of liability to RDI for damage sustained by RDI by virtue of any breach of the Agreement by the Contractor, and RDI may withhold any payments to the Contractor for the purpose of setoff until such time as the exact amount of damages due RDI from the Contractor is determined.

- B. **TERMINATION FOR CONVENIENCE.** RDI and Contractor may terminate this Agreement at any time by mutual written agreement. If the Agreement is terminated by RDI as provided herein, the Contractor will be paid an amount which bears the same ratio to the total compensation as the services actually performed bear to the total services of the Contract by this Agreement less payments of compensation previously made.
- C. **REMEDIES.** In the event of termination under Section A hereof by RDI due to a breach by the Contractor, then RDI may complete the work either itself or by agreement with another contractor, or by a combination thereof. In the event the cost of completing the work exceeds the amount actually paid to the Contractor hereunder plus the remaining unpaid balance of the compensation provided herein, then the Contractor shall pay to RDI the amount of excess.

The remedies provided to RDI under Section A and C hereof for a breach by the Contractor shall not be exclusive. RDI also shall be entitled to any other equitable and legal remedies that are available.

In the event of breach of this Agreement by RDI, then the Contractor's remedy shall be limited to termination of the Agreement and receipt of payment as provided in Section B hereof.

- D. **CHANGES.** RDI may, from time to time, request changes in the scope of services or terms and conditions hereunder. Such changes, including any increase or decrease in the amount of the Contractor's compensation, shall be incorporated in written amendments to this Agreement. Any change that increases the amount of compensation payable to the Contract must be approved by the RDI Task Force.
- E. **MAINTENANCE OF RECORDS.** The Contractor shall maintain records on a current basis to support its billings to RDI. RDI or its authorized representative shall have the authority to inspect, audit, and copy on reasonable notice and from time to time any records of the Contractor regarding its billings or its work hereunder. The Contractor shall retain these records for inspection, audit, and copying for three years from the date of completion or termination of this Agreement.
- F. **AUDIT OF PAYMENTS.** RDI, either directly or through a designated representative, may audit the records of the Contractor at any time during the three-year period established by Section E above.

If an audit discloses that payments to the Contractor were in excess of the amount to which the Contractor was entitled, the Contractor shall repay the amount of the excess to RDI.

- G. **INDEMNIFICATION.** Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300, County shall indemnify, defend and hold harmless RDI from and against all liability, loss and costs arising out of or resulting from the acts of County, its officers, employees and agents in the performance of this agreement. Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300 RDI shall indemnify, defend and hold harmless County from and against all liability, loss and costs arising out of or resulting from the acts of RDI, its officers, employees and agents in the performance of this agreement.
- H. **LIABILITY INSURANCE.** The Contractor shall maintain public liability and property damage insurance that protects the Contractor and RDI actions, and suits for damage to property or personal injury, including insurance shall provide coverage for not less than \$100,000 for personal injury to each person, \$50,000 for each occurrence involving property damages; or a single limit policy of not less than \$50,000 covering all claims per occurrence. The insurance shall be without prejudice to coverage otherwise existing and shall name as additional insured RDI and its officers, agents, and employees. The insurance shall provide that it shall not terminate or be canceled without 30 days' written notice first being given to RDI Project Manager. Notwithstanding the naming of additional insureds, the insurance shall protect each insured in the same manner as though a separate policy has been issued to each, but nothing herein shall operate to increase the insurer's liability as set forth elsewhere in the policy beyond the amount or amounts for which the insurer would have been liable if only one person or interest had been named as insured. The coverage must apply as to claims between insureds on the policy. The limits of the insurance shall be subject to statutory changes as to maximum limits of liability imposed on municipalities of the State of Oregon during the term of this Agreement.

The Contractor shall maintain on file with RDI a certificate of insurance certifying the coverage required under this section. Failure to maintain liability insurance shall be cause for immediate termination of this agreement by RDI.

In lieu of filing the certificate of insurance required herein, Contractor shall furnish a declaration that Contractor is self-insured for public liability and property damage for a minimum of the amounts set forth in 30.270.

- I. **WORKER'S COMPENSATION INSURANCE.** The Contractor shall obtain workers' compensation insurance coverage for all of its workers, employees and subcontractors either as a carrier-insured employer or a self-insured employer, as provided by Chapter 656 of the Oregon Revised Statutes, before this Agreement is executed. A certification of insurance, or copy thereof, shall be attached to this Agreement, and shall be incorporated herein and made a term and part of this Agreement. The Contractor further agrees to maintain workers' compensation insurance coverage for the duration of this Agreement.

In the event the Contractor's workers' compensation insurance coverage expires during the term of this Agreement, the Contractor agrees to timely renew its insurance, either as a carrier-insured employer or a self-insured employer as provided by Chapter 656 of the Oregon Revised Statutes, before its expiration, and the Contractor agrees to provide RDI such further certification of worker's compensation insurance as renewals of said insurance occur. In lieu of filing the certificate of insurance required herein, Contractor shall furnish a declaration that Contractor is self-insured for public liability and property damage for a minimum of the amounts set forth in 30.270.

- J. **SUBCONTRACTING AND ASSIGNMENT.** The Contractor shall not subcontract its work under this Agreement, in whole or in part, without the written approval of RDI. The Contractor shall require any approved subcontractor to agree, as to the portion subcontracted, to fulfill all obligations of the Contractor as specified in this Agreement. Notwithstanding RDI approval of a subcontractor, the Contractor shall remain obligated for full performance hereunder, and RDI shall incur no obligation other than its obligations to the Contractor hereunder. The Contractor agrees that if subcontractors are employed in the performance of this Agreement, the Contractor and its subcontractors are subject to the requirements and sanctions of ORS Chapter 656, Worker's Compensation. The Contractor shall not assign this Agreement in whole or in part or any right or obligation hereunder, without prior written approval of RDI.

- K. **INDEPENDENT CONTRACTOR STATUS.** The Contractor is engaged as an independent contractor and will be responsible for any federal, state, or local taxes and fees applicable to payments hereunder.

The Contractor and its subcontractors and employees are not employees of RDI and are not eligible for any benefits through RDI, including without limitation federal social security, health benefits, workers' compensation, unemployment compensation, and retirement benefits.

- L. REPORTING REQUIREMENTS. No RDI officer or employee, during his or her tenure or for one year thereafter, shall have any interest, direct, or indirect in this Agreement or the proceeds thereof.
- M. No RDI officer or employees who participate in the award of this Agreement shall be employed by the Contractor during the period of the Agreement.
- N. CONTRACT ADMINISTRATION. The Contractor will comply with the provisions of the OMB Circular A-128, particularly regarding cash depositories, program income, standards for financial management systems, property management, procurement standards and audit requirement. The Contractor is required to submit two copies of their audit in conformance with A-128 no later than 30 days after its completion.

Additionally, the Contractor, shall comply with the provision of OMB Circular A-87, Cost Principles for State and Local Governments.

- O. OREGON LAW AND FORUM. This Agreement shall be construed according to the law of the State of Oregon.

Any litigation between RDI and the Contractor arising under this Agreement or out of work performed under this Agreement shall occur, if in the state courts, in the Multnomah County court having jurisdiction thereof, and if in the federal courts, in the United States District Court for the State of Oregon.

- P. AVAILABILITY OF FUNDS. It is understood by all parties to this Agreement that the funds used to pay for services provided herein are provided by RDI solely through the RDI Trust Fund. In the event that funding is reduced, recaptured, or otherwise made unavailable to the city, RDI reserves the right to terminate the Agreement as provided under Section B hereof, or change the scope of services as provided under section D hereof.
- Q. COMPLIANCE WITH LAWS. In connection with its activities under this Agreement, the Contractor shall comply with all applicable federal, state, and local laws and regulations.

V. Period of Agreement

This agreement shall be in effect for the period starting October 1, 2001 and ending December 31, 2001.

Dated this _____ day of _____, 2001.

In witness whereof, the parties hereto have caused this Agreement to be executed by their authorized officers.

REGIONAL DRUG INITIATIVE:

By: _____ Date: _____
Dave Barnes
RDI Chair

MULTNOMAH COUNTY, OREGON:

By: Lorenzo T. Poe, Jr. Date: 10/24/01
Lorenzo T. Poe, Jr.
Director, Community and Family Services Department

By: Diane Linn Date: 11.1.01
Diane Linn
Multnomah County Chair

REVIEWED:

Thomas Sponsler
County Counsel for Multnomah County, Oregon

By: Kate G. Date: 10/24/01

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-6 DATE 11.01.01
DEB BOGSTAD, BOARD CLERK

**JOB DESCRIPTION
MULTNOMAH COUNTY**

PLEASE READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

SECTION 1. POSITION INFORMATION

- a. Department Name: DCFS/Regional Drug Initiative
 b. Work Unit/Location: 522 S.W. 5th Ave., Suite 1310, Portland, OR 97204
 c. Employee Name:
 d. Supervisor Name/Title: Jim Peterson, Addictions Services Manager
 e. Proposed Job Class: DCFS Administrator
 f. Working Title: Executive Director, Regional Drug Initiative
 g. Phone Numbers for Supervisor/Employee: 294-7074

EMPLOYEE SERVICES USE ONLY

- ☐ Supervisory Responsibility
☐ Classified
☐ Unclassified
☐ Represented
☐ Non-represented
☐ New ☐ Revised
 Class Title: _____
 Position Number: _____
 Overtime: _____
 FLSA: Exempt / Non-Exempt

- h. Position Type: ☒ Permanent ☐ Temporary ☐ Oncall ☐ Academic Year
☒ Full Time ☐ Part Time ☐ Intermittent ☐ Job Share

SECTION 2. PROGRAM/POSITION INFORMATION

- a. Describe the program (in which this job exists) Please include program purpose, who is effected, size, and scope. Include relationship to agency mission. You may attach a program description and mission statement if available.
 The Regional Drug Initiative is a community coalition that operates as an inter-governmental agency. Its mission is to reduce substance abuse with a focus on Multnomah County. Some of RDI's activities (media, drug-free workplaces) are state-wide in scope. RDI works with all sectors of the community and is governed by the RDI Task Force of 56 leaders from business, government, schools, health care, community programs, youth, labor, law enforcement, and the faith community. RDI's work promotes community partnerships, collaboration among agencies, and improvement in customer service.
- b. Describe the purpose of this job/position (why does this position exist?)
 The RDI Executive Director oversees all program operations and coordinates with national agencies (ONDCP, Join Together, CADCA, Partnership for a Drug-Free America, the Ad Council, Public Relations Society of America). This staff position includes administrative oversight of budget, staffing, resource development, communications, evaluation and program implementation.

SECTION 3. DESCRIPTION OF JOB DUTIES

List major duties. Note percentage of time duties are performed.

% of Time	DUTIES
20%	Staff RDI Executive Committee and Task Force meetings: – Meet with Chair and Vice Chair to develop agenda – Develop materials, documents, program components – Coordinate communications
5%	Budget oversight
30%	Resource Development – Local, state, national program coordination – Oversight of grant proposal development – Foundation presentations – Private sector case statement development
20%	Supervision of staff/program oversight – Convening of staff team – Staff one-on-ones – Project development – Program committee communications
10%	Media/public relations – Handle all media/public relations requests – Promote RDI & substance abuse issues to public
5%	Volunteer recruitment
10%	Provide technical assistance to local, state, national agencies and organizations
100%	TOTAL

SECTION 4. GUIDELINES

- a. List any established guidelines used to do this job, such as state or federal laws or regulations, policies, manuals or desk procedures.

State, federal regulations regarding workplace safety and operations, Multnomah County personnel policies and procedures, RDI staff and committee standards.

- b. How are these guidelines used to perform the job?

Multnomah County procedures govern all personnel at RDI. RDI staff and committee standards regulate program implementation.

SECTION 5. WORK CONTACTS

With whom outside of coworkers in this work unit must this position regularly come in contact?

Who Contacted	How	Purpose	How Often?
RDI Task Force members	phone/in person	program operations	daily
City of Portland Grants Management	phone/in person	fiscal oversight	monthly
Federal agencies	phone/in person	various	weekly
Community agencies	phone/in person	coordination	monthly
Other DCFS workers	phone/in person	coordination	daily
Media	phone/in person	info., media coverage	weekly
State Office of Alcohol & Drug Programs	phone/in person	coordination	monthly
Community Coalitions	phone/in person	coordination	daily

Describe the nature of any difficult interpersonal contacts encountered:
Strangers calling who are hostile/threatening about RDI's work.

SECTION 6. JOB-RELATED DECISION MAKING

Describe the kinds of decisions likely to be made by this position. Indicate effect of these decisions where possible.

Staff hiring, promotion, termination; budget, program implementation, legal oversight, operations, purchasing, local and national coordination. Effects: efficient functioning of RDI, including cost efficiency of operations, non-duplication of efforts, increased interagency collaboration.

SECTION 7. BUDGET AUTHORITY

If this position has authority to commit Department operating money, indicate in what area, how much money and types of funds: RDI has a separate budget in addition to an allocation from the Department budget. The Department budget covers the cost of .50 FTE for an RDI staff person, indirect costs for the RDI/County personnel contract, and \$10,000 for a SICA grant to provide parent training to reduce substance abuse. This position approves RDI's role in utilizing the Department's contribution.

SECTION 8. REVIEW OF WORK

Who reviews the work of this position? (List name, job title and position number.) How? How often? Purpose of the review?

Jim Peterson, annually for performance. The RDI Task Force Chair and Vice Chair as an ongoing function. Purpose of the review is to ensure that RDI meets its goals.

SECTION 9. - SUPERVISORY DUTIES

Names of employees supervised: Larry Langdon, Kamesha Robinson (student intern), Chocka Guiden (student intern), Karen Gress (VISTA member), and an OA2 (to be hired).

For positions you supervise. Please clarify your level of responsibility for the following decisions. Check the appropriate boxes.

Function	RESPONSIBILITY			
	Take Action/ Inform Spvr.	Effectively Recommend	Provide Input	N/A
Hiring	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Termination/Firing	X		<input type="checkbox"/>	<input type="checkbox"/>
Promotion	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
Performance Appraisal	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Employee Discipline (suspension)	X		<input type="checkbox"/>	<input type="checkbox"/>
Assign Duties	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Setting Goals and Objectives	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Grievance Handling	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
Schedule the Work	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Training Staff	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SECTION 10 - PHYSICAL FACTORS

Check the box that best describes the overall amount of physical effort typically required by your job.

- ☒ **Standard** – Normally seated, standing or walking at will; normal physical ability to do some bending and light carrying.
- ☐ **Restricted/Mobile** – Confined to immediate work area; can only leave work station during assigned breaks.
- ☐ **Exertive** – Extensive walking, recurring bending, crouching, stooping, stretching, reaching or similar activities; recurring lifting of light or moderately heavy items.
- ☐ **Strenuous** – Considerable and rapid physical exertion or demands on the body such as frequent climbing of tall ladders, continuous lifting of heavy objects, crouching or crawling in restricted areas; exertion requires highly intense muscular action leading to substantial muscular exhaustion.

Please identify each appropriate physical activity required in the performance of this job and indicate the relative code (see below) for each activity.

Frequency Codes:

I = Infrequent (less than 10%)

S = Seldom, Minimal (10% - 25%)

M = Moderate, Average (25% - 50%)

A = Almost Always (more than 50%)

Condition	Relative Frequency			
	I	S	M	A
Heavy lifting/carrying, 45 lbs. & over	X			
Moderate lifting/carrying, 15-45 lbs.		X		
Light lifting/carrying, under 15 lbs.			X	
Pulling/Pushing	X			
Reaching	X			
Use of fingers				X
Both hands required				X
Walking		X		
Standing	X			
Sitting				X
Crawling	X			
Kneeling	X			
Repeated bending	X			
Climbing	X			
Operating of motorized equipment			X	
Ability to discharge firearms	X			
Speech				X
Visual requirements				X
– Near vision, 20 inches or less				X
– Mid-range, more than 20 inches/less than 20 ft				X
– Distance, 20 feet or more				X
– Color, ability to identify and distinguish colors		X		
– Depth Perception				X
Repetitive motions			X	
Hearing requirements				X
Special Factors not listed:				

SECTION 11. WORKING CONDITIONS

Describe special working conditions, if any, that are a regular part of this job. Include items such as standing for long periods, environment if other than office, exposure to heat/health risks/violent individuals/wild animals, etc. and the frequency of exposure.

Some travel is required, primarily to Washington, D.C.

SECTION 12. ADDITIONAL JOB-RELATED INFORMATION**COMMENTS:****SPECIAL RECRUITING REQUIREMENTS:**

Ability to communicate, experience in management of programs, knowledge of substance abuse issues, supervisory skills,

ORGANIZATIONAL CHART

Attach a current organizational chart. See instructions for detail to be included on the chart.

SIGNATURES:

Employee Signature Date

Supervisor Signature Date

Appointing Authority Signature Date

JOB DESCRIPTION MULTNOMAH COUNTY

"PLEASE READ INSTRUCTIONS BEFORE COMPLETING THIS FORM"

EMPLOYEE SERVICES USE ONLY

☐ Supervisory Responsibility
☐ Classified
☐ Unclassified
☐ Represented
☐ Non-represented
☐ New ☐ Revised
 Class Title: _____
 Position Number: _____
 Overtime: _____
 FLSA: Exempt / Non-Exempt

SECTION 1. POSITION INFORMATION

a. Department Name: DCFS / Regional Drug Initiative
 b. Work Unit/Location: 522 SW 5th Ave., Suite 1310, Portland, OR 97204
 c. Employee Name: Larry Langdon
 d. Supervisor Name/Title:
 e. Proposed Job Class: Program Development Specialist
 f. Working Title: Information Specialist
 g. Phone Numbers for Supervisor/Employee: 294-7074

h. Position Type: ☒ Permanent ☐ Temporary ☐ Oncall ☐ Academic Year
 ☒ Full Time ☐ Part Time ☐ Intermittent ☐ Job Share

SECTION 2. PROGRAM/POSITION INFORMATION

a. Describe the program (in which this job exists) Please include program purpose, who is effected, size, and scope. Include relationship to agency mission. You may attach a program description and mission statement if available.

See attached materials

b. Describe the purpose of this job/position (why does this position exist?)
 Position has changed recently. 50% now involves staff support for the State Incentive Cooperative Agreement to create and implement a county-wide youth substance abuse prevention plan under the direction of DCFS, Behavioral Health. The position also provides staff support for the RDI Drug Impact Index Committee and RDI Evaluation Oversight Committee. The overarching purpose of the position is to provide a full range of information services for RDI, including providing information and technical assistance to staff and in response to phone and written requests from local and national agencies, media and the public; obtaining and organizing substance abuse related information in the RDI library and on the RDI web site; creating print and other RDI information products; and handling all Information Systems duties.

SECTION 3. DESCRIPTION OF JOB DUTIES

List major duties. Note percentage of time duties are performed.

% of Time	DUTIES
40%	Direct county-wide prevention (SICA) planning 20% Meetings, including SICA, staff, and outreach (8 hours per week) 15% Information acquisition and writing (6 hours per week) 5% Coordination and meeting planning (2 hours per week) (10% -4 hours per week - from other categories below is also SICA-related)
7.5%	Write, create publications (including Web pages) (3 hours per week)
7.5%	Research, obtain and organize materials and library (3 hours per week)
10%	General support, coordination, technical assistance, historian, etc. (4 hours per week)
15%	Answer technical assistance & information requests - public, staff, agency, & media (6 hours per week)
10%	Index Committee staffing (4 hours per week)
5%	Evaluation Oversight Committee staffing (2 hours per week)
5%	Information Systems work (2 hours per week)
100%	TOTAL (40 hours per week)

SECTION 4. GUIDELINES

- a. List any established guidelines used to do this job, such as state or federal laws or regulations, policies, manuals or desk procedures. (State Incentive Cooperative Agreement and Biannual Implementation Plan guidelines from State Office of Alcohol and Drug Abuse Programs (OADAP), RDI guidelines.
- b. How are these guidelines used to perform the job?
Guidelines provide only general guidance regarding SICA planning. RDI guidelines are used for program implementation.

SECTION 5. WORK CONTACTS

With whom outside of coworkers in this work unit must this position regularly come in contact?

<u>Who Contacted</u>	<u>How</u>	<u>Purpose</u>	<u>How Often?</u>
Agency & organization workers	Phone, person	Coordination	5 contacts per day
General public, media, agency workers	Phone, writing	Provide Info	1 contact per day
Other DCFS workers	Phone, person	Coordination	Daily

Describe the nature of any difficult interpersonal contacts encountered:
Difficulty of adequately coordinating among numerous agencies and individuals.

SECTION 6. JOB-RELATED DECISION MAKING

Describe the kinds of decisions likely to be made by this position. Indicate effect of these decisions where possible.
Work prioritization, who to coordinate with, content of written materials, dissemination of materials.
Effect is determining what is accomplished, how well community is informed, networked, and coordinated.

SECTION 7. BUDGET AUTHORITY

If this position has authority to commit Department operating money, indicate in what area, how much money and types of funds:
(None)

SECTION 8. REVIEW OF WORK

Who reviews the work of this position? (List name, job title and position number.) How? How often? Purpose of the review?
Executive Director. Biweekly checkins for direction and coordination.

SECTION 9. - SUPERVISORY DUTIES

Names of employees supervised:

(None)

For positions you supervise. Please clarify your level of responsibility for the following decisions. Check the appropriate boxes.

Function	RESPONSIBILITY			
	Take Action/ Inform Spvr	Effectively Recommend	Provide Input	N/A
Hiring	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Termination/Firing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Promotion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Performance Appraisal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Employee Discipline (suspension)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Assign Duties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Setting Goals and Objectives	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Grievance Handling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schedule the Work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Training Staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SECTION 10 - PHYSICAL FACTORS

Check the box that best describes the overall amount of physical effort typically required by your job.

- ☒ **Standard** – Normally seated, standing or walking at will; normal physical ability to do some bending and light carrying.
- ☐ **Restricted/Mobile** – Confined to immediate work area; can only leave work station during assigned breaks.
- ☐ **Exertive** – Extensive walking, recurring bending, crouching, stooping, stretching, reaching or similar activities; recurring lifting of light or moderately heavy items.
- ☐ **Strenuous** – Considerable and rapid physical exertion or demands on the body such as frequent climbing of tall ladders, continuous lifting of heavy objects, crouching or crawling in restricted areas; exertion requires highly intense muscular action leading to substantial muscular exhaustion.

Please identify each appropriate physical activity required in the performance of this job and indicate the relative code (see below) for each activity.

Frequency Codes:

I = Infrequent (less than 10%)

S = Seldom, Minimal (10% - 25%)

M = Moderate, Average (25% - 50%)

A = Almost Always (more than 50%)

Condition	Relative Frequency			
	I	S	M	A
Heavy lifting/carrying, 45 lbs. & over	X			
Moderate lifting/carrying, 15-45 lbs.	X			
Light lifting/carrying, under 15 lbs.	X			
Pulling/Pushing				
Reaching				
Use of fingers			X	
Both hands required			X	
Walking			X	
Standing				
Sitting			X	
Crawling				
Kneeling				
Repeated bending				
Climbing				
Operating of motorized equipment				
Ability to discharge firearms				
Speech			X	
Visual requirements				
– Near vision, 20 inches or less				
– Mid-range, more than 20 inches/less than 20 ft			X	
– Distance, 20 feet or more				
– Color, ability to identify and distinguish colors	X			
– Depth Perception				
Repetitive motions				
Hearing requirements				
Special Factors not listed: Driving, keyboarding		X		

SECTION 11. WORKING CONDITIONS

Describe special working conditions, if any, that are a regular part of this job. Include items such as standing for long periods, environment if other than office, exposure to heat/health risks/violent individuals/wild animals, etc. and the frequency of exposure.

(none)

SECTION 12. ADDITIONAL JOB-RELATED INFORMATION

COMMENTS:

SPECIAL RECRUITING REQUIREMENTS:

ORGANIZATIONAL CHART

Attach a current organizational chart. See instructions for detail to be included on the chart.

SIGNATURES:

Employee Signature Date

Supervisor Signature Date

Appointing Authority Signature Date

Information Specialist (Larry Langdon): Reports to the Executive Director. Co-Staff for State Incentive Cooperative Agreement (SICA) for county-wide prevention planning. Staffs the Drug Impact Index Committee and Evaluation Oversight Committee. Researches and analyzes information for RDI committees and staff. Maintains the RDI resource library. Responds to questions from other partnerships and coalitions, agencies, media and the public, especially regarding statistical, research, reference, resource and networking information. Expert on technical information, data, research, and computers.

2001/2002

RECEIVED
JAN 02 2001

DEPT. OF COMM. &
FAM. SVCS./FISCAL

INDIRECT COST RATES

and

COUNTYWIDE

COST ALLOCATION PLAN



Multnomah County, Oregon

FISCAL YEAR 2001/2002

Indirect Cost Rates

And

Consolidated Countywide

Cost Allocation Plan

Based on the

Year Ending

June 30, 2000

Finance Division

TABLE OF CONTENTS

<u>Subject</u>	<u>Page</u>
Indirect Cost Rates	1
Explanation	2
Summary of OMBA A-87 Indirect Cost Rates	3
Community and Family Services	4
Aging and Disability Services	6
Juvenile & Adult Community Justice	8
Health Services	10
District Attorney	12
Sheriff's Office	14
Environmental Services	16
Other County	18
Library Services	20
Consolidated Countywide Cost Allocation Plan	23
Summary of Central Service Allocations	25
Affirmative Action	26
Auditor	28
Budget & Quality Services	30
County Attorney	32
Human Resources	34
Equipment Use	36
Finance	38
Labor Relations	40
Purchasing	42
Records	44
Appendix - Letter from Dept. of Health & Human Services	A-1
Certificate of Indirect Costs	A-2
Certificate of Cost Allocation Plan	A-3

The rates contained in this document are applicable to grants in existence during the Fiscal Year beginning July 1, 2001 and ending June 30, 2002.

Questions regarding the contents of the proposal should be directed to Lynn Rasmussen.

Multnomah County Finance
501 SE Hawthorne Ave. #400
Portland, OR 97293-0700
(503) 988-3312

INDIRECT COST RATES

EXPLANATION OF THE INDIRECT COST RATES

The Federal government recognizes that County Organizations perform identifiable overhead costs in support of grants and contracts.

Costs are categorized in two ways. The first identifies countywide support costs and the other establishes support costs internal to individual departments within the County.

The Central Service Cost Allocation plan identifies and distributes the cost of services provided by County support organizations (i.e., Purchasing, Auditor) to those County departments (Health, Sheriff, etc.) awarded grants or contracts.

The Indirect Cost Rates include the departmental administrative costs incurred within those organizations, as well as appropriate central service costs calculated above.

2001-2002 Indirect Cost Rates

SUMMARY OF INDIRECT COST RATES

Rates As Calculated (Use For All Grants)

<u>Grantee</u>	<u>Cost Rate</u>	<u>Page</u>	<u>Indirect Costs</u>	<u>Direct Costs</u>
Community and Family	15.88%	4	\$3,798,383	\$23,924,272
Aging and Disability Services	3.53%	6	843,638	23,925,776
Juv & Adult Comm Justice	5.08%	8	2,770,748	54,587,769
Health Services	1.74%	10	1,251,987	71,786,612
District Attorney	5.49%	12	916,791	16,699,053
Sheriff's Office	8.91%	14	7,003,889	78,570,739
Environmental Services	4.07%	16	2,799,629	68,711,252
Other County	2.40%	18	1,587,506	66,074,152
Library	4.26%	20	<u>1,413,171</u>	<u>33,154,746</u>
			\$22,385,743	\$437,434,372

Flow Through Funds 0.70%

COMPUTATION OF INDIRECT COST RATE

- Community & Family Services -

Organizational Cost Categories

Organizational Units	Not Allowable	Indirect	All Other	Total
Administration & Planning		\$2,930,967		\$2,930,967
All Other	\$38,159,204	1,090,982	\$23,924,272	63,174,458
Flow Through	114,716,276			114,716,276
Sub Total	\$152,875,480	\$4,021,949	\$23,924,272	\$180,821,701
Central Services		579,447		579,447
Adjustments		(803,014)		(803,014)
Totals	\$152,875,480	\$3,798,383	\$23,924,272	\$180,598,134

Rate Calculation

$$\frac{\text{Indirect } \$3,798,383}{\text{All Other } \$23,924,272} = 15.88\%$$

Adjustments Reflect Costs Attributable to "Pass Through" Monies.

2001-2002 Indirect Cost Rates

DETAIL OF DEPARTMENTAL INDIRECT

- Community & Family Services -

Total actual Personal Services: \$4,809,335

Total actual M&S exclusive of lines
6050, 6060, 7100, 7250, 7550 & 7608 \$1,510,731

Position Description	Position Number	Personal Services	Materials & Services	Admin & Planning	All Other
Employee Services Specialist Sr	9748	\$33,386	\$10,424	\$43,810	
CFS Administrator	9745	61,600	19,337	80,937	
Budget Analyst/Principal	9734	51,445	16,165	67,610	
Management Assistant	9710	49,242	15,409	64,652	
Employee Services Specialist II	9670	73,866	23,265	97,131	
CFS Manager	9661	464	151	615	
Information Systems Manager/Sr	9657	31,772	9,971	41,742	
Information Systems Manager	9653	13,997	4,381	18,378	
Information Systems Supervisor	9652	48,057	15,107	63,165	
Deputy Director	9619	170,139	53,480	223,619	
CFS Mgr Senior	9612	100,952	31,725	132,677	
Department Director	9610	93,699	29,459	123,159	
Staff Assistant	9400	72,460	22,812	95,272	
Fiscal Spec Senior	9340	70,218	22,057	92,275	
Fiscal Specialist Supervisor	9335	68,853	21,603	90,456	
Prog Development Spec Sr	9115	145,403	45,624	191,027	
CFS Supervisor	9008	235,446	74,026	309,472	
Administrative Analyst	9006	70,329	22,057	92,386	
Temporary Worker	8000	22,028	6,949		28,978
Program Evaluation Specialist	6368	42,797	13,446		56,242
Database Administrator	6197	65,245	20,546	85,791	
Information Systems Spec III	6193	23,063	7,252		30,314
Information Systems Spec I	6191	7,563	2,417		9,980
Information Systems Analyst I	6190	74,324	23,416	97,740	
Information Systems Analyst II	6189	175,727	55,142	230,869	
Information Systems Analyst Sr	6187	12,084	3,777	15,861	
Data Technician	6074	2,102	604		2,706
Data Analyst	6073	31,679	9,971		41,650
Network Analyst III	6053	51,377	16,165	67,541	
Fiscal Specialist II	6030	160,303	50,307	210,610	
Fiscal Specialist I	6029	120,290	37,768		158,059
Fiscal Assistant / Senior	6027	11,513	3,626		15,138
Prog Development Spec	6021	260,176	81,731	341,907	
Program Development Tech	6020	138,649	43,509		182,158
Construction Projects Specialist	6017	39,726	12,539	52,265	
Data Entry Operator	6007	2,560	755		3,315
Admin Sec	6005	82,984	26,136		109,119
Office Asst Sr	6002	121,323	38,070		159,394
Office Asst II	6001	223,680	70,249		293,929
Total		\$3,060,520	\$961,429	\$2,930,967	\$1,090,982

COMPUTATION OF INDIRECT COST RATE

- Aging and Disability Services -

Organizational Cost Categories

Organizational Units	Not Allowable	Indirect	All Other	Total
Administration & Planning		\$350,008		\$350,008
All Other	\$4,043,608	69,258	\$23,925,776	28,038,642
Flow Through	7,397,825			7,397,825
Sub Total	\$11,441,433	\$419,266	\$23,925,776	\$35,786,475
Central Services		476,157		476,157
Adjustments		(51,785)		(51,785)
Totals	\$11,441,433	\$843,638	\$23,925,776	\$36,210,847

Rate Calculation

$$\frac{\text{Indirect } \$843,638}{\text{All Other } \$23,925,776} = 3.53\%$$

Adjustments Reflect Costs Attributable to "Pass Through" Monies.

DETAIL OF DEPARTMENTAL INDIRECT

- Aging and Disability Services -

Total actual Personal Services: \$1,872,277

Total actual M&S exclusive of lines
6050, 6060, 7100, 7250, 7550 & 7608 \$728,564

Position Description	Posi- tion Number	Personal Services	Materials & Services	Admin & Planning	All Other
Employee Services Spec/Senior	9748	\$8,489	\$3,279	\$11,767	
Info Systems Supervisor	9652	15,818	\$6,120	\$21,938	
Aging Services Program Manager	9611	47,025	\$18,287	\$65,312	
Department Director	9610	3,365	\$1,311	\$4,677	
Administrative Services Officer	9607	13,514	\$5,246	\$18,760	
Program Development Spec/Sr.	9115	28,042	10,928	38,971	
Employee Services Specialist I	9080	6,207	2,404	8,612	
Administrative Analyst	9006	4,624	1,821	6,445	
Information Systems Specialist III	6192	15,147	5,901		21,049
Information Systems Analyst II	6189	23,100	8,961	32,062	
Information Systems Analyst/Sr	6187	7,483	2,914	10,397	
Network Analyst	6186	11,777	4,590	16,367	
Records Administration Asst	6116	12,021	4,663		16,684
Fiscal Specialist II	6030	19,864	7,723	27,587	
Fiscal Specialist I	6029	3,895	1,530		5,425
Fiscal Assistant/Sr	6027	5,288	2,040		7,328
Program Development Specialist	6021	62,707	24,407	87,114	
Administrative Secretary	6005	1,178	437		1,615
Office Assistant / Sr.	6002	3,663	1,457		5,120
Office Assistant II	6001	8,685	3,351		12,037
Total		\$301,894	\$117,372	\$350,008	\$69,258

COMPUTATION OF INDIRECT COST RATE

- Juvenile and Adult Community Justice -

Organizational Cost Categories

Organizational Units	Not Allowable	Indirect	All Other	Total
Administration & Planning		\$1,880,713		\$1,880,713
All Other	\$4,428,253	319,513	\$54,587,769	59,335,535
Flow Through	7,871,027			7,871,027
Sub Total	\$12,299,279	\$2,200,226	\$54,587,769	\$69,087,275
Central Services		625,619		625,619
Adjustments		(55,097)		(55,097)
Totals	\$12,299,279	\$2,770,748	\$54,587,769	\$69,657,797

Rate Calculation

$$\frac{\text{Indirect } \$2,770,748}{\text{All Other } \$54,587,769} = 5.08\%$$

Adjustments Reflect Costs Attributable to "Pass Through" Monies.

DETAIL OF DEPARTMENTAL INDIRECT

- Juvenile and Adult Community Justice-

Total actual Personal Services: \$2,812,172

Total actual M&S exclusive of lines
6050, 6060, 7100, 7250, 7550 & 7608 \$3,317,606

Position Description	Posi- tion Number	Personal Services	Materials & Services	Admin & Planning	All Other
Comm Corrections Prog Admin	9772	\$82,003	\$96,874	\$178,877	
Information Systems Manager	9653	\$96,435	113,794	210,229	
Deputy Director	9619	225,214	265,740	490,954	
Fiscal Specialist/Sr	9340	71,220	83,935	155,156	
Program Development Spec/Sr	9115	167,507	197,729	365,237	
Administrative Analyst	9006	61,955	72,987	134,943	
Administrative Analyst/Sr	9005	71,742	84,599	156,341	
Fiscal Specialist II	6030	33,263	39,148	72,410	
Fiscal Specialist I	6029	94,259	111,140		\$205,399
Program Development Specialist	6021	53,533	63,035	116,567	
Administrative Secretary	6005	52,407	61,707		114,115
Total		\$1,009,537	\$1,190,689	\$1,880,713	\$319,513

COMPUTATION OF INDIRECT COST RATE

- Health Services -

Organizational Cost Categories

Organizational Units	Not Allowable	Indirect*	All Other	Total
Administration & Planning		\$0		\$0
All Other	\$34,248,717	0	\$71,786,612	106,035,330
Flow Through	8,887,101			8,887,101
Sub Total	\$43,135,818	\$0	\$71,786,612	\$114,922,431
Central Services Adjustments		1,314,197 (62,210)		1,314,197 (62,210)
Totals	\$43,135,818	\$1,251,987	\$71,786,612	\$116,174,418

Rate Calculation

$$\frac{\text{Indirect } \$1,251,987}{\text{All Other } \$71,786,612} = 1.74\%$$

Adjustments Reflect Costs Attributable to "Pass Through" Monies.

