



Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

BOARD OF COMMISSIONERS

Ted Wheeler, Chair

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

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

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

Maria Rojo de Steffey, Commission Dist. 1

501 SE Hawthorne Boulevard, Suite 600
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Email: district1@co.multnomah.or.us

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JULY 8 & 10, 2008 BOARD MEETINGS FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	9:00 a.m. Tuesday Executive Session
Pg 3	9:30 a.m. Thursday Appointments to the 2008 Charitable Giving Campaign Management Council
Pg 3	9:41 a.m. Thursday Proclaiming July 13th - July 19th, 2008 Probation, Parole and Community Supervision Officers' Week
Pg 3	9:55 a.m. Thursday Establishing Fees and Charges for MCC Chapter 17, Community Justice and Repealing Resolution No. 08-036
Pg 4	10:25 a.m. Thursday Ordinance Amending MCC Chapters 15, Sheriff, and 21, Health, Relating to Specified Animals and Adding Appeals Process for Health Licenses and Permits
Pg 4	10:30 a.m. Thursday Rask ITAX Hearing

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Tuesday, July 8, 2008 - 9:00 AM
Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

EXECUTIVE SESSION

- E-1 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 are allowed to attend. News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Session. No Final Decision will be made in the Session. Presented by County Attorney Agnes Sowle. 15-55 MINUTES REQUESTED.
-

Thursday, July 10, 2008 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

CONSENT CALENDAR - 9:30 AM **NON-DEPARTMENTAL**

- C-1 Appointment of Mauricio Somilleda and Amy Anderson to the COMMUNITY HEALTH COUNCIL
- C-2 Appointment of John Potter and Sola Whitehead to the Multnomah County LIBRARY ADVISORY BOARD

SHERIFF'S OFFICE

- C-3 Amendment 2 to Intergovernmental Revenue Agreement 0607002 with the City of Maywood Park for Law Enforcement Patrols
- C-4 Amendment 2 to Government Revenue Agreement 0607003 with the U. S. Department of Agriculture, Forest Service, for Summer Patrols of Forest Service Lands

DEPARTMENT OF COUNTY HUMAN SERVICES

- C-5 Renewal of Intergovernmental Agreement 4600007218 with the Housing Authority of Portland for Continued Short Term Rent Assistance through June 30, 2011

DEPARTMENT OF COMMUNITY SERVICES

- C-6 Amendment 3 to Intergovernmental Agreement 4600005229 with the Oregon Department of Transportation for Right of Way Purchases Related to the 223rd Avenue Railroad Undercrossing Project
- C-7 RESOLUTION Authorizing the Private Sale of a Tax Foreclosed Property to BEN AND ELSA L. MERRITT
- C-8 Budget Modification DCS-01 Reclassifying Three Bridge Operator Positions to Maintenance Specialist 1 Trainee Positions in the Bridge Maintenance and Operations Group, as Determined by the Class/Comp Unit of Central Human Resources

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 COUNTY MANAGEMENT – 9:30 AM

- R-1 Appointment of Jon Chess, Tara Bowen-Biggs, Stephen Wright, Jodi Shaw, Sheila Isley, Dana Schnell, Theresa Sullivan, Leisa Vandehey, and Dawn Sechrist to the 2008 CHARITABLE GIVING CAMPAIGN MANAGEMENT COUNCIL
- R-2 Approval of 2008 Charitable Giving Campaign Participating Funds/Federations

DEPARTMENT OF COMMUNITY JUSTICE – 9:40 AM

- R-3 PROCLAMATION Proclaiming July 13th through July 19th, 2008 as Probation, Parole and Community Supervision Officers' Week in Multnomah County, Oregon
- R-4 RESOLUTION Establishing Fees and Charges for Chapter 17, Community Justice, of the Multnomah County Code and Repealing Resolution No. 08-036

DEPARTMENT OF COMMUNITY SERVICES – 10:15 AM

- R-5 RESOLUTION Approving a Quitclaim Deed for Tract A of Partition Plat No. 1993-148 to the City of Portland
- R-6 RESOLUTION Authorizing the Temporary Closure of SE Jenne Road from SE Foster Road to SE 174th Avenue, from July 14, 2008 until November 14, 2008, to Enable the Construction of the Pleasant Valley Sewer Interceptor by the City of Gresham

DEPARTMENT OF HEALTH – 10:25 AM

- R-7 First Reading of a Proposed ORDINANCE Amending Multnomah County Code Chapters 15, Sheriff, and 21, Health, Relating to Specified Animals and Adding an Appeals Process for Health Licenses and Permits

DEPARTMENT OF COUNTY MANAGEMENT – 10:30 AM

- R-8 PUBLIC HEARING and Board Decision of Taxpayers Raymond and Mary Rask's Appeal of the Administrator's Final Determination Regarding their 2003, 2004 and 2005 Multnomah County Income Tax (ITAX) Obligations Pursuant to ITAX Administrative Rule 11-614 [**Continued from Thursday, June 19, 2008**]

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.

BOGSTAD Deborah L

From: ROJO DE STEFFEY Maria
Sent: Thursday, May 29, 2008 5:31 PM
To: BOGSTAD Deborah L
Cc: MARTINEZ David; LASHUA Matthew
Subject: RE: Summer schedule

I will be gone June 16-20 and July 7-11.

From: BOGSTAD Deborah L
Sent: Thu 5/29/2008 10:55 AM
To: ROJO DE STEFFEY Maria; WILLER Barbara; MARTINEZ David; FALKENBERG Keith E; MADRIGAL Marissa D; PETERSON Sam; BOWEN-BIGGS Tara C
Subject: Summer schedule

Departments are asking me about Board attendance during June through August. May I ask for your Commissioner's vacation schedule. Some folks want to be sure to have a full Board when they bring an item forward. Thank you!

Deb Bogstad, Board Clerk
Multnomah County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, Oregon 97214-3587
(503) 988-3277 phone
(503) 988-3013 fax
deborah.l.bogstad@co.multnomah.or.us
<http://www.co.multnomah.or.us/cc/index.shtml>



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
501 S.E. HAWTHORNE BLVD., Room 600
PORTLAND, OREGON 97204
(503) 988-5213

Lonnie Roberts • DISTRICT 4 COMMISSIONER

MEMORANDUM

TO: Chair Ted Wheeler
Commissioner Maria Rojo de Steffey
Commissioner Jeff Cogen
Commissioner Lisa Naito
Board Clerk Deb Bogstad

FROM: Sam Peterson
Staff Assistant to Commissioner Lonnie Roberts

DATE: June 11, 2008

RE: July 7, 2008 to July 11, 2008

Commissioner Roberts will on vacation from July 7, 2008 to July 11, 2008 and therefore will not be attending any scheduled meetings that week.

Thank you,

Sam Peterson



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
501 S.E. HAWTHORNE BLVD., Room 600
PORTLAND, OREGON 97204
(503) 988-5217

LISA NAITO • DISTRICT 3 COMMISSIONER

MEMORANDUM

TO: Chair Ted Wheeler
Commissioner Maria Rojo de Steffey
Commissioner Jeff Cogen
Commissioner Lonnie Roberts
Board Clerk Deb Bogstad

FROM: Keith Falkenberg
Staff to Commissioner Lisa Naito

DATE: June 30, 2008

RE: Commissioner Naito meeting excuses

Commissioner Naito will be leaving the board meeting on July 10, 2008 at 11am to fly out to the NACo conference. She will also be absent for the executive session and board briefing on July 15, 2008.

Keith Falkenberg



**MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)**

Board Clerk Use Only

Meeting Date: 07/08/08
 Agenda Item #: E-1
 Est. Start Time: 9:00 AM
 Date Submitted: 07/02/08

Agenda Title: Executive Session Pursuant to ORS 192.660(2)(d),(e)and/or(h)

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

Requested Meeting Date: July 2, 2008 Amount of Time Needed: 15-55 minutes
 Department: Non-Departmental Division: County Attorney
 Contact(s): Agnes Sowle
 Phone: 503 988-3138 Ext. 83138 I/O Address: 503/500
 Presenter(s): Agnes Sowle and Invited Others

General Information

1. What action are you requesting from the Board?

No final decision will be made in the Executive Session.

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.

Only representatives of the news media and designated staff are allowed to attend. Representatives of the news media and all other attendees are specifically directed not to disclose information that is the subject of the Executive Session.

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

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

ORS 192.660(2)(d),(e)and/or(h)

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

Required Signature

Elected Official or
Department/
Agency Director:

Date: 07/02/08



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/10/08
Agenda Item #: C-1
Est. Start Time: 9:30 AM
Date Submitted: 06/24/08

Agenda Title: **Appointment of Mauricio Somilleda and Amy Anderson to the COMMUNITY HEALTH COUNCIL**

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

Requested Meeting Date: July 10, 2008 **Amount of Time Needed:** Consent Agenda
Department: Non-Departmental **Division:** Chair's Office
Contact(s): Ted Wheeler, Tara Bowen-Biggs
Phone: (503)988-3308 **Ext.** 83953 **I/O Address:** 503/600
Presenter(s): N/A

General Information

1. What action are you requesting from the Board?

Request approval of appointment of Mauricio Somilleda and Amy Anderson to the Multnomah County Community Health Council.

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

The county is required under federal guidelines and County Code to have a Community Health Council (CHC). The CHC assists and advises the County Health Department in promoting its vision of health people in healthy communities. The CCHC supports and guides the Health Department in its mission to provide comprehensive health care that is quality driven, affordable and culturally competent to the people of Multnomah County. It provides input and feedback for development, implementation and evaluation of Health Department programs including, but not limited to all programs funded through the Federal Bureau of Primary Health Care. The CHC also serves as the Citizen Budget Advisory Committee for the County Health Department. Members can range from 9 to 25 members: consumers of County health programs constitute the majority; remaining members are health care providers and representatives of the community. Members are appointed to three year terms by the County Chair from nominees selected by the current Council with approval of the

Board of County Commissioners. Kate Yen is the manager of the Community Health Council.

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

No current year/ongoing fiscal impact

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

No legal and/or policy issues involved.

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

N/A

Required Signature

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

TED WHEELER

Date: 6/24/08



**MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)**

Board Clerk Use Only

Meeting Date: 07/10/08
 Agenda Item #: C-2
 Est. Start Time: 9:30 AM
 Date Submitted: 06/24/08

Agenda Title: Appointment of John Potter and Sola Whitehead to the Multnomah County LIBRARY ADVISORY BOARD

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

Requested Meeting Date: July 10, 2008 Amount of Time Needed: Consent Agenda
 Department: Non-Departmental Division: Chair's Office
 Contact(s): Tara Bowen-Biggs
 Phone: (503)988-3308 Ext. 83953 I/O Address: 503/600
 Presenter(s): N/A

General Information

1. What action are you requesting from the Board?

Request the Board approve appointment of John Potter and Sola Whitehead to the Multnomah County Library Advisory Board. The appointments will begin on November 1, 2008 and will end June 30, 2012.

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 Library Advisory Board advises the board of County Commissioners on matters relating to library services, policies and funding. It also serves as the Citizen Budget Advisory Committee for the County's Library Department. There are 17 members including two youth members (between the ages of 13 and 17). Non-youth members are appointed to 4-year terms by the county Chair with approval of the board of County Commissioners. Youth members are appointed to 2-year terms by the County Chair with approval of the Board of County Commissioners. Yvonne Chambers is liaison to the Multnomah County Library Advisory Board.

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

No fiscal impact

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

No legal and/or policy issues involved.

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

N/A

Required Signature

Elected Official or
Department/
Agency Director:

TED WHEELER

Date: June 24, 2008



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/10/08
 Agenda Item #: C-3
 Est. Start Time: 9:30 AM
 Date Submitted: 07/01/08

Agenda Title: Amendment 2 to Intergovernmental Revenue Agreement 0607002 with the City of Maywood Park for Law Enforcement Patrols

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

Requested Meeting Date: July 10, 2008 Amount of Time Needed: N/A Consent Calendar
 Department: Sheriff's Office Division: Enforcement
 Contact(s): Brad Lynch
 Phone: 503-988-4336 Ext. 84336 I/O Address: 503/350
 Presenter(s): Chief Deputy Timothy Moore

General Information

1. What action are you requesting from the Board?

Approval of the amendment to intergovernmental agreement 0607002.

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 Sheriff's Office provides law enforcement patrols and services within the city limits of Maywood Park. The City of Maywood Park will reimburse the Sheriff's Office for the cost of a patrol deputy for eight hours per week for fiscal year 2009. These patrols are part of the MCSO Patrol East program offer providing Maywood Park citizens neighborhood patrols, emergency response, traffic safety and assistance.

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

Maywood Park will pay \$29,194.88 for these services for fiscal year 2009. The revenue has been anticipated and is included in the FY 2008 budget.

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

The amendment has been reviewed by the County Attorney's office.

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

None other than those described above.

Required Signature

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

/s/ Sheriff Bernie Giusto

Date: 06/12/08

MULTNOMAH COUNTY CONTRACT APPROVAL FORM (CAF)

Contract #: 0607002

Amendment #: 2

Pre-approved Contract Boilerplate (with County Attorney signature) Attached Not Attached

CLASS I Based on Informal / Intermediate Procurement	CLASS II Based on Formal Procurement	CLASS III Intergovernmental Contract (IGA)
<input type="checkbox"/> Personal Services Contract	<input type="checkbox"/> Personal Services Contract	<input type="checkbox"/> Expenditure Contract
<input type="checkbox"/> PCRB Contract <input type="checkbox"/> Goods or Services <input type="checkbox"/> Maintenance or Licensing Agreement <input type="checkbox"/> Public Works / Construction Contract <input type="checkbox"/> Architectural & Engineering Contract	<input type="checkbox"/> PCRB Contract <input type="checkbox"/> Goods or Services <input type="checkbox"/> Maintenance or Licensing Agreement <input type="checkbox"/> Public Works / Construction Contract <input type="checkbox"/> Architectural & Engineering Contract	<input checked="" type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement
<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement	<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement	<input type="checkbox"/> INTER-DEPARTMENTAL AGREEMENT (IDA)

Department: Sheriff's Office Division: Enforcement Date: 05/23/08
 Originator: Chief Deputy Tim Moore Program: Enforcement Phone: 503-988-4409 Bldg/Room: 503/350
 Contact: Brad Lynch Phone: 503-988-4336 Bldg/Room: 503/350

Description of Contract: Amendment to extend the term of the agreement to provide law enforcement services and patrols for the City of Maywood Park.

RENEWAL: PREVIOUS CONTRACT #(S): 0405123, 0310511, 0210308 EEO CERTIFICATION EXPIRES _____
 PROCUREMENT EXEMPTION OR CITATION #: 46-0130(1)(f) ISSUE DATE: _____ EFFECTIVE DATE: _____ END DATE: _____
 CONTRACTOR IS: MBE WBE ESB QRF State Cert# _____ or Self Cert Non-Profit N/A. (Check all boxes that apply)

Contractor	City of Maywood Park			Remittance address (if different)	
Address	10100 NE Prescott Street, Suite 147				
City/State	Maywood Park, Oregon			Payment Schedule / Terms:	
ZIP Code	97220			<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on Receipt
Phone	503-255-9805			<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30
Employer ID# or SS#				<input type="checkbox"/> Other \$ _____	<input type="checkbox"/> Other
Contract Effective Date	<u>07/01/06</u>	Term Date	<u>06/30/07</u>	<input type="checkbox"/> Price Agreement (PA) or Requirements Funding Info:	
Amendment Effect Date	<u>07/01/08</u>	New Term Date	<u>06/30/09</u>		
Original Contract Amount	\$ 27,252.16			Original PA/Requirements Amount	\$ _____
Total Amt of Previous Amendments	\$ 28,441.92			Total Amt of Previous Amendments	\$ _____
Amount of Amendment	\$ 29,194.88			Amount of Amendment	\$ _____
Total Amount of Agreement \$	\$ 84,888.96			Total PA/Requirements Amount	\$ _____

REQUIRED SIGNATURES:

Department Manager _____ DATE _____
 County Attorney [Signature] _____ DATE 07-03-08
 CPCA Manager _____ DATE _____
 County Chair [Signature] _____ DATE 07-10-08
 Sheriff BERNIE GIUSTO by m _____ DATE 06-30-08
 Contract Administration _____ DATE _____

COMMENTS: _____

APPROVED: MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # C-3 DATE 07-10-08
 DEBORAH L. BOGSTAD, BOARD CLERK

LYNCH Brad B

From: WEBER Jacquie A [jacquie.a.weber@co.multnomah.or.us]
Sent: Monday, June 23, 2008 1:49 PM
To: LYNCH Brad B
Cc: DUNAWAY Susan M
Subject: RE: Contract Review Request - City of Maywood Park

This contract may be circulated for signature.

From: LYNCH Brad B
Sent: Friday, June 13, 2008 8:31 AM
To: WEBER Jacquie A
Cc: DUNAWAY Susan M
Subject: Contract Review Request - City of Maywood Park

Good morning Jacquie. Attached is the second amendment to the agreement with Maywood Park for law enforcement services/patrols, along with the CAF and APR. The amendment just extends the term of the agreement for next fiscal year along with the amount to be paid to the county. I've also attached a copy of the original agreement.

Thank you, Brad

Brad Lynch
Multnomah County Sheriff's Office
Fiscal Unit
501 SE Hawthorne Blvd, STE 350
Portland, OR 97214
Phone (503) 988-4336
Fax (503) 988-4317
email: brad.lynch@mcso.us

<http://www.mcso.us/>

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MULTNOMAH COUNTY
INTERGOVERNMENTAL AGREEMENT AMENDMENT
(Amendment to Change Contract Provisions during Contract Term)

CONTRACT NO. 0607002

This is an amendment to Multnomah County Contract referenced above effective July 1, 2006 between Multnomah County, Oregon, hereinafter referred to as County, and the City of Maywood Park, hereinafter referred to as City.

The parties agree:

1. The following changes are made to Contract No. 0607002:

Contract 0607002 shall be extended for an additional period commencing July 1, 2008 and ending June 30, 2009.

Section 2, **Responsibilities of City**, Subsection C shall be changed to read:

The CITY shall pay MCSO \$29,194.88 for 416 hours of patrol services as provided in Section 3 for the period of July 1, 2008 until June 30, 2009.

2. All other terms and conditions of the contract shall remain the same.

MULTNOMAH COUNTY, OREGON:

CITY OF MAYWOOD PARK:

RED WHEELER
County Chair or Designee

Signature: Mark Hardie

Date: 07.10.08

Name: MARK HARDIE
Please Print

Approved: BERNIE GIUSTO
Department Director or Designee

Title: MAYOR

Date: 06-30-08

Date: 6/3/08

Reviewed:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY

Approved as to form:

By: [Signature] 07-03-08
Assistant County Attorney Date

By: _____
Date

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-3 DATE 07.10.08
DEBORAH L. BOGSTAD, BOARD CLERK



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/10/08
Agenda Item #: C-4
Est. Start Time: 9:30 AM
Date Submitted: 07/01/08

Agenda Title: **Amendment 2 to Government Revenue Agreement 0607003 with the U. S. Department of Agriculture, Forest Service, for Summer Patrols of Forest Service Lands**

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

Requested Meeting Date: July 10, 2008 **Amount of Time Needed:** N/A – Consent Calendar
Department: Sheriff's Office **Division:** Enforcement
Contact(s): Brad Lynch
Phone: 503-988-4336 **Ext.** 84336 **I/O Address:** 503/350
Presenter(s): Chief Deputy Timothy Moore

General Information

1. What action are you requesting from the Board?

Approval of government revenue contract amendment 0607003-2.

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 U. S. Forest Service will reimburse the Sheriff's Office for patrols on Forest Service lands within the Columbia River Gorge National Scenic Area and the Zigzag River Ranger District. The patrols include National Forest day use areas, campgrounds, vehicle parking areas, and trailheads. Patrol activity begins May 23, 2008 and ends September 3, 2008.

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

The Forest Service will reimburse the Sheriff's Office based on an hourly rate, with a maximum payment of \$34,500.00 for the patrol period. This revenue has been anticipated and is included in the budgets for fiscal year 08 and 09.

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

The contract amendment has been reviewed by the County Attorney's office.

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

None, other than those described above.

