



Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

BOARD OF COMMISSIONERS

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JULY 26 & 31, 2007

BOARD MEETINGS

FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	9:00 a.m. Thursday Executive Session
Pg 3	9:30 a.m. Thursday Public Comment
Pg 3	9:30 a.m. Thursday Update on 6 year Community Plan for Children and Families.
Pg 4	10:00 a.m. Thursday Second Readings and Adoption of 2 Ordinances Amending Land Use Codes
Pg 4	10:20 a.m. Thursday Proclaiming July 30 as Beat Your Risk of High Blood Pressure Day
Pg 5	10:25 a.m. Thursday General Fund Contingency Transfer for Improvements to the Emergency Operations Center
Pg 5	9:30 a.m. Tuesday Budget Work Session

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

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

Saturday, 10:00 AM, Channel 29

Sunday, 11:00 AM, Channel 30

Tuesday, 8:00 PM, Channel 29

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Thursday, July 26, 2007 - 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. 15-30 MINUTES REQUESTED.
-

Thursday, July 26, 2007 - 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 Carol Matthews to the ELDERS IN ACTION COMMISSION

DEPARTMENT OF LIBRARY SERVICES

- C-2 Budget Modification LIB-1 Reclassifying Two Full Time Library Positions in Support Services Division, Selections and Acquisition; System-wide Access Services, as Determined by the Class/Comp Unit of Central Human Resources

DEPARTMENT OF COUNTY MANAGEMENT

- C-3 Budget Modification DCM-01 Relating to Reclassification of Positions in Information Technology and Assessment and Taxation and to the Creation of One Position in Information Technology, as Determined by the Class/Comp Unit of Central Human Resources

DEPARTMENT OF HEALTH

- C-4 Budget Modification HD-01 Authorizing Six Position Reclassifications within Various Divisions of the Health Department, as Determined by the Class/Comp Unit of Central Human Resources

DEPARTMENT OF COMMUNITY SERVICES

- C-5 Budget Modification DCS-01 Reclassifying One Position in Road Maintenance, as Determined by the Class/Comp Unit of Central Human Resources
- C-6 Intergovernmental Revenue Agreement 0708052 with Oregon Department of Transportation for Road Improvements to Townsend Business Park at NE Sandy Boulevard and NE 223rd Avenue

DEPARTMENT OF COMMUNITY JUSTICE

- C-7 Budget Modification DCJ-02 Reclassifying a Program Development Specialist to a Program Coordinator in the Adult Services Division, as Determined by the Class/Comp Unit of Central Human Resources

DEPARTMENT OF COUNTY HUMAN SERVICES

- C-8 Budget Modification DCHS-01 Reclassifying One Full Time Program Development Specialist Position to a Data Analyst, 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.

COMMISSION ON CHILDREN, FAMILIES AND COMMUNITY – 9:30 AM

- R-1 Briefing Update on the Six-Year Community Plan for Children and Families. Presented by Wendy Lebow and Joshua Todd. 30 MINUTES REQUESTED.

DEPARTMENT OF COMMUNITY SERVICES – 10:00 AM

- R-2 Second Reading and Possible Adoption of a Proposed ORDINANCE Amending Multnomah County Code Chapter 37, Administration and Procedures, Relating to Land Use Code Enforcement
- R-3 Second Reading and Possible Adoption of a Proposed ORDINANCE Amending Multnomah County Code Chapters 11.15, 11.45, 33, 34, 35, 36, 37 and 38 to Add Criteria for Replatting and Consolidating Lots and Parcels
- R-4 RESOLUTION Scheduling a Public Hearing and Directing Notice thereof for the Consideration of the Legalization of a Portion of SW Hewett Boulevard
- R-5 Budget Modification DCS-02 Appropriating Oregon Secretary of State Grant Funds for Help America Vote Act Expenses

DEPARTMENT OF COMMUNITY JUSTICE – 10:10 AM

- R-6 Budget Modification DCJ-01 Appropriating \$283,542 in Oregon Criminal Justice Commission Funds to Provide Program Enhancement for the Sanction Treatment Opportunity Progress (STOP) Drug Court

DEPARTMENT OF COUNTY HUMAN SERVICES – 10:13 AM

- R-7 Budget Modification DCHS-02 Appropriating \$90,978 State of Oregon Housing and Community Services Grant Funds for the Energy Services Program

DEPARTMENT OF COUNTY MANAGEMENT – 10:15 AM

- R-8 NOTICE OF INTENT to Apply for Grant Funding of up to \$50,000 from the Oregon Economic and Community Development Department Renewable Energy Feasibility Fund to Study the Feasibility of Generating Hydro-Electric Power at County-Owned Bridges in the Willamette River

NON-DEPARTMENTAL – 10:20 AM

- R-9 PROCLAMATION Proclaiming July 30, 2007 as Beat Your Risk of High Blood Pressure Day in Multnomah County

R-10 Budget Modification DCS-03 Requesting \$100,000 General Fund Contingency Transfer for Improvements to the Multnomah County Emergency Operations Center

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.

Friday, July 27, 2007 - 7:30 AM – 1:00 PM
Medical Society of Metropolitan Portland Conference Room
4380 SW Macadam Avenue, Portland

PUBLIC NOTICE

The Tri-County Health Care Safety Net Enterprise Board of Directors (including Clackamas County Chair Martha Schrader, Multnomah County Commissioner Jeff Cogen and Washington County Commissioner Dick Schouten) has scheduled a retreat to develop a plan for the future of the organization. Citizens wishing to attend the meeting who need assisted listening devices or translation services are asked to please make your request to 503 846-3648 no later than three business days prior to the meeting. For additional information, contact Laura Grandin, Ph.D. at 503 846-3648.

Tuesday, July 31, 2007 - 9:30 AM – 11:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

BUDGET WORK SESSION

WS-1 Work Session to Consider County-wide Impact of State funding Reductions in the FY 2007-2009 Biennium. Presented by Bill Farver, Mark Campbell, Joanne Fuller, Lillian Shirley, Steve Liday, Scott Taylor, Sheriff Bernie Giusto, Larry Aab, District Attorney Michael Schrunk and Scott Marcy. 2 HOURS REQUESTED.



Maria Rojo de Steffey
Multnomah County Commissioner, District 1

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501 SE Hawthorne Boulevard
Portland, Oregon 97214

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MEMORANDUM

TO: Chair Ted Wheeler
Commissioner Jeff Cogen
Commissioner Lisa Naito
Commissioner Lonnie Roberts
Clerk of the Board Deb Bogstad

FROM: April Fernandes - Staff Assistant to Commissioner Maria Rojo de Steffey

DATE: June 4, 2007

RE: July 16 – 27, 2007 excuse memo

Commissioner Rojo de Steffey will be out of the office from July 16 – 27, 2007 and will be unable to attend the following Board meetings and/or If needed executive sessions and briefings:

- Tuesday, July 17th: If needed Executive Session and/or Board briefings - *CANCELLED*
- Thursday, July 19th: Regular Board meeting - *CANCELLED*
- Tuesday, July 24th: If needed Executive Session and/or Board briefings - *CANCELLED*
- Thursday, July 26th Regular Board meeting

BOGSTAD Deborah L

From: WESSINGER Carol M

Sent: Monday, July 23, 2007 4:18 PM

To: BOGSTAD Deborah L

Cc: WESSINGER Carol M; LIEUALLEN Matt

Subject: Naito vote by phone#1-541-764-2629 - for Thurs, July 26, 2007



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/26/07
 Agenda Item #: E-1
 Est. Start Time: 9:00 AM
 Date Submitted: 07/18/07

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 26, 2007 **Amount of Time Needed:** 15-30 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: 07/18/07



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07-26-07
 Agenda Item #: C-1
 Est. Start Time: 9:30 AM
 Date Submitted: 07-18-07

Agenda Title: Appointment of Carol Matthews to the Elders in Action Commission.

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

Requested Meeting Date:	<u>7/26/2007</u>	Amount of Time Needed:	<u>N/A</u>
Department:	<u>Non-Departmental</u>	Division:	<u>Chair's Office</u>
Contact(s):	<u>Ted Wheeler, Tara Bowen-Biggs</u>		
Phone:	<u>(503)988-3308</u>	Ext.: <u>83953</u>	I/O Address: <u>503/600</u>
Presenter(s):	<u>N/A</u>		

General Information

1. What action are you requesting from the Board?

Recommend board approval of appointments of Carol Matthews to the Elders in Action Commission.

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 Chair appoints, with approval of the Board of County Commissioners: 1 consumer from each of the District Advisory Councils (East County, Southwest, Northeast and Southeast, Mid-County); 3 representatives from retired persons organizations; 6 at-large members; 1 consumer representing the disabled. Other members, not appointed by the County Chair include 1 consumer from each of the 4 District Advisory Councils; 1 elected official; 5 representatives from retired persons' organizations; 6 at-large members. Membership includes at least 51% of persons over the age of 60, low income persons, racial minorities and adult disabled, at least proportionate to their numbers county-wide, and persons from urban and rural areas of the County. Members are appointed to 3-year terms. The seniors being requested for approval today have unique backgrounds and interests and will contribute greatly to the work of Elders in Action Commission.

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: 7/18/07



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

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C 2 DATE 07/26/07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 07-26-07
Agenda Item #: C-2
Est. Start Time: 9:30 AM
Date Submitted: 07-09-07

BUDGET MODIFICATION: LIB - 01

Agenda Title: Budget Modification LIB-01 Reclassifying Two Full Time Library Positions in Support Services Division, Selection & Acquisition; Systemwide Access Services 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 26, 2007</u>	Amount of Time Needed:	<u>N/A</u>
Department:	<u>Library</u>	Division:	<u>Support Services</u>
Contact(s):	<u>Becky Cobb</u>		
Phone:	<u>503-988-5499</u>	Ext.	<u>85499</u>
		I/O Address:	<u>317/ADM/SUPSV</u>
Presenter(s):	<u>Consent Calendar</u>		

General Information

1. What action are you requesting from the Board?

Request board approval to reclassify two 1.0 FTE library positions 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.

Reclassification request #710 has been approved by the Class/Comp Unit of Central HR to reclassify position 706115 from Library Assistant (7211) to Librarian (7222).

The Librarian catalogs original documents that haven't been previously catalogued and added to the international cataloging database (OCLC). The Librarian selects and develops collection materials, while the Library Assistant supports a Librarian in the responsibility. The position will lead the planning and development of the Chinese and Vietnamese library collection in consultation with library managers. Because this position is responsible for planning and developing the collection and original cataloging, the appropriate classification is Librarian.

Reclassification request #714 has been approved by the Class/Comp Unit of Central HR to reclassify position 706891 from Library Clerk (7202) to Office Assistant, Sr. (6002).

This position will be responsible for resolving patron accounts and collection agency issues; maintaining and updating policy manuals; maintaining the Access Services intranet site; researching and testing circulation functions in the integrated library computer system; creating statistical reports. The position will also work with a team to revise circulation training materials, schedule and deliver training to other library staff. These duties and responsibilities are consistent with the Office Assistant Senior classification.

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

There is no net fiscal impact as a result of this action. Additional costs resulted from the reclassification will be offset by reducing the material & service budget in the corresponding cost centers within the Library Support Services.

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

Local 88 represented employees have a contractual right to appeal and arbitrate the outcome of a reclassification request, which would include Board action to disapprove the request. It is the policy of Multnomah County to make all employment decisions without regard to race, religion, color, national origin, sex, age, marital status, disability, political affiliations, sexual orientation, or any other non-merit factor.

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

Not applicable.

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?**

There is no change in revenue.

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

There is no net change in expenditure budget.

For Selection and Acquisition, personnel expenditures will be increased by \$18,029 and the same amount will be decreased in Professional Services.

For Systemwide Access Services, personnel expenditures will be increased by \$2,331 and the same amount will be decreased in Supplies

- **What do the changes accomplish?**

The change in classification more accurately reflects the level and scope of the job duties.

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

In Selection and Acquisition, position 706115 will be reclassified from Library Assistant (7211) to Librarian (7222).