*Beginning in 2000/01, all Health Services department costs are charged directly.

DETAIL OF DEPARTMENTAL INDIRECT

- Health Services -*

Total actual Personal Services: \$0

Total actual M&S exclusive of lines
6050, 6060, 7100, 7250, 7550 & 7608 \$0

Position Description	Posi- tion Number	Personal Services	Materials & Services	Admin & Planning	All Other
Total		\$0	\$0	\$0	\$0

*Beginning in 2000/01, all Health Services department costs are charged directly.

COMPUTATION OF INDIRECT COST RATE

- District Attorney -

Organizational Cost Categories

Organizational Units	Not Allowable	Indirect	All Other	Total
Administration & Planning		\$375,123		\$375,123
All Other	\$966,741	84,597	\$16,699,053	17,750,391
Flow Through	393,339			393,339
Sub Total	\$1,360,080	\$459,720	\$16,699,053	\$18,518,853
Central Services		459,825		459,825
Adjustments		(2,753)		(2,753)
Totals	\$1,360,080	\$916,791	\$16,699,053	\$18,975,925

Rate Calculation

$$\frac{\text{Indirect}}{\text{All Other}} = \frac{\$916,791}{\$16,699,053} = 5.49\%$$

Adjustments Reflect Costs Attributable to "Pass Through" Monies.

DETAIL OF DEPARTMENTAL INDIRECT

- District Attorney -

Total actual Personal Services: \$1,731,854

Total actual M&S exclusive of lines
6050, 6060, 7100, 7250, 7550 & 7608 \$1,291,606

Position Description	Posi- tion Number	Personal Services	Materials & Services	Admin & Planning	All Other
<u>Administration</u>					
Staff Assistant	9400	\$91,523	\$68,257	\$159,780	
Fiscal Specialist I	6029	48,457	36,139		84,597
<u>Family Justice</u>					
Deputy Dist. Attorney/Chief	9450	123,350	91,994	215,343	
Total		\$263,330	\$196,390	\$375,123	\$84,597

2001-2002 Indirect Cost Rates

COMPUTATION OF INDIRECT COST RATE

- Sheriff's Office -

Organizational Cost Categories

Organizational Units	Not Allowable	Indirect	All Other	Total
Administration & Planning		\$3,845,851		\$3,845,851
All Other	\$7,081,481	2,355,981	\$78,570,739	88,008,202
Flow Through	818,706			818,706
Sub Total	\$7,900,187	\$6,201,832	\$78,570,739	\$92,672,758
Central Services		807,789		807,789
Adjustments		(5,731)		(5,731)
Totals	\$7,900,187	\$7,003,889	\$78,570,739	\$93,474,815

Rate Calculation

$$\frac{\text{Indirect } \$7,003,889}{\text{All Other } \$78,570,739} = 8.91\%$$

Adjustments Reflect Costs Attributable to "Pass Through" Monies.

2001-2002 Indirect Cost Rates

DETAIL OF DEPARTMENTAL INDIRECT

- Sheriff's Office -

Total actual Personal Services: \$5,788,532

Total actual M&S exclusive of lines
6050, 6060, 7100, 7250, 7550 & 7608 \$4,922,105

Position Description	Posi- tion Number	Personal Services	Materials & Services	Admin & Planning	All Other
<u>Executive Office</u>					
Executive Assistant	9460	146,180	124,300	270,480	
Chaplain	9007	61,998	52,718	114,716	
Legislative/Admin Secretary	9001	57,462	48,861	106,322	
Community Information Specialist	6013	31,958	27,175		59,133
<u>Support/Admin. Services</u>					
Employee Services Spec/Senior	9748	62,872	53,461	116,333	
MSCO Plan/Research Unit Admin	9719	91,197	77,547	168,744	
Fiscal Officer	9716	104,304	88,692	192,996	
MCSO Payroll Unit Admin	9712	78,268	66,553	144,821	
Auxiliary Services Admin	9673	83,944	71,380	155,324	
Information Systems Manager	9653	89,332	75,961	165,293	
Undersheriff	9626	69,770	59,327	129,097	
Chief Deputy	9625	68,281	58,061	126,342	
Administrative Services Officer	9607	80,918	68,806	149,724	
Program Development Spec/Sr.	9115	140,824	119,746	260,570	
Employee Services Specialist I	9080	61,754	52,511	114,265	
Administrative Analyst	9006	37,931	32,253	70,184	
Administrative Analyst / Senior	9005	68,200	57,992	126,191	
Info Systems Specialist II	6192	57,425	48,830		106,255
Info Systems Analyst II	6189	51,386	43,694	95,080	
Network Analyst II	6186	59,827	50,872	110,699	
Purchasing Specialist I	6112	48,013	40,826		88,839
Equipment/Property Technician	6107	191,110	162,505		353,615
Network Analyst III	6053	157,274	133,734	291,008	
Fiscal Specialist II	6030	60,596	51,526	112,123	
Fiscal Specialist I	6029	91,293	77,629		168,922
Program Coordinator	6022	58,061	49,370		107,431
Community Information Specialist	6013	49,073	41,728		90,801
Word Processing Operator	6004	36,915	31,389		68,304
Office Assistant/Senior	6002	29,509	25,092		54,602
Office Assistant II	6001	106,931	90,926		197,857
Corrections Officer	2029	68,194	57,986		126,180
Sergeant III LG	1158	91,369	77,693		169,062
Sergeant III	1131	72,864	61,958		134,821
Deputy Sheriff II	1122	79,768	67,828		147,596
Corrections Sergeant / 7% LG	1015	50,753	43,157		93,910
Corrections Sergeant / 7%	1009	50,582	43,011		93,593
<u>Program Services</u>					
Captain	9627	224,591	190,975	415,566	
Chief Deputy	9625	209,077	177,782	386,859	
Administrative Analyst	9006	12,491	10,621	23,112	
Administrative Secretary	6005	50,236	42,717		92,952
Corrections Sergeant/ 7%	1009	32,243	27,417		59,660
Corrections Sergeant/ 7%	1007	76,986	65,463		142,449
Total		\$3,351,762	\$2,850,070	\$3,845,851	\$2,355,981

2001-2002 Indirect Cost Rates

COMPUTATION OF INDIRECT COST RATE

- Environmental Services -

Organizational Cost Categories

Organizational Units	Not Allowable	Indirect	All Other	Total
Administration & Planning		\$855,568		\$855,568
All Other	\$55,585,519	101,446	\$68,711,252	124,398,217
Flow Through	20,653,698			20,653,698
Sub Total	\$76,239,216	\$957,014	\$68,711,252	\$145,907,482
Central Services		1,987,191		1,987,191
Adjustments		(144,576)		(144,576)
Totals	\$76,239,216	\$2,799,629	\$68,711,252	\$147,750,097

Rate Calculation

$$\frac{\text{Indirect } \$2,799,629}{\text{All Other } \$68,711,252} = 4.07\%$$

Adjustments Reflect Costs Attributable to "Pass Through" Monies.

DETAIL OF DEPARTMENTAL INDIRECT

- Environmental Services -

Total actual Personal Services: \$636,922

Total actual M&S exclusive of lines
6050, 6060, 7100, 7250, 7550 & 7608 \$322,044

Position Description	Posi- tion Number	Personal Services	Materials & Services	Admin & Planning	All Other
<u>Administration</u>					
Deputy Director - DES	9658	\$112,462	\$56,864	\$169,326	
Department Director	9610	132,503	66,997	199,500	
Management Assistant	9710	114,627	57,958	172,585	
Administrative Serv Officer	9607	97,144	49,118	146,262	
Employee Services Specialist I	9080	49,070	24,811	73,882	
Administrative Analyst	9006	62,442	31,572	94,014	
Temporary	8000	12,350	6,244		18,594
Admin Secretary	6005	47,264	23,898		71,162
Office Assistant II	6001	7,764	3,925		11,689
Total		\$635,625	\$321,388	\$855,568	\$101,446

2001-2002 Indirect Cost Rates

COMPUTATION OF INDIRECT COST RATE

- Other County -

Organizational Cost Categories

Organizational Units	Not Allowable	Indirect	All Other	Total
Administration & Planning		\$257,199		\$257,199
All Other	\$66,051,319	19,552	\$66,074,152	132,145,023
Flow Through	16,525,394			16,525,394
Sub Total	\$82,576,714	\$276,750	\$66,074,152	\$148,927,616
Central Services		1,426,434		1,426,434
Adjustments		(115,678)		(115,678)
Totals	\$82,576,714	\$1,587,506	\$66,074,152	\$150,238,371

Rate Calculation

$$\frac{\text{Indirect } \$1,587,506}{\text{All Other } \$66,074,152} = 2.40\%$$

Adjustments Reflect Costs Attributable to "Pass Through" Monies.

2001-2002 Indirect Cost Rates

DETAIL OF DEPARTMENTAL INDIRECT

- Other County -

Total actual Personal Services: \$631,321

Total actual M&S exclusive of lines
6050, 6060, 7100, 7250, 7550 & 7608 \$714,921

Position Description	Posi- tion Number	Personal Services	Materials & Services	Admin & Planning	All Other
<u>DSS Admin</u>					
Department Director	9610	\$24,867	\$28,159	\$53,026	
Management Assistant	9710	14,949	16,929	31,878	
Staff Assistant	9400	66,357	75,144	141,501	
Legislative/Admin Secretary	9001	4,887	5,535	10,422	
Info Systems Analyst Sr	6187	9,553	10,818	\$20,372	
Admin Secretary	6005	9,169	10,383		19,552
Total		\$129,782	\$146,968	\$257,199	\$19,552

2001-2002 Indirect Cost Rates

COMPUTATION OF INDIRECT COST RATE

- Library Services -

Organizational Cost Categories

Organizational Units	Not Allowable	Indirect	All Other	Total
Administration & Planning		\$214,093		\$214,093
All Other	\$18,531,757	52,125	\$33,154,746	51,738,628
Flow Through	530,179			530,179
Sub Total	\$19,061,936	\$266,218	\$33,154,746	\$52,482,900
Central Services Adjustments		1,150,664 (3,711)		1,150,664 (3,711)
Totals	\$19,061,936	\$1,413,171	\$33,154,746	\$53,629,853

Rate Calculation

$$\frac{\text{Indirect } \$1,413,171}{\text{All Other } \$33,154,746} = 4.26\%$$

Adjustments Reflect Costs Attributable to "Pass Through" Monies.

2001-2002 Indirect Cost Rates

DETAIL OF DEPARTMENTAL INDIRECT

- Library Services -

Total actual Personal Services: \$1,245,296

Total actual M&S exclusive of lines
6050, 6060, 7100, 7250, 7550 & 7608 \$660,553

Position Description	Posi- tion Number	Personal Services	Materials & Services	Admin & Planning	All Other
<u>Director's Office</u>					
Library Director	9779	\$46,481	\$24,655	\$71,136	
Deputy Director/Library	9775	39,638	21,026	60,664	
<u>Admin/Support</u>					
Library Support Svcs/Admin	9786	31,282	16,593	47,875	
Purchasing Specialist II	6111	22,489	11,929	34,418	
Fiscal Specialist I	6029	18,194	9,651		27,845
Office Asst/Sr	6002	15,865	8,415		24,280
Total		\$173,949	\$92,269	\$214,093	\$52,125



MULTNOMAH COUNTY OREGON

**CONSOLIDATED COUNTYWIDE
COST ALLOCATION PLAN**



MULTNOMAH COUNTY OREGON

2001-2002 Cost Allocation Plan

CENTRAL SERVICE ALLOCATIONS

- Summary -

Central Service	Community & Family Svcs	Aging & Dsbl Svcs	Juv & Adult Comm Justice	Health Services	District Attorney	Sheriff's Office	Environmental Services	Other County	Library	Total
Affirmative Action	\$25,639	\$21,966	\$34,532	\$31,721	\$12,323	\$59,048	\$24,244	\$16,363	\$27,383	\$253,218
Auditor	73,377	76,312	35,337	30,316	4,403	22,438	83,612	32,093	9,655	367,543
Budget & Quality Svcs	175,324	264,969	186,615	5,410	45,042	72,784	62,761	85,522	25,654	924,081
County Attorney	(42,179)	(16,445)	(5,165)	(23,080)		(14,536)	(191,668)	(37,620)	(11,207)	(341,900)
Human Resources	79,884	66,293	93,029	37,776	34,250	183,024	52,147	50,161	74,080	670,645
Equipment Use	1,706	1,234	155,671	15,282	19,748	156,541	98,552	476,133	305,207	1,230,074
Finance	267,361	212,896	387,226	948,987	306,951	425,681	1,708,564	248,598	763,936	5,270,201
Labor Relations	46,737	40,403	65,396	68,082	23,160	107,798	48,123	29,967	51,804	481,470
Purchasing	74,542	(748)	70,898	551,007	14,262	120,920	427,566	666,720	114,348	2,039,514
Records	58,605	16,475	25,232	119,338	103,209	51,306	12,055	48,373	884	435,477
Section 2										
Over/Under Charges	(181,549)	(207,199)	(423,151)	(470,642)	(103,522)	(377,215)	(338,763)	(189,878)	(211,081)	(2,503,000)
Total Allocation	\$579,447	\$476,157	\$625,619	\$1,314,197	\$459,825	\$807,789	\$1,987,191	\$1,426,434	\$1,150,664	\$8,827,324

Multnomah County, Oregon

Description of Services

-Affirmative Action-

Affirmative Action assures that Multnomah County conforms to regulatory requirements for monitoring, reporting, planning and implementing programs and strategies that provide creative solutions to work force and service program diversity.

The Affirmative Action program helps assure compliance with various equal opportunity laws. The need for such services has increased due to new federal regulations, equal opportunity and ADA requirements contained in federal grant regulations, and ongoing interpretations of regulatory requirements.

AFFIRMATIVE ACTION

ACTUAL EXPENDITURES

Expenditure Category	Total Cost	Not Allowable	Allowable
Personal Services	\$192,849		\$192,849
Material & Services	12,905		12,905
Capital Outlay			
Total Organization	\$205,754		\$205,754
LAN Administration	2,392		2,392
DSS Director	43,048		43,048
Organization/Adj. Total	\$251,194		\$251,194

ALLOCATION OF ALLOWABLE COSTS

Allowable Cost to be Allocated: \$251,194
 Basis of Allocation: # of Employees

County Organization	Basis of Allocation	Percent	Allocation
Community & Family Services	417	8.65%	\$21,732
Aging & Disability Services	370	7.68%	19,283
Juv & Adult Community Justice	648	13.44%	33,770
Health Services	878	18.22%	45,757
District Attorney	225	4.67%	11,726
Sheriff's Office	966	20.04%	50,343
Environmental Services	533	11.06%	27,777
Other County	271	5.62%	14,123
Library	512	10.62%	26,683
Totals	4,820	100.00%	\$251,194

CENTRAL SERVICE ROLL FORWARD COMPUTATION

County Organization	Actual 30-Jun-98	Actual 30-Jun-00	Adj. Roll Forward	Fixed 30-Jun-02
Community & Family Services	\$17,825	\$21,732	\$3,907	\$25,639
Aging & Disability Services	16,599	19,283	2,684	21,966
Juv & Adult Community Justice	33,009	33,770	761	34,532
Health Services	59,793	45,757	(14,036)	31,721
District Attorney	11,129	11,726	597	12,323
Sheriff's Office	41,638	50,343	8,705	59,048
Environmental Services	31,311	27,777	(3,534)	24,244
Other County	11,883	14,123	2,240	16,363
Library	25,983	26,683	700	27,383
Totals	\$249,170	\$251,194	\$2,024	\$253,218

Description of Services

- Auditor -

The Auditor conducts performance and fiscal audits in conformance with the US GAO Government Auditing Standards. The annual audit schedule is based upon a risk analysis of County services, with the majority of office resources focused on performance audits to increase efficiency, effectiveness, and accountability. Activities of the Auditor may include examination of expenditure reports for discrepancies or variances, reviews of internal controls, and testing transactions for compliance with state and federal regulations.

In keeping with the standards, the Auditor emphasizes a coordinated audit approach with the external auditors, and the state and federal agencies. County audits are complementary and never duplicate the audit efforts of the other organizations. The Auditor's efforts help insure that County financial and administrative policies are being followed throughout the organization, including federal programs and are, therefore, deemed allowable.

Normal costs of County government have been eliminated from the allocation.

The roll forward computation has been removed from the allocation formula because the nature of audit activities results in large yearly variations in these amounts.

AUDITOR**ACTUAL EXPENDITURES**

Expenditure Category	Total Cost	Not Allowable	Allowable
Personal Services	\$541,599	\$238,619	\$302,980
Material & Services	109,032	48,038	60,995
Capital Outlay			
Total Organization	\$650,631	\$286,657	\$363,975
LAN Administration	6,379	2,811	3,569
DSS Director			
Organization/Adj. Total	\$657,011	\$289,467	\$367,543

ALLOCATION OF ALLOWABLE COSTS

Allowable Cost to be Allocated: \$367,543
 Basis of Allocation: % of Total Hours

County Organization	Basis of Allocation	Percent	Allocation
Community & Family Services	1,900	19.96%	\$73,377
Aging & Disability Services	1,976	20.76%	76,312
Juv & Adult Community Justice	915	9.61%	35,337
Health Services	785	8.25%	30,316
District Attorney	114	1.20%	4,403
Sheriff's Office	581	6.10%	22,438
Environmental Services	2,165	22.75%	83,612
Other County	831	8.73%	32,093
Library	250	2.63%	9,655
Totals	9,517	100.00%	\$367,543

CENTRAL SERVICE ROLL FORWARD COMPUTATION

County Organization	Actual 30-Jun-98	Actual 30-Jun-00	Adj. Roll Forward	Fixed 30-Jun-02
Community & Family Services		\$73,377		\$73,377
Aging & Disability Services		76,312		\$76,312
Juv & Adult Community Justice		35,337		\$35,337
Health Services		30,316		30,316
District Attorney		4,403		4,403
Sheriff's Office		22,438		22,438
Environmental Services		83,612		83,612
Other County		32,093		32,093
Library		9,655		9,655
Totals		\$367,543		\$367,543

Description of Services

-Budget and Quality Services-

The Budget and Quality Services Division is responsible for preparation of the County budget and the monitoring of that budget once adopted. Included among the division's activities is the review of the County programs to ensure compliance with local budget law.

Since all grant programs must comply with local budget law and the Budget and Quality Services Division provides services necessary for the successful cooperation of federal programs, the Budget and Quality Services allocation is deemed allowable. Allowable costs are allocated on the actual hours worked in each area.

Normal costs of County government have been eliminated from the allocation.

BUDGET & QUALITY SERVICES

ACTUAL EXPENDITURES

Expenditure Category	Total Cost	Not Allowable	Allowable
Personal Services	\$707,088	\$274,612	\$432,476
Material & Services	238,554	\$63,239	175,315
Capital Outlay			
Total Organization	\$945,642	\$337,852	\$607,790
LAN Administration	14,353	5,574	8,779
DSS Director	43,048	16,719	26,329
Organization/Adj. Total	\$1,003,043	\$360,145	\$642,899

ALLOCATION OF ALLOWABLE COSTS

Allowable Cost to be Allocated: \$642,899
 Basis of Allocation: Personnel Costs

County Organization	Basis of Allocation	Percent	Allocation
Community & Family Services	\$61,159	14.14%	\$107,015
Aging & Disability Services	\$109,417	25.30%	\$138,715
Juv & Adult Community Justice	\$84,607	19.56%	\$129,833
Health Services	\$18,977	4.39%	\$24,059
District Attorney	\$21,301	4.93%	\$27,005
Sheriff's Office	\$18,977	4.39%	\$66,629
Environmental Services	\$40,773	9.43%	\$51,691
Other County	\$51,004	11.79%	\$64,661
Library	\$26,259	6.07%	\$33,291
Totals	\$432,476	100.00%	\$642,899

CENTRAL SERVICE ROLL FORWARD COMPUTATION

County Organization	Actual 30-Jun-98	Actual 30-Jun-00	Adj. Roll Forward	Fixed 30-Jun-02
Community & Family Services	\$38,706	\$107,015	\$68,309	\$175,324
Aging & Disability Services	12,462	138,715	126,253	264,969
Juv & Adult Community Justice	73,050	129,833	56,783	186,615
Health Services	42,708	24,059	(18,649)	5,410
District Attorney	8,968	27,005	18,037	45,042
Sheriff's Office	60,474	66,629	6,155	72,784
Environmental Services	40,621	51,691	11,070	62,761
Other County	43,800	64,661	20,861	85,522
Library	40,927	33,291	(7,636)	25,654
Totals	\$361,716	\$642,899	\$281,183	\$924,081

Description of Services

-County Attorney-

The County Attorney provides legal services to the County in tort defense, litigation, legal consultation, and drafting appropriate answers to inquire from the public.

The services benefit grant programs in the areas of providing legal advice, drafting contracts, and providing legal counsel in litigation involving County activities during the course of administering grant programs and projects.

Normal costs of County government have been eliminated from the allocation.

During FY 1998-1999 the County Attorney was charged direct. Therefore there are no 1999-2000 indirect charges to departments. The roll forward continues to be in effect for two years after direct charging begins.

COUNTY ATTORNEY

ACTUAL EXPENDITURES

Expenditure Category	Total Cost	Not Allowable	Allowable
Personal Services			
Material & Services			
Capital Outlay			
Total Organization			
LAN Administration			
DSS Director			
Organization/Adj. Total			

ALLOCATION OF ALLOWABLE COSTS

Allowable Cost to be Allocated:

Basis of Allocation:

Personnel Costs

County Organization	Basis of Allocation	Percent	Allocation
Community & Family Services			
Aging & Disability Services			
Juv & Adult Community Justice			
Health Services			
District Attorney			
Sheriff's Office			
Environmental Services			
Other County			
Library			
Totals			

CENTRAL SERVICE ROLL FORWARD COMPUTATION

County Organization	Actual 30-Jun-98	Actual 30-Jun-00	Adj. Roll Forward	Fixed 30-Jun-02
Community & Family Services	\$42,179		(\$42,179)	(\$42,179)
Aging & Disability Services	16,445		(16,445)	(16,445)
Juv & Adult Community Justice	5,165		(5,165)	(5,165)
Health Services	23,080		(23,080)	(23,080)
District Attorney				
Sheriff's Office	14,536		(14,536)	(14,536)
Environmental Services	191,668		(191,668)	(191,668)
Other County	37,620		(37,620)	(37,620)
Library	11,207		(11,207)	(11,207)
Totals	\$341,900		(\$341,900)	(\$341,900)

Description of Services

-Human Resources-

The Human Resources Division is responsible for classification of County positions, overall County personnel policy administration, and maintenance of personnel records.

Human Resources utilizes various communication media to advertise for suitable candidates, in addition to directly contacting prospective candidates. Examinations are conducted, administered, and scored by Human Resources. Reliability and validation studies of tests are undertaken regularly.

Human Resources classifies all job positions in the County as to educational and experience requirements together with on-job performance duties and maintains personnel history records reflecting data pertaining to employees' work.

The variety of personnel services performed by Human Resources is judged allowable since they benefit all organizations of the County. They benefit federal programs to the extent that County employee are used. Accordingly, costs of Human Resources have been distributed to County organizations on the percentage of employees in each organization.

HUMAN RESOURCES

ACTUAL EXPENDITURES

Expenditure Category	Total Cost	Not Allowable	Allowable
Personal Services	\$668,600		\$668,600
Material & Services	336,494		336,494
Capital Outlay			
Total Organization	\$1,005,094		\$1,005,094
LAN Administration	17,018		17,018
DSS Director	43,048		43,048
Organization/Adj. Total	\$1,065,160		\$1,065,160

ALLOCATION OF ALLOWABLE COSTS

Allowable Cost to be Allocated: \$1,065,160
 Basis of Allocation: Number of Employees

County Organization	Basis of Allocation	Percent	Allocation
Community & Family Services	417	8.65%	\$92,152
Aging & Disability Services	370	7.68%	81,765
Juv & Adult Community Justice	648	13.44%	143,200
Health Services	878	18.22%	194,027
District Attorney	225	4.67%	49,722
Sheriff's Office	966	20.04%	213,474
Environmental Services	533	11.06%	117,786
Other County	271	5.62%	59,888
Library	512	10.62%	113,146
Totals	4,820	100.00%	\$1,065,160

CENTRAL SERVICE ROLL FORWARD COMPUTATION

County Organization	Actual 30-Jun-98	Actual 30-Jun-00	Adj. Roll Forward	Fixed 30-Jun-02
Community & Family Services	\$104,420	\$92,152	(\$12,268)	\$79,884
Aging & Disability Services	97,238	81,765	(15,473)	66,293
Juv & Adult Community Justice	193,371	143,200	(50,171)	93,029
Health Services	350,278	194,027	(156,251)	37,776
District Attorney	65,194	49,722	(15,472)	34,250
Sheriff's Office	243,924	213,474	(30,450)	183,024
Environmental Services	183,426	117,786	(65,640)	52,147
Other County	69,614	59,888	(9,726)	50,161
Library	152,211	113,146	(39,065)	74,080
Totals	\$1,459,676	\$1,065,160	(\$394,516)	\$670,645

Description of Services

-Equipment Use-

Multnomah County has no depreciation schedule for equipment. As per FMC circular A-87, the County allocates 6.67% of each department's equipment as a use charge. The charges are based on purchase price of all equipment used, according to the County's asset records. Equipment purchased with grant funds is not included in the total cost of equipment.

EQUIPMENT USE

ACTUAL EXPENDITURES

Expenditure Category	Total Cost	Not Allowable	Allowable
Community & Family Services	\$514,565	\$488,990	\$25,575
Aging & Disability Services	277,517	260,081	17,436
Juv & Adult Community Justice	1,919,585	478,386	1,441,199
Health Services	527,765	254,535	273,230
District Attorney	308,448	79,770	228,678
Sheriff's Office	2,832,919	184,065	2,648,854
Environmental Services	35,764,888	34,400,528	1,364,360
Other County	4,250,068	73,357	4,176,711
Library	6,917,062	1,416,182	5,500,880
Organization/Adj. Total	\$53,312,817	\$37,635,894	\$15,676,923

ALLOCATION OF ALLOWABLE COSTS

Allowable Cost to be Allocated: \$15,676,923
 Basis of Allocation: Allowable Use Charges

County Organization	Basis of Allocation	Percent	Allocation
Community & Family Services	\$25,575	6.67%	\$1,706
Aging & Disability Services	\$17,436	6.67%	1,163
Juv & Adult Community Justice	\$1,441,199	6.67%	96,128
Health Services	\$273,230	6.67%	18,224
District Attorney	\$228,678	6.67%	15,253
Sheriff's Office	\$2,648,854	6.67%	176,679
Environmental Services	\$1,364,360	6.67%	91,003
Other County	\$4,176,711	6.67%	278,587
Library	5,500,880	6.67%	366,909
Totals	\$15,676,923		\$1,045,652

CENTRAL SERVICE ROLL FORWARD COMPUTATION

County Organization	Actual 30-Jun-98	Actual 30-Jun-00	Adj. Roll Forward	Fixed 30-Jun-02
Community & Family Services	\$1,706	\$1,706		\$1,706
Aging & Disability Services	1,092	1,163	71	1,234
Juv & Adult Community Justice	36,585	96,128	59,543	155,671
Health Services	21,166	18,224	(2,942)	15,282
District Attorney	10,758	15,253	4,495	19,748
Sheriff's Office	196,817	176,679	(20,138)	156,541
Environmental Services	83,454	91,003	7,549	98,552
Other County	81,041	278,587	197,546	476,133
Library	428,611	366,909	(61,702)	305,207
Totals	\$861,230	\$1,045,652	\$184,422	\$1,230,074

Description of Services

-Finance-

The Finance Division is responsible for assuring that the County's financial activities are accurately reflected in the accounting records and that the County's cash is properly managed.

Activities of this organization include providing administrative support for federal grants, performing centralized payroll functions, and paying vendors. In addition, Accounting and Treasury perform banking services and manage County cash.

Accounting and Treasury services are deemed necessary for the successful conduct of federal programs and are, therefore, deemed allowable. Allowable costs were allocated on the basis of the number of voucher lines per organization.

The portion of Finance considered normal cost of County government has been eliminated from this allocation.

FINANCE

ACTUAL EXPENDITURES

Expenditure Category	Total Cost	Not Allowable	Allowable
Personal Services	\$1,866,951	\$55,165	\$1,811,786
Material & Services	2,601,790	76,877	2,524,912
Capital Outlay			
Total Organization	\$4,468,740	\$132,042	\$4,336,698
LAN Administration	22,783	673	22,110
DSS Director	21,524	636	20,888
Organization/Adj. Total	\$4,513,047	\$133,351	\$4,379,696

ALLOCATION OF ALLOWABLE COSTS

Allowable Cost to be Allocated: \$4,379,696
 Basis of Allocation: # of Voucher lines Processed

County Organization	Basis of Allocation	Percent	Allocation
Community & Family Services	6,498	5.39%	\$236,065
Aging & Disability Services	4,618	3.83%	167,767
Juv & Adult Community Justice	8,746	7.25%	317,732
Health Services	21,838	18.11%	793,349
District Attorney	6,552	5.43%	238,027
Sheriff's Office	10,093	8.37%	366,667
Environmental Services	35,826	29.72%	1,301,517
Other County	9,774	8.11%	355,078
Library	16,612	13.78%	603,495
Totals	120,557	100.00%	\$4,379,696

CENTRAL SERVICE ROLL FORWARD COMPUTATION

County Organization	Actual 30-Jun-98	Actual 30-Jun-00	Adj. Roll Forward	Fixed 30-Jun-02
Community & Family Services	\$204,769	\$236,065	\$31,296	\$267,361
Aging & Disability Services	122,637	167,767	45,130	212,896
Juv & Adult Community Justice	248,238	317,732	69,494	387,226
Health Services	637,712	793,349	155,637	948,987
District Attorney	169,102	238,027	68,925	306,951
Sheriff's Office	307,653	366,667	59,014	425,681
Environmental Services	894,470	1,301,517	407,047	1,708,564
Other County	461,558	355,078	(106,480)	248,598
Library	443,053	603,495	160,442	763,936
Totals	\$3,489,192	\$4,379,696	\$890,504	\$5,270,201

Description of Services

-Labor Relations-

The Labor Relations Division is responsible for negotiating and administering labor contracts, representing the County in civil service hearings and advising managers on disciplinary action.

Labor Relations directly benefits grants programs through its work with employees and managers within those programs. The basis of cost allocation is the number of total employees within each department.

LABOR RELATIONS

ACTUAL EXPENDITURES

Expenditure Category	Total Cost	Not Allowable	Allowable
Personal Services	\$297,176		\$297,176
Material & Services	63,833		63,833
Capital Outlay	26,478	26,478	
Total Organization	\$387,487	\$26,478	\$361,009
LAN Administration	6,379		6,379
DSS Director	43,048		43,048
Organization/Adj. Total	\$436,914	\$26,478	\$410,436

ALLOCATION OF ALLOWABLE COSTS

Allowable Cost to be Allocated: \$410,436
 Basis of Allocation: Number of Employees

County Organization	Basis of Allocation	Percent	Allocation
Community & Family Services	417	8.65%	\$35,509
Aging & Disability Services	370	7.68%	31,507
Juv & Adult Community Justice	648	13.44%	55,179
Health Services	878	18.22%	74,764
District Attorney	225	4.67%	19,159
Sheriff's Office	966	20.04%	82,258
Environmental Services	533	11.06%	45,386
Other County	271	5.62%	23,076
Library	512	10.62%	43,598
Totals	4,820	100.00%	\$410,436

CENTRAL SERVICE ROLL FORWARD COMPUTATION

County Organization	Actual 30-Jun-98	Actual 30-Jun-00	Adj. Roll Forward	Fixed 30-Jun-02
Community & Family Services	\$24,280	\$35,509	\$11,229	\$46,737
Aging & Disability Services	22,610	31,507	8,897	40,403
Juv & Adult Community Justice	44,962	55,179	10,217	65,396
Health Services	81,446	74,764	(6,682)	68,082
District Attorney	15,159	19,159	4,000	23,160
Sheriff's Office	56,717	82,258	25,541	107,798
Environmental Services	42,650	45,386	2,736	48,123
Other County	16,186	23,076	6,890	29,967
Library	35,392	43,598	8,206	51,804
Totals	\$339,402	\$410,436	\$71,034	\$481,470

Description of Services

-Purchasing-

Purchasing provides central purchasing and supply services to all County organizations.

It procures all supplies, materials, equipment, labor, and contractual services for the performance of professional, technical, or expert service. In addition, Purchasing oversees the solicitation and processing of bids for services and products of a specialized nature needed by the County.

Purchasing directly benefits federal programs to the extent it procures supplies and services for use in those programs. Allowable costs are allocated on the basis of requisitions and purchase orders per organization.

PURCHASING

ACTUAL EXPENDITURES

Expenditure Category	Total Cost	Not Allowable	Allowable
Personal Services	\$1,188,940		\$1,188,940
Material & Services	535,285		535,285
Capital Outlay			
Total Organization	\$1,724,225		\$1,724,225
LAN Administration			
DSS Director	21,524		21,524
Organization/Adj. Total	\$1,745,749		\$1,745,749

ALLOCATION OF ALLOWABLE COSTS

Allowable Cost to be Allocated: \$1,745,749
 Basis of Allocation: # of Purchase Orders/Requisitions

County Organization	Basis of Allocation	Percent	Allocation
Community & Family Services	302	4.78%	\$83,420
Aging & Disability Services	56	0.89%	15,469
Juv & Adult Community Justice	258	4.08%	71,266
Health Services	1,536	24.30%	424,283
District Attorney	84	1.33%	23,203
Sheriff's Office	366	5.79%	101,099
Environmental Services	1,660	26.27%	458,535
Other County	1,728	27.34%	477,319
Library	330	5.22%	91,155
Totals	6,320	100.00%	\$1,745,749

CENTRAL SERVICE ROLL FORWARD COMPUTATION

County Organization	Actual 30-Jun-98	Actual 30-Jun-00	Adj. Roll Forward	Fixed 30-Jun-02
Community & Family Services	\$92,299	\$83,420	(\$8,879)	\$74,542
Aging & Disability Services	31,685	15,469	(16,216)	(748)
Juv & Adult Community Justice	71,635	71,266	(369)	70,898
Health Services	297,560	424,283	126,723	551,007
District Attorney	32,144	23,203	(8,941)	14,262
Sheriff's Office	81,278	101,099	19,821	120,920
Environmental Services	489,505	458,535	(30,970)	427,566
Other County	287,917	477,319	189,402	666,720
Library	67,961	91,155	23,194	114,348
Totals	\$1,451,984	\$1,745,749	\$293,765	\$2,039,514

Description of Services

-Records-

The Records Center is responsible for maintaining a library of County records, including storage, retention, and distribution of these records.

Activities of the Records Center include photocopying County records on microfilm, maintaining a film library of recorded documents, and coordinating County records in all organizations.

As County records pertaining to federal programs are maintained by the Records Center, services necessary to the successful conduct of federal programs are provided by via documentation and distribution of information. Allowable costs are allocated on the basis of the number of boxes stored and retrieved by each department.