Required Signature

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

/s/ Bernie Giusto

Date: 05/28/08

MULTNOMAH COUNTY CONTRACT APPROVAL FORM (CAF)

Contract #: 0607003

Pre-approved Contract Boilerplate (with County Attorney signature) Attached Not Attached

Amendment #: 2

CLASS I Based on Informal / Intermediate Procurement	CLASS II Based on Formal Procurement	CLASS III Intergovernmental Contract (IGA)
<input type="checkbox"/> Personal Services Contract	<input type="checkbox"/> Personal Services Contract	<input type="checkbox"/> Expenditure Contract
<input type="checkbox"/> PCRBR Contract <input type="checkbox"/> Goods or Services <input type="checkbox"/> Maintenance or Licensing Agreement <input type="checkbox"/> Public Works / Construction Contract <input type="checkbox"/> Architectural & Engineering Contract	<input type="checkbox"/> PCRBR Contract <input type="checkbox"/> Goods or Services <input type="checkbox"/> Maintenance or Licensing Agreement <input type="checkbox"/> Public Works / Construction Contract <input type="checkbox"/> Architectural & Engineering Contract	<input checked="" type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement
<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement	<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement	<input type="checkbox"/> INTER-DEPARTMENTAL AGREEMENT (IDA)

Department: Sheriff's Office Division/ Program: Enforcement Date: 06/04/08
 Originator: Captain Brett Elliott Phone: 503-255-3600 Bldg/Room: 313
 Contact: Brad Lynch Phone: 503-988-4336 Bldg/Room: 503/350

Description of Contract: Patrol services for Forest Service lands.

RENEWAL PREVIOUS CONTRACT #(S) 0111029 EEO CERTIFICATION EXPIRES _____
 PROCUREMENT EXEMPTION OR CITATION # 46-0130(1)(f) ISSUE DATE: _____ EFFECTIVE DATE: _____ END DATE: _____
 CONTRACTOR IS: MBE WBE ESB QRF State Cert# _____ or Self Cert Non-Profit N/A (Check all boxes that apply)

Contractor	USDA, Forest Service			Remittance address (if different)	
Address	16400 Champion Way				
City/State	Sandy, OR			Payment Schedule / Terms:	
ZIP Code	97055			<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on Receipt
Phone	503-668-1789			<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30
Employer ID# or SS#				<input type="checkbox"/> Other \$ _____	<input type="checkbox"/> Other
Contract Effective Date	<u>06/01/06</u>	Term Date	<u>02/29/08</u>	<input type="checkbox"/> Price Agreement (PA) or Requirements Funding Info:	
Amendment Effect Date	<u>03/01/08</u>	New Term Date	<u>02/28/09</u>		
Original Contract Amount	\$ 30,000.00			Original PA/Requirements Amount	\$ _____
Total Amt of Previous Amendments	\$ 30,000.00			Total Amt of Previous Amendments	\$ _____
Amount of Amendment	\$ 34,500.00			Amount of Amendment	\$ _____
Total Amount of Agreement	\$ 94,500.00			Total PA/Requirements Amount	\$ _____

REQUIRED SIGNATURES:

Department Manager _____ DATE _____
 County Attorney [Signature] _____ DATE 07-03-08
 CPCA Manager _____ DATE _____
 County Chair [Signature] _____ DATE 07-10-08
 Sheriff BERNIE GIUSTO by JM _____ DATE 06-09-08
 Contract Administration _____ DATE _____

COMMENTS:

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS

AGENDA # C-4 DATE 07-10-08

DEBORAH L. BOGSTAD, BOARD CLERK

LYNCH Brad B.

From: WEBER Jacquie A [jacquie.a.weber@co.multnomah.or.us]
Sent: Thursday, June 05, 2008 4:02 PM
To: LYNCH Brad B
Cc: DUNAWAY Susan M
Subject: RE: Contract Review Request - US Forest Service

This contract may be circulated for signature.

From: LYNCH Brad B
Sent: Wednesday, June 04, 2008 9:06 AM
To: WEBER Jacquie A
Cc: DUNAWAY Susan M
Subject: Contract Review Request - US Forest Service

Jacquie, attached are the CAF, APR, and amendment 2 for forest service patrols for this summer. Also attached is the original agreement.

Thanks, Brad

Brad Lynch
Multnomah County Sheriff's Office
Fiscal Unit
501 SE Hawthorne Blvd, STE 350
Portland, OR 97214
Phone (503) 988-4336
Fax (503) 988-4317
email: brad.lynych@mcsos.us

<http://www.mcsos.us/>

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EXHIBIT A
2008
FINANCIAL AND OPERATING PLAN
between
MULTNOMAH COUNTY SHERIFF'S OFFICE
PORTLAND, OREGON
and
USDA FOREST SERVICE, MT. HOOD NATIONAL FOREST
SANDY, OREGON
USDA FOREST SERVICE, COLUMBIA RIVER GORGE NATIONAL SCENIC AREA
HOOD RIVER, OREGON

This Annual Financial and Operating Plan (Operating Plan), is hereby made and entered into by and between the Multnomah County Sheriff's Department, hereinafter referred to as the Cooperator, and the United States Department of Agriculture, Columbia River Gorge National Scenic Area and the Mt. Hood National Forest, herein after referred to as Forest Service, under the provisions of Cooperative Agreement # 06-LE-11060600-775 executed on July 25, 2006.

This Operating Plan is made and agreed to as of the last date signed below and is for the period beginning March 1, 2008 and ending Feb 28, 2009.

I. GENERAL:

Assign a Deputy Sheriff, fully equipped and with motor vehicles to patrol National Forest System lands within the Columbia River Gorge National Scenic Area and the Zigzag River Ranger District. The patrols will concentrate on National Forest day use areas, campgrounds, vehicle parking areas, trailheads and other more dispersed recreation areas.

Both the Cooperator and the Forest Service approve the Deputy assigned to work under the provisions of this Agreement.

The following individuals shall be the designated and alternate representative(s) of each party, so designated, to make or receive requests for special enforcement activities:

Designated Representatives:

Brett Elliot
Captain
Multnomah County
12240 NE Glisan St.
Portland, OR 97230
(503) 251-2410

Andrew Coriell
Patrol Captain
Mt. Hood National Forest
16400 Champion Way
Sandy, OR 97055
(503) 668-1789

Alternate Representatives:

Jason Gates
Lieutenant
Multnomah County
12240 NE Glisan St.
Portland, OR 97230
(503) 255-3600

Maria Grevstad, Administrative and Legal Assistant
Law Enforcement and Investigations
16400 Champion Way
Sandy, OR 97055
(503) 668-1625

Reimbursement for all types of enforcement activities shall be at the following rates unless specifically stated otherwise: \$67.95 per hours, with an overtime rate of \$86.09.

Total amount to be paid under the terms of this operating plan cannot exceed \$34,500.00.

II. PATROL ACTIVITIES:

Time schedules for patrols will be flexible to allow for emergencies, other priorities, and day-to-day needs of both the Cooperator and the Forest Service. Ample time will be spent in each area to make residents and visitors aware that law enforcement officers are in the vicinity.

Timely reports and/or information relating to incidents or crimes that have occurred on NFS lands should be provided to the Forest Service as soon as possible.

Patrol activity will begin on May 23, 2008 and end September 3, 2008. Tour of duty will be ten hours per day Friday, Saturday and Sunday, and include the national holidays of May 26, 2008, July 4, 2008 and September 1, 2008. Dates for patrol activity may be varied to address agency staffing needs after mutual agreement between the Cooperator's and the Forest Service's representatives.

Each tour of duty should begin between 12:00 PM and 4:00 PM. However, work hours may be varied after mutual agreement between the Cooperator's and the Forest Service's representatives.

The assigned Deputy will check in, as practical, with the Multnomah Falls Visitor Center on which they begin their tour of duty, in person, by radio or telephone.

The assigned Deputy would be available for other support and assistance as requested by the Service.

There are patrol related activities, which will impact the Cooperating Deputy's time and will cause them to be away from the patrol route (court, reports, or responding to incidents off National Forest). No adjustment to this plan will be required so long as the activities are held to, not more than 5 percent of the Deputy's scheduled time.

Patrol on following Forest Service roads:

The patrol will begin near Troutdale, Oregon and will include National Forest lands and roads, north and south of Scenic Hwy. and I-84, and east of the Forest Service boundary to Eagle Creek.

Patrol in the following campgrounds, developed sites, or dispersed areas:

Wahkeena Falls, trailhead and picnic area; Multnomah Falls, vistas and parking areas; Oneonta trailhead and parking area; Horsetail Falls, trailhead and parking area; Eagle Creek Trailhead, picnic area and campground; Larch Mt. parking and picnic area, and Camp "A" Loop; Wahclella Falls Trailhead; dispersed site along Tanner Creek Road; dispersed site in the Sandy River Delta.

Patrol routes may be varied at the discretion of the assigned Deputy in order to effectively deal with incidents at other locations as they occur.

Search and rescue within the National Forest System, within Multnomah County, is the responsibility of the Multnomah County Sheriff. The role of the assigned Deputies assigned to this agreement, is to take initial action on search and rescue incidents and to coordinate subsequent (short term) activities.

III. EQUIPMENT:

See Cooperative Agreement 06-LE-11060600-773 provisions IV-J, IV-K and IV-L for additional information.

IV. SPECIAL ENFORCEMENT SITUATIONS:

A. Special Enforcement Situations include but are not limited to: Fire Emergencies, Drug Enforcement, and certain Group Gatherings.

B. Funds available for special enforcement situations vary greatly from year to year and must be specifically requested and approved prior to any reimbursement being authorized. Requests for funds should be made to the Forest Service designated representative listed in Item I of this Operating Plan, except as noted in Section IV-B-2. The designated representative will then notify the Cooperator whether funds will be authorized for reimbursement. If funds are authorized for situations other than fire emergencies, the parties will prepare a revised Operating Plan.

1. Drug Enforcement:

This will be handled on a case by case basis. The request will normally come from the Patrol Captain; however it may come from the Special Agent in Charge or their designated representative. Reimbursement shall be made at the rates specified in Section V-C. Deputies assigned to the incident will coordinate all of their activities with the designated officer in charge of the incident.

2. Fire Emergency:

During emergency fire suppression situations and upon request by the Forest Service pursuant to an incident resource order, the Cooperator agrees to provide special services beyond those provided under Section II, within the Cooperator's resource capabilities, for the enforcement of State and local laws related to the protection of persons and their property. The Cooperator will be compensated at the rate specified in Section I; the Forest Service will specify times and schedules. Upon concurrence of the local Patrol Captain or their designated representative, an official from the Incident Management Team assigned to the fire may make such a request and specify such times and schedules. Upon approval by the Forest Service or Incident Management Team managing the incident, Cooperator personnel assigned to an incident where meals are provided will be entitled to such meals.

3. Group Gatherings/Other Situations:

This includes but is not limited to situations which are normally unanticipated or which typically include very short notice, large group gatherings such as rock concerts, demonstrations, and organizational rendezvous. Upon authorization by a Forest Service representative listed in Section I for requested services of this nature, reimbursement shall be made at the rates specified in Section V-C. Deputies assigned to this type of incident will normally coordinate their activities with the designated officer in charge of the incident.

C. Rates

The rates of reimbursement for fire emergencies are specified in Section I.

D. Billing Documentation:

The billing for each incident shall include individual employee times and their agreement rate. Such times will be documented on Crew Time Reports, shift tickets or other agreed upon form, and must be approved by incident management personnel.

For billing done using procedures specified in Section V-C, original documentation will be maintained by the Forest Service in the appropriate fire documentation boxes or appropriate incident management personnel; the Cooperator will maintain copies of all such documentation.

V. BILLING:

A. The Cooperator will submit invoices for reimbursement of services provided under Section II of this agreement monthly or quarterly, at the discretion of the Cooperator.

USDA Forest Service
Albuquerque Service Center
Payments-Grants and Agreements

101B Sun Ave NE
Albuquerque, NM 87109

Invoices may also be faxed to:

1-877-687-4894

FAX coversheet should be addressed to:

USDA Forest Service

ASC – Payments-Grants and Agreements

The Cooperator will prepare an itemized statement for each invoice submitted to the Albuquerque Service Center. The statement will be in sufficient detail to allow the Forest Service to verify expenditures authorized under Sections II and III. The itemized statement for reimbursement will also include the following information:

1. Applicable Deputy Daily Activity Reports
2. Completed Cooperative Law Enforcement Activity (USFS Form 5300-5, furnished by the Forest Service)
3. Number of felonies and types (can be listed in remarks column)
4. Copy of the submitted invoice

The statement should be sent to the following address:

USFS Law Enforcement & Investigations
Northern Oregon Zone
ATTN: Captain Andrew Coriell
16400 Champion Way
Sandy, OR 97055

B. For reimbursement of services provided under Sections IV-B-1 and IV-B-3 of this agreement, billing instructions will be specified in the revised Operating Plan.

C. For reimbursement of services provided under Section IV-B-2 of this agreement, the following billing procedure will be used.

Incident management personnel will prepare an Emergency Use Invoice and, upon concurrence of the Cooperator, will submit the invoice for payment along with all required documentation using normal incident business procedures.

The designated representative, IMT official, or a designated forest incident business official, will approve the invoice and submit to the Albuquerque Service Center, Incident Finance, for payment along with a copy of the current Operating Plan.

D. The Cooperator will be listed and maintain currency in the Central Contractor Registration database accessible through the internet at <http://www.ccr.gov>. The Cooperator will notify the Forest Service of any changes of their applicable account numbers or banking information to help ensure prompt payment.

The authority and format of this Operating Plan have been reviewed and approved as to form.

/s/ Ronald E. Boehm
RON BOEHM, Grants and Agreements Specialist

04/24/2008
Date

In witness whereof, the parties hereto have executed this Operating Plan as of the last date written below.

BERNIE GIUSTO by TM
BERNIE GIUSTO, Sheriff
Multnomah County

05-28-08
Date

[Signature]
County Counsel for Multnomah County

07-03-08
Date

[Signature]
County Chair, Multnomah County

07-10-08
Date

[Signature]
GARY L. LARSEN, Forest Supervisor
Mt. Hood National Forest

5/22/08
Date

[Signature]
DANIEL T. HARKENRIDER, Area Manager
Columbia River Gorge National Scenic Area

5/23/08
Date

[Signature]
THOMAS J. LYONS, Special Agent in Charge
Pacific Northwest Region

5/15/08
Date

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-4 DATE 07-10-08
DEBORAH L. BOGSTAD, BOARD CLERK



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/10/08
Agenda Item #: C-5
Est. Start Time: 9:30 AM
Date Submitted: 06/24/08

Agenda Title: Renewal of Intergovernmental Agreement 4600007218 with the Housing Authority of Portland for Continued Short Term Rent Assistance through June 30, 2011

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

Date Requested: July 10, 2008 **Time Requested:** N/A
Department: DCHS **Division:** Community Services Division
Contact(s): Tiffany Kingery
Phone: 503.988.6295 **Ext.** 22728 **I/O Address:** 167/2/200
Presenter(s): Consent Calendar

General Information

1. What action are you requesting from the Board?

Review and approval of IGA with HAP for rent assistance for the period of July 1, 2008 through June 30, 2011, per Resolution 05-151

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, the City of Portland, the City of Gresham, and HAP previously provided short-term rental assistance resources to agencies through separate programs. These resources had evolved into three main programs called The Clearinghouse, Transitions to Housing, and the Rental Assistance Supplemental Program (RASP), encompassing six different funding sources from the federal, state, and local levels, and administered by three administrative entities. Through an extensive community process, the jurisdictions merged these various stand alone programs into a unified system administered by the Housing Authority of Portland called "Short-Term Rental Assistance" (STRA). Accountability for the system is provided through an oversight committee appointed by the four jurisdictions. The new system provides streamlined programmatic and fiscal management as well as consistent program guidelines and eligibility requirements. Thereby

eliminating many administrative costs, increasing accountability, and improving outcomes. The advantages of the unified system are numerous. Agencies have a clear point of access, a single procurement process and single reporting mechanism. In addition, service duplication has been reduced, thereby reducing administrative costs, and increasing the amount of funds going directly to people in need. The unified system further reduces the coordination time among jurisdictional staff and the time agency staff spends reporting to multiple funding sources. The STRA Program is part of the Housing Stabilization Program offer #25133A. 80% of STRA participants will maintain housing stability at 6 months following exit. It is estimated that the STRA system will provide rental assistance and emergency voucher funds to 1,200 families and individuals.

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

The agreement is for a three (3) year period spanning between July 1, 2008 and June 30, 2011. The total target value of the agreement for the three-year period is \$1,188,888. The total amount to be expensed for FY 2008/2009 is \$396,296 and is allocated as follows: \$99,575 of County General Funds (CGF) for administration; \$194,170 in CGF for program; and \$102,551 in LIRHF (Low Income Rental Housing Fund).

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

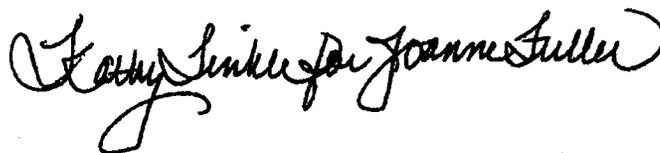
This IGA continues to bring current Clearinghouse functions into alignment with the unified rent assistance system model as identified in the 10 year Plan to End Homelessness.

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

The unified rent assistance system was created in collaboration with the City of Gresham, the City of Portland, and the Housing Authority of Portland. Significant citizen and provider feedback was sought and used throughout the planning process. An Oversight Committee, representing the jurisdictions, providers, and community members was formed and will continue to provide accountability to the new system as it continues to be implemented.

Required Signature

Elected Official
or Department/
Agency Director:



Date: 06/04/08

MULTNOMAH COUNTY CONTRACT APPROVAL FORM (CAF)

Contract #: 4600007218

Pre-approved Contract Boilerplate (with County Attorney signature) Attached Not Attached

Amendment #:

Class I Based on Informal / Intermediate Procurement	Class II Based on Formal Procurement	Class III Intergovernmental Contract (IGA)
<input type="checkbox"/> Personal Services Contracts	<input type="checkbox"/> Personal Services Contracts	<input checked="" type="checkbox"/> Expenditure Contract <input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement
PCRB Contract <input type="checkbox"/> Goods or Services <input type="checkbox"/> Maintenance or Licensing Agreement <input type="checkbox"/> Public Works / Construction Contract <input type="checkbox"/> Architectural & Engineering Contract	PCRB Contracts <input type="checkbox"/> Maintenance Agreements <input type="checkbox"/> Licensing Agreements <input type="checkbox"/> Public Works Construction Contracts <input type="checkbox"/> Architectural & Engineering Contracts	
<input type="checkbox"/> Revenue Contracts <input type="checkbox"/> Grant Contracts <input type="checkbox"/> Non-Expenditure Contracts	<input type="checkbox"/> Revenue Contracts <input type="checkbox"/> Grant Contracts <input type="checkbox"/> Non-Expenditure Contracts	<input type="checkbox"/> INTER-DEPARTMENTAL AGREEMENT (IDA)

Department: County Human Services Div/Prog: Community Services Division Date: June 3, 2008
 Originator: Tiffany Kingery Phone: 22728 Bldg/Rm: 167/2/200
 Contact: Sydney Bizzell Roberts Phone: 22701 Bldg/Rm: 167/2/200

Description of Contract **This renewal intergovernmental agreement will allow for continued short term rent assistance for a three (3) year period.**

RENEWAL: PREVIOUS CONTRACT #(S): 4600006735 EEO CERTIFICATION EXPIRES: 8.31.08
 PROCUREMENT: IGA
 EXEMPTION OR _____ ISSUE _____ EFFECTIVE _____ END _____
 CITATION # _____ DATE: _____ DATE: _____ DATE: _____
 CONTRACTOR IS: MBE WBE ESB QRF State Cert# or Self Cert Non-Profit N/A (Check all boxes that apply)

Contractor	Housing Authority of Portland			Remittance Address	
Address	135 SW Ash St.			(If different)	
City/State	Portland OR			Payment Schedule / Terms	
Zip Code	97204			<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on Receipt
Phone	503.802.8300			<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30
Employer ID# or SS#	93.6001547			<input type="checkbox"/> Other \$ _____	<input checked="" type="checkbox"/> Other
Contract Effective Date	July 1, 2008	Term Date	June 30, 2011	<input type="checkbox"/> Price Agreement (PA) or Requirements Funding Info:	
Amendment Effect Date		New Term Date		Original Requirements Amount	\$ _____
Original Contract Amount	\$1,188,888.00			Requirements Amount Amendment	\$ _____
Total Amt of Previous Amendments	\$			Total Amount of Requirements	\$ _____
Amount of Amendment	\$			Total Amount of Requirements	\$ _____
Total Amount of Agreement	\$1,188,888.00			Total Amount of Requirements	\$ _____

REQUIRED SIGNATURES

Department Manager: *Clayton Linn for Joanne Fuller* DATE: 6/4/08
 Purchasing Manager: _____ DATE: _____
 County Attorney: APPROVED BY PATRICK HENRY DATE: 6-3-08
 County Chair: TD WHEELER DATE: 07.10.08
 Sheriff: _____ DATE: _____
 Contract Administration: _____ DATE: _____

COMMENTS: SAP Vendor #24226

Exhibit A, Rev. 03/24/06

APPROVED: MULTNOMAH COUNTY BOARD OF COMMISSIONERS
 AGENDA # C-5 DATE 07.10.08
 DEBORAH L. BOGSTAD, BOARD CLERK

ROBERTS Sydney L

From: HENRY Patrick W
Sent: Tuesday, June 03, 2008 11:24 AM
To: ROBERTS Sydney L
Subject: RE: FY09 HAP Contract Review

This contract has been reviewed and is approved for circulation for signature.

