



Multnomah County Oregon

## Board of Commissioners & Agenda

connecting citizens with information and services

### BOARD OF COMMISSIONERS

#### Ted Wheeler, Chair

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Portland, Or 97214

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**AUGUST 18 & 20, 2009**

### **BOARD MEETINGS**

#### **AGENDA ITEMS OF INTEREST REVISED**

Pg 2	9:30 a.m. Thursday Opportunity for Public Comment on non-agenda matters
Pg 2	9:30 a.m. Thursday Briefing on Recommend- ations for Urban and Rural Reserves
Pg 2	10:15 a.m. Thursday Resolution Directing the Health Department to Assess the Condition of Residential Rental Properties in Unincorporated Multnomah County
Pg 2	10:20 a.m. Thursday First Reading of an Ordinance Amending MCC Chapter 21, Health, Relating to Residential Rental Property
Pg 3	11:15 a.m. Thursday Weatherization Briefing
	<b>The August 25 and August 27, 2009 Board Meetings are Cancelled</b>

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Saturday, 10:00 AM, Channel 29

Tuesday, 8:15 PM, Channel 29

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Thursday, August 20, 2009 - 9:30 AM  
Multnomah Building, First Floor Commissioners Boardroom 100  
501 SE Hawthorne Boulevard, Portland

## **REGULAR MEETING**

### **REGULAR AGENDA**

#### **PUBLIC COMMENT - 9:30 AM**

Opportunity for Public Comment on non-agenda matters. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk.

#### **DEPARTMENT OF COMMUNITY SERVICES – 9:30 AM**

- R-1 Briefing on Recommendations of the Citizens Advisory Committee for Urban and Rural Reserves. Presented by Senior Land Use Planner Charles H. Beasley. 30 MINUTES REQUESTED.
- R-2 ORDER Canceling Multnomah County Land Sale Contract No15784 for Default in Payments and Performance of Covenants

#### **DEPARTMENT OF COMMUNITY JUSTICE – 10:05 AM**

- R-3 BUDGET MODIFICATION DCJ-03 Increasing Fiscal Year 2010 City of Portland Chronic Offender Program Budget by \$37,000

#### **DEPARTMENT OF HEALTH – 10:10 AM**

- R-4 NOTICE OF INTENT to Submit a Proposal to the Environmental Protection Agency Indoor Environments Grant Competition
- R-5 RESOLUTION Directing the Multnomah County Health Department to Assess the Condition of Residential Rental Properties in Unincorporated Multnomah County
- R-6 First Reading of a Proposed ORDINANCE Amending Multnomah County Code Chapter 21, Health, Relating to Residential Rental Property

## **NON-DEPARTMENTAL – 11:15 AM**

R-7 Weatherization Briefing: American Reinvestment and Recovery Act Funding; Public Contracting Procedures; How Weatherization Dollars will be Used. Presented by Chair Staff Madeline Mader, Finance Supervisor Sophia Cavalli, Finance Manager Brian Smith, Program Manager Mary Li and Senior Program Development Specialist HC Tupper. 30 MINUTES REQUESTED.

## **BOARD COMMENT**

Opportunity (as time allows) for Commissioners to provide informational comments to Board and public on non-agenda items of interest or to discuss legislative issues.



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**AUGUST 18 & 20, 2009**

### **BOARD MEETINGS**

#### **FASTLOOK AGENDA ITEMS OF INTEREST**

Pg 2	9:00 a.m. Tuesday if needed Executive Session
Pg 2	9:30 a.m. Thursday Briefing on Recommendations for Urban and Rural Reserves
Pg 3	10:15 a.m. Thursday Resolution Directing the Health Department to Assess the Condition of Residential Rental Properties in Unincorporated Multnomah County
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Tuesday, August 18, 2009 - 9:00 AM  
Multnomah Building, Sixth Floor Commissioners Conference Room 635  
501 SE Hawthorne Boulevard, Portland

## **EXECUTIVE SESSION**

- E-1 ***IF NEEDED***, the Multnomah County Board of Commissioners will meet in Executive Session pursuant to ORS 192.660(2) (d)(e) and/or (h). Only representatives of the news media and designated staff may attend. News media and all other attendees are specifically directed not to disclose information that is the subject of the Executive Session. Final decisions are decided in public Board meetings. Presented by County Attorney Agnes Sowle. 15-55 MINUTES REQUESTED.
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Thursday, August 20, 2009 - 9:00 AM  
Multnomah Building, First Floor Commissioners Boardroom 100  
501 SE Hawthorne Boulevard, Portland

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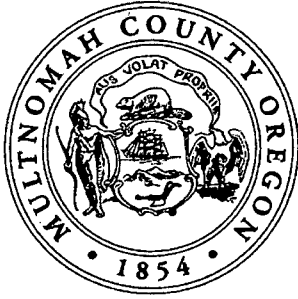
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### MEMORANDUM

TO: Commissioner Deborah Kafoury  
Commissioner Jeff Cogen  
Commissioner Judy Shiprack  
Commissioner Diane McKeel  
Clerk of the Board Deb Bogstad

FROM: Barb Guthrie, Staff Assistant to Chair Ted Wheeler

DATE: August 14, 2009

RE: Board Meeting Excuse Memo

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Chair Wheeler has been subpoenaed to testify in court on the morning of August 20, 2009 and will not be available for the start of the meeting. He will make every effort to attend as much of the Board Meeting as possible; however, we are not able to predict how long he will be in court.

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

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Please complete this form and return to the Board Clerk

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

MEETING DATE: 8-20-09

SUBJECT: Sellwood Bridge

AGENDA NUMBER OR TOPIC: Public Comment

FOR: \_\_\_\_\_ AGAINST: \_\_\_\_\_ THE ABOVE AGENDA ITEM

NAME: Ron Swaren

ADDRESS: 1543 SE Umatilla St

CITY/STATE/ZIP: Portland OR 97202

PHONE: \_\_\_\_\_ DAYS: 971-223-5178 EVES: \_\_\_\_\_

EMAIL: \_\_\_\_\_ FAX: \_\_\_\_\_

SPECIFIC ISSUE: Sellwood Bridge

WRITTEN TESTIMONY: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

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

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



# MULTNOMAH COUNTY

## AGENDA PLACEMENT REQUEST (revised 09/22/08)

### Board Clerk Use Only

Meeting Date: 08/20/09  
Agenda Item #: R-1  
Est. Start Time: 9:30 AM  
Date Submitted: 09/07/09

**Agenda Title:** Briefing on Recommendations of the Citizens Advisory Committee for Urban and Rural Reserves

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

Requested Meeting Date: August 20, 2009 Amount of Time Needed: 30 minutes  
Department: Department of Community Services Division: Land Use Planning  
Contact(s): Chuck Beasley  
Phone: 503-988-3043 Ext. 22610 I/O Address: 455/116  
Presenter(s): Chuck Beasley

### General Information

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

No action, informational briefing only.

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

This briefing is intended to provide information to the Board in preparation for the September 10, 2009 public hearing, when the Board will hear public testimony and forward the County reserves recommendations to Core 4 and the Reserves Steering Committee. It follows the April 16, 2009 Board briefing regarding what areas of the county should continue to be studied as "candidate" urban and rural reserves

The Multnomah County Citizens Advisory Committee for Urban and Rural Reserves (CAC) has completed their deliberations on areas of the county that are suitable for Urban and Rural Reserves. The CAC has also developed recommendations for which of the suitable areas should be designated urban or rural reserve for the Board to consider. The CAC recommendations, along with staff recommendations, are summarized in the attached document and maps that are part of a staff report to the Planning Commission.

Steps in the process timeline near term include:

- The Multnomah County Planning Commission will conduct a public hearing on the CAC and staff reserves recommendations on August 10, 2009.
- Staff will provide the advice of the Planning Commission along with the CAC/staff recommendations for Board consideration at the August 20 briefing.
- Board of Commissioners hearing on September 10, 2009.
- Multnomah County's position on reserve areas will be considered along with the results of the Clackamas and Washington County processes as part of the region wide conversation that is intended to result in an agreement by the end of 2009. This regional view of urban and rural reserves will begin to take shape on release of the county results at the September 23 Reserves Steering Committee meeting.

The Urban and Rural Reserves process entails a new regional approach to managing the Metro region urban form. The expected outcome of the Reserves work will be a decision that identifies reserve areas in Multnomah County as part of a process that includes collaboration with Washington and Clackamas Counties, Metro, cities, and others. The Reserves process provides greater flexibility to decide what areas around the Portland Metro region are best suited for future urbanization, and the 40 to 50 year time horizon will result in greater predictability for where growth is and is not expected to occur. Land outside of the UGB has been studied to inform decisions about how to balance land needed to create great urban communities, to protect lands important to the viability of the agricultural and forest economies of the region, and protection of natural features that define the region.

Urban and rural reserves will be decided upon through intergovernmental agreements (IGAs) between each of the counties and Metro. A Regional Reserves Steering Committee, co-led by one elected official from each of the counties and Metro (the Core 4), oversees the study and designation process and will make a recommendation to the counties and Metro. The Core 4 includes Multnomah County Commissioner Jeff Cogen, Washington County Commission Chair Tom Brian, Metro Councilor Kathryn Harrington, and Clackamas County Commissioner Charlotte Lehan. The Steering Committee includes representatives of cities in the region, state agencies, business groups, agricultural interests, land use advocates, natural resources organizations, and social/economic equity groups.

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

Staff resources and project support is accommodated within existing and proposed budgets.

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

The CAC and staff recommendations on what areas are suitable for urban or rural reserve are based on consideration of factors that are not standards which must be met. The extent of reserves, and what designation to give areas that are suitable for both urban and rural reserve, will therefore require policy judgment. The final recommendation from Core 4 will be memorialized through inter-governmental agreements that implement the policy choices.

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

Public involvement to date has included two region wide open house events and on-line surveys. The first was conducted in July of 2008 to gather input on the Reserves Study Area Map. The second occurred in April of 2009, for public input on Urban and Rural Reserve Candidate Areas - lands that will continue to be studied for urban and rural reserves. A third regional outreach effort to gather input on the map of proposed urban and rural reserves is contemplated.

The Multnomah County Reserves Citizen Advisory Committee developed their suitability assessments and recommendations in 16 public meetings that began in May of 2008 and ended July

30, 2009. Staff has been providing newspaper notice of these meetings and distributes meeting information to citizens by email and through a web site that is linked to our partner sites. Staff has also presented information at rural neighborhood association meetings and has provided briefings to the Planning Commission.

In addition to working with our reserves partner counties and Metro, staff is coordinating with affected cities and other units of local government as needed.

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**Required Signature**

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



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**Date:** 08/07/09

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## **Urban and Rural Reserves in Multnomah County**

### **Recommendations from the Citizens Advisory Committee and County Staff**

**Planning Commission Hearing August 10, 2009**

Staff report date August 3, 2009

Prepared by: Multnomah County Land Use and Transportation Planning

Chuck Beasley, Senior Planner

Ken Born, Transportation Planner

JLA Public Involvement, CAC facilitation

## **Executive Summary**

### **Urban and Rural Reserves in Multnomah County**

Recommendations of the Multnomah County Citizens Advisory Committee for Urban and Rural Reserves and Planning Staff

The Urban and Rural Reserves process entails a new approach to planning for growth in the Portland-Metro region by identifying land needed for urban and rural uses over a 40 to 50 year planning horizon. The intent is to identify the locations of future Urban Growth Boundary expansions to facilitate long term planning for urbanization, and to provide greater certainty to the agricultural and forest industries, landowners and service providers. Desired outcomes include:

- Long term protection of farm and forest industries;
- Protection of landscape features that help define the region;
- Better urban location choices; and
- Improved planning for transitions from rural to urban land.

This approach is authorized by SB 1011 (2007), and is being implemented in accordance with Oregon Administrative Rules (OAR) 660-027 (2008). The rules contain procedures and factors which must be considered when evaluating land for urban/rural reserves.

This executive summary includes the recommendations of the Multnomah County Citizens Advisory Committee for Urban and Rural Reserves (CAC) as well as staff evaluation and recommendations. Areas of the county considered for reserves are shown on the map included with the Overview of Recommendations, and in each area analysis section. The analysis of the nine subareas of the county considers and ranks the extent to which each area has the attributes indicated in the factors. A summary of the results of factors analysis for rural and urban factors is included in the Suitability Assessments and Recommendations section. Detailed analysis of how each area ranks according to the factors in OAR 660-027-0050 (urban) and -0060 (rural) along with area maps is included in the body of the report.

This report identifying areas suitable for reserves follows two earlier decisions endorsed by Multnomah County and our partner governments, Clackamas and Washington Counties, and Metro. Those decisions defined the land area to be studied for reserves, and selected "candidate" urban and rural reserve areas for further study. This report marks the completion of the CAC's work, and after Board of Commissioners approval, begins the comparison of the regional recommendations of the partner governments to determine what areas will become reserves.

The objective that must be met for the reserves decision is "a balance in the designation of urban and rural reserves that, in its entirety, best achieves livable communities, the viability and vitality of the agricultural and forest industries and protection of the important landscape features that define the region for its residents." (OAR 660-027-0080(4)(b)) Meeting this objective requires

joint consideration of the recommendations of all three counties by the four governments, consideration of estimates for the expected 40 – 50 year population and employment growth, and assessment of how much rural land will be needed to accommodate that growth. The growth estimates and assessment will be determined through ongoing regional involvement, reinforcing the interim nature of the recommendations at this stage of the process. The “how much in” vs “how much out” questions must still be addressed. The decision will be implemented in two stages, beginning with an IGA at the end of this year, followed by legislative adoption of urban and rural reserves maps in mid 2010.

The reserves OAR contain a number of provisions decision makers should be aware of when considering recommendations for reserves. Key provisions are listed below:

- Land designated as urban reserve will be the highest priority for meeting new urban land needs over the 40 -50 year planning horizon. Rural reserves cannot be changed to urban within the same timeframe.
- The urban and rural factors are not a list of criteria that must be met. The county is required to “consider” them when identifying and selecting land for reserves.
- Urban reserve may not be designated in a county unless rural reserve is also designated in that county. A county may designate rural reserve even if no urban reserve is designated.
- Land mapped by Oregon Department of Agriculture as either Foundation or Important agricultural land can be designated as rural reserve by the county without providing additional legal justification or factors consideration – the “safe harbor” provision.
- The county cannot change the zoning code to allow more intensive uses or smaller parcel sizes in urban or rural reserve areas than were allowed at the time of designation.

The CAC recommendations are the result of work by the 15 committee members in sixteen meetings that began in May of 2008 and ended July 30, 2009. The attached CAC recommendations are that no areas of Multnomah County should be designated as urban reserve, and that a significant portion of rural Multnomah County should be designated as rural reserve. Staff recommendations include a small urban reserve area to connect Area 93 to the City of Portland, and areas not recommended for either rural or urban reserve. Refer to the Recommendations Summary for a more complete understanding of the rationale behind these results.

## Overview of Recommendations

	<b>Rural Reserves Suitability</b>	<b>Urban Reserves Suitability</b>	<b>Overall Recommendation</b>
Area 1 Government Islands	CAC: Low suitability Staff: Low suitability	CAC: Not a candidate for urban reserve Staff: Low suitability	CAC: Divided between no reserve designation and rural reserve to protect landscape features. Staff: No reserves designation
Area 2 East of Sandy River	CAC: High suitability west of 3-mile UGB line; Low/medium suitability east of 3-mile UGB line Staff: Low suitability	CAC: Not a candidate for urban reserve Staff: Low suitability	CAC: Designate the area west of 3-mile UGB line as rural reserve for farm and forest protection. Staff: No reserves designation
Area 3 Sandy River Canyon	CAC: High suitability Staff: Low suitability to protect forest, medium suitability for landscape features.	CAC: Not a candidate for urban reserve Staff: Low suitability	CAC: Designate rural reserve to protect landscape features Staff: Designate rural reserve to protect landscape features
Area 4 West of Sandy River	CAC: High suitability Staff: High suitability	Area 4a: North of Lusted Rd CAC: Low suitability Staff: Low suitability	CAC: Designate rural reserve to protect farmland and landscape features. If County must designate urban reserves, the area south of Lusted Rd/north of the Orient Rural Center/west of 302 <sup>nd</sup> is most suitable. Staff: Designate rural reserve to protect foundation agricultural land. Area most suitable for any needed urban reserve should include the Orient Rural Community and areas southwest of Orient Drive.
		Area 4b: South of Lusted Rd CAC: medium/low, except medium/high for the area north of Orient Rural Center/west of 302 <sup>nd</sup> Staff: Medium suitability; higher suitability near UGB and US-26	
Area 5 NW Hills North	CAC: Medium overall; Low in Plainview area Staff: High/medium suitability of the area within	CAC: Not a candidate for urban reserve Staff: Low Suitability	CAC: Designate rural reserve to protect forest resources. Staff: Designate the area within the 3 mile line

	<b>Rural Reserves Suitability</b>	<b>Urban Reserves Suitability</b>	<b>Overall Recommendation</b>
	3 miles of the UGB and southwest of Skyline Blvd; low suitability in remainder		southwest of Skyline Blvd. as rural reserve to protect landscape features.
Area 6 West Hills - South	<p><i>CAC:</i> High suitability West of McNamee; Low suitability east of McNamee</p> <p>Staff: Low suitability in Area north of Skyline Blvd (corresponds to urban area 6a) High suitability in area South of Skyline Blvd (corresponds to area 6b):</p>	<p>Area 6a: North of Cornelius Pass Rd./ Skyline Blvd.: <i>CAC:</i> Not a candidate for urban reserve</p> <p>Staff: Low suitability</p>	<p><i>CAC:</i> Designate rural reserve to protect farm and forest resources and landscape features.</p> <p>Staff: Designate the area south of Cornelius Pass Rd./Skyline Blvd. intersection rural reserve to protect farm and forest resources and protect landscape features.</p>
		<p>Area 6b: South of Cornelius Pass Rd./Skyline Blvd.: <i>CAC:</i> Split between medium and low suitability</p> <p>Staff: Low suitability for subarea east of the north fork of Abbey Creek. Medium/Low suitability for subarea west of Abbey Creek.</p>	
Area 7 Powerline/ Germantown Rd. - South	<p><i>CAC:</i> Split between medium and high suitability.</p> <p>Staff: High suitability for landscape features except area adjacent to N. Bethany which is low.</p>	<p>Area 7a: Area above the mid-slope line between the county line and Skyline Blvd.: <i>CAC:</i> Not a candidate for urban reserve</p> <p>Staff: Low Suitability</p>	<p><i>CAC:</i> Designate rural reserve to protect landscape features. If the County must designate urban reserve on the west side, the Lower Springville Rd area is the highest suitability.</p> <p>Staff: Designate East Laidlaw Rd. area urban reserve. No designation in the Lower Springville Rd area. Designate all other areas rural reserve to protect landscape features.</p>
		<p>Area 7b: Below the mid-slope line between the County line and Skyline Blvd.: <i>CAC:</i> Low suitability</p> <p>Staff: Low suitability</p> <p>Subarea East Laidlaw: <i>CAC:</i> split between low and medium suitability</p> <p>Staff: Low suitability</p> <p>Subarea at lower Springville</p>	

	<b>Rural Reserves Suitability</b>	<b>Urban Reserves Suitability</b>	<b>Overall Recommendation</b>
		Rd. area.: <i>CAC: split between low and medium suitability</i>  Staff: Low/Medium suitability	
Area 8 Sauvie Island	<i>CAC: High/Medium</i>  Staff: High suitability	<i>CAC: Not a candidate for urban reserve</i>  Staff: Low suitability	<i>CAC: Designate rural reserve to protect farmland and landscape features.</i>  Staff: Designate rural reserve to protect foundation farmland and landscape features.
Area 9 Multnomah Channel	<i>CAC: Low suitability</i>  Staff: Low Suitability	<i>CAC: Low suitability</i>  Staff: Low suitability	<i>CAC: No reserves designation</i>  Staff: No reserves designation

# Urban and Rural Suitability Assessments and Recommendations

## Area 1: Government Islands

- **Overall CAC Recommendation:** CAC divided between designating the area rural reserve or remaining undesignated. Regardless of whether the area is or is not designated rural reserve, area needs special protection due to its high value natural features and sense of place.
- **Overall Staff Recommendation:** No reserve designation

### Rural Reserves Suitability

CAC Assessment: *Low suitability for rural reserve*

Staff Assessment: Low suitability for rural reserves

#### Area Key Factors and Evaluation:

- Area rates low on most factors for forestry.
- Islands rate low for potential urbanization and as features that shape urban form.
- Long-term OPRD lease (until 2098) and Jewett lake mitigation site are adequate for protection of landscape features.

### Urban Reserves Suitability

CAC Assessment: *Low suitability, do not study further as a candidate for urban reserve.*

Staff Assessment: Low suitability for urban reserves.

#### Area Key Factors and Evaluation:

- Ranks low for urban reserve due to a number of factors, driven in large part by topography.
- Ranks low for key urban elements including sewer service, transportation services, for potential to develop a well connected transportation system, transit, employment land and low potential for urban density.
- Is relatively isolated from existing urban areas.

## Area 2: East of Sandy River

- **Overall CAC Recommendation:** Designate as rural reserve the area west of the 3 mile UGB line due to a higher threat of urbanization coming from the adjacent Troutdale area. Remaining area and the Trout Creek Road area should remain undesignated.
- **Overall Staff Recommendation:** No reserves designation.

### Rural Reserves Suitability

*CAC Assessment:* High suitability west of the 3-mile UGB line. Low/medium suitability east of the 3-mile UGB line. Area is rated as important agricultural land and is included in the natural features inventory.

Staff Assessment: Low suitability.

#### Area Key Factors and Evaluation:

- Area rates moderately high on capability and high on suitability factors for both farm and forest protection.
- Somewhat isolated location separated by the significant landscape feature of the Sandy canyon. This isolation results in good habitat areas and good protection of those areas from urbanization.
- Ranks low on sense of place, urban-rural separation, and recreation.

#### CAC and Staff Key Differences:

- CAC and Staff differ on ranking of potential for urbanization. CAC rated the area closest to the UGB high for this factor, and noted that roughly one third is within three miles of the Troutdale UGB. View of staff is that, although the area is adjacent to the UGB in one area, potential for urbanization is low due to inefficient extension of key services across the Sandy River canyon.

### Urban Reserves Suitability

*CAC Assessment:* Low suitability, do not study further as a candidate for urban reserve.

Staff Assessment: Low suitability for urban reserves.

#### Area Key Factors and Evaluation:

- Ranks low for urban reserve due to a number of factors due to topography.
- Ranks low for key urban elements including sewer service, transportation services, for potential to develop a well connected transportation system, transit, employment land and low potential for urban density.
- Is relatively isolated from existing urban areas.