RECORDS

ACTUAL EXPENDITURES

Expenditure Category	Total Cost	Not Allowable	Allowable
Personal Services	\$207,326	\$2,444	\$204,882
Material & Services	144,482	1,703	142,778
Capital Outlay			
Total Organization	\$351,808	\$4,148	\$347,660
LAN Administration DSS Director			
Organization/Adj. Total	\$351,808	\$4,148	\$347,660

ALLOCATION OF ALLOWABLE COSTS

Allowable Cost to be Allocated:

\$347,660

Basis of Allocation:

Retrievals & Boxes In

County Organization	Basis of Allocation	Percent	Allocation
Community & Family Services	2,274	10.90%	\$37,881
Aging & Disability Services	619	2.97%	10,312
Juv & Adult Community Justice	2,021	9.68%	33,667
Health Services	6,646	31.84%	110,711
District Attorney	4,353	20.86%	72,514
Sheriff's Office	1,899	9.10%	31,634
Environmental Services	1,069	5.12%	17,808
Other County	1,952	9.35%	32,517
Library	37	0.18%	616
Totals	20,870	100.00%	\$347,660

CENTRAL SERVICE ROLL FORWARD COMPUTATION

County Organization	Actual 30-Jun-98	Actual 30-Jun-00	Adj. Roll Forward	Fixed 30-Jun-02
Community & Family Services	\$17,157	\$37,881	\$20,724	\$58,605
Aging & Disability Services	4,148	10,312	6,164	16,475
Juv & Adult Community Justice	42,101	33,667	(8,434)	25,232
Health Services	102,085	110,711	8,626	119,338
District Attorney	41,819	72,514	30,695	103,209
Sheriff's Office	11,962	31,634	19,672	51,306
Environmental Services	23,561	17,808	(5,753)	12,055
Other County	16,661	32,517	15,856	48,373
Library	349	616	267	884
Totals	\$259,843	\$347,660	\$87,817	\$435,477



MULTNOMAH COUNTY OREGON

APPENDIX

Region X
M/S RX-04
2201 Sixth Avenue
Seattle, WA 98121

March 9, 1990

Ben Buisman
Financial Systems Manager
Department of General Services
Multnomah County
1430 Portland Building
1120 S.W. Fifth Avenue
Portland, Oregon 97204

Dear Mr. Buisman:

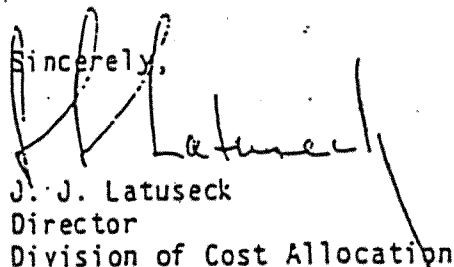
As the cognizant Federal Agency, this is to inform you that pursuant to the Office of Management and Budget Circular A-87, Attachment A, Section J.5.a., current and future central services cost allocation plans and departmental/divisional indirect cost proposals will not have to be submitted for review by this office.

You are advised, however, that central services cost allocation plans and departmental/divisional indirect cost proposals must be prepared in accordance with the appropriate Federal cost principles and be available as of the time a claim is made against a Federal award. The documentation in support of the claim must be retained for a period of three years.

This policy will remain in effect until advised otherwise by this office or a newly designated cognizant Federal Agency.

We remain available to answer technical questions or otherwise provide information consistent with the functions of this office.
Thank you for your cooperation.

Sincerely,


J. J. Latuseck
Director
Division of Cost Allocation

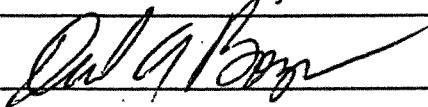
Enclosure

CERTIFICATE OF INDIRECT COSTS

This is to certify that I have reviewed the indirect cost rate proposal submitted herewith and to the best of my knowledge and belief:

1. All costs included in this proposal for the fiscal year ended June 30, 2000 to establish billing or final indirect cost rates for the fiscal year July 1, 2001 through June 30, 2002 are allowable in accordance with the requirements of the Federal award to which they apply and OMB Circular A-87, "Cost Principles for State and Local Governments." Unallowable costs have been adjusted for in allocating costs as indicated in the cost allocation plan.
2. All costs included in this proposal are properly allocable to the Federal awards on the basis of a beneficial or causal relationship between expenses incurred and the agreements to which they are allocated in accordance with applicable requirements. Further, the same costs that have been treated as indirect costs have not been claimed as direct costs. Similar types of costs have been accounted for consistently and the Federal Government will be notified of any accounting changes that would affect the predetermined rate.

I declare that the foregoing is true and correct.


Government Unit:	Multnomah County
Signature:	
Name of Official:	David A. Boyer
Title:	Finance Director
Date of Execution:	December 29, 2000

CERTIFICATE OF COST ALLOCATION PLAN

This is to certify that I have reviewed the cost allocation plan submitted herewith and to the best of my knowledge and belief:

1. All costs included in this proposal for the fiscal year ended June 30, 2000 to establish cost allocations or billings for the fiscal year July 1, 2001 through June 30, 2002 are allowable in accordance with the requirements of OMB Circular A-87, "Cost Principles for State and Local Governments," and the Federal award to which they apply. Unallowable costs have been adjusted for in allocating costs as indicated in the cost allocation plan.
2. All costs included in this proposal are properly allocable to the Federal awards on the basis of a beneficial or causal relationship between expenses incurred and the awards to which they are allocated in accordance with applicable requirements. Further, the same costs that have been treated as indirect costs have not been claimed as direct costs. Similar types of costs have been accounted for consistently.

I declare that the foregoing is true and correct.

Government Unit:	Multnomah County
Signature:	
Name of Official:	David A. Boyer
Title:	Finance Director
Date of Execution:	December 29, 2000

MEETING DATE: November 1, 2001
AGENDA NO: R-1
ESTIMATED START TIME: 9:30
LOCATION: Boardroom 100

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: January 1, 2001 to June 30, 2001 Service Awards

BOARD BRIEFING: DATE REQUESTED: _____
REQUESTED BY: _____
AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: Thursday, November 1, 2001
AMOUNT OF TIME NEEDED: 30-45 minutes

DEPARTMENT: Support Services DIVISION: Human Resources
CONTACT: Jeanie Staino TELEPHONE #: (503) 988-5015 x26488
BLDG/ROOM #: 503/4

PERSON(S) MAKING PRESENTATION: Gail Pamell

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☐ APPROVAL ☒ OTHER

SUGGESTED AGENDA TITLE:

The presentation of service awards for 5 to 30 years of service. One hundred employees have indicated they will be able to attend in person to receive their award.

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
(OR)

DEPARTMENT MANAGER: M. Cecilia Johnson

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ (503) 988-3277 or email
deborah.l.bogstad@co.multnomah.or.us

01 OCT 24 AM 8:13
CLERK OF
COUNTY BOARD
MULTNOMAH COUNTY
OREGON

GAIL PARNELL, HR OPERATIONS MANAGER, MULTNOMAH COUNTY

We are here today to honor our Multnomah County employees, by recognizing the years of personal commitment and professional contributions, which they have given to the County.

I would like to start by saying thank you to County Chair, Diane Linn, and to each of the Commissioners, for your support of our employees and for sponsoring this recognition ceremony here today.

These Multnomah County service awards represent one way of thanking our employees for making Multnomah County an excellent place to work, as well as an outstanding service provider. Every employee that is here today has played an equally essential role in making that happen. You have all been KEY to our success.

[Chair Linn will acknowledge a few employees who have made major accomplishments to the County at this point]

Gail Parnell:

In a moment, I will be reading the names of those employees who have reached the 5, 10, 15, 20, 25 and 30 year milestones as employees of Multnomah County between July 1, 2000 and December 31, 2000. If we add up the years that are represented here today in the **100** individuals receiving their awards, we have **1,335** years of service and dedication to Multnomah County.

Finally, before we recognize each of you individually, to ALL of you receiving a service award – on behalf of all of us here today, we say a collective THANK YOU and congratulations on a job well done (APPLAUSE). We will start with the 5 year service awards and move onward from there. When I read your name, please come up to the front to receive your award from Chair Linn and our Commissioners.

Chair Linn will acknowledge these employees –

Lindi Mantifel – DSCD- Animal Control – 25 years – Lindi began working as a animal control officer and was respected for her field work. Because of her experience and desire to make a difference she was assigned eight years ago to Multnomah County's Potentially Dangerous Dog Program, an assignment she continues to do today. During her assignment to this job repeat bites have dropped from 25% to only 7%. Prior to the program 25% of dogs who bit would bite a second time. Today we estimate that only 7% of those who bite, repeat the offense.

She always has a smile on her face for the dogs but her steely intent is to combine protecting the dogs with protecting people. I wish I had a dozen employees just like Lindi.

Martha Murray – ADS – 10 years - The Disabilities Services Advisory Council provides advice to Aging and Disabilities on services to persons with disabilities, and advocacy on a wide spectrum of disabilities issues. Martha provides support and guidance so that new members of the council can become more effective advocates for services to people with disabilities. She facilitates meetings with advocates and policy makers and provides logistical planning for trips to the legislature. Martha tries to ensure that everything we do takes into account the needs of persons with disabilities, including making sure members were included in planning our new building. This resulted in the design of a state of the art building, including taking into account signage, safety factors, accessibility, distances, placement of furniture.

When problems or special needs arise, Martha works with managers in reaching the best possible solutions.

Michael Greear – DCJ – 5 years – Michael has been providing extraordinary support to the Dept. of Community Justice and especially the West District office. He continues to be our building liaison and provides daily support to each and every employee working in this building. His primary concerns are the health and well being of the staff and their work environment. He never complains, uses incredibly good judgment about requests and complaints, and prioritizes all of these issues in a very professional manner. He worked tirelessly with the hundreds of contractors that were working in this building for almost two years, and coordinated all of the construction and moves with Facilities and others innumerable times. He also maintains all of the equipment and automobiles in this district. As we are just now nearing the end of the movement into and within the Mead, he has been on this difficult assignment now for almost two years. He personally schedules and moves and maintains all of the furniture, Herman Millers, conference room furniture, does ergonomic assessments and adjustments, participates on the Safety Committee and is the primary liaison to facilities, janitorial service, security services etc. With over 150 staff in this building, we could not do the work we do here

without his efforts. On top of that he is the Chief Steward for the department and does a great job of working with mgmt. and the staff in that arena as well.

ZoAnn Whitney – Library – 10 years - Along with two other Holgate Branch pages, ZoAnn was nominated and won the Multnomah County Library Applause Award. Nominations for this award are made by peers for contributions that exceed expectations. This particular award recognizes her contribution to provide quality library service in this way: "for using a Staff Day ergonomics workshop to brainstorm and bring about a redesign of the Holgate work area."

The implementation of this redesign made this work area safer and more efficient resulting in reduced on-the-job injuries...translating to less money being spent on claims and sick time. This redesign has been used by the architect when designing new and renovated library work areas.

Wilma Smith – Health Department – 25 years - Wilma published an article on the Medical care of African American Hair and Skin in the Journal of Pediatric Health Care April 1998. She participated in the writing of the book "Bright Futures" Guidelines for Health Supervision of Infants, Children and Adolescents. Wilma is very active in the church (choir, praise and worship team, and women ministry).

Carol Ford – Health Department – 5 years – It would be difficult to just highlight one of Carol's achievements. What can you say about a person that has exceptional leadership skills - who has core values that include honesty, compassion, and teamwork that is reflected in everything she does and achieves. Carol has built and supported that delicate bridge of communication, in a very challenging environment between County employees, the community- at- large and our stakeholders. Her sense of humor and upbeat style truly reflect her outlook on life. She continues to seek ways and methods of supporting our philosophy that "Multnomah County is a Great Place to Work".

April Kramer, Eligibility Specialist – Health Department – 20 years: Pioneered Medicaid Eligibility Screenings for pregnant women at East County Health Clinic and this has developed in to a health department wide program.

Greig Warner – Health – 10 years - Greig is an Environmental Health Specialist with a unique role in Environmental Health. Greig performs the examination and approval of the plans for restaurant facilities and conducts the 7 hour trainings for restaurant managers on food safety. His prior role as a certified teacher provides him with teaching skills that serve our community well in both of his major roles.

Service Awards Attendees - November 1, 2001 BCC Meeting
Honoring Employees Whose Countywide Seniority Dates Fall between
January 1, 2001 through June 30, 2001

(Of the 338 employees who received letters, 100 indicated they would attend.)

Five Years

ADS - Inna Haines
M. La Juana Rial
Gary Sinnen

CFS - Louray Barham
Marquite Bell
Linda Grimes
Kathryn Gordon
Gregory Meredith
Pauline Reed-Van Brocklin

DSCD - Deirdre Mahoney-Clark

DCJ - Michael Greear
Jennifer Ninh
Stefon Spruill
Mary Sullivan
Tafiko Vave
Roy Washington
Harry Watson

DSS - Dan Horn
Paula Johnson
Tory Mitchell
Leola Warner

HD - Carol Ford
Liliana Frederiksen
Kornelia Higdon
Souriya Khamvongsa
Martina Murray
Mary Orr
Rose Pickett
Maria Rosamond

LIB - Nicole Newsom

Ten Years

ADS - C. L. Betteridge
Allen Harris
Martha Murray
Deborah Thorsen

CFS - Alyce Dingler
Marilyn Fox
Leilan Greer
Nancy Milligan-Mock
Ruth Ann Stoner
Mary Thomas

DCJ - Julie Burbach
Joanna Dumais
Helen Ferrier
Stephen O'Curran
Tracy Pugliano

DSCD- Brent Bjork

DSS - J.M. Cunningham
Marsha Ehlers
Kurtis Hamm
Patricia Read
Marie Wardwell
Paula Watari

HD - Nelly Altotsky
Randy Buchan
Elizabeth Carroll
Michael Giddens
Delia Huerta
Linda Huth
Amparo Mendenhall
Veronica Meyers
Kathleen Thomes
Greig Warner
Stacey Widick
Lynne Wiley

LIB - Constance Cramer
ZoAnn Whitney

NON - Suzanne Flynn

Fifteen Years

ADS - Beckie Cornett

CFS - Karen Jones Whittle

DA - Diane Neal

DSCD - Gregory Kirby
Tamara Sorensen

DCJ - Willie Brown

DSS - Kim Knifke
Vanessa Witka

HD - Thressa Campbell
Marilee Dea
Kimberly Fairbanks-Lee
Teral Gert
Gayle Pizzuto

Twenty Years

DSCD - Sheila Isley
Pam Patrie
Dwight Roofoe

DSS - Kunie Beebe
Kenneth Clinton

HD - Janet Buell
Janie Ellison
Paul Kipp
April Kramer
Dianna Smith

Twenty-five Years

ADS - Christine Conklin

DA - Jo'ey Stewart

DSCD- Thomas Guiney
David Lestiko
Lindi Mantifel

HD - Wilma Smith

Thirty Years

DSCD - Douglas Carpenter

DCJ - Lon Stratton

DSS - Joe Devlaeminck
Bob Ellis

Service Awards Attendees - November 1, 2001 BCC Meeting
Honoring Employees Whose Countywide Seniority Dates Fall between
January 1, 2001 through June 30, 2001

(Of the 338 employees who received letters, 400 97 indicated they would attend.)

(revised 10/29/01)

Five Years

ADS - Inna Haines
M. La Juana Rial
Gary Sinnen

CFS - Louray Barham
Marqurite Bell
Linda Grimes
Kathryn Gordon
Gregory Meredith
Pauline Reed-Van Brocklin

DSCD - Deirdre Mahoney-Clark

DCJ - Michael Greear
Jennifer Ninh
Stefon Spruill
Mary Sullivan
Tafiko Vave
Roy Washington
Harry Watson

DSS - Dan Horn
Paula Johnson
Tory Mitchell
Leola Warner

HD - Carol Ford
Liliana Frederiksen
Kornelia Higdon
Souriya Khamvongsa
Martina Murray
Mary Orr
Rose Pickett
Maria Rosamond

LIB - Nicole Newsom

Ten Years

ADS - C. L. Betteridge
Allen Harris
Martha Murray
Deborah Thorsen

CFS - Alyce Dingler
Marilyn Fox
Leilan Greer
Nancy Milligan-Mock
Ruth Ann Stoner
Mary Thomas

DCJ - Julie Burbach
Joanna Dumais
Helen Ferrier
Stephen O'Curran
Tracy Pugliano

DSCD- Brent Bjork

DSS - J.M. Cunningham
Marsha Ehlers
Kurtis Hamm
Patricia Read
Marie Wardwell

HD - Nelly Altotsky
Randy Buchan
Elizabeth Carroll
Michael Giddens
Delia Huerta
Linda Huth
Amparo Mendenhall
Veronica Meyers
Kathleen Thomes
Greig Warner
Stacey Widick
Lynne Wiley

LIB - Constance Cramer
ZoAnn Whitney

NON - Suzanne Flynn

Fifteen Years

ADS - Beckie Cornett

CFS - Karen Jones Whittle

DA - Diane Neal

DSCD - Gregory Kirby
Tamara Sorensen

DCJ - Willie Brown

DSS - Kim Knifke
Vanessa Witka

HD - Thressa Campbell
Marilee Dea
Kimberly Fairbanks-Lee
Teral Gerlt

Twenty Years

DSCD - Sheila Isley
Pam Patrie
Dwight Roofe

DSS - Kunie Beebe
Kenneth Clinton

HD - Janet Buell
Janie Ellison
Paul Kipp
April Kramer
Dianna Smith

Twenty-five Years

ADS - Christine Conklin

DA - Jo'ey Stewart

DSCD- Thomas Guiney
David Lestiko

HD - Wilma Smith

Thirty Years

DSCD - Douglas Carpenter

DCJ - Lon Stratton

DSS - Joe Devlaeminck
Bob Ellis

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR:

11/1/2001

(Date)

DEPARTMENT: **Support Services**DIVISION: **Finance**CONTACT: **Julie Neburka**PHONE: **x27351**

* NAME(S) OF PERSON MAKING PRESENTATION TO BOARD:

Dave WarrenSUGGESTED AGENDA TITLE (To assist in preparing a description for the printed agenda)

Retroactive expenditure and revenue budget increase for FY 2001 for pass-through funds per ORS 294.450(6), to reflect actual expenditures.

2. DESCRIPTION OF MODIFICATION: [Explain the changes being made: What budget does it increase / decrease? What do the changes accomplish? Where does the money come from?]

[] PERSONNEL CHANGES ARE SHOWN IN DETAIL ON THE ATTACHED SHEET

This bud mod increases the revenue and expenditure budgets of the following pass-through funds:

Fund 1502, Emergency Communications Fund

Fund 1506, County School Fund

Fund 1511, Special Excise Taxes Fund

These funds account for money that is collected by Multnomah County and passed through directly to other agencies. In FY 2001, more receipts were collected than were estimated when the budget was adopted, and passing through the actual amounts, as required, caused these funds to overspend their budgets. This bud mod increases expenditure and revenue budgets in these funds to account for actual collections and amounts passed through. This is the only instance in which a bud mod can be made to a prior-year budget. (ORS 294.450(6))

3. REVENUE IMPACT: [Explain revenues being changed and reason for the change]

Increases budgeted revenue to Fund 1502 by \$61,000

Increases budgeted revenue to Fund 1506 by \$187,000

Increases budgeted revenue to Fund 1511 by \$734,330

TOTAL \$982,330

4. CONTINGENCY STATUS [To Be Completed by Budget]

(Specify Fund) Fund Contingency BEFORE THIS MODIFICATION AS OF _____

AFTER THIS MODIFICATION: _____

Originated By: <i>Mindy Harris</i>	Date: <i>10/23/2001</i>	Department Director: <i>Cecilia Johnson</i>	Date: <i>10/23/2001</i>
Plan / Budget Analyst: <i>Julie Neburka</i>	Date: <i>10/23/2001</i>	Employee Services: <i>Cecilia Johnson</i>	Date: <i>10/23/2001</i>
Board Approval: <i>Doreen H. Bogstad</i>	Date: <i>11.01.01</i>		

Budget Modification:

DSS 01-04

EXPENDITURES & REVENUES

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

Line No.	Fund Center	Fund Code	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
			Internal Order	Cost Center	WBS Element						
1		1502		601601		50180	(162,370)	(223,370)	(61,000)		Emergency Communications Fund
2		1502		601601		60160	167,021	228,021	61,000	0	Emergency Communications Fund
3		1506		108300		50110	0	(162,000)	(162,000)		County School Fund
4		1506		108300		50270	(6,000)	(27,000)	(21,000)		County School Fund
5		1506		108300		50360	0	(4,000)	(4,000)		County School Fund
6		1506		108300		60160	1,550,000	1,737,000	187,000	0	County School Fund
7		1511		108501		50120	(10,791,000)	(11,525,330)	(734,330)		Special Excise Taxes Fund
8		1511		108501		60160	15,721,000	16,706,030	985,030	250,700	Special Excise Taxes Fund
9								0			
10								0			
11								0			
12								0			
13								0			
14								0			
15								0			
16								0			
17								0			
18								0			
19								0			
20								0			
21								0			
22								0			
23								0			
24								0			
25								0			
26								0			
27								0			
28								0			
29								0			
									250,700	250,700	Total - Page 1
									250,700	250,700	GRAND TOTAL



MULTNOMAH COUNTY, OREGON

BOARD OF COUNTY COMMISSIONERS
DIANE LINN
MARIA ROJO DE STEFFEY
SERENA CRUZ
LISA NAITO
LONNIE ROBERTS

BUDGET & QUALITY
MULTNOMAH BUILDING
501 SE HAWTHORNE BLVD, 4TH FLOOR
P. O. BOX 14700
PORTLAND, OR 97214
PHONE (503) 988-3883

SUPPLEMENTAL STAFF REPORT

TO: Board of County Commissioners
FROM: Julie Neburka, Budget & Quality Office
DATE: October 23, 2001
RE: Bud Mod DSS 01-04

1. **Recommendation/Action Requested:** Approve bud mod DSS 01-04, which increases revenue and expenditure budgets in three funds that account for money collected by Multnomah County and passed directly through to other agencies.
2. **Background/Analysis:** Under nearly all circumstances, prior year budgets cannot be modified. The exception to this rule is if the budget is for money that is collected by one jurisdiction and passed through to another. Without this exception, found in statute at ORS 294.450(6), the County would find itself in a double bind whenever it collects more than it budgeted for the pass-through money: overspending a budget is against the law, as is failing to pass through the entire amount collected on another agency's behalf.

In FY 01, three County funds collected more pass-through funds than were budgeted. The County School Fund budget did not include Federal forest receipts, a portion of which are statutorily dedicated to County School Funds. The Convention Center Fund collected more Hotel-Motel and Motor Vehicle Rental taxes than were budgeted; and the Emergency Communications Fund collected more fees than were budgeted. This bud mod increases the expenditure and revenue budgets in these three funds to reflect the increased collections.

3. **Financial Impact:** This budget modification increases the FY 2001 Emergency Communications Fund budget by \$61,000; the FY 2001 County School Fund budget by \$187,000; and the FY 2001 Special Excise Taxes Fund by \$734,330. These are budget increases only; they allow the County to legally pass through amounts owed to other agencies.
4. **Legal Issues:** This action is allowed in state statute.
5. **Controversial Issues:** None.
6. **Link to Current County Policies:** N/A
7. **Citizen Participation:** N/A
8. **Other Government Participation:** N/A

1. REQUEST FOR PLACEMENT ON THE AGENDA FOR:

11/01/01

(Date)

DEPARTMENT: Support ServicesDIVISION: FinanceCONTACT: Julie NeburkaPHONE: x27351

* NAME(S) OF PERSON MAKING PRESENTATION TO BOARD:

Dave WarrenSUGGESTED AGENDA TITLE (To assist in preparing a description for the printed agenda)**Bud Mod DSS-01, restoring indirect costs to Sheriff's Office program budgets in the Public Safety Levy Fund.**

2. DESCRIPTION OF MODIFICATION: [Explain the changes being made: What budget does it increase / decrease? What do the changes accomplish? Where does the money come from?]

[] PERSONNEL CHANGES ARE SHOWN IN DETAIL ON THE ATTACHED SHEET**This bud mod restores indirect costs to Sheriff's Office budgets in the Public Safety Levy Fund.**

Early in the FY 2002 budget process, it was contemplated that the current Public Safety Levy Fund programs be budgeted in the General Fund. The reasoning behind this proposal was that since the bulk of the revenue to the Public Safety Levy Fund (a "fossil" levy) consists of a cash transfer from the General Fund, maintaining the old levy was financially redundant. The Budget Office therefore removed indirect charges that were budgeted in the Levy Fund in anticipation of that fund's being retired.

The Public Safety Levy Fund is still in use, however, and its not paying indirect violates County financial policies (see attached) requiring indirect to be collected on all funds other than the General Fund. This bud mod restores indirect charges to the Sheriff's Office programs budgeted in the Levy Fund. It increases indirect expenditures and reduces the Levy Fund contingency in the same amount, for no net increase or decrease to the Levy Fund; and increases revenues to the General Fund.

3. REVENUE IMPACT: [Explain revenues being changed and reason for the change]

Indirect costs are payments from other funds to the General Fund. This bud mod increases indirect cost revenues to the General Fund by \$2,931,994.

TOTAL \$2,931,994

4. CONTINGENCY STATUS [To Be Completed by Budget]

General Fund Contingency BEFORE THIS MODIFICATION AS OF _____
(Specify Fund) AFTER THIS MODIFICATION: _____

Originated By:	Date:	Department Director:	Date:
Dave Warren <i>David C. Warren</i>	10/23/01	Cecilia Johnson <i>Cecilia Johnson</i>	10/23/01
Plan / Budget Analyst:	Date:	Employee Services:	Date:
Julie Neburka <i>Julie Neburka</i>	10-23-01		
Board Approval:	Date:		
<i>Deborah C. Bogsted</i>	11-01-01		

Budget Modification: DSS-01

EXPENDITURES & REVENUES

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

Line No.	Fund Center	Fund Code	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
			Internal Order	Cost Center	WBS Element						
1	60-00	1514		600002		60350	-	35,052	35,052		indirect
2	60-20	1514		601011		60350	-	9,457	9,457		indirect
3	60-20	1514		601021		60350	-	34,376	34,376		indirect
4	60-20	1514		601031		60350	-	8,585	8,585		indirect
5	60-20	1514		601041		60350	-	14,119	14,119		indirect
6	60-20	1514		601051		60350	-	13,275	13,275		indirect
7	60-10	1514		601081		60350	-	21,159	21,159		indirect
8	60-10	1514		601091		60350	-	842	842		indirect
9	60-20	1514		601201		60350	-	863	863		indirect
10	60-20	1514		601211		60350	-	156,759	156,759		indirect
11	60-30	1514		601331		60350	-	101,050	101,050		indirect
12	60-20	1514		601351		60350	-	59,351	59,351		indirect
13	60-20	1514		601391		60350	-	13,738	13,738		indirect
14	60-30	1514		601401		60350	-	56,708	56,708		indirect
15	60-30	1514		601411		60350	-	91,089	91,089		indirect
16	60-30	1514		601421		60350	-	1,594,584	1,594,584		indirect
17	60-30	1514		601426		60350	-	55,089	55,089		indirect
18	60-30	1514		601441		60350	-	11,920	11,920		indirect
19	60-30	1514		601451		60350	-	167,978	167,978		indirect
20	60-30	1514		601461		60350	-	12,279	12,279		indirect
21	60-30	1514		601471		60350	-	25,471	25,471		indirect
22	60-30	1514		601474		60350	-	108,508	108,508		indirect
23	60-30	1514		601481		60350	-	64,275	64,275		indirect
24	60-30	1514		601485		60350	-	43,145	43,145		indirect
25	60-30	1514		601487		60350	-	58,220	58,220		indirect
26	60-50	1514		601641		60350	-	22,765	22,765		indirect
27	60-00	1514		601751		60350	-	126,579	126,579		indirect
									2,907,236	0	Total - Page 1
									0	0	GRAND TOTAL
30	60-00	1514		604001		60350	-	22,255	22,255		indirect
31	60-00	1514		604021		60350	-	2,503	2,503		indirect
32	19	1514		9500001514		60470		(2,931,994)	(2,931,994)		Levy Fund contingency
33	19	1000		9500001000		60470		2,931,994	2,931,994		General Fund contingency
34	19	1000		9500001000		50310		(2,931,994)	(2,931,994)		General Fund contingency

Budget Modification: DSS-01

EXPENDITURES & REVENUES

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

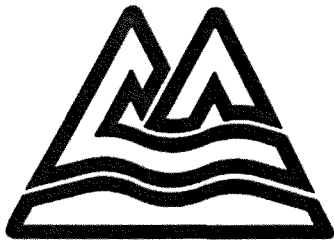
Line No.	Fund Center	Fund Code	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
			Internal Order	Cost Center	WBS Element						
35								0			
36								0			
37								0			
38								0			
39								0			
40								0			
41								0			
42								0			
43								0			
44								0			
45								0			
46								0			
47								0			
48								0			
49								0			
50								0			
51								0			
52								0			
53								0			
54								0			
55								0			
56								0			
57								0			
									(2,907,236)	0	Total - Page 2
									0	0	GRAND TOTAL

Budget Modification: DSS-01

EXPENDITURES & REVENUES

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

Line No.	Fund Center	Fund Code	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
			Internal Order	Cost Center	WBS Element						
59								0			
60								0			
61								0			



MULTNOMAH COUNTY, OREGON

BOARD OF COUNTY COMMISSIONERS
DIANE LINN
MARIA ROJO DE STEFFEY
SERENA CRUZ
LISA NAITO
LONNIE ROBERTS

BUDGET & QUALITY
MULTNOMAH BUILDING
501 SE HAWTHORNE BLVD, 4TH FLOOR
P. O. BOX 14700
PORTLAND, OR 97214
PHONE (503) 988-3883

SUPPLEMENTAL STAFF REPORT

TO: Board of County Commissioners
FROM: Julie Neburka, Budget & Quality Office *JN*
DATE: October 23, 2001
RE: Bud Mod DSS 02-01

1. **Recommendation/Action Requested:** Approve bud mod DSS 02-01, which restores indirect costs to Sheriff's Office budgets in the Public Safety Levy Fund
2. **Background/Analysis:** Early in the FY 2002 budget process, it was contemplated that the current Public Safety Levy Fund programs be budgeted in the General Fund. The reasoning behind this proposal was that since the bulk of the revenue to the Public Safety Levy Fund (a "fossil" levy) consists of a cash transfer from the General Fund, maintaining the old levy was financially redundant. The Budget Office therefore removed indirect charges that were budgeted in the Levy Fund in anticipation of that fund's being retired.

The Public Safety Levy Fund is still in use, however, and its not paying indirect violates the Board's financial policies (see attached) requiring recovery from dedicated revenue sources the full cost of programs supported by those sources. This bud mod restores indirect charges to the Sheriff's Office programs budgeted in the Levy Fund. It increases indirect expenditures and reduces the Levy Fund contingency in the same amount, for no net increase or decrease to the Levy Fund; and increases revenues to the General Fund.

3. **Financial Impact:** This bud mod increases revenues to the General Fund and has no net effect on the Public Safety Levy fund, as it increases expenditures in the Sheriff's Office and decreases the Levy Fund contingency in like amounts.
4. **Legal Issues:** N/A
5. **Controversial Issues:** None.
6. **Link to Current County Policies:** This action supports the County's financial policy of collecting the full cost of programs paid for with other funds.
7. **Citizen Participation:** N/A
8. **Other Government Participation:** N/A

Financial & Budget Policies

Indirect Cost Allocation: Background

The Federal and State Governments recognize that the cost of providing services includes the overhead cost of support services. The County has historically prepared an indirect cost allocation plan in accordance with federal guidelines. The central services in the Cost Allocation Plan include, but are not limited to: the County Auditor, County Counsel, Employee Services, Equipment Use, Finance, Insurance, Labor Relations, Budget and Quality, Purchasing, Radio, and Records. Overhead rates will vary depending on the use of support service functions and departmental administrative costs that are not charged directly to the program. A flow-through rate is also charged against funds that are received by the County and passed through to other entities. In fiscal year 2000/2001, the Health department began allocating departmental indirect costs to programs. Therefore the Health Department rate accounts for central services only.

Policy Statement

Generally it is the policy of the Board to recover from dedicated revenue sources the full cost of programs supported by those sources.

Generally it is the policy of the Board to recover from dedicated revenue sources the full cost of programs supported by those sources. The full cost includes the appropriate proportionate share of the cost of County overhead functions, both central and departmental, that is attributable to programs funded with dedicated revenues.

The exception to the above policy is when the grantor agency does not allow the grantee to charge indirect costs or only allows a set indirect cost rate. The Board will have the final authority to accept a grant that does not allow the recovery of all or part of the indirect charge.

The Finance Division is responsible for preparing an Indirect Cost Allocation Plan that meets the requirements of the Office of Management and Budget (Federal Government Agency) Circular A-87. Central service and departmental administrative support provided to non- General Fund programs, activities, and or functions that are not recovered by internal service charges or billed directly to dedicated revenues will be recovered through an indirect cost based on the approved Indirect Cost Allocation Plan, to be updated annually.

Status

The County is in compliance with this policy. The overhead rates for fiscal year 2001-2002 are as follows:

Department/Office	% Rate
Community and Family Services	15.88%
Aging Services	3.53%
Juvenile & Adult Community Justice Services	5.08%
Health Services	1.74%
District Attorney	5.49%
Sheriff's Office	8.91%
Environmental Services	4.07%
Other County	2.40%
Library Services	4.26%
Flow Through Funds	.70%

MEETING DATE: November 1, 2001
AGENDA NO: R-4
ESTIMATED START TIME: 10:00 AM
LOCATION: Boardroom 100

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Amend MCC 27.100-27.158 Tax Foreclosed Property

BOARD BRIEFING: DATE REQUESTED: _____
REQUESTED BY: _____
AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: Thursday, November 1, 2001
AMOUNT OF TIME NEEDED: 5 minutes

DEPARTMENT: DSCD DIVISION: Administration

CONTACT: Peter Wilcox TELEPHONE #: (503) 988-6299
BLDG/ROOM #: 503/320

PERSON(S) MAKING PRESENTATION: Peter Wilcox & Gary Thomas

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

*First Reading of an Ordinance Amending MCC §§ 27.10-27.158 and Adding Provisions
Relating to Procedures for Determining Priority of Tax Foreclosed Property Uses*

SIGNATURES REQUIRED:

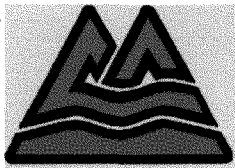
ELECTED OFFICIAL: _____
(OR)

DEPARTMENT MANAGER: Michael Oswald

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ (503) 988-3277 or email
deborah.l.bogstad@co.multnomah.or.us

01 OCT 24 PM 12:45
MULTNOMAH COUNTY
CLERK OF COUNTY COMMISSIONERS
OREGON



Department of Sustainable Community Development
MULTNOMAH COUNTY OREGON

501 SE Hawthorne Blvd, Suite 320
Portland, Oregon 97214
(503) 988-5000 phone
(503) 988-3048 fax

SUPPLEMENTAL STAFF REPORT

TO: BOARD OF COUNTY COMMISSIONERS
FROM: TAX TITLE/PETER WILCOX AND GARY THOMAS
DATE: TUESDAY, OCTOBER 23, 2001
RE: REQUEST APPROVAL TO AMEND MCC 27.100-27.158

I. Recommendation/Action Requested:

Approval to Add Provisions Relating to Procedures for Determining Priority of Tax Foreclosed Property Uses and Property Sale Restrictions.

II. Background/Analysis:

Multnomah County Code Chapter 27.100 – 27.158 provide procedures for the administration and disposition of county property including tax-foreclosed property. The code sets forth the requirements and qualifications for sale of foreclosed property to former owners, policies for identifying Greenspace and Affordable Housing Development Program potential properties, transferring tax foreclosed properties to governmental and private non-profit agencies, and the sale of tax foreclosed properties. However, the present code does not adequately establish a workable method to reconcile requests by competing sponsors to use these properties for Greenspace uses or Affordable Housing uses.