In Systemwide Access Services, position 706891 will be reclassified from Library Clerk (7202) to Office Assistant, Sr. (6002).

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

There is no change to the indirect as there is no net dollar amount change in expenditure.

- **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?**

Not applicable.

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

Not applicable.

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

Not applicable.

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: LIB-01

Required Signatures

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



Date: 07-09-07

Molly Raphael

Budget Analyst:



Date: 07-09-07

Julie Neburka

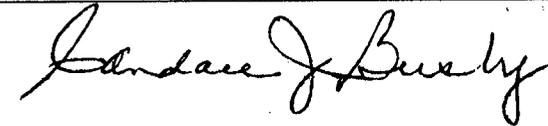
Department HR:



Date: 07-06-07

Leila Wrathall/Johnette Easter

Countywide HR:



07-11-07

Candace Busby

Date:

Budget Modification ID: 08-LIB-BM-01

EXPENDITURES & REVENUES

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

Budget/Fiscal Year: 2007

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
1	80-30	1510	70		803120		60000	661,557	673,876	12,319		Permanent
2	80-30	1510	70		803120		60130	211,215	216,247	5,032		Salary Related Expense
3	80-30	1510	70		803120		60140	186,461	187,139	678		Insurance Benefits
4	80-30	1510	70		803120		60170	116,550	98,521	(18,029)	(0)	Professional Services
5									0			
6	80-30	1510	70		803810		60000	298,469	300,163	1,694		Permanent
7	80-30	1510	70		803810		60130	95,779	96,323	544		Salary Related Expense
8	80-30	1510	70		803810		60140	66,441	66,534	93		Insurance Benefits
9	80-30	1510	70		803810		60240	16,600	14,269	(2,331)	(0)	Supplies
10									0			
11	72-10	3500	20		705210		50316		(771)	(771)		Insurance Revenue
12	72-10	3500	20		705210		60330		771	771	0	Offsetting Expenditure
13									0			
14									0			
15									0			
16									0			
17									0			
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28									0			
29									0			
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									0	0	0	GRAND TOTAL



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # C-3 DATE 07-26-07
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 07-26-07
 Agenda Item #: C-3
 Est. Start Time: 9:30 AM
 Date Submitted: 07-03-07

BUDGET MODIFICATION: DCM - 01

Agenda Title: Budget Modification DCM-01 Relating to Reclassification of Positions in Information Technology and Assessment & Taxation and to the Creation of One Position in Information Technology 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 26, 2007</u>	Amount of Time Needed:	<u>N/A</u>
Department:	<u>County Management</u>	Division:	<u>Director's Office</u>
Contact(s):	<u>Bob Thomas</u>		
Phone:	<u>(503) 988-4283</u>	Ext.	<u>84283</u>
		I/O Address:	<u>503 / 531</u>
Presenter(s):	<u>N/A</u>		

General Information

1. What action are you requesting from the Board?

The department is requesting Board approval of a budget modification authorizing the reclassification of four positions in Information Technology and Assessment & Taxation, and the creation of one new position in Information Technology.

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 Department of County Management is asking the Board to approve the reclassification and position requests for the following positions:

Information Technology

<u>Position Title (Old)</u>	<u>Position Title (New)</u>	<u>Position Number</u>	<u>FTE</u>
1. IT Manager 2	IT Manager 1	704785	No FTE Change

2. NA

Development Analyst, Sr

New

Increase 1.0 FTE

1. This first IT position has been reclassified by Class Comp to a job class at a lower pay range. When this position recently became vacant IT had Class Comp review the level of this position and it was approved to move from the IT Manager 2 to IT Manager 1 level. This position is budgeted for FY 2008 in offer 72078 - Information Technology -Enterprise Applications. No changes to the program's results are expected.

2. The department is requesting Board approval to add 1.0 Development Analyst, Sr position for the Electronic Sheriff's Warrants and Inmate System (ESWIS). Currently, the services provided by this prospective position are being purchased by professional services on an ongoing basis. The additional FTE will actually decrease the cost of providing this service (approx \$25,000).

Assessment & Taxation

Position Title (Old)	Position Title (New)	Position Number	FTE
3. Property Appraiser/Personal 2	Property Appraiser/Real 2	705089	No FTE Change
4. A&T Admin Analyst	Finance Specialist 2	705303	No FTE Change
5. Program Manager 1	Chief Appraiser	711531	No FTE Change

3. The Property Appraiser/Personal 2 reclassification to Property Appraiser/Real 2 is required due to a change in workload in the Real Property Appraisal unit. These two job classes are at the same level. This position is budgeted for FY 2008 in offer 72034 A&T-Property Assessment - Business Personal Property and will be moving to offer 72035 A&T-Property Assessment - Residential. No changes to the program's results are expected.

4. The A&T Admin Analyst reclassification to Finance Specialist 2 level was approved by the Central Class Unit based on the change in duties of this central A&T administrative position. The position is budgeted for FY 2008 in offer 72026 Assessment & Taxation -Administration. No changes to the program's results are expected.

5. The Program Manager 1 reclassification to Chief Appraiser was approved by the Central Class Unit based on a review of the duties of this position. The position is responsible for managing an appraisal unit for the County and was placed at the Chief Appraiser level based on these duties. The position is budgeted for FY 2008 in offer 72035 A&T-Property Assessment - Residential. No changes to the program's results are expected.

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

Budget modification detail is attached. The reclassification requests are being accomplished within current resources for FY 2008. Salary and fringe costs will increase by \$71,518 during this fiscal year. Materials and Services are being reduced by this same amount to cover the increase. Expected future cost of living and merit increases are likely for these positions in future years.

The additional IT position being requested will save the County approximately \$25,000 during FY 2008 under the cost of currently providing the same services under contract.

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

The reclassifications for which approval is sought in this request, have been reviewed by the Classification/Compensation Unit and the positions have been found to be wrongly classed. By contract and under our personnel rules, we are required to compensate employees appropriately based on these findings.

Local 88 represented employees have a contractual right to appeal and arbitrate the outcome of a reclassification request, which would include Board action to disapprove the request. It is the policy of Multnomah County to make all employment decisions without regard to race, religion, color, national origin, sex, age marital status, disability, political affiliations, sexual orientation, or any other nonmerit factor.

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

NA

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?**
Risk Management Fund revenue is increased by \$12,868 from service reimbursements related to these reclassified positions.
- **What budgets are increased/decreased?**
The Risk Management Fund budget is increased by \$12,868.
- **What do the changes accomplish?**
The changes implement personnel actions approved by the Central Class Comp Unit.
- **Do any personnel actions result from this budget modification? Explain.**
Yes, four reclassifications and one new position are created by this budget modification.
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**
None of these apply to this action.
- **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?**
NA
- **If a grant, what period does the grant cover?**
NA
- **If a grant, when the grant expires, what are funding plans?**
NA

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: DCM - 01

Required Signatures

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

Carol M. Ford

Date: 07-02-07

Budget Analyst:

Debra

Date: 07-03-07

Department HR:

Carl R. Quigg

Date: 07-02-07

Countywide HR:

Sandra J. Busby

Date: 07-02-07

Budget Modification ID: DCM-01

EXPENDITURES & REVENUES

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
1	72-60	3503	0020		709128		60000	262,226	152,004	(110,222)		Decrease Permanent
2	72-60	3503	0020		709128		60130	84,148	48,778	(35,370)		Decrease Salary Related
3	72-60	3503	0020		709128		60140	47,059	29,890	(17,169)		Decrease Insurance Ben
4	72-60	3503	0020		709130		60000	280,414	366,598	86,184		Increase Permanent
5	72-60	3503	0020		709130		60130	81,545	109,201	27,656		Increase Salary Related
6	72-60	3503	0020		709130		60140	58,247	73,854	15,607		Increase Insurance Benefits
7	72-60	3503	0020		709599		60240	12,920	46,234	33,314		Increase Supplies
8	72-60	3503	0020		709120		60000	418,804	490,317	71,513		Increase Permanent
9	72-60	3503	0020		709120		60130	134,488	155,284	20,796		Increase Salary Related
10	72-60	3503	0020		709120		60140	77,735	92,388	14,653		Increase Insurance Benefits
11	72-60	3503	0020		709120		60170	190,000	83,038	(106,962)		Decrease Professional Svcs
12	72-30	1000	0020		706400		60000	144,068	154,014	9,946		Increase Permanent
13	72-30	1000	0020		706400		60130	46,233	49,425	3,192		Increase Salary Related
14	72-30	1000	0020		706400		60140	29,375	30,022	647		Increase Insurance Benefits
15	72-30	1000	0020		706401		60000	325,182	267,726	(57,456)		Decrease Permanent
16	72-30	1000	0020		706401		60130	101,737	85,914	(15,823)		Decrease Salary Related
17	72-30	1000	0020		706401		60140	71,162	61,424	(9,738)		Decrease Insurance Ben
18	72-30	1000	0020		706402		60000	288,252	317,643	29,391		Increase Permanent
19	72-30	1000	0020		706402		60130	92,501	101,933	9,432		Increase Salary Related
20	72-30	1000	0020		706402		60140	78,767	84,679	5,912		Increase Insurance Benefits
21	72-30	1000	0020		706404		60000	629,766	644,462	14,696		Increase Permanent
22	72-30	1000	0020		706404		60130	200,072	204,788	4,716		Increase Salary Related
23	72-30	1000	0020		706404		60140	151,173	154,129	2,956		Increase Insurance Benefits
24	72-30	1000	0020		706400		60240	12,000	14,129	2,129		Increase Supplies
25									0			
26									0			
27									0			
28	72-10	3500	0020		705210		50316		(12,868)	(12,868)		Increase Serv Reimb Rev
29	72-10	3500	0020		705210		60330		12,868	12,868		Increase Balancing Expend
									0	0		Total - Page 1
									0	0		GRAND TOTAL

ANNUALIZED PERSONNEL CHANGE

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

						ANNUALIZED			
Fund	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
3503	9451	64626	IT Manager 2	704785	(1.00)	(110,222)	(35,370)	(17,169)	(162,761)
3503	9452	61310	IT Manager 1	704785	1.00	86,184	27,656	15,607	129,447
3503	6406	61309	Development Analyst, Sr	New	1.00	71,513	20,796	14,653	106,962
1000	6050	61996	Prop Appraiser/Personal 2	705089	(1.00)	(50,939)	(16,346)	(13,316)	(80,601)
1000	6050	61996	Prop Appraiser/Real 2	705089	1.00	50,939	16,346	13,316	80,601
1000	6455	61993	A&T Admin Assistant	705303	(1.00)	(44,295)	(14,214)	(12,884)	(71,393)
1000	6030	61993	Finance Specialist 2	705303	1.00	54,241	17,406	13,531	85,178
1000	9615	62729	Program Manager 1	711531	(1.00)	(86,847)	(25,255)	(15,650)	(127,752)
1000	9630	62729	Chief Appraiser	711531	0.40	29,391	9,432	5,912	44,735
1000	9630	62739	Chief Appraiser	711531	0.40	29,391	9,432	5,912	44,735
1000	9630	61995	Chief Appraiser	711531	0.20	14,696	4,716	2,956	22,368
									0
									0
									0
									0
TOTAL ANNUALIZED CHANGES					1.00	44,052	14,598	12,868	71,518

709127
709130
706405
706405
706400
706400
706401
706401
706402
706404

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
3503	9451	64626	IT Manager 2	704785	(1.00)	(110,222)	(35,370)	(17,169)	(162,761)
3503	9452	61310	IT Manager 1	704785	1.00	86,184	27,656	15,607	129,447
3503	6406	61309	Development Analyst, Sr	New	1.00	71,513	20,796	14,653	106,962
1000	6050	61996	Prop Appraiser/Personal 2	705089	(1.00)	(50,939)	(16,346)	(13,316)	(80,601)
1000	6050	61996	Prop Appraiser/Real 2	705089	1.00	50,939	16,346	13,316	80,601
1000	6455	61993	A&T Admin Assistant	705303	(1.00)	(44,295)	(14,214)	(12,884)	(71,393)
1000	6030	61993	Finance Specialist 2	705303	1.00	54,241	17,406	13,531	85,178
1000	9615	62729	Program Manager 1	711531	(1.00)	(86,847)	(25,255)	(15,650)	(127,752)
1000	9630	62729	Chief Appraiser	711531	0.40	29,391	9,432	5,912	44,735
1000	9630	62739	Chief Appraiser	711531	0.40	29,391	9,432	5,912	44,735
1000	9630	61995	Chief Appraiser	711531	0.20	14,696	4,716	2,956	22,368
									0
									0
									0
									0
TOTAL CURRENT FY CHANGES					1.00	44,052	14,598	12,868	71,518