## Area 3: Sandy River Canyon

- **Overall CAC Recommendation:** Designate rural reserve. Area contains important landscape features and is important for water protection. It also creates a good edge between urban and rural areas.
- **Overall Staff Recommendation:** Designate the canyon as rural reserve to protect landscape features.

### **Rural Reserves Suitability:**

CAC Assessment: High suitability for rural reserve due to high value natural landscape features. The Sandy River Gorge also provides a natural limit to urban development.

Staff Assessment: Low suitability for rural reserve to protect forest resources, medium suitability to protect landscape features. Areas within 3 miles of UGB can be designated rural reserve under "safe harbor" to protect important and foundation land.

#### Area Key Factors and Evaluation:

- Area lends itself primarily to forestry due to topography.
- Scenic and habitat objectives for this area are likely to continue long-term., indicating low suitability for forest management.
- High Suitability for factors related to environmental values.
- Canyon is adjacent to areas on the west that could become urban reserve. It forms a landscape scale edge between the Portland Metro area to the west, and the Cascades foothills on the east.
- Has important scenic, habitat, and recreation values
- Area has existing protections through zoning and public ownership, and urbanization potential is remote.

#### CAC and Staff Key Differences:

- CAC ranks the area high on protection of water quality in the Sandy River. The Sandy River is a National Scenic Waterway, State Scenic Waterway, and has Federal, Wild and Scenic River designations. The Gorge holds regionally important ecological and recreational resources, and could not be adequately protected if the area was urbanized.
- Staff ranks the area low on the protection of water quality factor because the canyon is not likely to be included within urban expansion and not in need of protection.

### **Urban Reserves Suitability**

CAC Assessment: Low suitability, do not study further as a candidate for urban reserve.

Staff Assessment: Low suitability for urban reserves

#### Area Key Factors and Evaluation:

- Ranks low for urban reserve due to topography.
- Ranks low for key urban elements including sewer service, transportation services, for potential to develop a well connected transportation system, transit, employment land and low potential for urban density.
- Is relatively isolated from existing urban areas.

## Area 4: West of Sandy River

- **Overall CAC Recommendation:** Designate as rural reserves. However, if the County must designate urban reserves, the area south of Lusted Rd, north of the Orient Rural Center and west of 302nd is most suitable. Further south, the land slopes into the Johnson Creek area, which is not suitable for urban reserves.
- **Overall Staff Recommendation:** Designate rural reserve to protect foundation agricultural land. Area most suitable for any needed urban reserve is the Orient Rural Community and areas southwest of Orient Drive.

### Rural Reserves Suitability

CAC Assessment: High suitability for rural reserves. The West of Sandy Area has the highest quality soil within the entire region, characterized by Foundation land.

Staff Assessment: High suitability for rural reserves to protect farmland, medium suitability of Beaver Creek canyon for landscape features protection.

#### Area Key Factors and Evaluation:

- Foundation agricultural land. Areas within 3 miles of UGB can be designated rural reserve under "safe harbor."
- Area is a highly productive farming area located on the east edge of the Portland metro region. Nursery stock is currently the major crop, the area currently produces and has a history of producing food crops including berries and fresh vegetables.
- Medium rankings on some factors are related to effects of parcelization which is highest in the southwest part of the area. Farm protection measures, strategies to reduce farm/auto conflicts on area roads, and maintaining adequate agricultural infrastructure can offset parcelization.
- The Beaver Creek canyon extending along the edge of the UGB out to the general area of SE 302nd ranks high for habitat, water quality, and acting as a buffer or edge between urban and rural resources, but is not high on the key sense-of-place factor.
- Other mapped landscape feature areas lack the UGB defining edge value as well as not having high sense of place recognition.

#### CAC and Staff Key Differences:

- CAC ranked area high for water protection to protect Sandy River.
- Staff ranked area medium for Beaver Creek, low for the balance of the area. While habitat values are high for stream and water quality, these values can be protected under urban rules that would apply should these areas urbanize in the future.

### Urban Reserves Suitability

CAC Assessment: *Low suitability for North of Lusted Rd Area; medium/low suitability for the South of Lusted Rd area, except medium/high for the area North of Orient Rural Center/West of 302<sup>nd</sup>. North of Orient Rural Center/West of 302<sup>nd</sup> area has some urban potential as it is closer to the UGB. If urbanized, the Sandy River should not act as the only buffer; some buffers could be found within Area 4 to break up urban and rural areas, especially at the east-west separation.*

Staff Assessment: Low suitability for Area 4a (North of Lusted Rd); Medium suitability for most of Area 4b (South of Lusted Rd), with higher suitability for area near UGB and US-26. These two areas vary for urban reserve suitability for the most part based on topography, transportation connectivity, and relationship to employment land.

**Area Key Factors and Evaluation:**

- Area 4a (North of Lusted Rd):
  - Beaver Creek and Sandy River are features that limit the area to good integration with existing urban areas to a short edge adjacent to Troutdale.
  - Has few internal roads, and an elongated shape.
  - Major employment areas are not nearby.
  - Area is rated high for sewer and medium for water.
  - Difficulty in creating buffers or using other means to minimize adverse effects on farm, forest and landscape features.
- Area 4b (South of Lusted Rd):
  - Land contains fewer constraints from stream associated topography and has slopes suitable to all urban uses.
  - West areas are near existing and planned employment centers along US 26, although close in areas are parcelized.

**CAC and Staff Key Differences for Area 4b:**

- Staff perceives adequate area to buffer urban impacts to natural resources and there are no edge defining landscape features in the area. Mitigating impacts to adjacent farming should be possible with adequate land set asides; however impacts to added urban traffic could be difficult to manage.
- CAC does not necessarily see adequate land area to sufficiently buffer urban impacts on agriculture. Use of 302<sup>nd</sup> as an urban edge should help keep urban traffic off rural roads to the east.
- CAC rates area medium for transportation efficiency. Adjacent areas do not have transportation or infrastructure in place for a grid system, especially east of 327<sup>th</sup>.
- Staff rates area high for transportation efficiency. Area has a road grid that integrates with Gresham to the west and provides more limited connections south toward US 26.

## Area 5: NW Hills North

- **Overall CAC Recommendation:** Designate rural reserve. Part of the area is within the 3-mile UGB line. The Holbrook area has Foundation agricultural land which should be protected, as should the headwaters of Rock Creek.
- **Overall Staff Recommendation:** Designate the area within the 3 mile line southwest of Skyline Blvd. as rural reserve to protect farm/forest and landscape features.

### Rural Reserves Suitability

CAC Assessment: *Medium overall; Low in Plainview area. Area contains important fish and wildlife. Land beyond Cornelius Pass Rd is Foundation Agricultural land highly suited for forestry.*

Staff Assessment: High suitability for rural reserve to protect farm/forest resources, and medium to protect landscape features, in the Plainview area; low suitability elsewhere.

#### Area Key Factors and Evaluation:

- Majority of this area continues to function as an industrial forest and is suitable for rural reserve for that reason.
- Mixed farm/forest area between Skyline Blvd. and Rock Creek is well buffered from nonfarm uses and has adequate resources to continue current farming practices, although soils and water limit farming to a greater extent than lower elevation areas.
- The area in the vicinity of Plainview is in an area with potential for urbanization (suitable for key urban services of sewer and water).
- Areas within 3 miles of UGB can be designated under “safe harbor” provision.
- Area rates high on the key sense of place factor and habitat factors, supporting rural reserve designation.
- Includes significant extent of landslide hazard and steep hills suggesting it is less desirable for urban uses – not unexpected given terrain.
- Area holds regionally important ecological (wildlife habitat and headwater streams) resources.

#### CAC and Staff Key Differences:

- Staff assessment: All except the Plainview area is not potentially subject to urbanization due to proximity to a UGB.
- CAC reaction: However, major roads such as OR-30 and Cornelius Pass and the existence of nearby major employers also put the area at further risk of urbanization. There is also potential for southward expansion from Scappoose whose urban boundary is a mile north of the Multnomah County line. The West Hills clearly fit the purpose for Rural Reserves for natural landscape features, providing a natural limit to urban development and helping define an appropriate natural boundary of urbanization coming from Washington and Columbia Counties.

### Urban Reserves Suitability

CAC Assessment: *Low suitability, do not study further as a candidate for urban reserve.*

Staff Assessment: Low suitability for urban reserves

Area Key Factors and Evaluation:

- Ranks low for urban reserve due to a number of factors, driven in large part by topography.
- Ranks low for key urban elements including sewer service, transportation services, for potential to develop a well connected transportation system, transit, employment land and low potential for urban density.
- Is relatively isolated from existing urban areas.

## Area 6: West Hills South

- **Overall CAC Recommendation:** Designate rural reserve. The area includes Important agricultural land, significant elk populations, wildlife habitat and wildlife corridor. It is not adjacent to other urban areas that would make it a good candidate for urban reserves, and is not as suitable for urban development as other land in Area 7
- **Overall Staff Recommendation:** Designate the area south of Cornelius Pass Rd./Skyline Blvd. intersection rural reserve to protect farm and forest resources and protect landscape features.

### Rural Reserves Suitability

CAC Assessment: High suitability west of McNamee; Low suitability east of McNamee due to difficulty in providing urban services

- West of McNamee is situated in an area that is subject to urbanization and proximate to the UGB. A portion of this area also remains under consideration for urban reserve

Staff Assessment: High suitability of the area south of Skyline Blvd. for rural reserve to protect farm and forest resources and to protect landscape features

#### Area Key Factors and Evaluation:

- Area is suitable for both farm and forest reserve, as indicated by the “important” farm land and “wildland” and “mixed” forest designations.
- The primarily forested area north of Skyline Blvd. consists of a large block of forest land with few non forest uses, mainly associated with McNamee Rd.
- The primarily farm area south of Skyline, while containing soils and topography that present limitations to intensive cultivation and uncertain groundwater resources, maintains good integrity, has compatible edges, and few non-farm uses. This area is within an area potentially subject to urbanization based on analysis of key urban services.
- Areas within 3 miles of UGB can be designated under “safe harbor” to protect foundation land.
- Areas north of Skyline Blvd. rank high for sense of place; they contain high-value habitat, access to recreation, and other values that define the area as a landscape feature important to the region.
- This area is not however, being studied for urban reserve because it ranks low for efficiency to provide key urban services.
- Areas south of Skyline rank high for sense of place; they contain stream features of the Abbey Creek mainstream, north fork, and headwaters areas that are mapped as important regional resources and that separate urban from rural lands. It would be difficult to protect these headwater streams if the area was urbanized.
- Upland habitat areas exist; however there are patches in the landscape features mapping indicating lesser regional value.

- All areas south of Skyline Blvd. continue to be studied for urbanization.
- On balance, and considering that the broad objective of the Landscape Features factors is to protect areas that define natural boundaries to urbanization and help define the region for its residents, the entire south-of-Skyline area should be considered as highly suitable for rural reserve.
- The area between McNamee and Cornelius Pass Rd. retains urban potential, high forestry and high sense of place, habitat, and recreation values.
- There is a county scenic view overlay on the northeast side of the hills.

#### **Urban Reserve Suitability (Area 6a – North of Cornelius Pass/Skyline Blvd)**

CAC Assessment: *Low suitability, do not study further as a candidate for urban reserve.*

Staff Assessment: Low suitability for urban reserves.

##### **Area Key Factors and Evaluation:**

- Ranks low for urban reserve due to topography.
- Ranks low for key urban elements including sewer service, transportation services, for potential to develop a well connected transportation system, transit, employment land and low potential for urban density.
- Is relatively isolated from existing urban areas.

#### **Urban Reserve Suitability (Area 6b – South of Cornelius Pass/Skyline Blvd)**

CAC Assessment: *Split between medium and low rankings*

Staff Assessment: Low suitability for subarea east of the north fork of Abbey Creek; Medium/Low suitability for subarea west of Abbey Creek.

##### **Area Key Factors and Evaluation:**

- Area along and including the north fork of Abbey Creek east to the City of Portland, rates low for key services of transportation and sewer, employment land and the urban form elements in factor 4, and as well as housing and visual impacts from development of the higher sloped areas.
- Area west of the Abbey Creek drainage system in the N. Kaiser Rd. area contains relatively small pockets of developable land constrained by moderately high slopes and drainages in the central and northwest sections.
- Higher costs to develop transportation system connectivity that is less than the ideal "grid" system. Added consideration/cost is off-site impacts to existing roads, including Cornelius Pass and Skyline Blvd.
- Other key systems of water and sewer rank easy for this area, land suitable for housing exists.
- Careful consideration to visual impacts from development on upper slopes should occur for this area.

CAC and Staff Key Differences:

- CAC gave the area lower rating for potential to develop at efficient urban densities and transportation. The area has lower transportation potential than Area 4, with only small developable pockets. The area was not even rated for transportation by the transportation study. CAC sees difficulty in designing area to be walkable with a well-connected transit system.
- Staff concluded that impacts to ecological systems and nearby farm/forest practices are manageable. CAC differs, noting that development would be difficult without impacting ecological systems; there may not be enough land to protect small streams. Expansion would likely block the critical wildlife corridor between Forest Park and the Coast Range.

## Area 7: Powerline/Germantown Rd. – South

- **Overall CAC Recommendation:** Designate as rural reserve. If the County must designate urban reserve on the west side, the Lower Springville Rd area is the highest suitability.

The area has mixed or contested agricultural value, but is undoubtedly high value for natural features and wildlife habitat protection. The Lower Springville Rd area, while containing regionally significant wildlife and a regionally significant stream, is also the most suitable for urban development on the west side. Title 11 and 13 overlays should be used to protect wildlife in the case that the area becomes urbanized.

- **Overall Staff Recommendation:** Designate East Laidlaw Rd. area urban reserve. No designation in the Lower Springville Rd. area. Designate all other areas rural reserve to protect landscape features.

### Rural Reserves Suitability

CAC Assessment: CAC was split between a medium or high suitability for rural reserve.

Staff Assessment: High suitability for rural reserve to protect landscape features except the patch at the east edge of N. Bethany planning area

#### Area Key Factors and Evaluation:

- Area ranks well for farmed and forested areas pursuant to the key capability factors of soils and water.
- Area rates slightly better on the suitability factors for forest woodlots than for farming, although all areas are impacted by the relationship of the area to the UGB, and the overall small size and spread out pattern of the area.
- Area is adjacent to and nearly surrounded by UGB; potential exists for urban development at higher cost or a lower urban density than areas that are more efficient.
- Similar areas nearby have urbanized in recent past.
- Studied during past UGB expansion cycles, including Area 93, Area 94 and North Bethany.
- This area ranks high for the key landscape features factors of sense of place that define natural boundaries to urbanization and help define the region for its residents.
- The area ranks well for other important factors including protection of stream resources and wildlife habitat. The one exception is the unmapped patch along the county line adjacent to the N. Bethany planning area.
- Agriculture land was rated conflicted due to adjacent urban development and cut-through traffic

#### CAC and Staff Key Differences:

- CAC ranked area high for subject to urbanization factor because the area is within one mile of the UGB, is continually studied when Metro considers UGB expansion,

and is under pressure from developers. Staff ranked area low except high for areas west of the City of Portland and mid-slope line that crosses Germantown Rd. the powerline, and Springville Rd.

- CAC rated area as medium for capability of sustaining long-term agriculture. Two farmers provided testimony of successful farming in the area. Staff gave the area a low rating consistent with the “conflicted” farmland designation and testimony as to poor farming in the area.
- CAC has concerns over stream protection; currently, 40% of the area is protected by Title 13 overlays, but urbanization could remove these protections.

#### **Urban Reserves Suitability (Area 7a- Above mid-slope)**

CAC Assessment: *Low suitability, do not study further as a candidate for urban reserve.*

Staff Assessment: Low suitability

Area Key Factors and Evaluation:

- Area ranks low in large part by topography.
- Ranks low for key urban elements including sewer service, transportation services, for potential to develop a well connected transportation system, transit, employment land and low potential for urban density.
- Is relatively isolated from existing urban areas.

#### **Urban Reserves Suitability (Area 7b – Below mid-slope)**

CAC Assessment: *CAC split on their suitability assessment:*

- *Split between low and medium suitability for the pocket along lower Springville Road*
- *Split between low and medium suitability for area between Bonny Slope West (Area 93) and City of Portland*
- *Low suitability for remaining area*

Staff Assessment:

- Low/Medium suitability for the pocket along lower Springville Road.
- Low suitability for area between Bonny Slope West (Area 93) and City of Portland – designate urban reserve
- Low suitability for remaining area.

Area Key Factors and Evaluation and Staff and CAC Key Differences:

- Lower Springville Road
  - Contains topography predominately in the 10% range
  - The area is relatively small, and would continue to have constraints related to its position along the base of the Tualatin Mountains.
  - Rankings on key factors of sewer service efficiency, off-site transportation, and governance remain unclear or do not appear to be resolvable.
  - Transportation/circulation, especially to the east is difficult and not clearly resolvable

- Staff concluded that the area's adjacency to North Bethany planning area and would benefit from and contribute to services. CAC members were not all in agreement.
- Area between Bonny Slope West (Area 93) and City of Portland
  - Staff concluded that this area fulfills a purpose of connecting an urban area without governance in a way to make that connection and increase efficiency of service provision to Bonny Slope West.
  - CAC concluded that this area could not be developed to a sufficient urban density. Distance from 2040 centers, retail centers, and high capacity transit, combined with lack of a full transportation grid would make it difficult to provide transit service and to build a walkable community.
  - Staff ranked area medium for the potential to develop in a way that would adequately protect landscape features from urbanization. CAC gave this factor a low ranking.
- Remaining areas
  - Rank low on all factors due primarily to steep topography generally and environmental resources in many areas.

## Area 8: Sauvie Island

- **Overall CAC Recommendation:** Designate as rural reserve. The entire Sauvie Island area contains high value Foundation agriculture land and has important landscape features. It is also valuable for providing a sense of place.
- **Overall Staff Recommendation:** Designate rural reserve to protect foundation farmland and landscape features.

### Rural Reserves Suitability

CAC Assessment: High or medium suitability for rural reserves.

- All factors received a high or medium ranking for Area 8 save factor 2a/3a.
- However, Sauvie Island is close enough in proximity to be concerned about, thus Area 8 is worth designating at a higher suitability for rural reserve.

Staff Assessment: High suitability for rural reserve

#### Area Key Factors and Evaluation:

- As Foundation land, areas within 3 miles of UGB could be designated rural reserve under safe harbor provision.
- The island is a key landscape feature in the region, and ranks high for sense of place, wildlife habitat, and recreation access.
- Area is not positioned such that a rural reserve designation for it would create an edge or buffer to the urban area that does not already exist.
- The island defines a significant part of the northern extent of the Portland-Metro region at a broad landscape scale.
- The high sense of place, habitat, and recreation values are support for reserves to protect landscape features even though urban potential is low.

#### CAC and Staff Key Differences:

- CAC was split on their ranking on the subject to urbanization factor. Regardless, the area is close-enough in proximity to be concerned about.
- Staff concluded that potential for urbanization is doubtful given the notoriety of the area, it's location within a dynamic river system, and high costs associated with new bridges, enhanced flood protection structures, and other needed urban infrastructure.

### Urban Reserves Suitability

CAC Assessment: Low suitability, do not study further for urban reserve.

Staff Assessment: Low suitability for urban reserves

#### Area Key Factors and Evaluation:

- Ranks low for urban reserve due to a number of factors, driven in large part by topography.
- Ranks low for key urban elements including sewer service, transportation services, for potential to develop a well connected transportation system, transit, employment land and low potential for urban density.
- Is relatively isolated from existing urban areas.

## Area 9: Multnomah Channel

- **Overall CAC Recommendation:** No designation for urban or rural reserve. The candidate area contains only 7 acres of usable land, as the remaining is either in a flood plain area or in the right of way. Because of these limitations in place, the area should be undesignated.
- **Overall Staff Recommendation:** No designation for urban or rural reserve.

### Rural Reserves Suitability

CAC Assessment: Low suitability for rural reserve.

Staff Assessment: Low suitability for rural reserve. Area could potentially be suitable for rural reserves based on "safe harbor".

#### Area Key Factors and Evaluation:

- This area is not farmed or in forest management, soil and water conditions are low without substantial infrastructure, and major ownership is assumed to have other management objectives.
- Except for the area south of the Sauvie Island Bridge, the length of this strip of land is not considered potentially suitable for urban use and therefore is not in need of protection.
- Primarily habitat values are high north of Sauvie Island Bridge; however extensive wetlands, limited land area, lack of protection from flooding, and large areas in public ownership protect the area from urbanization. Habitat is impacted south of the bridge, and that area isn't recognized as a place-defining area in the region.
- Should the area be included within urban reserve, riparian habitat values are likely to be improved through the development process.
- The area is included within areas mapped as foundation land; therefore an alternative recommendation of "safe harbor" reserve designation could be explored further.