In addition, the present code also requires that properties greater than \$500.00 in value, which do not sell at public auction, must be offered at a future public auction. Under state law, the County is provided more latitude to sell properties that do not sell at auction, including private sales. This latitude would be useful when dealing with the irregular properties that come into Tax Title inventory which are worth more than \$500.00. Further, the present code has some antiquated language; for example, the term "donation" is defined to mean a donation to another government. That interpretation probably pre-dates the expansion of local government authority to donate property for low-income housing and open space to non-profit corporations.

The proposed amendments will provide a more workable procedure for processing tax foreclosed properties for affordable housing uses over greenspace uses. The amendments will also allow for properties that are offered but not sold at public auction to be sold at private sale subject to the requirements of state law. Finally, this revision will address some of the code's language glitches, like the example given above.

III. Financial Impact:

The proposed provisions allowing for prioritizing of affordable housing uses over greenspace uses will have no financial impact. The proposed provisions that allow those properties not sold at public auction to be sold at private sale, subject to the requirements of ORS 275.200, will eliminate costs associated with the conducting of another auction.

IV. Legal Issues:

No legal issues are expected.

V. Controversial Issues:

The prioritizing of tax foreclosed properties for affordable housing uses over greenspace uses will allow for the more efficient transfer of those properties suitable for the Affordable Housing Development Program.

VI. Link to Current County Policies:

The proposed amendments will eliminate questions and concerns that have centered on prioritizing potential conflicts between greenspace and affordable housing uses of tax foreclosed properties.

VII. Citizen Participation:

Both the Greenspaces and Affordable Housing Review Committees have citizen members who were consulted in the preparation of these revisions.

VIII. Other Government Participation:

Both the Greenspaces and Affordable Housing Review Committees have government representatives who were consulted in the preparation of these revisions.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending MCC §§ 27.10-27.158 and Adding Provisions Relating to Procedures for Determining Priority of
Tax Foreclosed Property Uses

(Language ~~stricken stricken~~ is deleted; double- underlined language is new.)

The Multnomah County Board of Commissioners Finds:

- a. On August 24, 2000, by Ordinance No. 950, the Board amended MCC §§ 27.100-27.108 and added MCC §§ 27.150-27.158 relating to tax foreclosed property.
- b. The Board wishes to amend MCC §§ 27.100-27.158 and add provisions in order to reprioritize procedures for determining greenspace and affordable housing uses.

Multnomah County Ordains as follows:

Section 1. MCC § 27.100 is amended as follows:

COUNTY REAL PROPERTY

§ 27.100- DEFINITIONS.

For the purpose of MCC §§ 27.100 to ~~27.108~~27.161, the following definitions shall apply unless the context requires a different meaning.

COUNTY PROPERTY. All real property owned, leased or being purchased by the county, except the following:

1. Any tax foreclosed property that has been identified and made available for transfer pursuant to MCC 27.150 to ~~27.158~~27.161 Provided that if any such tax foreclosed property is not ultimately transferred pursuant to MCC 27.150 to ~~27.158~~27.161, that property shall be considered "County Property" under this subchapter and subject thereto.
2. Property required for county right-of-way purposes,
3. Property acquired for reconveyance under community development block grant and urban homestead programs.

DISPOSE OF. To sell, exchange, lease, donate or to otherwise convey county property or any interest therein, ~~other than to donate property.~~

~~———DONATE.~~ To transfer county property to another governmental entity for public use for no consideration.

Section 2. MCC § 27.101 is amended as follows:

§ 27.101 DUTIES AND POWERS OF COUNTY CHAIR.

The Chair shall do any and all things necessary and proper to manage county property, so that such property is put to its highest and best public use, is adequately maintained during the term of such use; and, if disposed of ~~or donated~~, is disposed of ~~or donated~~ in the best interests of the citizens of the county.

Section 3. MCC § 27.102 is amended as follows:

§ 27.102 LIST OF COUNTY PROPERTY NOT NEEDED FOR PUBLIC USE.

The Chair shall routinely maintain and update a listing of county property, excluding leased property, which is not presently needed for public use. The list shall identify each parcel of property, state whether the property is available for disposition ~~or donation~~, state whether the county is actively seeking disposition ~~or donation~~, state the desired disposition ~~or donation~~, and reflect any bona fide offers made to purchase parcels listed. The list shall be made available for public inspection. The list may be changed by the Chair from time to time. The Board shall be given actual notice of additions to or deletions from the list and of the particulars of any bona fide offers.

Section 4. MCC § 27.105 is amended as follows:

§ 27.105 PROPERTY NEEDED REQUESTED BY ANOTHER GOVERNMENTAL ENTITY.

Any county property, except county leased property, ~~needed-requested~~ for public use by another governmental entity may be donated, sold, leased, exchanged, transferred or otherwise conveyed to that governmental agency as provided under state law.

Section 5. MCC § 27.106 is amended as follows:

§ 27.106 DISPOSITION OF PROPERTY BY DONATION, SALE, LEASE OR EXCHANGE.

~~———~~(A) All county property not needed for any public use by the County, except county leased property, not disposed of ~~or donated~~ to another governmental agency, may be disposed of to the extent applicable by sale, lease, donation or exchange as authorized under state law pursuant to the provisions of ORS Chapters 271 and 275.

~~—— (B) — All county owned property ordered to be sold at public auction under the provisions of ORS 275.110 shall be sold by the Sheriff for not less than the minimum bid price established by resolution of the Board of County Commissioners.~~

~~—— (C) — Any property not sold at auction, if the minimum bid price for the property is less than Five hundred dollars (\$500), may thereafter be sold at private sale subject to the requirements of ORS 275.200.~~

~~—— (D) — All property not sold at the auction, excepting the property described in subsection (C) above, shall be offered for sale at the next public auction. The Board of Commissioners may fix a new minimum bid price for such property.~~

~~—— (E) — Nothing in this ordinance shall prohibit private sales of county owned property under the provisions of ORS 271.530, ORS 275.070, ORS 275.180, ORS 275.225, or ORS 275.230 when such sales are approved by resolution of the Board of County Commissioners.~~

Section 6. MCC § 27.150 is amended as follows:

§ 27.150* TAX FORECLOSED PROPERTY

§ 27.150- DEFINITIONS.

For the purpose of this subchapter, the following definitions apply unless the context requires a different meaning:

BUILDABLE PROPERTY. Real property determined by the AHDP staff to have no overwhelming topographical, environmental or other physical constraints to the reasonable development of the site for residential uses.

COMMUNITY GARDENS. Public or private land divided into plots for growing vegetables, fruits, flowers, native, or ornamental plants. A community garden may also mean private or public land used for growing or displaying an orchard of small trees, herbs, or dry land plants.

COMPELLING GREENSPACE PROPERTY. Significant greenspace property that is:

- immediately adjacent or contiguous to publicly owned parks or open spaces;
- zoned for open space or parks; or
- designated for open space or parks in a local comprehensive plan.

DAYS. Calendar days unless otherwise noted.

DEPARTMENT. Multnomah County Department of Sustainable Community Development.

DIRECTOR. The Director of the Multnomah County Department of Sustainable Community Development.

GREENSPACE COMMITTEE. The Greenspace Review Committee.

NATURAL AREA. A landscape unit composed of plant and animal communities, water bodies, soil, and rock; largely devoid of human made structures; maintained and manage in such a way as to promote or enhance population of wildlife.

NONPROFIT HOUSING SPONSOR. Any ~~government~~ municipal corporation or nonprofit corporation that is recognized as a “qualifying nonprofit corporation” under state law and organized under the provisions of ORS Chapter 65 as a public benefit corporation for the purpose of undertaking, constructing, or operating a housing project to assist low and lower income families, or authorized by its charter to undertake, construct, or operate such housing projects.

OPEN SPACE. Developed parks with active recreational facilities such as ball fields, tennis courts, playgrounds, community gardens, golf courses, cemeteries, or vacant lands with the potential for becoming a park or natural area.

OPEN SPACE PRESERVATION SPONSOR. Any ~~government~~ municipal corporation or nonprofit corporation organized under the provisions of ORS Chapter 65 for the purpose of preserving and actively managing properties as open spaces, parks or natural areas.

OWNER or FORMER OWNER. A property owner or contract purchaser of record at the time a judicial decree of foreclosure was entered as to the affected property.

PARKS. Publicly or privately owned land designed or utilized for outdoor recreation and devoid of man-made structures for habitation.

PROPERTY. All property acquired by Multnomah County by foreclosure of delinquent tax liens.

REPURCHASE AGREEMENT. A contract to sell tax foreclosed property to the former owner prior to foreclosure.

SIGNIFICANT ENVIRONMENTAL PROPERTY. Real property that is suitable for parks, open spaces or natural areas.

SOCIAL SERVICES AGENCY. An appropriate social service provider, as designated by the Board.

TAX TITLE FUND. The Multnomah County accounting fund maintained to receive proceeds from the sale of tax foreclosed properties and disburse all lawful expenditures therefrom.

Section 7. MCC § 27.153 is amended as follows:

§ 27.153 PROPERTY SALE RESTRICTIONS.

(A) All ~~county-owned~~ property ordered to be sold at public auction under the provisions of ORS 275.110 shall be sold by the Sheriff for not less than the minimum bid price established by resolution of the Board.

(B) Any property not sold at auction, ~~if the minimum bid price for the property is less than Five Hundred Dollars (\$500);~~ may thereafter be sold at private sale subject to the requirements of ORS 275.200.

~~_____ (C) All property not sold at the auction, excepting the property described in subsection (B), shall be offered for sale at the next public auction. The Board may fix a new minimum bid price for such property.~~

~~_____ (D) Nothing in this subchapter shall prohibit private sales of county-owned property under the provisions of ORS 271.530, ORS 275.070, ORS 275.180, ORS 275.225, or ORS 275.230 when such sales are approved by resolution of the Board.~~

Section 8. MCC § 27.154 is amended as follows:

§ 27.154 PROCEDURE FOR IDENTIFYING PROPERTIES TO BE DESIGNATED AS SIGNIFICANT ENVIRONMENTAL AND COMPELLING GREENSPACE PROPERTY AS HAVING GREEN SPACE ENVIRONMENTAL VALUE.

(A) A Greenspace Review Committee (GRC) is ~~hereby~~ established to review tax foreclosed properties to identify significant environmental and compelling greenspace property ~~determine suitability of properties for public use as open space, parks, or natural areas and provide such information to governmental jurisdictions and other interested groups.~~ The ~~committee~~ GRC shall consist of not less than five members to serve at the pleasure of the Board.

(B) ~~When~~ As soon as practicable after the annual comprehensive county deed is recorded for tax foreclosed properties ~~after the expiration of the redemption period,~~ the Department shall provide a list of the properties and any documents relating to the properties to the ~~GRC~~ Greenspace Committee. The ~~GRC~~ Greenspaces Review Committee ~~shall~~ may utilize the following factors in a “Greenspaces Screen” to evaluate significant environmental property ~~properties for their greenspace value:~~

- (1) The Greenspaces Inventory established by Metro
- (2) The Significant Environmental Concerns Zone established by Multnomah County
- (3) An environmental protections zone established by a city
- (4) An environmental conservation zone established by a city
- (5) Park Deficiency Area Standards (until new criteria can be developed and unless otherwise directed by a local jurisdiction the “National Park and Recreational Association” standards will be used)
- (6) The Combined Sewer Overflow area as determined by the City of Portland.

~~_____ (C) Within 90-30 days after receipt of the list of available properties, the committee~~ GRC ~~shall furnish the Department~~ will determine which are significant environmental and compelling greenspace property and provide written confirmation that identifies each property so designated by its legal description and street address, if available, to the Department. ~~with a list of properties deemed~~

~~suitable for parks, open spaces or natural areas and shall identify the significant environmental qualities and a proposed public purpose for each property on the list.~~

(~~CD~~) The ~~Greenspace Committee~~GRC's recommendations shall be noted in any notification to governmental entities of properties available for public use transfers under § 27.156this subchapter.

(~~DE~~) The ~~Greenspace Committee~~GRC may make recommendations to the Board at any time regarding properties recommended for public use for park, open space or natural area uses if any such property is not transferred for a public purpose under any provision of this subchapter.

Section 9. Subsections (A) – (D) of § 27.156 are amended as follows:

§ 27.156 PROCEDURE FOR DESIGNATING BUILDABLE PROPERTY REQUESTING TRANSFER OF TAX FORECLOSED PROPERTY FOR HOUSING PURPOSES.

(A) An Affordable Housing Review Committee (HRC) ~~has been~~is established to make recommendations to the Board regarding all disposition of tax foreclosed property for affordable housing under the procedures of Affordable Housing Development Program (AHDP). The ~~Affordable Housing Review Committee~~HRC members ~~shall be~~are appointed by the Chair and approved by the Board. The ~~committee~~HRC ~~shall be~~is composed of representatives from: the City of Gresham, the City of Portland, the Community Development Block Grant Urban County Policy Advisory Board, a philanthropic organization, the banking industry, the Citizen Involvement Committee and the Board.

(B) ~~Requests for properties for low income housing will be considered according to procedures established by Multnomah County AHDP and approved by the Board.~~

~~_____ (C) A list of properties remaining after transfer requests of governmental units, shall be submitted to AHDP. As soon as practicable after the annual comprehensive county deed is recorded for tax foreclosed properties after the expiration of the redemption period, the Department shall provide a list of the properties to the HRC. The Department shall also provide the HRC with the documents provided to the GRC under §27.154(B).~~

(~~DC~~) ~~AHDP shall, w~~Within thirty (30) days after receipt of the list of available properties, advise the Department the HRC will determine which are buildable properties, and provide written confirmation that identifies each property so designated by its legal description and street address, if available, to the Department will be processed for low income housing development. Within ten (10) days thereafter, AHDP shall mail the list of available properties to governments and other nonprofit housing sponsors in Multnomah County.

Section 10. MCC Chapter 27 is amended to add § 27.160 as follows:

§ 27.160 PROCEDURE FOR RESOLVING CONFLICTS BETWEEN DESIGNATED COMPELLING GREENSPACE PROPERTY AND BUILDABLE PROPERTY.

(A) If after review by the HRC and the GRC there are any properties that have been designated both buildable and compelling greenspace, then within 15 days the Department will convene a joint meeting of the GRC and the HRC. If the committees cannot agree on a recommended use for each property at the joint meeting, the Department Director will decide what use to recommend to the Board.

(B) The Board shall confirm or reverse the recommendation of the joint committees prior to any affected properties being made available for greenspace, housing or governmental purposes.

Section 11. MCC § 27.155 is renumbered and amended as follows:

§ ~~27.155~~27.161 REQUESTING TRANSFER OF TAX FORECLOSED PROPERTY TO GOVERNMENTS FOR NON HOUSING PURPOSES.

(A) As soon as practicable after the procedures set forth in MCC §§ 27.154 – 27.160 have been completed, ~~properties on the annual comprehensive county deed have been conveyed to the county~~, the Department shall mail a list of property available to government units and officially recognized neighborhood associations in Multnomah County with a notice that the properties are eligible for transfer, for non-housing purposes only.

(B) Properties having characteristics identified under § 27.154 or § 27.156 shall be so identified on the property list.

(C) A governmental unit may request transfer of listed property within ~~sixty (60)~~ days after notice of property availability was first mailed. All requests shall be on forms provided by the Department and must be authorized by the requesting governing body.

(D) The Department shall report to the Board all requests for transfer of property by governments. The report shall identify the governmental entity requesting transfer, a description of the property, the amount of, taxes owed when the property was conveyed to the county, all maintenance costs incurred by the county, and the applicant's proposed public use.

(E) The Board shall schedule a public hearing as soon as practically convenient. The Department shall publish notice of the scheduled public hearing in a newspaper of general circulation in the county for two successive weeks. The notice shall describe the property, state that the Board will accept comments concerning the transfer at the hearing and where a copy of the Department's report can be obtained. A copy of the notice shall be mailed to applicants and other persons requesting such notice.

(F) At the conclusion of the hearing, the Board may approve the transfers if the Board determines the transfers will serve the public interest. The Board shall also determine whether such transfers are for monetary consideration or no consideration.

(G) Conveyances of property transferred to governmental entities for a public purpose without consideration, other than housing, shall provide that should the property cease to be used for a public purpose, the title shall revert to the county. This restriction shall not apply to transfers to a governmental body in exchange for payment of the amount of taxes and costs for which the property is liable.

(H) For those properties approved by the Board for transfer to governmental entities, transfer of title shall occur within ~~sixty (60)~~ days, or as soon after as practicable. Refusal of the receiving entity to accept title shall void approval of such transfer and shall result in the property being disposed of as provided by law.

(I) Property maintenance by Multnomah County shall cease upon transfer of the title to the receiving agency.

Section 12. Subsections (E) – (G) of § 27.156 are renumbered and amended as follows:

§ ~~27.156~~27.162 PROCEDURE FOR REQUESTING TRANSFER OF TAX FORECLOSED PROPERTY FOR HOUSING PURPOSES.

(A) As soon as practicable after the procedures set forth in MCC §§ 27.154 – 27.160 have been completed, the Department shall mail a list of property available to non-profit housing sponsors with a notice that the properties are eligible for transfer, for low-income housing purposes only.

(B) The HRC shall consider requests for use of these properties for low-income housing according to procedures established by the AHDP and approved by the Board.

(EC) Written applications by housing sponsors shall be filed with AHDP within ~~forty-five (45)~~ days after notice of property availability was first mailed. All requests shall be on forms provided by AHDP and must be accompanied by a non-refundable application fee as set by Board resolution.

(FD) Within ~~sixty (60)~~ days after receipt of applications for property ~~under AHDP~~, the ~~Affordable Housing Review Committee~~HRC will prepare disposition recommendations to the Board. Recommendations shall be based on the sponsoring organization's stability and viability, the project plan, financial plan and community support.

(GE) Within seven ~~(7)~~ days after AHDP determines any property will not be transferred to a non-profit housing sponsor, because no applications for the property were received or approved, AHDP shall provide the Department with a list of those remaining properties not required for housing development. If any such properties were also not selected-designated by the Greenspace Review CommitteeGRC as compelling greenspace property, they may be added to the inventory of tax foreclosed properties available for disposition according to law. If any properties were designated compelling greenspace property, the GRC may at its discretion consider proposals for use of any such property as open space, parks or natural areas under § 27.163.

Section 13. MCC § 27.157 is renumbered and amended as follows:

§ ~~27.157~~27.163 PROCEDURE FOR REQUESTING TRANSFER OF TAX FORECLOSED PROPERTY FOR OPEN SPACE, PARKS OR NATURAL AREAS.

(A) Requests for properties for open space, parks or natural areas will be considered according to procedures established by the Department in conjunction with the GRC~~Greenspace Review Committee~~.

(B) A list of properties remaining after transfer requests of governmental units, shall be submitted to the GRC~~Greenspace Review Committee~~.

(C) The GRC~~Greenspace Review Committee~~ shall, within ~~thirty (30)~~ days after receipt of the list of available properties, advise the Department which properties meet the CommitteeGRC's criteria for appropriate use as open spaces, parks or natural areas. Within ten ~~(10)~~ days thereafter, the Department

shall mail a notice setting forth the list of available properties to neighborhood associations and nonprofit corporations that have requested the Department to provide such notice together with an application form.

(D) Written applications by nonprofit corporations shall be filed with the GRCreenspace Review Committee within ~~forty-five~~ (45) days after notice of property availability was first mailed. All requests shall be on the application forms provided with the notice.

(E) Within ~~sixty~~ (60) days after receipt of applications, the GRCreenspace Review Committee will prepare disposition recommendations to the Board. Recommendations shall be based on the sponsoring organization's stability and viability, the project plan, financial plan and community support.

(F) Within seven (7) days after the GRCreenspace Review Committee determines any property will not be transferred to an open space preservation sponsor, the GRCreenspace Review Committee shall provide the Department with a list of properties not required for open space, parks or natural areas. If such properties were also not selected by AHDP, they may be added to the inventory of tax foreclosed properties available for disposition according to law.

Section 14. MCC § 27.158 is renumbered and amended as follows:

§ ~~27.158~~ 27.164 PROCEDURE FOR DISPOSITION OF REQUESTS FOR TRANSFER OF TAX FORECLOSED PROPERTY FOR HOUSING AND FOR OPEN SPACE, PARKS OR NATURAL AREAS.

(A) Not less than ~~fifteen~~ (15) days after receiving the recommendations from the GRCreenspace Review Committee and AHDP, the Board shall schedule a public hearing to receive public comments concerning the proposed property transfers.

(B) The Department shall publish notice of the scheduled hearing in a newspaper of general circulation in the county for two successive weeks. The notice shall state the description or location of the properties and that the Board will hear comments concerning the transfer at the hearing. A copy of the notice shall be mailed to the applicants and applicable neighborhood associations and to other persons requesting such notice.

(C) Approval of transfers shall be based upon the degree proposals for transfer are feasible and in the public interest. Transfers to Non-Profit Housing Sponsors may be for consideration or for no consideration. Transfers in connection with the county Affordable Housing Development Program shall require a non-refundable transfer fee as set by Board resolution to offset the cost of administration. The transfer fee may be waived or reduced by the Board upon a finding that a waiver or reduction is necessary. Transfers to Open Space Preservation Sponsors shall be for consideration.

(D) For those properties approved for transfer to non-profit housing sponsors or to open space preservation sponsors, the transfer of title shall occur within ~~sixty~~ (60) days, or as soon after as practicable. Refusal of the receiving entity to accept title shall void approval of such transfer.

(E) A property approved for transfer to an open space preservation entity shall revert back to the county if the receiving entity ceases to use the property for the intended purpose set forth in this ordinance. The Department shall develop and implement a system for monitoring compliance by the receiving open space preservation sponsors with the terms of transfer.

(F) Property maintenance by Multnomah County shall cease upon transfer of the title to the receiving entity.

FIRST READING:

SECOND READING AND ADOPTION:

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

MEETING DATE: November 1, 2001
AGENDA NO: B-1
ESTIMATED START TIME: 10:05 AM
LOCATION: Boardroom 100

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: County Attorney's Annual Report

BOARD BRIEFING: DATE REQUESTED: _____
 REQUESTED BY: _____
 AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: Thursday, November 1, 2001
 AMOUNT OF TIME NEEDED: 1 Hour

DEPARTMENT: Non-Departmental DIVISION: County Attorney
CONTACT: Tom Sponsler TELEPHONE #: (503) 988-3138
 BLDG/ROOM #: 503/500

PERSON(S) MAKING PRESENTATION: Thomas Sponsler, Gerry Itkin, Jenny Morf and Doug Hicks

ACTION REQUESTED:

☒ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☐ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

Multnomah County Attorney's 2000-2001 Annual Report

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
(OR)

DEPARTMENT MANAGER: Thomas Sponsler

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ (503) 988-3277 or email
deborah.l.bogstad@co.multnomah.or.us

01 OCT 24 PM 1:02
CLERK OF
COUNTY BOARD
MULTNOMAH COUNTY
OREGON

Multnomah County Attorney's 2000 - 2001 Annual Report



November 1, 2001

**TABLE OF
CONTENTS**

Multnomah County Attorney's
2000 – 2001 Annual Report
November 1, 2001

Table of Contents

Memorandum to Board of County Commissioners By Tom Sponsler	1
Direct Service Time to Departments.....	Tab 1
Direct Service Time	Tab 2
Litigation Time by Department	Tab 3
Litigation Time – Top 20 Cases.....	Tab 4
Memorandum Multnomah County Board of Commissioners By Gerald H. Itkin.....	Tab 5



OFFICE OF MULTNOMAH COUNTY ATTORNEY

THOMAS SPONSLE
County Attorney

SANDRA N. DUFFY
GERALD H. ITKIN
Deputies

501 S.E. HAWTHORNE, SUITE 500
PORTLAND, OREGON 97214

FAX 503.988.3377
503.988.3138

SCOTT ERIK ASPHAUG
DAVID N. BLANKFELD
SUSAN DUNAWAY
KATIE GAETJENS
PATRICK HENRY
JENNY M. MORF
MATTHEW O. RYAN
KATHRYN A. SHORT
AGNES SOWLE
JOHN S. THOMAS
JACQUELINE A. WEBER
Assistants

MEMORANDUM

TO: Board of County Commissioners
Diane Linn, Chair
Maria Rojo de Steffey, Commissioner
Serena Cruz, Commissioner
Lisa Naito, Commissioner
Lonnie Roberts, Commissioner

FROM: Thomas Sponsler

DATE: November 1, 2001

RE: 2000-2001 Annual Report

INTRODUCTION

Our office has fourteen lawyers and seven support staff. We provide legal services for all county officers and departments. This *Annual Report* summarizes the legal services we provided to county clients last year.

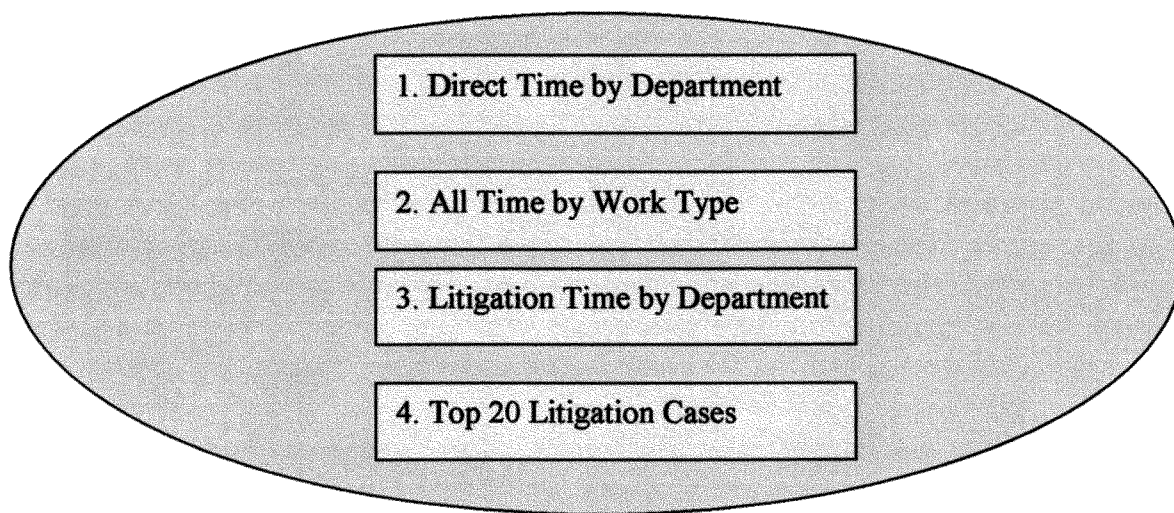
During the fiscal year 2000–2001, we provided 21,981.70 hours of direct legal services for litigation, legal consultation, legal document preparation and review, and client training.

We provided advice to all County departments regarding labor and employment issues working with the Human Resources staff, supervisors and managers, and Labor Relations to resolve employment-related matters. We also responded to discrimination complaints filed with Oregon's Bureau of Labor and Industries and the Equal Employment Opportunity Commission.

We are working with the Department of Support Services to reorganize, consolidate and update the county personnel rules. We plan for them to be adopted as a new Executive Rule and publish them in one compilation with Charter, Code and Resolution provisions relating to county officers and employees. County personnel policies and practices will then be much easier to find and use. We believe this will help reduce future employment claims and lawsuits.

GRAPHS

Graphs 1-4 outline how we spent our legal service hours.



Graph 1 shows that the greatest amount of direct service time was devoted to the Sheriff's Office. The total hours for the Sheriff decreased by 531.5 from 1999-2000. Last year 29% of all our time went to the Sheriff; in 1999-2000 it was 33%. The hours spent on Health Department legal matters increased from 1,223.5 to 2,464.5 hours, up from 7% the prior year to 11% of our time. This is almost entirely due to the defense of serious cases brought against the Corrections Health Division. Also, time in previous years that may have been coded to the Sheriff was correctly coded to Corrections Health. This also explains some of the decrease in service hours to the Sheriff.

Graph 2 depicts direct service hours expended by the various work types. Litigation consumed 58% (up from 57%) of our time. Percentage of time spent in preparation and review

of contracts and other legal documents (15%), legal consultation (26%), and client training (1%) remained about the same.

Graph 3 shows litigation time by department. At 42% (down from 50%) of the litigation time, the Sheriff is still our biggest client. The greatest change was Health Department litigation that increased from 882.3 hours in 1999-2000 to 1,784.4 hours last year, an increase from 7% to 14% of our litigation hours. This is due to an increase in time spent on Corrections Health cases and to changes in timekeeping practices that in previous years attributed time spent on some Corrections Health cases to the Sheriff. Litigation time for Community Justice decreased from 1,800.6 to 779.1 hours, primarily the result of the conclusion of several employment cases. The Department of Sustainable Community Development continued as our second biggest litigation client at 2,837.20 litigation hours (22%).

Graph 4 shows our Top 20 Cases by Litigation Time. This past year the Sheriff had 8 of the cases down from 10 in 1999-2000. Community Justice cases in the top 20 were fewer, from 4 to 1. The Health Department went from none in the top 20 cases to 4. Sustainable Community Development remained constant at 4 cases. In the past fiscal year, the total top 20 cases accounted for 57% of all litigation hours. In 1999-2000 the top 20 cases accounted for 61.4%.

Attached is a report by the Litigation Manager, Gerry Itkin. It contains additional information about litigation activities and the current status of County litigation, including information about claims frequency and losses paid. The County continued to restrain liability losses in the past fiscal year. However, given the serious nature of current cases pending and the uncertain future of the Oregon Tort Claims Law, it will be difficult to maintain that restraint.

EFFECTIVE RATE

The effective rate paid for each hour of direct legal service was \$87.41. This rate saved the County and taxpayers a significant amount of money from rates charged by private law firms.

Legal fees charged by Portland firms for representing government clients now range from \$150 to \$300 per hour. Our rate is also less than that charged by other government law firms.

The increase from 1999-2000 (\$82.83) is \$4.58 and of that amount about \$4.35 is due to the increased building charge from the office move to the Multnomah Building. This means that aside from rent, our costs only increased by \$0.23 per hour or less than 1/10th as much as the 3% rate of inflation.

Of all hours reported by County Attorneys 82.3% went to direct client legal services. This means we continue to spend less than 18% of our office time on administrative and professional development services. The average number of direct legal service hours provided during the fiscal year by each lawyer increased from 1,516 to 1,570. The following chart summarizes the effective hourly rate computation:

Total Hours Reported		26,705.91
Direct Service	(82.3%)	21,981.70
Non-Direct Service	(17.7%)	4,724.21
Administrative	(12.6%)	3,355.71
Professional	(05.1%)	1,368.50
14 Lawyer FTE Average Hours		1,570.12
Office Actual Budget Expenditures		\$1,981,972.21
Less Professional Services		\$60,555.60
Net		\$1,921,416.61
Divided by Direct Service Hours		21,981.70
Effective Hourly Rate		\$87.41

PROLAW

During the past fiscal year we installed and began using ProLaw, a new case management computer database. We converted the time recorded in Timekeeper to ProLaw and since May 2001 we have been recording our time and opening all new matters in ProLaw. We are now beginning to use the database to manage all of our matters, contacts and documents in our practice areas. The new software permits us to combine case management, matter contacts and timekeeping in a single electronic system.

We will ultimately use ProLaw as our complete document management system, including full-text indexing, document assembly and timekeeping. It will allow us to track literally anything created in the performance of legal services: word processing documents as well as images, spreadsheets, videos, audio and charts. We expect to have ProLaw fully implemented by the end of the current fiscal year.

CONCLUSION

We have now compiled three years of reliable legal service data. This permits us to quantify the hours of legal services, the nature of the services and the clients that receive services. The data allows us to more efficiently manage, monitor and deploy county legal assets.

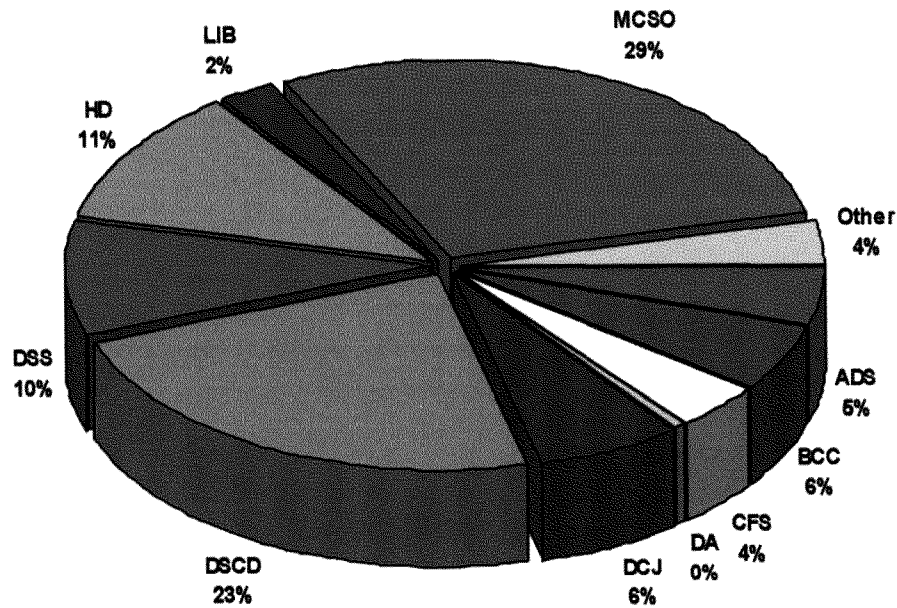
Three statistics particularly show the efficiency of the County Attorney Office:

- (1) Over 82% of lawyer office hours go to direct legal services;
- (2) Each lawyer averages 1,570 direct service hours per year; and
- (3) The cost of each direct service hour is \$87.41.