From: ROBERTS Sydney L
Sent: Thursday, May 22, 2008 1:57 PM
To: HENRY Patrick W
Subject: FY09 HAP Contract Review

Good afternoon Patrick-

Please find attached IGA #4600007218 with the Housing Authority of Portland. Unfortunately I do not have electronic copies of Attachments B, C, D, E & F and will forward those to you via interoffice mail (which you may return once you have completed your review).

This IGA is ready for the Director's signature pending your review and approval.

Thank you!

Sydney Bizzell Roberts, Contract Specialist
Multnomah County DCHS - School and Community Partnerships
421 SW Oak Street, Suite 200
Portland, OR 97204
503.988.6295 ext. 22701 / 503.988.3332 fax

6/3/2008



IGA Contract

Vendor Address

HOUSING AUTHORITY OF PORTLAND
135 SW ASH ST
PORTLAND OR 97204

Information

Contract Number 4600007218
Date 04/17/2008
Vendor No. 24226
Contact/Phone OSCP Services /

Validity Period: 07/01/2008 - 06/30/2011
Minority Indicator: Not Identified

Estimated Target Value: 1,188,888.00 USD

Item	Material/Description	Target Qty	UM	Unit Price
	<i>FY 07/08 Contract #4600006735 Program Contact: Tiffany Kingery, 503.988.6295, ext. 22728</i>			
0001	H50030015 Clearinghouse Services (USD) Plant: F010 County Human Services Requirements Tracking Number: IGA Requisition #: 10043504 <i>Per Invoice/Cost Reimbursement/Req't's</i>	890,163.000	Dollars	\$ 1.0000
0002	H50030016 Clearinghouse Services Admin (USD) Plant: F010 County Human Services Requirements Tracking Number: IGA Requisition #: 10043504 <i>Per Invoice/Cost Reimbursement/Req't's</i>	298,725.000	Dollars	\$ 1.0000



Bill to and ship to addresses are the same unless otherwise specified below.

Release Order

Vendor Address
 HOUSING AUTHORITY OF PORTLAND
 135 SW ASH ST
 PORTLAND OR 97204

Release Order: 4500103259
Date: 04/17/2008
Vendor No.: 24226
Buyer/Phone: OSCP Services /
Validity End Date: 06/30/2009
Incoterms: FOB Destination

Ship To:
 Multnomah County
 County Human Services
 421 SW Oak 6th Floor
 Portland OR 97204
 Fax: 503-988-3379

Bill To or Other Special Instructions:
 Program Contact:
 Tiffany Kingery
 503.988.6295, ext. 22728

Item	Material/Description	Quantity	UM	Unit Price	Net Amount
	<i>For the services listed in this Release Order, the Net Amount lines are estimates only. During the term of this contract Multnomah County may unilaterally adjust the Net Amount of each line based on Contractor's documented service level and system-wide service level demands. County will notify Contractor by providing a revised Release Order of any Net Amount adjustments upon request.</i>				
0001	H50030015 Clearinghouse Services (USD) Tracking# IGA G/L# 60160 WBS: SCPCHHHS.CGF Release order against contract 4600007218 Item 00001 Per Invoice/Cost Reimbursement/Reqt's Validity Period: 7/1/08 - 6/30/09	194,170.000	USD	\$ 1.0000	\$ 194,170.00
0002	H50030016 Clearinghouse Services Admin (USD) Tracking# IGA G/L# 60160 WBS: SCPCHHHS.CGF Release order against contract 4600007218 Item 00002 Per Invoice/Cost Reimbursement/Reqt's Validity Period: 7/1/08 - 6/30/09	99,575.000	USD	\$ 1.0000	\$ 99,575.00
0003	H50030015 Clearinghouse Services (USD) Tracking# IGA G/L# 60160 WBS: SCPCHHHS.LIRHF Release order against contract 4600007218 Item 00001 Per Invoice/Cost Reimbursement/Reqt's Validity Period: 7/1/08 - 6/30/09	102,551.000	USD	\$ 1.0000	\$ 102,551.00
				Total	\$ 396,296.00

INTERGOVERNMENTAL AGREEMENT

This is an Agreement between Housing Authority of Portland (CONTRACTOR) and Multnomah County (COUNTY) from July 1, 2008 until June 28, 2011.

CONTRACT DOCUMENTS. This Contract includes this document (Intergovernmental Agreement) and:

- Attachment A - Sample Invoice
- Attachment B - Sample LIRHF Invoice
- Attachment C - CRD Work Plan Low-Income Rental Housing Fund (LIRHF) /OHCS Master Grant Agreement 2007-2009
- Attachment D - LIRHF Request for Funds Form
- Attachment E - State of Oregon HCS Low Income Rental Housing Fund Sub-grantee Manual
- Attachment F - Rent Assistance Program Model

PURPOSE:

The purpose of this agreement, in accordance with the program instructions governing each funding source, is to enter into a contractual agreement with the Housing Authority of Portland for the administration of rental assistance funds and to implement a single unified rental assistance program in Multnomah County in accordance with the Ten-Year Plan to End Homelessness (www.portlandonline.com/bhcd)

The parties agree as follows:

- I. **RESPONSIBILITIES OF CONTRACTOR:** The CONTRACTOR agrees to provide:
 - A. HAP will Administer County General funds and LIRHF funds to community non-profit agencies through contractual agreements.
 - B. HAP will conduct a procurement process every 3 years to determine which community non-profit agencies will be awarded rental assistance funds.
 - C. Hap will administer the rental assistance funds in accordance the program design in the Rental Assistance Re-design Program Model Document (Attachment F). This program model may be modified and changed through the work of the Short Term Rental Assistance Oversight Committee.
 - D. HAP will abide by program instructions governing each funding source as stated in the program manual (Attachment E).
 - E. HAP will monitor its sub-contract agencies at least annually for program compliance using a monitoring tool approved by the jurisdictions.
 - F. HAP will monitor motel vendors once annually to determine habitability of motel units, using the HUD Habitability Standards.
 - G. HAP will meet a minimum of six times annually with contractor agencies and facilitate sharing of pertinent program information.
 - H. HAP will insure that accurate data is being collected by contracted agencies using the Service Point System. HAP will assure data quality and availability. In the event that an agency is not complying, HAP may exercise authority to put agencies on corrective action or even restrict funding availability.
 - I. HAP will allocate total funds in the rent assistance system at 45% to the adult and 55% to the family population.
 - J. The County will appoint two representatives to the Oversight Committee.

- K. No administrative dollars will be taken on LIRHF or County General funds designated for rental assistance.
- L. HAP will manage a small reserve for severe weather vouchers designated for families and people with special circumstances precluding them from accessing shelter and warming centers.
- M. The Oversight Committee will meet quarterly and focus of the larger issues of the rental assistance system. Programmatic details will be handled by HAP with technical assistance as needed from the jurisdictions.
- N. OUTCOMES:
 - 50% of homeless households will obtain permanent housing within 30 days after receiving a motel voucher.
 - 100% of those denied permanent housing will access stable residence such as shelter or transitional housing within 30 days after receiving a motel voucher.
 - 80% of households will maintain housing stability at 3 months after rental assistance ends.
 - 80% of households will maintain housing stability at 6 months after rental assistance ends.
 - 70% of households will maintain housing stability at 12 months after rental assistance ends.
 - 70% of households will maintain housing stability 12 months after eviction prevention assistance ends.

MEASURES

- Number of households served.
- Of those households provided with safety off the street motel vouchers, the proportion that moved into permanent housing within 30 days.
- Housing stability tracked at 3, 6 and 12 months.
- Households will have an increase in incomes or income supports allowing household to assume full rental payment within 24 months.
- Exit destination of households not moving into permanent housing.

II. **RESPONSIBILITIES OF COUNTY:** The County agrees to: Reimburse CONTRACTOR for specific services based upon the payment terms set forth under Attachments A through G of this Contract.

The maximum payment under this Contract, including expenses, is **\$1,188,888**.

III. **PAYMENT TERMS:**

1. **Chargeable Expenditures.** CONTRACTOR may charge expenditures under this Contract only if they are:
 - a) In payment for services performed under this Contract;
 - b) In payment of an obligation incurred during the Contract period;
 - c) Performed in conformance with all applicable state and federal regulations and statutes; and
 - d) Not in excess of maximum payable under this Contract.
2. **Reporting Requirements.**
 - a) Notwithstanding any other payment provision of this Contract, failure of CONTRACTOR to submit required reports when due, may result in the withholding or reduction of payments under this Contract. Such withholding of payment for cause may continue until CONTRACTOR submits required reports, or establishes, to COUNTY'S satisfaction, that such failure arose out of causes beyond the control and without the fault or negligence of CONTRACTOR.

3. **Recovery of Funds.** Any COUNTY funds spent for purposes not authorized by this Contract shall be deducted from future payments or refunded to COUNTY at COUNTY'S discretion. Payments by COUNTY in excess of authorized amounts shall be deducted from payment or refunded to COUNTY no later than thirty (30) calendar days after Contract expiration or after notification by COUNTY. CONTRACTOR shall be responsible for any prior contract overpayments and unrecovered advances provided by COUNTY. Repayment of prior period obligations shall be made by CONTRACTOR in a manner specified by COUNTY. Except when CONTRACTOR is a city, county, or public school district, COUNTY shall be entitled to the legal rate of interest for late payment from the date such payments become delinquent, and in case of litigation, to reasonable attorney's fees.
4. **Refunds.** Any refunds to the state or federal government resulting from state (OAR 309-013-0120 through 0220) or federal audits shall be the sole responsibility of CONTRACTOR. CONTRACTOR agrees to make all such repayments within twenty working days of receipt of formal notification by COUNTY of disallowance of CONTRACTOR expenditures, or fees.
5. **Protection Against Loss or Damages.** COUNTY shall have the right to withhold from payments due CONTRACTOR such sums as are necessary in COUNTY'S sole opinion to protect COUNTY from any loss, damage, or claim which may result from CONTRACTOR'S failure to perform in accordance with the terms of the Contract or failure to make proper payment to suppliers or subcontractors.
6. **Request for Payment.** CONTRACTOR shall submit all final requests for payment no later than July 20th or the next working day after July 20th to the COUNTY. COUNTY will not process final requests for payment documents not received within the specified time and the expense shall be the CONTRACTOR'S responsibility.
7. **Payment Terms – Cost Reimbursement:** County pays monthly.
 - a) COUNTY shall pay amounts due to CONTRACTOR upon receipt of CONTRACTOR'S payment requests in the standard COUNTY format. Invoices are due the 20th calendar day of the month following the month in which services are delivered. At a minimum see Chart attached for specific Fiscal reporting requirements. COUNTY agrees to process payment requests within ten working days of receipt of billing.
 - b) CONTRACTOR shall maintain required fiscal, program, and progress reports, which support payment requests, according to COUNTY program and fiscal requirements.
- IV. **TERM:** The term of this agreement shall be from July 1, 2008 to June 30, 2011.
- V. **TERMINATION:** This agreement may be terminated by either party upon thirty (30) days written notice.
- VI. **INDEMNIFICATION:** Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300, COUNTY shall indemnify, defend and hold harmless CONTRACTOR from and against all liability, loss and costs arising out of or resulting from the acts of County, its officers, employees and agents in the performance of this agreement. Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300 CONTRACTOR shall indemnify, defend and hold harmless COUNTY from and against all liability, loss and costs arising out of or resulting from the acts of CONTRACTOR, its officers, employees and agents in the performance of this agreement.

- VII. **INSURANCE:** Each party shall each be responsible for providing worker's compensation insurance as required by law. Neither party shall be required to provide or show proof of any other insurance coverage.
- VIII. **ADHERENCE TO LAW:** Each party shall comply with all federal, state and local laws and ordinances applicable to this agreement.
- IX. **NON-DISCRIMINATION:** Each party shall comply with all requirements of federal and state civil rights and rehabilitation statutes and local non-discrimination ordinances.
- X. **ACCESS TO RECORDS:** Each party shall have access to the books, documents and other records of the other which are related to this agreement for the purpose of examination, copying and audit, unless otherwise limited by law.
- XI. **SUBCONTRACTS AND ASSIGNMENT:** Neither party will subcontract or assign any part of this agreement without the written consent of the other party.
- XII. **THIS IS THE ENTIRE AGREEMENT:** This Agreement constitutes the entire Agreement between the parties. This Agreement may be modified or amended only by the written agreement of the parties.

MULTNOMAH COUNTY, OREGON

BY Ted Wheeler DATE 07.10.08
 TED WHEELER, COUNTY CHAIR

BY Joanne Fuller DATE 6/4/08
 JOANNE FULLER, MSW, DIRECTOR
 DEPARTMENT OF COUNTY HUMAN SERVICES

REVIEWED:

APPROVED BY PATRICK HENRY DATE 6-3-08
 PATRICK W. HENRY, ASSISTANT COUNTY ATTORNEY
 FOR MULTNOMAH COUNTY

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # C-5 DATE 07.10.08
 DEBORAH L. BOGSTAD, BOARD CLERK

HOUSING AUTHORITY OF PORTLAND

BY _____ DATE _____
 STEVE RUDMAN, EXECUTIVE DIRECTOR

APPROVED AS TO FORM:



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/10/08
Agenda Item #: C-6
Est. Start Time: 9:30 AM
Date Submitted: 06/24/08

Agenda Title: **Amendment 3 to Intergovernmental Agreement 4600005229 with the Oregon Department of Transportation for Right of Way Purchases Related to the 223rd Avenue Railroad Undercrossing Project**

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

Requested Meeting Date: July 10, 2008 **Amount of Time Needed:** Consent Calendar
Department: Community Services **Division:** Land Use & Transportation
Contact(s): Jon Henrichsen
Phone: (503) 988 3757 **Ext.** 228 **I/O Address:** 446
Presenter(s): Jon Henrichsen

General Information

1. What action are you requesting from the Board?

Approval of an amendment to extend an Intergovernmental Agreement (IGA) for ODOT to perform right of way services for Multnomah County related to the 223rd Avenue Railroad Undercrossing Project for one year.

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.

ODOT has been providing right of way acquisition services for Multnomah County's Federal Aid 223rd Avenue Railroad Undercrossing project and has finalized purchase of all right of way except for that which is required from the Union Pacific Railroad to construct a new railroad bridge. The final right of way purchase will occur after the County and Railroad have signed the Construction and Maintenance (C&M) agreement for this project. The C&M has been fully negotiated and agreed to by both parties and is in the process of being assembled in its final form. When assembled, it will be sent to the Board for signatures and then sent to Union Pacific for signatures. This process is expected to be completed no later than August 2008.

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

None.

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

The Amendment has been reviewed and approved by the County Attorney's office.

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

The Capital Improvement Project that this Intergovernmental Agreement is part of has received the review and approval of regional and local planning departments. Right of way acquisition for this project was identified as priority No. 1 of Resolution No. 01-029, "Approving Multnomah County Projects for Priorities 2002 Metropolitan Improvement Program Update."

Public hearings for this project were held in March 2001 during the Board of County Commissioners meeting and in December 2007 at the Fairview City Grange Hall.

Required Signature

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



Date: 06/23/08

MULTNOMAH COUNTY CONTRACT APPROVAL FORM (CAF)

Pre-approved Contract Boilerplate (with County Attorney signature) Attached Not Attached Contract #: 4600005229
 Amendment #: 3

CLASS I Based on Informal / Intermediate Procurement	CLASS II Based on Formal Procurement	CLASS III Intergovernmental Contract (IGA)
<input type="checkbox"/> Personal Services Contract	<input type="checkbox"/> Personal Services Contract	<input checked="" type="checkbox"/> Expenditure Contract
<input type="checkbox"/> PCRB Contract <input type="checkbox"/> Goods or Services <input type="checkbox"/> Maintenance or Licensing Agreement <input type="checkbox"/> Public Works / Construction Contract <input type="checkbox"/> Architectural & Engineering Contract	<input type="checkbox"/> PCRB Contract <input type="checkbox"/> Goods or Services <input type="checkbox"/> Maintenance or Licensing Agreement <input type="checkbox"/> Public Works / Construction Contract <input type="checkbox"/> Architectural & Engineering Contract	<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement
<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement	<input type="checkbox"/> Revenue Contract <input type="checkbox"/> Grant Contract <input type="checkbox"/> Non-Financial Agreement	<input type="checkbox"/> INTER-DEPARTMENTAL AGREEMENT (IDA)

Department: Community Services Division/ Program: Land Use and Trans Program Date: 6/23/08
 Originator: Jon Henrichsen Phone: (503) 988-3757 x228 Bldg/Room: 446/Bridge Shop
 Contact: Cathey Kramer Phone: (503) 988-5050 x22589 Bldg/Room: 425/Yeon Shops

Description of Contract: Amendment No. 3 to the Intergovernmental Agreement between the County and the Oregon Dept. of Transportation (ODOT) for right of way acquisition services in connection with the NE 223rd Avenue Railroad Undercrossing Project (ODOT Agreement No. 22.113). Amendment No. 3 extends the termination date of the IGA to July 30, 2009 to complete R/W acquisition from the Union Pacific Railroad. There is no additional expenditure in connection with this amendment.

RENEWAL: PREVIOUS CONTRACT #(S) _____ EEO CERTIFICATION EXPIRES _____

PROCUREMENT _____ ISSUE _____ EFFECTIVE _____ END _____
 EXEMPTION OR _____ DATE _____ DATE _____ DATE _____
 CITATION # _____

CONTRACTOR IS: MBE WBE ESB QRF State Cert# _____ or Self Cert Non-Profit N/A. (Check all boxes that apply)

Contractor	Oregon Department of Transportation			Remittance address (if different)	
Address	123 NW Flanders St.				
City/State	Portland OR			Payment Schedule / Terms:	
ZIP Code	97209-4037			<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on Receipt
Phone	(503) 731-8439 (Wayne Kwong)			<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30
Employer ID# or SS#	N/A			<input checked="" type="checkbox"/> Other \$ _____	<input type="checkbox"/> Other
Contract Effective Date	01/6/05	Term Date	7/30/07	<input type="checkbox"/> Price Agreement (PA) or Requirements Funding Info:	
Amendment Effect Date	7/31/07	New Term Date	7/30/09		
Original Contract Amount	\$ 335,000.00			Original PA/Requirements Amount	\$ _____
Total Amt of Previous Amendments	\$ 65,000.00			Total Amt of Previous Amendments	\$ _____
Amount of Amendment	\$ 0			Amount of Amendment	\$ _____
Total Amount of Agreement \$	\$ 400,000.00			Total PA/Requirements Amount	\$ _____

REQUIRED SIGNATURES:

Department Manager [Signature] DATE 6/23/08
 County Attorney /s/ Matthew O. Ryan (electronic approval) DATE 5/15/08
 CPCA Manager _____ DATE _____
 County Chair [Signature] DATE 07.10.08
 Sheriff _____ DATE _____
 Contract Administration _____ DATE _____

COMMENTS: (WBS - ROADCEC0363R300)

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS

AGENDA # C-6 DATE 07.10.08
DEBORAH L. BOGSTAD, BOARD CLERK



IGA Contract

Vendor Address

OREG ST OF DEPT OF TRANSPORTATION
 123 NW FLANDERS ST
 PORTLAND OR 97209-4037

Information

Contract Number 4600005229
Date 12/15/2004
Vendor No. 23683
Contact/Phone BCS Transport'n / X26798
Validity Period: 01/06/2005 - 07/30/2009
Minority Indicator: Not Identified

Estimated Target Value: 400,000.00 USD

Item	Material/Description	Target Qty	UM	Unit Price
0001	<p>IGA w/ODOT for NE 223rd Ave R/W</p> <p>Plant: F030 Community Service Requirements Tracking Number: 9999999999 Requisition #: 10034299</p> <p><i>Intergovernmental Agreement with Oregon Dept. of Transportation (ODOT) for acquisition of real property to be used as Right of Way in connection with the improvement of NE 223rd Avenue, a County Road.</i> <i>Effective dates: 1/6/05 - 7/30/06</i> <i>(WBS: ROADCEC0363R250)</i> <i>Originator: Patrick Hinds - x83712</i> <i>(Admin Contact: Cathey Kramer - x22589).</i></p> <hr/> <p><i>Amendment No. 1 to Intergovernmental Agreement No. 22,113 with Oregon Dept. of Transportation (ODOT) for Right of Way Acquisition Services in connection with the improvement of NE 223rd Avenue, a County Road. Amendment No. 1 adds an addition \$65,000 to the Agreement.</i> <i>Effective dates: 1/6/05 - 7/30/07</i> <i>(WBS: ROADCEC0363R300)</i> <i>Amendment Originator: Jon Henrichsen - 988-3757 x228</i> <i>(Admin Contact: Cathey Kramer - x22589)</i></p> <hr/> <p><i>Amendment No. 2 to Intergovernmental Agreement No. 22,113 with Oregon Dept. of Transportation (ODOT) for Right of Way Acquisition Services in connection with the improvement of NE 223rd Avenue, a County Road. Amendment No. 2 extends the termination date an additional year to 7/30/2008 to allow completion of R/W Acquisition from the Union Pacific Railroad Co. There is no additional cost in connection with this amendment.</i> <i>Effective dates: 1/6/05 - 7/30/08</i> <i>(WBS: ROADCEC0363R300)</i> <i>Department Contact/Organator: Jon Henrichsen - 988-3757 x228</i> <i>(Admin Contact: Cathey Kramer - x22589)</i></p> <hr/> <p><i>Amendment No. 3 to Intergovernmental Agreement No. 22,113 with Oregon Dept. of Transportation (ODOT) for Right of Way Acquisition Services in connection with the improvement of NE 223rd Avenue, a County Road. Amendment No. 3 extends the termination date to 7/30/2009 to allow completion of R/W Acquisition from the Union Pacific</i></p>	400,000.000	Dollars	\$ 1.0000



IGA Contract

Vendor Address

OREG ST OF DEPT OF TRANSPORTATION
123 NW FLANDERS ST
PORTLAND OR 97209-4037

Information

Contract Number 4600005229
Date 12/15/2004
Vendor No. 23683
Contact/Phone BCS Transport'n / X26798
Validity Period: 01/06/2005 - 07/30/2009
Minority Indicator: Not Identified

Item	Material/Description	Target Qty	UM	Unit Price
	<p><i>Railroad Co. There is no additional cost in connection with this amendment.</i></p> <p><i>Effective dates: 1/8/05 - 7/30/09</i></p> <p><i>(WBS: ROADCEC0363R300)</i></p> <p><i>Department Contact/Originator: Jon Henrichsen - 988-3757 x228</i></p> <p><i>(Admin Contact: Cathey Kramer - x22589)</i></p> <p>Ship to:</p> <p>*** Target quantity changed ***</p> <p>*** Text changed ***</p>			

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

From: RYAN Matthew O
Sent: Thursday, May 15, 2008 2:40 PM
To: HENRICHSEN Jon P
Subject: FW: MCA# 22,113-3 NE 223rd Ave., Sandy Blvd to Bridge St.
Importance: High

Jon,
The attached amendment is approved for signatures. 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

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

From: HENRICHSEN Jon P
Sent: Thursday, May 15, 2008 12:39 PM
To: RYAN Matthew O
Subject: FW: MCA# 22,113-3 NE 223rd Ave., Sandy Blvd to Bridge St.
Importance: High

Matt,

Attached is an amendment to our ROW IGA with ODOT for the 223rd project. The amendment extends the IGA for one more year. That is the only change.