709127
709130
706405
706405
706400
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706401
706401
706402
706404



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

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C4 DATE 07-26-07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 07-26-07
Agenda Item #: C-4
Est. Start Time: 9:30 AM
Date Submitted: 07-06-07

BUDGET MODIFICATION: HD - 01

Agenda Title: Budget Modification HD-01 Authorizing Six Position Reclassifications within Various Divisions of the Health Department, 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 26, 2007</u>	Amount of Time Needed:	<u>N/A</u>
Department:	<u>Health Department</u>	Division:	<u>ICS, CHS, & CHP3</u>
Contact(s):	<u>Lester A. Walker, Budget & Finance Manager</u>		
Phone:	<u>503-988-3663</u>	Ext.	<u>26457</u>
Presenter(s):	<u>Consent Calendar</u>	I/O Address:	<u>167/2/210</u>

General Information

1. What action are you requesting from the Board?

Approval of 6 staffing adjustments resulting from conversions of vacant positions to new classification and re-classification of existing positions. This will decrease the Health Department's total FTE by .30 for FY08 and it will have no financial impact. The net effect of all changes is to decrease The Local 88 & Oregon Nurses Association (ONA) by one position each and will result in a one position increase in management/exec employees.

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.

1. Reclassify .80 Community Health Nurse to a .80 Nurse Practitioner in Integrated Clinical Services (ICS) (Corrections Health). Class Comp approved reclassification effective 5/2/07. The position will focus on providing comprehensive, specialized

psychiatric mental health nursing. Adjustments were taken in supplies to cover reclassification.

2. Reclassify 1.0 Health Assistant 2 to a 1.0 Clinical Medical Assistant ICS (Westside Clinic). Class Comp approved reclassification effective 5/8/07 to better suit the responsibilities of the position. This change will have no financial impact.
3. Reclassify .80 Finance Specialist 2 to a .80 Operation Supervisor in ICS (Pharmacy Admin). Class Comp approved reclassification effective 7/1/06 to better suit responsibilities of the position. This change will have no financial impact.
4. Reclassify .50 Office Assistant 2 to a .50 Community Health Specialist 2 in Community Health Services (CHS) (Environmental Health). Class Comp approved reclassification effective 4/18/07. Adjustments were taken in supplies & printing to cover reclassification.
5. Reclassify .50 Community Health Nurse to a 1.0 Program Supervisor in ICS (Primary Care). Class Comp approved reclassification effective 4/6/07. Increase a Licensed Comm Practical Nurse by .20 FTE. The reclassification and FTE increase will be covered with the delimitation of a 1.0 Operations Administrator position.
6. Reclassify 1.0 Program Development Tech to a 1.0 Research/Evaluation Analyst 1 in Community Health Promotion (CHP3) (Health Assessment & Evaluation). Class Comp approved reclassification effective 6/12/07. Adjustments were taken in supplies and premium to cover reclassification.

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

There is no fiscal impact.

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

N/A

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

N/A

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?**

No change in revenues.

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

The Health Department's budget will decrease by .30 FTE in FY08 with no net financial impact.

- **What do the changes accomplish?**

Change of classification and staffing to better fit the duties of the positions within Health Department.

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

1. Reclassify .80 Community Health Nurse to a .80 Nurse Practitioner in ICS-Corrections Health.
2. Reclassify 1.0 Health Assistant 2 to a 1.0 Clinical Medical Assistant ICS-Westside Clinic.
3. Reclassify .80 Finance Specialist 2 to a .80 Operation Supervisor in ICS-Pharmacy Admin.
4. Reclassify .50 Office Assistant 2 to a .50 Community Health Specialist 2 in CHS-Environmental Health.
5. Reclassify .50 Community Health Nurse to a 1.0 Program Supervisor in ICS-Primary Care. Increase a Licensed Comm Practical Nurse by .20 FTE and delimit a 1.0 Operations Administrator position.
6. Reclassify 1.0 Program Development Tech to a 1.0 Research/Evaluation Analyst 1 in CHP3-Health Assessment & Evaluation.

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

N/A

- **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?**

N/A

- **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: HD - 01

Required Signatures

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

Lillian Shirley

Date: 07-06-07-

Budget Analyst:

Debra

Date: 07-06-07

Department HR:

Patricia Keller

Date: 06-28-07

Budget Modification ID: **HD-08-01****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2007

Line No.	Fund Center	Fund Code	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Cost Center	WBS Element						
1	40-50	1000	30		405500		60000	2,602,688	2,603,285	597		Reclass CHN to a Nurse Practitioner
2	40-50	1000	30		405500		60130	954,176	952,759	(1,417)		Reclass CHN to a Nurse Practitioner
3	40-50	1000	30		405500		60140	614,787	616,680	1,893		Reclass CHN to a Nurse Practitioner
4	40-50	1000	30		405500		60240	25,000	23,927	(1,073)		Reclass CHN to a Nurse Practitioner
5	40-16	1000	30		401601		60000	502,028	502,791	763		Reclass Program Dev Tech to Research/Eval Anyst
6	40-16	1000	30		401601		60130	160,551	160,773	222		Reclass Program Dev Tech to Research/Eval Anyst
7	40-16	1000	30		401601		60140	107,414	107,463	49		Reclass Program Dev Tech to Research/Eval Anyst
8	40-16	1000	30		401601		60240	9,400	8,367	(1,033)		Reclass Program Dev Tech to Research/Eval Anyst
9	40-30	20390	30			4FA25-16-1	60000	462,584	463,347	763		Reclass Program Dev Tech to Research/Eval Anyst
10	40-30	20390	30			4FA25-16-1	60130	149,180	149,402	222		Reclass Program Dev Tech to Research/Eval Anyst
11	40-30	20390	30			4FA25-16-1	60140	96,872	96,921	49		Reclass Program Dev Tech to Research/Eval Anyst
12	40-30	20390	30			4FA25-16-1	60120	13,265	12,232	(1,033)		Reclass Program Dev Tech to Research/Eval Anyst
13	40-33	1000	30		403305		60000	80,957	83,022	2,065		Reclass OA2 to Community Health Specialist 2
14	40-33	1000	30		403305		60130	25,764	26,364	600		Reclass OA2 to Community Health Specialist 2
15	40-33	1000	30		403305		60140	27,579	27,713	134		Reclass OA2 to Community Health Specialist 2
16	40-33	1000	30		403305		60240	4,100	2,701	(1,400)		Reclass OA2 to Community Health Specialist 2
17	40-33	1000	30		403305		60180	7,200	5,801	(1,400)		Reclass OA2 to Community Health Specialist 3
										0	0	Total
										0	0	GRAND TOTAL

ANNUALIZED PERSONNEL CHANGE

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

						ANNUALIZED				
Fund	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL	
1000	6315	61507	Community Health Nurse	700311	(0.80)	(52,834)	(16,955)	(11,585)	(81,374)	682
1000	6314	61507	Nurse Pracitioner	700311	0.80	53,431	15,538	13,478	82,447	682
1505	6294	61532	Health Assistant 2	707119	(1.00)	(35,370)	(11,350)	(12,304)	(59,024)	689
1505	6012	61532	Clinical Medical Assistant	707119	1.00	35,370	11,350	12,304	59,024	689
1505	6030	61546	Finance Specialist 2	704422	(0.80)	(43,397)	(13,926)	(12,826)	(70,149)	535
1505	9025	61546	Operations Supervisor	704422	0.80	43,397	13,926	12,826	70,149	535
1000	6001	61188	Office Assistant 2	705730	(0.50)	(15,333)	(4,459)	(6,146)	(25,938)	646
1000	6047	61188	Community Health Specialist 2	705730	0.50	17,398	5,059	6,280	28,737	646
1505	9720	61536	Operations Administrator	700692	(1.00)	(63,009)	(20,220)	(14,101)	(97,330)	
1505	9361	61536	Program Supervisor	706185	1.00	74,280	23,836	14,833	112,949	679
1505	6315	61536	Community Health Nurse	706185	(0.50)	(33,022)	(10,597)	(7,295)	(50,914)	679
1505	6303	61536	Licensed Comm Practical Nurse	710908	0.20	8,824	2,566	2,575	13,965	
1505	6020	64691	Program Development Tech	710014	(1.00)	(36,526)	(10,622)	(12,380)	(59,528)	663
1505	6085	64691	Research/Eval Analyst 1	710014	1.00	38,051	11,065	12,478	61,594	663
TOTAL ANNUALIZED CHANGES					(0.30)	(8,740)	(4,789)	(1,863)	(15,392)	

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	
1000	6315	61507	Community Health Nurse	700311	(0.80)	(52,834)	(16,955)	(11,585)	(81,374)	682
1000	6314	61507	Nurse Pracitioner	700311	0.80	53,431	15,538	13,478	82,447	682
1505	6294	61532	Health Assistant 2	707119	(1.00)	(35,370)	(11,350)	(12,304)	(59,024)	689
1505	6012	61532	Clinical Medical Assistant	707119	1.00	35,370	11,350	12,304	59,024	689
1505	6030	61546	Finance Specialist 2	704422	(0.80)	(43,397)	(13,926)	(12,826)	(70,149)	535
1505	9025	61546	Operations Supervisor	704422	0.80	43,397	13,926	12,826	70,149	535
1000	6001	61188	Office Assistant 2	705730	(0.50)	(15,333)	(4,459)	(6,146)	(25,938)	646
1000	6047	61188	Community Health Specialist 2	705730	0.50	17,398	5,059	6,280	28,737	646
1505	9720	61536	Operations Administrator	700692	(1.00)	(63,009)	(20,220)	(14,101)	(97,330)	
1505	9361	61536	Program Supervisor	706185	1.00	74,280	23,836	14,833	112,949	679
1505	6315	61536	Community Health Nurse	706185	(0.50)	(33,022)	(10,597)	(7,295)	(50,914)	679
1505	6303	61536	Licensed Comm Practical Nurse	710908	0.20	8,824	2,566	2,575	13,965	
1505	6020	64691	Program Development Tech	710014	(1.00)	(36,526)	(10,622)	(12,380)	(59,528)	663
1505	6085	64691	Research/Eval Analyst 1	710014	1.00	38,051	11,065	12,478	61,594	663
TOTAL CURRENT FY CHANGES					(0.30)	(8,740)	(4,789)	(1,863)	(15,392)	



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

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # CS DATE 07-26-07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 07-26-07
Agenda Item #: C-5
Est. Start Time: 9:30 AM
Date Submitted: 07-12-07

BUDGET MODIFICATION: DCS - 01

Agenda Title: Budget Modification DCS-01 Reclassifying One Position in Road Maintenance, 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 26, 2007</u>	Amount of Time Needed:	<u>N/A</u>
Department:	<u>Community Service</u>	Division:	<u>Transportation</u>
Contact(s):	<u>Jerry Elliott</u>		
Phone:	<u>(503)988-4624</u>	Ext.:	<u>84624</u>
Presenter(s):	<u>N/A</u>	I/O Address:	<u>455/2/224</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 a Maintenance Specialist Senior position in Road Maintenance to a Road Operations Supervisor 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.

The Road Services program under went a re-organization. Included in this re-organization making the Environmental Specialty Crew a stand alone functional group, similar to the Maintenance Districts. The Maintenance Specialist Senior classification no longer fits the expanded duties and responsibilities for program and people management required in the new organization.

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

Budget modification detail is attached. The Road Fund overall wage and related benefits increase for FY 2008 is \$7,828; it is matched with a decrease in Building Management. 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.