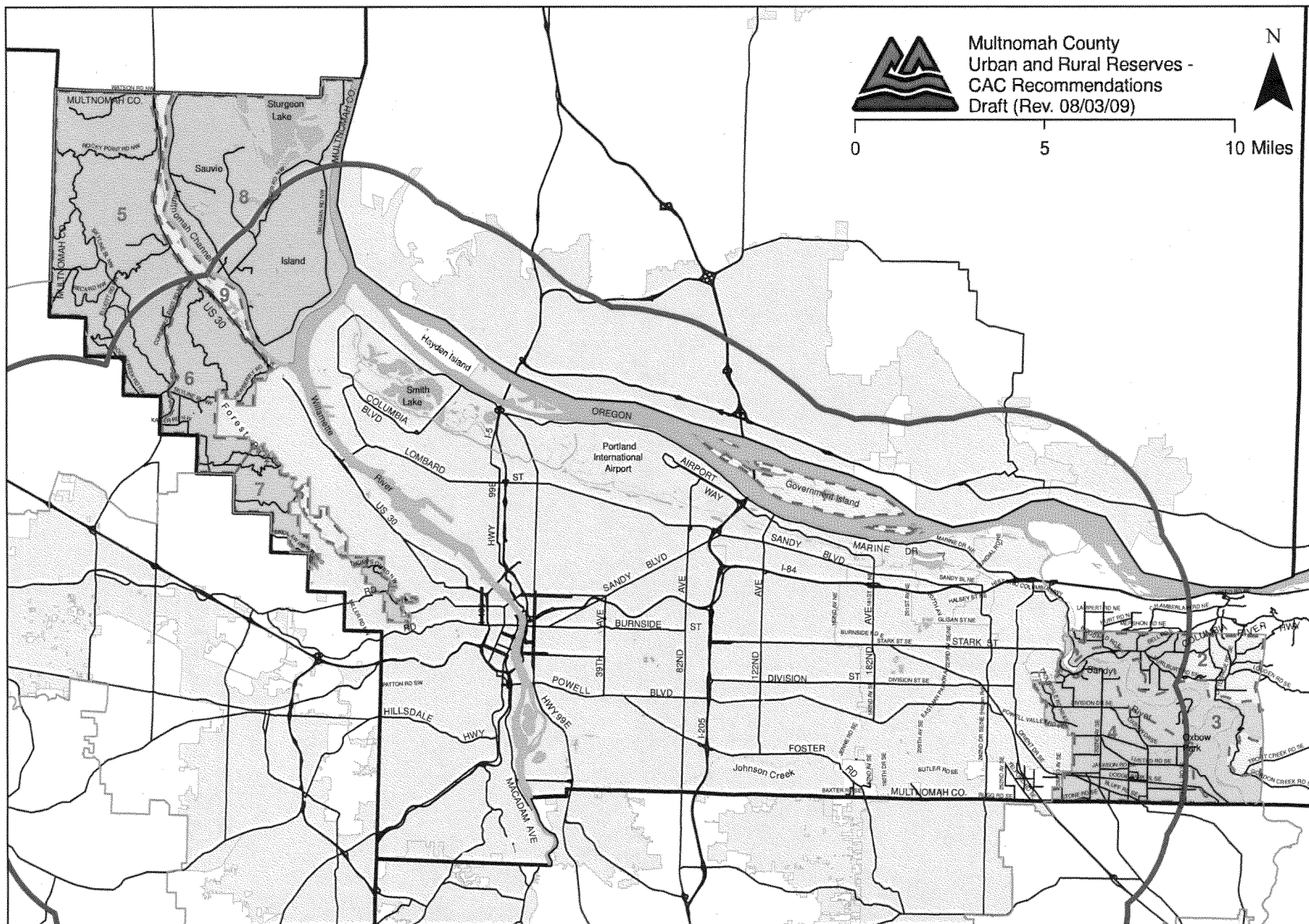
### Urban Reserves Suitability

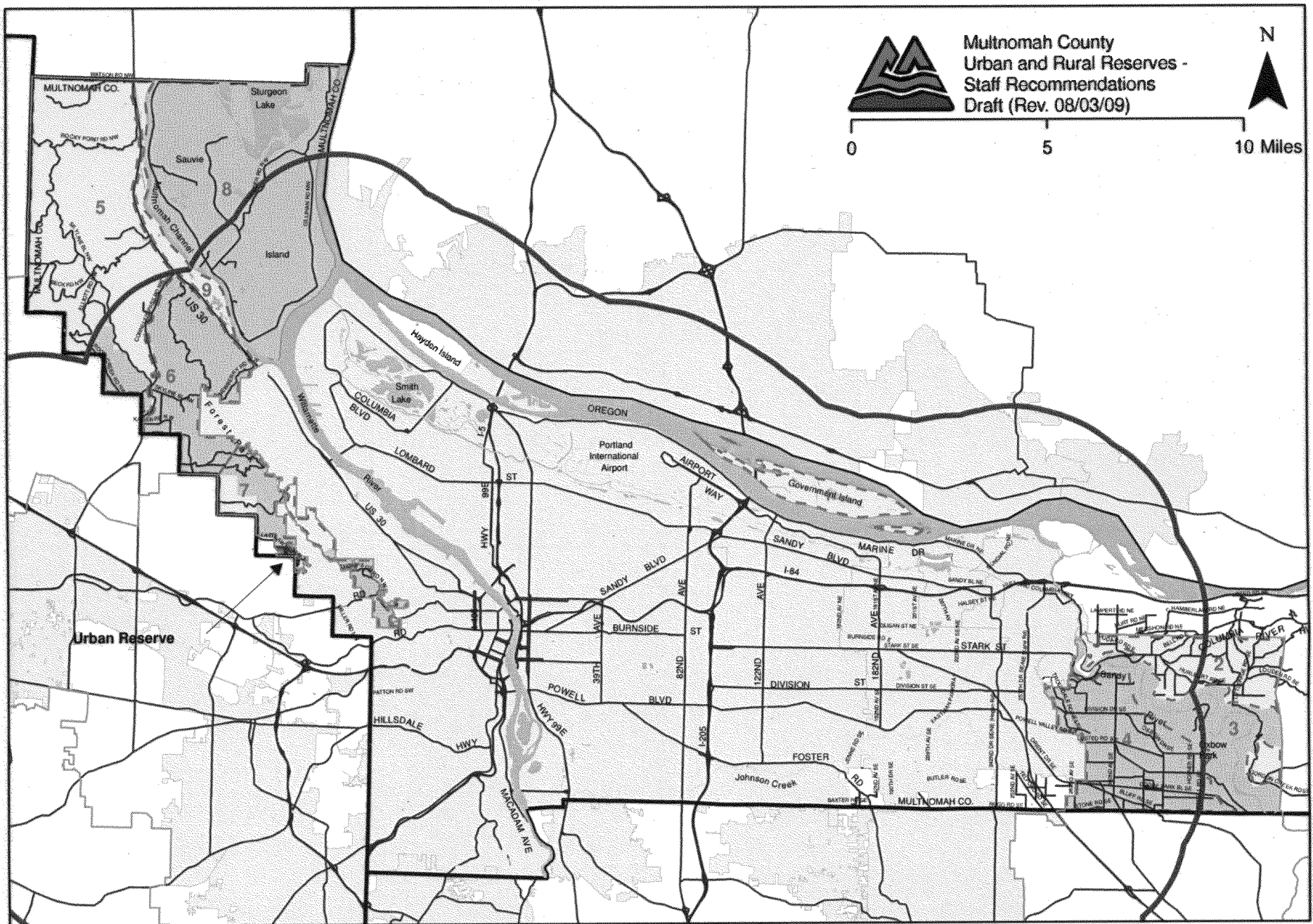
CAC Assessment: Low suitability for urban reserve

Staff Assessment: Low suitability for urban reserves

#### Area Key Factors and Evaluation:

- Both the north and south portions of this area rank low for urban reserve due to the limited land area and physical constraints of floodplain and heavy rail right-of-way.
- Extensive public ownership indicates value of the area is not primarily associated with development opportunity.
- Even if sewer and water services were efficient, these other limitations indicate low value and priority for urban reserve.












- Area 1: Government Islands  
 Area 2: East of Sandy River  
 Area 3: Sandy River Canyon  
 Area 4: West of Sandy River  
 Area 5: NW Hills North  
 Area 6: NW Hills South  
 Area 7: Powerline/Germantown Rd South  
 Area 8: Sauvie Island  
 Area 9: Multnomah Channel



Multnomah County Candidate Area Maps:  
Potential Urban and Rural Reserves Areas  
Area 1- Government Islands

0 0.5 1 MILE

- |   |                      |   |                     |
|---|----------------------|---|---------------------|
|  | Streams/Water Bodies |  | Study Area Boundary |
|  | UGB 3-mi Buffer      |  | Tax Lots            |
|  | Rural Candidate Area |  | 30 ft Contours      |
|   |                      |  | Public Lands        |

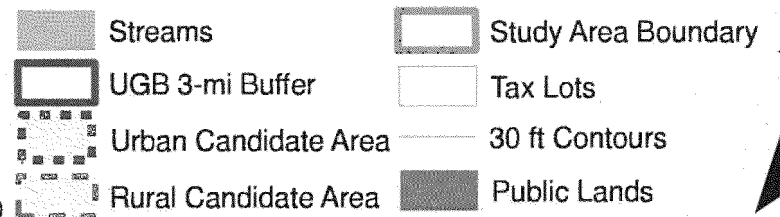


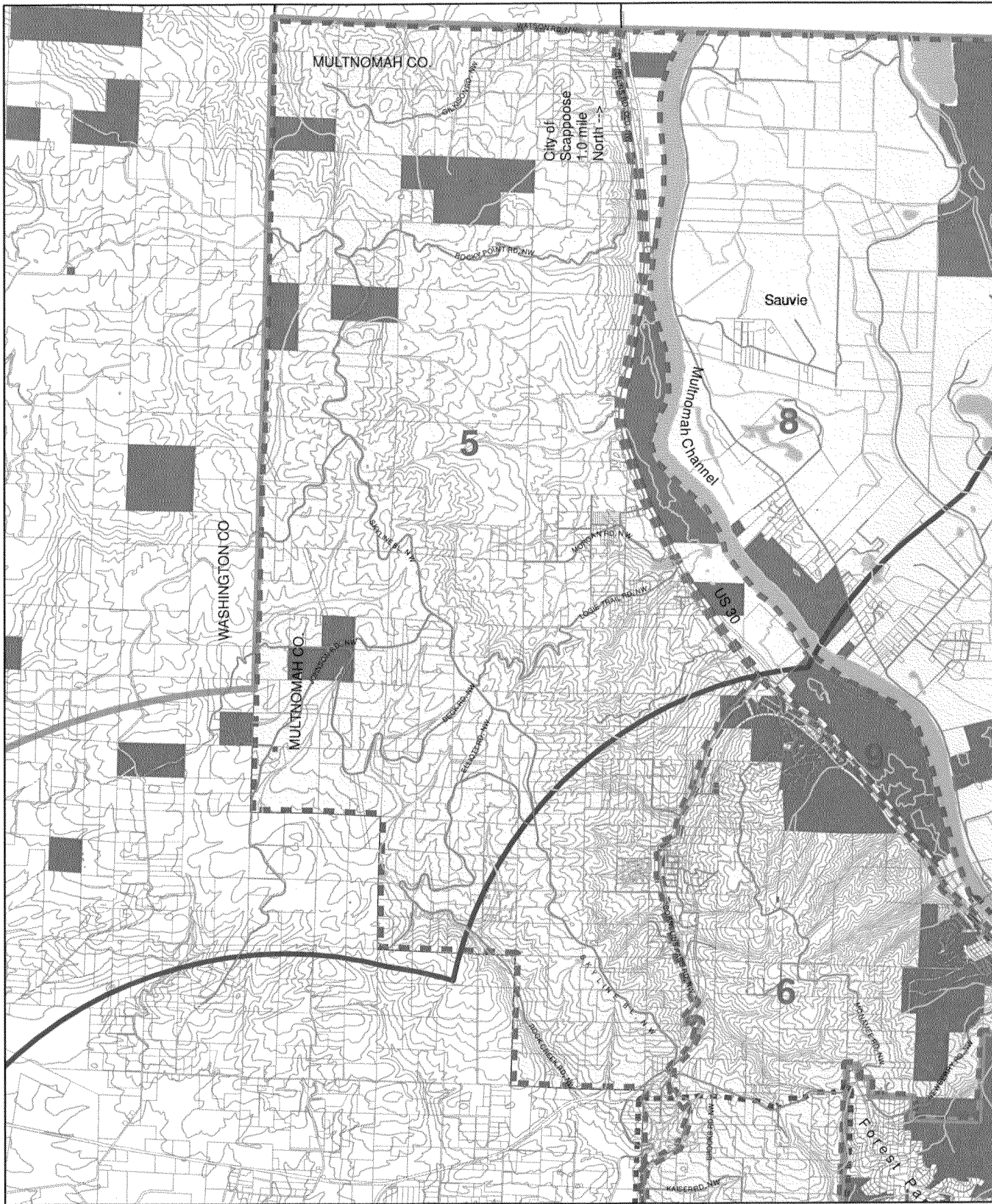


Multnomah County Candidate Area Maps:  
Potential Urban and Rural Reserves Areas  
Areas 2, 3 & 4 - East of Sandy River,  
Sandy River Canyon & West of Sandy River

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Draft (Rev. 08/03/09)





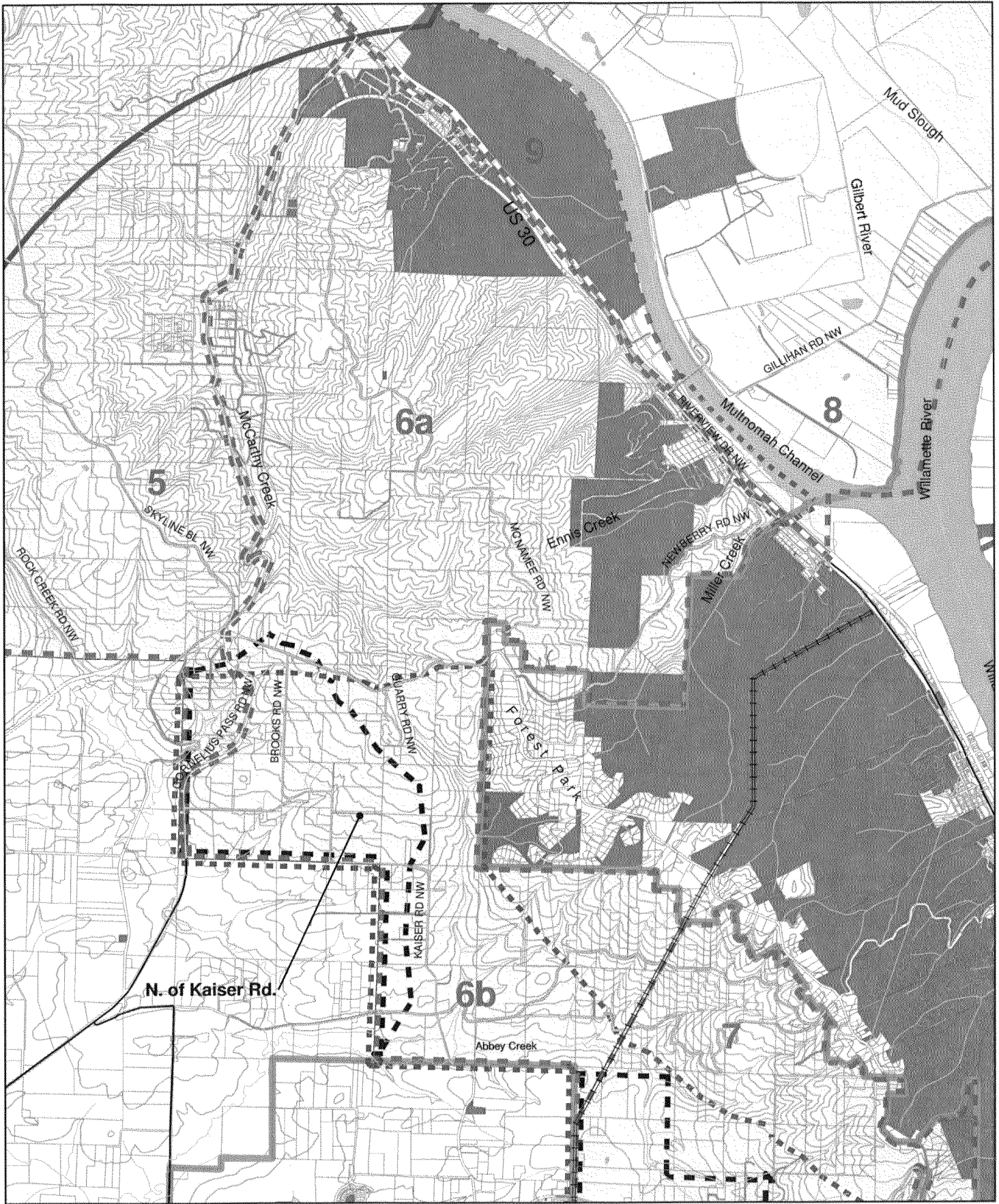
**Multnomah County Candidate Area Maps:  
Potential Urban and Rural Reserves Areas  
Area 5 - NW Hills North**

0 0.5 1 Miles

Draft (Rev. 08/03/09)

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|--|----------------------|--|---------------------|
|  | Streams/Water Bodies |  | Study Area Boundary |
|  | UGB 3-mi Buffer      |  | Tax Lots            |
|  | Urban Candidate Area |  | 50 ft Contours      |
|  | Rural Candidate Area |  | Public Lands        |





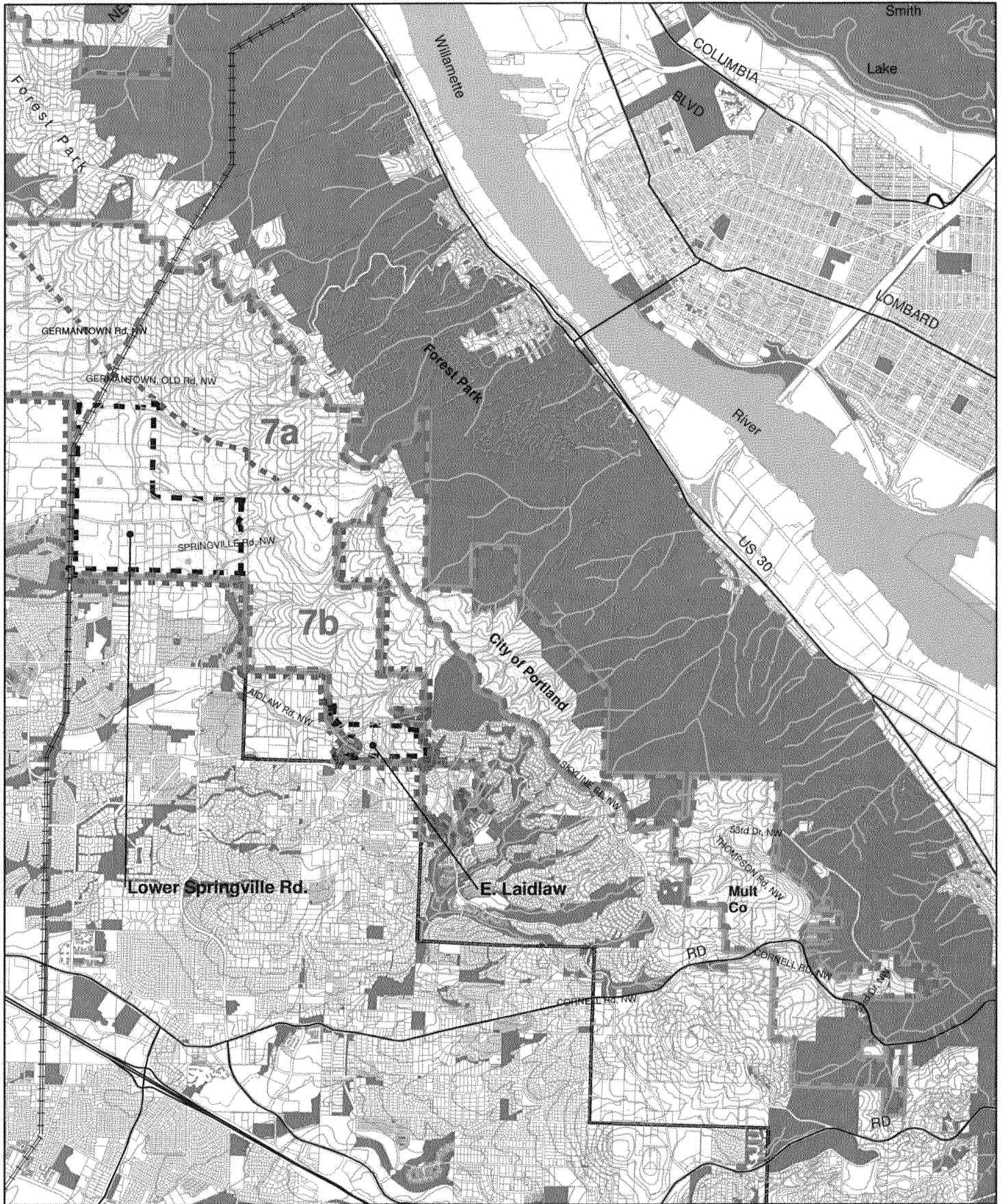
Multnomah County Candidate Area Maps:  
Potential Urban and Rural Reserves Areas  
Area 6 - NW Hills South

0 0.5 1 Miles

Draft (Rev. 08/03/09)

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|--|----------------------|--|---------------------|
|  | Streams/Water Bodies |  | Study Area Boundary |
|  | UGB 3-mi Buffer      |  | Tax Lots            |
|  | Urban Candidate Area |  | 50 ft Contours      |
|  | Rural Candidate Area |  | Public Lands        |





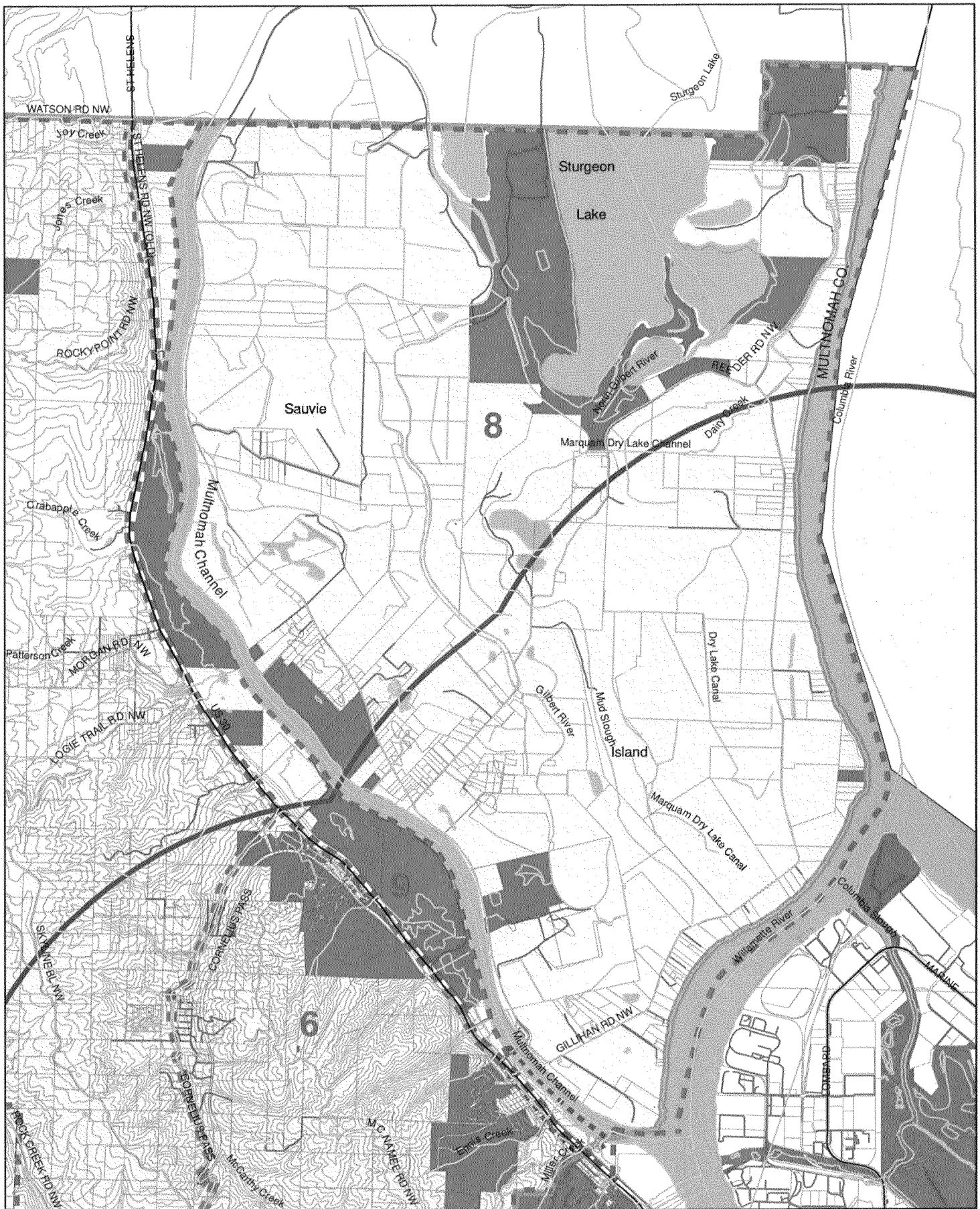
Multnomah County Candidate Area Maps:  
Potential Urban and Rural Reserves Areas  
Area 7 - Powerline/Germantown Rd., South

0 0.5 1 Miles

Draft (Rev. 08/03/09)

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|----------------------|---------------------|
| Streams/Water Bodies | Study Area Boundary |
| UGB 3-mi Buffer      | Tax Lots            |
| Urban Candidate Area | 50 ft Contours      |
| Rural Candidate Area | Public Lands        |





Multnomah County Candidate Area Maps:  
Potential Urban and Rural Reserve Areas  
Areas 8 & 9 - Sauvie Island, Multnomah Channel

0 0.5 1 Miles

Draft (Rev. 08/03/09)

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|--|----------------------|--|---------------------|
|  | Streams/Water Bodies |  | Study Area Boundary |
|  | UGB 3-mi Buffer      |  | Tax Lots            |
|  | Urban Candidate Area |  | 50 ft Contours      |
|  | Rural Candidate Area |  | Public Lands        |



# Urban and Rural Reserves

Board of County Commissioners Briefing  
August 20, 2009

Project staffing:  
Chuck Beasley, Senior Planner  
Ken Born, Transportation Planner

# Intent of Urban and Rural Reserves

Facilitate long term planning for urbanization and greater certainty about the location of Metro UGB expansion.