Could you please review and let me know if it is acceptable by May 22? Also, Is the C&M OK? Can I move forward with putting it together for signature by our board?
Let me know please. Thanks. Jon Henrichsen

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

From: LEE Penelope A * Penny [mailto:Penelope.A.LEE@odot.state.or.us]
Sent: Thursday, May 15, 2008 12:26 PM
To: HENRICHSEN Jon P; KWONG Wayne; HINDS Patrick J
Cc: FOSTER Mark A; ROSE Darlene K * ODOT
Subject: RE: MCA# 22,113-3 NE 223rd Ave., Sandy Blvd to Bridge St.
Importance: High

Jon-

With that said, would you please review the attached draft that Wayne sent you in March and let us know if this is draft is acceptable. Thank you.

Penelope (Penny) A. Lee
Agreement Specialist
Region 1-Contracts and Agreements Unit
123 NW Flanders Street
Portland, OR 97209
503-731-8278/office
503-731-8215/fax

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

From: LEE Penelope A * Penny

Sent: Monday, March 03, 2008 10:23 AM

To: KWONG Wayne

Cc: FOSTER Mark A

Subject: MCA# 22,113-3 NE 223rd Ave., Sandy Blvd to Bridge St.

Wayne-

Attached is a draft of amendment no. 3 for the time extension needed for NE 223rd Ave: Sandy Blvd to Bridge Street. Please review and let me know if you have any revisions or comments.

If you have no revisions or comments, please forward this on to the County for their review. Make sure you tell them to **"reply all"** on all e-mails and to send their response back to us whether they have any changes to make or not. As we won't proceed any further until we hear back from them.

It looks like Jon Henrichsen was the County contact on the previous amendment. You probably want to start with him. Thank you.

Penelope (Penny) A. Lee
Agreement Specialist
Region 1-Contracts and Agreements Unit
123 NW Flanders Street
Portland, OR 97209
503-731-8278/office
503-731-8215/fax

AMENDMENT NO. 3
Intergovernmental Agreement
Right of Way Services
NE 223rd Avenue: Sandy Blvd. to Bridge Street

The State of Oregon, acting by and through its Department of Transportation, hereinafter referred to as "State", and Multnomah County, acting by and through its County Board of Commissioners, hereinafter referred to as "Agency", entered into an Agreement on January 10, 2005, and as amended by Amendment No. 1 on May 12, 2006 and Amendment No. 2 on July 24, 2007. Said Agreement covers the right of way services for the NE 223rd Avenue, Sandy Blvd. to Bridge Street project.

It has now been determined by State and Agency that the Agreement referenced above, although remaining in full force and effect, shall be amended to extend the duration of the Agreement. Except as expressly amended below, all other terms and conditions of the Agreement, as previously amended, are still in full force and effect.

Paragraph 2 of Terms of Agreement, Page 1, which reads:

The work shall begin on the date all required signatures are obtained and shall be completed no later than July 30, 2008, on which date this Agreement automatically terminates unless extended by a fully executed amendment.

Shall be deleted in its entirety and amended to read:

The work shall begin on the date all required signatures are obtained and shall be completed no later than July 30, 2009, on which date this Agreement automatically terminates unless extended by a fully executed amendment.

This amendment may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement binding on all parties, notwithstanding that all parties are not signatories to the same counterpart. Each copy of this amendment so executed shall constitute an original.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the day and year hereinafter written.

The Oregon Transportation Commission on June 18, 2003, approved Delegation Order No. 3, which authorizes the Director and Deputy Director, Highways to approve and execute all agreements pertaining to (9) real property transactions and (10) abandoning or vacating ODOT-owned right of way and transferring ODOT's interest in such right of way, when the property is not required for future ODOT use.

On July 7, 2005, the Director and Deputy Director, Highways approved Subdelegation Order No. 4, in which the Director and Deputy Director, Highways delegates authority to

Multnomah County/State
M.C. & A. No. 22,113-3

the Technical Services Manager/Chief Engineer to approve and execute all agreements pertaining to real property transactions.

Pursuant to a Letter of Authority dated February 22, 2002, the Technical Services Manager/Chief Engineer authorized the Right of Way Manager to approve and execute with other governmental jurisdictions to employ Right of Way Section Staff.

MULTNOMAH COUNTY, by and through it's
elected officials

By Ted Wheeler
Ted Wheeler, Chair
Board of County Commissioners

Date 07.10.08

**APPROVED AS TO LEGAL
SUFFICIENCY**

By 1st Matthew O. Ryan
County Attorney

Date 5/15/08 - Electronic Approval

Agency Contact:
Multnomah County
Department of Community Services
Transportation Division, Bridge Section
Jon Henrichsen, Engr. Services Mgr. 1
10430 SE Water Avenue
Portland, OR 97214-3333
503-988-3757X228
Jon.p.henrichsen@co.multnomah.or.us

State Contact:
Oregon Dept. of Transportation
Wayne Kwong, Sr. Right of Way Agent
123 NW Flanders Street
Portland, OR 97209
503-731-8439
Wayne.Kwong@odot.state.or.us

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-6 DATE 07.10.08
DEBORAH L. BOGSTAD, BOARD CLERK

STATE OF OREGON, by and through
its Department of Transportation

By _____
Deolinda G. Jones
State Right of Way Manager

Date _____

APPROVAL RECOMMENDED

By Darlene K. Rose
Darlene K. Rose
Region 1 Right of Way Manager

Date 6/16/08

By Tamira Clark
Tamira Clark
Region 1 Technical Center Mgr.

Date 6/13/08

**APPROVED AS TO LEGAL
SUFFICIENCY**

By _____
Dale K. Hormann
Assistant Attorney General

Date _____



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST short form

Board Clerk Use Only

Meeting Date: 07/10/08
Agenda Item #: C-7
Est. Start Time: 9:30 AM
Date Submitted: 06/24/05

Agenda Title: **RESOLUTION Authorizing the Private Sale of a Tax Foreclosed Property to BEN AND ELSA L. MERRITT**

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

Date Requested:	<u>July 10, 2008</u>	Time Requested:	<u>Consent Item</u>
Department:	<u>Community Services</u>	Division:	<u>Tax Title</u>
Contact(s):	<u>Gary Thomas</u>		
Phone:	<u>503-988-3590</u>	Ext.	<u>22591</u>
		I/O Address:	<u>503/4/TT</u>
Presenter(s):	<u>Gary Thomas</u>		

General Information

1. What action are you requesting from the Board?

The Tax Title Section is requesting the Board to approve the private sale of a tax foreclosed property to BEN AND ELSA L. MERRITT.

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

The subject property is a rectangular shaped parcel approximately 30' x 80' that came into county ownership through the foreclosure of delinquent tax liens on September 22, 1998. The property is located adjacent to 5925 SW Florida ST and from the aerial photo appears to take up a good portion of the backyard area. County records show that sometime in the late 1950's the subject parcel was divided out of the adjacent Lot 2 which is Tax Lot #1700 on the attached plat map. Property taxes were paid on the parcel until 1992 and six years later it came into county ownership.

A survey completed in 1963 (see attached Exhibit C) shows the subject parcel and the property at 5925 SW Florida ST as one contiguous property. Based on this survey and the fact that most of the subject strip is in the backyard area of the SW Florida property we propose to sell it to the owners of that property.

The attached plat map, Exhibit A shows the location of the strip. Exhibit B is an aerial photo that shows the parcel in the backyard area of the 5925 SW Florida property. A survey, Exhibit C shows the subject strip being a part of the SW Florida property.

The Tax Title Division is confident that the shape and size of the property make it unsuitable for the construction or placement of a dwelling thereon under current zoning ordinances and building codes, as provided under ORS 275.225.

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

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

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

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

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

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

No citizen or government participation is anticipated.

EXHIBIT A

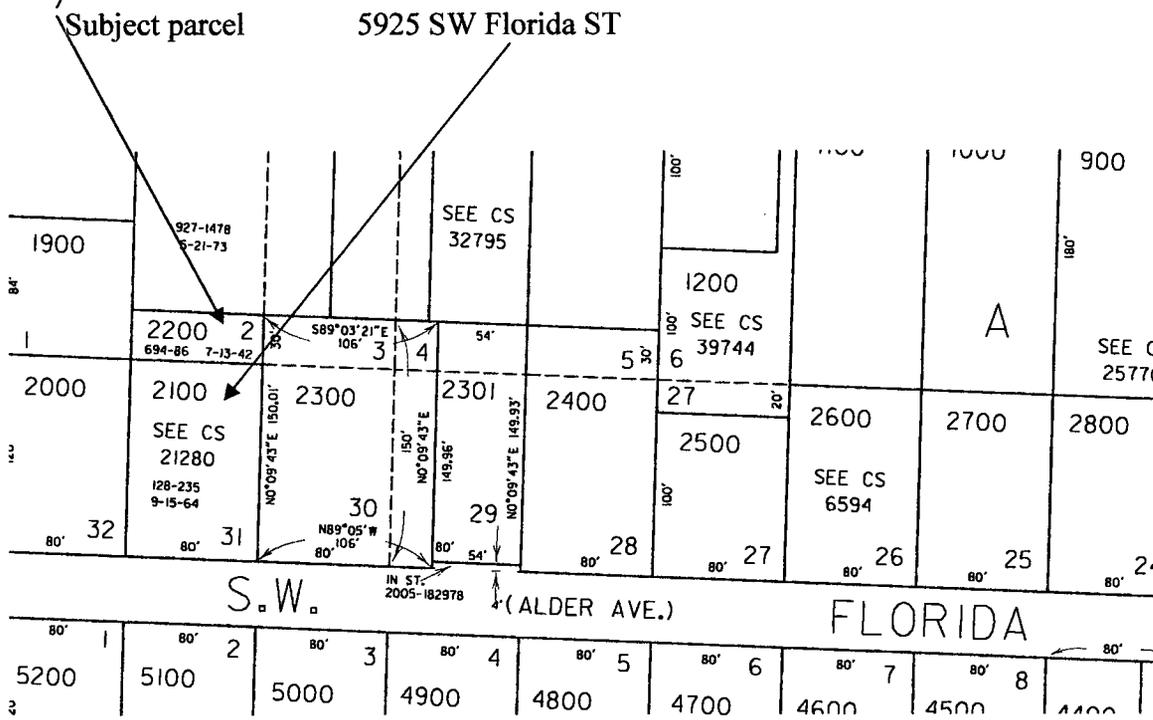
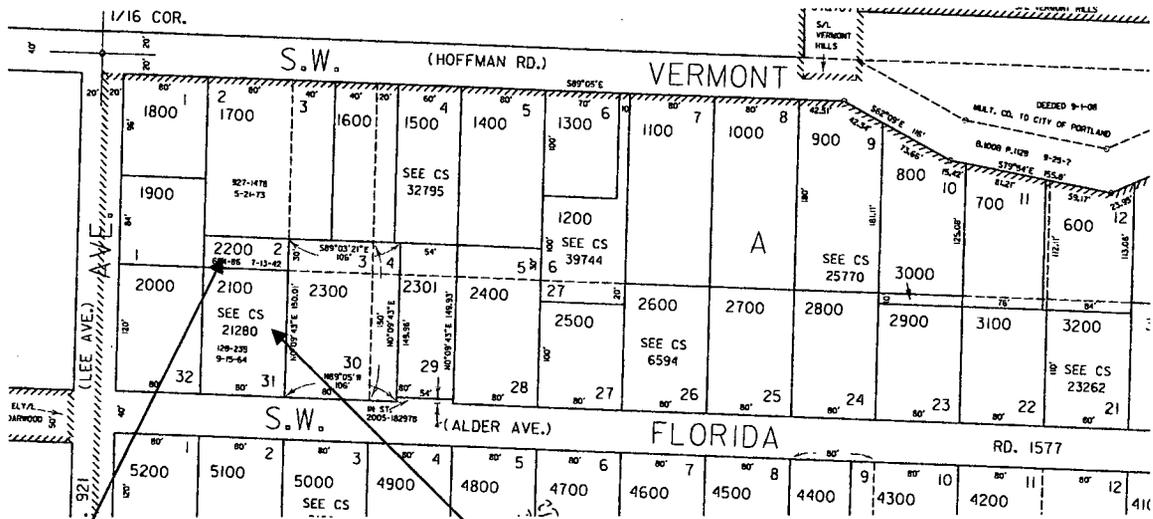


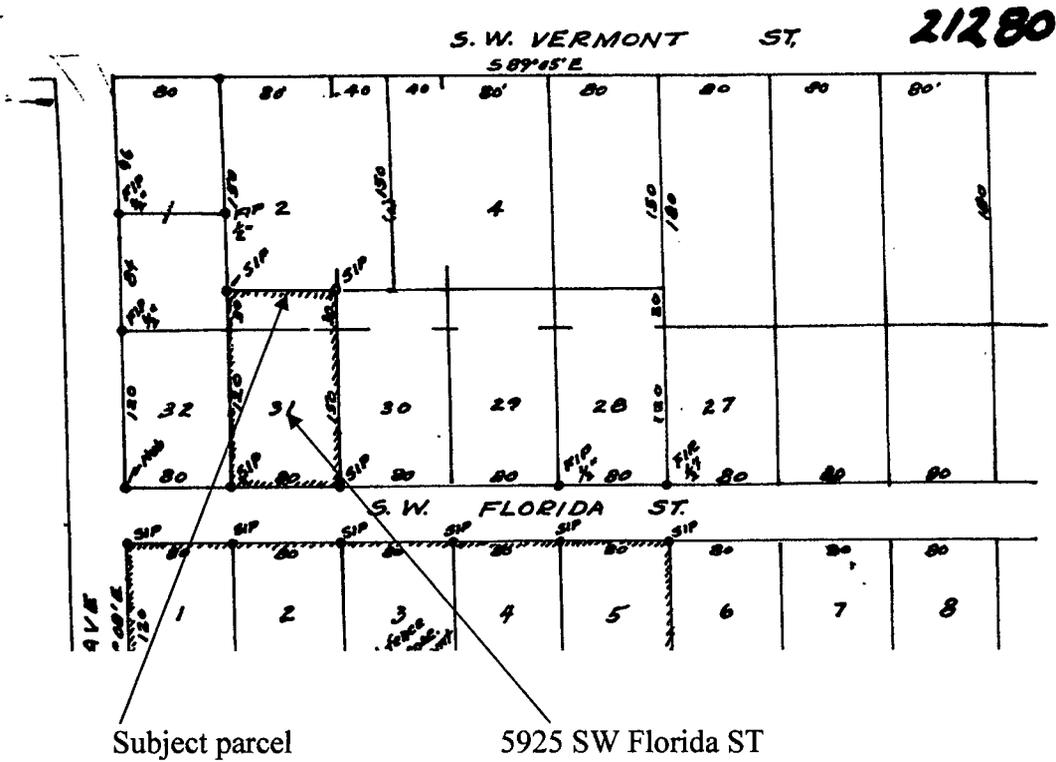
EXHIBIT B



Subject property

5925 SW Florida St

EXHIBIT C



SURVEY
 LOT 31 AND PART OF L
 LOTS 1 TO 8 INCLUSIVE,
 ADDITION IN N.W. 1/4
 PORTLAND, MULTNOMAH
 1/4 Sec. # 3723
 DECEMBER 16, 1963.

LEGEND
 FIP 1/2" - - - - -
 FIR 1/2" - - - - -
 SIP - - - - - Set 1/2" G

EXHIBIT D

LEGAL DESCRIPTION:

LEES ADD S30' OF LOT 2 BLOCK A

ADJACENT PROPERTY ADDRESS: 5925 SW Florida Street
TAX ACCOUNT NUMBER: R205586
GREENSPACE DESIGNATION: No designation
SIZE OF PARCEL: More or less 2,400 square feet
ASSESSED VALUE: \$2,400

ITEMIZED EXPENSES FOR TOTAL PRICE OF PRIVATE SALE

BACK TAXES & INTEREST:

TAX TITLE MAINTENANCE COST & EXPENSES:

RECORDING FEE:

SUB-TOTAL

MINIMUM PRICE REQUEST OF PRIVATE SALE

	\$339.40
	\$200.00
	\$26.00
	\$565.40
	\$1,200.00

Required Signature

**Department/
Agency Director:**

M. Cecilia Johnson

Date: 06/23/08

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Authorizing the Private Sale of a Tax Foreclosed Property to BEN AND ELSA L. MERRITT

The Multnomah County Board of Commissioners Finds:

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

LEES ADD S 30' LOT 2 BLOCK A
- b. The property has a real market value of \$2,400 on the assessment roll prepared for the County, consistent with the requirement of ORS 275.225(1) (a).
- c. Although no written confirmation from the City of Portland was obtained, the Tax Title Division is confident that the shape and size of the property make it unsuitable for the construction or placement of a dwelling thereon under applicable zoning ordinances and building codes, as provided under ORS 275.225(1) (b).
- d. BEN AND ELSA L. MERRITT have agreed to pay \$1,200, an amount the Board finds to be a reasonable price for the property in conformity with ORS 275.225.

The Multnomah County Board of Commissioners Resolves:

1. Upon Tax Title's receipt of the payment of \$1,200, the Chair on behalf of Multnomah County is authorized to execute a deed, substantially in compliance with the attached deed; conveying to the real property described above.

ADOPTED this 10th day of July, 2008.

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

Until a change is requested, all tax statements
Shall be sent to the following address:
BEN AND ELSA L. MERRITT
5925 SW FLORIDA ST
PORTLAND OR 97219-1223

After recording return to:
Multnomah County Tax Title 503/4

Deed D082161 for R205586

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to BEN AND ELSA L. MERRITT **Grantee**, the following described property:

LEES ADD S 30' LOT 2 BLOCK A

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

The true consideration for this conveyance is \$1,200.

Dated this 10th day of July, 2008

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

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 10th day of July 2008, by Ted Wheeler, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

Deborah Lynn Bogstad, Notary Public for Oregon;
My Commission expires: 6/27/09

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 08-098

Authorizing the Private Sale of a Tax Foreclosed Property to BEN AND ELSA L. MERRITT

The Multnomah County Board of Commissioners Finds:

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

LEES ADD S 30' LOT 2 BLOCK A
- b. The property has a real market value of \$2,400 on the assessment roll prepared for the County, consistent with the requirement of ORS 275.225(1) (a).
- c. Although no written confirmation from the City of Portland was obtained, the Tax Title Division is confident that the shape and size of the property make it unsuitable for the construction or placement of a dwelling thereon under applicable zoning ordinances and building codes, as provided under ORS 275.225(1) (b).
- d. BEN AND ELSA L. MERRITT have agreed to pay \$1,200, an amount the Board finds to be a reasonable price for the property in conformity with ORS 275.225.