Management and employees have the right to request evaluation of the appropriateness of classifications. The Classification/Compensation Unit has a formal process for evaluating these requests. The reclassification for which approval is sought in this request has been reviewed by the Classification/Compensation Unit, and the position has been found to be wrongly classed. By contract and under our personnel rules, we are required to compensate employees appropriately based on this finding.

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 zero net increase or decrease. The total increase of \$7,828 in Personnel budget is offset by an equal decrease in Building Management. The decrease in Building Management is possible due to the joint decision between Transportation and Facilities to cancel the budgeted 'pole barn' project at District 5.

- **What do the changes accomplish?**

This budget modification implements budget change and position change as described in this document.

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

Reclassification of existing position.

- **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:**

M. Cecilia Johnson

Date: 07-12-07

Budget Analyst:

CE

Date: 07-12-07

Department HR:

J. Hoffer

Date: 07-12-07

Countywide HR:

Tami Graves

Date: 07-12-07

Budget Modification ID: **DCS-01****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
1	90-50	1501	80		905300		60000	1,982,496	1,987,882	5,386		Increase Permanent
2	90-50	1501	80		905300		60130	630,375	632,103	1,728		Increase Salary Related Exp
3	90-50	1501	80		905300		60140	578,810	579,524	714		Increase Insurance Ben
4	90-50	1501	80			ROADM	60430	389,277	381,449	(7,828)		Decrease Bldg Mgmt
5									0			
6									0			
7	72-10	3500	20		705210		50316		(714)	(714)		Risk Fund
8	72-10	3500	20		705210		60330		714	714		Risk Fund
9	72-50	3505	0020		902575		50310		7,828	7,828		Decrease Bldg Mgmt Rev
10	72-50	3505	0020		902575		60170		(7,828)	(7,828)		Decrease Bldg Mgmt Exp
11									0			
12									0			
13									0			
14									0			
15									0			
16									0			
17									0			
18									0			
19									0			
20									0			
21									0			
22									0			
23									0			
24									0			
25									0			
26									0			
27									0			
28									0			
29									0			
										0	0	Total - Page 1
										0	0	GRAND TOTAL

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
1501	6096	64885	Maintenance Specialist Sr.	705875	(1.00)	(51,259)	(16,449)	(14,106)	(81,814)
1501	9140	64885	Road Operations Supervisor	705875	1.00	56,645	18,177	14,820	89,642
									0
									0
									0
									0
									0
									0
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									0
									0
TOTAL ANNUALIZED CHANGES					0.00	5,386	1,728	714	7,828

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
1501	6096	64885	Maintenance Specialist Sr.	705875	(1.00)	(51,259)	(16,449)	(14,106)	(81,814)
1501	9140	64885	Road Operations Supervisor	705875	1.00	56,645	18,177	14,820	89,642
									0
									0
									0
									0
									0
									0
									0
									0
									0
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									0
									0
									0
									0
									0
TOTAL CURRENT FY CHANGES					0.00	5,386	1,728	714	7,828



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only	
Meeting Date:	<u>07-26-07</u>
Agenda Item #:	<u>C-6</u>
Est. Start Time:	<u>9:30 AM</u>
Date Submitted:	<u>07-11-07</u>

Continued to 08.16.07

Agenda Title:	Intergovernmental Revenue Agreement 0708052 with Oregon Department of Transportation for Road Improvements to Townsend Business Park at NE Sandy Boulevard and NE 223rd Avenue
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Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date:	<u>July 26, 2007</u>	Amount of Time Needed:	<u>N/A</u>
Department:	<u>Community Services</u>	Division:	<u>Land Use & Transportation</u>
Contact(s):	<u>Kim Peoples</u>		
Phone:	<u>(503) 988-5050</u>	Ext.:	<u>26797</u>
		I/O Address:	<u>425</u>
Presenter(s):	<u>Kim Peoples</u>		

General Information

1. What action are you requesting from the Board?

Approval of an Immediate Opportunity Fund Agreement (IOF) with the Oregon Department of Transportation (ODOT).

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 IOF program provides support to jurisdictions to capture unique opportunities to support economic development. In this instance, ODOT is providing financial support to complete transportation improvements that will better serve industrial development in the Cascade Columbia River District. The project at 223rd Ave. and Sandy Blvd. is adjacent to the 223rd Ave. railroad over-crossing. The Project will enhance access to the area around 223rd Ave. and Sandy Blvd.

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

The IOF agreement provides a grant of \$500,000 to Multnomah County to be combined with \$1 million in county funds to make full intersection improvements.

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

The IOF Agreement has been reviewed and approved of by legal.

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

Completion of transportation improvements in and around the intersection of Sandy Blvd. and 223rd Ave. and including the 223rd Ave. railroad over-crossing has been a topic discussion by the east county jurisdictions and the region for a number of years. More recently, improvements have become a top priority for the City of Fairview and Multnomah County. There have been numerous public meetings at the local, sub-regional, and regional levels to effect completion of necessary improvements.

Required Signature

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



A handwritten signature in cursive script that reads "M. Cecilia Johnson". The signature is written in black ink and is positioned above a horizontal line.

Date: 07-10-07

MULTNOMAH COUNTY CONTRACT APPROVAL FORM (CAF)

Contract #: 0708052
Amendment #: _____

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: Community Services Division/Program: Land Use and Trans Program Date: 7/10/2007
 Originator: Ed Abrahamson Phone: (503) 988-5050 x29620 Bldg/Room: #455/Annex
 Admin Contact: Cathy Kramer Phone: (503) 988-5050 x22589 Bldg/Room: #425/Yeon

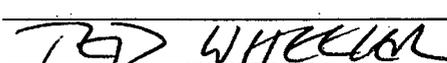
Description of Contract Immediate Opportunity Fund (IOF) Agreement between Multnomah County and Oregon Dept of Transportation (ODOT) in connection with development located at NE 223rd Avenue & Sandy Blvd (Townsend Business Park). Reimbursement is through the Oregon Dept. of Transportation. (ODOT IGA No. 23,079)

RENEWAL: PREVIOUS CONTRACT #(S) _____ EEO CERTIFICATION EXPIRES _____
 PROCUREMENT, EXEMPTION OR CITATION # _____ 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	Oregon Dept. of Transportation				
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) 743-3157/Fax: (503) 731-8259 (Debbie Burgess)			<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30
Employer ID# or SS#	N/A			<input type="checkbox"/> Other \$ _____	<input type="checkbox"/> Other
Contract Effective Date	08/01/2007	Term Date	07/31/2009	<input type="checkbox"/> Price Agreement (PA) or Requirements Funding Info:	
Amendment Effect Date		New Term Date			
Original Contract Amount	\$	Original PA/Requirements Amount	\$		
Total Amt of Previous Amendments	\$ 0	Total Amt of Previous Amendments	\$		
Amount of Amendment	\$ 0	Amount of Amendment	\$		
Total Amount of Agreement	\$ 500,000.00	Total PA/Requirements Amount	\$		

REQUIRED SIGNATURES:

Department Manager:  DATE: 7/10/07
 County Attorney: _____ DATE: _____
 CPCA Manager: _____ DATE: _____
 County Chair:  DATE: _____
 Sheriff: _____ DATE: _____
 Contract Administration: _____ DATE: _____

COMMENTS: (WBS: TRANPLRPG520) (I/O 3596)

**IMMEDIATE OPPORTUNITY FUND AGREEMENT
Townsend Business Park**

THIS AGREEMENT is made and entered into by and between 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 elected officials, hereinafter referred to as "Agency."

RECITALS

1. The Oregon Transportation Commission (OTC) at its July 15, 1988, meeting approved establishing an Immediate Opportunity Fund (IOF) to support primary economic development in Oregon through the construction and improvement of streets and roads. The OTC at its meeting on March 24, 2004, revised the guidelines for the use of this fund. IOF funds are limited to Type A) specific economic development projects that affirm job retention and job creation opportunities; and Type B) revitalization of business or industrial centers to support economic development and quality development objectives.
2. NE Sandy Boulevard and NE 223rd Avenue are part of the county road system under the jurisdiction and control of Multnomah County.
3. By the authority granted in ORS 190.110, 366.572 and 366.576, State may enter into cooperative agreements with counties, cities and units of local governments for the performance of work on certain types of improvement projects with the allocation of costs on terms and conditions mutually agreeable to the contracting parties.
4. Agency has entered into a separate agreement with International Truck and Engine Corporation (ITEC), wherein ITEC has agreed to assist Agency in meeting Agency's obligations under this Agreement.

NOW THEREFORE, the premises being in general as stated in the foregoing recitals, it is agreed by and between the parties hereto as follows:

TERMS OF AGREEMENT

1. Agency proposes to make roadway improvements near the future development of Townsend Business Park that meets the IOF criteria. The improvements will consist of widening NE Sandy Blvd., adding left and right turn lanes and installing traffic signals to accommodate the turning movements of large trucks, hereinafter referred to as "Project". The location of the Project is approximately as shown on the sketch map attached hereto, marked "Exhibit A," and by this reference made a part hereof.

2. The Oregon Economic and Community Development Department (OECDD) recommends use of Immediate Opportunity Funds for this Project. State agrees to provide Immediate Opportunity Funds in the amount of \$500,000 to help finance the road construction portion of this Project. Agency and/or others will provide the remaining Project funding.
3. This Agreement is effective on the date all required signatures are obtained and shall terminate upon completion of the Project and receipt of documentation of filled and created positions outlined under Agency obligations.
4. Agency shall maintain the asphaltic concrete pavement surrounding the vehicle detector loops installed in NE Sandy Blvd. and NE 223rd Ave in such a manner as to provide adequate protection for said detector loops.

STATE OBLIGATIONS

1. State shall, at its own expense, assign a liaison person to monitor work performed. State shall review all environmental documents, Project plans, specifications, and cost estimates prepared by Agency or its consultants within 20 working days of submittal by Agency and before advertisement of construction bids.
2. Upon completion of the Project and receipt of a final progress report, State shall reimburse Agency a lump sum in the amount of \$500,000 as State's portion of the Project.

AGENCY OBLIGATIONS

1. Agency, or its consultant, shall conduct the necessary preliminary engineering and design work required to produce final plans, specifications and cost estimates; obtain all required permits; arrange for all utility relocations or reconstruction; perform all construction engineering, including all required materials testing and quality documentation; prepare all bid documents; provide Project management services, and other necessary functions for sole administration of the contract.
2. Agency shall advertise and award all contracts, and pay all contractor costs. Within two (2) years after the Agreement execution date, unless granted an extension by State, Agency shall award a contract for construction of Project. Construction must be completed within five (5) years of the Agreement date. If either time limit expires, this Agreement shall terminate immediately with all parties.
3. Agency agrees that State's reimbursement of \$500,000 in Project costs will be applied to construction costs only. "Construction costs" shall be any costs incurred by Agency after the award of the construction bid to the contractor directly related to the construction of the road improvements for N.E. Sandy Blvd and 223rd Avenue in the City of Fairview. Agency shall be responsible for funding the remaining Project costs.