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

Direct Service Time to Departments

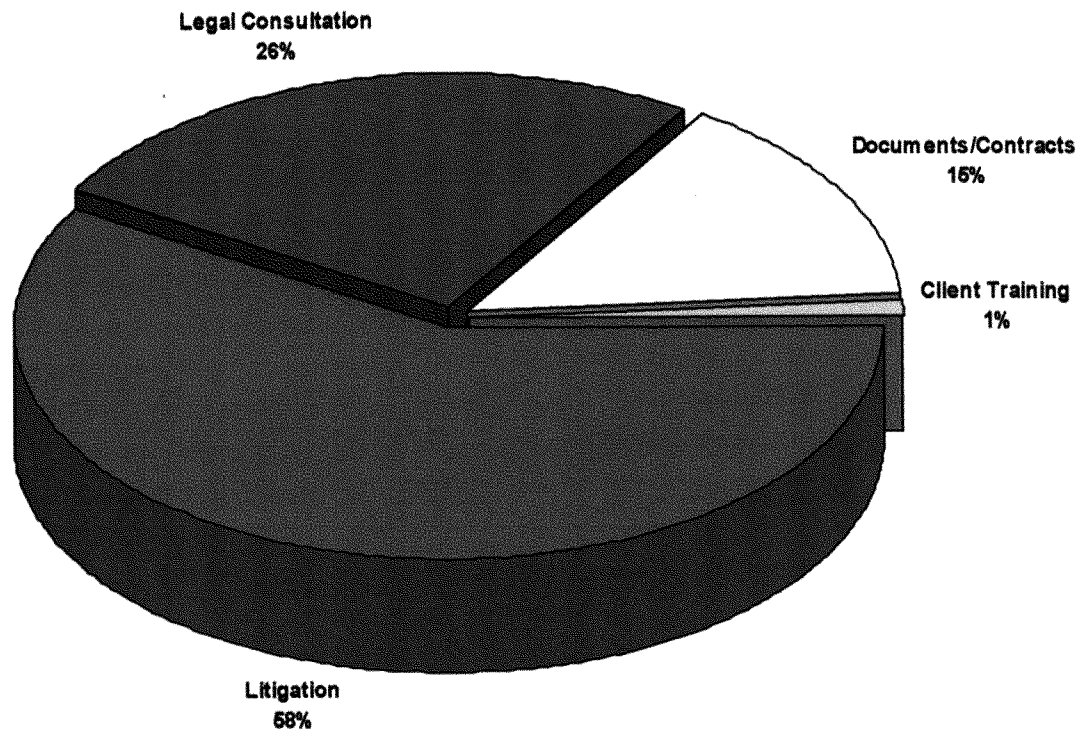
7/1/00 through 6/30/01



Department	Hours
Sheriff	6,350.10
Sustainable Community Development	5,116.30
Health Department	2,464.50
Support Services	2,104.70
Community Justice	1,420.00
Board of Commissioners	1,232.70
Aging & Disability Services	1,046.70
Community and Family Services	863.40
Other County	788.50
Multnomah County Library	529.40
District Attorney	65.40
	21,981.70

Direct Service Time

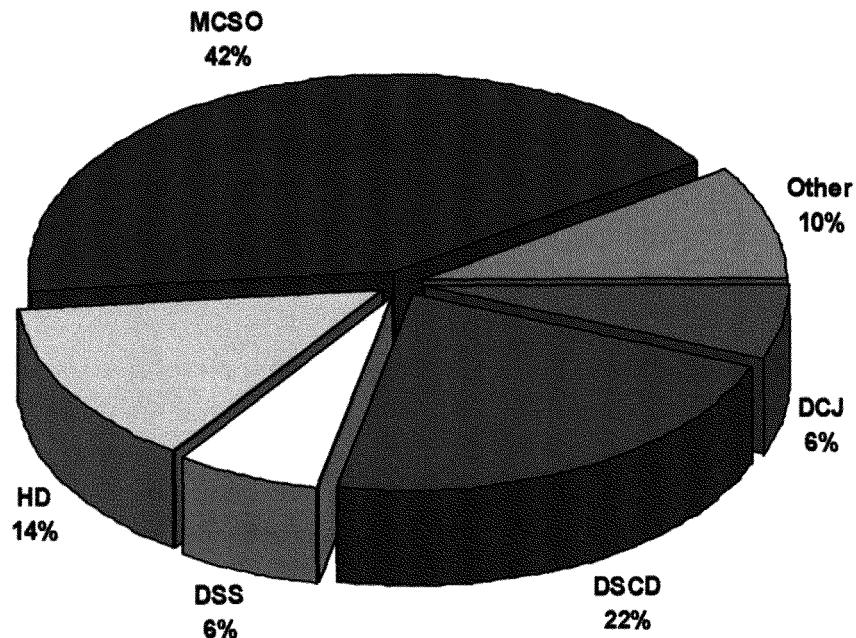
7/1/00 through 6/30/01



Work Type	Hours
Litigation	12,819.30
Legal Consultation	5,705.90
Documents/Contracts	3,211.10
Client Training	245.40
	21,981.70

Litigation Time by Department

7/1/00 through 6/30/01



Department	Time
Sheriff	5,374.30
Sustainable Community Development	2,837.20
Health Department	1,784.40
Support Services	819.90
Community Justice	779.10
Other County	498.40
Aging & Disability Services	482.70
Board of Commissioners	97.30
Multnomah County Library	92.10
District Attorney	33.80
Community and Family Services	20.10
	12,819.30

Litigation Time - Top 20 Cases

7/1/00 through 6/30/01

573 total open litigation files

<i>Community Justice</i>				1 of 26 open litigation files	Total	% of Dept's Lit
0085-00	AS	Serrano, Carie v. Multnomah County			393.20	
					393.20	779.10 50.5%
<i>Health Department</i>				4 of 38 open litigation files	Total	% of Dept's Lit
0416-98	SEA	Klarquist, Peter S. v. Multnomah County, Robert Salisbuy and Riek			891.10	
0351-00	GHI	Vazquez-Vargas, Vianey v. Multnomah County, Chan, OHSU, Stei			216.40	
0333-00	AS	Hess, Cardina vs. Multnomah County & Teschner			211.50	
0260-98	AS	Price, Raymond K. v. Multnomah County			128.00	
					1,447.00	1,784.40 81.1%
<i>Other County</i>				1 of 22 open litigation files	Total	% of Dept's Lit
0240-00	SMD	Kimoto, James v. Multnomah County, et al			257.80	
					257.80	58.7%
<i>Sheriff</i>				8 of 227 open litigation files	Total	% of Dept's Lit
0548-97	GHI	Gafford, Reginald Brian (Death Investigation)			1,167.60	
0167-00	SEA	Beckel, Jon R. v Multnomah County Sheriff's Office			363.60	
0144-00	SMD	Biberdorf, Lowell C. v. State of Oregon, Multnomah County, et al			251.70	
0189-99	SEA	Rohrscheib, Michael A. v. Multnomah County Sheriff's Office, et al.			222.70	
0246-00	JMM	Sousa, Eugene v. Multnomah County, et al			208.10	
0336-98	SMD	Canell, Alvin Howard v. Multnomah County			200.40	
0106-00	JMM	Donald, Aaron v. Multnomah County, Dan Noelle, et al.			138.80	
0245-00	JMM	Hobson, Paul Noren, et al v. Multnomah County, et al			111.60	
					2,664.50	5,315.20 50.1%
<i>Support Services</i>				2 of 65 open litigation files	Total	% of Dept's Lit
0154-00	TS	McIntire, Don, et al v. Bill Bradbury, et al			130.60	
0003-98	GHI	Administrative-Open Tort Claims			123.90	
					254.50	819.90 31.0%
<i>Sustainable Community Development</i>				4 of 117 open litigation files	Total	% of Dept's Lit
0249-99	SND	Frevach Land Co. (Fred's Marina) v. Multnomah County			1,217.60	
0373-99	SND	SFG Income Fund, LP v. May and Multnomah County			611.50	
0033-98	JST	Sellers Condemnation - SE 257th and Orient Dr.			250.10	
0294-00	AS	Nicholas, Larry F. v. Stein, Farver and Multnomah County			148.90	
					2,228.10	2,837.20 78.5%
Total Litigation Hours for these Cases					7,245.10	
Total Litigation Hours - All Departments					12,701.10	
% of Total Litigation Hours for these Cases						57.0%

COMMUNITY JUSTICE

Carie Serrano v. Multnomah County – (393.20 hours)

This former on-call Custody Services Specialist in Juvenile Community Justice was discharged when we learned that she had married one of the youth who had been housed at Donald E. Long home and who she had supervised. We have a policy against our employees entering into personal relationships with the youth without permission. She filed a lawsuit based on freedom of association, privacy, gender discrimination, marital status discrimination. On 9/10/01, we won the case on summary judgment.

HEALTH DEPARTMENT

Peter Klarquist v. Multnomah County, et al. – (891.10 hours)

Plaintiff, an inmate at the Multnomah County Detention Center, self-enucleated his eyes while in a psychotic state brought on by his failure to take his psychotropic medications. In his federal lawsuit, plaintiff contended that his civil rights were violated by the County, MCDC Corrections Officers and Corrections Health staff. Plaintiff alleged the County failed to adequately train the corrections officers and that the Corrections Health policies were inadequate to ensure the safety of mentally ill inmates at the facility. Individual defendants were also sued on negligence grounds. After extensive investigation and discovery, the County eventually settled the lawsuit by purchasing an annuity, which will provide long term support for plaintiff.

Vianey Vazquez-Vargas v. Multnomah County, et al. – (216.40 hours)

This is a medical malpractice case of an eight-month old baby who was a patient in our primary care clinic. She was diagnosed as having Viral Meningitis and who was expected to recover with no intervention. In fact, the child had TB Meningitis and suffered a debilitating stroke the neurological deficits of which are profound and permanent. Trial is set May 2002.

Carolina Hess v. Multnomah County, et al. – (211.50 hours)

This former employee of the Health Department claims she was subjected to racial discrimination and a hostile work environment. She cites a litany of incidents she believes demonstrate discrimination, all of which are facially non-discriminatory. Motions for summary judgment have been filed and oral argument is set for 10/22/01. Trial is scheduled for January 2002.

Raymond Price v. Multnomah County – (128.00 hours)

This former employee of the Health Department claimed he was retaliated against and discharged for requesting FMLA rights. He also claimed age and race discrimination. We won the case on summary judgment in July.

OVERALL COUNTY

James Kimoto v. Multnomah County, et al. – (257.80 hours)

Plaintiff brought a negligence claim against Multnomah County Animal Control after he was attacked and bitten by three dogs and as a result suffered a heart attack and other injuries. Defendant Multnomah County filed a motion for summary judgment and asserted all the actions taken by the animal control officers were based on the Multnomah County Code provisions related to animal control. Therefore, the County was entitled to discretionary immunity. The court granted the County's motion and granted summary judgment. The plaintiff did not appeal.

SHERIFF

Reginald Gafford v. Multnomah County, et al. – (1,167.60 hours)

This was a civil rights wrongful death case concerning an inmate who died in a scuffle with five corrections deputies in the Justice Center. After extensive motions practice and trial preparation, we settled the case when the trial judge made several critical adverse rulings, which would have materially harmed our case. The settlement was for \$200,000.

Jon Beckel v. Multnomah County – (363.60 hours)

In this medical malpractice case, Mr. Beckel died from a subdural hematoma he suffered in a fall prior to coming to the Justice Center. It is argued that we negligently failed to monitor him and detect the signs of his worsening condition as well as making things worse by roughing him up. Trial is set for March 2002.

Lowell Biberdorf v. Multnomah County, et al. – (251.70 hours)

Plaintiff brought a 42 USC Section 1983 action as well as state claims in Federal Court alleging that the Sheriff's Office and an individual defendant (Robert Vanderbeck, corrections counselor) violated the plaintiff's rights by failing to give plaintiff three and a half months of credit for time served. The most important issue thus far has been when does a cause of action for false imprisonment under state and federal law begin to accrue. Thus far the court has decided that accrual does not begin until release and therefore denied the County's Motion for Judgment on the Pleadings. This may be an issue on appeal; in the interim this case is still in discovery with dispositive motions due in January 2002.

Michael Rohrscheib v. Multnomah County, et al. – (222.70 hours)

Plaintiff, an inmate at MCDC, brought this federal action, alleging numerous violations of his civil rights, including assaults by corrections officers, dietary and medical improprieties and improper administrative punishments. All of the allegations were without merit and many hours were expended to prepare the case for trial. On the eve of trial, the plaintiff dismissed the case.

2000-2001 COUNTY ATTORNEYS ANNUAL REPORT

Eugene Sousa v. Multnomah County, et al. – (208.10 hours)

Fed Court: 8th Amendment Deliberate Indifference and medical malpractice case against Multnomah County and Nurse Baxter. Plaintiff was incarcerated for 5 hours and claims denial of medical treatment to swollen knee. We filed a summary judgment motion on constitutional claim and settled the negligence claim for \$1,500.

Alvin Canell v. Multnomah County – (200.40 hours)

Plaintiff brought thirty-six claims in Federal Court alleging that various conditions of confinement from the way food is handled, to adequacy of law library, to double bunking. Defendant filed a Motion for Summary Judgment for all claims. The court granted summary judgment on all claims. Plaintiff did not appeal.

Aaron Donald v. Multnomah County, et al. – (138.80 hours)

Fed Court: 8th Amendment Deliberate Indifference and medical malpractice against Multnomah County, Grant County, and respective Sheriffs. Injury to thumb not properly treated. Deliberate Indifference summary judgment motion was successful, case remanded to state court. Working on settlement of Negligence claims in State Court.

Paul Hobson v. Multnomah County, et al. – (111.60 hours)

Class Action suit brought by former inmate claiming that Multnomah County does not provide dental or psychological care at the Constitutional minimum. Case was DISMISSED

SUPPORT SERVICES

Don McIntire v. Multnomah County, et al. – (130.60 hours)

We represented Vicki Ervin, elections officer, in case challenging disqualification of initiative petition signatures. On cross motions for summary judgment, trial court concluded State law violated Federal due process because of defective notice. The State approved notice did not inform electors that inactive registration status made them ineligible to sign petitions until they reregistered. Secretary of State agreed to adopt administrative rule requiring election officials to use constitutional notice. State and County paid \$60,000 attorneys fees - State 2/3rd and County 1/3rd.

Administrative – Open Tort Claims – (123.90 hours)

This is the work Mr. Itkin does daily on reviewing/triaging/resolving tort claims which are filed against the County. We receive 300-400 annually.

SUSTAINABLE COMMUNITY DEVELOPMENT

Frevach Land (Fred's Marina) v. Multnomah County – (1,217.60 hours)

This was a Federal Court case against the County Planning Department arising out of a Stop Work Order for grading without a permit. Plaintiff asserted several § 1983 claims. It was settled several days before trial for \$75,000.

SFG Income Fund v. Multnomah County, et al. – (611.50 hours)

This was a State Court claim by defendant May, an appraiser, against the County for misrepresentation by a County Land Use Planner. In October 2000 there was a six day trial (May's case-in-chief) and the Court granted the County's Motion for Directed Verdict. May has appealed and its brief is due at the end of October.

Sellers Condemnation – SE 257th and Orient Drive – (250.10 hours)

This case involved the acquisition by eminent domain of a small triangular shaped parcel of land needed for the new intersection that is planned at 257th and Orient Drive. This case went to trial in December 2000 and was settled at trial after all of the County's pre-trial motions were granted. It is rare that eminent domain is required to acquire property for street right of way and even rarer that such cases go to trial. During this fiscal year, the county acquired several other properties for this and other projects by negotiation.

Larry Nicholas v. Multnomah County, et al. – (148.90 hours)

This former Director of DES claims he was discharged because of his age, gender, race, and in violation of his contract rights. In addition he claims defamation and false light due to an *Oregonian* article in which a county official was quoted. The case is in the process of discovery.



OFFICE OF MULTNOMAH COUNTY ATTORNEY

THOMAS SPONSLE
County Attorney

SANDRA N. DUFFY
GERALD H. ITKIN
Deputies

501 SE. HAWTHORNE, SUITE 500
PORTLAND, OREGON 97214

FAX 503.988.3377
503.988.3138

SCOTT ERIK ASPHAUG
DAVID N. BLANKFELD
SUSAN DUNAWAY
KATIE GAETJENS
PATRICK HENRY
JENNY M. MORF
MATTHEW O. RYAN
KATHRYN A. SHORT
AGNES SOWLE
JOHN S. THOMAS
JACQUELINE A. WEBER
Assistants

MEMORANDUM

TO: Multnomah County Board of Commissioners

FROM: Gerald H. Itkin, Deputy County Attorney

DATE: November 1, 2001

RE: Status of Litigation

Executive Summary

- Employment litigation is increasing nationally
- Multnomah County employment litigation is up substantially
- Major non employment tort litigation is experiencing a spike - particularly wrongful death and medical malpractice
- The Jensen case, currently before the Oregon Supreme Court, poses a threat to the limitation on damage awards the County now enjoys - potential impact: \$20 million
- There is too much litigation to be safely handled at current staffing levels
- Alternative of sending cases out for private firms to defend is very expensive
- A temporary part-time attorney is assisting while we analyze the situation to determine if this is a temporary or permanent problem

I. BACKGROUND

Oregon law requires that the County defend and indemnify its employees against all suits brought against them. ORS 30.285. The County Attorney performs this function as well as defending claims and suits against the County itself as directed by MCC 7-201(G). The County Attorney has five and ½ attorneys assigned litigators. There is also a litigation paralegal.

In the last decade the percentage of County Attorney time spent on litigation has risen from approximately 50% to 58% even while non-litigation legal service time has also risen.

A temporary litigation attorney is currently assisting as we determine if the current caseload is an anomaly or permanent condition. We will not request an additional permanent lawyer unless and until we are certain of the need.

II. PHILOSOPHY OF COUNTY'S LITIGATION DEFENSE

- No nuisance value paid
- When liability is reasonably clear we make a fair offer
- Otherwise we litigate
- Litigation is very time labor intensive
- Result: we are regarded in the community by the plaintiffs' bar as not an easy mark and this dissuades marginal claims.

III. NEED FOR PROACTIVE RISK MANAGEMENT

- The county seeks to minimize risk by proactively analyzing potential risks and taking steps to minimize them
- This task is complex and difficult
- Responsibility was shared between DSS/Risk Management and County Attorney
- County Attorney role is undermined by active caseload volume
- The DSS's role was reduced by the recent elimination of the position of County Risk Manager

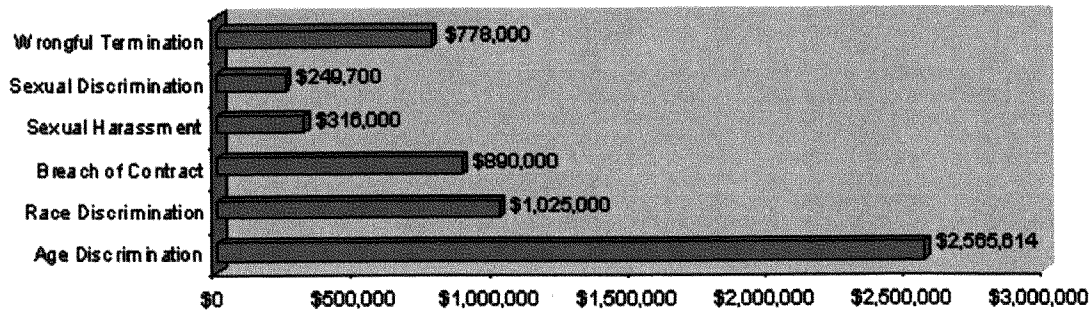
IV. LITIGATION TRENDS

• National Employment Lawsuit Trends

In the past few years there has been a tremendous increase in the number of employment related Civil Rights lawsuits in Oregon and nationwide. In 1988, 8,500 employment related lawsuits were filed in Federal District Courts nationally; in 1997, it was 28,000. Oregon Federal District Courts had 50 employment related Civil Rights suits filed in 1988; in 1997, that number increased to 349. The most recent years numbers are not available, but it is estimated that there are 450 employment lawsuits filed in the United States everyday. Twenty percent of the civil litigation in the United States now involves employment related issues. Multnomah County has followed this trend.

Further, statistics show that the employment discrimination cases that actually proceed to trial result in verdicts for the plaintiffs approximately two-thirds of the time. When defendants lose employment cases at trial the verdicts are often very large. One source estimates that the average damage award employers must pay in employment related lawsuits is \$650,000. Recently federal juries in Portland have awarded verdicts of \$1.68 million and \$1.2 million, and a jury in Clackamas County recently awarded nearly \$3 million. The following graph demonstrates average settlement awards in the United States by claim type.

Average Settlement Awards



The defense of these cases is expensive even where the employer has settled before trial or wins the case. A recent survey by the Chamber of Commerce found that half of the companies sued for employment related claims spent over \$50,000 per claim and one-third spent more than \$100,000 per claim in defense expenses alone. These include claims that were settled prior to trial.

• Our Employment Data

Unfortunately, but not surprisingly, the County is tracking along with the national and local statistics. Currently we are defending eight employment lawsuits. Almost all of them claim at least \$300,000 for pain and suffering, plus back pay, plus front pay, and attorney fees and costs. In addition, some seek punitive damages against individual employees they have named in the lawsuit. Any adverse verdict would include a judgment similar to those outlined above, plus an award of attorney fees typically in excess of \$100,000.

Employees must file employment claims with the Bureau of Labor and Industries or EEOC before they can file a lawsuit based on federal claims. They must give us a tort claim notice if they intend to file a lawsuit based on state claims. Therefore we always have a reasonable expectation of employment lawsuits. Based on current administrative and tort claims, we expect between 7 and 10 lawsuits within the next few months. In addition, we expect that the tight County budget and restructuring will result in additional claims.

We have on occasion hired outside counsel for cases. The cost has been high. In the Mockler case, tried a few years ago by outside counsel, we paid \$222,539 in attorney fees and lost the case. The Sabatini case was tried by outside counsel, but we provided the second chair and performed much of the preparation work in house. Still, we spent \$71,839 on that litigation. Most recently, we hired outside counsel to defend individual defendants in the Pool case. We represented the County and the Sheriff and did as much of the work as we could for the outside counsel and won on summary judgment, but still paid \$38,152. Further, we hired outside counsel to prepare the appellate brief in that case, that cost another \$34,839.

Generally, our strategy is to investigate employment claims to determine whether any actions might result in liability and if so, to attempt to negotiate a settlement before we receive formal

claims. We do not recommend settlement for "nuisance value" of employment claims because it encourages additional claims. When faced with an employment lawsuit that will not be settled, we defend it vigorously and try to win on summary judgment before trial. This is essential, because the risks at trial are so great. We have had good success winning such summary judgment motions. However, a successful summary judgment motion requires an enormous amount of investigation, discovery and briefing. It generally occurs shortly before trial.

- **Our Non Employment Tort Data**

If the Jensen case eliminates the tort claim limit currently enjoyed by Multnomah County under Oregon Law, we anticipate that County reserves will need to be increased by \$20,000,000.

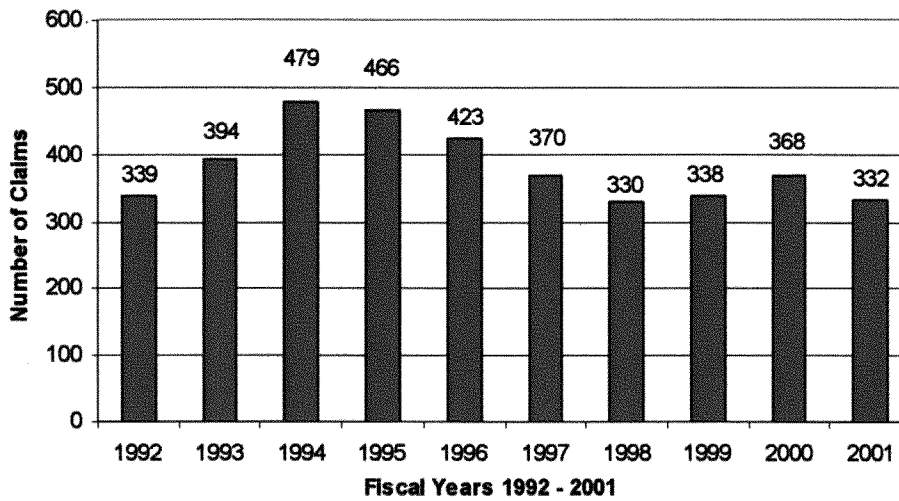
Examples of the serious non-employment cases currently open include:

- Wrongful Death-failure to diagnose subdural hematoma
- Wrongful Death-failure to diagnose liver cancer
- Wrongful Death-failure to diagnose heart attack
- Wrongful Death-failure to prevent or respond to suicide
- Wrongful Death-failure to timely serve process in products liability case
- Permanent brain injury to infant-failure to diagnose TB Meningitis
- Four (4) administration of incorrect drugs or dosage
- Failure to diagnose lung infection resulting in surgical removal of the lung

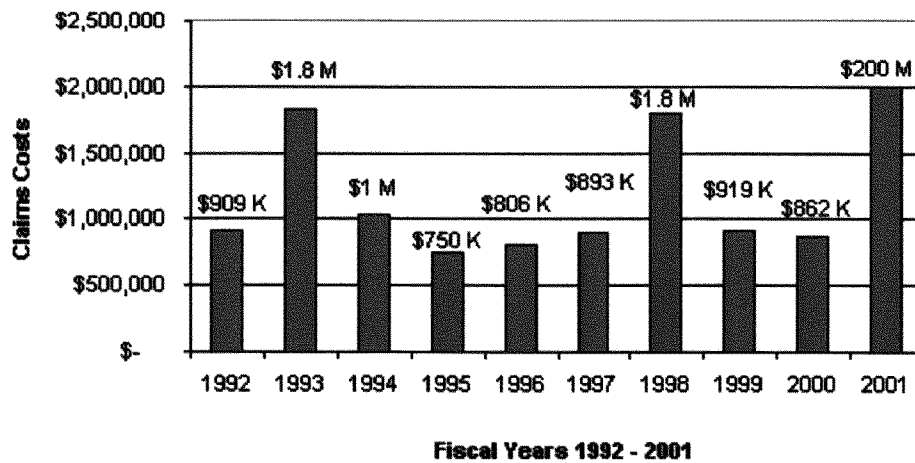
As recently as FY97 the County Attorney's Office direct service hours were approximately 50% litigation. They are now over 58%. In this same time period the number of direct service hours for non-litigation has actually increased. The complexity and severity of cases requires this large application of direct service hours. For example, in FY01, one case had over 1,100 hours of work and this case had been open for several years. Another had nearly 900 hours. Both of these cases ultimately were settled. Had they gone to trial the hours would have been substantially greater.

The good news is that these claims have not increased in absolute numbers...the bad news is that they are growing substantially in complexity and potential liability. This means proactive risk management efforts must be increased. Current staffing of the risk management function does not permit this and presages an increase in overall claims. The County Attorney's role in proactive risk management is also compromised as a result of the spike in litigation. It is hoped that the use of the relatively inexpensive temporary attorney will allow more time for us to work proactively and avoid such a permanent increase.

LIABILITY CLAIMS FREQUENCY



LIABILITY CLAIMS LOSSES



In FY01 alone, there were six new claims opened with the following future reserves: \$325,000, \$275,000, \$250,000, \$250,000, \$205,000, and \$120,000. These claims have the potential for far greater losses if Jensen is decided against our interests. In that event the reserves will be adjusted substantially upward. These six claims account for \$1,425,000 of the total amount of \$2,000,000 for this fiscal year to date. The remaining 326 claims make up the balance of \$575,000. An adverse decision in Jensen would result in the reserves for these cases alone being increased tenfold.

V. ALTERNATIVES

- Settle cases sooner with less work...this is "Robbing Peter to pay Paul" and is expensive in the short run; moreover, it encourages marginal cases being brought thus increasing the litigation load and is self defeating.
- Send cases out for private sector defense. Very expensive, e.g., one case costs \$100,000 to \$250,000 to prepare through trial and no one case would significantly reduce workload.
- Expand staffing levels temporarily to insure high quality in-house defense of cases.
- Monitor claim and caseload numbers and complexity and analyze staffing levels to see if permanent adjustments need to be made.



OFFICE OF MULTNOMAH COUNTY ATTORNEY

THOMAS SPONSLE
County Attorney

SANDRA N. DUFFY
GERALD H. ITKIN
Deputies

501 SE. HAWTHORNE, SUITE 500
PORTLAND, OREGON 97214

FAX 503.988.3377
503.988.3138

SCOTT ERIK ASPHAUG
DAVID N. BLANKFELD
SUSAN DUNAWAY
KATIE GAETJENS
PATRICK HENRY
JENNY M. MORF
MATTHEW O. RYAN
KATHRYN A. SHORT
AGNES SOWLE
JOHN S. THOMAS
JACQUELINE A. WEBER
Assistants

MEMORANDUM

TO: Dan Noelle, Sheriff

FROM: Jacqueline A. Weber (503/500)
Assistant County Attorney

Cc: Thomas Sponsler
County Attorney

DATE: October 29, 2001

SUBJECT: Annual Report: Fiscal Year 2000-01

This is the third annual report to the Sheriff regarding legal services provided by County Attorney's Office. We provided a total of 6,358 hours of legal services in 2000-01, compared to 6,746.10 hours in fiscal year 1999-00, and 5,860 hours in 1998-99. Although total hours of legal services are slightly less for the past fiscal year, the Sheriff's Office continues to be the highest user of direct legal service hours for the County. As detailed below, litigation hours have decreased while advisory service hours have increased for the second year. Although these numbers are not significant enough to indicate a trend in terms of what to expect in future years, we do believe they illustrate that the Sheriff's Office proactive use of county attorney time is a positive risk management tool, and an effective utilization of County Attorney's services. Of particular note is the fact that we provided 24.70 hours of legal training to the Sheriff's Office, and increase over the 15.50 hours provided in the last fiscal year. As we have often stated, the county cannot control whether claims are filed, but can through awareness and training, influence whether claims are successful.

LITIGATION

During this fiscal year, total litigation hours were 5374.30, a decrease from 5,919.90 hours in FY 99-00. The lawyers who worked on these cases include Scott Asphaug, David Blankfeld, Susan Dunaway, Gerry Itkin, Jenny Morf, Kathy Short, Agnes Sowle, and Jacquie Weber.

The lawsuits filed in FY00-01 involving the Sheriff's Office fall into five major categories: Labor and employment, false imprisonment, excessive force, and conditions of confinement.

1. Labor and Employment

This area potentially exposes the county to the highest risk in dollars and employee disruption. We continue to believe that training can immediately and substantially reduce this risk. No new employment discrimination claims were filed against the Sheriff's Office this fiscal year. The Sheriff Office's anti-harassment policy, and the Sheriff's zero tolerance implementation of that policy is, we believe, a substantial factor. Continued training in this area, as well as continued early consultation with county attorneys when issues arise can only benefit the department and the county.

2. Tort Claims

As stated above, the lawsuits defended in the last fiscal year involving the Sheriff's Office fall generally into the categories of false imprisonment, excessive force, and conditions of confinement. Of the cases actively in litigation the last fiscal year, we have won Summary Judgment on two, settled two, four have been dismissed, and Summary Judgment Motions are pending in two. Only one is currently scheduled for trial. However, as detailed in the County Attorney report to the Board of County Commissioners, there were a significant number of tort claims filed in the last fiscal year that were either settled at the claims stage, or have not yet been filed as lawsuits.

3. False Imprisonment

The majority of the false imprisonment cases arise out of allegations of acts or omissions of the jail records unit. They involve claims based on time calculations, data entry errors, or incarceration of the wrong person on a warrant. Although we do not see a systemic issue that needs to be addressed at this time, training and continued review of rules and practices for the records unit are essential to reduce risk in this area.

Judgments and orders from the court continue to be an issue for the records unit. Communications from the court are not always clear, and occasionally are in conflict with the record unit's practices, written procedures, or understanding of the law. We will continue to work with Records to encourage the District Attorney's Office and the judges to discuss how best to address these issues.

4. Excessive Force

There are several high profile cases pending involving allegations of excessive force in Corrections. The *Beckel* case is scheduled for trial March 2002. Although the county has received tort claim notice on others, no lawsuits have been filed to date. The Sheriff's Office has

dealt with these situations swiftly and appropriately, which is of great help in defending the claims. We have identified no systemic training or other issues that need to be addressed. We are supportive of the Sheriff's Office proactive approach to minimize the possibility of such situations arising in the future, such as the booking remodel, and installing video imaging in the booking area.

5. Conditions of Confinement

We have identified no systemic issues that need to be addressed. A consistent source of litigation is by pro-se litigants alleging a variety of complaints related to their incarceration in the county's facilities. An emerging forum is small claims filings by inmates against county employees including corrections deputies. However, there have been no constitutional challenges to conditions of confinement.

Concealed Weapons Permits

Appeals to circuit court from the Sheriff's denial of concealed weapons permits are another source of litigation.

ADMINISTRATIVE HEARINGS

The administrative hearings involving the Sheriff's Office this fiscal year fall into five categories, worker's compensation; unemployment benefit appeals; labor grievances; Department of Labor (DOL) and Bureau of Labor & Industries (BOLI).

1. Workers' Compensation

The contested worker's compensation claims this fiscal year involved issues of whether the injury was work related (claim denial), or whether a new medical condition is related to an accepted claim. On two claims we entered into global settlements that included the claimant's resignation, the county lost at hearing on one, one was withdrawn by the claimant prior to hearing, and several are still pending, including a stress claim and two hearing loss claims. All the cases are very fact specific. We have identified no systemic issues that need to be addressed by the Sheriff's Office.

2. Bureau of Labor & Industries (BOLI)

One complaint was filed with BOLI alleging the employee was denied OFLA leave. We are awaiting the decision from BOLI.

3. Department of Labor (DOL)

Two DOL complaints were filed. One, alleging that the person's application for deputy was rejected because of illegal age and disability discrimination was dismissed. The second,

alleging the employee was discharged in violation of USERRA because of use of military leave, is pending.

4. Unemployment

The County contested the award of unemployment benefits to two corrections deputies who were terminated for cause. The County prevailed on one, and is awaiting a decision on the second.

5. Labor Grievances

The County Attorney's Office handled 3 labor grievances on behalf of the Sheriff's Office. We lost one at arbitration, the grievance related to overtime pay for training time was settled, and the third is still pending.

ADVISORY

Our office provided 951 hours of general legal services to the Sheriff's Office this fiscal year compared to 805 in FY 99-00. The lawyers providing these services are Tom Sponsler, Sandra Duffy, Susan Dunaway, Kathy Short, Agnes Sowle and Jacquie Weber.

The Sheriff's Office continues to be proactive in seeking legal advice. This is a substantial factor in reducing risk. County attorneys advise the agency on a variety of issues on a daily basis, including prisoners' rights, public records, contracts and personnel. Training on legal issues encourages management to be proactive. It allows managers and supervisors to recognize legal issues and seek legal advice early in their decision making process. We believe the training conducted in the last fiscal year was successful. We are encouraged and look forward to working with the agency to design and conduct additional training about legal issues. We encourage the agency to identify legal issues for us to address.

Please let me know if you have any questions or comments regarding this report, or if you would like additional information regarding any of the issues or cases summarized.



OFFICE OF MULTNOMAH COUNTY ATTORNEY

THOMAS SPONSLE
County Attorney

SANDRA N. DUFFY
GERALD H. ITKIN
Deputies

501 S.E. HAWTHORNE, SUITE 500
PORTLAND, OREGON 97214

FAX 503.988.3377
503.988.3138

SCOTT ERIK ASPHAUG
DAVID N. BLANKFELD
SUSAN DUNAWAY
KATIE GAETJENS
PATRICK HENRY
JENNY M. MORF
MATTHEW O. RYAN
KATHRYN A. SHORT
AGNES SOWLE
JOHN S. THOMAS
JACQUELINE A. WEBER
Assistants

MEMORANDUM

TO: Ginnie Cooper, Library Director

FROM: Matthew O. Ryan, Assistant County Attorney

Cc: Diane Linn, County Chair
Thomas Sponsler, County Attorney

DATE: October 29, 2001

SUBJECT: Second Annual Library Report: Fiscal Year 2000-01

The Office of County Attorney provided 529 hours of legal services to the Library in fiscal year 2000-2001. The purpose of this report is to summarize the Library's use of our legal services, what can be learned from the cases filed county-wide, and what training our office can offer to assist in reducing risk to the Library and the County as a whole. As we have often stated, the County cannot control whether claims are filed, but can, through awareness and training, influence whether claims are successful.

LITIGATION

There was approximately 90 hours in legal services provided by this office that were related to litigation matters. There was one significant lawsuit involving the Library filed during the past year. The lawyers who worked on these matters included: Thomas Sponsler, Kathy Short, Agnes Sowle, Scott Asphaug, Matthew Ryan and Jacquie Weber.

A complaint was filed with Oregon Bureau of Labor and Industries (BOLI) in February of 2000 by a library patron alleging the Library discriminated against him under the ADA in October of 1999. BOLI dismissed the claim in February of 2001. The same patron sent a Tort

Claim Notice to the County regarding the matter, but as of the date of this report there has been no additional correspondence or activity on that claim.

In February this year, the Board authorized the library to participate as a plaintiff in the ACLU lawsuit challenging the constitutionality of the federal Children's Internet Protection Act. The case was filed in the US District Court for the Eastern District of Pennsylvania. A three-judge court will hear it and the trial is set for February 2002. It is anticipated that the decision of the trial court will be appealed to the US Supreme Court. Our office has provided legal advice to library staff, reviewed pleadings filed in the case, and consulted and reviewed with staff library documents and responses to discovery requests from the federal government defendants.

Tort Claims

One significant tort lawsuit was filed against the County involving the Library during the past fiscal year. In *Malicoat v. Multnomah County*, the plaintiff alleged negligence against the County as a result of a fall on the front steps of the Central Library. The plaintiff suffered serious injuries, including the loss of an eye. The case is in the early phases of discovery. Scott Asphaug is the assigned attorney.