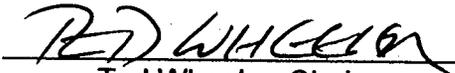
The Multnomah County Board of Commissioners Resolves:

1. Upon Tax Title's receipt of the payment of \$1,200, the Chair on behalf of Multnomah County is authorized to execute a deed, substantially in compliance with the attached deed; conveying to the real property described above.

ADOPTED this 10th day of July, 2008.



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

Until a change is requested, all tax statements
shall be sent to the following address:
BEN AND ELSA L. MERRITT
5925 SW FLORIDA ST
PORTLAND OR 97219-1223

After recording return to:
Multnomah County Tax Title 503/4

Deed D082161 for R205586

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to BEN AND ELSA L. MERRITT **Grantee**, the following described property:

LEES ADD S 30' LOT 2 BLOCK A

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

The true consideration for this conveyance is \$1,200.

Dated this 10th day of July, 2008

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

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 10th day of July 2008, by Ted Wheeler, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

Deborah Lynn Bogstad, Notary Public for Oregon;
My Commission expires: 6/27/09

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

Until a change is requested, all tax statements

Shall be sent to the following address:

BEN AND ELSA L. MERRITT
5925 SW FLORIDA ST
PORTLAND OR 97219-1223

After recording return to:

Multnomah County Tax Title 503/4

Deed D082161 for R205586

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The true consideration for this conveyance is \$1,200.

Dated this 10th day of July, 2008

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



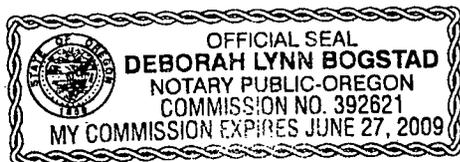
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler
Ted Wheeler, Chair

STATE OF OREGON)

COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 10th day of July 2008, by Ted Wheeler, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.



Deborah Lynn Bogstad
Deborah Lynn Bogstad, Notary Public for Oregon;
My Commission expires: 6/27/09

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

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



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # C-8 DATE 07.10.08
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 07/10/08
 Agenda Item #: C-8
 Est. Start Time: 9:30 AM
 Date Submitted: 07/02/08

BUDGET MODIFICATION: DCS- 01

Budget Modification DCS-01 Reclassifying Three Bridge Operator Positions to Maintenance Specialist 1 Trainee Positions in the Bridge Maintenance and Operations Group, as Determined by the Class/Comp Unit of Central Human Resources

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

Requested Meeting Date:	<u>July 10, 2008</u>	Amount of Time Needed:	<u>Consent</u>
Department:	<u>Community Service</u>	Division:	<u>Bridges</u>
Contact(s):	<u>Jerry Elliott</u>		
Phone:	<u>(503)988-4624</u>	Ext.	<u>84624</u>
		I/O Address:	<u>455/2/224</u>
Presenter(s):	<u>N/A</u>		

General Information

1. What action are you requesting from the Board?

The Department is requesting the Board approve a budget modification for the reclassification of three Bridge Operator positions to Maintenance Specialist 1 Trainee positions in the Bridge Maintenance and Operations group as determined by the Class/Comp Unit of Central Human Resources.

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 reclassification will result in two main benefits. First, it will offer bridge operators with an interest in becoming a maintenance specialist or bridge mechanic, the skills they will need to compete successfully for these positions. The second benefit is efficiency. The Maintenance Specialist 1 Trainees will be able to perform a wider range of maintenance task on the bridges, either by themselves or as part of a maintenance crew, when they are not needed for an opening. This will allow more productivity and greater flexibility in job assignments.

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

Budget modification detail is attached. There will be no dollar change in the budget because the dollars for these positions is included in the adopted budget for FY09. In future years this position will have increases due to COLA, step increases and increased benefit costs.

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.

N/A

ATTACHMENT A

Budget Modification

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

- What revenue is being changed and why?

N/A

- What budgets are increased/decreased?

There is no dollar change to the budget since this reclassification was anticipated and included in the adopted budget.

- What do the changes accomplish?

This budget modification implements position changes as described in this document.

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

Reclassification of existing positions.

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

Any changes will be covered within existing departmental resources.

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

This change is ongoing, contingent upon Board approval of future program offers related to this program

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

N/A

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

N/A

NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

ATTACHMENT B

BUDGET MODIFICATION: DCS - 01

Required Signatures

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



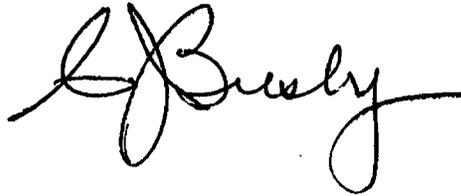
Date: 06/30/08

Budget Analyst:



Date: 07/02/08

Department HR:



Date: 07/02/08

Countywide HR:

Date: _____

ANNUALIZED PERSONNEL CHANGE

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

						ANNUALIZED			
Fund	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1509	6059	64903	Bridge Operator	N/A	(3.00)	(115,516)	(33,465)	(42,085)	(191,066)
1509	6176	64903	Maintenance Specialist 1 Trainee	N/A	3.00	115,516	33,465	42,085	191,066
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TOTAL ANNUALIZED CHANGES					0.00	0	0	0	0

CURRENT YEAR PERSONNEL DOLLAR CHANGE

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

						CURRENT YEAR			
Fund	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1509	6059	64903	Bridge Operator	N/A	(3.00)	(115,516)	(33,465)	(42,085)	(191,066)
1509	6176	64903	Maintenance Specialist 1 Trainee	N/A	3.00	115,516	33,465	42,085	191,066
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TOTAL CURRENT FY CHANGES					0.00	0	0	0	0



MULTNOMAH COUNTY

AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/10/08
 Agenda Item #: R-1
 Est. Start Time: 9:30 AM
 Date Submitted: 06/19/08

Agenda Title: Appointment of Jon Chess, Tara Bowen-Biggs, Stephen Wright, Jodi Shaw, Sheila Isley, Dana Schnell, Theresa Sullivan, Leisa Vandehey, and Dawn Sechrist to the 2008 CHARITABLE GIVING CAMPAIGN MANAGEMENT COUNCIL

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

Requested Meeting Date: July 10, 2008 Amount of Time Needed: 5 minutes
 Department: Department of County Management Division: Director's Office
 Contact(s): Theresa Sullivan
 Phone: 83635 Ext. 83635 I/O Address: 503/531
 Presenter(s): Theresa Sullivan

General Information

1. What action are you requesting from the Board?

Appointment of the following County employees as department representatives to the Multnomah County Charitable Giving Campaign:

Employee	Representing	Employee	Representing
Tara Bowen-Biggs	Non-Departmental	Dawn Sechrist	District Attorney's
Jon Chess	Libraries	Jodi Shaw	County Human Services
Sheila Isley	Community Services	Theresa Sullivan	County Management
Leisa Vandehey	Health	Stephen Wright	Sheriff's Office
Dana Schnell	Community Justice		

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.

In accordance with County Code Chapter 9.62, the departments have recommended the appointment

of the above to represent their respective department in the 2007 Multnomah County Charitable Giving Campaign.

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

Required Signature

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

Carol M. Ford

Date: 06/18/08



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/10/08
Agenda Item #: R-2
Est. Start Time: 9:35 AM
Date Submitted: 06/19/08

Agenda Title: Approval of 2008 Charitable Giving Campaign Participating Funds/Federations

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

Requested Meeting Date: July 10, 2008 **Amount of Time Needed:** 5 minutes
Department: Department of County Management **Division:** Director's Office
Contact(s): Theresa Sullivan
Phone: 83635 **Ext.** 83635 **I/O Address:** 503/531
Presenter(s): Theresa Sullivan

General Information

1. What action are you requesting from the Board?

The Campaign Management Council recommends approval of the following organizations to participate in the 2008 County Charitable Giving Campaign:

	Term Expires
Black United Fund of Oregon	12/31/2009
Children's Trust Fund of Oregon	12/31/2009
Community Health Charities	12/31/2009
Earth Share of Oregon	12/31/2009
Equity Foundation	12/31/2009
Global Impact	12/31/2009
Habitat for Humanity or Oregon	12/31/2008
Portland Schools Foundation	12/31/2008
Work for Art (formerly RACC)	12/31/2008
United Way of Columbia-Willamette	12/31/2009

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.**

Per MCC 9.630, the Campaign Management Council shall select organizations for the Board to certify and approve to participate in the County's campaign.

The funds/federations listed above all meet the qualification criteria set for the in MCC 9.360.

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

Required Signature

Elected Official or
Department/
Agency Director:

Carol M. Ford

Date: 06/18/08



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/10/08
Agenda Item #: R-3
Est. Start Time: 9:40 AM
Date Submitted: 06/17/08

Agenda Title: **PROCLAMATION Proclaiming July 13th through July 19th, 2008 as Probation, Parole and Community Supervision Officers' Week in Multnomah County, Oregon**

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

Requested Meeting Date: July 10, 2008 **Amount of Time Needed:** 15 minutes
Department: Community Justice **Division:** _____
Contact(s): Jeremiah Stromberg
Phone: 503 988-4376 **Ext.** 84376 **I/O Address:** 503/2
Presenter(s): Carl Goodman

General Information

1. What action are you requesting from the Board?

We request that the Board proclaim July 13th, 2008 through July 19th, 2008 as Probation, Parole and Community Supervision Officers' Week in Multnomah County, Oregon. Each year, the Chair will sign the Proclamation and present it to DCJ.

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.

During the week of July 13th through July 19th, 2008, the American Probation and Parole Association will sponsor Probation, Parole & Community Supervision Officers' Week. This celebration recognizes the work that probation, parole and community supervision officers do to protect public safety and help offenders become productive citizens.

The Department of Community Justice's probation and parole officers, juvenile court counselors, juvenile custody services specialists, corrections counselors and technicians (and all the other staff that make their work possible) – as well as our volunteers and interns – play an essential role in our public safety system. They hold offenders accountable for their behavior, address the factors that drive criminal activity and they put juvenile and adult offenders back on the road to being contributing members of society. These county employees selflessly put themselves in potential danger when they visit offenders in the community or supervise offenders in detention.

Over the past year, DCJ staff have:

- Utilized County and Community treatment programs to support change in Parolee and Probationers' lives
- Developed the Juvenile Educational Success Unit which focuses on school enrollment and engagement of high risk youth
- Arrested violent fugitives as part of a coordinated task force with the US Marshals Service; and other specialized warrant sweeps focused on Sex Offenders and Domestic Violence Offenders
- Enabled many offenders to obtain GEDs.

They have also been catalysts that have helped addicted and mentally ill offenders obtain needed treatment, victims receive restitution and community members find information they can use to keep their neighborhoods safe.

The work that community supervision officers do is often unacknowledged, but without them, our communities would be much less safe and our criminal justice system would be much more expensive.

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.

N/A

Required Signature

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



Date: June 17, 2008

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. _____

Proclaiming July 13th through July 19th, 2008 as Probation, Parole and Community Supervision Officers' Week in Multnomah County, Oregon

The Multnomah County Board of Commissioners Finds:

- a. Community corrections is an essential part of the criminal justice system.
- b. Department of Community Justice (DCJ) professionals uphold the law with dignity and affirm the right of the public to be safe-guarded from criminal activity.
- c. DCJ staff are responsible for supervising approximately 9,000 adult and 500 juvenile offenders in Multnomah County.
- d. DCJ staff hold adult and juvenile offenders accountable.
- e. DCJ staff protect public safety with care and concern – they are trained professionals who arrange or provide prevention, intervention and behavior-change services to offenders, which are effective in reducing criminal behavior and recidivism.
- f. DCJ staff work in partnership with law enforcement partners and community agencies and groups.
- g. DCJ staff provide services, support, and protection for victims.
- h. DCJ staff support victims and advocate for the restoration of communities harmed by crime and delinquent behavior.

The Multnomah County Board of Commissioners Proclaims:

July 13th through 19th, 2008 is proclaimed PROBATION, PAROLE and COMMUNITY SUPERVISION OFFICERS' WEEK in Multnomah County, Oregon, in honor, recognition and respect for the dedication and contributions of the County's Community Justice Officers and staff.

ADOPTED this 10th day of July, 2008.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

SUBMITTED BY:
Scott Taylor, Director, Dept. of Community Justice

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. 08-099

Proclaiming July 13th through July 19th, 2008 as Probation, Parole and Community Supervision Officers' Week in Multnomah County, Oregon

The Multnomah County Board of Commissioners Finds:

- a. Community corrections is an essential part of the criminal justice system.
- b. Department of Community Justice (DCJ) professionals uphold the law with dignity and affirm the right of the public to be safe-guarded from criminal activity.
- c. DCJ staff are responsible for supervising approximately 9,000 adult and 500 juvenile offenders in Multnomah County.
- d. DCJ staff hold adult and juvenile offenders accountable.
- e. DCJ staff protect public safety with care and concern – they are trained professionals who arrange or provide prevention, intervention and behavior-change services to offenders, which are effective in reducing criminal behavior and recidivism.
- f. DCJ staff work in partnership with law enforcement partners and community agencies and groups.
- g. DCJ staff provide services, support, and protection for victims.
- h. DCJ staff support victims and advocate for the restoration of communities harmed by crime and delinquent behavior.

The Multnomah County Board of Commissioners Proclaims:

July 13th through 19th, 2008 is proclaimed PROBATION, PAROLE and COMMUNITY SUPERVISION OFFICERS' WEEK in Multnomah County, Oregon, in honor, recognition and respect for the dedication and contributions of the County's Community Justice Officers and staff.

ADOPTED this 10th day of July, 2008.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

SUBMITTED BY:
Scott Taylor, Director, Dept. of Community Justice



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/10/08
 Agenda Item #: R-4
 Est. Start Time: 9:55 AM
 Date Submitted: 06/25/08

Agenda Title: RESOLUTION Establishing Fees and Charges for Chapter 17, Community Justice, of the Multnomah County Code and Repealing Resolution No. 08-036

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

Requested Meeting Date: July 10, 2008 Amount of Time Needed: 20 minutes
 Department: Community Justice Division: Adult Services
 Contact(s): Joyce Resare
 Phone: 503-988-3701 Ext. 24913 I/O Address: 503/250
 Presenter(s): Shaun Coldwell and Janice Ashe

General Information

1. What action are you requesting from the Board?

The Department of Community Justice recommends approval of the attached resolution which: authorizes a \$35 Supervision Fee for persons on supervised release; establishes a \$50 Interstate Compact Application Fee for persons on supervised release applying for a transfer to another county; increases the Parent Education Fees from \$60 to \$70; and change the \$15.00 Parent Education no-show fee to a variable fee based on amount of notice given.

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 423.570 authorizes the imposition of a monthly fee payable by persons on supervised release. The fee is designed to offset the costs incurred in supervising probation, parole, post-prison supervision, or other supervised release of clients assigned to DCJ. The minimum fee per ORS 423.570 is \$25, the increase to \$35 is needed to offset actual supervision costs.

The authority to impose a fee for each transfer application comes from an agreement between ICAOS, Interstate Compact for Adult Offender Supervision and the State of Oregon, OAR #291-180-0465 Fees (4.107 ICAOS). The \$50 fee is calculated to offset the costs involved in preparing and processing an interstate compact application.

The increase in the Parent Education fee is due to a change from a 3 hour class to a 3.5 hr class. In addition, the fee for no-shows is being changed to a variable fee based on notice given. This is being done in order to decrease the amount of no-shows without notice. These changes have the support of the court.

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

The \$35 Supervision Fee will have no financial impact. The 2008-2009 budget assumes imposition of this fee at the \$35 rate.

The \$50 Interstate Compact fee is budgeted in program offer 500032. The estimated revenue is \$10,000 which should offset the costs involved in preparing and processing applications.

The \$70 Parent Education fee is a \$10 increase. This increase was not included in the FY09 budget, the impact is expected to be minimal and any revenue over the budgeted amount will be carried over to the next fiscal year.

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

Required Signature

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



Date: 06/24/08

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Establishing Fees and Charges for Chapter 17, Community Justice, of the Multnomah County Code and Repealing Resolution No. 08-036

The Multnomah County Board of Commissioners Finds:

- a. Chapter 17, Community Justice, of the Multnomah County Code provides that the Board shall establish certain fees and charges by resolution.
- b. On April 10, 2008, the Board adopted Resolution 08-036 updating the fees for MCC Chapter 17.
- c. As recent parent education program developments (greater class length and staff changes) have increased the cost of providing the parent education class, it is necessary to increase the participation fee.
- d. Under ORS 423.570, a monthly fee is payable by persons on supervised release. The County, as the supervising community corrections program may establish the supervision fee (OAR 255-064-0020(2)), and the Board wishes to do so at this time.
- e. The County is also setting the Application Fee for each transfer application prepared under the Interstate Compact for Adult Offender Supervision (OAR 291-180-0465).
- f. All other fees established by Resolution 08-036 remain the same.

The Multnomah County Board of Commissioners Resolves:

1. The fees and charges for Chapter 17, Community Justice, of the Multnomah County Code are set as follows:

Section 17.003. ALTERNATIVE COMMUNITY SERVICE; FEE.

Multnomah County community corrections shall charge a fee of \$35.00 to any offender sentenced to a community service sentence of 40 hours or more. In the case of documented indigence, the fee shall be waived. All fees collected under this section shall be used to fund services provided by the alternative community service program. An offender under obligation to repay may petition the sentencing court for waiver of the fee under conditions of manifest hardship. No offender may be held in contempt for failure to pay if the default is not attributable to intentional refusal to pay.

Section 17.100. CONCILIATION SERVICE FEE.

A fee of \$10.00 shall be charged for the issuance of a marriage license or registering a Declaration of Domestic Partnership under the Oregon Family Fairness Act in addition to the fees prescribed in ORS 205.320. Fees collected pursuant to this section shall be used to finance the cost of conciliation services provided under ORS 107.510 to 107.610.

Section 17.101. DOMESTIC RELATIONS SUIT; FILING FEE.

(A) The Multnomah County portion of the fee for filing a domestic relations suit in the circuit court of Multnomah County shall be \$200.00 for filing an Annulment or Separation, Dissolution, Filiation, Custody or Support of a Child or Modification. The Multnomah County portion of the fee to respond to any of those filings shall be \$100. The Multnomah County portion of the fee for filing an expedited parenting time enforcement petition is \$41 and \$50 to respond. Total receipts from these filings shall be utilized to fund conciliation and mediation services provided by the family court services division.

(B) A child custody evaluation case-opening fee of \$150.00 shall be assessed in domestic relations suits in the circuit court of Multnomah County involving minor children, at the time court ordered custody investigation is instituted. Both parties to the suit are responsible for payment of the fee. The fee may be assessed as costs at the time of the decree.

(1) Total receipts from the case-opening fee shall be utilized to fund the Family Court Services Division. Persons eligible for legal aid counsel may have the custody evaluation case-opening fee deferred, upon application to and approval of the director of Family Court Services, or that person's designee.

(2) The director of Family Court Services shall establish written criteria to be used in reviewing application for fee deferral, consistent with local court rules regarding deferral of filing fees.

Section 17.102. PARENTING EDUCATION PROGRAM; FEE FOR PARTICIPATION.

(A) A fee of \$70.00 shall be collected from each parent participating in the parenting education program of the Department of Community Justice, Family Court Services. However, if registration occurs within 60 days of the date of filing an action, or 60 days after service is received, the fee shall be reduced to \$55.00.

Program attendance may be rescheduled as follows:

- if notice is given at least 24 hours prior to the start of the registered program, no additional fee is assessed;
- if less than 24 hours notice is given, a \$25.00 rescheduling fee is assessed.
- if no notice is given, the rescheduling fee is \$70.00.

Fees collected pursuant to this section shall be used to finance the cost of the Parent Education Program.

(B) The Department of Community Justice, Family Court Services shall establish policy and procedures whereby persons who are in financial difficulty may apply for a deferral of the fee, a waiver of the fee, or both.

2. SUPERVISION FEE. The Supervision Fee set by the County, as the supervising community corrections program under OAR 255-065-0020, is \$35.00.
3. INTERSTATE COMPACT APPLICATION FEE. The Application Fee set by the County for each transfer application prepared under the Interstate Compact for Adult Offender Supervision (OAR 291-180-0465), is \$50.
4. Resolution 08-036 is repealed.

ADOPTED this 10th day of July, 2008.