M C & A No. 23,079
MULTNOMAH COUNTY

4. Agency shall submit to the assigned State Liaison Person complete copies of all environmental documents, Project plans, specifications and cost estimates before advertisement for construction bids.
5. Agency shall lay out and paint the necessary lane lines and erect the required directional and traffic control signing for the Project.
6. Agency shall be responsible for 100 percent of electrical energy costs associated with the luminaries installed as a part of this Project. The power company shall send power bills directly to Agency.
7. Agency shall maintain the asphaltic concrete pavement surrounding the vehicle detector loops installed in NE Sandy Blvd. and NE 223rd Ave in such a manner as to provide adequate protection for said detector loops.
8. Agency shall be responsible for and pay to the power company 100 percent of the power costs for the traffic signal. The power company shall send power bills directly to Agency.
9. Agency agrees that State road standards shall be used for that portion within State right of way, if any.
10. To the extent applicable, Agency or its consultant shall acquire all necessary rights-of-way according to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, ORS Chapter 35 and the State Right of Way Manual. Certification of right of way acquisition work must be made by the Agency (or on behalf of its consultant) doing the work. If Agency acquires the right of way, they shall provide a letter from Agency's legal counsel certifying that 1) the right of way needed for the Project has been obtained and 2) right of way acquisition has been completed in accordance with the right of way requirements contained in this Agreement. The certification form shall be routed through the State Region 1 Right of Way Office for co-signature and possible audit. If Agency elects to have State perform R/W functions, a separate agreement shall be executed between Agency and State R/W, referencing this Agreement number.
11. Agency shall require contractor to obtain and keep in effect during the term of the contract Comprehensive or Commercial General Liability Insurance covering bodily injury and property damage. This insurance shall include personal injury coverage, contractual liability coverage for the indemnity provided under this agreement and products/completed operations liability. Combined single limit per occurrence shall not be less than \$1,000,000 or the equivalent. Each annual aggregate limit shall not be less than \$2,000,000 when applicable. The certificate of insurance shall include the State of Oregon, Transportation Commission and its members, Department of Transportation, officers and employees as additional insured. Agency shall provide a copy of the certificate to State prior to construction of the project. The insurance coverage shall not

M C & A No. 23,079
MULTNOMAH COUNTY

be amended, altered, modified or cancelled insofar as the coverage contemplated herein is concerned without at least 30 days prior written notice.

12. All employers, including Agency, that employ subject workers who work under this Agreement in the State of Oregon shall comply with ORS 656.017 and provide the required Workers' Compensation coverage unless such employers are exempt under ORS 656.126. Agency shall ensure that each of its subcontractors complies with these requirements.
13. Agency shall keep accurate cost accounting records. Agency shall prepare and submit monthly itemized, progress reports for construction directly to State's Region Liaison Person for review and approval.
14. Agency shall, at its own expense, maintain and operate the Project upon completion at a minimum level that is consistent with normal depreciation and/or service demand. Agency maintenance responsibilities shall survive termination of this Agreement upon completion of Project and submission of documentation under Agency Obligation 20 a., Job Growth Assessment.
15. Agency agrees that should any environmental or land-use issues arise at any time during the development or construction of the Project, State may, at its discretion and when exercised in good faith, suspend payments until it is satisfied that the issue has been resolved. Agency shall be reimbursed by State as provided for in this Agreement once State is satisfied that the issue has been resolved.
16. Agency shall submit to State any change orders that substantially change the plans and specifications or the submitted scope of work as listed in Terms of Agreement, Paragraph 1.
17. Agency shall provide to State permanent mylar "as constructed" plans for work on state highways.
18. Agency shall, to the extent permitted by the Oregon Constitution and the Oregon Tort Claims Act, indemnify, defend, save, and hold harmless the State of Oregon, Oregon Transportation Commission and its members, Oregon Department of Transportation and its officers and employees, from all claims, suits or actions of any nature arising out of activities of Agency, its consultant, its contractor, its officers, subcontractors, agents, or employees under this Agreement.
19. Notwithstanding the foregoing defense obligations under Paragraph 18 above, neither Agency nor any attorney engaged by Agency shall defend any claim in the name of the State of Oregon or any agency of the State of Oregon, nor purport to act as legal representative of the State of Oregon or any of its agencies, without the prior written consent of the Oregon Attorney General. The State of Oregon may, at anytime at its

election assume its own defense and settlement in the event that it determines that Agency is prohibited from defending the State of Oregon, or that Agency is not adequately defending the State of Oregon's interests, or that an important governmental principle is at issue or that it is in the best interests of the State of Oregon to do so. The State of Oregon reserves all rights to pursue any claims it may have against Agency if the State of Oregon elects to assume its own defense.

20. Job Growth Assessment

Because the purpose of the Immediate Opportunity Fund Type A project is to promote job growth (or) Type B project is to promote revitalization of business or industrial centers), State wishes to assess its investment.

- a. Therefore, within 2 (two) years from the date the road improvements are accepted by Agency, Agency shall provide to State verification documentation from ITEC that 22 full-time equivalent positions (FTE) have been created and filled at the new location at Townsend Business Park. If such documentation cannot be provided within the above stated time limit, Agency shall reimburse State all Immediate Opportunity Funds distributed to Agency as outlined below.
- b. The targeted number of new FTE positions is 22. "New FTE positions" shall mean new positions created, filled and remaining on the payroll at the time the verification documentation is issued.
- c. The verification documentation shall be a letter on company letterhead signed by an official of ITEC duly authorized to represent ITEC certifying the number of new FTE positions. The State, through State, OECDD or the Secretary of State Audits Division, shall have the right to audit the payroll records of ITEC in order to confirm information in the letter, and Agency's agreement with ITEC shall provide for State Audit Division authority to audit said payroll records.
- d. If the documentation shows a deficiency in the number of FTE positions, Agency shall reimburse State on a pro-rated basis. The formula for the pro-rated amount of IOF funds paid to Agency will be an amount equal to the number of actual FTE positions divided by the number of projected FTE positions multiplied by total IOF funds available. Reimbursement will be the amount actually distributed less the pro-rated amount.
- e. Reimbursements resulting from a failure to provide job documentation or failure to meet job target goals shall be paid within three (3) months after the above stated time limit.

21. All said reimbursements shall include interest equal in rate for the Highway Trust Fund at the Treasury established on the date of execution of this Agreement. Interest shall

accrue from the date of the first withdrawal from the Highway Trust Fund at the State Treasury.

a. Agency may wish to enter into a separate agreement with ITEC to address pay back of Agency reimbursements to State resulting from ITEC's failure to provide documentation or failure to meet job target goals.

b. At Agency's request and upon consultation with Oregon Economic and Community Development Department, State may grant a time extension on the reimbursement or a time extension to provide additional job growth.

22. Agency acknowledges and agrees that State, the Oregon Secretary of State's Office, the federal government, and their duly authorized representatives shall have access to such fiscal records and other books, documents, papers, plans and writings of Agency that are pertinent to this Agreement to perform examinations and audits and make excerpts and transcripts. Agency shall retain and keep all files and records for a minimum of three (3) years after completion of the Project.
23. Agency shall comply with all federal, state, and local laws, regulations, executive orders and ordinances applicable to the work under this Agreement, including, without limitation, the provisions of ORS 279C.505, 279C.515, 279C.520, 279C.530 and 279B.270 incorporated herein by reference and made a part hereof; Without limiting the generality of the foregoing, Agency expressly agrees to comply with (i) Title VI of Civil Rights Act of 1964; (ii) Title V and Section 504 of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 and ORS 659A.142; (iv) all regulations and administrative rules established pursuant to the foregoing laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations.
24. Agency shall not enter into any subcontracts for any of the work scheduled under this Agreement without obtaining prior written approval from State.
25. Agency shall enter into and execute this Agreement during a regular, duly authorized session of its Board of Commissioners meeting.

GENERAL PROVISIONS

1. State and Agency grant authority to each other to enter onto its respective right-of-way for construction and Project monitoring.
2. Termination
 - a. Parties Right to Terminate for Convenience. This Agreement may be terminated at any time by mutual written consent of the parties.

M C & A No. 23,079
MULTNOMAH COUNTY

- b. State's Right to Terminate for Convenience. State may, at its sole discretion, terminate this Agreement, in whole or in part, upon thirty (30) days' written notice to Agency.
- c. State's Right to Terminate for Cause. State may terminate, in whole or in part, immediately upon notice to Agency, or at such later date as State may establish in such notice, upon the occurrence of any of the following events:
 - i. If State fails to receive funding, appropriations, limitations or other expenditure authority sufficient to allow State, in the exercise of its reasonable administrative discretion, to continue to make payments for performance of this Agreement.
 - ii. Federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the work under this Agreement is prohibited, or State is prohibited from paying for such work from the planned funding source;
 - iii. Agency fails to provide its share of the cost of the Project.
 - A. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the parties before termination.
3. Agency agrees to refund to State all Immediate Opportunity Funds paid to Agency in connection with this Project if this Agreement is terminated for any reason prior to completion of Project and receipt of job assessment documentation. Refund to State shall be within **3 months** from termination date.
4. This Agreement 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 Agreement so executed shall constitute an original.
5. This Agreement and attached exhibits constitute the entire agreement between the parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification, or change of terms of this Agreement shall bind either party unless in writing and signed by both parties and all necessary approvals have been obtained. Such waiver, consent, modification, or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of State to enforce any provision of this Agreement shall not constitute a waiver by State of that or any other provision.

M C & A No. 23,079
MULTNOMAH COUNTY

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

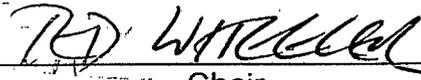
The Oregon Transportation Commission on June 18, 2003, approved Delegation Order No. 2, which authorizes the Director to approve and execute agreements for day-to-day operations when the work is related to a project included in the Statewide Transportation Improvement Program or a line item in the biennial budget approved by the Commission.

Signature page to follow

M C & A No. 23,079
MULTNOMAH COUNTY

On September 15, 2006, the Director of the Oregon Department of Transportation approved Subdelegation Order No. 2, in which the Director delegates authority to the Deputy Director for Highways, to approve and execute agreements over \$75,000 when the work is related to a project included in the Statewide Transportation Improvement Program, other system plans approved by the Commission such as the Traffic Safety Performance Plan, or in a line item in the approved biennial budget.

MULTNOMAH COUNTY, by and through
its elected officials

By 
Chair

Date _____

STATE OF OREGON, by and through
its Department of Transportation

By _____
Deputy Director, Highways

Date _____

APPROVAL RECOMMENDED

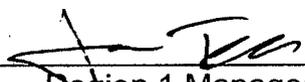
**APPROVED AS TO LEGAL
SUFFICIENCY**

By _____
Agency Attorney

Date _____

By _____
Technical Services Manager/Chief Engineer

Date _____

By 
Region 1 Manager

Date: 7/2/07

Agency Contact:

Ed Abrahamson
Multnomah County
1600 SE 190th Ave
Portland, OR 97233

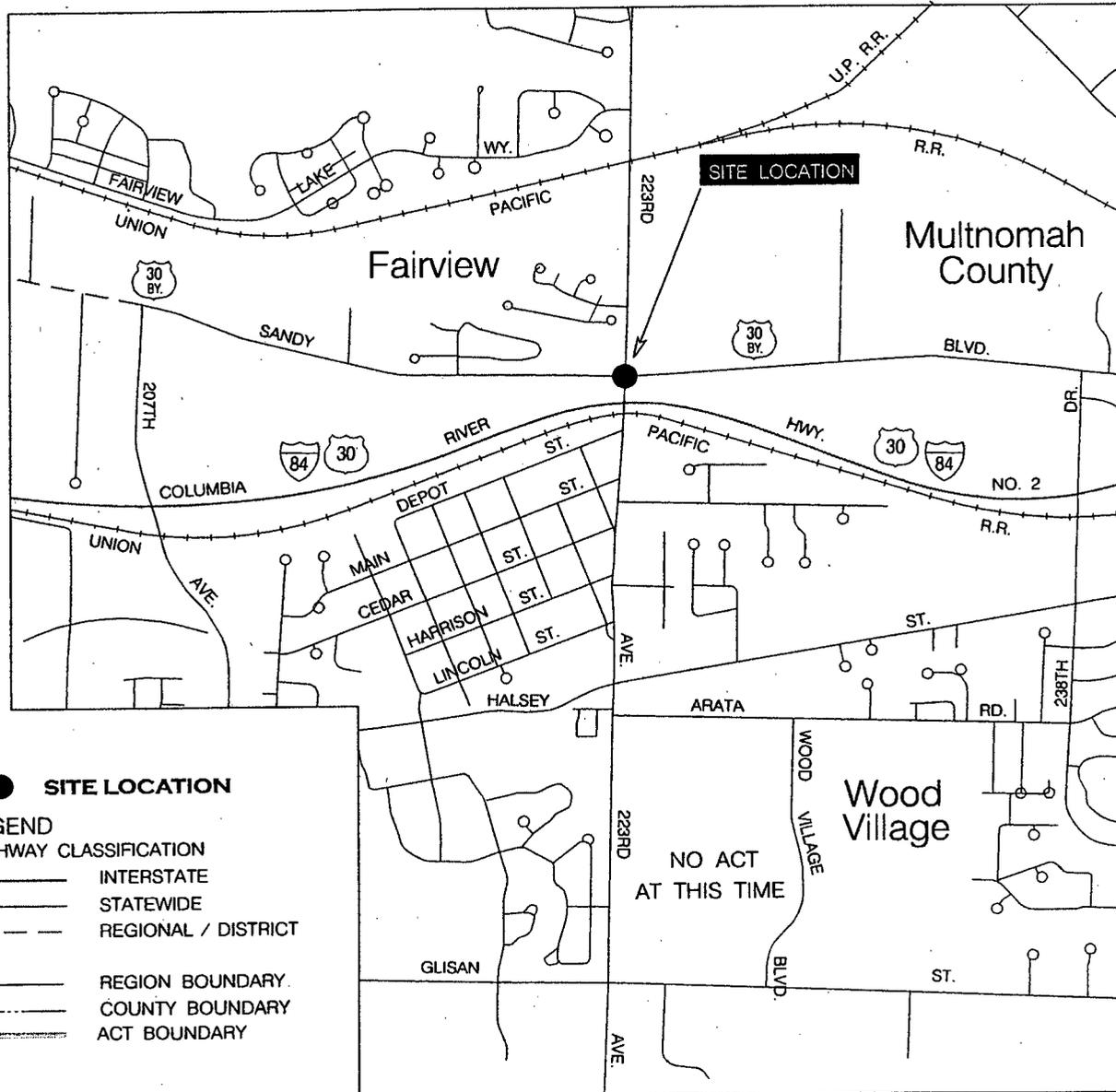
**APPROVED AS TO LEGAL
SUFFICIENCY**

By _____
Assistant Attorney General

Date: _____

IMMEDIATE OPPORTUNITY FUND PROJECT LOCATION

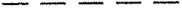
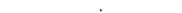
ODOT REGION 1



● SITE LOCATION

LEGEND

STATE HIGHWAY CLASSIFICATION

-  INTERSTATE
-  STATEWIDE
-  REGIONAL / DISTRICT
-  REGION BOUNDARY
-  COUNTY BOUNDARY
-  ACT BOUNDARY

N.E. SANDY BLVD. - N.E. 223rd AVE.

"This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information."

SCALE 0 0.5 MILE

SPECIAL PROJECT # 1877
NOVEMBER 2005



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

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C7 DATE 07-26-07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 07-26-07
Agenda Item #: C-7
Est. Start Time: 9:30 AM
Date Submitted: 07-09-07

BUDGET MODIFICATION: DCJ - 02

Agenda Title: Budget Modification DCJ-02 Reclassifying a Program Development Specialist to a Program Coordinator in the Adult Services Division, 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 26, 2007</u>	Amount of Time Needed:	<u>N/A</u>
Department:	<u>Dept. of Community Justice</u>	Division:	<u>Adult Services Division</u>
Contact(s):	<u>Shaun Coldwell</u>		
Phone:	<u>503-988-3961</u>	Ext.	<u>83961</u>
		I/O Address:	<u>503 / 250</u>
Presenter(s):	<u>Consent Calendar</u>		

General Information

1. What action are you requesting from the Board?

The Department of Community Justice (DCJ) requests approval of a budget modification to reclassify a vacant 0.63 FTE Program Development Specialist position which has been reviewed 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.

Reclassification of a vacant 0.63 FTE Program Development Specialist position to a Program Coordinator was approved for recommendation to the Board of County Commissioners by the Class/Comp Unit of Central Human Resources on June 29, 2007.

This is a limited duration position that was added to the FY-2008 Adopted Budget via Technical Amendment 08_DCJ_RA_02. This position will develop and coordinate programs/resources for released offenders who wish to be connected to spiritually based programs and services. After reviewing the duties and responsibilities of the position the Class/Comp Unit determined that the

Program Coordinator classification was most appropriate.

This position is located in the Adult Services Division, Transition & Re-Entry Services Program, program offer # 50029.

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

There is no fiscal impact for current year FY-2008 because both the positions are in the same pay scale range.

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

Local 88 represented employees have a contractual right to appeal and arbitrate the outcome of a reclassification request, which would include Board action to disapprove the request. It is the policy of Multnomah County to make all employment decisions without regard to race, religion, color, national origin, sex, age marital status, disability, political affiliations, sexual orientation, or any other non-merit factor.

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?**

N/A

- **What do the changes accomplish?**

Approval of a reclassification decision from the Class/Comp Unit of Central Human Resources.

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

Yes, Reclassification of a vacant limited duration 0.63 FTE Program Development Specialist position to a Program Coordinator.

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

N/A

- **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 revenue is one-time-only.

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

July 1, 2007 through June 30, 2008

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

The program will be eliminated at the end of the grant period.

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: DCJ - 02

Required Signatures

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

Sharon Brown for Steve Liden

Date: 07-09-07

Budget Analyst:

CSE

Date: 07-10-07

Department HR:

James J. Opoka

Date: 07-09-07

Countywide HR:

[Signature]

Date: 07-09-07



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C8 DATE 07-26-07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 07-26-07
Agenda Item #: C-8
Est. Start Time: 9:30 AM
Date Submitted: 07-06-7

BUDGET MODIFICATION: DCHS - 01

Agenda Title: Budget Modification DCHS-01 Reclassifying 1 Full Time Program Development Specialist Position to a Data Analyst, 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	<u>July 26, 2007</u>	Amount of Time Needed:	<u>N/A</u>
Department:	<u>Dept of County Human Services</u>	Division:	<u>SUN Service System</u>
Contact(s):	<u>Peggy Samolinski</u>		
Phone:	<u>505 988-6295</u>	Ext.	<u>24564</u>
		I/O Address:	<u>167/200</u>
Presenter(s):	<u>Consent Agenda</u>		

General Information

1. What action are you requesting from the Board?

The Department of County Human Services recommends approval of budget modification DCHS-01 reclassifying a position from Program Development Specialist to Data Analyst, in the SUN Service System Admin, 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 modification reflects a Class/Comp decision on a reclassification request initiated by the Manager in the SUN Service System, SUN SS Admin program offer #25143A. Due to increasing needs for technical expertise and support to enhance the Division's data collection, reporting and outcome development, the Manager determined that the previous classification, Program Development Specialist, was no longer appropriate to the job duties and thus sought a reclassification review. Class/Comp reviewed the submitted job duties and descriptions and determined that a Data Analyst classification was the best fit for the position. The purpose of this position and main job duties are as follows:

- Writes, reviews and submits accurate and timely program reports to funders
- Actively uses SCPs data collection systems, uses queries and other tools to extract data from systems for program staff, managers, policymakers, system stakeholders and funders
- Organizes data into user-friendly formats for clarity and use in presentations.
- Develops performance measures for SCPs programs with program and evaluation staff, in accordance with any funding expectations; works with external cross-jurisdictional partners for cross-jurisdictional alignment on measures, as relevant.
- Provides technical assistance to internal staff around data collection, programmatic outcomes, grant reporting.
- Assists with training of external users about program data collection and system functioning, as needed.

Per Human Resources Class/Comp: "The incumbent performs complex technical and analytical work in the design, development and maintenance of automated information systems and technical report writing specific to this division. The incumbent will be responsible for ad-hoc reporting, problem solving, organizing, analyzing and summarizing data received from a variety of sources. Work is highly varied and complex requiring knowledge of a specific discipline or program, in addition to information systems processes, data management techniques, and methods."

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

This reclassification is effective July 1, 2007. Because the Data Analyst job classification is at a lower pay scale than the Program Development Specialist classification, there will be a net budget savings of \$4,612 in Fiscal Year '08.

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

N/A

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

N/A

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?**

In the Fiscal Year '08 budget, this position is split 75/25 between the SUN Service System Administration and the Community Services Administration program offers.

The classification downgrade will result in a savings of \$3,459 in the SUN Service System Admin and a savings of \$1,153 in the Community Services Admin, for a total County General Fund savings of \$4,612.

- **What do the changes accomplish?**

Approval of a classification decision from Human Resources Class/Comp initiated by the Manager, and allows for a classification that better reflects the functions and duties of this position.

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

Reclassification of a 1.0 FTE Program Development Specialist to a Data Analyst. The position is budgeted 75% in the SUN Service System Admin program offer #25143A, and 25% in the Community Services Admin program offer #25118.

The position is currently vacant and a recruitment to fill will commence upon Board approval of the reclassification.

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

N/A

- **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?**

N/A

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

N/A

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

N/A

ATTACHMENT B

BUDGET MODIFICATION: DCHS - 01

Required Signatures

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

Joanne Fulmer

Date: 07-03-07

Budget Analyst:

Michael D. Gasper

Date: 07-12-07

Department HR:

Joe E. Orr

Date: 07-06-07

Countywide HR:

Date: _____

Budget Modification ID: **DCHS_01**

EXPENDITURES & REVENUES

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
1	22-20	1000	40			SCPSS.CGF	60000	399,565	397,061	(2,504)		Permanent
2	22-20	1000	40			SCPSS.CGF	60130	128,221	127,416	(805)		Salary Related Expns
3	22-20	1000	40			SCPSS.CGF	60140	94,009	93,859	(150)	(3,459)	Insurance Benefits
4								0	0			
5	22-10	1000	40			SCPCPS.CGF	60000	302,766	301,931	(835)		Permanent
6	22-10	1000	40			SCPCPS.CGF	60130	97,158	96,890	(268)		Salary Related Expns
7	22-10	1000	40			SCPCPS.CGF	60140	68,191	68,141	(50)	(1,153)	Insurance Benefits
8									0			
9	72-10	3500	0020		705210		50316		200	200		Service Reimbursement
10	72-10	3500	0020		705210		60330		(200)	(200)	0	Claims Paid
11									0			
12	19	1000	0020		9500001000		60470		4,612	4,612	4,612	General Fund Contingency
13									0			
14									0			
15									0			
16									0			
17									0			
18									0			
19									0			
20									0			
21									0			
22									0			
23									0			
24									0			
25									0			
26									0			
27									0			
28									0			
29									0			
									0	0	0	Total - Page 1
									0	0	0	GRAND TOTAL



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07/26/07
 Agenda Item #: R-1
 Est. Start Time: 9:30 AM
 Date Submitted: 06/28/07

Agenda Title: Briefing Update on the Six-Year Community Plan for Children and Families

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

Requested Meeting Date: July 26, 2007 Amount of Time Needed: 30 mins
 Department: Non Department Division: CCFC
 Contact(s): Joshua Todd/ Wendy Lebow
 Phone: 503-988-5839 Ext. 85839 I/O Address: 167/1/200/CCFC
 Presenter(s): Wendy Lebow & Joshua Todd

General Information

1. What action are you requesting from the Board?

No action requested. This presentation is to inform the Board on the progress of the state mandated 6 year community plan for children and families.

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.

Senate Bill 555 required several state agencies to begin planning jointly for the benefit of children, youth and families. At a local level, each local Commission on Children & Families was required to create a 6-year Comprehensive Coordinated plan with community partners that tracked progress on 19 different High Level Outcomes determined by the State. The CCFC conducted two-year updates to the plan and is now developing a new 6-year plan which will identify 1-5 issues which community members identify as critical targets for cross-jurisdictional/community-wide sustained effort. This plan will not be the CCFC's plan but the Community's Plan. The Community Plan may help the CCFC identify 1 or 2 areas of work to engage in but ultimately the CCFC will use this plan to help identify partners to take ownership and leadership of the plan to benefit children & youth. This plan will most directly impact program offer #10012 CCFC Planning, Convening, Community Engagement by helping direct some of our community engagement and planning efforts.

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

The Community Plan will not have any direct fiscal impact but could help direct CCFC and County resources in areas identified by community members as critical areas of investment.

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

This planning process is mandated by SB 555 (Partners for Children & Families) through the Oregon Commission on Children & Families; each county in Oregon is required to create a Community Plan which is used to organize partners, funding, and policy efforts around children & families.