Labor and Employment

This area exposes the County generally to the highest risk in dollars and employee disruption. Employment complaints against the County generally continue to be made on a wide variety of bases. Although gender discrimination is the most often cited complaint, we have received claims based on race, age, religious and disability discrimination and on retaliation for resisting discrimination and whistleblowing. Employment complaints are filed in a number of venues, including federal court, BOLI, EEOC and the Merit Council.

The Library received one BOLI employment related complaint during Fiscal Year 2000-01. An applicant claimed that she was not hired because of her disability. She then filed a second complaint alleging that she was not hired for a subsequent position in retaliation for her filing her initial BOLI complaint. Prior to being investigated, the complainant removed the complaint from BOLI, indicating that she may go forward with a private lawsuit. However, to date no such suit has been filed. There was not any other significant litigation on these matters involving the Library during this period.

Administrative Hearings

The administrative hearings fall into two categories, worker's compensation and Merit Council.

Workers' Compensation: Our records indicate there were no significant workers compensation matters from the Library during the past fiscal year.

Merit Council: There were no cases from the Library before the Merit Council.

ADVISORY

Our office provided approximately 437 hours of general legal services to the Library during the past fiscal year. The lawyers providing legal services included Tom Sponsler, John Thomas, Matthew Ryan, Kathy Short, Agnes Sowle and paralegal Carol Kinoshita.

County attorneys advise the Library on a variety of issues on a daily basis, including: public records, contracts and personnel. In addition, the unique nature of the Library as a cultural and educational resource to the community necessitates the County Attorney be able to provide legal advice on diverse public access and freedom of expression issues. Finally, just as last year, there was extensive work done by this office assisting the Library (along with Facilities Management) in the acquisition and development of new properties for the Hollywood, Hillsdale and Northwest branches. This office devoted approximately 175 hours to the negotiations for the Hollywood Library project alone.

Two matters stood out during the past fiscal year and the few months since the year ended. First off, this office worked with Cindy Gibbon and Elizabeth Rothery, to implement an after hours trespass enforcement program for the central library and the branches in conjunction with the District Attorney's Office and local police. The second notable task, involved John Thomas and Matt Ryan working with June Mikkelsen and Darin Matthews in Facilities Management to remedy a problem with some 250 defective Library chairs acquired as part of the renovation and new construction of the branches.

In addition, this office provided legal advice on numerous personnel and employment matters, including: disability issues, religious and disability accommodation, FMLA issues and employee discipline.

Ginnie Cooper, Library Director
October 29, 2001
Page 4

TRAINING

During the past fiscal year, there was no extensive client training provided by the County Attorney to the Library.

Please let me know if you have any questions or comments regarding this report, or if you would like additional information regarding any of the issues or cases summarized.



OFFICE OF MULTNOMAH COUNTY ATTORNEY

THOMAS SPONSLE
County Attorney

SANDRA N. DUFFY
GERALD H. ITKIN
Deputies

501 S.E. HAWTHORNE, SUITE 500
PORTLAND, OREGON 97214

FAX 503.988.3377
503.988.3138

SCOTT ERIK ASPHAUG
DAVID N. BLANKFELD
SUSAN DUNAWAY
KATIE GAETJENS
PATRICK HENRY
JENNY M. MORF
MATTHEW O. RYAN
KATHRYN A. SHORT
AGNES SOWLE
JOHN S. THOMAS
JACQUELINE A. WEBER
Assistants

MEMORANDUM

TO: Cecilia Johnson, DSS Director (503/4th)
David Boyer, Finance Director (503/4th)

FROM: Kathy Short, Assistant County Attorney
Sandra N. Duffy, Deputy County Attorney
John S. Thomas, Assistant County Attorney
Matthew Ryan, Assistant County Attorney
Jacqueline A. Weber, Assistant County Attorney

cc: Thomas Sponsler
County Attorney

DATE: October 29, 2001

SUBJECT: Annual Report: Fiscal Year 2000-01

The purpose of this report is to summarize DSS' use of our legal services, what can be learned from the cases filed county-wide, and what training our office can offer to assist in reducing risk to DSS and the County as a whole. As we have often stated, the County cannot control whether claims are filed, but can, through awareness and training, influence whether claims are successful. The Office of County Attorney provided a total of 2,107 hours of legal services to the Department of Support Services in fiscal year 2000-01, compared to 1,264.6 in 1999-00 and 1,575.8 hours in 1998-99.

LITIGATION

During this fiscal year (2000-01), county attorneys spent 12,794.90 hours on litigation matters for the entire County, 12,254.30 hours in 1999-00 and 9,421.9 hours in 1998-99. The lawyers who worked on these litigation cases include Tom Sponsler, Gerry Itkin, Sandra Duffy, Susan Dunaway, Matt Ryan, Jenny Morf, Kathy Short, Agnes Sowle, John Thomas, Jacquie Weber, and David Blankfeld. There was a total of 818.9 hours spent on DSS litigation in 2000-

01. The lawsuits filed in 2000-01 fiscal year which might be of interest to Support Services include:

Labor and Employment

This area exposes the County to the highest risk in dollars and employee disruption. Employment complaints continue to be made on a wide variety of bases County-wide. During the 2000-01 fiscal year, the County received claims based on sex harassment, race, age, religious, gender and disability discrimination and on retaliation for resisting discrimination and whistleblowing. Employment complaints are filed in a number of venues, including federal court, BOLI, EEOC and the Merit Council.

As for DSS, two former employees filed tort claims notices in Fiscal Year 00-01, but no cases were filed.

Administrative Hearings

The administrative hearings fall into two categories, worker's compensation and Merit Council.

Worker's Compensation

Jacque Weber provides legal advice to the Workers' Compensation Unit on a regular basis pertaining to a variety of issues, including claims file reviews and feasibility of accept/deny decisions. In addition, she meets with the Workers' Compensation Unit and Johnston & Culberson, Inc. on a weekly basis to discuss current claims issues and pending litigation. She also represents the County in all worker's compensation litigation before the Worker's Compensation Hearings Division, the Worker's Compensation Board, and the Court of Appeals.

Merit Council

Helen Smith (Risk): She appealed her classification. The Council dismissed for lack of jurisdiction.

Deborah Larson (DSS): Appealed her dismissal. Hearing was set twice and employee cancelled both times. Nothing further occurred.

Assessment and Taxation

631.10 hours. This office provides litigation assistance to the Assessor and Tax Collector in administrative hearings and in the Tax Court. This work is done primarily by John Thomas.

County appraisers often appear at administrative hearings before the Department of Revenue and in the Magistrate Division of the Tax Court without counsel. This office provides advice to appraisers appearing in those proceedings as requested. This office appears on behalf of the County in the Magistrate Division in the more complex proceedings and in virtually all proceedings where the opposing party is represented by counsel. We appear in all matters in the Regular Division of the Tax Court. The subject matter of these cases includes appeals of the value placed on property by the assessor for tax purposes, appeals concerning the meaning of legislation enacted in response to Measure 50 and other matters of statutory interpretation. During the fiscal year this office handled approximately 25 tax cases of varying complexity and advised appraisers on the handling of many others. While the number of cases has diminished since the adoption of Measure 50, the cases that are filed tend to be more complex.

In addition, this office handled a lawsuit file by the State against all the Counties, (Dept. of Revenue v. Clerk of Baker County, et. al.). The case involved a dispute between the State and the Counties over various fees collected for recording of documents. The parties settled the lawsuit and the legislature amended the ambiguous statutes in question this year.

Elections

Tom Sponsler has primary responsibility for the Elections Division. There were 131 hours of service on litigation matters in fiscal year 2000-01 as compared to 164.1 hours in fiscal year 1999-00. The subject matter of this litigation was *Don McIntire v. Multnomah County, et al.* We represented Vicki Ervin, elections officer, in a case challenging disqualification of initiative petition signatures. On cross motions for summary judgment, trial court concluded State law violated Federal due process because of defective notice. The State approved notice did not inform electors that inactive registration status made them ineligible to sign petitions until they reregistered. Secretary of State agreed to adopt administrative rule requiring election officials to use constitutional notice. State and County paid \$60,000 attorneys fees - State 2/3rd and County 1/3rd.

Budget – None

Finance – 4 hours. Nothing of significance.

Purchasing – 6.8 hours. Nothing of significance.

Risk Management – 136.2 hours

Information Services – .6 hours. Nothing of significance.

Emergency Management – None

Deferred Compensation Plan – None

ADVISORY

Our office provided 1,179.20 hours of general legal services to DSS in 2000-01, compared to 2,354.7 hours in 1999-00 and 1,267.2 hours in 1998-99. The lawyers providing these services are Tom Sponsler, Sandra Duffy, John Thomas, Matthew Ryan, David Blankfeld, Katie Gaejtens, Patrick Henry, Gerry Itkin, Agnes Sowle, Jacquie Weber and Kathy Short.

County attorneys advise the agency on a variety of issues on a daily basis, including: statutory and county code interpretations, public records, contracts and personnel. Training on legal issues encourages management to be proactive. It allows managers and supervisors to recognize legal issues and seek legal advice early in their decision making process.

Labor and Employment

Some of the specific issues relating to employment matters included: wage and hour issues, specifically overtime pay for MERLIN and human resources employees, Americans with Disabilities Act, Personnel Rules, Family Medical Leave Act, assistance on internal investigation into unlawful discrimination, review of County application and H1B Visa applications; discipline and discharge.

Information Services

29.80 hours. This office provides legal advice to Information Services primarily in the area of contract preparation and review.

Purchasing

253.30 hours. This office provides general advice to Purchasing on a variety of matters that arise on a day to day basis including advice on preparation of bids and requests for proposal, protests of awards on contracts, preparation of new contract and bid documents and language for specific contracts and bid documents. This last year we prepared new forms for requirements contracts and associated bid documents.

Work has continued on the preparation of the new public contracting rules. Draft rules have been circulated and comments incorporated. These rules are nearly ready for release and will probably be released in January 2002 so that revisions to the Attorney General's Model Rules (effective January 1, 2002) can be incorporated.

Risk Management

250.5 hours. Jacquie Weber, Agnes Sowle and Gerry Itkin provide advisory work to this division.

Finance

88 hours. In the 2000-01 fiscal year we provided advice to finance on two revenue bond issues for construction of a new warehouse for the Oregon Food Bank and a new training facility for a non-profit provider, Port City. For both of these transactions the County issued revenue bonds, provided the proceeds of the bonds to the non-profits to allow them to build their facilities and then assumed ownership of those facilities under a lease-back arrangement. Lease payments from the non-profits will retire the bonds in 15 years and the non-profits will then own the facilities outright.

On behalf of the Deferred Compensation program, this office negotiated a new provider contract with Hartford Insurance earlier this year.

Elections

11 Hours. Tom Sponsler has primary responsibility for advisory work to this Division. It generally relates to interpretation of state constitutional provisions, state law, county charter and county ordinances.

Assessment and Taxation

202.90 hours. This office provides advice and training to the tax collection staff on a variety of issues including bankruptcy (with assistance of outside counsel on complicated matters) abandoned property (particularly mobile homes) and garnishments. We have continued our discussions with the state of Oregon on how to effectively and efficiently garnish income tax refunds of taxpayers that are delinquent in the payment of their personal property taxes and have come to an agreement on the form of the garnishment and how it is to be served.

Other routine work for this division includes contract preparation, review, and (on occasion) negotiation, preparation of the annual real property tax foreclosure and review of resolutions concerning uncollectable personal property tax accounts.

Finally, we provide legal advice to the County Recorder, and Cartographer and the Marriage License Bureau concerning recording of documents and maps, validity of license applications and other issues.

TRAINING

Several attorneys provided training to or in conjunction with DSS, including:

Labor and Employment

Workplace Harassment Training; Recruitment and Selection Training;
EEO/AA/Diversity Training; FMLA Training to HR Forum.

Please let us know if you have any questions or comments regarding this report, or if you would like additional information regarding any of the issues or cases summarized.



OFFICE OF MULTNOMAH COUNTY ATTORNEY

THOMAS SPONSER
County Attorney

SANDRA N. DUFFY
GERALD H. ITKIN
Deputies

501 S.E. HAWTHORNE, SUITE 500
PORTLAND, OREGON 97214

FAX 503.988.3377
503.988.3138

SCOTT ERIK ASPHAUG
DAVID N. BLANKFELD
SUSAN DUNAWAY
KATIE GAETJENS
PATRICK HENRY
JENNY M. MORF
MATTHEW O. RYAN
KATHRYN A. SHORT
AGNES SOWLE
JOHN S. THOMAS
JACQUELINE A. WEBER
Assistants

MEMORANDUM

TO: Mike Oswald
Department of Sustainable Community Development

FROM: John Thomas, Matt Ryan and Sandra Duffy
Assistant County Attorneys

cc: Thomas Sponsler
County Attorney

DATE: October 29, 2001

SUBJECT: Annual Report on Legal Services to the Department of Environmental Services:
Fiscal Year 2000-01

This is the first annual report to the Department of Sustainable Community Development. A report to the Department of Environmental Services was submitted to the Director of the Department of Environmental Services in December 2000. This report summarizes legal services provided to the department during the 2000-01 fiscal year. The Office of County Attorney provided 5,074 hours of legal services to the Department of Environmental Services in fiscal year 2000-01, up from 4,163 hours in 199-2000. The primary reason for the increase was litigation arising in Planning that required a significant time commitment from this office to defend. That litigation, now concluded, is discussed in more detail below.

The purpose of this report is to summarize legal services provided to DSCD and to assist the department in determining what other assistance, including training, that our office can offer to facilitate the work of DSCD. This report includes work for the Tax Title Section since that section is now part of DSCD under the Facilities Management Division.

This report will summarize our work done for Facilities Management, Planning, Animal Control, Transportation and Fleet, Records, Electronic and Distribution. There is also a brief

summary of litigation involving employment claims, tort claims and worker's compensation claims arising in this department.

Facilities Management

Our office provides general legal advice to the Facilities Management concerning contracts, leases and construction matters. All facilities contracts are reviewed before they are signed. This last year, in cooperation with Purchasing, an entirely new and revised draft of PCRB Rules was prepared and distributed for comment. These new rules closely follow the Attorney General's Model Rules with modifications to suit county practices and needs. A final draft incorporating comments and suggestions has been completed. We expect to present the final version to the Board acting as the PCRB Board in January 2002 so we can incorporate the latest changes to the Model Rules which become effective January 1, 2002.

During the past fiscal year, there was no litigation. We had a significant contract dispute with Norment on the detention electronics project for the justice center. Ultimately we resolved this matter by canceling the contract so we can rebid the work using another system. Several bid protests were resolved without suit being filed.

Other significant work included assistance to FM and the Library with negotiations for construction of a mixed-use project for the Hollywood Library. We completed work on the Oregon Food Bank and Port City projects. We also worked on a significant renegotiation of the purchase of the site for the Wapato Jail.

One major project that remains to be done is to revise the boilerplate for our major construction projects and to provide an appropriate boilerplate for architectural and engineering contracts. Time permitting, this will be done during this fiscal year.

The Tax Title Section is responsible for all the tax-foreclosed properties that are deeded to the County upon the completion of the tax-foreclosure process. Our office provides legal advice and services on a variety of issues to the Tax Title Section. Some of these issues include: Procedures for transfers to governments and non-profits for open spaces and low-income housing, auctions of surplus property; title searches, legal research on notice and rights of former owners; negotiations with former owners relating to resale and filing FED cases to remove people who illegally remain on County property.

In the past year there were no FED actions filed. But there were other matters that were time consuming and sometimes complex. Efforts were undertaken to address two properties that came to Tax Title, that were quite unusual. One is a functioning gas station the other is a condominium in the KOIN Tower. These efforts did not result in resolution yet, but we are confident that within the next few months we will be able to address both of these problems.

In addition, this office has provided legal services and advice with respect to contaminated Tax Title properties. One property allegedly contaminated with petroleum products and other industrial pollutants also was the scene of a drug raid in April because of a "meth-lab". We worked with the DA's Office and MCSO to execute a Writ of Assistance to get the violators off the property. The task ahead is to address the most advantageous disposition of the property for the County in conjunction with any necessary environmental clean-up work with DEQ.

Finally, we have been revising forms for Tax Title, such as the public notices and are presently working on the land sale contract form. And last and clearly not least we are working on a revision to a portion of Chapter 27 of the County Code to address Green spaces and other issues with property management and disposition.

Planning

Sandra Duffy has primary responsibility for advisory and litigation services to this division. In fiscal year 2000-2001 she provided 1,673 hours of services. This includes 1,302 hours of litigation services and the balance in advisory services. For comparison, in 1999-2000 she provided 1,437 hours of litigation services and 511.1 hours of advisory legal work.

The litigation included administrative land use matters which were appealed to the Land Use Board of Appeals, Court of Appeals and Supreme Court. The county filed two *amici* briefs on behalf of the Gorge Commission in the State of Washington. And, the County was a plaintiff, along with City of Eugene and City of Portland in a challenge to Measure 7 (the "takings" initiative).

There were also two tort claim matters arising out of the Planning Division which represent the bulk of the litigation hours this fiscal year. (SFG and Fred's Marina).

Advisory work consists of day-to-day advice relating to interpretations of state law and county zoning codes, procedural issues, public records matters, contract reviews, zoning ordinance reviews and attending Planning Commission and Board of County Commissioner meetings as needed.

Animal Control

Our office provides legal advice and services to the Animal Control Division for contract drafting and review, personnel and employment matters. We also provide legal services directly related to the Animal Control enforcement program. This most often consists of case-by-case advice and review. Animal Control enforces its regulatory scheme through an administrative enforcement program using volunteer attorneys as hearing officers. When those cases are appealed from the hearing officer's decision, we represent the County in circuit court. During the past year there was very little litigation work generated by Animal Control.

In the beginning of the year, Matt Ryan participated in the seemingly semi-annual Animal Control Hearings Officer Orientation and Training. This involves preparing materials for presentation and sharing a panel with Robert Babcock to advise the volunteer lawyers who act as hearings officers, on the scope of their task.

Transportation

Most of the work we provide the Transportation Division is document and contract drafting and review; this includes ordinances, resolutions, and contracts. The Division's efforts in East County are greater now than they were previously.

There is a very large project going on at 257th and Orient Drive in Gresham for example. This project was to be undertaken in conjunction with Albertson's Food and Drug developing adjacent property for a store. Albertson's has indicated it is not going to build the store. However, Albertson's plans to develop and market the original store site. This project is still in the works but there have been many delays and negotiations, in part caused by Albertson's changed position.

The claim made by contractor Kiewit Pacific (mentioned in last year's report) against the State and the County turned into litigation when Kiewit pulled out of the ODOT administrative review and filed a lawsuit in circuit court. This office contracted with experienced construction litigation counsel to handle the suit. We are working closely with the outside counsel on this matter.

In addition, many projects for the renovation and repair of the bridges over the Willamette River have been planned, begun or completed. Further, we have been involved in coordinating these projects with other governments. We also worked with these local governments on their projects, e.g. the "big dig" that is the new waste water system on the riverfront undertaken by the City of Portland. Another project we worked on was the negotiation with Tri-Met relating to the Interstate Light Rail in conjunction with the ramp to the Broadway Bridge. Finally, many of these projects are funded in part by the federal government by and through ODOT. This requires negotiation and review of contracts with the state.

As you know, the use of the Hawthorne Bridge for the recent movie project triggered much public comment on what procedures should be in place to regulate use of the bridges for events that shut down public access to those bridges. The permit granted to the film company to use the bridge itself generated a lot of work as well. A major effort this year was the research, drafting and development of the proposed Bridge Use Ordinance to provide the procedures for these alternative bridge uses. The ordinance is now in final draft will be presented to the community interest groups and ultimately to the Board.

There have been two historical anomalies regarding the Division's operations. One issue involves the County Surveyor's Office and the other involved the Division generally. The Surveyor's Office issue deals with the ramifications of an erroneous determination made in 1957 of a survey corner monument location in East County. We are close to the resolution of this issue. This office drafted and negotiated the execution of 18 separate Boundary Line Agreements in conjunction with some 30 signatory parties. The plan is to present the documents for recording in November 2001.

The second issue involves an effort to address a 1941 County Board action vacating a County Road in Dunthorpe that was apparently not acknowledged by anyone for over 50 years. This matter came to a close this past summer, with the outcome being the revision of the assessor's maps to reflect the boundaries established in the 1941 Board Action.

In other litigation, we concluded acquisition of the Sellers property for the 257th and Orient Drive improvement project. We have also provided substantial input to the division concerning appraisals and negotiation for acquisition of other parcels for the project. Several of those acquisitions are about to proceed to condemnation. We also provided advice concerning the continuing dispute with Dan Boyd over the work that was done on the Cornelius Pass project arising out of the road damage that occurred in 1995 and 1996 from the excessive rainfall received in those years. It is possible that this matter will also end up in litigation.

Fleet, Records, Electronic and Distribution

We provided a limited amount of time and services to this Section. The services were drafting and review of legal documents and contracts.

Employment Claims

Several employment claims were generated from DSCD in fiscal year 2000-01. Hank Miggins claimed he was discharged because of his age. BOLI and EEOC dismissed finding insubstantial evidence to make a claim. He did not file a lawsuit. Larry Nicholas filed a state lawsuit against the County, Stein and Farver claiming breach of contract: race, age and gender discrimination, defamation, false light and wrongful termination, among others. The case is currently in discovery. Peggy Minter filed a federal lawsuit against the County and Dan Brown alleging retaliation for whistleblowing. We have filed a Motion for Summary Judgment. Henry Kane filed a tort claim alleging that he was denied employment as the result of age discrimination. We have denied the claim and he has not yet filed a BOLI claim.

Tort Claims

We have set out below a summary of new tort claims arising out of DSCD activities during the fiscal year:

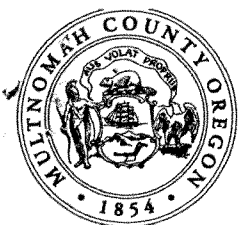
Alm: Claimant is the owner of property on 282nd Avenue. Claimant alleges that a backup from a County drain caused damage to his furnace. Claimant has replaced the furnace for \$2000. There is additional damage which claimant estimates around \$1800. Liability likely.

PGE: PGE indicates that while widening the road a few years ago a rain basin was installed on top of some PGE piping. They discovered this damage on the date of loss. Costs of repair are just over \$6k. Liability likely.

Reynolds: Claimant rode her bicycle on the Morrison Bridge and left the sidewalk, rode over the curb and got stuck in a storm sewer grating that was of the old type which was not bicycle safe. Liability is unclear as the grate was located in a place where a bicycle was not anticipated to be.

Worker's Compensation Claims

There was only one worker's compensation claim in litigation in this department during this fiscal year. That claim was resolved in the County's favor in the Court of Appeals.



OFFICE OF MULTNOMAH COUNTY ATTORNEY

THOMAS SPONSLE
County Attorney

SANDRA N. DUFFY
GERALD H. ITKIN
Deputies

501 SE. HAWTHORNE, SUITE 500
PORTLAND, OREGON 97214

FAX 503.988.3377
503.988.3138

SCOTT ERIK ASPHAUG
DAVID N. BLANKFELD
SUSAN DUNAWAY
KATIE GAETJENS
PATRICK HENRY
JENNY M. MORF
MATTHEW O. RYAN
KATHRYN A. SHORT
AGNES SOWLE
JOHN S. THOMAS
JACQUELINE A. WEBER
Assistants

MEMORANDUM

TO: Lillian Shirley, Director
Multnomah County Health Department

CC: Thomas Sponsler
County Attorney

FROM: Katie Gaetjens
Assistant County Attorney

DATE : October 29, 2001

RE: Fiscal year 2000-01 Legal Services Summary

INTRODUCTION

The following is a summary of the legal services the County Attorney's Office provided your Department in Fiscal Year 2000-01. The County Attorney's Office provided a total of 2,464.5 hours during this time period. This total is more than twice the 1223.5 hours provided in Fiscal Year 99-2000. The increase in total hours represents several major tort claims filed against the Health Department in the past year, which are discussed below. The number of advisory hours remained almost constant from FY 99-2000 to 2000-01.

Litigation:

As noted last year, the total number of litigation hours reported to the Health Department was probably an underestimate because this office was incorrectly recording some hours under the Sheriff's Office that were Corrections Health matters. The increase in total litigation hours this past fiscal year is probably in part a result of this correction, but there has also been a significant increase in the number of new cases, both in Corrections Health and in the Primary Care Clinics.

1. Employment Matters:

Price v. Multnomah County and Lamica: Plaintiff alleged violations of the Family Medical leave Act, the Oregon Family Leave Act, retaliation, race discrimination, and wrongful discharge. 120 hours. Dismissed on summary judgment.

Hess v. Multnomah County & Teschner: Plaintiff alleges she was discriminated against and subjected to a hostile work environment on the basis of her race. 240 hours. County has moved for summary judgment; oral argument is set for 10/22/01. Thirty-three hours have also been spent on a separate worker's compensation claim involving the same plaintiff.

Employment litigation was handled by Agnes Sowle, Kathy Short, and Jacquie Weber.

2. Tort Claims:

a. Corrections Health:

Klarquist v. Multnomah County: This case had just begun discovery in FY 99-2000. Plaintiff, an inmate at MCDC, self-enucleated his eyes while in a psychotic state. He alleged civil rights violations and negligence in federal court. (850 hours). This case settled for \$485,000.00,

Beckel v. Multnomah County: Plaintiff died shortly after admission to MCDC of head injuries sustained prior to admission. The hours on this case are being coded to the Sheriff's Office, so do not appear in the Health Department total. Allegations in the suit, however, include failure to diagnose and failure to treat. (393 hours).

In addition to these two cases, several smaller claims from Corrections Health were settled. In addition, three new suits have been filed regarding incidents in Corrections Health that will likely consume significant amounts of litigation time in the 2001-02 Fiscal Year. These are:

Stofiel v Multnomah County: Malpractice claims by the estate of an inmate who committed suicide while in custody.

Kuntzmann v. Multnomah County: Plaintiff suing for alleged damages as a result of receiving a medication overdose while in custody.

Mancini v. Multnomah County: Estate of patient who died of a heart attack alleges failure to diagnose and treat.

b. Primary Care:

Vasquez-Vargas, Vianey v. Multnomah County, Chan, OHSU et al: Plaintiff alleges failure to diagnose tubercular meningitis, resulting in significant brain damage to infant. Claims against primary care physician, OHSU, and Emanuel Hospital also. 202 hours. The outcome of a lawsuit currently challenging the monetary limitations of the Oregon Tort Claims Act could be significant in this case. There is no question that the infant sustained significant damages; the only question is whether a jury would find that any of the medical providers involved had committed malpractice.

c. Dental:

Miliando v. Multnomah County: Plaintiff alleged malpractice for failure to treat with antibiotics, which led to a significant infection. (85 hours). This case was settled for \$30,000.00.

Tort litigation was handled primarily by Gerry Itkin and Scott Aspaugh.

Contracts and Ordinances:

Contracts and ordinances again accounted for about 10% of the Health Department's total use of the County Attorney's Office. Because the annual total hours for FY 2000-01 was about double the prior year's, the actual time spent on contracts and ordinances was also doubled.

General contract review was routine. Staffing in the Health Department's contract unit has stabilized, as has the workflow. No major new contracts or contract formats were initiated. A current issue is how to best capture the kinds of less formal, academic and research agreements the Department is entering pursuant to new grant awards.

Ordinance work focused on the Smokefree Workplace ordinance rules (and revisions) and on the New Environmental Health Enforcement ordinance, which codified existing but scattered public health enforcement options in a single place. A primary goal of this codification was to encourage more active involvement of law enforcement when necessary.

Legal Consultation:

About a third of the Health Department's total legal services time was advisory. Requests for advice came from all divisions, but administration and regulatory health were the biggest users. No single matter required major amounts of time; rather, general miscellaneous requests were handled, primarily through phone and e-mail. Matters receiving more than average amounts of time included:

1. Smokefree Workplace Ordinance: This issue continued to receive attention in the past year. This office provided advice on implementation, reviewing forms and procedures, as well advice on legislative measures aimed at pre-empting local control of workplace smoking. (35 hours).
2. FQHC billing agreements. This office continued to provide legal advice on the Medicaid match process, resulting in increased revenues to FQHCs throughout Oregon. (38 hours).
3. Greenbook policies. In the past year we have continued revisions primarily on the consent and confidentiality related policies. (20 hours).

4. Employment law advice. In the past year, this office has provided ongoing advice on ADA, FMLA, and discipline and discharge matters. This office also negotiated an employee transfer agreement with Portland Development Commission for the transfer of certain EAD testing functions.

5. Records confidentiality. Numerous public records and subpoena issues were handled. In addition, this office provided some preliminary advice regarding Health Insurance Portability and Accountability Act (HIPAA) requirements and initiated an effort to mobilize a county wide review of HIPAA compliance issues.

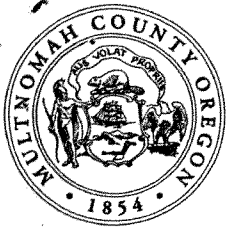
Subpoena matters arose most often in Corrections Health but also occurred in the health clinics and the WIC program. Responses included advice about submitting records, motions to quash subpoenas, court appearances, and witness preparation.

6. Public Health regulation. This office handled one public health measure in the court to impose restrictions on a non-compliant tuberculosis patient. We also negotiated settlement of a records disclosure issue regarding a tubercular client in alcohol and drug treatment.

7. Corrections Health medical care reimbursement. In the past year we tried unsuccessfully to collect reimbursement from Medicaid for inmates being treated in inpatient hospital settings. Although federal law would permit this reimbursement, Oregon has thus far refused. We are awaiting the outcome of a dispute regarding the Rhode Island State plan in which HHS has refused to approve coverage for inmate inpatient care.

8. Miscellaneous. As noted above, the majority of the advisory hours provided the Health Department are on miscellaneous matters. These contacts involve non-recurring, quick-turnaround issues.

Please feel free to contact me if you have further questions.



OFFICE OF MULTNOMAH COUNTY ATTORNEY

THOMAS SPONSLE
County Attorney

SANDRA N. DUFFY
GERALD H. ITKIN
Deputies

501 S.E. HAWTHORNE, SUITE 500
PORTLAND, OREGON 97214

FAX 503.988.3377
503.988.3138

SCOTT ERIK ASPHAUG
DAVID N. BLANKFELD
SUSAN DUNAWAY
KATIE GAETJENS
PATRICK HENRY
JENNY M. MORE
MATTHEW O. RYAN
KATHRYN A. SHORT
AGNES SOWLE
JOHN S. THOMAS
JACQUELINE A. WEBER
Assistants

MEMORANDUM

To: Lorenzo Poe, Director
Multnomah County Department of Community and Family Services

Fr: Katie Gaetjens
Assistant County Attorney

Cc: Thomas Sponsler
County Attorney

Date: October 29, 2001

Re: Fiscal Year 2000-01 Legal Services Summary

Introduction:

This memo summarizes legal services provided to the Department of Community and Family Services (DCFS) during Fiscal Year 2000-01. It also provides a comparison to the prior year's data in an attempt to spot usage trends.

During FY 2000-01, the County Attorney's Office provided a total of 863.40 hours of legal service to DCFS. This figure is just slightly more than half of the total number of hours (1,619.60) provided during FY 1999-2000. This difference is discussed below.

Litigation:

In FY 2000-2001, only 20 hours of litigation services were provided. In FY 99-2000, about 40% of the total hours, or 652 hours, were committed to litigation. In FY 99-2000, the significant cases in litigation were all employment matters. This fiscal year there were none. The twenty hours of litigation service provided was split among eight attorneys, none of whom spent more than eight hours.

This dramatic change, unfortunately, is more likely a matter of luck than any identifiable change in policy or operations. Thus far in FY 2000-01, there are several significant claims pending.

Legal Consultation:

During FY 2000-01, the County Attorney's Office provided 591.70 hours of consultation. This figure represents approximately 70% of the total services provided. Katie Gaetjens provided 380 of these hours; Patrick Henry and Kathy Short together accounted for another 137. The remainder was distributed among ten other attorneys in the office.

Requests for advice came from all divisions. The issues involved were extremely varied. Several larger, time-consuming projects were handled and are described individually. A great deal of the advice provided, however, involved recurring issues or concerns. These matters are described by category.

1. Employment Advice. This office, primarily through Kathy Short, provided advice on a variety of employment law issues, including FMLA and ADA, discipline and/or discharge, and a settlement agreement.
2. Mental Health Redesign. This office worked on limited aspects of the mental health redesign project, based on requests from different staff. The focus of requests related to the scope of the local mental health authority and contracting issues (see below).
3. Protective Service Investigations. This office provided advice on investigations, investigation reports and records access and release in the Pacific Gateway investigation, as well as a number of other less prominent investigations.
4. Developmental Disabilities Division. This office provided a significant amount of advice to the DD program this year, in a variety of areas. The SB 141 process continues (state control of county contracts) and included an extensive fact-finding hearing with the State Mental Health Division.

The DD program investigated an alleged provider failure to report child abuse, which in turn led to a decision to make all contractors mandatory abuse reporters. The State implemented a new "brokerage" system which is requiring significant changes in division legal procedures and operations. Finally, this office has provided advice on several contentious protective services/guardianship matters involving DD clients.

5. Confidentiality Issues. This area continues to raise significant legal issues for DCFS. In the past year, there have been numerous requests for information from the media that have been handled jointly by this office, DCFS, and the Public Affairs Office. There have also been public records requests from the public.

Subpoenas, especially in parental termination cases, continue to raise complex issues about whose records are protected to what extent under the law.

6. Information Systems. This office continues to provide legal advice regarding sharing of information among service providers collaborating in service delivery systems. This area is problematic because the ability to share information electronically exceeds the scope of sharing permitted by law. This issue arises on a client by client level (what to do when a client will not sign a release) and on a systems level (which computer can share what with which computer).
7. Commitment Services. This office continues to provide advice on the department's legal interface with the courts in the commitment process. Issues such as whether a court appointed attorney can be provided with a committee's address or whether a judge can have access to an entire medical record continue to plague this system. We also review legislative bills during the legislative session for significance to the department. None of special significance were passed this session.

Contracts and Ordinances:

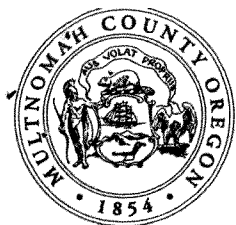
Contracts and ordinances accounted for about 20% of the Department's total use of the County Attorney's office. Katie Gaetjens and Matt Ryan have provided most of the advice in this area. During most of the year, the primary focus was on meeting the ongoing need for contract drafting and review posed by the routine operation of the department. In the second half of the fiscal year, the focus began to shift toward, addressing the new demands and issues the mental health redesign contracts created.

During most of the past fiscal year, Katie Gaetjens met on a half-day weekly basis with contract staff to address problem contracts and issues. DCFS contract staff set the agenda. DCFS staff report that this regular on-site presence is extremely useful. This office found it helpful to stay current with the issues facing the department. Other DCFS staff sometimes used this established time to present other, non-contract issues when time was available.

Training:

Patrick Henry presented training in the past year on contract drafting and on security and the difficult client. The total training time for the department was just under 10 hours. We are prepared to repeat this presentation as needed and to develop other specific kinds of training upon request.

Please feel free to contract me if you have additional questions.



OFFICE OF MULTNOMAH COUNTY ATTORNEY

THOMAS SPONSLER
County Attorney

SANDRA N. DUFFY
GERALD H. ITKIN
Deputies

501 S.E. HAWTHORNE, SUITE 500
PORTLAND, OREGON 97214

FAX 503.988.3377
503.988.3138

SCOTT ERIK ASPHAUG
DAVID N. BLANKFELD
SUSAN DUNAWAY
KATIE GAETJENS
PATRICK HENRY
JENNY M. MORF
MATTHEW O. RYAN
KATHRYN A. SHORT
AGNES SOWLE
JOHN S. THOMAS
JACQUELINE A. WEBER
Assistants

MEMORANDUM

TO: Mary Shortall

FROM: Patrick W. Henry, Assistant County Attorney

DATE: October 29, 2001

SUBJECT: Legal Services Report for the Department of Aging and Disability Services: FY 2000-01

INTRODUCTION

The purpose of this report is to summarize and describe the legal services provided by the County Attorney's Office to the Department of Aging and Disability Services ("ADS") for 2000-01 fiscal year.