Long term protection from urbanization for large blocks of farm or forest land and for landscape features that limit development or define natural boundaries of urbanization.

The final test is whether the regional urban and rural reserves map achieves a balance that best provides for livable communities, viability and vitality of the farm and forest industries and protection of landscape features that define the region for its residents.

# Urban and rural reserves – a new approach to urban growth decisions

- Intended outcome of the reserves process is regional agreement on where we will and will not grow over the next 40 – 50 years
- Senate Bill 1011 (2007) and implementing rules:
  - Authorize creation of rural reserves
  - Require concurrent development of urban and rural reserves designations in the Metro region
  - Multnomah County, Clackamas County, Metro, and Washington County must agree on urban and rural reserve designations

# Key Provisions of Reserves

- Urban reserves are the first priority lands to be brought into the UGB, and there must be enough designated to meet population and employment estimates for 40 – 50 years.
- Rural reserves must remain rural for the same 40 -50 years.
- Land mapped by Oregon Department of Agriculture as either Foundation or Important agricultural land can be designated as rural reserve.
- Zoning is not changed by reserve designation, and the county cannot allow more intensive uses or smaller lot sizes in areas designated as urban or rural reserve than allowed at the time of reserve designation.

# Phases of the Project

Project approach has been to refine or screen land areas as information is developed.

- Broad Study Area Boundary – CAC recommendation July 2008
  - Identified the area to be studied in the reserves project.
- Candidate Urban and Rural Reserves - CAC recommendation March 2009
  - Refined the study area into areas for further study for urban or rural reserve.
- Urban and Rural Reserve Map – CAC recommendation July 2009
  - Based on CAC consideration of factors to assess suitability for urban or rural reserve
  - Includes recommendations for reserve designation to BOCC

# Next Steps in Reserves Process

- BOCC Hearing on Urban and Rural reserves map for Multnomah County – September 10, 2009.
- BOCC release of Urban and Rural Reserves map to Core 4 and Steering Committee – September 23, 2009.
- Steering Committee recommendation on candidate areas map to Core 4 – October 2009
- Agreement on IGAs – fall '09
- Adoption rural and urban reserves maps by counties and Metro – Spring 2010.

# Candidate Rural Reserves

Candidate areas for further study identified by:

- Areas potentially subject to urbanization
- Agriculture and forestry related factors
  - Suitability – situation of the land
  - Capability – adequacy of soils and water
- Landscape Features related factors:
  - Subject to urbanization
  - Sense of place
  - Boundaries and buffers
  - Habitat areas
- CAC recommendation developed January, 2009

# Agriculture Land Inventory and Analysis

- Study Areas**
- Foundation
  - Important
  - Conflicted
- Metro UGB**
- Neighboring Cities' UGB**
- County Boundaries**



This report is a preliminary report and is subject to change. It is not intended to be used for legal or financial purposes. The Oregon Department of Agriculture is not responsible for any errors or omissions in this report. The Oregon Department of Agriculture is not responsible for any damages or losses resulting from the use of this report.

Scale: 1 inch = 10 miles



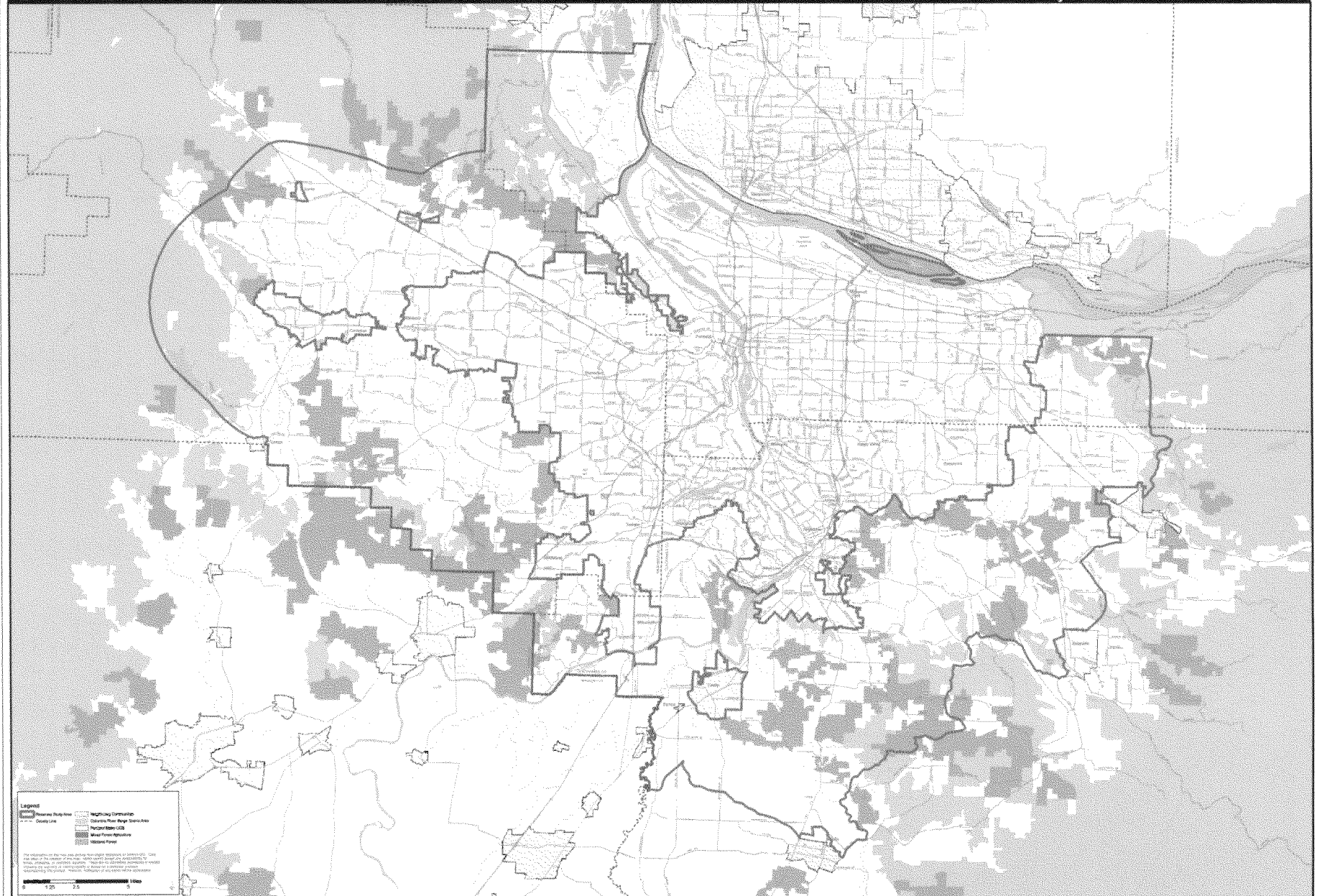
DATA SOURCES: U.S. DEPARTMENT OF AGRICULTURE, NATIONAL AGRICULTURE STATISTICS SERVICE, 1997. DATA PROVIDED BY THE OREGON DEPARTMENT OF AGRICULTURE, 1997. DATA PROVIDED BY THE OREGON DEPARTMENT OF AGRICULTURE, 1997. DATA PROVIDED BY THE OREGON DEPARTMENT OF AGRICULTURE, 1997.



**METRO**  
PEOPLE PLACES + OPEN SPACES

# Urban and Rural Reserve Study Area Forestry Zones

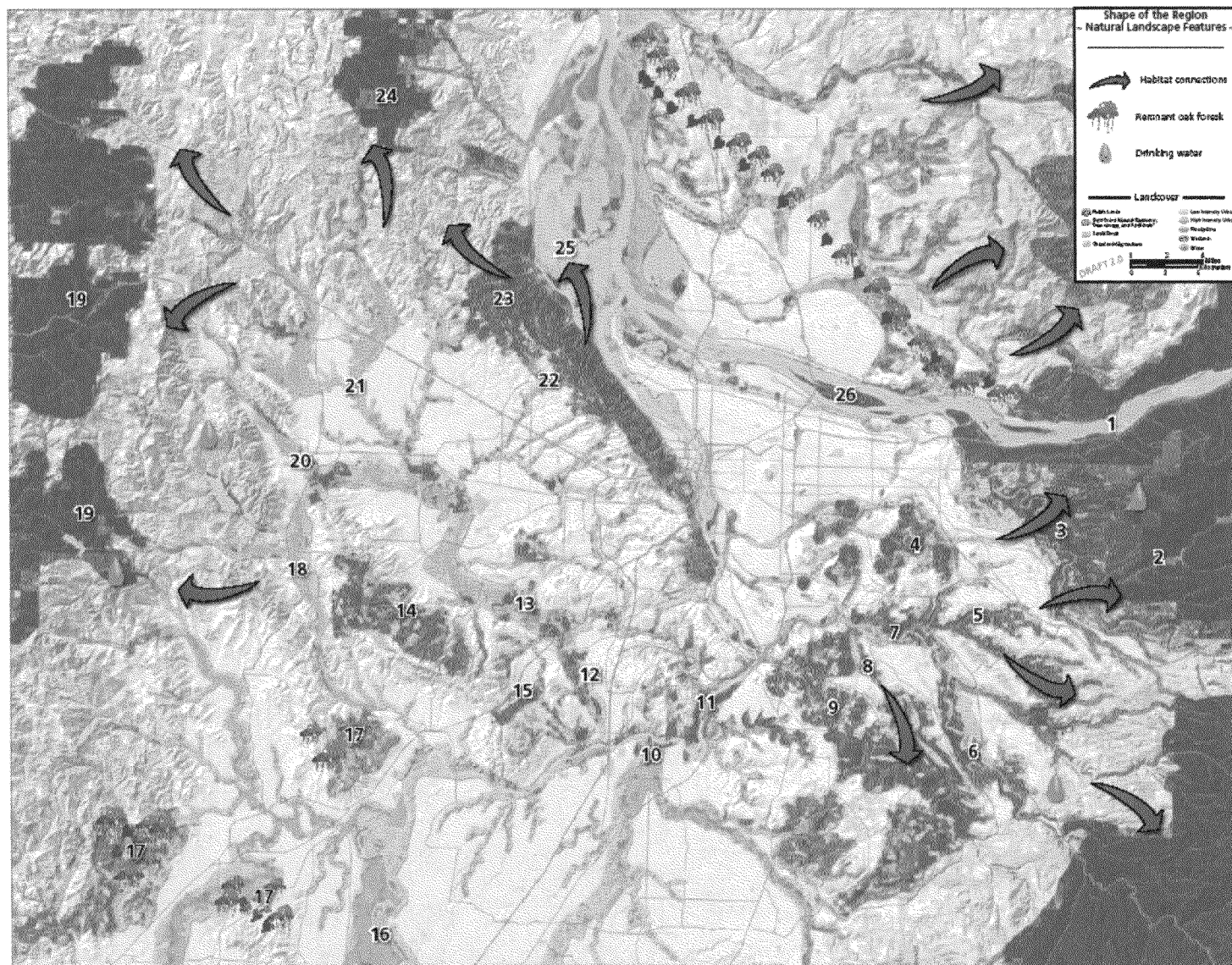
DRAFT



# NATURAL LANDSCAPE FEATURES

Below are the twenty-six identified natural landscape features, listed as one moves in clockwise motion starting at the Columbia River in the east portion of the region.

- 1 Columbia River Gorge Scenic Area
- 2 Cascade Foothills
- 3 Sandy River Gorge
- 4 East Buttes
- 5 Deep Creek Canyons
- 6 Clackamas River
- 7 Clackamas River Bluffs and Greenway
- 8 Clear Creek Canyon
- 9 Hewell and Abernethy Creeks
- 10 Lower Pudding River
- 11 Willamette Narrows to Canemah Bluff
- 12 Tonquin Geologic Area
- 13 Tualata River
- 14 Chenahom Mountains
- 15 Parrett Mountain
- 16 Willamette River Floodplain
- 17 Yamhill/McMinnville/Amity Oaks
- 18 Wapato Lake
- 19 Tillamook State Forest
- 20 Lower Gales Creek
- 21 Dairy and McKay Creeks Confluence
- 22 Rock Creek Headwaters
- 23 Forest Park Connections
- 24 Oke Mountain
- 25 Saurie Island
- 26 Columbia River Islands



# Candidate Urban Reserves

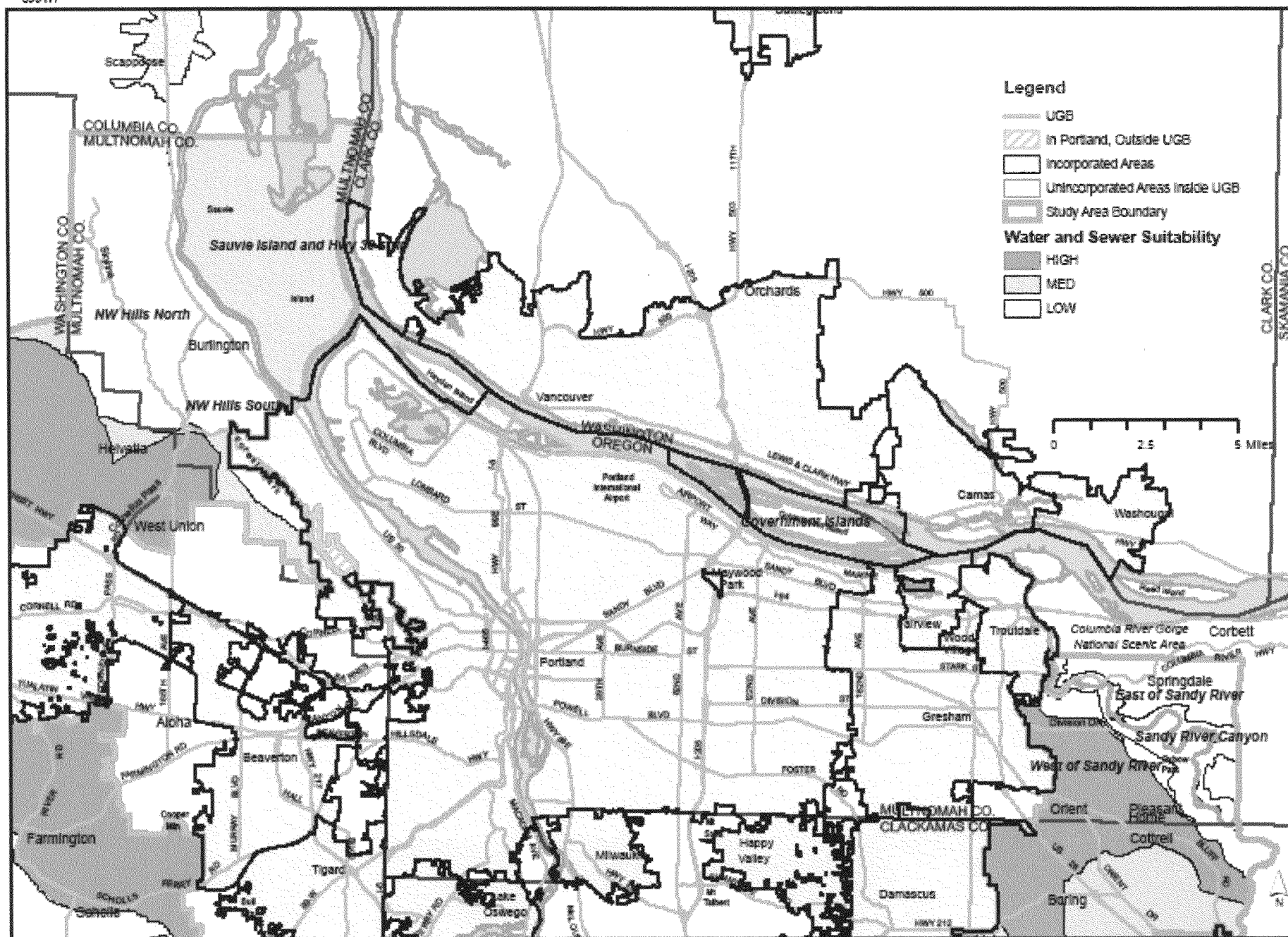
Candidate areas identified for further study based on:

- Physical constraints to urban scale development  
Slope, floodplains, distance
- Regional work group technical memos  
Combined water and sewer map  
Transportation system
- Input from edge cities and property owners



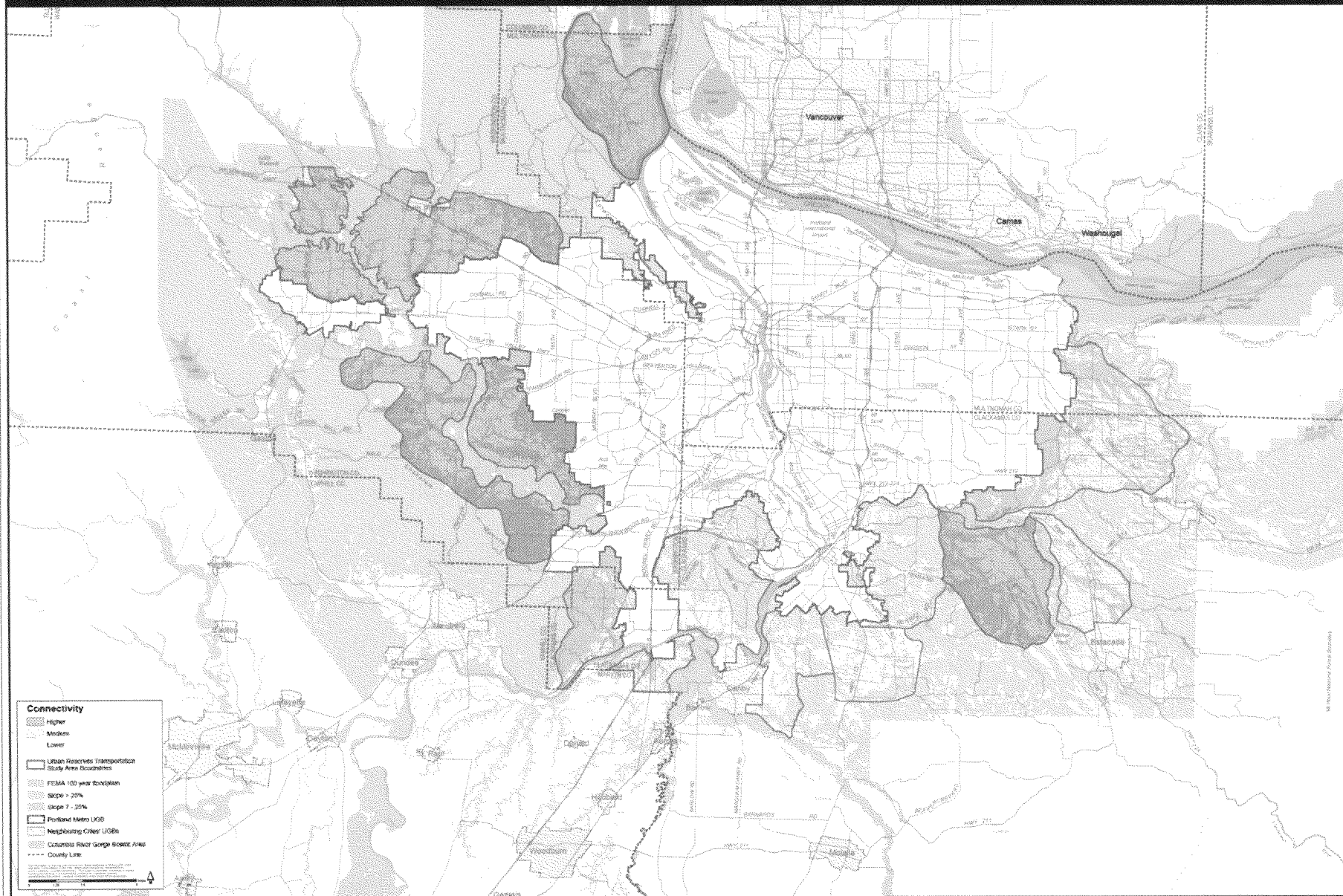
# Urban Reserves - Preliminary Water and Sewer Suitability