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:

Scott Taylor, Director of the Department of Community Justice

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 08-100

Establishing Fees and Charges for Chapter 17, Community Justice, of the Multnomah County Code and Repealing Resolution No. 08-036

The Multnomah County Board of Commissioners Finds:

- a. Chapter 17, Community Justice, of the Multnomah County Code provides that the Board shall establish certain fees and charges by resolution.
- b. On April 10, 2008, the Board adopted Resolution 08-036 updating the fees for MCC Chapter 17.
- c. As recent parent education program developments (greater class length and staff changes) have increased the cost of providing the parent education class, it is necessary to increase the participation fee.
- d. Under ORS 423.570, a monthly fee is payable by persons on supervised release. The County, as the supervising community corrections program may establish the supervision fee (OAR 255-064-0020(2)), and the Board wishes to do so at this time.
- e. The County is also setting the Application Fee for each transfer application prepared under the Interstate Compact for Adult Offender Supervision (OAR 291-180-0465).
- f. All other fees established by Resolution 08-036 remain the same.

The Multnomah County Board of Commissioners Resolves:

1. The fees and charges for Chapter 17, Community Justice, of the Multnomah County Code are set as follows:

Section 17.003. ALTERNATIVE COMMUNITY SERVICE; FEE.

Multnomah County community corrections shall charge a fee of \$35.00 to any offender sentenced to a community service sentence of 40 hours or more. In the case of documented indigence, the fee shall be waived. All fees collected under this section shall be used to fund services provided by the alternative community service program. An offender under obligation to repay may petition the sentencing court for waiver of the fee under conditions of manifest hardship. No offender may be held in contempt for failure to pay if the default is not attributable to intentional refusal to pay.

Section 17.100. CONCILIATION SERVICE FEE.

A fee of \$10.00 shall be charged for the issuance of a marriage license or registering a Declaration of Domestic Partnership under the Oregon Family Fairness Act in addition to the fees prescribed in ORS 205.320. Fees collected pursuant to this section shall be used to finance the cost of conciliation services provided under ORS 107.510 to 107.610.

Section 17.101. DOMESTIC RELATIONS SUIT; FILING FEE.

(A) The Multnomah County portion of the fee for filing a domestic relations suit in the circuit court of Multnomah County shall be \$200.00 for filing an Annulment or Separation, Dissolution, Filiation, Custody or Support of a Child or Modification. The Multnomah County portion of the fee to respond to any of those filings shall be \$100. The Multnomah County portion of the fee for filing an expedited parenting time enforcement petition is \$41 and \$50 to respond. Total receipts from these filings shall be utilized to fund conciliation and mediation services provided by the family court services division.

(B) A child custody evaluation case-opening fee of \$150.00 shall be assessed in domestic relations suits in the circuit court of Multnomah County involving minor children, at the time court ordered custody investigation is instituted. Both parties to the suit are responsible for payment of the fee. The fee may be assessed as costs at the time of the decree.

(1) Total receipts from the case-opening fee shall be utilized to fund the Family Court Services Division. Persons eligible for legal aid counsel may have the custody evaluation case-opening fee deferred, upon application to and approval of the director of Family Court Services, or that person's designee.

(2) The director of Family Court Services shall establish written criteria to be used in reviewing application for fee deferral, consistent with local court rules regarding deferral of filing fees.

Section 17.102. PARENTING EDUCATION PROGRAM; FEE FOR PARTICIPATION.

(A) A fee of \$70.00 shall be collected from each parent participating in the parenting education program of the Department of Community Justice, Family Court Services. However, if registration occurs within 60 days of the date of filing an action, or 60 days after service is received, the fee shall be reduced to \$55.00.

Program attendance may be rescheduled as follows:

- if notice is given at least 24 hours prior to the start of the registered program, no additional fee is assessed;
- if less than 24 hours notice is given, a \$25.00 rescheduling fee is assessed.
- if no notice is given, the rescheduling fee is \$70.00.

Fees collected pursuant to this section shall be used to finance the cost of the Parent Education Program.

(B) The Department of Community Justice, Family Court Services shall establish policy and procedures whereby persons who are in financial difficulty may apply for a deferral of the fee, a waiver of the fee, or both.

2. SUPERVISION FEE. The Supervision Fee set by the County, as the supervising community corrections program under OAR 255-065-0020, is \$35.00.
3. INTERSTATE COMPACT APPLICATION FEE. The Application Fee set by the County for each transfer application prepared under the Interstate Compact for Adult Offender Supervision (OAR 291-180-0465), is \$50.
4. Resolution 08-036 is repealed.

ADOPTED this 10th day of July, 2008.

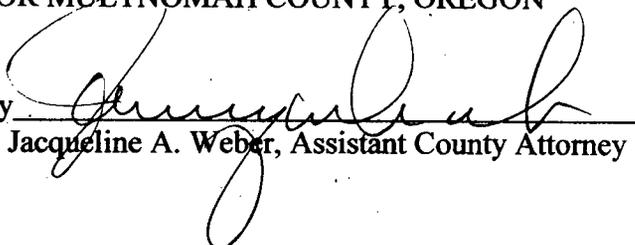


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:

Scott Taylor, Director of the Department of Community Justice



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/10/08
 Agenda Item #: R-5
 Est. Start Time: 10:15 AM
 Date Submitted: 06/24/08

Agenda Title: RESOLUTION Approving a Quitclaim Deed for Tract A of Partition Plat No. 1993-148 to the City of Portland

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

Requested Meeting Date: July 10, 2008 **Amount of Time Needed:** 5 minutes
Department: Community Services **Division:** Land Use & Trans Program
Contact(s): Brian Vincent P.E., Multnomah County Engineer or Patrick Hinds, Program Manager
Phone: (503) 988-5050 **Ext.** 29642 **I/O Address:** 425/2nd
Presenter(s): Brian Vincent or Patrick Hinds

General Information

1. What action are you requesting from the Board?

DCS Land Use and Transportation recommends that the Board approve the attached Resolution quitclaiming Tract A, a one-inch wide strip of land created by Partition Plat No. 1993-148, to the City of Portland.

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.

Tract A is a one-inch wide strip of land created by and conveyed to Multnomah County by Partition Plat No. 1993-148. Tract A is located at the easterly end of SE Cora Street at approximately SE 126th Ave. Tract A runs the entire width of SE Cora Street. Tract A was created in response to a development requirement imposed by the County.

This area was annexed by the City of Portland on June 29, 1994. When this area was annexed to Portland, jurisdiction of all roads within the area being annexed was transferred to the City. When this portion of SE Cora Street was created, Tract A did not appear to have been accepted for use in conjunction with SE Cora Street. Subsequently, when the road jurisdiction was transferred, Tract A may not have been recognized as a road asset subject to transfer. This Resolution has been prepared in response to a request from the City of Portland to transfer jurisdiction of Tract A to Portland.

Tract A is shown on the attached map.

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

None. The County does not maintain this one-inch wide strip of land.

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.

The City of Portland requested that this conveyance take place. The City of Portland will ultimately accept this Tract A into SE Cora Street, a City of Portland street, thereby removing the distinction non-access.

Required Signature

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



Date: 06/23/08

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

From: RYAN Matthew O

Sent: Thursday, June 19, 2008 11:11 AM

To: HINDS Patrick J

Subject: FW: Cora St. 1' strip Quitclaim Deed

Final version; actually tweaked the conveyance statement a little again to track with ORS 93.865 and added the consideration statement required under ORS 93.030(2).

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

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BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Approving a Quitclaim Deed for Tract A of Partition Plat No. 1993-148 to the City of Portland

The Multnomah County Board of Commissioners Finds:

- a. Tract A, Partition Plat No. 1993-148, is a one-foot wide strip of land shown on Partition Plat No. 1993-148, recorded in the Multnomah County Plat Records.
- b. Tract A, Partition Plat No. 1993-148, is a one-foot strip of land restricting access to SE Cora Street from abutting, undeveloped property outside of the partition plat.
- c. By the provisions written on the face of the Plat, the declarant's apparent intent was to "convey" Tract A, Partition Plat No. 1993-148, to the County.
- d. The County does not need to assess or verify the viability of this particular conveyance to resolve the present matter and reserves judgment in that regard.
- e. The territory within the Partition Plat No. 1993-148 (including Tract A) and the surrounding area including the affected streets was annexed to the City of Portland on June 29, 1994.
- f. At the time of annexation, jurisdiction of SE Cora Street was transferred to the City.
- g. The City believes that jurisdiction of Tract A, Partition Plat No. 1993-148, was not addressed when the transfer of SE Cora Street occurred. The City has requested that the County quitclaim Tract A to the City.
- h. The County's Land Use and Transportation Program (LUTP) has no need for Tract A, Partition Plat No. 1993-148.
- i. Tract A, Partition Plat No. 1993-148, should be an asset of the City, which is the proper road authority for SE Cora Street, and LUTP recommends the Board approve this quitclaim deed to the City.

The Multnomah County Board of Commissioners Resolves:

1. The Chair, on behalf of Multnomah County, is authorized to execute a deed, substantially conforming to the deed attached as Exhibit A, to the City of Portland quitclaiming the County's interest in Tract A, Partition Plat No. 1993-148.

ADOPTED this 10th day of July, 2008.

**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
Department of Community Services**

After recording return to:
Patrick Hinds
Transportation Division, Bldg. #425

Until a change is requested,
tax statements shall be sent to:
City of Portland
1221 SW 4th Ave.
Portland, OR 97204

Tract A, Partition Plat No. 1993-148
Item No. 07-20

QUITCLAIM DEED

MULTNOMAH COUNTY, a Political Subdivision of the State of Oregon, "Grantor," releases and quitclaims to the City of Portland, a Municipal Corporation of the State of Oregon, "Grantee," all right, title and interest to the following described real property:

Tract A, Partition Plat No. 1993-148, Multnomah County Plat Records.

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

The true and actual consideration paid for this transfer stated in terms of dollars is \$0.00. Other property or value was the whole consideration.

MULTNOMAH COUNTY has caused this deed to be executed by the Chair of the Multnomah County Board of Commissioners by authority of the Board heretofore entered of record.

Dated this 10th day of July, 2008

Ted Wheeler, Chair
Multnomah County Board of Commissioners

STATE OF OREGON)
) ss
County of Multnomah)

This instrument was acknowledged before me on July 10, 2008, by Ted Wheeler, County Chair, Multnomah County, authorized to execute the instrument.

Notary Public for Oregon
My Commission Expires: June 27, 2009

REVIEWED:
Agnes Sowle, County Attorney
For Multnomah County, Oregon

By _____
Matthew O. Ryan, Assistant County Attorney

Acknowledged and Agreed:

City of Portland

By: _____
City Engineer or his designee

STATE OF OREGON

County of Multnomah

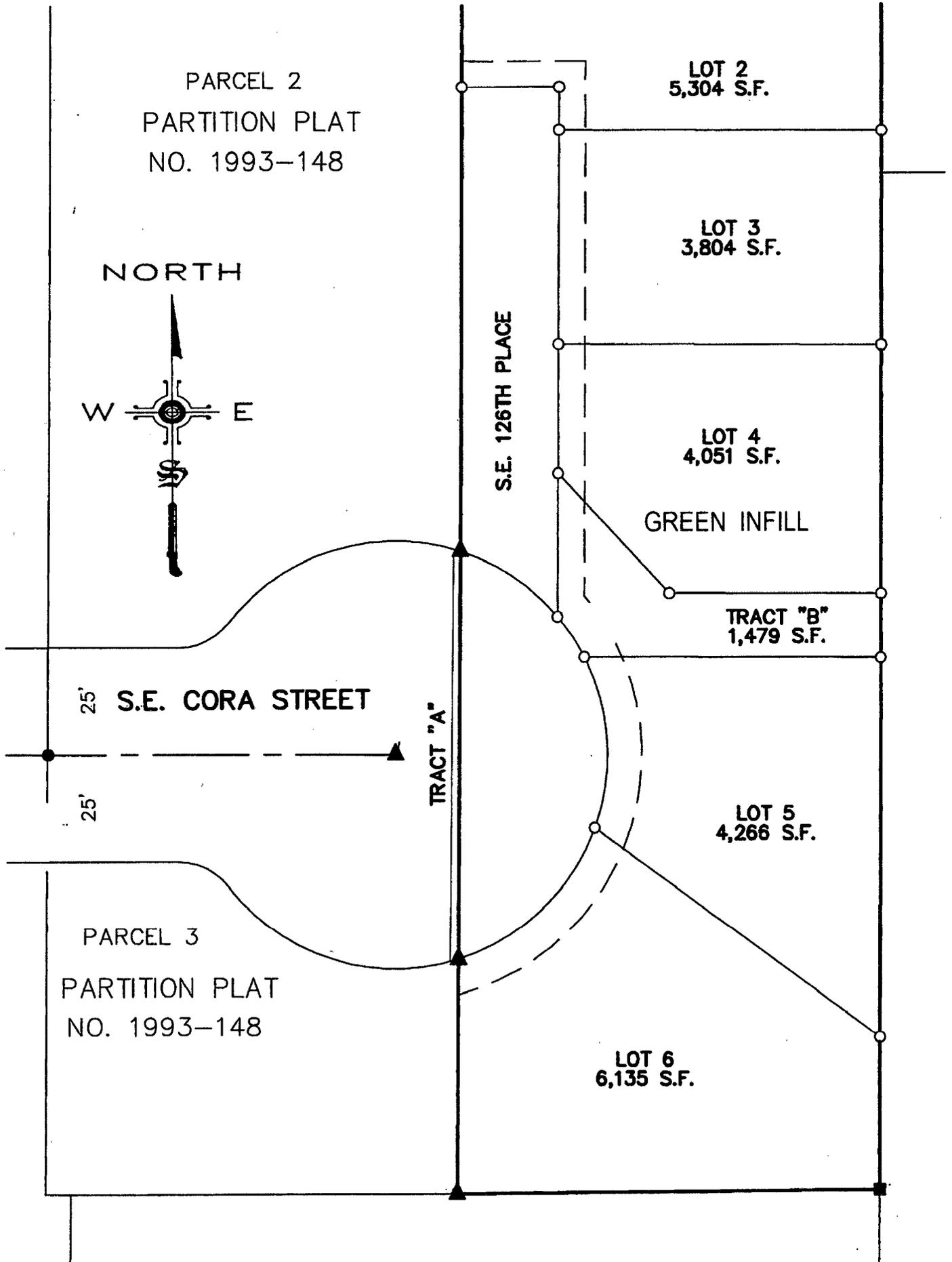
This instrument was acknowledged before me on _____, 2008, by Steve Townsen, City Engineer, or _____, his designee, for the City of Portland, a municipal corporation of the State of Oregon.

Notary Public for Oregon
My Commission expires _____

Approved as to form:

City Attorney

EXHIBIT MAP



BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 08-101

Approving a Quitclaim Deed for Tract A of Partition Plat No. 1993-148 to the City of Portland

The Multnomah County Board of Commissioners Finds:

- a. Tract A, Partition Plat No. 1993-148, is a one-foot wide strip of land shown on Partition Plat No. 1993-148, recorded in the Multnomah County Plat Records.
- b. Tract A, Partition Plat No. 1993-148, is a one-foot strip of land restricting access to SE Cora Street from abutting, undeveloped property outside of the partition plat.
- c. By the provisions written on the face of the Plat, the declarant's apparent intent was to "convey" Tract A, Partition Plat No. 1993-148, to the County.
- d. The County does not need to assess or verify the viability of this particular conveyance to resolve the present matter and reserves judgment in that regard.
- e. The territory within the Partition Plat No. 1993-148 (including Tract A) and the surrounding area including the affected streets was annexed to the City of Portland on June 29, 1994.
- f. At the time of annexation, jurisdiction of SE Cora Street was transferred to the City.
- g. The City believes that jurisdiction of Tract A, Partition Plat No. 1993-148, was not addressed when the transfer of SE Cora Street occurred. The City has requested that the County quitclaim Tract A to the City.
- h. The County's Land Use and Transportation Program (LUTP) has no need for Tract A, Partition Plat No. 1993-148.
- i. Tract A, Partition Plat No. 1993-148, should be an asset of the City, which is the proper road authority for SE Cora Street, and LUTP recommends the Board approve this quitclaim deed to the City.

The Multnomah County Board of Commissioners Resolves:

1. The Chair, on behalf of Multnomah County, is authorized to execute a deed, substantially conforming to the deed attached as Exhibit A, to the City of Portland quitclaiming the County's interest in Tract A, Partition Plat No. 1993-148.

ADOPTED this 10th day of July, 2008.



**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
Department of Community Services**

After recording return to:
Patrick Hinds
Transportation Division, Bldg. #425

Until a change is requested,
tax statements shall be sent to:
City of Portland
1221 SW 4th Ave.
Portland, OR 97204

Tract A, Partition Plat No. 1993-148
Item No. 07-20

QUITCLAIM DEED

MULTNOMAH COUNTY, a Political Subdivision of the State of Oregon, "Grantor," releases and quitclaims to the City of Portland, a Municipal Corporation of the State of Oregon, "Grantee," all right, title and interest to the following described real property:

Tract A, Partition Plat No. 1993-148, Multnomah County Plat Records.

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

The true and actual consideration paid for this transfer stated in terms of dollars is \$0.00. Other property or value was the whole consideration.

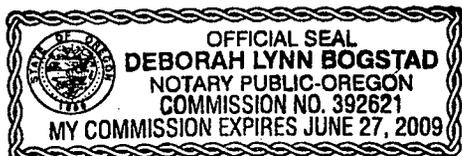
MULTNOMAH COUNTY has caused this deed to be executed by the Chair of the Multnomah County Board of Commissioners by authority of the Board heretofore entered of record.

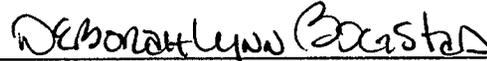
Dated this 10th day of July, 2008


Ted Wheeler, Chair
Multnomah County Board of Commissioners

STATE OF OREGON)
) ss
County of Multnomah)

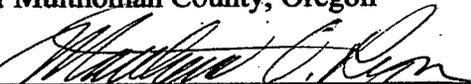
This instrument was acknowledged before me on July 10, 2008, by Ted Wheeler, County Chair, Multnomah County, authorized to execute the instrument.




Notary Public for Oregon
My Commission Expires: June 27, 2009

REVIEWED:

Agnes Sowle, County Attorney
For Multnomah County, Oregon

By 
Matthew O. Ryan, Assistant County Attorney

Acknowledged and Agreed:

City of Portland

By: _____
City Engineer or his designee

STATE OF OREGON

County of Multnomah

This instrument was acknowledged before me on _____, 2008, by Steve
Townsen, City Engineer, or _____, his designee, for the City of
Portland, a municipal corporation of the State of Oregon.

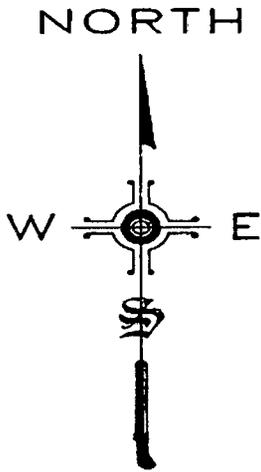
Notary Public for Oregon
My Commission expires _____

Approved as to form:

City Attorney

EXHIBIT MAP

PARCEL 2
PARTITION PLAT
NO. 1993-148



S.E. 126TH PLACE

LOT 2
5,304 S.F.

LOT 3
3,804 S.F.

LOT 4
4,051 S.F.

GREEN INFILL

TRACT "B"
1,479 S.F.