During the 2000-01 fiscal year, the total hours of legal service provided to ADS decreased slightly from the previous year. However, the difference is so small (120 hours) that it can be accounted for by a decrease in the already small amount of time spent on worker's compensation and tort litigation. Probably the most accurate way to look at the numbers is that the total number of hours remained constant.

In addition to the fact that the total number of hours remained about the same, the distribution of work type also remained fairly constant. Of the 1046.7 hours of direct legal service provided to ADS, about half was spent on litigation and half on legal consultation (46% to 54%). The two biggest users of County Attorney resources continue to be the ACHP and the Public Guardian's Office. ACHP accounted for 31% of the department's total and the PG's Office accounted for 25%. The bulk of remaining time went to a large DSO case, legal consultation with the protective services division and the contracting unit, and analysis and execution of the department's contracts. Finally, some time was spent on issues that applied to the department as a whole or to other divisions within the department.

The following table summarizes the legal services provided to ADS in FY 99-00.

All Time by Division and Work Type

	Legal Consultation	Litigation
ACHP	166.7	156
Public Guardian	51.8	212.0
Protective Services	25.3	0
DSO	0 ¹	83.6
Employment	31.8	14.3
Worker's Compensation	0	15.9
Tort	0	1
Contracts	49.0	0
Other	170.6	0
Total	564	482.7

DETAILED ANALYSIS

1. Legal Consultation.²

a. *Office of Public Guardian*

The Office of Public Guardian used 51.8 hours of attorney time for legal consultation. A number of issues facing the Public Guardian's Office related to the pilot project that the Circuit Court instituted in FY 00-01. Many of the private guardians delayed filing petitions while the Court got the "kinks" out of the new system. However, the Public Guardian's Office did not have the luxury of waiting so it ended up being the test case for many issues relating to the new project.

As described in more detail below, a key component of the pilot project is that the court now assigns attorneys to represent the respondent. This has resulted in a significant increase in the number of guardianship petitions that were challenged. In representing their clients' interests, the attorneys were required to aggressively pursue avenues for defeating the petition of the PG's Office. Several attorneys attacked the legitimacy of the petitions on the grounds that they were signed by non-lawyers (i.e. the deputies). They argued that the deputies were engaged in the unauthorized practice of law. A significant amount of time (23.9) was spent analyzing and briefing the issue.

¹ The DSO consultation time is grouped below in the "Cross Departmental or Other Divisions" category.

² "Legal consultation" refers to non-case specific legal issues that the County Attorney's Office analyzed at the request of ADS.

The Public Guardian's Office also sought legal counsel regarding potential new cases and sought advice regarding legal issues surrounding current clients. A number of issues dealt with protecting or recovering a client's assets from unscrupulous family, friends, and other third parties. Other issues related to protecting clients' privacy rights, including the confidentiality of information about them. Finally, some questions related to the authority of the Public Guardian to take actions to protect their clients or other third parties. An example of an issue in this last category related to the Public Guardian's authority to authorize HIV testing for a protected person after a health care worker had a significant exposure to the client's blood.

b. *Adult Care Home Program.*

The ACHP had a number of matters requiring legal consultation. The largest amount of consultation time related to the ACHP's ongoing project to update and amend its rules (77.9 hours). The consultation involved analysis of the proposed rule for clarity and consistency with other rules and statutes governing the ACHP. In addition, the rules rewrite raised a number of ancillary issues relating to the relationship between the Adult Care Home Program and the Developmental Disability program within DCFS (30.5 hours).

Because of its regulatory and enforcement duties, the ACHP regularly consults with the County Attorney's Office regarding the interpretation of the program's existing rules. Some of the issues analyzed last year included:

- Whether a blind operator applicant had protections under the ADA and to what extent the division had a duty to provide an accommodation for test taking (12.8);
- Whether an operator could prohibit a resident who was authorized to use medical marijuana from using marijuana under the County's smoking ordinance (2.8);
- Whether the ACHP had a duty under public record laws to produce a copy of its operator or resident manager tests (17.2);
- Whether the ACHP was required to change its rules regarding nurse consultants (5.1);
- Whether resident manager applicant, who is rejected because of poor judgment and character, has a right to a hearing (9.7); and
- Whether the Board of County Commissioners should hear appeals of ACHP actions (1.3).

Another broad category of issues related to the ACHP's enforcement duties (20.2 hours). Frequently the issues arose after the ACHP determined that a violation had occurred and needed to develop a strategy relating to its investigation and sanction. The issues included:

- What, if any, statutory limitations exist relating to the amount of fine that an operator can be assessed;
- What investigation tools are available when the program believes that someone is operating an unlicensed room and board facility;

- Analysis of options relating to protecting residents from financial abuse by operators; and
- Analysis of the extent of the ACHP's subpoena power.

c. *Contracts Unit.*

The contracts unit received 49 hours of direct legal service. In addition to analyzing and executing proposed contracts, the County Attorney's Office helped analyze and develop strategies regarding a number of issues, including:

- Compliance with the policies surrounding IGAs and the new standard IGA contract form (1.4 hours);
- Strategy for terminating a contract with contractor who refused to perform (3.7 hours);
- Dealing with contractor who refused to comply with contract's audit requirements (2.4 hours);
- Consultation regarding whether third party could be permitted to use ADS bus (2.1 hours);
- Negotiate with HAP regarding their request to have ADS become a party to leases with CEPs residing in HAP housing (3.7 hours); and
- Consultation regarding proper procedure for developing contract amendments (1.6 hours)

d. *Protective services*

The Protective Services division regularly contacts this office for consultation about ongoing abuse investigations (25.3 hours). Some of the issues that protective service workers raised in the last year included:

- The ability of protective services to require compliance with document requests;
- Analysis of options regarding parents who are being abused by mentally ill sons or abusive spouses or ex-spouses;
- Whether protective services had a role to play in limiting a client's ability to drive; and
- Whether protective services has a duty to warn CEPs of potential dangers associated with client's home.

e. *Cross-Departmental or Other Divisions*

As a general rule, ADS records and other information are confidential under Oregon law. However, the general provisions relating to confidentiality are subject to exceptions and may be

overcome by judicial order in the context of litigation. As a result, ADS has consistently required a significant amount of legal advice regarding outside requests for information (78.7 total hours). ADS employees seek guidance about what records are confidential and under what circumstances the records can be released (34.4 hours). Once they receive information and share it with the party requesting information, the matters tend to resolve quickly.

However, every year we have a number of cases that require significantly more resources to respond. These occur where records are subpoenaed and the requesting party does not voluntarily withdraw the subpoena. The cases that are particularly sensitive occur when ADS is asked to provide information that could be damaging to its clients. On those occasions, we are required to file a motion to quash the subpoena. The following are examples of cases where we were required to file a motion to quash:

- *Hitchcock v. Sheehan* (4.1 hours) – Son (AV) sued the driver of a truck that struck and killed his mother. The attorney for the defendant wanted the P.S. report to show that because of son's abusive relationship with mother, his damages for loss of companionship should be limited.
- *Dahl v. Crestview* – (14.8) Attorney sues nursing home for negligence on behalf of estate of resident who suffocates after his respirator disconnects. The attorney wanted the protective service report to help prove nursing home's negligence
- *In re Sleeper* – (11.7) In parental rights termination case relating to disability services client, District Attorney's Office subpoenaed the case manager to testify about client's poor performance as a parent.

In addition to records request, ADS had a number of cross-departmental issues that required legal analysis:

- Whether employees of a contractor were required to submit to criminal background checks (8 hours);
- Legal effect of adopting statute giving tax break to adult care homes (HB 2079) (4.5 hours);
- Whether contractors used by ADS to move clients need to be certified (5.7 hours);
- Issues surrounding employees who are attorneys who "represent" clients in administrative hearings (7.2 hours);
- Issues surrounding the circumstances under which the Long Term Care Ombudsman may have access to ADS records;
- Employees serving on the board of non-profits (3.7 hours); and
- Constitutional issues surrounding the propriety of prayer before a community meeting convened by ADS (8.8).

2. Litigation.

This year ADS had a significant drop in both worker's compensation and tort litigation. In addition, last year's litigation time was dominated by a single large case involving a complaint filed by the Public Guardian's Office against a caregiver who financially abused a client. Because the case settled last year, one would expect a significant decrease in the total litigation time used by ADS. Somewhat surprisingly, however, the total number of litigation hours remained fairly constant with the previous fiscal year.

A couple of factors were significant in keeping the litigation hours relatively high. First, the Circuit Court started a pilot project that involves assigning attorneys to represent respondents to petitions filed by the Public Guardian's Office. That resulted in an increase in the number of cases that went to full blown hearings. Second, an operator in the Adult Care Home Program has aggressively challenged sanctions that the ACHP imposed on her. Again, this increased litigation time significantly.

Summary of ADS Litigation

Case Name	Case Description	Hours
<i>ACHP v. Westport Villa</i>	ACHP sanctioned a boarding house operator for numerous health and safety violations. Case eventually settled with Operator agreeing to increase facility's standards. Operator agreed to have judgment entered against him if facility falls below minimum standards. Ongoing issues remain regarding operator's non-compliance with building code.	37.0
<i>ACHP v. Clauda Crainic (Crainic I)</i>	ACHP sanctioned operator for failing to have employee complete a criminal background check. Hearings Officer held that rules required contact between employee and residents. Operator denied that employee had contact with residents. Hearings Officer reversed ACHP because no evidence of contact. Program filed a writ of review to challenge the Hearing officer's finding. However, the Circuit Court upheld the Hearings Officer's determination.	75.6
<i>Claudia Crainic v. ACHP (Crainic II)</i>	ACHP sanctioned operator for having an unapproved caregiver provide care to resident. Hearings Officer upheld ACHP's determination. Operator filed writ of review and Circuit Court reversed the Hearings Officer's decision. Judge stated that there was not substantial evidence to support the Hearings Officer's conclusion that the employee actually provided care. ACHP has appealed the decision to the Oregon Court of Appeals.	77.8

<i>Tindell v. Auerbach</i>	Applicant for General Assistance filed a writ of mandamus and a declaratory judgment action. Applicant argued that ADS did not properly analyze her claim. Circuit Court judge granted the County's Motion to Dismiss.	83.6
<i>Multnomah County v. Blancy Mitchell</i>	PG's Office appointed guardian in March 1999. PG's Office, on behalf of client, filed a complaint against caregiver who financially abused client. Defendant confessed judgment in the amount \$200,000. The time spent this fiscal year involved collection efforts.	7.0
<i>In re Ellena Martinez-Ventura</i>	PG's Office sought to be appointed as the guardian of a woman who was the subject of numerous protective service investigations that related to her living in car with an abusive boyfriend. After hearing, judge finds the client needs a guardian and that PG's Office should serve.	74.1
<i>In re Shawna Mehlhaff</i>	PG's Office sought to be appointed as the guardian of a woman who had unstable living environment and serious untreated medical problems. Prior to hearing, protected person withdraws her objections.	81.9
<i>In re Wallace Carter</i>	Client of PG's Office had a drug-addicted daughter who was arrested in client's home with a large amount of cash. Petitioned the court for return of money to the client. Petition granted. In addition, client received a notice that he was to be evicted from his home for non-payment of 20-year old judgment. Negotiated release from judgment.	42.4
<i>In re Rose Cowan</i>	PG's Office filed for temporary guardianship for a schizophrenic woman who refused to have tests done on a suspicious lump on her breast. Woman was represented by an appointed attorney and the case went to hearing. Petition granted.	3.9

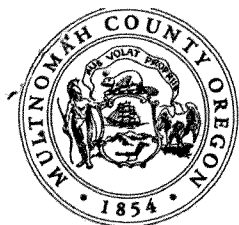
3. Ongoing Legal Issues

Some matters that may need attention in the current fiscal year include:

- Provider's organization has threatened to sue ACHP in relation to rules that allegedly violate federal rules (HUD) and federal statutes (Fair Housing Act);
- An issue that recently arose relates to ADS's duty to warn law enforcement of clients' warrants;
- Problems in relation to Westport Villa including its current building code violations;

- Apparently, ADS employees serve on the boards of non-profits that serve ADS clients as part of their employment with ADS. The County may have exposure for actions they take as board members;
- The role of employees who are attorneys who “represent” clients in administrative hearings.

Please feel free to call if you would like to discuss any matters outlined in this memo.



OFFICE OF MULTNOMAH COUNTY ATTORNEY

THOMAS SPONSER
County Attorney

SANDRA N. DUFFY
GERALD H. ITKIN
Deputies

501 S.E. HAWTHORNE, SUITE 500
PORTLAND, OREGON 97214

FAX 503.988.3377
503.988.3138

SCOTT ERIK ASPHAUG
DAVID N. BLANKFELD
SUSAN DUNAWAY
KATIE GAETJENS
PATRICK HENRY
JENNY M. MORF
MATTHEW O. RYAN
KATHRYN A. SHORT
AGNES SOWLE
JOHN S. THOMAS
JACQUELINE A. WEBER
Assistants

MEMORANDUM

TO: Joanne Fuller

FROM: Jacquie Weber, Assistant County Attorney
Patrick W. Henry, Assistant County Attorney

DATE: October 30, 2001

SUBJECT: Department of Community Justice Legal Services Report for FY 2000-01

INTRODUCTION

The purpose of this report is to summarize and describe the legal services provided by the County Attorney's Office to the Department of Community Justice ("DCJ") for the 2000-01 fiscal year.

During the 2000-01 fiscal year, the number of legal consultation¹ hours increased by 25% (from 366 hours to 492 hours). This is a trend that we hope will continue. Last year we noted that the amount of advisory attorney time used by DCJ was relatively small compared to other County departments. We indicated that this was probably due to the fact that historically the attorney resources available to DCJ have been relatively small. We explained that our goal was to increase the department managers' and supervisors' awareness of the legal resources available and to encourage regular consultation with the assigned County Attorney. Hopefully, the increased amount of consultation time reflects that growing awareness.

Despite the department's increased amount legal consultation, the total amount of legal services actually decreased significantly last year (from 2383.2 hours to 1420 hours). This was due to the fact that two major employment cases went to trial in the prior year (*Landis v. Multnomah County* and *Crumbley v. Multnomah County*). Though there were significant pieces of litigation in FY 2000-01, none were as time intensive as *Landis* and *Crumbley*.

¹ "Legal consultation" refers to non-case specific legal issues that the County Attorney's Office analyzed at the request of DCJ.

1. Legal Consultation

The County Attorney's Office provided 492 hours of legal consultation to Community Justice. A significant percentage of the time related to on-going matters or issues within DCJ that required regular legal consultation. The matters requiring legal consultation included the following:

- *The acquisition of the Beaver Hotel.* Regular consultation regarding community notification and land use issues.
- *Detaining adults in the jurisdiction of the juvenile court at the Donald E. Long Home.* DCJ had a number of legal issues that arose because the Court of Appeals ruled that juvenile judges do not have authority to place over 18 juvenile offenders in jail.
- *Opening of the alcohol and drug treatment unit at DELH.* Significant issues included security concerns (e.g. Is strip searching permissible?) and issues relating to "co-operation" of facility with contractor.
- *Confidentiality.* DCJ has ongoing needs in relation to third party requests for records and information maintained by the department. Issues analyzed by this office included whether juveniles could consent to the release of information about them, whether information regarding juveniles may be disclosed in the context of an MDT meeting, and whether the PSI could be released to sex offender treatment providers.
- *Contract of Dr. Richard Wollert.* The department required significant attorney time relating to enforcement issues surrounding the contract with the indigent sex offender treatment provider.

2. Litigation

As in the previous fiscal year, by far the most significant source of litigation during FY 00-01 was employment matters. Also consistent with the previous year, DCJ had a larger number of employment related litigation than other departments. However, the number of cases is not the most significant indicator of potential problems. A better measure is the total liability assessed against the County. By that yardstick, the DCJ fared very well. In the case that took up about half of the department's litigation time in the last fiscal year, *Serrano v. Multnomah County*, the County motion for summary judgment was granted. Cases that terminate at the summary judgment stage are a good indicator of sound management practices. Nonetheless, because of the large number of cases and complexity of the law in the employment context, the County Attorney's Office recommends that DCJ managers and supervisors receive continuing training regarding employment issues.

The following table summarizes DCJ's employment and tort litigation for FY 00-01:

Case	Forum and Claim	Status
<i>Burnett v. Fluker</i>	Small Claims The basis of the action was that PO allegedly made "false statements" to the state sanction officer in her report recommending that Mr. Burnett receive a five-month incarceration sanction for violating his Post Prison Supervision.	Claim denied.
<i>Connell v. Multnomah</i>	Tort Claim received 10/23/00 Wrongful termination, gender discrimination	Merit Council reinstated.
<i>Fields-Addy, Donica</i>	Worker's Compensation Board	County prevailed at hearing and on appeal to Worker's Compensation Board
<i>Grimes, Michael</i>	Worker's Compensation Board	Entered into a global settlement via mediation that included employee's resignation for medical reasons
<i>P & F PERS for Custody Services Staff</i>	PERS Hearing	Hearings officer affirmed PERS finding that Custody Services Staff are not eligible for P&F classification. Petitioners' appeal to the Board is pending.
<i>Johnson, Toussaint v. Noelle and Clawson</i>	Circuit Court Petition for Habeas Corpus Measure 11 Youth who was repeatedly disciplined at DELH claimed that his constitutional rights were violated when he was transferred to jail.	Petition dismissed

<i>McCune v. Multnomah County</i>	Circuit Court Plaintiff alleged false arrest and negligence by his PO.	Settled: \$1500
<i>Serrano v. Multnomah County</i>	U.S. District Court Gender discrimination; retaliation, wrongful discharge; intentional infliction of emotional distress	Motion for SJ granted

One more very significant piece of litigation for DCJ was successfully argued at the Court of Appeals last fiscal year, *Multnomah County Local 88 v. Multnomah County*.² The County successfully challenged a trial court ruling that enjoined DCJ from allowing Corrections Technicians to perform any tasks other than clerical tasks. The Court of Appeals reversed the trial court, and upheld as lawful DCJ's use of Corrections Technicians as defined in the "Grindstaff Memo" (subsequently republished as the "Rood Memo").

3. Training

In the first annual report (FY 99-00) we emphasized the value of training on legal issues as a risk management tool, and relayed our willingness to provide training tailored to the needs of DCJ. Our records indicate we provided a total of 12.7 hours of training to the department in the areas of employment law, public records and confidentiality, and contracts. We continue to view legal training of both management level employees and line staff as a valuable, proactive approach to risk management for the Department. Our goal is to increase the number of training hours in the next fiscal year, and we encourage you to inform your managers that we are ready, willing and able to provide this service.

² The Court of Appeals decision was published in FY 01-02.

MEETING DATE: November 1, 2001
AGENDA NO: B-2
ESTIMATED START TIME: 11:00 AM
LOCATION: Boardroom 100

(Above Space for Board Clerk's use only)

AGENDA PLACEMENT FORM

SUBJECT: Budget and Policy Discussion on Facilities and Property Management Issues

BOARD BRIEFING: DATE REQUESTED: _____
 REQUESTED BY: _____
 AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: Thursday, November 1, 2001
 AMOUNT OF TIME NEEDED: 1 Hour

DEPARTMENT: Non-Departmental DIVISION: Chair's Office
CONTACT: John Rakowitz TELEPHONE #: (503) 988-5137
 BLDG/ROOM #: 503/600

PERSON(S) MAKING PRESENTATION: John Rakowitz, Mike Oswald, Peter Davidson, et al

ACTION REQUESTED:

☒ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☐ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

Budget and Policy Discussion on Facilities and Property Management Issues

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Diane M. Linn
(OR)

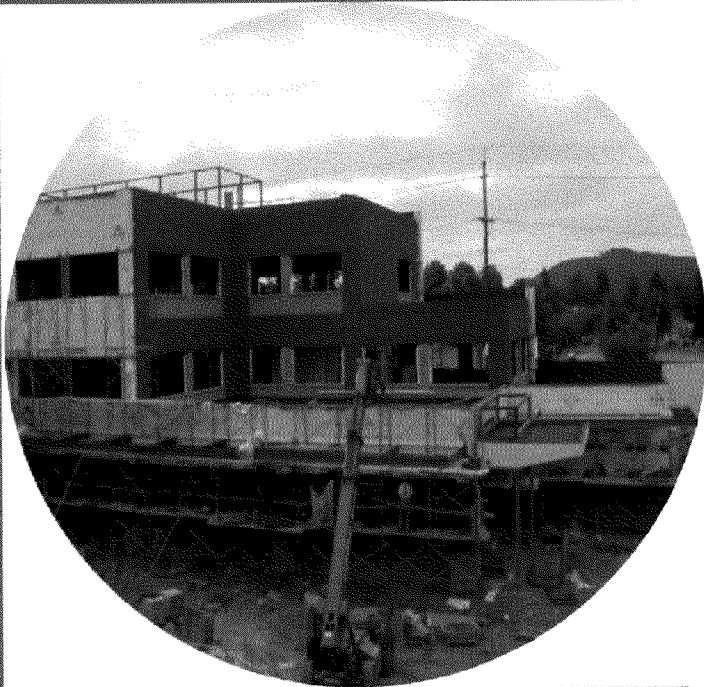
DEPARTMENT MANAGER: _____

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ (503) 988-3277 or email
deborah.l.bogstad@co.multnomah.or.us

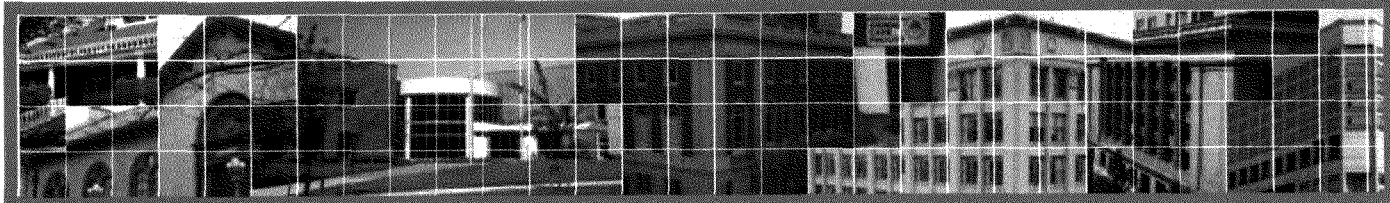
01 OCT 2001 14:07:01
MULTNOMAH COUNTY
CLERK

**MULTNOMAH
COUNTY**



**FACILITIES &
PROPERTY
MANAGEMENT**

**ANNUAL REPORT
FY 00-01**



Dear Facilities and Property Management Division Clients:

The Facilities and Property Management Division (FPM) has prepared the following annual report of facilities and property management activity within Multnomah County.

The operation, maintenance, and repair of our existing inventory of buildings are a significant part of the County's operating budget. The planning, design, and construction of the new facilities that we will all use to provide the many public services offered by the County is a large long-term investment. This long-term investment is frequently funded with debt that must be paid back on an annual basis from your operating budget. The combination of operation, maintenance, repair, and new construction of facilities is a significant budget liability for all of our Multnomah County clients and we take our responsibility to control this liability very seriously.

With the increasing demand for the vital services you provide and the limited funding resources available, the FPM Division views itself as playing an important role in cost control for our clients. The annual report is intended to provide all elements of Multnomah County with a view of its facilities and property management activities that have transpired during the past year.

The FPM Division is accountable to you and feels that sharing with you our internal support activities is important. The FPM Division staff are extremely proud of the professional internal services they provide to Multnomah County and look forward to sharing with you the results of their efforts. We have found that our costs of providing you the technical and professional services necessary to provide you safe, comfortable, and functional facilities compare favorably with other private and governmental organizations. Our goal is to simply be the best at what we do. We will ensure that you are expending the least amount of money possible for the facilities that you use. The less you spend for your facilities needs, the more money will be available to take care of the people of Multnomah County.

I am personally proud of the efforts of the Facilities and Property Management Division staff during FY 00-01, and their commitment to provide you the highest quality of technical and professional support.

After you have read this annual report, I'd like to hear your feedback on how we can make it better and more meaningful for you in the future. We have enclosed a customer feedback form on page 15 of this report that you are welcome to use to communicate with us.

Sincerely,

Dan Brown, P.E.

Facilities & Property Management Division Director

INTRODUCTION

CONTENTS

Letter From The Director -----	●
Introduction -----	●
Mission Statement -----	●
Division Restructuring -----	●
Division Wide Information & Measures -----	5 + 6

THE FPM ORGANIZATION

Core Business Area Overview -----	●
Capital Improvement Program Projects Section -----	●
Planning & Project Development -----	●
Environmental Services Branch	
Long Range Planning Section	
Maintenance Engineering -----	● ●
Property Management -----	● ●
Business Operations -----	● ● + ● ●
Fiscal	
Contracts and Procurement	
Warehouse	
Real Property	
Facilities Services	
Building Data Management Center	
The Future -----	● ●

In fiscal year 2001 Facilities and Property Management (FPM) made significant strides towards the goal of becoming a world-class facilities organization. Key to our progress has been to restructure the FPM organization to better align to our business areas, and the development of process, procedures and measures that are used by successful organizations such as GSA, NASA, BOMA, IFMA, and other respected agencies.

■ Implemented the SAP Plant Maintenance module that links our work order system with the County financial system. This also allows for scheduling work, keeping statistics, and setting up preventive maintenance.

■ Designed and implemented a new County-wide internal billing model that enables comparison to external organizations, charges all internal clients consistently, allows for predictability, establishes client agreements and performance measures for accountability, and is easy to understand and administer.

■ Set up and executed our materials program, that includes operation of an FPM warehouse that streamlines our materials acquisition process, and aligns with government procurement requirements by greatly reducing emergency procurements.

■ Completed the Multnomah Building project and building occupancy. This was a \$40 million dollar, 200,000 square foot addition to the County facilities inventory, and enabled a number of County agencies to co-locate in one facility.

■ Carried out strategies to characterize our County facilities and their use by setting up the Building Data Management Center that can provide information and floor plans on all county facilities.

■ Implemented several cost reduction measures including elimination of 7 FTE positions as well as a decrease of 6 fleet vehicles.

MISSION STATEMENT

The mission of the Facilities & Property Management Division is to proactively plan, maintain, operate, and manage all County owned and leased properties in a safe, accessible, and cost effective manner. Additionally, provide full support to the Department of Sustainable Community Development in successfully carrying out its mission of enhancing vitality, livability, and sustainability of the community through regional leadership in conserving and protecting our natural resources and wise community development which links housing, transportation, land use, and economic development.

The Division carries out its mission by operating and maintaining county owned facilities, securing, managing and administering county leased properties, providing planning and project development, and managing and administering the facilities capital improvement program. The capital improvement program includes real property acquisition, all capital construction work for new construction and repair, improvement, and maintenance of existing facilities. The Division also administers the county energy management program and sustainable building standards.

DIVISION RESTRUCTURING

The Facilities and Property Management Division was restructured to support key Division values, goals, and objectives in providing Multnomah County superior internal services for facilities and property management. The restructuring has successfully minimized the need for new positions and overall personnel costs to the County. The ability of the Division to meet the growth in County facilities space of nearly 24 percent in the last two fiscal years was made possible by reallocation of staff to fit redefined roles and responsibilities of the Division sections. The restructured organization promotes processes and procedures that will expedite facilities services ranging from planning to the performance of routine maintenance.

The most significant change to the Division organization was the identification and reprogramming of FTE to perform the duties of Property Managers. Property Managers are responsible for the coordination of all internal services provided by this Division to our facilities clients. The Property Manager provides facilities clients a single source for facilities and property management support. The Property Manager manages and administers the facility budget for services provided and recovered under the Facilities Fund. The Property Manager provides internal quality assurance for services provided and is considered to be the expert on the facility assigned and client program requirements.

DIVISION-WIDE INFORMATION & MEASURES

County Owned Buildings.....62
Leased properties.....68
Total properties managed.....130



Owned gross square footage.....2,998,852
Leased gross square footage.....519,724
Total Square Footage.....3,518,576
FY 01 Average Monthly Vacant Square
Footage49,565
FY 01 Average Vacant Square Footage
Percentage.....1.4%
Leased/ Owned Percentage.....17.9%

Estimated Current Market Value of County Owned Buildings.....\$200 Million
Estimated Current Replacement Value.....\$700 Million
Operating FY 01 Expenditures\$39.9 Million
Leased Property Costs.....\$4.8 Million

Cost per square foot:

Owned.....\$11.73
Leased.....\$9.20
All (Owned + Leased)\$11.35

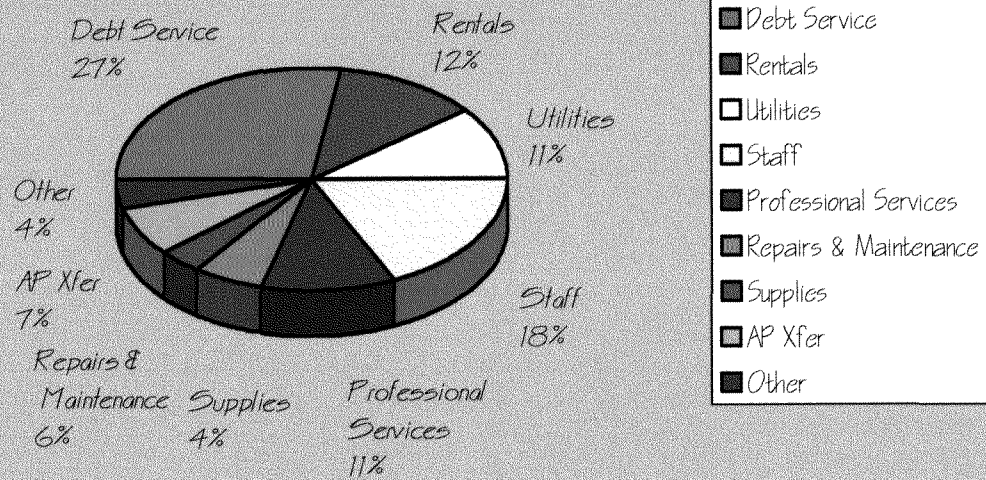
Facilities Fee Percentage.....8%

Maintenance Rates

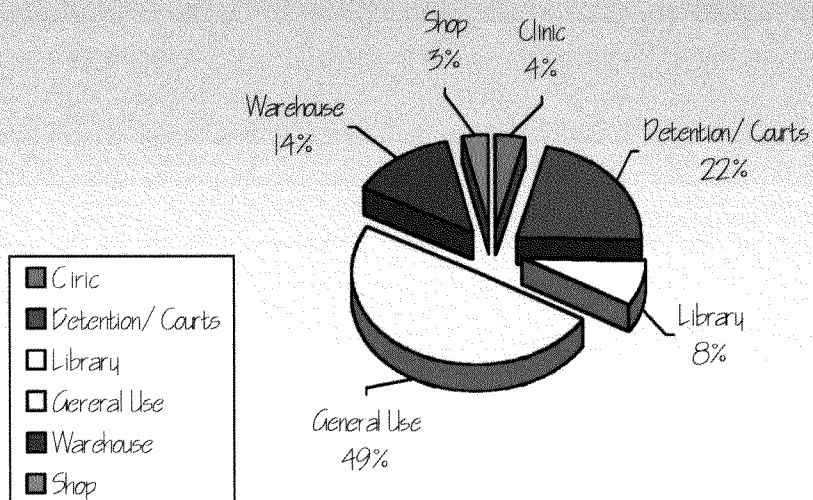
Clinic.....\$5.75
Detention/ Court.....\$5.50
Library.....\$5.25
General Use.....\$4.75
Warehouse.....\$1.75
Shop.....\$1.25



FY 2001 Facilities Expenditures

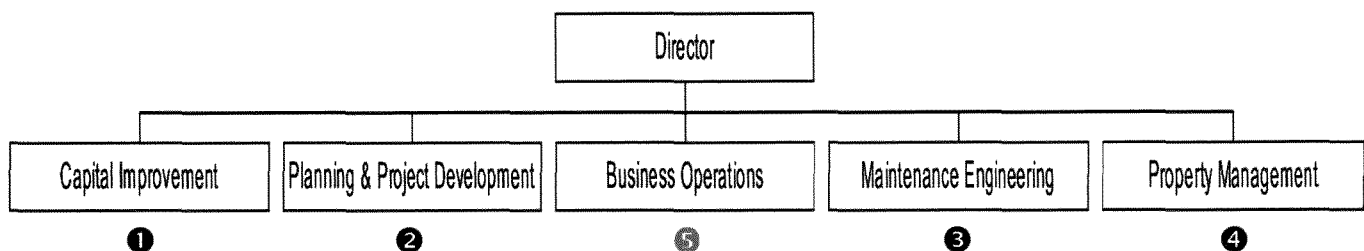


FY2001 County Space Utilization



THE FACILITIES & PROPERTY MANAGEMENT ORGANIZATION

Facilities and Property Management has 5 core business areas:



● **Capital Improvement Program** – Construct, renovate and alter Multnomah County facilities in a manner that promotes the values for County facilities identified in the planning process. Apply managerial controls to ensure that the County receives the highest value of facility possible for the capital construction dollar spent. Implement sustainable construction practices at every opportunity possible.

● **Planning & Project Development** – Support Multnomah County in programming and planning for facilities needs and requirements. Promote Multnomah County values for quality of work environment for employees, application of mixed and multi-use design, sustainability and financial responsibility in facilities planning.

● **Maintenance Engineering** – Operate and maintain all Multnomah County owned facilities in a fashion that promotes quality of work environment for all County employees, preserves the capital investment of the citizens of Multnomah County, and ensures public safety for all users of Multnomah County facilities.

● **Property Management** – Provide unparalleled customer service to Multnomah County facilities users by providing one-stop facilities support, quality assurance for facilities services provided, and intimate knowledge of facilities requirements of clients served.

● Additionally, a fifth area, **Business Operations** is used to support the four core businesses with common services and infrastructure.

CAPITAL IMPROVEMENT PROGRAM PROJECTS SECTION

The Capital Improvement Program Project Section is responsible for making County facilities efficient, structurally sound, and mechanically updated. Main program areas are major maintenance, improvements and new construction. The Program plans, prioritizes, and manages capital construction projects for all County-owned buildings. Funding for capital construction projects ranges from \$34 to \$68 million annually. Most capital construction projects are multiple fiscal year projects.



Completed projects in FY 2001:

2 new construction projects totaling	\$9,028,510
114 remodel projects totaling	\$63,532,302
Completed Projects Total	\$72,560,812

FY 2001 completed projects larger than \$1 Million:

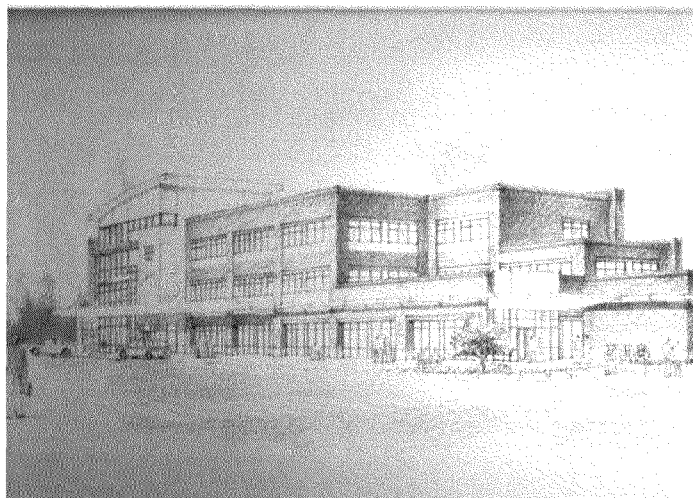
- Justice Center HVAC Test & Balance
- Inverness Jail Phase III Expansion
- Library Administration Building Renovation
- Edgelyfield Children's Center
- Belmont Library
- Holgate Library
- North Portland Library
- Rockwood Library
- St. John's Library
- Woodstock Library

Current Projects:

9 new construction projects totaling	\$41,242,829
32 remodel projects totaling	\$22,400,542
Current Projects Total	\$63,643,371

Current projects larger than \$1 Million:

- Justice Center Detention Electronics/ Fire System
- Justice Center Booking Remodel
- Justice Center Sheriff's Records
- Mead Building DCJ Moves Project
- Mead Building Elevators
- Blanchard Building Remodel/ Move
- Multnomah Building
- North Portland Clinic
- East County HAD Building
- Children's Receiving Center
- Hillsdale Library
- Hollywood Library



PLANNING & PROJECT DEVELOPMENT SECTION

The Facilities Planning and Project Development Section provides core planning and technical support of a variety of projects associated with County facilities. Within this Section are the Long Range Planning and Environmental Services areas. Planning and Project Development maintains County plans for capital improvement. The Environmental Services Branch oversees the Multnomah County energy management program and sustainable building practices.