DRAFT 2/25/2009



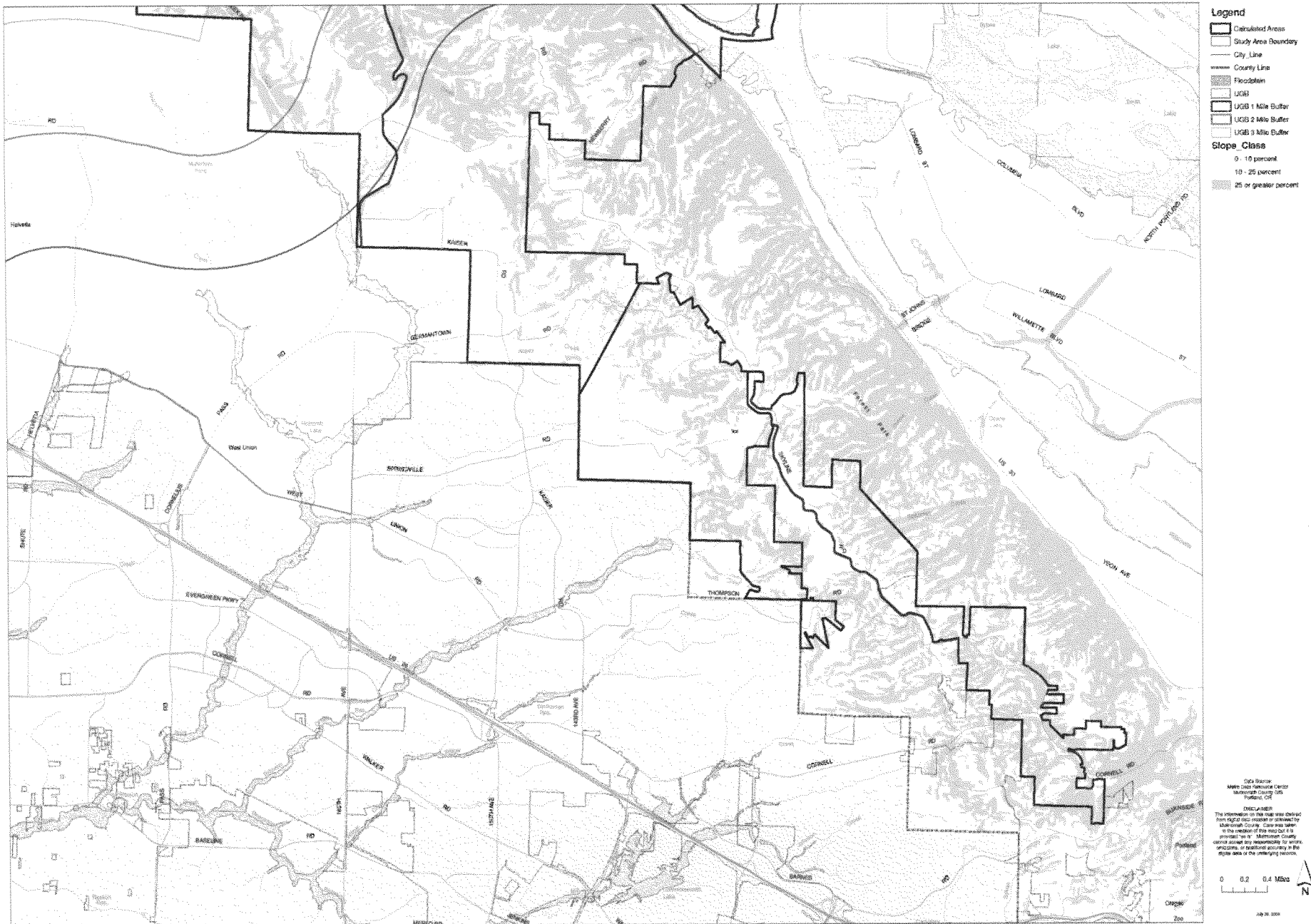


## Urban and Rural Reserve Transportation Study Areas First Screen of Urban Suitability for Connectivity



# NW South, Multnomah County

Constraints: Slope, Streams, Floodplains





## Urban and Rural Reserve Study Areas

Draft Urban and Rural Reserve Candidate Areas for Evaluation

DRAFT  
04/01/2009



# Candidate Areas Refined

CAC developed area suitability assessments and recommendations from candidate areas based on:

Rural - County zoning, resource management on exception lands, parcelization, hazard maps, wildlife habitat

Urban – design workshop

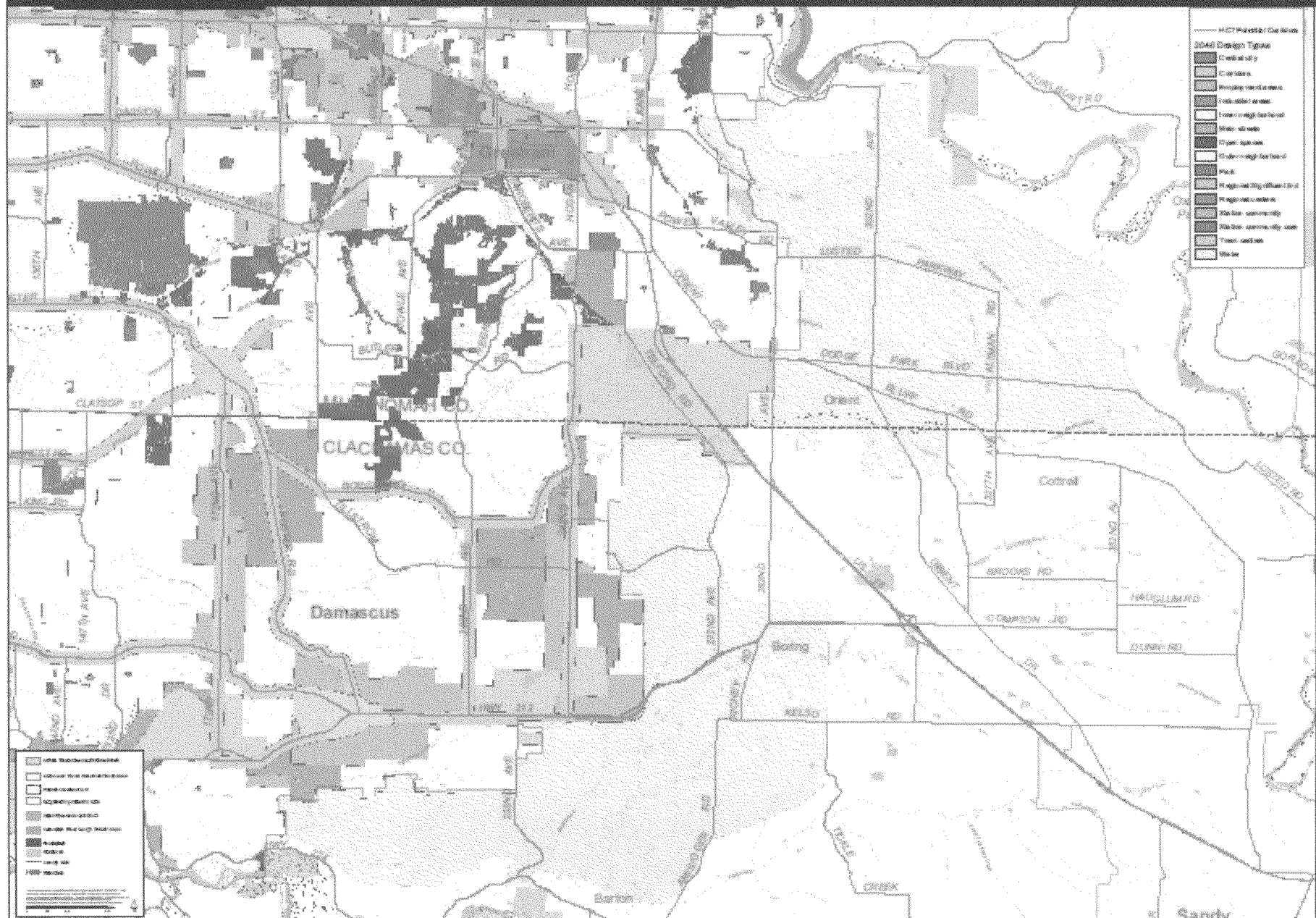
- Mobility, connectivity, walkable communities
- Buildable Lands maps

Input from public participants

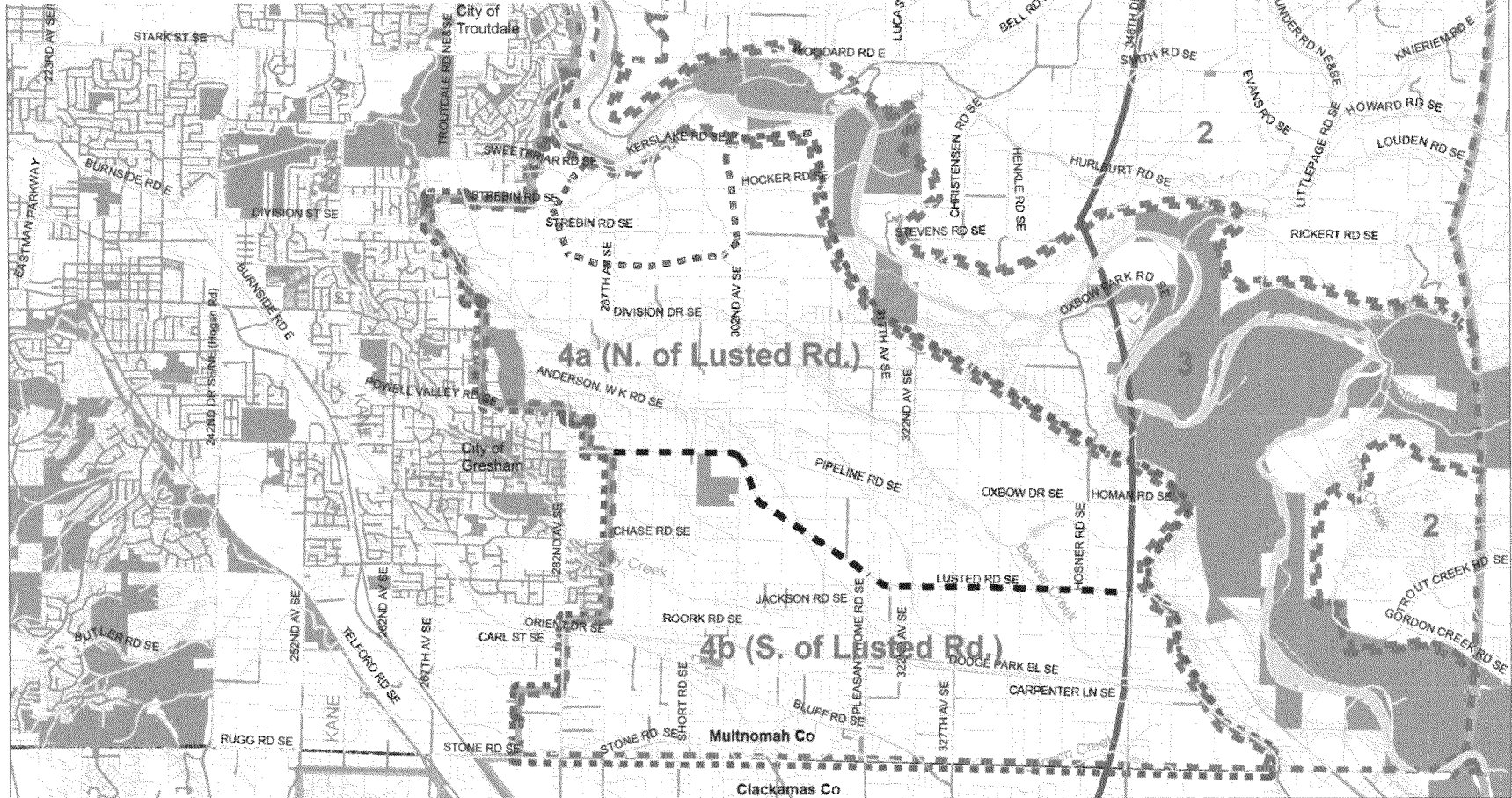
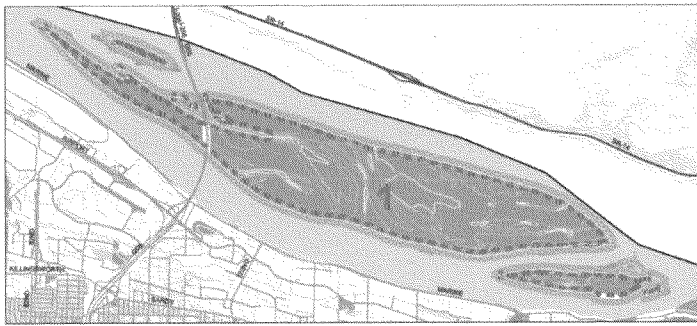


## Urban Reserve Study Areas

### Study Area A







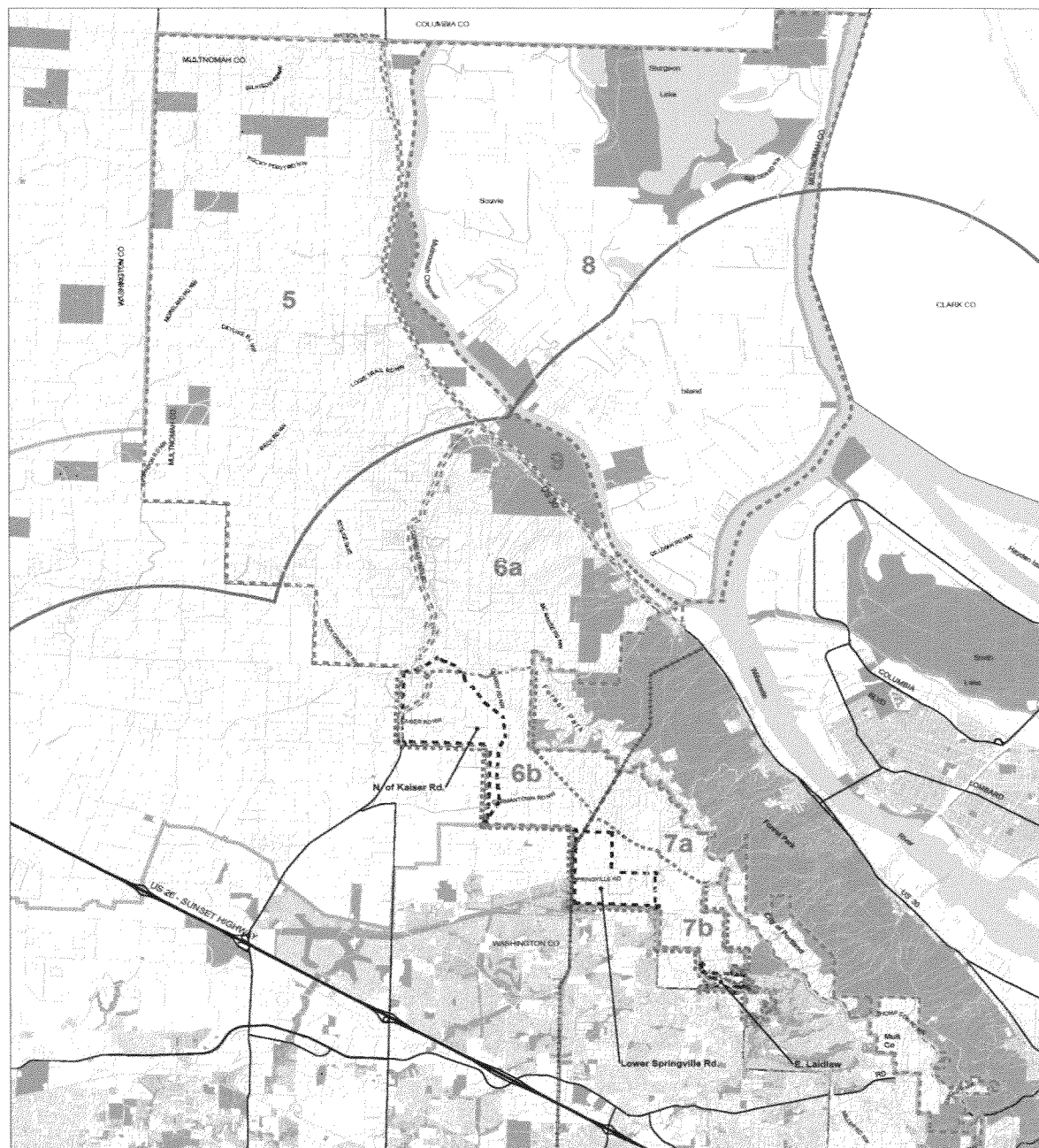
Multnomah County Candidate Area Maps:  
Potential Urban and Rural Reserves Areas  
Areas 1, 2, 3 & 4 - Government Island,  
East of Sandy River, Sandy River Canyon &  
West of Sandy River

0 0.5 1 Miles

Draft (Rev. 08/03/09)

- |  |                      |  |                     |
|--|----------------------|--|---------------------|
|  | Streams              |  | Study Area Boundary |
|  | UGB 3-mi Buffer      |  | Tax Lots            |
|  | Urban Candidate Area |  | 30 ft Contours      |
|  | Rural Candidate Area |  | Public Lands        |





Multnomah County Candidate Area Maps:  
Potential Urban and Rural Reserves Areas  
Areas 5, 6, 7, 8 & 9 - West Multnomah County

0 0.5 1 Miles

Draft (Rev. 08/07/09)

- |                      |                     |
|----------------------|---------------------|
| Streams/Water Bodies | Study Area Boundary |
| UGB 3-mi Buffer      | Tax Lots            |
| Urban Candidate Area | 50 ft Contours      |
| Rural Candidate Area | Public Lands        |





## MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST (short form)

### Board Clerk Use Only

Meeting Date: 08/20/09  
Agenda Item #: R-2  
Est. Start Time: 10:00 AM  
Date Submitted: 07/27/09

**Agenda Title:** ORDER Canceling Multnomah County Land Sale Contract No15784 for Default in Payments and Performance of Covenants

*Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.*

Requested Meeting Date: August 20, 2009 Amount of Time Needed: 5 minutes  
Department: Community Services Division: Tax Title  
Contact(s): Jerry Elliott  
Phone: 503-988-4624 Ext. 84624 I/O Address: 503/1/Tax Title  
Presenter(s): Jerry Elliott and Matt Ryan

### General Information

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

Canceling Multnomah County Land Sale Contract No15784 for Default in Payments and Performance of Covenants

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

ORS 275.220 provides the County a fairly expedited remedy to "cancel" a County Land Sale Contract when buyer is in default; through this hearing and the issuance of the Cancellation Order. In 1995, the County sold certain tax foreclosed real property to the heirs of the former owner. The buyers on this contract are in default on Contract No. 15784; because of failure to pay contract installments since 2007 and taxes since 2005. Previous attempts to encourage the buyers to resolve the default have not been successful.

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

N/A

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

Under ORS 275.220, upon the adoption of the Cancellation Order by the Board, the Order is served

on the buyers and they have twenty (20) days from date of service to appeal the Order to the State Circuit Court, for a review by the Court at a non-jury trial. If the party does not appeal or if at the end of the trial the Court affirms the Order, it becomes "absolute" and the real property may then be sold.

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

N/A

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**Required Signature**

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



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**Date:** 07/27/09

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BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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

Canceling Multnomah County Land Sale Contract No15784 for Default in Payments and Performance of Covenants

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

- a. Multnomah County is the Contract Seller and John J. Walters and Barbara L. Mendenhall are identified as the Contract Purchasers under County Land Sale Contract No. 15784, (Contract) recorded on August 31, 1995, at Entry No. 95 105574, in the County's Deed Records, for the sale of certain real property located in Multnomah County, Oregon; more particularly described as follows:

INA PARK, LOT 8, BLOCK 6

- b. John J. Walters and Barbara L. Mendenhall are now in default of the terms of the Contract in the following particulars:
1. Starting from August 8, 2007, no installments have been paid on the Contract. As of July 31, 2009, the amount due on the Contract will be \$11,301.53.
  2. Starting from June 15, 2005, no installments have been paid on the Real Property Tax Escrow for the Contract. As of July 31, 2009, the amount due on the escrow will be \$7,809.81.
  3. The delinquent taxes have not been paid for four tax years for a total of: \$6,671.67. This figure includes taxes, interest, and fees through July 31, 2009.
- c. ORS 275.220 provides that upon default, the Board may cancel the Contract.
- d. The County sent notice of this proceeding to cancel the Contract to John J. Walters and Barbara L. Mendenhall on July 9, 2009.

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

1. That County Contract No.15784 is CANCELLED.
2. The Multnomah County Tax Collector to remove the above property from taxation and cancel all unpaid taxes in accordance with the provisions of ORS 275.240.
3. The Multnomah County Sheriff to serve a certified copy of this order with a return of service upon John J. Walters and Barbara L. Mendenhall in accordance with the provisions of ORS 275.220.

ADOPTED this 20th day of August 2009.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

\_\_\_\_\_  
Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

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

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

**BOGSTAD Deborah L**

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**From:** RYAN Matthew O  
**Sent:** Tuesday, August 18, 2009 1:57 PM  
**To:** LASHUA Matthew; WIREN Corie; MADRIGAL Marissa D; LEE Beckie  
**Cc:** RINEHART Tom; ELLIOTT Gerald T; SOWLE Agnes; KINOSHITA Carol; BOGSTAD Deborah L; GRACE Becky J  
**Subject:** Contract Cancellation Matter for Thursday's BCC Meeting

Everybody,  
I just confirmed with Tom, on Thursday I'll request Agenda Item R-2 be postponed until September 24<sup>th</sup>. Thanks.

Matthew O. Ryan  
Assistant County Attorney  
Office of Multnomah County Attorney  
501 SE Hawthorne, Suite 500  
Portland, Oregon 97214  
Tel: 503-988-3138; Fax: 503-988-3377  
[matthew.o.ryan@co.multnomah.or.us](mailto:matthew.o.ryan@co.multnomah.or.us)

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

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-3 DATE 08/20/09  
DEBORAH L. BOGSTAD, BOARD CLERK

## Board Clerk Use Only

Meeting Date: 08/20/09  
Agenda Item #: R-3  
Est. Start Time: 10:05 AM  
Date Submitted: 08/03/09

## BUDGET MODIFICATION: DCJ - 03

**Agenda Title:** BUDGET MODIFICATION DCJ-03 Increasing Fiscal Year 2010 City of Portland Chronic Offender Program Budget by \$37,000

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

Requested Meeting Date:	<u>August 20, 2009</u>	Amount of Time Needed:	<u>3 minutes</u>
Department:	<u>Dept of Community Justice</u>	Division:	<u>Employee, Community &amp; Clinical Services</u>
Contact(s):	<u>Shaun Coldwell</u>		
Phone:	<u>503-988-3961</u>	Ext.	<u>83961</u>
	I/O Address:		<u>503/250</u>
Presenter(s):	<u>Kathleen Treb</u>		

## General Information

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

The Department of Community Justice (DCJ) requests approval of budget modification DCJ-03 to increase the FY2010 Chronic Offender Program budget by \$37,000, and move the Chronic Offender budget out of County General Fund and into the Fed/State/Local Fund.

This is a program funded by the City of Portland for enhanced supervision, supportive housing, and outpatient alcohol and drug treatment for male offenders.

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

The Chronic Offender program is currently budgeted in the 2010 Adopted Budget (program offer 50036) at \$800,256. Budget Modification DCJ-03 requests approval to increase the funding. The \$37,000 increase has been designated in the Intergovernmental Agreement to be passed through to Volunteers of America.

Each year, the City of Portland designates funding to Multnomah County for the Chronic Offender Program. This program provides alcohol and drug treatment, enhanced supervision, and housing to male offenders who meet the Chronic Arrestee criteria.