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

The Community Plan is led by a steering committee made up of approximately 18 members from service-providers, youth, City and County government, culturally-specific providers, and others. This group will led the process and planning and will help identify were deeper community engagement must occur.

Required Signature

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

jo - hua f to //
for

Date: June 28, 2007

Wendy Lebn

High Level Outcomes

Multnomah County Compared to State Average

Above State Average and Improving	Above State Average and Failing to Improve	Below State Average and Improving	Below State Average and Failing to Improve
Increase Immunizations	Increase Childcare Availability	Reduce Domestic Violence	Reduce Adult Substance Abuse
Decrease Student Drug Use		Improve Readiness to Learn	Reduce Poverty
Decrease Student Tobacco Use		Decrease Juvenile Arrests	Reduce Child Maltreatment
		Reduce Juvenile Recidivism	Improve Prenatal Care
		Reduce Teen Pregnancy	Reduce Alcohol, Tobacco, and Other Drug Use During Pregnancy
		Decrease Youth Suicide	Decrease Student Alcohol Use
		Reduce High School Drop Out Rate	

**Initial Draft Listing of Top Issues
6-Year Community Planning Steering Committee
July 2007**

Community Reports

1. Health Care
2. Poverty
3. Affordable Housing
4. Adult Substance Abuse
5. Child Care Availability

Steering Committee

1. Health Care
2. Parent Resources
3. Affordable Housing
4. Poverty
5. Child Care

The Code Compliance Program has been in operation since May 2004. As the program has developed and operated over the past few years, we have noted specific areas of the enforcement code that needs clarification and also improves the consistency of the Code Compliance program operation with the code language.

The proposed revisions are intended to:

- 1) Improve the consistency of the code language related to enforcement of transportation regulations;
- 2) Clarify enforcement of regulations and County issued permits through a Stop Work Order process;
- 3) Clarify the Hearings Officer authority to order corrective actions for a Notice of Violation not appealed; and to order reimbursement for costs expended by the County to remediate a violation; and
- 4) Delete the requirement to provide a Notice of Hearing to surrounding properties when a Notice of Violation is appealed.

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

There is no expected increase in County expenditures for this program related to the amended ordinance. Funds may be generated by civil fines assessed and collected, or liens placed by the County for non-compliance with County regulations.

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

The specific inclusion of a Stop Work Order authority is to minimize our legal exposure and is consistent with the County's philosophy of seeking voluntary compliance as a first option.

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

March 21, 2007: Notice of proposed enforcement code amendment sent to the Oregon Department of Land Conservation and Development. The Department had no official concerns or recommendations.

April 2, 2007: First review of proposed enforcement code amendments by the Planning Commission.

May 7, 2007: The Planning Commission held a Public Hearing and received a comment on the proposed enforcement code amendments. During this meeting the Planning Commission adopted a Resolution to recommend the Board of County Commissioners adopt the proposed enforcement code amendments.

Required Signature

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



Date: 06/27/07

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending MCC Chapter 37, Administration and Procedures, Relating to Land Use Code Enforcement

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

The Multnomah County Board of Commissioners Finds:

a. The proposed revisions to the code compliance provisions of Multnomah County Code Administrative Chapter 37 would:

- (1) Improve the consistency of the code language related to enforcement of transportation regulations;
- (2) Clarify enforcement of regulations and County issued permits through a Stop Work Order process;
- (3) Clarify the Hearings Officer authority to order corrective actions for a Notice of Violation not appealed; and to order reimbursement for costs expended by the County to remediate a violation; and
- (4) Delete the requirement to provide a Notice of Hearing to surrounding properties when a Notice of Violation is appealed.

b. The proposed code revisions are in the best interests of the County.

Multnomah County Ordains as follows:

Section 1. § 37.0915 is amended as follows:

37.0915 Violations

Any use of land, land division, ~~or~~ adjustment to property boundaries, work within a County right-of-way, or other activity by a person in violation of any provision of:

(A) MCC Chapters 33, 34, 35, 36 and 38; §§ 29.001 through 29.365 and 29.500 through 29.630; Multnomah eCounty Road Rules or the terms and conditions of any permit issued under those code provisions; or

(B) Any statute adopted by the Oregon Legislature and those land use planning goals and rules of the Land Conservation and Development Commission (LCDC) that apply directly to the County through ORS 197.646

may be subject to enforcement and fines as provided in this subchapter.

Section 2. § 37.0930 is amended as follows:

37.0930 Enforcement Levels

The levels of enforcement are:

(A) Voluntary compliance;

(B) Stop Work Order;

(~~BC~~) Correction Notice;

(~~CD~~) Notice of Violation and fine;

(~~DE~~) Petition for injunction and other remedies in state court.

Section 3. § 37.0945 is amended as follows:

37.0945 Emergency Enforcement

If the CCS determines that the violation presents an immediate danger to the public health, safety, welfare ~~of persons or property~~; or ~~substantial if there is any evidence of environmental harm to the environment~~ including but not limited to, any discharge of pollutants to waters of the state that cause or contribute to a violation of applicable water quality standards, the CCS may require immediate remedial action, and/or may issue a Stop Work Order. If the CCS is unable to serve a Notice of Violation on the respondent ~~and property owner, if different,~~ or, if after such service, the respondent ~~or property owner~~ refuses or ~~are~~is unable to remedy the violation, the CCS may proceed to remedy the violation by any means available under law, and the County shall be entitled to recover its actual costs of remediation, its reasonable administrative costs, and as well as its attorney fees and costs for its enforcement actions, including appeals.

Section 4. § 37.0946 is added as follows:

37.0946 Stop Work Orders

A Stop Work Order may be issued whenever the code enforcement staff or other Department of Community Services staff has determined that non-permitted construction and/or land use is occurring on property or within any County right-of-way, or has determined that construction and/or land use is occurring not in compliance with any land use or building permit issued for a property or a transportation permit within a County right of way. Failure to comply with a Stop Work Order may result in a Notice of Violation.

Section 5. § 37.0950 is amended as follows:

37.0950 Failure to ~~File~~ Appeal

If the respondent or property owner does not file a written appeal of the violation within 14 days of the date when the Notice of Violation is served or mailed, the CCS shall forward the Notice of Violation to the Compliance Hearings Officer for review and issuance of a final order ~~imposing the fine assessed in the Notice and any administrative fees and costs.~~

(A) If the Hearings Officer affirms the violation, the Hearings Officer shall set a time within which the responsible party must comply. The order may require such person to do any of the following:

(1) Obtain any and all necessary permits, inspections and approvals;

(2) Install any equipment necessary to achieve compliance;

(3) Make any and all necessary repairs, modifications, and/or improvements to the structure, real property, or equipment involved;

(4) Reimburse the County for actual costs of remediation, its reasonable administrative costs, as well as its attorney fees and costs for its enforcement actions, including appeals;

(5) Pay a civil fine for the violation and any fees and costs to the County;

(6) Pay a reduced fine;

(7) Undertake any other action reasonably necessary to remedy the violation.

(B) The Hearing Officer's order shall be in writing and may be accompanied by an opinion.

Section 6. § 37.0955 is amended as follows:

37.0955 Appeal

(A) Persons Authorized to Appeal Notice of Violation

(1) The Notice of Violation may be appealed by the respondent, ~~property owner of the subject property~~, the property owner's representative or other person who has been included as part of the Notice of Violation.

(2) A representative of the property owner must have documentation demonstrating that ~~they are~~he/she is an authorized agent of the property owner.

(B) Notice of Hearing

(1) The notice shall contain the time, date, and place of the hearing. A copy of the Notice of Violation and a description of the appeal process and associated rights shall be attached to the notice.

(2) Notice shall be served on the respondent and property owner, if different, by personal service or certified mailed, return receipt requested at least 15 days prior to the hearing date. Notice is considered complete on the date of personal delivery or upon deposit in the U.S. mail. Notice will also be provided to surrounding properties within 750 feet of the subject property, complainant if known and other known interested parties who have made a written request for notice. Written notice includes email and faxes in addition to surface mail or hand-delivered documents.

(3) Failure of any person to receive notice properly given shall not invalidate or otherwise affect the proceedings under this subchapter.

(C) Appeal Hearing

(1) Hearings to determine whether a violation has occurred shall be held before the Hearings Officer. The County must prove the violation alleged by a preponderance of the evidence.

(2) The Hearings Officer shall set a time within which the respondent must comply. ~~order a person found in violation to comply within such time as the Compliance Hearings Officer may by order allow.~~ The order may require such personthe respondent to do any of the following:

(a) Obtain any and all necessary permits, inspections and approvals;

(b) Install any equipment necessary to achieve compliance;

(c) Make any and all necessary repairs, modifications, and/or improvements to the structure, real property, or equipment involved;

(d) Reimburse the County for actual costs of remediation, its reasonable administrative costs, as well as its attorney fees and costs for its incurred in conjunction with the enforcement actions, including appeals;

(e) Pay a civil fine for the violation and any fees and costs to the County;

(f) Pay a reduced fine;

(g) Undertake any other action reasonably necessary to ~~correct~~ remedy the violation.

(3) The Hearing Officer's order shall be in writing or stated in the record and may be accompanied by an opinion.

Section 7. The effective date of the amendments to Chapter 38 Columbia River Gorge National Scenic Area, General Management Areas shall be the date they are approved by the Bi-State Gorge commission. Amendments to Special Management Areas shall be effective upon acknowledgement by the United States Secretary of Agriculture.

FIRST READING:

July 12, 2007

SECOND READING AND ADOPTION:

July 26, 2007

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Sandra N. Duffy, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Department of Community Services

BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. PC 07-001

Recommend to the Board of County Commissioners the adoption of an ordinance amending Multnomah County Code (MCC) Chapter 37.0915 Violations, MCC 37.0930 Enforcement Levels, MCC 37.0945 Emergency Enforcement, MCC 37.0950 Failure to Appeal and MCC 37.0955 Appeal, and adding a separate section for a Stop Work Order enforcement level.

The Planning Commission Finds:

- a. The Planning Commission is authorized by Multnomah County Code 33.0140 and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- b. Code provisions should be periodically reviewed and updated. As part of that effort, the Planning Commission sees a need to revise and clarify the code enforcement provisions to guide the operation of the Code Compliance Program.
- c. The Multnomah County Road Rules should be specifically included within the enforcement authority of the Code Compliance Program to assist with enforcement of those rules.
- d. Specific authority for a Stop Work Order process is needed for emergency enforcement and provides the County with an additional enforcement tool short of proceeding to the court system to obtain a restraining order or injunction to secure compliance with our county code. This is consistent with the County's policy of seeking voluntary compliance as a first option.
- e. The Planning Commission is recommending that the language in MCC 32.0950 and MCC 37.0955 be revised in the following manner: 1) clarify procedures, 2) remove the option for a Hearings Officer to issue an oral Order and requires that an Order be in written form, 3) includes the option to order reimbursement to the County of all costs associated with County abatement of a violation, and 4) removes the requirement to notify surrounding property owners of an appeal of a Notice of Violation issued for a specific property since it is not a land use decision.
- f. No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required ("Ballot Measure 56" notice).
- g. Notice of the Planning Commission hearing was published in the "Oregonian" newspaper and on the Land Use Program web site. The Planning Commission held a public hearing on May 7, 2007, where all interested persons were given an opportunity to appear and be heard.

The Planning Commission Resolves that:

The proposed Ordinance amending MCC Chapter 37.0915 Violations, MCC 37.0930 Enforcement Levels, MCC 37.0945 Emergency Enforcement, MCC 37.0950 Failure to Appeal and MCC 37.0955 Appeal, and adding a separate section for a Stop Work Order enforcement level, is hereby recommended for adoption by the Board of County Commissioners.

ADOPTED this 7th day of May, 2007.