Environmental Services Branch

- Performed Siting for the DCJ secured facility for A&D treatment
- Developed the Beaver Hotel Due Diligence and ownership cost forecasts
- Developed 20 Project Charters, Created 25 Planning Proposals
- Presided over 85 Design/ Submittal Reviews
- Contingency Planning for Rolling Blackouts.
- Developed Multnomah Building Café and Wellness Center Planning Proposal & Charter
- Participated on the Sheriff's Office "Inmate Labor" proposal
- Participated on the LEEDS evaluation and development for Hillsdale Library

Long Range Planning Section

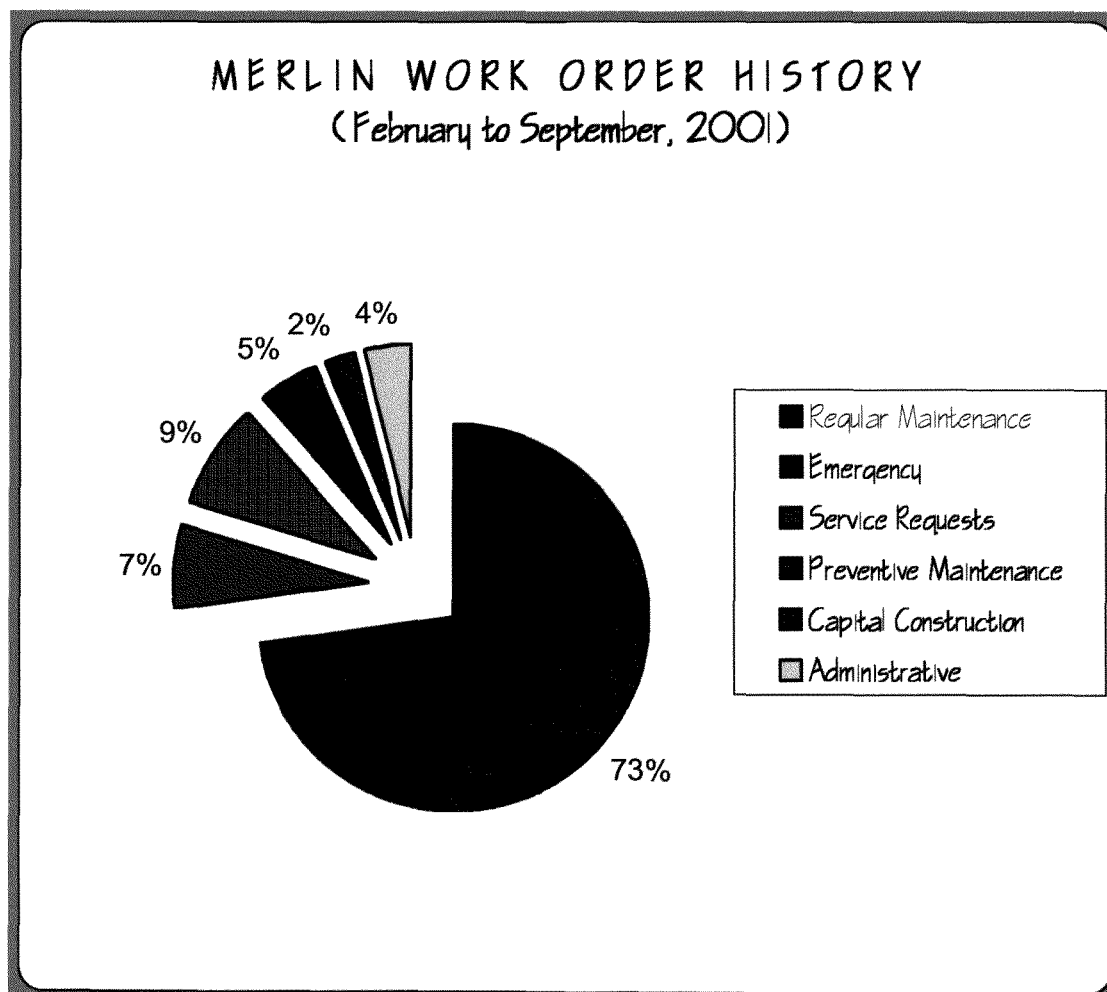
- Developed initial Courthouse Renovation Study; RFP for Courthouse Study, and Yeon Complex/ MCSO Space Study
- Contributed heavily to King Commercial Center Redevelopment RFP issued by Portland Development Commission
- Produced the Properties Disposition/ Development Options Report covering 18 properties. Initiated detailed disposition planning for 4 properties
- Supported Library Dept.'s planning for an Interstate Corridor Branch
- Completed Construction Documents for River Patrol Building, working with MCSO, METRO, and OMB
- Supported ADSD in siting for a Nursing Care Inspection Office in Mid-County, and later for a new ASO/ DSO Satellite Office in Mid-County
- Developed with Technical Planning the proposal for an Interim Gresham Courts Facility at a leased building
- Participated in the multi-party Rockwood Commons development exploration
- Developed plan for re-use of Dexco leased building after DCJ move-out
- Developed a Master Plan for remaining ADA remediation in County buildings
- Ordered and facilitated a Summary Report of Seismic Studies, bringing together 10 years of individual seismic studies



MAINTENANCE ENGINEERING

Facilities Maintenance Engineering Section provides all preventive, predictive, and corrective maintenance for County facilities. The Section consists of various trades required to provide facilities that are safe, functional and reliable for County operations. This internal service is provided to over 2.6 million County owned square feet of facilities.

- 50 journey trade employees provide maintenance and support services to over 130 County facilities; owned and leased
- In fiscal year 01, all Trades combined performed over 14,000 work orders
- Implemented "MERLIN" Plant Maintenance Module, including preventive maintenance scheduling
- Responded to Over 800 emergency callouts during the year, which is 6.1% of total work orders
- Will save approximately \$75K annually by the use of a contracted factory technician from Siemens Building Controls
- Reduced after hours callouts to jail facilities by over 60% from Feb 01 to July 01

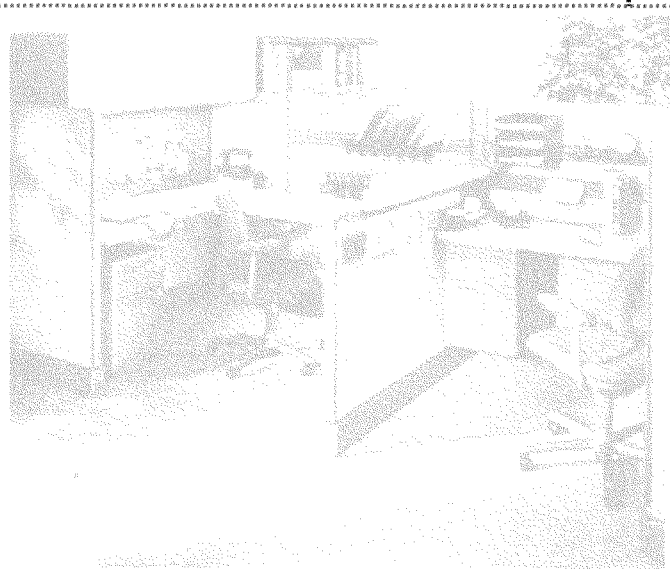


PROPERTY MANAGEMENT

Multnomah County owns or leases approximately 3.5 million gross square feet of facilities that house the 5,000 County employees. 130 leased and owned properties were divided into ten portfolios averaging 330,000 square feet per property manager. Each property manager was tasked with learning the building systems; getting to know the tenants and how they operate; administering and coordinating the facilities budget; consulting with architects, engineers, accountants, legal staff, and service providers that need to work in the facilities; assisting the tenants with planning for renovations and moves; administering and coordinating service contracts; and educating the tenants on all phases of facilities issues.

Property Management Team

- Established facilities and properties portfolios
- Established and monitored base services and maintenance for facilities
- Moved staff within buildings and around the county (approximated at 1,500 staff)
- Instituted routine building inspections and client education of the facility
- Established point of contact for client to obtain facilities maintenance, service request, budget information and enhanced services
- Updating facilities floor plans to establish BOMA square footage of each client
- Coordination with Sheriff's Department on the takeover of custodial maintenance and landscaping
- Renovated Library Administration, Belmont, St Johns, and Holgate libraries
- Participate in ongoing coordination between the client and FPM technical staff and contractors in construction of ten new facilities



Audit of County Facilities

- Continuing efforts to audit all owned buildings' life cycle assets and establishing a plan to maintain them.
- Inventorying 62 buildings, emphasizing interiors, conditions, dimensions, and systems
- Assessing current condition to estimate needs for capital costs for bringing all systems up to their original condition
- Assessing feasibility of systems being physically upgraded or replaced
- Verifying current age of building systems to assist in projecting the future costs of upkeep

BUSINESS OPERATIONS GROUP

Business Operations Management provides management administration and centralized support for Facilities and Property Management. The responsibilities of Division Management are to oversee Divisional compliance with established policies and procedures; purchase supplies and other commodities for Countywide facilities operations and maintenance, payroll, accounting, word processing and reception services. Fiscal Services, Contracts & Procurement, and Facilities Services are included within the Business Operations Management.

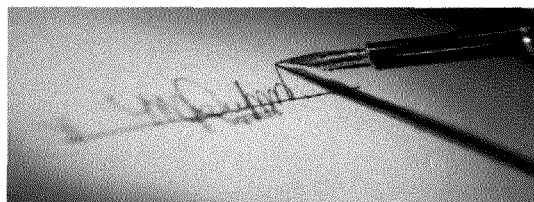
Fiscal Section



- Implemented and maintain County's new ERP MERLIN/ SAP
- Performed over 30,000 transactions within SAP
- Promote continued advancement of diversity through education and training
- Implemented new revenue and expense tracking processes
- Improved Fiscal accountability and credibility with both internal and external agencies
- Improved customer response time and satisfaction
- Developed Simplified Billing Model and related spreadsheets
- Completed Facilities Operations Audit by the County Auditors Office
- Successfully completed the FPM FY 2002 Capital and Operating budgets

Contracts and Procurement Section

- Awarded approximately \$10 million in contracts and purchase orders
- Awarded 3 formal contracts to M/ W/ ESB contractors through the Sheltered Market Program
- Awarded 40 informal contracts to M/ W/ ESB contractors for projects under \$50,000
- Did approximately \$700,000 of business with Qualified Rehabilitation Facilities
- Brought a 6,000 square foot Materials Warehouse online through the MERLIN system
- Warehouse has realized approximately \$6,500 in vendor credits and direct savings during its first month of operation.
- Implemented a parts/ supply warehouse with 2000 inventory items totaling \$260,000 in value.
- Hired an auditing firm to review the contract budget for the \$7.4 million Multomah Building renovation.
- Partnered with Sheriff's Office to implement an inmate work program for contracted services during FY02, to result in a projected savings of \$400,000.



Real Property Section

- Administered site location transactions and evaluations for different department needs. Negotiated lease renewals and management of approximately 90 existing leases, adding several new leases for the departments of Health, Library, Community Justice, and Sustainable Community Development
- Developed model lease format for county leasing
- Identified and supported formal training for staff in real estate transactions, financing and management
- Negotiated and sold County Farm land in Edgefield Complex

Facilities Services Section

Administration

- Coordinated the payroll and personnel matters for 107 FTE
- Processed approximately 164,000 SAP payroll entries during the year
- Conducted annual mandatory OSHA training that included Hazard Communication, Hearing Conservation, Bloodborne Pathogens, Tuberculosis, and Asbestos and Lead Awareness for 43 trades staff
- Project and property managers received the Tuberculosis and Asbestos and Lead Awareness training

Information Technology

- The division established an extensive remote network management system
- Downtime for the user was reduced by at least 50%
- Responded to more than 2400 trouble calls during the year
- Serviced 144 units. Will be adding 30 new units during the first half of FY02 to the network. Those units will handle the environmental systems for all of our major buildings.

Building Data Management Center (BDMC)

BDMC's 5 Key Services:

1. Data Management
2. Information Reporting & Forecasting
3. AutoCAD Standards
4. Resource Center Management
5. Customer Service

- Accomplished the CAD polylining of 16 major County facilities that included architectural, mechanical, and electrical portrayals of each facility.
- BDMC established and implemented a standard whereby As-Built CAD drawings will always be submitted as part of the final acceptance package for any new capital construction project or major remodel.

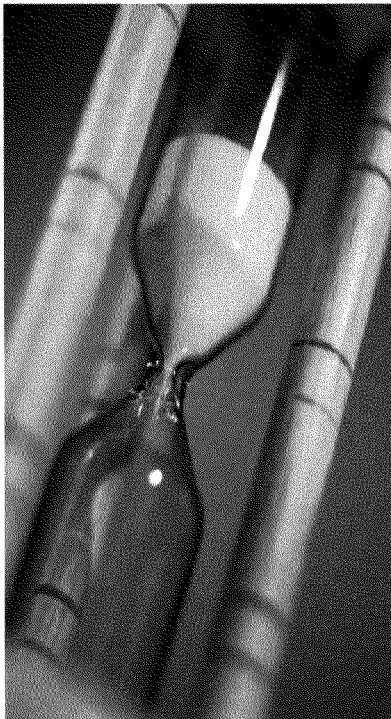
THE FUTURE...

There are a number of major initiatives the Facilities & Property Management Division will be undertaking in the coming year.

- Perform security review of County Facilities
- Create a Multnomah County Facilities Master Plan
- Assist with Courthouse Renovation Study
- Plan for Gresham Circuit Court Long-Term and Short-Term Facilities Needs
- Establish Facilities Design Criteria for Multnomah County, that will include sustainable design standards
- Complete Facilities Audit
- Establish Retro-Commissioning Program for Existing Buildings
- Implement Global Warming Initiatives and Goals into Facilities Work Plan

Action Plans

- Support DSCD in the review of the management and administration of Multnomah County facilities by November 2001
- Utilize building maintenance data generated by the new Plant Maintenance module of MERLIN for key managerial decisions associated with facilities and property management by September 2001
- Reduce facilities vacancy costs to the county and increase efficiencies in facilities space utilization by January 2002.
- Complete the facilities condition audit of all county owned facilities and incorporate facilities audit findings into the Asset Preservation program for refinement of the Capital Improvement Program project backlog by February 2002.
- Develop and implement a facility specific maintenance plan that will be the baseline for facilities support costs and will define the costs for the rate structured billing model by December 2001.
- Provide facilitation for county planning and project development through Master Plan concept of capital development with the first phase to be completed by June 2002.
- Develop design criteria that promote the concept of sustainable buildings in a cost effective manner that is supported by sound economic analysis. Incorporate LEEDs standards into all new construction projects by June 2002.





We would like to hear from you...

1) Was this report helpful to you and/ or your staff?

YES _____ NO

5 4 3 2 1

Please circle one

2) Do you think the Facilities and Property Management Division should continue to prepare this report in future years? If yes, please continue on to question #3.

YES _____ NO

5 4 3 2 1

Please circle one

3) What information would you like to see in the next Annual Report that was not provided in this year's report?

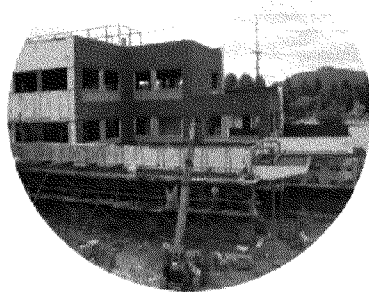
A. _____

B. _____

C. _____

4) COMMENTS: _____

Please return this form via Inter-Office Mail 274/ Lisa Rand



**401 N DIXON STREET
PORTLAND, OREGON 97227-1865
TELEPHONE: 503.988.3322
FASCIMILE: 503.988.5082**

FACILITIES DISCUSSION/BRIEFING GUIDE

11-1-01

CONTEXT

Facilities Management issues in context of budget re-balancing process

POLICY GOALS

<i>Timing</i>	<i>Goal</i>	<i>Impact</i>
1. IMMEDIATE	Lower costs by consolidating, reducing vacancies, and temporary closures to reduce operating & maintenance costs, avoid major capital expenses, etc.	Financial
2. MIDTERM & LONGTERM	Create additional resources by: (a) selling one or more surplus properties to raise cash & increase property tax revenues and, (b) leasing property to developers through cities for re-development to generate long-term lease & property tax revenues	Financial
3. MIDTERM & LONGTERM	Address special needs housing objectives by facilitating development by cities of County surplus property through ground leasing, etc.	Social goals

METHODS

Case-by-case disposition based on above goals:

1. SELL	Restricted by ORS (See attachment)
2. TRADE	Restricted by ORS
3. DONATE	Restricted by ORS
4. LEASE	Unrestricted

INDIVIDUAL PROPERTIES DISPOSITION OPTIONS

<i>Property</i>	<i>Disposition Option(s)</i>	<i>Current Occupancy</i>
1. GRESHAM N. Ctr.	Sell all or part? Lease for redevelopment to meet above policy goals? (All options assume working closely with City of Gresham)	0%
2. MORRISON	Pilot mixed use/special needs project through lease?	60%
3. FORD	Sell (auction) for current revenue?	73%
4. HANSEN	Sell? Lease for redevelopment to meet above policy goals?	98%

FACILITIES BRIEFING HANDOUTS

11.1.01

- Facilities diagram
- Disposition legal opinion
- Legal disposition options
- Individual property sheets
- Selling vs. Leasing pro's & con's
- Facilities Annual Report

LEGAL SURPLUS PROPERTY DISPOSITON POLICY OPTIONS 10.31.01

(per memorandum from County Attorney on 6.22.01, and email communication on 10.29.01)

1. Sell property to the highest bidder by Sheriff's auction, except:
 - May sell directly to another public body, including HAP or PDC, per ORS 275.110 (2)
 - May sell privately if property is suitable for industrial, commercial, manufacturing, research and development, or warehousing if acquired by "gift grant or donation" per ORS 275.110 (2)
 - May sell privately if (a) property is substantially undeveloped, (b) was acquired by means other than tax foreclosure, and (c) more than 50% of the area is zoned for commercial or industrial use per ORS 275.230
2. Trade property for private (or public) property, restricted only as follows:
 - Requires a mutually acceptable appraisal per ORS 271.350
 - Requires that the County receive property (and cash) of value not less than value of County property being traded per ORS 271.340
3. Donate property, including tax foreclosed,
 - To another tax collecting public body
 - To a municipal corporation for low income housing, social services or child care
 - To a non-profit corporation for low income housing, social services or child care
4. Lease property, including ground leases for development by others, without restriction

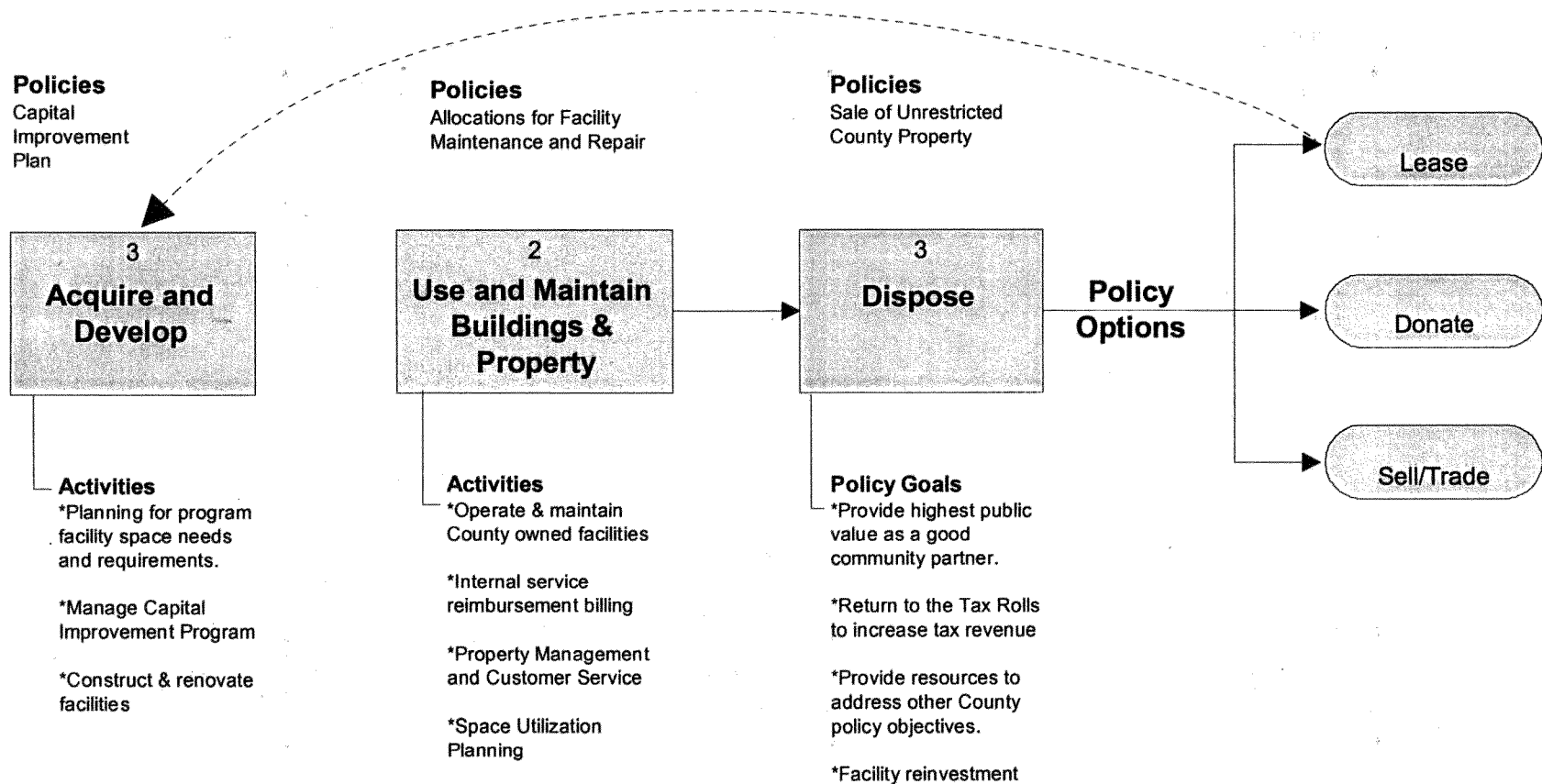
PRO's & CON's of Selling vs. Long-term Leasing County Surplus Property

10/31/2001

<i>Issue</i>	<i>Dispose by selling</i>	<i>Long-term land lease</i>	<i>Notes</i>
Relatively quick cash to County	*		
Long term revenue source		*	
Higher net value received over time		*	NPV income stream > cash
Shorter-term holding costs possible	*		Could be no difference
Holding costs during development	*	*	Slight difference
Back on property tax roll	*	*	No difference
Special needs housing opportunity		*	
More certain timeline to be on tax roll		*	
Certain timeline for development		*	
No legal restrictions = higher return		*	Sale restricted to auction!?
Kept as long-term public asset		*	
Voice in development direction		*	
Easier w/bonds or COP's		*	
No subdivisions, etc. required		*	
No need for monitoring	*		
Easier to get affordable housing financing		*	LIHTC & FHLB

Facilities Provision & Property Management System

Tuesday, October 30, 20101



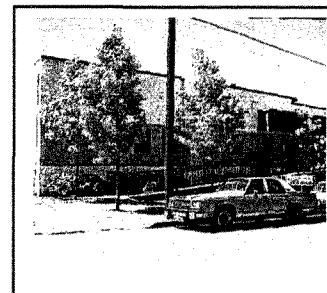
**Multnomah County Facilities and Property Management Division
Site and Building- Development Opportunities**

10.31.01

Building Profile- GRESHAM NEIGHBORHOOD CENTER - 620 NE 2nd, Gresham

Building Profile*

Bldg number 400	
Date Built	1946
Date Acquired	1972
Sq Ft Land Northern Parcel	44,000
Sq Ft Land Southern Parcel	25,300
Sq Ft Bldg	24,626
Replacement Cost based on \$12 sq ft land and \$110sq ft improvement	\$3,540,460
Reclamation Cost based on \$80 sq ft	\$1,970,000
Northern Parcel A&T Assessed Value: Land (no improvements) both parcels	\$719,450
Southern Parcel A&T Assessed Value: Land @\$10.30 sq ft	inc. above
Southern Parcel A&T Assessed Value: Improvements @ \$40 sq ft **	\$1,953,460
Total ATT Assessed Value	\$2,672,911
Evaluation Jan 8, 2001 by Northwest Equities North Parcel (@\$12 sq ft. land)	\$528,000***
Evaluation Jan 8, 2001 by Northwest Equities South Parcel (@\$13 sq ft land)	\$286,000***
Estimated Value of property	\$800,000
Zoning: DC2 Downtown Moderate Density Residential and DC2 Downtown Moderate Density Commercial	
Facility Condition = F (condemned)	



*Note 1: Being replaced by new East County Health/ADS Building to be completed by December 30, 2001

**Note 2: Building is condemned with overwhelming structural deficiencies and has a negative value

***Note 3: Report estimates combined valuation including development costs (demolition) at \$800,000

Annual Operating Costs

Building Costs including Asset Preservation, Capital Improvement Surcharge, Project Management time, Maintenance and Indirect. \$223,336 at \$9.06 pr sq ft (19%vacant) General Use

Utility Costs \$31,826 at \$1.30 pr sq ft

Annual Debt Retirement: No Debt

Five Year Capital Plan

Since this building is condemned, and programs are to be located in the new East County Facility, and no interest has been expressed by County Departments for development on this site, a capital plan has not been developed for this property.

Property will be boarded up and available for disposition by December 30, 2001

Disposition Options:

- 1) Sell property at Public Auction to highest bidder
- 2) Lease property on open market with 99 yr lease (or lass) (capitalized year 2002) through real-estate brokerage firm (allows for unrestricted direct transfer to lessee; similar to direct sale).
- 3)Ground Lease on a 66 -year lease with payments amortized over a ten to twenty year span with Mixed Use and Affordable Special Needs Housing incorporated. Produces a stream of lease payments that can be directed to General Fund or specific project or program.
- 4) Co develop with HAP, Gresham Community Development Department, or CDC by RFP or IGA. Use existing financing and development expertise to fulfill long or short-range goals.

Note: Property can possibly be sold before County vacation by terms of agreement allowing up to two-year occupancy.

Development Potential: Up to 47 units of housing with 52,000 sq ft of commercial on the site.

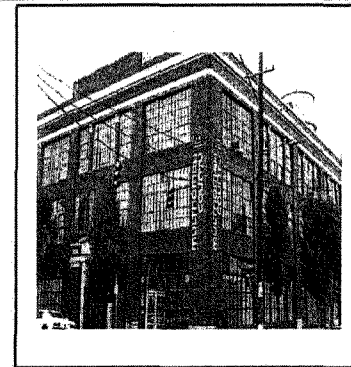
Multnomah County Facilities and Property Management Division Site and Building- Development Opportunities

10.31.01

Building Profile- FORD BUILDING – 2505 SE 11th, Portland

Building Profile

Bldg. 421	
Date Built	1918
Date Acquired	1972
Sq Ft Land	48,548
Sq ft Bldg	105,732
Replacement Cost based on \$16 sq ft land and \$90 sq ft improvement	\$10,300,000
Renovation Cost based on \$80 sq ft (includes complete seismic)	\$8,548,560
A&T Assessed Value: Land @ \$12.25 sq ft	\$594,840
A&T Assessed Value: Bldg @ \$33.56 sq ft	\$2,996,490
A&T Assessed land and improvements	\$3,591,330
Zoning: IG-1	
Central Eastside Urban Renewal District	
Facility Condition = C	



Annual Operating Costs

Building Costs including Asset Preservation, Capital Improvement Surcharge, Project Management time, Maintenance and Indirect. \$548,212 at \$6.15 blended General Use and warehouse (89,287 net leased).
Utility Costs \$95,666 at \$1.07 pr sq ft blended General Use and warehouse.
Annual Debt Retirement: No Debt

Five Year Capital Plan

Multnomah County Asset Audit Study identifies \$1,379,090 of immediate work excluding significant seismic upgrade estimated at an additional \$1,800,000 for an essential \$3.0 million investment.
Warehouse use (exclusive) would require less capital investments.

Disposition Options:

- 1) Sell property at Sheriffs Auction to highest bidder
 - 2) Lease property on open market with 99 (or less) yr lease (capitalized year 2002) through real-estate brokerage firm (allows for unrestricted direct transfer to lessee; similar in effect to direct sale).
 - 3) Ground Lease: A 66 -year lease with payments amortized over a ten to twenty year span. Some version of working/living art space is possible with zone change. Produces a stream of lease payments that can be directed to General Fund or specific project or program.
 - 4) Co develop with PDC, For Profit Developer or Specialty Not for Profit Developer.
- Note: Property can possibly be sold before County vacation by terms of agreement, with defined move out date.

Development Potential: 80,000 to 100,000 sq ft soft industrial or Artspace, or Sustainability Business Incubator. Zoning issues need to be addressed.

Issues: Relocation of County warehouse space with of 35 to 40 staff.

Property has present and future value to the County for warehouse and transition space (with some work to basic building systems).

This property is in the proposed Enterprise Zone, which if approved will significantly increase the properties value for development

Multnomah County Facilities and Property Management Division
Site and Building- Development Opportunities

10.31.01

Building Profile- THE MORRISON BUILDING – 2115 SE Morrison, Portland

Building Profile

Bldg number 412	
Date Built	1953
Date Acquired	1953
Sq Ft Land	47,393
Sq Ft Bldg	38,976
Replacement Cost based on \$15 sq ft land and \$120 sq ft improvement	\$5,388,000
A&T Assessed Value: Land @ \$13 sq ft	\$615,680
A&T Assessed Value: Bldg @ \$20.65 sq ft	\$880,330
A&T land and improvements	\$1,496,010
Zoning: CM and CS	
Facility Condition = F	



Annual Operating Costs

Building Costs including Asset Preservation, Capital Improvement Surcharge, Project Management time, Maintenance and Indirect. \$258,990 at \$6.64 sq ft for General Use space (20% vacant). Utility Costs \$58,444 at \$1.70 pr sq ft.

Annual Debt Retirement:: No Debt

Note: Due primarily to carrying vacant space, the County is able to recover only \$210,315 of actual costs. The remaining \$48,676 is not recoverable, and becomes a cost to Facilities Management.

Five Year Capital Plan

Since this building has been scheduled for disposition for a number of years (seismic reports indicate that the building fails in a moderate to major earthquake) major backlog of deferred maintenance exists. Renovation of the structure significantly exceeds its value.

Multnomah County Asset Audit Study identifies \$1,500,000 of immediate work excluding significant seismic upgrade estimated at an additional \$440,000 for an essential \$1.9 million investment.

Five year identified maintenance is \$880,000 with an additional \$2,300,000 in years 5 through 10. Full upgrade to modern standards estimate now is \$4.5 million

Reports: Future Options Study 2000

Seismic: 1995

Property Disposition/Development Options report /01

Disposition Options:

- 1) Sell property at Public Auction to highest bidder
- 2) Lease property on open market with 99 yr lease (or less) (capitalized year 2002) through real-estate brokerage firm (allows for unrestricted direct transfer to lessee; similar to direct sale).
- 3) Ground Lease on a 66 year lease with payments amortized over a ten to twenty year span with Mixed Use and Affordable Special Needs Housing incorporated. Produces a stream of lease payments that can be directed to General Fund or specific project or program.
- 4) Co develop with HAP, PDC, or CDC by RFP or IGA. Use existing financing and development expertise to fulfill long or short-range goals.

Note: Property can possibly be sold before County vacation by terms of agreement allowing up to two-year occupancy.

Development Potential: The site should allow 75 or more units of housing with 70,000 sq ft of commercial on the site. Under current zoning this can be a four-story building, and probably five with an adjustment that should be achievable given the adjacent uses.

Plans are in place for relocation of buildings tenants.

Multnomah County Facilities and Property Management Division Site and Building- Development Opportunities

10.31.01

Building Profile- HANSEN BUILDING – 12240 NE Glisan, Portland

Building Profile*

Bldg. 313, 316, 318, 319

Date Built	1956
Date Acquired	1956
Sq Ft Land	177,725
Sq Ft Bldgs.	48,156
Replacement Cost of 37,000 sq ft office (\$110 sq ft), 4 acres of land at \$15 sq ft and 10,000 sq ft warehouse at \$80 sq ft	\$7,535,800
Rehabilitation Cost based on \$90 sq ft ** (37,000 sq ft)	\$3,330,000
A&T Assessed Value: Land ***	\$1,720,710
A&T Assessed Value: Improvements	\$1,463,610
Total A&T Assessed Value	\$3,184,320
Land actual area 177,725 X \$14 sq ft =	\$2,488,150



Zoning: CS Storefront Commercial

Facility Condition = D

* Note 1: Hansen is a complex of four buildings on 4.08 acres of land including a warehouse and fuel station.

** Note 2: Roof, HVAC, Electrical systems are inadequate condition and in failure mode. Significant seismic upgrades required.

*** Note 3: This variation (possibly larger) could apply if Sheriff moved to another existing County building.

*** Note 3: Site is at a premium location for commercial/mixed use development. Buildings will most likely have negative value. Appraisal recommended to determine true market value

Annual Operating Costs

Building Costs including Asset Preservation, Capital Improvement Surcharge, Project Management time, Maintenance and Indirect. \$352,995 at \$9.17 sq ft.
Utility Costs \$65,387 at \$1.35 sq ft

Annual Debt Retirement: No Debt

Five Year Capital Plan

Multnomah County Asset Audit Study identifies \$808,000 of immediate work (excluding significant seismic upgrade estimated at an additional \$400,000) for an essential combined \$1.2 million investment.
Five year identified maintenance is \$500,000 with an additional \$2,000,000 in years 5 through 10. Or full upgrade to modern standards estimate now is \$3.5 million

Disposition Options:

- 1) Sell property at Public Auction to highest bidder
- 2) Lease property on open market with 99 yr lease (or less) (capitalized year 2002) through real-estate brokerage firm (allows for unrestricted direct transfer to lessee; similar to direct sale).
- 3) Ground Lease on a 66 -year lease with payments amortized over a ten to twenty year span with Mixed Use and Affordable Special Needs Housing incorporated. Produces a stream of lease payments that can be directed to General Fund or specific project or program.
- 4) Co develop with HAP, PDC, or CDC by RFP or IGA. Use existing financing and development expertise to fulfill long or short-range goals.

Note: Property can possibly be sold before County vacation by terms of agreement, with defined move out date.

Development Potential: Up to 300 units of housing with 50,000 sq ft of commercial on the site.

Disposition of this building requires the purchase or construction of an alternative building for an East County Precinct of 24,600 sq. ft. and a commissary and warehouse structure of 10,000 sq. ft. Staff relocation for both precinct and warehouse would be approximately 104 people. Cost of purchase of land, development and construction of a new building is estimated to be in the range of 6 to 8 million.