The City currently works closely with Multnomah County on the Services Coordination Team, which is a collaborative approach to reduce alcohol and drug related crime in Portland. The Service Coordination Team members serve as the sole authorized agents for the referral of clients.

At the time that the Fiscal Year 2010 budget was prepared, the amounts for the Chronic Offender program were based on estimates. The Intergovernmental Agreement between the City and Multnomah County has now been executed, and the approved amount is \$37,000 more than the amount in the Adopted Budget.

Additionally, this budget modification will move all Chronic Offender expenditure and revenue budgets out of the County General Fund and into the Fed/State/Local Fund in order to establish consistency in accounting practices.

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

Budget Modification DCJ-03 increases The Department of Community Justice's Fiscal Year 2010 budget by \$37,000 in Chronic Offender funding from the City of Portland.

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

n/a

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

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## ATTACHMENT A

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### Budget Modification

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

- **What revenue is being changed and why?**

The Department of Community Justice's Fiscal Year 2010 budget will be increased by \$37,000 in funding from the City of Portland. The City of Portland has designated the funding to be passed through to Volunteers of America.

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

Budget Modification DCJ-03 adds \$37,000 in City of Portland funding to the Fiscal Year 2010 DCJ Program Offer #50036 (Adult Chronic Offender Program-City Funding)

This budget modification also moves all of the Chronic Offender revenue and expenditures out of Fund 1000 (CGF) and into Fund 1505 (Fed/State/Local). The amount being moved is \$800,256 for the Department of Community Justice and \$142,422 for the District Attorney's Office, for a total of \$942,478, plus the addition of \$37,000 in funding for DCJ.

- **What do the changes accomplish?**

The funding will increase the contract to Volunteers of America to a total of \$741,000. Volunteers of America will provide 42 outpatient treatment slots for the Chronic Offender Program. Salvation Army will subcontract with Volunteers of America to provide supported housing for 12 of these slots.

By also moving the Chronic Offender budget out of CGF and into the Fed/State/Local Fund, we will be able to maintain more consistent and transparent accounting practices.

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

n/a

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

The City of Portland has designated these funds for direct services. No funding is provided for Multnomah County's overhead costs.

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

It is expected that the City of Portland will continue to fund this program on an ongoing basis

- **If a grant, what period does the grant cover?**

The current Intergovernmental Agreement ends on June 30<sup>th</sup>, 2010

- **If a grant, when the grant expires, what are funding plans?**

The City of Portland will renew the funding for future years.

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

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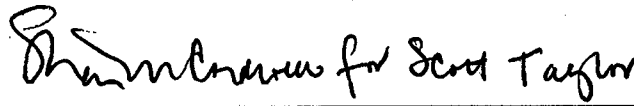
**BUDGET MODIFICATION: DCJ - 03**

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### Required Signatures

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



**Date:** 08/03/09

**Budget Analyst:**



**Date:** 08/03/09

**Department HR:**

**Date:**

**Countywide HR:**

**Date:**

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

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

Budget/Fiscal Year: 2010

Line No.	Fund Center	Fund Code	Program #	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Internal Order	Cost Center	WBS Element						
1	50-10	21442	50036	50			CJ002.CHRONIC.PO	50200	0	(96,256)	(96,256)		IG-OP-Local
2	50-10	21442	50036	50			CJ002.CHRONIC.PO	60000	0	61,128	61,128		Salary
3	50-10	21442	50036	50			CJ002.CHRONIC.PO	60130	0	19,237	19,237		Fringe
4	50-10	21442	50036	50			CJ002.CHRONIC.PO	60140	0	15,891	15,891		Insurance
5									0			0	
6	50-10	21442	50036	50			CJ002.CHRONIC.A&D	50200	0	(741,000)	(741,000)		IG-OP-Local
7	50-10	21442	50036	50			CJ002.CHRONIC.A&D	60160	0	741,000	741,000		Pass Thru
8									0				
9	50-10	1000	50036	50		502800		50180	(96,256)	0	96,256		IG-OP-Direct St
10	50-10	1000	50036	50		502800		60000	215,193	154,065	(61,128)		Permanent
11	50-10	1000	50036	50		502800		60130	75,838	56,601	(19,237)		Salary Related Expns
12	50-10	1000	50036	50		502800		60140	55,830	39,939	(15,891)		Insurance Benefits
13									0			0	
14	50-10	1000	50036	50		503700		50180	(704,000)	0	704,000		IG-OP-Direct St
15	50-10	1000	50036	50		503700		60170	1,113,012	409,012	(704,000)		Professional Svcs
16									0				
17	15-10	1000	15009	50			DA CHOP.GF	50200	(142,422)	0	142,422		IG-OP-Local
18	15-10	1000	15009	50			DA CHOP.GF	60000	88,905	0	(88,905)		permanent
19	15-10	1000	15009	50			DA CHOP.GF	60130	27,999	0	(27,999)		salary related
20	15-10	1000	15009	50			DA CHOP.GF	60140	23,182	0	(23,182)		insurance
21	15-00	1000		50		150000		60170	30,020	27,684	(2,336)		professional services
22													
23	15-10	21442	15009	50			DA CHOP1505	50200	0	(142,422)	(142,422)		local sources
24	15-10	21442	15009	50			DA CHOP1505	60000	0	90,607	90,607		permanent
25	15-10	21442	15009	50			DA CHOP1505	60130	0	28,514	28,514		salary related
26	15-10	21442	15009	50			DA CHOP1505	60140	0	23,301	23,301	0	insurance
27													
28	72-10	3500		20		705210		50316		(515)	(515)		Ins Reimbursement
29	72-10	3500		20		705210		60330		515	515		Ins Reimbursement
											0	0	Total - Page 1
											0	0	GRAND TOTAL

**ANNUALIZED PERSONNEL CHANGE**

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

[illegible]

**CURRENT YEAR PERSONNEL DOLLAR CHANGE**

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

[illegible]



## MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-4 DATE 08/20/09  
DEBORAH L. BOGSTAD, BOARD CLERK

### Board Clerk Use Only

Meeting Date: 08/20/09  
Agenda Item #: R-4  
Est. Start Time: 10:10 AM  
Date Submitted: 08/11/09

**Agenda Title:** NOTICE OF INTENT to Submit a Proposal to the Environmental Protection Agency Indoor Environments Grant Competition

*Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.*

Requested Meeting Date: August 20, 2009 Amount of Time Needed: 5 minutes  
Department: Health Division: Community Health Services  
Environmental Health  
Contact(s): Lila Wickham, Nicole Hermanns  
Phone: 503-988-3663 Ext. 26314 I/O Address: 160/9  
Presenter(s): Lila Wickham and Nicole Hermanns

### General Information

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

Authorize the Director of the Health Department to submit a proposal to the Environmental Protection Agency (EPA) Indoor Environments: Reducing Public Exposure to Indoor Pollutants grant competition for up to \$300,000 to support the expansion of the Healthy Homes Asthma Education Program.

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

The Environmental Health program has made significant strides in improving the health of children with asthma through their Healthy Homes Asthma Education Program. This innovative program, originally funded through a Housing and Urban Development (HUD) grant, provides in home assessments to identify and decrease exposures to multiple household hazards that contribute to asthma and other serious illness in children age 6 and under. After four years, the program has demonstrated significant success in improving the health of participants, and Environmental Health has explored additional opportunities to expand and build on the program. Examples of this expansion include: 1) an upcoming pilot of a web-based Asthma Inspection Referral (AIR) System that will enable Multnomah County Health Department clinicians to request a home inspection through the Healthy Homes Asthma Education Program when they suspect their patient's asthma is

being exacerbated by poor indoor air quality, and 2) work with legislators and OMAP to obtain Medicaid reimbursement for asthma home visits.

This EPA grant will allow Environmental Health to continue to build the Healthy Homes Asthma Education Program with four years of dedicated funding. The two key programmatic components of this grant are to expand the AIR system to providers outside of the County Clinic system and to increase capacity and modify program tools and methods to serve youth up to age 17 (enabling the program to serve the entire child Medicaid population). By expanding the program in these ways, the program will not only be able to serve more children and youth throughout Multnomah County, it will provide Environmental Health with additional data and support to encourage OMAP and other health insurance providers to offer reimbursement for these Healthy Homes services (lobbying activities will not be a part of this grant).

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

We will request up to \$300,000 a year for four years.

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

None.

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

None.

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## ATTACHMENT A

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### Grant Application/Notice of Intent

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If the request is a Grant Application or Notice of Intent, please answer all of the following in detail:

- **Who is the granting agency?**  
The Environmental Protection Agency (EPA).
- **Specify grant (matching, reporting and other) requirements and goals.**  
The goal of the EPA's Indoor Environments Program is to reduce the environmental health risks posed by contaminants in indoor environments. Specifically, the grant program is seeking to fund demonstration, training, outreach and/or education projects that reduce exposure to indoor air contaminants. There is no matching requirement. Regular reporting is required.
- **Explain grant funding detail – is this a one time only or long term commitment?**  
This grant will provide the county with up to \$300,000 a year for four years to support the pilot expansion of the Healthy Homes Asthma Education Program to children/youth age 7-17. When the grant period is over the department will evaluate the need and options for continuing the program beyond the pilot period.
- **What are the estimated filing timelines?**  
The grant application is due on September 14<sup>th</sup>, 2009.
- **If a grant, what period does the grant cover?**  
The grant covers a four-year period from 10/1/2010 – 9/30/2014.
- **When the grant expires, what are funding plans?**  
During the grant period, the Environmental Health program will be working to obtain additional sources of revenue, such as Medicaid reimbursement for home visits, to support the ongoing Healthy Homes Asthma Education Program (funding from this grant will not be used for lobbying activities). It is the hope that when this grant period ends, there will be additional resources to support the program expansion.
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**  
These costs, and any facilities/internal services costs that are not currently budgeted for, will be covered by the grant.

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## ATTACHMENT B

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### Required Signatures

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Elected Official or  
Department/  
Agency Director:

*Lillian Shirley*

Date: 08/06/09

//GO

Budget Analyst:

*Angela Burdine*

Date: 08/11/09



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

**Board Clerk Use Only**

**Meeting Date:** 08/20/09  
**Agenda Item #:** R-5  
**Est. Start Time:** 10:10AM  
**Date Submitted:** 07/24/09

**Agenda Title:** **RESOLUTION Directing the Multnomah County Health Department to Assess the Condition of Residential Rental Properties in Unincorporated Multnomah County**

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

**Requested Meeting Date:** August 20, 2009  
**Amount of Time Needed:** 5 minutes  
**Department:** Health  
**Division:** Community Health Services  
Environmental Health  
**Contact(s):** Lila Wickham, Steve Suo  
**Phone:** 503-988-3663 **Ext.** 22404 **I/O Address:** 420/1  
**Presenter(s):** Lila Wickham, Jonathan Clay and Thomas Neltner

## General Information

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

Adopt Resolution Directing the Multnomah County Health Department to Assess the Condition of Residential Rental Properties in Unincorporated Multnomah County.

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

Low income families suffer higher rates of asthma. Asthma triggers, mold/mildew, dust mites, cockroaches and other pests are prevalent in the homes of asthmatic children. Renting families have less control over housing repairs than property owners. Rental housing codes require landlords to resolve structural problems and other issues that exacerbate asthma triggers; leaking pipes, inadequate garbage pickup, pest control.

After two years of work, the Quality Rental Housing Work Group, which included staff from the county Health Department, identified code reform as essential to improving the status of renters in the Portland area. The cities of Portland and Gresham responded last year, adopting new codes with enforcement mechanisms; Wood Village will soon follow suit. If renters in the unincorporated area

of Multnomah County are unable to resolve maintenance issues with their landlord directly no mechanism exists for complaint resolution.

Four deliverables are expected in the first year of the ordinance and resolution: 1) Response to renter complaints with a housing inspection, identification of violations to the International Property Maintenance Code and resolution of violations, 2) Assessment of a statistically significant sample of rental properties to evaluate the state of the housing stock, 3) Evaluation of the assessment findings with key stakeholders to identify the desirable model for ongoing assessment of the housing stock, 4) Development and dissemination of educational materials to renters and landlords focusing on actions that will reduce health hazards in the home.

This change affects Program Offer #40028 and would enhance the current program services and protect community health and livability.

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

The services will be incorporated into Program Offer #40028 in FY 2010. The scope of the ongoing program will be evaluated based upon the housing stock assessment resulting in a request for a rental fee resolution to capture the cost of future services in FY 2011.

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

Compliance with landlord and tenant legal rights. Enforcement that includes due process. Adoption of a housing code that protects the health of the renting public.

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

Participation in the public processes in the City of Portland and City of Gresham. Multiple key informant interviews with landlords, tenants, landlord and tenant organizations, housing agencies and the 25 members of the Healthy Homes Coalition. Presentation and participation in the major landlord association meetings. 1,700 letters mailed to landlords and tenants in the unincorporated area. Two community meetings with presentations and request for feedback. Outside facilitation of a stakeholder workgroup comprised of participants from the City of Portland Bureau of Housing and Community Development, City of Gresham Housing Inspection Program, American Property Management, Metro Multifamily Housing, Community Alliance of Tenants, Rental Housing Association of Greater Portland, Oregon Fair Housing, Oregon Law Center, Renter. Reconvene the workgroup for development and design of the FY 2011 housing code implementation.

---

**Required Signatures**

---

Elected Official or  
Department/  
Agency Director:

*Jillian Shirley / W2*

Date: 07-23-09

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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

Directing the Multnomah County Health Department to Assess the Condition of Residential Rental Properties in Unincorporated Multnomah County

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

- a. The Board is adopting a county Residential Rental Property Maintenance Code (RRPMC) to protect the public health, safety and general welfare.
- b. Enforcement of the RRPMC is complaint driven. The Board wishes to assess the condition of rental properties in order to determine whether it is necessary to broaden the enforcement scope.

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

1. The Health Department is directed to conduct an external assessment of a statistically significant sample of the residential rental properties in unincorporated Multnomah County for the following purposes:
  - (a) Assessment of the overall condition of the residential rental stock in relation to the standards of the RRPMC and MCC Chapter 29, Building Regulations; and
  - (b) Determination of the general risk to the health and welfare of persons occupying residential rental properties in unincorporated Multnomah County based upon the assessment.
2. Effective October 5, 2009, for any property identified in the external assessment phase specified above as posing an imminent danger to the health and safety of the occupants, the director shall issue a notice of violation to the property owner and follow the appropriate notice and abatement processes provided for by County ordinance.
3. The Health Department will report to the Board no later than May 1, 2010, with its recommendation regarding whether the Board should institute a non-complaint driven enforcement process to address violations of the RRPMC.

ADOPTED this 20th day of August 2009.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

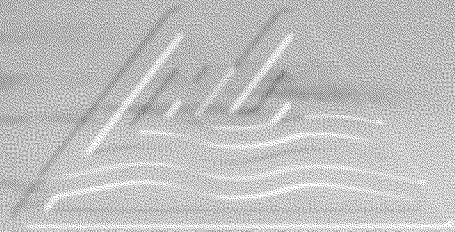
\_\_\_\_\_  
Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:  
Lillian Shirley, Director of the Department of Health



# The Connection Between Health and Housing

*Lila Wickham, Tom Neltner*

*August 20, 2009*

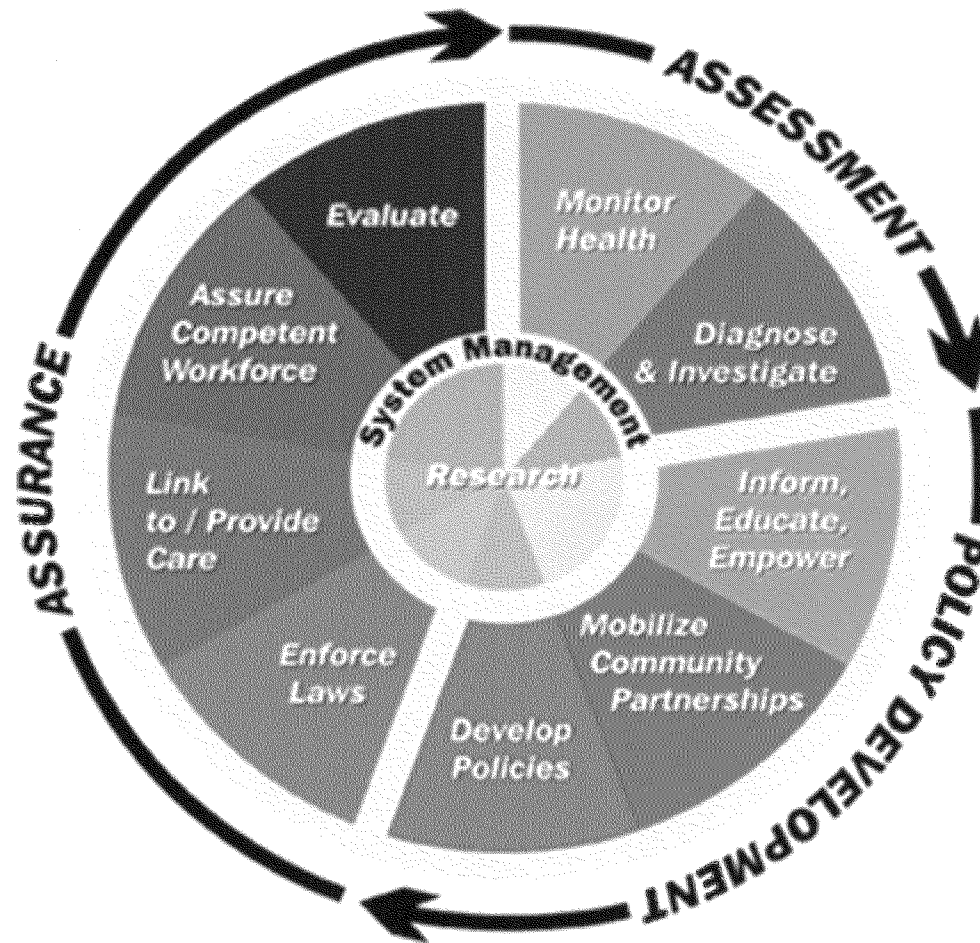
# Why PH and a housing code

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- ❑ Housing conditions can significantly affect residents' health. Childhood lead poisoning, respiratory diseases such as asthma, and quality of life issues have been linked to the more than 6 million substandard housing units nationwide. – *Centers for Disease Control Healthy Homes website; [www.cdc.gov](http://www.cdc.gov)*
- ❑ Housing-related environmental health hazards increase if rental housing is not in good repair.
- ❑ A rental housing code supports fixing any health-related hazards in the home

# The Public Health Approach

- ❑ Assessment
- ❑ Assurance
- ❑ Policy Development



# Linking health and housing

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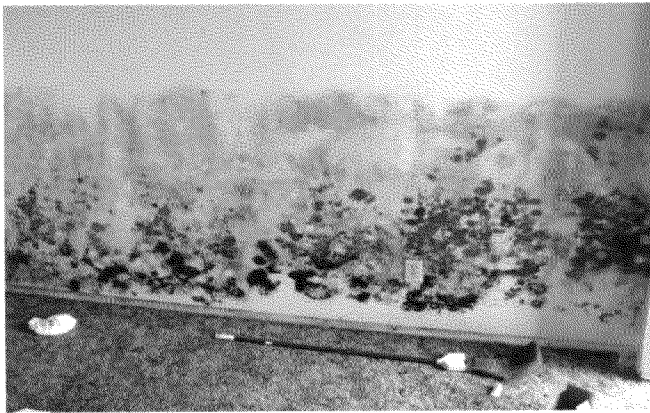
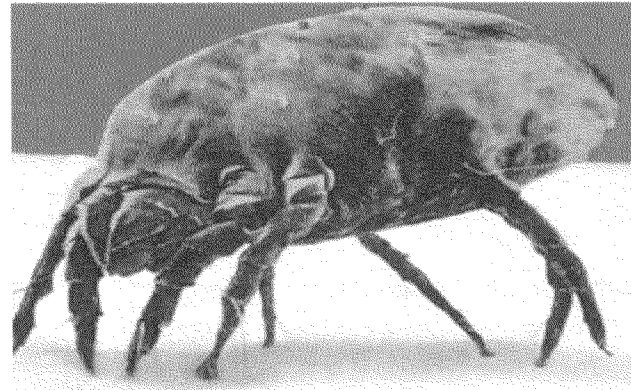
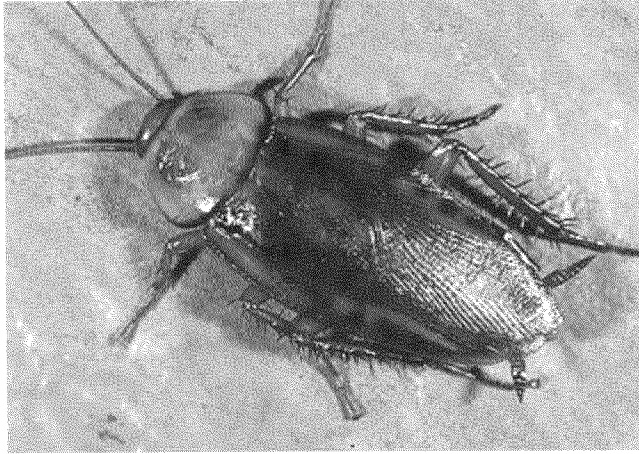
Substandard housing conditions are intimately linked with three of the leading pediatric health concerns:

- ❑ Asthma
- ❑ Lead poisoning
- ❑ Household Injuries

Estimated 40% of doctor diagnosed asthma is due to residential exposure

# Asthma Triggers

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# Asthma Triggers

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## Asthma unequally strikes children in poverty

by Paige Parker, The Oregonian

Wednesday July 15, 2009, 4:54 AM

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*"Asthma is really a health equity issue, for a number of reasons – environmental exposures, access to medication, access to preventative health care." Lila Wickham, manager of Multnomah County environmental health services*

In Oregon, poverty predicts a child's asthma risk better than genetics.

Poor people tend to live in substandard, cheap homes where the air is heavy with contaminants – mold, cockroach droppings, dust mites – that trigger asthma, an incurable disease that inflames and narrows airways. Just over 17 percent of kids from families earning less than \$15,000 a year have asthma, a rate twice the state average.

So, if families can't afford better housing, how can they keep children with asthma healthy?

Families who live in Multnomah County and whose income makes them eligible for Medicaid can participate in the Healthy Homes program, which offers at least six visits from a nurse and community health workers.