25' S.E. CORA STREET

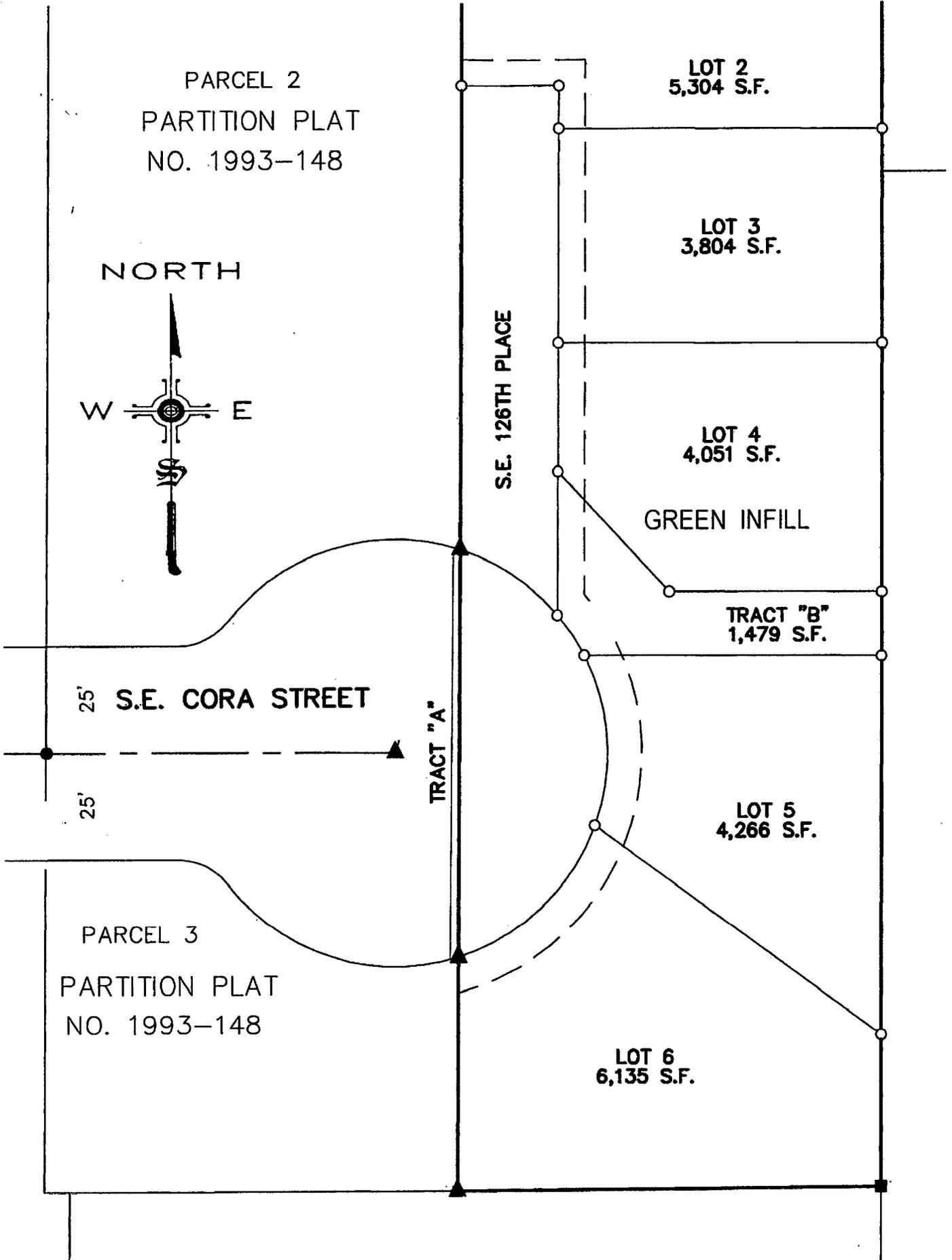
25'

TRACT "A"

LOT 5
4,266 S.F.

PARCEL 3
PARTITION PLAT
NO. 1993-148

LOT 6
6,135 S.F.





MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/10/08
Agenda Item #: R-6
Est. Start Time: 10:20 AM
Date Submitted: 06/30/08

RESOLUTION Authorizing the Temporary Closure of SE Jenne Road from SE Foster Road to SE 174th Avenue, from July 14, 2008 until November 14, 2008, to
Agenda Title: Enable the Construction of the Pleasant Valley Sewer Interceptor by the City of Gresham

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

Requested Meeting Date: July 10, 2008 **Amount of Time Needed:** 5 minutes
Department: Community Services **Division:** Land Use & Trans Program
Contact(s): Brian Vincent, P.E., County Engineer
Phone: (503) 988-5050 **Ext.** 29642 **I/O Address:** 425/2nd Fl.
Presenter(s): Brian Vincent, P.E., County Engineer

General Information

1. What action are you requesting from the Board?

Approval of a Resolution authorizing a four-month period to close SE Jenne Road, from July 14, 2008 through November 14, 2008.

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.

SE Jenne Road is a heavily traveled county road in East Multnomah County that provides an important cross connection between SE Powell Blvd and SE Foster Road.

The City of Gresham recently annexed the Pleasant Valley area. To accommodate that annexation, the extension of urban services is required. A Sanitary sewer trunk installation has recently been awarded by the City and its routing follows Jenne Road. This sewer will require very deep excavation in an already narrow roadway corridor. These elements when combined make for difficult and costly construction, and impart increased risk to motorists. To reduce the cost of construction, reduce risk to motorists and also to shorten the construction timeframe, the City has requested closure of SE Jenne Road for a four month period.

The Land Use and Transportation Program supports this request, as it is a superior alternative vs. trying to construct the sewer while maintaining full use traffic. Local access, emergency access and School Bus traffic will continue to have access at all times.

A detour route has been identified, studied for viability and approved by LUT and the City of Portland, who is also impacted by this project. Contact with the City of Portland has revealed that they are in support of this closure as well.

The sewer project is funded by the City of Gresham.

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

There will be no fiscal impact to Multnomah County as a result of this closure. All costs are borne by the City of Gresham.

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.

The City has held a series of public meetings for this project and has received approval and general support. Citizens are understandably concerned about the impact to them, but are supportive of the closure as it will yield the most rapid completion of work and resumption of traffic along SE Jenne Rd. The City of Portland has responsibility for a portion of Jenne Road and they have worked with LUT in coordinating responses to the City of Gresham.

This project will impact a Centennial School District Bus Route once the school session begins in the fall. Coordination with the District and the City has resulted in the District's concerns being met.

Required Signature

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



Date: 06/30/08

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Authorizing the Temporary Closure of SE Jenne Road from SE Foster Road to SE 174th Avenue, from July 14, 2008 until November 14, 2008, to Enable the Construction of the Pleasant Valley Sewer Interceptor by the City of Gresham

The Multnomah County Board of Commissioners Finds:

- a. The County Engineer has determined the construction of this project will entail very deep excavations along a narrow and poorly lit corridor. The resultant infringement to the road will render passage unsafe during the construction for the high traffic volume that typically uses this route period. An adequate detour route has been identified by the City of Gresham.
- b. Construction of the interceptor requires the closure of a portion of SE Jenne Road for approximately four months. This portion of SE Jenne Road needs to be closed due to the nature of the work being performed and to maintain the safest conditions possible for the local citizens and the traveling public from July 14, 2008 until November 14, 2008.
- c. The City of Portland is also affected by this project. The appropriate transportation staff with the Portland Department of Transportation has reviewed the project and is in agreement with this closure.
- d. Local emergency services and the affected school district have been alerted and provisions have been made to provide immediate access through the construction site when any of these vehicles are present.
- e. Local residents will be allowed access through the construction site, but will experience delays due to construction during activity.
- f. The City of Gresham has developed a Public Relations plan and will provide advance warning of the closure to local residents. Appropriate signage and message boards will be utilized as part of that plan. The project information boards will provide a telephone number for receipt of any concerns.
- g. The Board's policy objectives are to mitigate negative economic impacts, ensure the safety of road users and workers, incorporate sustainability practices, and limit disruptions to traffic and the lifespan of the entire transportation system.

- h. The City of Gresham has met with and coordinated with the local residents over the last several months to help plan for and reduce impacts to the community.

The Multnomah County Board of Commissioners Resolves:

1. The Multnomah County Land Use and Transportation Program is authorized to close SE Jenne Road, a County road, to all vehicular traffic between SE Foster Road, north to SE 174th, from July 14, 2008 until November 14, 2008.

ADOPTED this 10th day of July, 2008.

**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
Department of Community Services**

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 08-102

Authorizing the Temporary Closure of SE Jenne Road from SE Foster Road to SE 174th Avenue, from July 14, 2008 until November 14, 2008, to Enable the Construction of the Pleasant Valley Sewer Interceptor by the City of Gresham

The Multnomah County Board of Commissioners Finds:

- a. The County Engineer has determined the construction of this project will entail very deep excavations along a narrow and poorly lit corridor. The resultant infringement to the road will render passage unsafe during the construction for the high traffic volume that typically uses this route period. An adequate detour route has been identified by the City of Gresham.
- b. Construction of the interceptor requires the closure of a portion of SE Jenne Road for approximately four months. This portion of SE Jenne Road needs to be closed due to the nature of the work being performed and to maintain the safest conditions possible for the local citizens and the traveling public from July 14, 2008 until November 14, 2008.
- c. The City of Portland is also affected by this project. The appropriate transportation staff with the Portland Department of Transportation has reviewed the project and is in agreement with this closure.
- d. Local emergency services and the affected school district have been alerted and provisions have been made to provide immediate access through the construction site when any of these vehicles are present.
- e. Local residents will be allowed access through the construction site, but will experience delays due to construction during activity.
- f. The City of Gresham has developed a Public Relations plan and will provide advance warning of the closure to local residents. Appropriate signage and message boards will be utilized as part of that plan. The project information boards will provide a telephone number for receipt of any concerns.
- g. The Board's policy objectives are to mitigate negative economic impacts, ensure the safety of road users and workers, incorporate sustainability practices, and limit disruptions to traffic and the lifespan of the entire transportation system.

- h. The City of Gresham has met with and coordinated with the local residents over the last several months to help plan for and reduce impacts to the community.

The Multnomah County Board of Commissioners Resolves:

1. The Multnomah County Land Use and Transportation Program is authorized to close SE Jenne Road, a County road, to all vehicular traffic between SE Foster Road, north to SE 174th, from July 14, 2008 until November 14, 2008.

ADOPTED this 10th day of July, 2008.

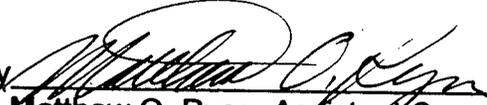
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON




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
Department of Community Services



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/10/08
Agenda Item #: R-7
Est. Start Time: 10:25 AM
Date Submitted: 06/23/08

Agenda Title: **First Reading of a Proposed ORDINANCE Amending Multnomah County Code Chapters 15, Sheriff, and 21, Health, Relating to Specified Animals and Adding an Appeals Process for Health Licenses and Permits**

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

Requested Meeting Date: July 10, 2008 **Amount of Time Needed:** 10 minutes
Department: Health **Division:** Community Health Services
Contact(s): Chris Wirth, Lila Wickham
Phone: 503-988-3464 **Ext.** 222 **I/O Address:** 312/Vector
Presenter(s): Chris Wirth, Ruth Jones

General Information

1. What action are you requesting from the Board?

Approve first reading of ordinance amending Health Code Enforcement Laws (MCC §§ 15 and 21) relating to specified animals and adding an appeals process for health licenses and permits.

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 Code Enforcement program enforces and permits specified animals such as chickens, bees, and livestock in the City of Portland for enhanced livability. In February 2008, the City of Portland designated the Code Enforcement program through code revision to provide a hearing and appeals process for specified animals. The Environmental Health section enforces and administers health licenses such as restaurants, swimming pools, and child care.

This ordinance clarifies the hearing and appeals process for denial of licenses and permits for specified animals and other health licenses and permits in Multnomah County.

This change affects Program Offer #40007 and #40008 and would enhance the current program

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending MCC Chapters 15, Sheriff, and 21, Health, Relating to Specified Animals and Adding an Appeals Process for Health Licenses and Permits

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

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County Vector Control enforces Portland City Code (PCC) Title 13 with respect to specified animals through an intergovernmental agreement with the City.
- b. County Vector Control has recently been advised that the Portland City Council passed Ordinance No. 181539 on January 16, 2008. That ordinance revised the City's specified animal regulations, deleted its enforcement and appeals procedures (PCC 13.05.045 and 13.05.050), and replaced PCC 13.05.045 with the following: "All enforcement of this Chapter by the Director shall follow the procedures set forth in Multnomah County Code Chapters 15.225-15.236."
- c. As the County's Nuisance Control Law (MCC §§ 15.225-15.236) and MCC Chapter 21, Health, do not contain references to specified animals or an appeals process for certain health licenses and permits, it is necessary to amend our code accordingly.

Multnomah County Ordains as follows:

Section 1. MCC Chapter 21 is amended to add sections 21.950 and 21.990 as follows:

§ 21.950 Specified Animals.

(A) For purposes of this chapter, the following definitions apply unless the context requires a different meaning:

Livestock. Animals, including but not limited to, fowl, horses, mules, burros, asses, cattle, sheep, goats, llamas, emu, ostriches, rabbits, swine, or other farm animals excluding dogs and cats.

Specified Animals: Bees or livestock.

Specified Animal Facility. A permitted site for the keeping of one or more specified animals, including but not limited to a stable, structure or other form of enclosure.

(B) For services of the department in connection with licensing or permitting specified animals or a specified animal facility, the department will collect fees to recover the cost of providing such services as provided in MCC § 21.002.

§ 21.990 Appeals and Hearings.

(A) A person receiving a notice of denial, refusal to renew, suspension, or revocation of a license or permit for specified animals, specified animal facility and other health licenses (for swimming pools, food services and tourist facilities) as provided in this chapter, may request a hearing in accordance with the applicable portions of MCC § 15.231.

Section 2. MCC § 15.231 is amended as follows:

§ 15.231 Appeals and Hearings.

(A) Any person receiving a notice under § 15.230(D), (E) or (F) may request a hearing by writing the Health Officer or Sheriff within seven days of the date of the notice.

(B) A person receiving a notice of denial, refusal to renew, suspension, or revocation of license or permit for specified animals, specified animal facility and other health licenses, as provided in MCC § 21.990, may request a hearing by writing the Health Officer within seven days of the date of the notice.

(BC) The Health Officer or Sheriff shall, upon receipt of request for a hearing, promptly notify the hearings officer who shall set a time and place for the hearing at the earliest possible time and shall 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.

(CD) The person requesting the hearing and the Health Officer or Sheriff may make argument, submit testimony, cross examine witnesses and submit rebuttal evidence on the pertinent issues. Any party may be represented by counsel.

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

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

(FG) After the hearing, the hearings officer shall 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 Health Officer or Sheriff.

(GH) If the hearings officer finds the nuisance to exist, the order shall set a date for abatement to be accomplished by the owner.

(HI) If the hearings officer determines that anything removed under § 15.230(F) no longer constitutes a nuisance or can be released upon such condition as the hearings officer may prescribe that will eliminate the nuisance, the person requesting the hearing may claim it upon paying the expense incurred in its removal and storage.

(I) If the hearings officer determines there was a wrongful abatement under § 15.230(F), the hearings officer may order the Health Officer or Sheriff to make reasonable restitution.

(JK) Hearings involving the Health Officer shall be conducted in accordance with applicable portions of ORS 183.413 to ORS 183.470.

FIRST READING:

July 10, 2008

SECOND READING AND ADOPTION:

July 17, 2008

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, Department of Health



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/10/08
Agenda Item #: R-8
Est. Start Time: 10:30 AM
Date Submitted: 05/29/08

Agenda Title: **PUBLIC HEARING and Board Decision of Taxpayers Raymond and Mary Rask's Appeal of the Administrator's Final Determination Regarding their 2003, 2004 and 2005 Multnomah County Income Tax (ITAX) Obligations Pursuant to ITAX Administrative Rule 11-614 [Continued from June 19, 2008]**

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

Requested Meeting Date: July 10, 2008 **Amount of Time Needed:** 15 mins
Department: County Management **Division:** Finance/ITAX Administration
Contact(s): Mindy Harris
Phone: (503) 988-3786 **Ext.** 83786 **I/O Address:** 503/531
Presenter(s): Mindy Harris

General Information

1. What action are you requesting from the Board?

Taxpayers Raymond and Mary Rask challenged the Administrator's final determination regarding their 2003, 2004 and 2005 ITAX obligations, and timely notified the Administrator of their wish to appeal to the Board of County Commissioners pursuant to ITAX Administrative Rule 11-614 Appeal Rights. In each case, the Board must determine whether the taxpayer is subject to the tax, and the amount of their obligation. The Board's decision regarding the taxpayer's obligation is final.

2. Please provide sufficient background information for the Board and the public to understand this issue.

Taxpayers have the right to appeal any determination of the Administrator of the Multnomah County Income Tax by filing written protest. Mr. Raymond. Rask filed such a protest, and is entitled to a hearing before the Board of County Commissioners.

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

If the Board determines taxpayers were full year residents in Multnomah County for tax years 2003,

2004 and 2005, the outstanding balance owed for all three years is \$3,805.00.

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

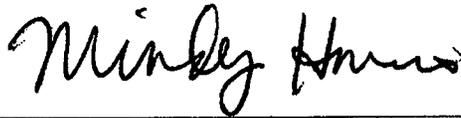
The Board will determine whether the ITAX Administrator properly found that the taxpayers' primary residence was in Multnomah County for tax years 2003, 2004 and 2005

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

The Administrator has provided a written response to the taxpayers' appeal. The taxpayers may present relevant testimony and oral argument to the Board, and the Administrator may respond with relevant testimony and oral argument.

Required Signature

Elected Official /or
Department/
Agency Director:



Date: 05/29/08



Deborah Bogstad, Board Clerk

MULTNOMAH COUNTY OREGON

Multnomah County Board of Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, Oregon 97214
(503) 988-3277 phone
(503) 988-3013 fax

May 29, 2008

Mr. and Mrs. Raymond Rask
14741 NE Stanton Court
Portland, OR 97230-3757

RE: NOTICE OF HEARING ON MULTNOMAH COUNTY INCOME TAX
APPEAL [Account Numbers 26483284285 and 26483284294]

Greetings Mr. and Mrs. Rask:

You filed a Notice of Appeal from the Final Letter of
Determination regarding your 2003, 2004, 2005 Multnomah County
Income Taxes.

A hearing has been scheduled for you to present your appeal
before the Multnomah County Board of Commissioners on **Thursday,
June 19, 2008, at 10:00 a.m. in the first floor Commissioners
Boardroom at 501 SE Hawthorne Boulevard, Portland.** At that
time you may present relevant testimony and oral argument regarding
your appeal. The ITAX Administrator will also be in attendance to
present relevant testimony and oral argument.

The decision of the Multnomah County Board of Commissioners
shall be final and no further administrative appeal shall be provided.

This Notice is provided pursuant to ITAX Administrative Rules
for the Multnomah County Personal Income Tax, Section 11-614,
Appeal Rights.

Sincerely,

Deborah L. Bogstad, Board Clerk
Multnomah County Commissioners

cc: Mindy Harris
Jacquie Weber

Multnomah County Personal Income Tax

PO Box 279
Portland, OR 97207-0279
503-988-ITAX (4829)
www.multcotax.org



The notice of appeal shall state the name and address of the taxpayer(s) and include a copy of the final determination.

The written notice of appeal should be directed to the Multnomah County Board of Commissioners, P.O. Box 279, Portland, Oregon 97207-0279.

You have 90 days from the date the final determination was mailed to you to file a written statement with the Multnomah County Board of Commissioners which should indicate:

- The reason(s) the Administrator's determination is incorrect.
- What the correct determination should be.

Failure to file this statement within the 90 day time period shall be deemed to be a waiver of any objections and the appeal will be dismissed.

The Administrator has 150 days from the date the final determination was mailed to file a written response to your statement with the Multnomah County Board of Commissioners. You will receive a copy of this response.

The Multnomah County Board of Commissioners will hear the appeal on the basis of the written statements and any additional statements as required. You will be given not less than 7 days prior written notice of the hearing date and location. You will have the opportunity to present relevant testimony and oral arguments.

You will be notified of the Multnomah County Board of Commissioner's determination in writing. The decision of the Commissioners is the only administrative appeal and their decision is final.

Extensions

The Administrator may extend the time for filing of the protest or the written statement of appeal for good cause. If the Administrator extends the time for filings on its own behalf, you will be notified in writing.

The filing of a protest or an appeal with the Multnomah County Board of Commissioners suspends the obligation to pay any tax, penalty or interest that is the subject of the protest or appeal until such time as the protest determination or appeal decision is issued.



Department of County Management

MULTNOMAH COUNTY OREGON

Mindy Harris, CFO, ITAX Administrator
501 SE Hawthorne, Suite 531
Portland, Oregon 97214
(503) 988-3786 phone
(503) 988-5725 fax

TO: Board of County Commissioners

FROM: Mindy Harris, Chief Financial Officer, ITAX Administrator

DATE: May 14, 2008

SUBJECT: Multnomah County Personal Income Tax Appeal of
Raymond and Mary Rask
Account # 26483284285 & 26483284294
Tax years 2003, 2004 and 2005

Issue

Mr. and Mrs. Rask (Appellants) did not file Multnomah County Personal Income Tax (ITAX) returns for the tax years listed above. Further, they are appealing ITAX Administrator's assessment to pay ITAX as full-year County Residents.

Facts

For state income tax purposes, the appellants have filed as full-year residents of the State of Oregon for the tax years 2003, 2004 and 2005, using the address of 14741 NE Stanton Court. They purchased this residence in August of 2002 and updated their Oregon driver's licenses and their Multnomah County voter's registrations to this address soon after. According to Multnomah County Elections office, they have voted, and continue to vote, as Multnomah County residents.

Discussion

The Appellants claim that they should not have to pay the ITAX as they are not residents of Multnomah County, having retired to their beach home in Manzanita, Oregon in 2002. However, Mr. Rask states he continued to work part-time with his law firm after retirement. The couple sold their large family home in the same year and purchased a condominium on NE Stanton. They admit that they spend two to three days a week in this condo. They also state that this condo on NE Stanton is kept only for the convenience of their family and to receive mail since there is no mail service at their Manzanita residence.