# Lead in Housing

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- ❑ 63% of all occupied homes in the Portland area were built prior to 1980 which increases the likelihood of lead-based paint in the homes
- ❑ Low income residents are 15% more likely to live in homes with lead based paint than middle and upper income residents

## Comparison Portland to National - *Exterior*

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- ❑ More single family detached homes
- ❑ More older homes than a typical central city potentially resulting in more lead paint issues
- ❑ More basements
- ❑ More exterior leakage
- ❑ More broken windows (proxy for substandard housing)

National Center for Healthy Housing based on 2002 American Housing Survey for Portland MSA - October 27, 2007

## Comparison Portland to National - *Interior*

---

- ❑ More interior leakage, primarily pipes
- ❑ More fuses/breakers blown in last six months, an indication of inadequate wiring
- ❑ More reliance on electricity for heating reducing the potential for carbon monoxide poisoning

National Center for Healthy Housing based on 2002 American Housing Survey for Portland MSA - October 27, 2007

# A Statistical Look Inside . . .

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- ❑ Relationship between interior and exterior problems
  - City of Portland – Home with sloping outside walls is 12.4X as likely to have a rat inside
  - Portland MSA – Home with sagging roof is > 10X as likely to have peeling paint or damaged plaster.
  - Portland MSA – Home with crumbling foundation is >10X as likely to have a hole in the floor big enough to trip in.
- ❑ Triage neighborhood for high risk problems.

# National Context

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## □ Push for:

- Housing code to set minimum standards
- Proactive inspection rather than reliance on complaints

## □ Multnomah's Leadership

- Strong healthy home program tracking health impacts
- Intergovernmental cooperation
- Comparison of complaint-based and proactive inspection-based approaches
- International Property Maintenance Code makes results transferable.

# Guiding Policy Principles

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- ❑ Minimal Impact on Tenant Privacy
- ❑ Prioritize housing hazards related to health and safety
- ❑ Solutions are the right size to fit identified issues
- ❑ Ensure fees are true cost of program and transparent and not burdensome
- ❑ Rental housing requires shared accountability

# Guiding Policy Principles

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- ❑ An enforceable mechanism exists for housing complaint response
- ❑ Integrate education into inspection process
- ❑ Assure ongoing opportunity for stakeholder input
- ❑ Rental housing is a business that impacts public health
- ❑ Provide reasonable support for landlords and tenants to navigate inspection process and program

# Goals of the Housing Code

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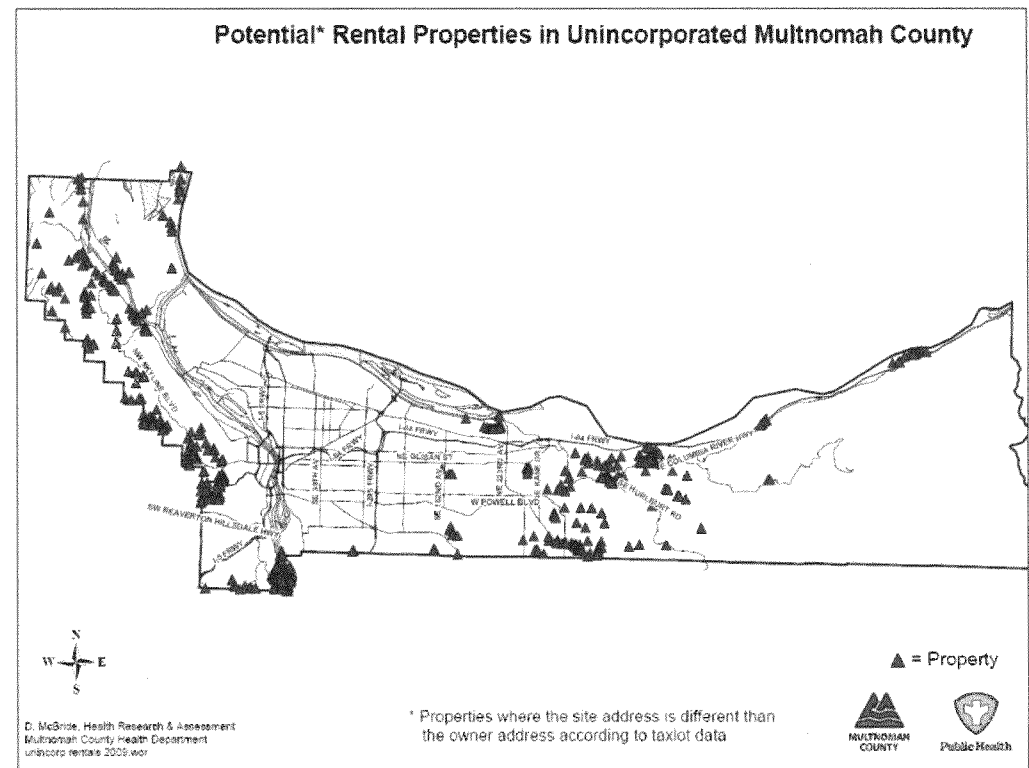
- ❑ Create a complaint response for renters to report conditions that are inhabitable and unsafe
- ❑ Better understand the condition of the overall rental housing stock by conducting an external assessment
- ❑ Improve the rental housing stock by addressing rental housing with evidence of imminent public health threat by conducting an interior inspection

# Who is impacted?

An estimated 42% of occupied housing units in Multnomah County were occupied by renters.

Approximately 800 rental units impacted.

- American Housing Survey 2002



# Public Participation

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- ❑ Conducted informational interviews with Portland and Gresham Rental Housing Task Force members.
- ❑ Held an informational session at the Rental Housing Association of Greater Portland membership dinner.
- ❑ Convened public meetings at the Sauvie Island Grange for West County residents and at the East County Building for East County residents.

# Stakeholder Advisory Group

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Completed three stakeholder meetings with a focus on:

- ❑ How to conduct a meaningful exterior assessment that identifies risk;
- ❑ How to conduct a meaningful interior inspection and enforcement protocols; and
- ❑ How to enhance public education about healthy homes principles.

# The Proposal

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- ❑ Create a housing ordinance in the unincorporated area of Multnomah County
  - September 3, 2009
- ❑ Respond to housing complaints from renters
  - October 5, 2009
- ❑ Conduct external assessment of rental housing
  - Winter and Spring 2009-2010
- ❑ Re-convene stakeholder group to discuss magnitude of problem and align the solution with the problem

# The Ordinance and Resolution

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- ❑ Inspect rental housing complaints using the International Property Maintenance Code in Multnomah County, Health Chapter 21.
- ❑ Enforce compliance with violations of the IPMC using a civil penalty process.
- ❑ Perform an external assessment on a statistically significant sample of rental properties.

# Moving Forward

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- ❑ Hire Environmental Health Specialist
- ❑ Finalize infrastructure to begin program (checklists, database development, educational materials)
- ❑ Perform outreach to landlords and tenants about assessment
- ❑ Market complaint program
- ❑ Re-convene workgroup for recommendations resulting from external housing assessments

#1

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

Please complete this form and return to the Board Clerk

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

MEETING DATE: Aug 20, 2009

SUBJECT: R-5, R-6 Residential rental assessment & inspections  
and adoption of housing code

AGENDA NUMBER OR TOPIC: R-5, R6

FOR: \_\_\_\_\_ AGAINST: X THE ABOVE AGENDA ITEM

NAME: Jonathan Clay

ADDRESS: 921 SW Washington St. Suite 772

CITY/STATE/ZIP: Portland, OR 97205

PHONE: \_\_\_\_\_ DAYS: 503-226-4533 EVES: 503-757-5019

EMAIL: jonathan@metomahfamily.com FAX: 503-228-8303

SPECIFIC ISSUE: Residential rental assessment, inspections, &  
adoption of housing code

WRITTEN TESTIMONY: yes - have copies for board clerk

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

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

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

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



## Testimony to Multnomah County Board of Commissioners

Thursday August 20, 2009

Agenda Items R-5 & R-6

Jonathan Clay

Metro Multifamily Housing Association

921 SW Washington St. Suite 772

Portland, Oregon 97205

### Executive Officers

*President,*  
Greg Knakal  
Princeton Property Management

*Vice-President,*  
Gary Fisher  
Background Investigations, Inc.

*Secretary,*  
Steve Rose  
Bristol Equities

*Treasurer,*  
Liz Zuanich  
Princeton Property Management

*Immediate Past President,*  
Jill Keoppel  
Income Property Management

### Board of Directors

Barb Casey  
Kennedy Restoration

Andy Hahs  
Bittner & Hahs

David Halseth  
Background Investigations

Eve Henderson  
C&R Real Estate Services

Chris Hermanski  
Mainlander Property Management

Paul Hoevet  
HD Supply Facilities Maintenance

Pam McKenna  
Guardian Management, LLC

Christine Ortiz  
Apartments.com

Lisa Rose  
Riverstone Residential Group

Deana Seufferling  
GSL Properties, Inc.

Jami Sterling-Counard  
Sterling Management Group, Inc.

Jim Wiard  
Guardian Management, LLC

Good morning Chair Wheeler and Multnomah County Board of Commissioners. My name is Jonathan Clay from Metro Multifamily Housing Association and we represent residential property owners and managers of over 150,000 rental units advocating quality rental housing.

Metro Multifamily Housing shares common ground with the Health Department in their goal to help ensure safe and habitable housing. Quality rental housing is central to our mission. It is a business practice policy we stress and promote through our ongoing educational classes, events and our industry standard rental forms. Our educational seminars and trade show are open to members and non-members alike, and we strive to elevate the multifamily housing industries' professionalism as a whole. We provide networking and business contacts for any service a landlord may need to maintain their properties. For Integrated Pest Management services and Repair, Restoration, and Remolding we have 24 companies within our membership that we refer to members and the general public every day. These standard services we advocate remediate many habitability deficiencies including pests and mold or mildew issues that can attribute to asthma and other respiratory issues.

We support code that ensures quality rental housing. Since 1973, landlords and tenants have worked together on Oregon Landlord/Tenant Statutes that define habitability standards and provide tenants with instruction to remediation (ORS 90.365). We also acknowledge that a complaint-based inspection program is necessary for accountability and recognize that Multnomah County currently lacks this mechanism. MMHA believes complaint-driven-accountability is the most direct, fair and cost effective way to uphold habitability codes to hold delinquent property owners responsible.

Last year the city of Portland completed a 16-month Quality Rental Housing Workgroup which consisted of tenants, landlords, and health officials recommending an "Enhanced Complaint Driven" system that incorporated additional ways to trigger intervention, including allowing police, fire, social and health care officials to file complaints in addition to tenants. This enhanced model also acknowledges that both tenants and landlords have responsibilities in maintaining quality rental housing and avoiding health hazards. It is also important that there is accountability for any behavior correlation of the resident to the habitability concern, as well as provide education and outreach to tenants on how to maintain improved housing.

Although we have much in common, and are ready to work with the County in establishing a complaint-based accountability system, we have significant concerns about this proposal. Metro Multifamily Housing Association cannot support the rental property assessment as an effective and targeted use of limited resources. It is unclear what data is being collected and how that will be used in conjunction with other habitability indicators. Like any mandatory program that inspects every unit regardless of habitability problems, this assessment is intrusive in nature to the vast majority of tenants and landlords that provide quality rental housing.

Recognizing the difficult economy we are in, MMHA supports prudent use of resources, from both the public and private sector. Long-term costs of complaint-based inspection programs should be borne by fines and fees assessed to the very 'bad actors' whose behavior all of us strive to change and not the law abiding industry at large. Any other proposals or pilots need to be limited and modest in scope to avoid undue burdens to landlords who are doing their part to ensure quality, healthy housing across Multnomah County.

#2.

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

---

Please complete this form and return to the Board Clerk

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

MEETING DATE: 8/20/09

SUBJECT: Housing Ordinance

AGENDA NUMBER OR TOPIC: R-5 & R-6

FOR: X AGAINST: \_\_\_\_\_ THE ABOVE AGENDA ITEM

NAME: ERIC SCHMIDT

ADDRESS: 1333 NW Eastman Pkwy

CITY/STATE/ZIP: Gresham OR 97030

PHONE: DAYS: 503 618 2877 EVES: 503-288-5321

EMAIL: eric.schmidt@greshamoregon.gov FAX: \_\_\_\_\_

SPECIFIC ISSUE: \_\_\_\_\_

WRITTEN TESTIMONY: \_\_\_\_\_

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

1. Please complete this form and return to the Board Clerk.
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4. If written documentation is presented, please furnish one copy to the Board Clerk.

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

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2. Written testimony will be entered into the official record.

#3

MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk

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

MEETING DATE: 8/20/09

SUBJECT: Housing Ordinance

AGENDA NUMBER OR TOPIC: R-5 & R-6

FOR: X AGAINST: \_\_\_\_\_ THE ABOVE AGENDA ITEM

NAME: Ed Marihart

ADDRESS: 1900 SW 4th Ste. 5000

CITY/STATE/ZIP: Portland, OR 97201

PHONE: DAYS: 503-823-7373 EVES: 503-<sup>771-0505</sup>~~823-7373~~

EMAIL: emarihart@ciportland.or.us FAX: 503-823-7961

SPECIFIC ISSUE: \_\_\_\_\_

WRITTEN TESTIMONY: NO

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

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

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

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BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. 09-104**

Directing the Multnomah County Health Department to Assess the Condition of Residential Rental Properties in Unincorporated Multnomah County

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

- a. The Board is adopting a county Residential Rental Property Maintenance Code (RRPMC) to protect the public health, safety and general welfare.
- b. Enforcement of the RRPMC is complaint driven. The Board wishes to assess the condition of rental properties in order to determine whether it is necessary to broaden the enforcement scope.

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

1. The Health Department is directed to conduct an external assessment of a statistically significant sample of the residential rental properties in unincorporated Multnomah County for the following purposes:
  - (a) Assessment of the overall condition of the residential rental stock in relation to the standards of the RRPMC and MCC Chapter 29, Building Regulations; and
  - (b) Determination of the general risk to the health and welfare of persons occupying residential rental properties in unincorporated Multnomah County based upon the assessment.
2. Effective October 5, 2009, for any property identified in the external assessment phase specified above as posing an imminent danger to the health and safety of the occupants, the director shall issue a notice of violation to the property owner and follow the appropriate notice and abatement processes provided for by County ordinance.
3. The Health Department will report to the Board no later than May 1, 2010, with its recommendation regarding whether the Board should institute a non-complaint driven enforcement process to address violations of the RRPMC.

ADOPTED this 20th day of August 2009.



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By 

Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:

Lillian Shirley, Director of the Department of Health



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

**Board Clerk Use Only**

Meeting Date: 08/20/09  
Agenda Item #: R-6  
Est. Start Time: 10:20 AM  
Date Submitted: 08/05/09

**Agenda Title:** First Reading of a Proposed ORDINANCE Amending Multnomah County Code Chapter 21, Health, Relating to Residential Rental Property

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

Requested Meeting Date: August 20, 2009 Amount of Time Needed: 1 hour  
Department: Health Division: Community Health Services  
Contact(s): Lila Wickham, Steve Suo Environmental Health  
Phone: 503-988-3663 Ext. 22404 I/O Address: 420/1  
Presenter(s): Lila Wickham, Jonathan Clay, Thomas Neltner

## General Information

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

Approve first reading of ordinance amending MCC Chapter 21, Health, Relating to Residential Rental Property.

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

Low-income families suffer higher rates of asthma. Asthma triggers, mold/mildew, dust mites, cockroaches and other pests are prevalent in the homes of asthmatic children. Renting families have less control over housing repairs than property owners. Rental housing codes require landlords to resolve structural problems and other issues that exacerbate asthma triggers; leaking pipes, inadequate garbage pickup, pest control.

After two years of work, the Quality Rental Housing Work Group, which included staff from the county Health Department, identified code reform as essential to improving the status of renters in the Portland area. The cities of Portland and Gresham responded last year, adopting new codes with enforcement mechanisms; Wood Village will soon follow suit. If renters in the unincorporated area of Multnomah County are unable to resolve maintenance issues with their landlord directly no

mechanism exists for complaint resolution.

Four deliverables are expected in the first year of the ordinance and resolution: 1) Response to renter complaints with a housing inspection, identification of violations to the International Property Maintenance Code and resolution of violations, 2) Assessment of a statistically significant sample of rental properties to evaluate the state of the housing stock, 3) Evaluation of the assessment findings with key stakeholders to identify the desirable model for ongoing assessment of the housing stock, 4) Development and dissemination of educational materials to renters and landlords focusing on actions that will reduce health hazards in the home.

This change affects Program Offer #40028 and would enhance the current program services and protect community health and livability.

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

The services will be incorporated into Program Offer #40028 in FY 2010. The scope of the ongoing program will be evaluated based upon the housing stock assessment resulting in a request for a rental fee resolution to capture the cost of future services in FY 2011.

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

Compliance with landlord and tenant legal rights. Enforcement that includes due process. Adoption of a housing code that protects the health of the renting public.

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

Participation in the public processes in the City of Portland and City of Gresham. Multiple key informant interviews with landlords, tenants, landlord and tenant organizations, housing agencies and the 25 members of the Healthy Homes Coalition. Presentation and participation in the major landlord association meetings. 1,700 letters mailed to landlords and tenants in the unincorporated area. Two community meetings with presentations and request for feedback. Outside facilitation of a stakeholder workgroup comprised of participants from the City of Portland Bureau of Housing and Community Development, City of Gresham Housing Inspection Program, American Property Management, Metro Multifamily Housing, Community Alliance of Tenants, Rental Housing Association of Greater Portland, Oregon Fair Housing, Oregon Law Center, Renter. Reconvene the workgroup for development and design of the FY 2011 housing code implementation.

---

**Required Signatures**

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Elected Official or  
Department/  
Agency Director:

*Jillian Shirley / W2*

Date: 07-23-09

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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

Amending MCC Chapter 21, Health, Relating to Residential Rental Property

**Multnomah County Ordains as follows:**

**Section 1.**      **MCC Chapter 21, Health, is amended to add the following subchapter:**

**21.800\*RESIDENTIAL RENTAL PROPERTY**

**21.805 Title and Area of Application.**

This subchapter of the Multnomah County Code (MCC) relating to residential rental property may be known and cited as the county Residential Rental Property Maintenance Code (RRPMC) and applies to the unincorporated areas of the county.

**21.810 Policy.**

The Board has determined that it is necessary to provide for the regulation of residential rental property maintenance and administration of standards, including enforcement, for the protection of the public health, safety and general welfare of the residents of the county.

**21.815 Adoption of International Property Maintenance Code.**

(A) The International Property Maintenance Code, 2006 Edition, prepared by the International Code Council, as thereafter amended or revised "ICCPMC"), are adopted and by this reference incorporated as part of this subchapter. The provisions of this subchapter and MCC Chapter 29, Building Regulations, take precedence over any similar provisions of the ICCPMC.

(B) Residential rental properties must meet the standards set forth in the in this subchapter and are subject to the inspection and enforcement provisions of this subchapter.

**21.820 Exemptions.**

The provisions of this subchapter do not apply to motels, hotels, approved accessory dwellings, assisted living facilities, adult foster care homes, or temporary housing as defined in this subchapter.

**21.825 Definitions.**

In addition to the definitions set forth in the ICCPMC the following definitions apply to this subchapter:

Where terms are not defined in this subchapter or other code section and are defined in the state building, plumbing or mechanical codes, such terms will have the meanings ascribed to them as in those

state codes. Where terms are not defined through the methods authorized by this section, such terms have ordinarily accepted meanings such as the context implies. Whenever the words "premises," "building" or other similar words are stated in this subchapter, they will be construed as though they were followed by the words "or any part thereof." Unless otherwise expressly stated, the following terms, for the purposes of this subchapter, apply only to residential rental property and have the following meanings:

**ABANDONED STRUCTURE.** A vacant structure, or portion thereof, that is an attractive nuisance to children at play, that is used for unlawful activity or that is otherwise unoccupied and untended.

**ATTRACTIVE NUISANCE.** A condition that can attract children and be detrimental to the health or safety of children whether in a building, on the premises of a building or upon an unoccupied lot. This includes, but is not limited to: abandoned buildings, abandoned wells, shafts, basements, excavations, abandoned iceboxes, refrigerators, motor vehicles, any structurally unsound fences or structures, lumber, trash, fences, debris, or vegetation such as poison ivy, poison oak or poison sumac that may prove hazardous for inquisitive minors.

**BUILDING.** Any structure occupied or intended for any occupancy.

**BUILDING CODE.** MCC Building Regulations (§§29.001-29.207).

**BUILDING OFFICIAL.** The county building official.

**DERELICT STRUCTURE.** Any structure left unoccupied and unsecured, partially constructed, abandoned, maintained in a condition that is unfit for human habitation, or maintained in a condition that is an imminent threat to public health and safety.

**DESIGNATED AGENT.** A person or entity designated by the property owner to represent the property owner's interests in the subject property.

**DWELLING.** Any building located in the county, which is wholly or partly used or intended to be used for living or sleeping by human occupants; provided that temporary housing as defined below shall not be regarded as a dwelling. For purposes of this subchapter, the term shall be synonymous with "residential rental property."

**LEGAL OWNER.** Any person recorded in the official records of the state, county or municipality as holding title to the residential rental property.

**MAIL.** The delivery of a notice or other communication by first class mail. If a person has agreed to accept delivery of notification by email or fax, delivery by email or fax satisfies the mailing requirement.

**OWNER, PROPERTY OWNER, or LEGAL OWNER.** Any person, agent, firm or corporation having a legal or equitable interest in the residential rental property, including the owner as shown on the latest assessment records in the County Tax Assessor's office, a contract vendee, or a receiver or trustee in bankruptcy.

**OCCUPIER.** Any person who has possessory rights in, or control over, the subject property, premises, or business located at the property location, including a tenant.

**PARTIALLY CONSTRUCTED.** An occupied or vacant structure, or portion thereof, that has been left in a state of partial construction for more than six months or after the expiration of any building permit, or that has not had a required permit inspection within any six-month period.

**PERSON IN CHARGE.** Any agent, designated agent, property manager, or other person or entity with apparent authority to represent the property owner's interest in the subject property.

**POST / POSTING / POSTED.** The act of personally delivering a notice to a property, including affixing a notice to a property or personally delivering a notice to the owner, person in charge of the property, or occupier, at the property location. In the event of a vacant property, or conditions which make posting impractical, mailing a notice to the property owner at the last known address as listed with the County Tax Assessor's Office satisfies the posting requirement.

**PROPERTY.** Includes all lands, including all structures, improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith.

**RESIDENTIAL RENTAL PROPERTY.** A property, including a mobile home park, with one or more residential rental units, regardless of whether anyone is currently residing in each unit. Any person who owns land upon which a mobile home is located when that mobile home is owned by another person is construed as operating a mobile home park.

**RESIDENTIAL RENTAL UNIT.** A dwelling containing one or more separate living quarters (kitchen, bathroom and living room), one or more of which is rented, leased or let in exchange for monetary or other compensation. For the purposes of this subsection, a rooming house constitutes one residential rental unit.

**TEMPORARY HOUSING.** A tent, trailer, or similar structure which is used as human shelter for not more than thirty (30) consecutive days, or more than ninety (90) days, in any calendar year.

**UNOCCUPIED.** Vacant or not being used for a lawful occupancy.

## **21.830 Administration and Enforcement.**

(A) The Health Department (department) is responsible for the administration and enforcement of this subchapter.

(B) The Health Department Director (director) is authorized to administer oaths, certify all official acts, issue citations, issue administrative warrants, subpoena and require the attendance of witnesses and production of relevant documents at hearings before the hearings officer and take testimony of any person by deposition.

(C) The director may grant an exception when the enforcement of the requirements of this subchapter would cause undue hardship to the owner or occupants of the affected property, or wherever the director deems it necessary in order to accomplish the purpose of this subchapter.

(D) The director may adopt rules necessary for the administration and enforcement of this subchapter.

## **21.850 Inspections.**

(A) The director may conduct both internal and external inspections resulting from a complaint submitted to the department in accordance with department procedures.

(B) The director may initiate a complaint based upon reasonable belief of conditions that pose an imminent danger to the health and safety of the occupants and conduct both internal and external inspections based thereon.

(C) Any inspection of an owner-occupied dwelling containing one or more residential rental units will not include inspection of the owner's unit.

(D) The provisions of this subchapter will not be deemed to restrict the right of the county to inspect any property pursuant to any applicable federal, state or local law or regulation, including complaints filed under this subchapter.

## **21.855 Enforcement and Abatement.**

(A) The director or designee may enter any property or building at any reasonable time for the purpose of inspection or enforcing this subchapter. Except when an emergency exists, the director must obtain the consent of the legal occupant of the property before entering private property or a private building. If the director or designee cannot obtain consent, the director may issue an administrative warrant to inspect property based upon reasonable belief that conditions in or upon the property constitute a violation of this subchapter.

(B) As used in this section, an emergency exists when the director has reasonable cause to believe that a violation of this subchapter requires prompt remediation to avoid a clear and immediate danger to individuals or to the public health.

(C) Whenever it appears there is reasonable cause to believe that a violation exists, the director will provide written notice to the owner of the existence of the violation and demand remedy of the violation within 30 days from the date of the written notice, or such lesser time as may be set by the director to protect the public health, safety and welfare. The notice must describe with reasonable certainty the property, the nature of the violation and the action necessary to remedy the violation, and inform the owner of the owner's rights under §§ 21.860 and 21.865, and the procedure by which the owner may contact the notice provider for more information.

(D) In an emergency, the director may order immediate remedy of a violation and an order to vacate the property may be issued. The director must give notice of the requirement for immediate remedy to the owner. The violation must be remedied before the property may be reoccupied. A fine may be imposed against a property owner who allows re-occupancy of property under a vacate order.

(E) The property must be re-inspected to determine compliance with this subchapter.

(F) If a property owner does not remedy a violation as ordered by the director, the director at his or her discretion may take one or more of the following actions:

1. abate the violation and charge the cost of abatement to the property owner;
2. order a property to be vacated and closed for use as residential rental property.

(G) In a situation in which the property owner has refused to abate a violation, or has taken or threatened action that gives the director probable cause to believe such action will comprise a danger to

department staff, any involved contractors, other individuals or the public generally, the director may request the assistance of the Sheriff in carrying out necessary investigation, abatement or enforcement actions as ordered by the director under this section or a hearings officer under § 21.860.

#### **21.860 Appeals And Hearings.**

(A) Any person receiving a notice of a violation under § 21.855(C) or (D) may request a hearing by writing the director within fourteen business days of the date of the notice.

(B) The director will, upon receipt of request for a hearing, promptly notify the hearings officer who will set a time and place for the hearing at the earliest possible time and will promptly notify the person requesting the hearing as to the time and place for the hearing. Notice may be by any means of giving actual notice. Notice may also be given to such persons as the hearings officer may determine to be interested persons.

(C) The person requesting the hearing and the director may make argument, submit testimony, cross-examine witnesses and submit rebuttal evidence on the pertinent issues. Any party may be represented by counsel.

(D) All hearings must be recorded in a manner which will allow for written transcription to be made and all materials submitted at the hearing will be retained by the hearings officer for a period of two years.

(E) Failure of the person requesting the hearing to appear at the hearing will constitute a waiver of the right to a hearing.

(F) After the hearing, the hearings officer will issue and mail a copy of the order determining the question within 15 days from the date of the hearing, or any continuance thereof not to exceed 15 days, to the person requesting hearing and the director.

(G) If the hearings officer finds the violation to exist, the order will set a date for abatement to be accomplished by the owner.

(H) Hearings involving the director will be conducted in accordance with applicable portions of ORS 183.413 to ORS 183.470.

#### **21.865 Review.**

Review of any action of the hearings officer taken under this subchapter and the rules adopted under them must be taken solely and exclusively by writ of review in the manner set forth in ORS 34.010 to 34.100.

#### **21.870 Remedy By Owner Required.**

Failure of the owner to abate the violation within 30 days as provided by § 21.855(C) or within the time set by the director under § 21.755(D) or the hearings officer under § 21.860 is a violation under this subchapter, and a county offense under ORS 203.810.

**21.875 Penalty.**

The director may impose a civil penalty on the owner for a violation based upon failure to remedy as defined in section 21.870 in an amount not to exceed \$250.00. Each day that a violation is not remedied constitutes a separate violation subject to civil penalty as described herein.

This subchapter shall in no way be a substitute for nor eliminate the necessity of conforming with any and all state laws and rules and other county ordinances which are now or may in the future be in effect, which relate to the activities regulated by this subchapter.

**Section 2. This ordinance is effective on October 5, 2009.**

FIRST READING:

\_\_\_\_\_  
August 20, 2009

SECOND READING AND ADOPTION:

\_\_\_\_\_  
September 3, 2009

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

\_\_\_\_\_  
Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:  
Lillian Shirley, Director of the Department of Health

#4

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

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Please complete this form and return to the Board Clerk

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

MEETING DATE: 8/20/09

SUBJECT: Rental Housing Code

AGENDA NUMBER OR TOPIC: R-5 & R-6

FOR: X AGAINST: \_\_\_\_\_ THE ABOVE AGENDA ITEM

NAME: Elisa Aguilera

ADDRESS: 2710 NE 14th Ave.

CITY/STATE/ZIP: PDX, OR 97212

PHONE: \_\_\_\_\_ DAYS: 503-460-9702 x1 EVES: \_\_\_\_\_

EMAIL: elisa@oregoncat.org FAX: \_\_\_\_\_

SPECIFIC ISSUE: Renters in favor of code to gain access to safe housing conditions in unincorporated areas.

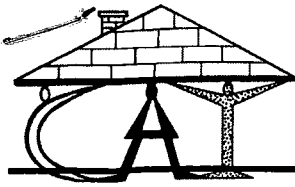
WRITTEN TESTIMONY: attached.

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

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

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

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



## COMMUNITY ALLIANCE OF TENANTS

2710 NE 14<sup>th</sup> Avenue, Portland, Oregon 97212

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Chair and Commissioners of Multnomah County  
Multnomah County Public Health Board  
501 SE Hawthorne  
Portland, Oregon 97214  
August 20, 2009

Good Morning Chair and Commissioners of Multnomah County. My name is Elisa Aguilera. I am one of the Co-Directors of the Community Alliance of Tenants. The Community Alliance of Tenants is a grassroots, tenant membership, renters' rights organization. First, I want to thank you for taking the time today to consider a needed internal property maintenance code for the unincorporated areas of Multnomah County. As you might know, the Community Alliance of Tenants operates a hotline for renters in Oregon who experience rental problems of all kinds. Without support from a property maintenance code, renters have very few and expensive options to resolve repair problems if they have unresponsive landlords.

The majority of the calls that we receive within the region are regarding repairs that are not being made by their landlords. Approximately half of our regional callers have serious mold issues. In many cases tenants self-report that they believe the mold is causing health issues such as asthma and other serious respiratory illnesses, allergic reactions and migraine headaches, to name a few. Other problems that we have heard about with frequency are broken pipes in and under rental units, leaks in chimneys and around windows. A lot of the problems seem to be caused by water damage from structural problems, which in turn cause and exacerbate the unhealthy moldy conditions that appear to be a significant problem for renters. Many renters have had to go without heat, without hot water or have to live with stoves and refrigerators which are faulty or don't work at all. Renters that live in the region that are not covered by an internal property code feel powerless, frustrated, anxious and upset because although they pay their rent, they ask for.

Adopting a code for the unincorporated areas will give renters living in the unincorporated areas similar protections that neighboring renters have. It isn't fair that just because someone doesn't live in Portland, Gresham, or Beaverton that they can't have access to safe housing.

CAT provide door-to-door outreach about this proposal to over 100 rental units in the unincorporated areas. Over 35% of the household said that they supported this proposal. This proposal is designed to provide protection for tenants who have an unresponsive landlord. Currently, the only recourse tenants have that do not have responsive landlords can't get repairs made is to move, or fight for repairs in court- both are expensive and can lead to a loss in assets or housing. In many cases, low-income renters can't just move and "shop around" for safe housing.

Housing codes provide information to both landlords and renters about ways that they can maintain a healthy home. This code will also give the county an opportunity to establish a baseline for the housing stock for us to better understand the need.

We are asking you to adopt this set of minimum basic health standards for rental homes. These standards include adequate heating, working windows, and sanitary conditions. Tenants should be able to expect that their rental units will be in habitable and safe conditions.

**All of Multnomah County's renters deserve a safe healthy and stable place to call home.**

Multnomah County residents are in need of an internal property maintenance code and I sincerely hope that you will implement this kind of a code for the unincorporated areas. Thank you.

Elisa Aguilera

Co-Director

Community Alliance of Tenants

503-460-9702 ext:1

A handwritten signature in black ink, appearing to read 'Elisa Aguilera', written in a cursive style.

#5

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

Please complete this form and return to the Board Clerk

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

MEETING DATE: 8/20/09

SUBJECT: Rental Housing Code

AGENDA NUMBER OR TOPIC: Rental housing .code

FOR: ✓ AGAINST:        THE ABOVE AGENDA ITEM

NAME: Dung Ho

ADDRESS: 2710 NE 14th Ave.

CITY/STATE/ZIP: Portland, OR 97212

PHONE: DAYS: (503) 460-9702 EVES:       

EMAIL: dung@oregoncat.org FAX:       

SPECIFIC ISSUE:       

WRITTEN TESTIMONY: Testimony attached

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

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

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

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

Multnomah County Chair and Commissioners  
501 SE Hawthorne Blvd, Suite 600  
Portland, OR 97214

Good morning Chair and Commissioners,

I live in an unincorporated area in Portland. I'm lucky, I have a landlord that is responsive to making needed repairs. From volunteering on the CAT hotline, I know how unlucky I would be if my landlord didn't want to make repairs.

One call has always stuck with me in particular. A family in Gresham called the Renters' Rights hotline wanting to know what they could do about a landlord who wouldn't make repairs. A sewage pipe had broken under their home and the landlord was not responding to their calls to come fix it. They knew it was a sewage pipe, because the family had called a plumber to come look at the problem when the landlord wouldn't respond to their reports that there was a terrible smell coming from underneath the house. The family had to vacate the premise and in addition to paying for the plumber they also had the ongoing expense of a motel. The only advice I could give them was, "call a lawyer." At the time, Gresham had not adopted city building codes for rental housing. There was no third party government official to come out and verify their complaints and help them.

Tenants shouldn't have to be responsible for holding their landlords accountable for maintaining their rental units. The rest of Portland is able to call a building inspector if their landlord won't make repairs. I don't see why I shouldn't be able to either. I'm self employed and pay taxes to Multnomah County, I should have the same rights as others. Tenants living in the unincorporated areas of Multnomah County deserve a safe and healthy place to call home. I ask that you will implement a rental housing code for the unincorporated areas.

Thank you,  
Lisa Graham  
(503) 889-6627  
pine\_porky@yahoo.com

#6

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

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Please complete this form and return to the Board Clerk

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

MEETING DATE: 8/20/09

SUBJECT: Rental Housing Ordinance + Resolution  
for Unincorporated Mult. County

AGENDA NUMBER OR TOPIC: \_\_\_\_\_

FOR: X AGAINST: \_\_\_\_\_ THE ABOVE AGENDA ITEM

NAME: KATE O'DONNELL

ADDRESS: 5018 NE 15<sup>TH</sup> AVE

CITY/STATE/ZIP: PORTLAND, OR 97211

PHONE: \_\_\_\_\_ DAYS: 503 802. 7389 EVES: —

EMAIL: KATE@JHILLCLINIC.ORG FAX: —

SPECIFIC ISSUE: Mult Unincorporated areas, housing.  
childhood health

WRITTEN TESTIMONY: please see attached

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

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

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



PO Box 13207  
Portland, OR. 97213

JOSIAH HILL III CLINIC

Phone: 503.334.9694  
[www.jhillclinic.org](http://www.jhillclinic.org)

August 20, 2009

Dear Chair Wheeler and County Commissioners,

**I am writing this letter in support of the inclusion of unincorporated Multnomah County into the county's rental housing inspections program.** By assessing the condition of rental housing and implementing an inspection program that responds to complaints, Multnomah County Health Department can play a role in protecting the public's health.

Currently in these unincorporated areas, there is no program that responds to tenant complaints about substandard housing conditions. Therefore, a tenant may be living in housing with a health hazard, but the landlord may not be made aware of it and/or required to fix this hazard. Josiah Hill III Clinic has seen in our day-to-day work how many families and children live in housing that impacts their health. It is disheartening to see a family that is living in an apartment that is negatively impacting their health – sometimes triggering asthma attacks in young children – but it is even more disheartening to learn **that this family has no right to require their landlord to respond to their housing complaints.**

**Housing inspectors can spot these risks to human health and make sure that they are appropriately addressed.** The passage of this ordinance and resolution could affect up to 800 households in the unincorporated areas. Many of these homes have not been assessed for health risks like mold and insect infestations. In including the unincorporated Multnomah County in the county's rental housing inspection program, we will have a better understanding of the housing issues affecting these residents. More importantly, the people living in these buildings will be empowered to take action on their housing concerns.

By passing the Rental Housing Ordinance and Resolution for Unincorporated Multnomah County many positive outcomes will occur. Your support will put an ordinance on the books that will allow the county to inspect properties in response to complaints. Please pass and fund these recommendations. **By supporting the inclusion of unincorporated Multnomah County into the county's rental housing inspections program, you will prevent many health conditions impacted and/or exacerbated by poor housing conditions.**

Sincerely,

  
Erin McNally

Executive Director, Josiah Hill III Clinic

Advisory Board Member, Rental Housing Ordinance and Resolution for Unincorporated Multnomah County

*Board of Directors*

*William Lambert*  
Board Chair  
OHSU

*Mark Lewis*  
Board Treasurer  
Multnomah County  
Health Department

*Bruce Watts*  
TriMet

*Martha Carter- Balske*  
Federal Public  
Defenders Office

*Dean Richardson*  
Willamette University

#7

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

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Please complete this form and return to the Board Clerk

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

MEETING DATE: AUG 20 2009

SUBJECT: CHAPTER 21 HEALTH, RELATING TO  
RESIDENTIAL RENTAL PROPERTY

AGENDA NUMBER OR TOPIC: R-6

FOR: \_\_\_\_\_ AGAINST: X THE ABOVE AGENDA ITEM

NAME: JIM HERMAN

ADDRESS: P. O. BOX 91512

CITY/STATE/ZIP: PORT. OR. 97291

PHONE: \_\_\_\_\_ DAYS: 503-730-9337 EVES: \_\_\_\_\_

EMAIL: \_\_\_\_\_ FAX: \_\_\_\_\_

SPECIFIC ISSUE: WE ARE OPPOSED TO A FINE PROCESS  
WHEN TENANTS ARE RESPONSIBLE FOR THE VIOLATIONS

WRITTEN TESTIMONY: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

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

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2. Written testimony will be entered into the official record.



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

**Board Clerk Use Only**

**Meeting Date:** 08/20/09  
**Agenda Item #:** R-7  
**Est. Start Time:** 11:15 AM  
**Date Submitted:** 08/05/09

**Agenda Title:** **Weatherization Briefing – American Reinvestment and Recovery Act (ARRA) Funding; Public Contracting Procedures; How Weatherization Dollars will be Used**

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

**Requested Meeting Date:** August 20, 2009  
**Amount of Time Needed:** 30 minutes  
**Department:** Non Departmental  
**Division:** Commissioner Shiprack  
**Contact(s):** Matthew Lashua  
**Phone:** 503 988-4105 **Ext.** 84105 **I/O Address:** 503/600  
**Presenter(s):** Madeline Mader, Sophia Cavalli, Brian Smith, Mary Li and HC Tupper

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

No action requested this is an informational briefing.

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

Multnomah County is receiving additional American Reinvestment and Recovery Act funding (ARRA) for the weatherization program. This briefing will provide the board with information on the additional funding, how those dollars are going to be contracted out and how property owners can apply for weatherization services. Central Procurement will be also sharing information on the procurement process that will be use for these dollars.

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

None.

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

None.

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

None.

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**Required Signature**

---

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



---

**Date:** 08/05/09

---

**BOGSTAD Deborah L**

---

**From:** LASHUA Matthew  
**Sent:** Wednesday, August 05, 2009 10:54 AM  
**To:** MADER Madeleine; LI Mary T; SMITH Brian R; TUPPER H C; CAVALLI Sophia  
**Cc:** LEE Beckie; RINEHART Tom; BOWEN-BIGGS Tara C; FULLER Joanne; BOGSTAD Deborah L  
**Subject:** 8/20 Briefing on Weatherization and Procurement Tool  
**Attachments:** Weatherization Briefing1.doc

Good Morning:

At the request of board staff, Madeleine attended last week's board staff meeting to give an overview of the new procurement tool to be used in awarding the ARRA weatherization dollars. This led to a good discussion about the subject and, after checking with our bosses, board staff agreed the board would benefit from a briefing on the subject.

The best day for a briefing before the board is on Thursday, 8/20 for 30 minutes. Please review the APR I'm sending to Deb and let me know of changes I should make. I don't mean to spring this on anyone – please let me know how I can assist you in preparing for this briefing.

Items the board would like to see covered in the briefing are:

- Intro on Weatherization program
  - How much ARRA money we're receiving for weatherization
  - How many staff we've hired at Multnomah County and for what duration
  - What are the requirements that come with ARRA money?
- Short procurement 101 – how do we usually contract out work at the county?
  - How is this different?
  - What are the goals for the procurement?
  - What does this mean for future contracting?
  - What is the procurement tool?
- How will weatherization projects be selected?
  - What type of projects will be weatherized (single family vs. multi-family; section 8; publicly owned or privately owned; size)
  - Some sample projects
  - What other goals are we achieving with this project?

We are all excited about this briefing. The ARRA dollars allocated will directly benefit the community. Again, please let me know how I can assist you.

Thanks,

Matthew Lashua  
 Chief of Staff  
 Office of Commissioner Judy Shiprack  
 Multnomah County  
 501 SE Hawthorne, Suite 600  
 Portland, OR 97214  
 503 988 4105  
 503 988 5262 fax

8/5/2009

**BOGSTAD Deborah L**

**From:** MADER Madeleine  
**Sent:** Friday, August 07, 2009 4:58 PM  
**To:** AUSTIN David; FITZPATRICK Cara; GIBBON Cindy; JOHNSON KaRin R; JONES Ed A; JURGEMEYER Clark R; LYNCH Tim J; NEAL Truls; SCHILLING Karen C; SMITH Brian R; SUO Steven; UNDERHILL Rod; BAKER LaRisha R; BAUCOM Deb; CHILTON Darren W; HANSELL Tom J; JAMES Kate Z; LANEY David; LOWELL Sharon A; PEOPLES Kim E; SALVADOR Priscilla C; YANTIS Wanda; SCHORR Karl; SMITH Brian R; LOUDEN Natacha; BRAEME-BURR Kathi; SCHOLLES Kenneth G; WAITE Lynne D; SOLIS Kimberly D; DUBESA Mike A; BABINEC Gehl P; MURRAY Cilla P; LOPRESTI Kristie M; JELUSICH Gerald; CAVALLI Sophia; RICKMAN Paula J; MAHONEY-CLARK Deirdre; MO Meiyee; WALTERS Nancy R; MARTIN Joan M; JONES Ed A; BRODBECK Tom A; BRAGG Carolyne; EMERY Lisa A; HOPPEL Michelle L; WADDELL Mike D; VINCENT Brian S; LOWELL Sharon A; RUSSELL Lawrence E; WALTZ Tom R; LI Mary T; HANKINS Jeanette C; DEJESUS Jesse J; CADE Carol J; MARCY Scott; BARTASAVICH Lawrence J; RESARE Joyce M; FIELDS Robert L; STREET Alice F; KIRCHOFF Susan K; MARQUARDT Jon M; COLDWELL Shaun M; CULVER Nancy A; KINCAID Jess; LLOYD Dana  
**Cc:** #COUNTY OPERATIONS COUNCIL; #DRM; #ALL CHAIR'S OFFICE; #ALL AUDITORS  
**Subject:** ARRA Update: August 7, 2009  
**Follow Up Flag:** Follow up  
**Flag Status:** Red

**ARRA Highlights**

- Recovery funds are beginning to flow: health, weatherization, public safety, transportation
- Contracting is gathering steam: developing standard language for contracts
- IT solution in development: County-wide monitoring, measuring and reporting
- Health and Facilities Departments meet nail-biting grant application deadlines
- Procurement launches new "hybrid" tool to expand MWESB utilization
- Win some, lose some: Two energy efficiency grants denied. Diesel emissions reductions grant awarded.
- More grant opportunities on the horizon: energy efficiency, health, education

**IT Reporting Solution**

After studying four options for County-wide monitoring, measuring and reporting on the impact of ARRA funding, the IT gurus have decided to develop an SQL database. It's unlikely that it will be ready for the October reporting deadline. In the meantime:

**\*\*Prime recipients** (CDBG, HRSA and other direct federal funding) will report ARRA data directly to [www.federalreporting.gov](http://www.federalreporting.gov) and copy me. You must first register beginning on August 17<sup>th</sup>.

**\*\*Sub-Recipients** will follow the funding agencies instructions for ARRA reporting, and copy me. If you have a choice among reporting formats, you must choose the Excel option. As soon as you hear what the funding agency will require, please let me know.

**In the meantime – use the spreadsheet**

For users with permission, continue to use the excel spreadsheet in the shared folder to 1) track application status, and 2) report monthly on expenditures and jobs for awarded grants. Please let me know if you have suggestions or questions on how to make the spreadsheet more user-friendly.

8/18/2009

**CLARIFICATION:** On the "All Applications" tab enter an estimate of job impact. On the "All Awards" tab enter actual jobs impact.

**In the works:**

Web page, county-wide guidance on whistleblower protection, Buy American, 120-days, and other provisions.

Questions, suggestions, or cries of outrage? Please share. I rely on your input. Thank you for all your hard work on this stimulating activity.

Best wishes for a great weekend!

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