Voting records indicate that both appellants have voted in Multnomah County from 1992 through 2006. In order to vote as a Multnomah County resident, a signed declaration must be made that the voter is domiciled in Multnomah County. The Appellants also maintain the Multnomah County address as their legal address for purposes of their

Oregon Driver's licenses and use that address for registration of all vehicles, although several of them show Tillamook County as county of use.

According to Oregon Revised Statute 316.027 which is specifically adopted into the ITAX Administrative Rules, individuals may have many residences but only one legal domicile. Once a domicile is established, it is never changed until one intends to abandon the old domicile; acquires a new specific domicile and is physically present in the new domicile.

Conclusion

Based on the above facts, the appellants are deemed to be full-year Multnomah County residents and are subject to the ITAX. They have not abandoned Multnomah County as their county of residence as is required to change domicile. Voting records as well as driver's licenses and automobile registration support the conclusion that Multnomah County is their county of residence. The appellants did not take any of the steps required by law to establish a change in their domicile.

Based on these conclusions, the Multnomah County ITAX Administrator is correct in assessing ITAX on all income for tax years 2003, 2004, and 2005.

cc Mr. & Mrs. Raymond Rask
Satish Nath – Finance & Risk
Jacquie Weber – County Attorney's Office

Multnomah County Personal Income Tax

PO Box 279
Portland, OR 97207-0279
503-988-ITAX (4829)
www.multcotax.org



Your Right to Appeal

You have the right to appeal the determination of the Administrator that you owe additional Multnomah County personal income tax. Your appeal rights are defined in the ITAX Administrative Rules in § 11-614. The following discusses the various steps and procedures in the Appeals Process.

FILE A WRITTEN PROTEST WITH THE ADMINISTRATOR

You have 30 days after you receive the initial letter of determination to file a protest with the Administrator. This protest must be in writing and should explain the reason that you disagree with the determination and should include any necessary evidence to support your position. Your protest will be reviewed by the Administrator, or his designee, as quickly as possible. If the review will take more than 30 days, the Administrator will notify you of this in writing.

The Administrator will either issue you a revised initial letter of determination or issue a final letter of determination after reviewing your protest and evidence.

Revised Initial Letter of Determination If the Administrator's review finds that there were errors in the initial determination under protest or that you were not a County resident, the Administrator will correct the errors and issue a revised initial letter of determination. If you disagree with the revised billing, you have 30 days to renew your protest, in writing with supportive evidence. If you agree with the revised initial letter of determination, you have 30 days to make payment.

Final Letter of Determination A final letter of determination will be issued by the Administrator if, as a result of the review of your protest, no errors were made and the billing was in accordance with the Multnomah County personal income tax law. The letter will explain the sections of the County law and Administrative Rules that support the Administrator's position and reaffirm the previous billing.

If you disagree with this final determination you have 30 days to file a written notice of appeal with the Multnomah County Board of Commissioners.

If you agree with the final letter of determination, you have 30 days to make payment.

FILE AN APPEAL WITH THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

You may appeal a final letter of determination made by the Administrator by filing a written notice of appeal within 30 days after the final determination was mailed or delivered to you.

Multnomah County Personal Income Tax
ITAX Administrator
PO Box 279
Portland, OR 97207-0279
503-988-ITAX (4829)
www.multcotax.org



January 2, 2008

Final Letter of Determination

The ITAX Administrator has reviewed your protest under the provisions of ITAX Administrative Rule § 11-614(A) and has denied your protest and issues this Final Letter of Determination.

Based on the evidence submitted, the Administrator has determined that you are a Multnomah County resident for the 2005 tax year as defined in § 11-605 and subject to the ITAX under § 11-625. While an individual may have more than one residence, an individual can only have one legal domicile, and that domicile determines taxation status. In order to change domiciles, an individual must demonstrate a clear intent to abandon the old domicile and establish a new one.

It is clear that, although you changes residences within Multnomah County in 2002, you never abandoned Multnomah County as your legal domicile. You have maintained your Oregon Driver's Licenses at your Multnomah County address, your vehicles were registered under your name at that address, and you use that address for official mailing purposes, including your Oregon income tax returns. In addition, you both continue to vote as Multnomah County residents. By voting in Multnomah County, you have made a legal declaration that you are domiciled in Multnomah County.

You have 30 days from the date of this letter to pay this billing or to file a written notice of appeal. If you file a written notice of appeal within the 30 days allowed by the administrative rules, you must then file a written statement with the facts and legal issues relating to your appeal to the Multnomah County Board of Commissioners within 90 days from the date of this letter.

You may refer to "Your Right to Appeal" for information regarding the content of this statement and the appeals process at our website at www.multcotax.org or call the Help Desk at (503) 988 - ITAX (4829) for any clarification.

 DETACH AND RETURN WITH PAYMENT



MULTNOMAH COUNTY ITAX
PO BOX 279
PORTLAND, OR 97207-0279

ACCOUNT #	DUE DATE	PMT DUE
26483284285		
26483284294	2/1/08	\$197.00

TAX YEAR 2005

*Please make your check payable to Multnomah County ITAX.
Please do not include any other correspondence with your payment.
Payments due on weekends or holidays must be received the previous business day.
Postmark is not receipt.*

AMOUNT ENCLOSED

\$

RAYMOND RASK & M RASK
14741 NE STANTON CT
PORTLAND OR 97230-3757

MULTNOMAH COUNTY ITAX
PO BOX 279
PORTLAND, OR 97207-0279

Multnomah County Personal Income Tax
ITAX Administrator
PO Box 279
Portland, OR 97207-0279
503-988-ITAX (4829)
www.multcotax.org



January 2, 2008

Final Letter of Determination

The ITAX Administrator has reviewed your protest under the provisions of ITAX Administrative Rule § 11-614(A) and has denied your protest and issues this Final Letter of Determination.

Based on the evidence submitted, the Administrator has determined that you are Multnomah County residents for the 2003 tax year as defined in § 11-605 and subject to the ITAX under § 11-625. While an individual may have more than one residence, an individual can only have one legal domicile, and that domicile determines taxation status. In order to change domiciles, an individual must demonstrate a clear intent to abandon the old domicile and establish a new one.

It is clear that, although you changes residences within Multnomah County in 2002, you never abandoned Multnomah County as your legal domicile. You have maintained your Oregon Driver's Licenses at your Multnomah County address, your vehicles were registered under your name at that address, and you use that address for official mailing purposes, including your Oregon income tax returns. In addition, you both continue to vote as Multnomah County residents. By voting in Multnomah County, you have made a legal declaration that you are domiciled in Multnomah County.

You have 30 days from the date of this letter to pay this billing or to file a written notice of appeal. If you file a written notice of appeal within the 30 days allowed by the administrative rules, you must then file a written statement with the facts and legal issues relating to your appeal to the Multnomah County Board of Commissioners within 90 days from the date of this letter.

You may refer to "Your Right to Appeal" for information regarding the content of this statement and the appeals process at our website at www.multcotax.org or call the Help Desk at (503) 988 – ITAX (4829) for any clarification.

 DETACH AND RETURN WITH PAYMENT



MULTNOMAH COUNTY ITAX
PO BOX 279
PORTLAND, OR 97207-0279

ACCOUNT #	DUE DATE	PMT DUE
26483284285		
26483284294	2/1/08	\$3,502.00

TAX YEAR 2003

*Please make your check payable to Multnomah County ITAX.
Please do not include any other correspondence with your payment.
Payments due on weekends or holidays must be received the previous business day.
Postmark is not receipt.*

AMOUNT ENCLOSED
\$

RAYMOND RASK & M RASK
14741 NE STANTON CT
PORTLAND OR 97230-3757

MULTNOMAH COUNTY ITAX
PO BOX 279
PORTLAND, OR 97207-0279

Multnomah County Personal Income Tax
ITAX Administrator
PO Box 279
Portland, OR 97207-0279
503-988-ITAX (4829)
www.multcotax.org



January 2, 2008

Final Letter of Determination

The ITAX Administrator has reviewed your protest under the provisions of ITAX Administrative Rule § 11-614(A) and has denied your protest and issues this Final Letter of Determination.

Based on the evidence submitted, the Administrator has determined that you are a Multnomah County resident for the 2004 tax year as defined in § 11-605 and subject to the ITAX under § 11-625. While an individual may have more than one residence, an individual can only have one legal domicile, and that domicile determines taxation status. In order to change domiciles, an individual must demonstrate a clear intent to abandon the old domicile and establish a new one.

It is clear that, although you changes residences within Multnomah County in 2002, you never abandoned Multnomah County as your legal domicile. You have maintained your Oregon Driver's Licenses at your Multnomah County address, your vehicles were registered under your name at that address, and you use that address for official mailing purposes, including your Oregon income tax returns. In addition, you both continue to vote as Multnomah County residents. By voting in Multnomah County, you have made a legal declaration that you are domiciled in Multnomah County.

You have 30 days from the date of this letter to pay this billing or to file a written notice of appeal. If you file a written notice of appeal within the 30 days allowed by the administrative rules, you must then file a written statement with the facts and legal issues relating to your appeal to the Multnomah County Board of Commissioners within 90 days from the date of this letter.

You may refer to "Your Right to Appeal" for information regarding the content of this statement and the appeals process at our website at www.multcotax.org or call the Help Desk at (503) 988 – ITAX (4829) for any clarification.

af DETACH AND RETURN WITH PAYMENT



MULTNOMAH COUNTY ITAX
PO BOX 279
PORTLAND, OR 97207-0279

ACCOUNT #	DUE DATE	PMT DUE
26483284285		
26483284294	2/1/08	\$106.00

TAX YEAR 2004

*Please make your check payable to Multnomah County ITAX.
Please do not include any other correspondence with your payment.
Payments due on weekends or holidays must be received the previous business day.
Postmark is not receipt.*

AMOUNT ENCLOSED
\$

RAYMOND RASK & M RASK
14741 NE STANTON CT
PORTLAND OR 97230-3757

MULTNOMAH COUNTY ITAX
PO BOX 279
PORTLAND, OR 97207-0279

540 - 38 - 4907

RAYMOND M. RASK
1200 SW MAIN
PORTLAND, OR 97205
(503) 221-1772

no ck
RECEIVED MAR 27 2008

March 26, 2008

Multnomah County Personal Income Tax
ITAX Administrator
P. O. Box 279
Portland, OR 97207-0279

Re: **Appeal of Assessment on Account Nos. 26483284285 and 26483284294**

Dear Sir/Madam:

In considering my appeal, please review my letters to you of October 12, 2004 with the exhibits and my letter of December 11, 2007, as well as my Notice of Appeal dated January 9, 2008.

To supplement the above, I would add that recently we spend more time in Multnomah County, since my wife was diagnosed with incurable cancer so our plans have changed for her to receive the medical treatment she requires.

But to reiterate, I went on adjusted status with my law firm in 2002. Our intention was always to retire to our home in Manzanita, Tillamook County, Oregon. We sold our large home in Portland and purchased a small condominium in Portland to stay approximately 2 to 3 days a week. We purchased our home in Manzanita in the late 1980s. It was our intention to live there on a full time basis with occasional visits to Portland for family reasons. This happened until 2007 when my wife's health changed our intention.

Factually and legally, I would advise that during the time in question, we were not residents domiciled in Multnomah County. Thus, the assessments must not be allowed.

If I can furnish any further information, including oral testimony, I would be pleased to comply. Thank you for considering this matter.

I remain

Very truly yours,


RAYMOND M. RASK

RAYMOND M. RASK
1200 SW MAIN
PORTLAND, OR 97205
(503) 221-1772

January 9, 2008

Multnomah County Personal Income Tax
ITAX Administrator
P. O. Box 279
Portland, OR 97207-0279

Re: **Appeal of Assessment on Account Nos. 26483284285 and
26483284294**

NOTICE OF APPEAL

Dear Sir/Madam:

This letter is to serve notice of appeal of the above assessments. This appeal is based on the fact that during the time in question we elected to be domiciled in Tillamook County, that was our intention, although we maintained a small condo in Portland to receive our mail and to stay when we were in Portland. Our vehicles were registered in Tillamook County. Our home in Manzanita does not have mail service so we kept the Portland address for our mail.

I am attaching earlier correspondence to you regarding this matter. In Oregon, the determining factor as to where a party is domiciled is the intent of the parties. It was our intent to be domiciled in Manzanita, Tillamook County, Oregon. Our autos were registered there and we spend about 4 to 5 days a week there. We have maintained the condo in Multnomah County for a convenience to our family.

If you will review the attached letters sent to you along with this formal notice of appeal, I am confident that you will come to the conclusion, based on our intent, that we were domiciled during that certain period of time in Tillamook County, Oregon.

I remain

Very truly yours,

RAYMOND M. RASK

RAYMOND M. RASK
1200 SW MAIN
PORTLAND, OR 97205
(503) 221-1772

December 11, 2007

Multnomah County Personal Income Tax
ITAX Administrator
P. O. Box 279
Portland, OR 97207-0279

Re: **Account Nos. 26483284285 and 26483284294**

Dear Sir/Madam:

I have received your most current correspondence indicating that I have a delinquency for the Multnomah County Personal Income Tax.

It is my position that I do not owe this tax because I was not a resident of Multnomah County during the years in question.

On October 12, 2004, I wrote you a letter wherein I explained that in 2002 we sold our primary residence in Portland and considered the property at 8890 Gleneslin Lane, Manzanita, Tillamook County, Oregon, as our primary residence, although we do maintain a small condominium in Portland at 14741 NE Stanton Court. I also enclosed copies of our real property tax statement for Tillamook County, Oregon demonstrating during the years July 1, 2002 to the present that we paid property taxes in Tillamook County, Oregon. I also enclosed copies of utility bills.

In late 2002, I adjusted my status at the law firm where I work, and only work on a part time basis. Therefore, it is my position that I do not owe this tax.

I remain

Very truly yours,

RAYMOND M. RASK

COPY

RAYMOND M. RASK
1200 SW MAIN
PORTLAND, OR 97205
(503) 221-1772

October 12, 2004

Multnomah County Personal Income Tax
ITAX Administrator
P. O. Box 279
Portland, OR 97207-0279

Re: **Account Nos. 26483284285 and 26483284294**

Dear Sir/Madam:

My wife and I did not file a Multnomah County Personal Income Tax return for the year 2003 for the following reasons:

Beginning in late 2002, we sold our primary residence in Portland and considered the property at 8890 Glenslin Lane, Manzanita, Tillamook County, Oregon, as our primary residence, although we do maintain a small condominium in Portland at 14741 N. E. Stanton Court, Portland, Oregon. In support of this contention that our primary residence now is in Tillamook County, Oregon, I am enclosing copies of the real property tax statement from Tillamook County, Oregon demonstrating during the years July 1, 2002 to June 30, 2003 and July 1, 2003 to June 30, 2004 showing that we paid property taxes in Tillamook County, Oregon.

Initially, I just picked up a copy of some of our utility bills for that residence for that period of time.

Although we do have a secondary residence in Multnomah County, Oregon, it is our view that our primary residence is in Tillamook County, Oregon, and therefore would not be subjected to the Multnomah County Personal Income Tax.

If you feel differently about this, please advise.

I remain

Very truly yours,

RAYMOND M. RASK

Enclosures

COPY

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

DRAFT

ORDER NO. _____

Order Denying Appeal of Raymond and Mary Rask of ITAX Administrator's Final Determination

The Multnomah County Board of Commissioners Finds:

- a. Raymond and Mary Rask timely filed a Notice of Appeal from the Administrator's Final Letter of Determination of their 2003, 2004, 2005 Multnomah County Income Tax.
- b. Appellants challenge the County's imposition of the Multnomah County Income Tax (ITAX) as unlawfully applied to them as they maintained two homes during the tax years, living for a greater fraction of each year outside Multnomah County. The ITAX was approved by the voters as an income tax on taxable income under Oregon law. The evidence submitted to the Board established that the Appellants were registered to vote in Multnomah County and did vote in Multnomah County from 1992 through 2006. In order to vote as a Multnomah County resident, a signed declaration must be made that the voter is domiciled in Multnomah County. Appellants also maintain the Multnomah County address as their legal address for purposes of their Oregon Driver's licenses and use that address for registration of all of their vehicles, although several show Tillamook County as the county of use. In addition, the taxpayers did not sell or otherwise abandon their Multnomah County residence and testified that they spend two to three days each week at their condominium on NE Stanton in Portland. Oregon law states that once a domicile is established, it is not lost until all of the following happen: the resident intends to abandon the old domicile, the resident intends to acquire a new specific domicile and the resident is physically present in the new domicile.
- c. The County's decision to apply the tax to the taxpayers as full year residents for each tax year was appropriate, because taxpayers did not establish a domicile as defined by Oregon law outside of Multnomah County during any of the three tax years.
- d. The imposition of the ITAX on Appellants is lawful.

The Multnomah County Board of Commissioners Orders:

1. Raymond and Mary Rask's Appeal of the Administrator's Determination of their 2003, 2004, 2005 Multnomah County Income Tax liability is denied.

ADOPTED this 17th day of July, 2008.

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:
Agnes Sowle, Multnomah County Attorney

BOGSTAD Deborah L

From: BOGSTAD Deborah L
Sent: Tuesday, July 08, 2008 8:47 AM
To: Jeff COGEN; Lisa Naito; Lonnie Roberts; Maria ROJO DE STEFFEY; Ted WHEELER
Cc: HARRIS Mindy L; WEBER Jacquie A
Subject: FW: 7/10 BCC item R-8

Mr. Rask advises he is not available for July 10. 17. I'll let you know in time for the appropriate Board motion on Thursday whether he can be available for the July 24 Board meeting.

Deb Bogstad, Board Clerk
Multnomah County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, Oregon 97214-3587
☎ (503) 988-3277
☎ (503) 988-3013
✉ deborah.l.bogstad@co.multnomah.or.us
<http://www.co.multnomah.or.us/cc/index.shtml>



Please consider the environment before printing this e-mail

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

From: HARRIS Mindy L
Sent: Monday, July 07, 2008 10:44 AM
To: BOGSTAD Deborah L
Cc: SOWLE Agnes; WEBER Jacquie A
Subject: 7/10 BCC item R-8

Hi Deb, Raymond Rask contacted both Jacquie Weber and me and let us know that he is not able to make it to the 7/10 meeting for his ITAX appeal hearing.

Is this email sufficient to have it removed from the agenda?

Thanks
Mindy

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. 08-103

Order Dismissing the Appeal of Raymond and Mary Rask of ITAX Administrator's Final Determination and Compromising the tax liability of Raymond and Mary Rask

The Multnomah County Board of Commissioners Finds:

- a. Raymond and Mary Rask timely filed a Notice of Appeal from the Administrator's Final Letter of Determination of their 2003, 2004, 2005 Multnomah County Income Tax.
- b. Appellants challenge the County's imposition of the Multnomah County Income Tax (ITAX) as unlawfully applied to them because, although they maintained a residence in Multnomah County during the tax years, their domicile was in Manzanita, Oregon.
- c. The ITAX was approved by the voters as an income tax on taxable income under Oregon law for all whose domicile was in Multnomah County. The evidence submitted to the Board established that the Appellants were registered to vote in Multnomah County and did vote in Multnomah County from 1992 through 2006. The evidence also established that appellants maintain the address at their Multnomah County residence as their legal address for purposes of their Oregon Driver's licenses. The evidence also established that appellants list the address at their Multnomah County residence for registration of all of their vehicles, although the registration for several vehicles shows Tillamook County as the county of use. The evidence also established that appellants use the address at their Multnomah County residence as their mailing address, and spend two to three days each week at their Multnomah County residence for family and medical reasons.
- d. Mr. Rask presented compelling testimony that he and his wife fully intended to acquire and did acquire a new specific domicile in Manzanita, Oregon as of 2002, and that since 2002 they maintained a residence in Multnomah County for convenience only.
- e. The Board continued the hearing held on June 19, 2008, to July 10, 2008, to further develop evidence related to domicile. In lieu of continuing with the hearing, Appellants proposed a compromise of their tax liability equal to one-half the amount of tax liability.

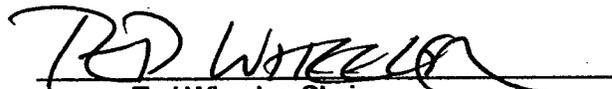
The Multnomah County Board of Commissioners Orders:

1. Raymond and Mary Rask's Appeal of the Administrator's Determination of their 2003, 2004, 2005 Multnomah County Income Tax is dismissed based upon an agreement to compromise their tax liability. Under the compromise, Raymond and Mary Rask will pay one half the assessed tax penalty and interest in the amount of \$1,902.50.

ADOPTED this 10th day of July, 2008.



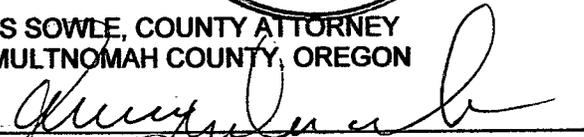
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By


Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:

Agnes Sowle, Multnomah County Attorney