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON



John Ingle, Chair

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1096

Amending MCC Chapter 37, Administration and Procedures, Relating to Land Use Code Enforcement

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

The Multnomah County Board of Commissioners Finds:

- a. The proposed revisions to the code compliance provisions of Multnomah County Code Administrative Chapter 37 would:
- (1) Improve the consistency of the code language related to enforcement of transportation regulations;
 - (2) Clarify enforcement of regulations and County issued permits through a Stop Work Order process;
 - (3) Clarify the Hearings Officer authority to order corrective actions for a Notice of Violation not appealed; and to order reimbursement for costs expended by the County to remediate a violation; and
 - (4) Delete the requirement to provide a Notice of Hearing to surrounding properties when a Notice of Violation is appealed.
- b. The proposed code revisions are in the best interests of the County.

Multnomah County Ordains as follows:

Section 1. § 37.0915 is amended as follows:

37.0915 Violations

Any use of land, land division, ~~or~~ adjustment to property boundaries, work within a County right-of-way, or other activity by a person in violation of any provision of:

(A) MCC Chapters 33, 34, 35, 36 and 38; §§ 29.001 through 29.365 and 29.500 through 29.630; Multnomah eCounty Road Rules or the terms and conditions of any permit issued under those code provisions; or

(B) Any statute adopted by the Oregon Legislature and those land use planning goals and rules of the Land Conservation and Development Commission (LCDC) that apply directly to the County through ORS 197.646

may be subject to enforcement and fines as provided in this subchapter.

Section 2. § 37.0930 is amended as follows:

37.0930 Enforcement Levels

The levels of enforcement are:

- (A) Voluntary compliance;
- (B) Stop Work Order;
- (C) Correction Notice;
- (D) Notice of Violation and fine;
- (E) Petition for injunction and other remedies in state court.

Section 3. § 37.0945 is amended as follows:

37.0945 Emergency Enforcement

If the CCS determines that the violation presents an immediate danger to the public health, safety, welfare of persons or property; or ~~substantial~~ if there is any evidence of environmental harm to the environment including but not limited to, any discharge of pollutants to waters of the state that cause or contribute to a violation of applicable water quality standards, the CCS may require immediate remedial action, and/or may issue a Stop Work Order. If the CCS is unable to serve a Notice of Violation on the respondent and property owner, if different, or, if after such service, the respondent or property owner refuses or are unable to remedy the violation, the CCS may proceed to remedy the violation by any means available under law, and the County shall be entitled to recover its actual costs of remediation, its reasonable administrative costs, and as well as its attorney fees and costs for its enforcement actions, including appeals.

Section 4. § 37.0946 is added as follows:

37.0946 Stop Work Orders

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Section 5. § 37.0950 is amended as follows:

37.0950 Failure to Appeal

If the respondent or property owner does not file a written appeal of the violation within 14 days of the date when the Notice of Violation is served or mailed, the CCS shall forward the Notice of Violation to the Compliance Hearings Officer for review and issuance of a final order ~~imposing the fine assessed in the Notice and any administrative fees and costs~~.

(A) If the Hearings Officer affirms the violation, the Hearings Officer shall set a time within which the responsible party must comply. The order may require such person to do any of the following:

- (1) Obtain any and all necessary permits, inspections and approvals;
- (2) Install any equipment necessary to achieve compliance;

(3) Make any and all necessary repairs, modifications, and/or improvements to the structure, real property, or equipment involved;

(4) Reimburse the County for actual costs of remediation, its reasonable administrative costs, as well as its attorney fees and costs for its enforcement actions, including appeals;

(5) Pay a civil fine for the violation and any fees and costs to the County;

(6) Pay a reduced fine;

(7) Undertake any other action reasonably necessary to remedy the violation.

(B) The Hearing Officer's order shall be in writing and may be accompanied by an opinion.

Section 6. § 37.0955 is amended as follows:

37.0955 Appeal

(A) Persons Authorized to Appeal Notice of Violation

(1) The Notice of Violation may be appealed by the respondent, ~~property owner of the subject property,~~ the property owner's representative or other person who has been included as part of the Notice of Violation.

(2) A representative of the property owner must have documentation demonstrating that ~~they~~ are/he/she is an authorized agent of the property owner.

(B) Notice of Hearing

(1) The notice shall contain the time, date, and place of the hearing. A copy of the Notice of Violation and a description of the appeal process and associated rights shall be attached to the notice.

(2) Notice shall be served on the respondent and property owner, if different, by personal service or certified mailed, return receipt requested at least 15 days prior to the hearing date. Notice is considered complete on the date of personal delivery or upon deposit in the U.S. mail. Notice will also be provided to surrounding properties within 750 feet of the subject property, complainant if known and other known interested parties who have made a written request for notice. Written notice includes email and faxes in addition to surface mail or hand-delivered documents.

(3) Failure of any person to receive notice properly given shall not invalidate or otherwise affect the proceedings under this subchapter.

(C) Appeal Hearing

(1) Hearings to determine whether a violation has occurred shall be held before the Hearings Officer. The County must prove the violation alleged by a preponderance of the evidence.

(2) The Hearings Officer shall set a time within which the respondent must comply. ~~order a person found in violation to comply within such time as the Compliance Hearings Officer may by order allow.~~ The order may require such person the respondent to do any of the following:

(a) Obtain any and all necessary permits, inspections and approvals;

- (b) Install any equipment necessary to achieve compliance;
- (c) Make any and all necessary repairs, modifications, and/or improvements to the structure, real property, or equipment involved;
- (d) Reimburse the County for actual costs of remediation, its reasonable administrative costs, as well as its attorney fees and costs for its incurred in conjunction with the enforcement actions, including appeals;
- (e) Pay a civil fine for the violation and any fees and costs to the County;
- (f) Pay a reduced fine;
- (g) Undertake any other action reasonably necessary to ~~correct~~ remedy the violation.

(3) The Hearing Officer's order shall be in writing or stated in the record and may be accompanied by an opinion.

Section 7. The effective date of the amendments to Chapter 38 Columbia River Gorge National Scenic Area, General Management Areas shall be the date they are approved by the Bi-State Gorge commission. Amendments to Special Management Areas shall be effective upon acknowledgement by the United States Secretary of Agriculture.

FIRST READING:

July 12, 2007

SECOND READING AND ADOPTION:

July 26, 2007



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler
Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By *Sandra Duffy*
Sandra N. Duffy, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Department of Community Services

BOGSTAD Deborah L

From: DUFFY Sandra N
Sent: Wednesday, August 08, 2007 9:50 AM
To: BOGSTAD Deborah L
Cc: DUFFY Sandra N; GRIMMETT Michael V; TOKOS Derrick I
Subject: RE: code enforcement ordinance

Deb: We need to have you delete that finding (4) and have the re-sign the Ordinance. It is an insubstantial "scrivener's" error and does not need to go back to the Board. Please provide us with a pdf of the new signed version. Thanks.

Sandy

Sandra N. Duffy
Assistant County Attorney
Multnomah County

From: BOGSTAD Deborah L
Sent: Wednesday, August 08, 2007 9:23 AM
To: DUFFY Sandra N
Subject: RE: code enforcement ordinance

Okay I'm back in the office ready to "talk". On July 12 Commissioners Rojo and Cogen moved the first reading of an amended ordinance with the addition of section 7. Following Michael Grimmertt explanation; response to comments of Commissioner Roberts and Chair Wheeler; public testimony from Bob Liepper; Board comments and discussion with Mr. Grimmertt and Sandra Duffy, Commissioners Rojo and Cogen moved amendment to section 37.0955 (B)(2) to read "Notice will also be provided to surrounding properties within 750 feet of the subject property, complainant if known and other known interested parties who have made a written request for notice. Written notice includes email and faxes in addition to surface mail or hand-delivered documents."

There was no mention of deleting finding (4) and I didn't catch it.

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>

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

8/8/2007

From: DUFFY Sandra N
Sent: Wednesday, August 01, 2007 9:51 AM
To: BOGSTAD Deborah L
Subject: FW: code enforcement ordinance

The signed ordinance is not correct. Let's talk.

Sandra N. Duffy
Assistant County Attorney
Multnomah County

From: TOKOS Derrick I
Sent: Thursday, July 26, 2007 3:25 PM
To: GRIMMETT Michael V
Cc: DUFFY Sandra N
Subject: code enforcement ordinance

Michael,

I spoke to Sandy and she will make sure that the scrivener's error in the ordinance is corrected before it is signed. I am referring to the finding regarding notices that needs to be deleted.

Derrick I. Tokos, AICP
Principal Planner
Multnomah County
ph. 503.988.3043 x22682

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1096

Amending MCC Chapter 37, Administration and Procedures, Relating to Land Use Code Enforcement

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

The Multnomah County Board of Commissioners Finds:

a. The proposed revisions to the code compliance provisions of Multnomah County Code Administrative Chapter 37 would:

- (1) Improve the consistency of the code language related to enforcement of transportation regulations;
- (2) Clarify enforcement of regulations and County issued permits through a Stop Work Order process;
- (3) Clarify the Hearings Officer authority to order corrective actions for a Notice of Violation not appealed; and to order reimbursement for costs expended by the County to remediate a violation; and
- (4) ~~Delete the requirement to provide a Notice of Hearing to surrounding properties when a Notice of Violation is appealed.~~

b. The proposed code revisions are in the best interests of the County.

Multnomah County Ordains as follows:

Section 1. § 37.0915 is amended as follows:

37.0915 Violations

Any use of land, land division, ~~or~~ adjustment to property boundaries, work within a County right-of-way, or other activity by a person in violation of any provision of:

(A) MCC Chapters 33, 34, 35, 36 and 38; §§ 29.001 through 29.365 and 29.500 through 29.630; Multnomah eCounty Road Rules or the terms and conditions of any permit issued under those code provisions; or

(B) Any statute adopted by the Oregon Legislature and those land use planning goals and rules of the Land Conservation and Development Commission (LCDC) that apply directly to the County through ORS 197.646

may be subject to enforcement and fines as provided in this subchapter.

Section 2. § 37.0930 is amended as follows:

37.0930 Enforcement Levels

The levels of enforcement are:

(A) Voluntary compliance;

(B) Stop Work Order;

(BC) Correction Notice;

(CD) Notice of Violation and fine;

(DE) Petition for injunction and other remedies in state court.

Section 3. § 37.0945 is amended as follows:

37.0945 Emergency Enforcement

If the CCS determines that the violation presents an immediate danger to the public health, safety, welfare of persons or property; or substantial if there is any evidence of environmental harm to the environment including but not limited to, any discharge of pollutants to waters of the state that cause or contribute to a violation of applicable water quality standards, the CCS may require immediate remedial action, and/or may issue a Stop Work Order. If the CCS is unable to serve a Notice of Violation on the respondent and property owner, if different, or, if after such service, the respondent or property owner refuses or are unable to remedy the violation, the CCS may proceed to remedy the violation by any means available under law, and the County shall be entitled to recover its actual costs of remediation, its reasonable administrative costs, and as well as its attorney fees and costs for its enforcement actions, including appeals.

Section 4. § 37.0946 is added as follows:

37.0946 Stop Work Orders

A Stop Work Order may be issued whenever the code enforcement staff or other Department of Community Services staff has determined that non-permitted construction and/or land use is occurring on property or within any County right-of-way, or has determined that construction and/or land use is occurring not in compliance with any land use or building permit issued for a property or a transportation permit within a County right of way. Failure to comply with a Stop Work Order may result in a Notice of Violation.

Section 5. § 37.0950 is amended as follows:

37.0950 Failure to Appeal

If the respondent or property owner does not file a written appeal of the violation within 14 days of the date when the Notice of Violation is served or mailed, the CCS shall forward the Notice of Violation to the Compliance Hearings Officer for review and issuance of a final order imposing the fine assessed in the Notice and any administrative fees and costs.

(A) If the Hearings Officer affirms the violation, the Hearings Officer shall set a time within which the responsible party must comply. The order may require such person to do any of the following:

(1) Obtain any and all necessary permits, inspections and approvals;

(2) Install any equipment necessary to achieve compliance;

(3) Make any and all necessary repairs, modifications, and/or improvements to the structure, real property, or equipment involved;

(4) Reimburse the County for actual costs of remediation, its reasonable administrative costs, as well as its attorney fees and costs for its enforcement actions, including appeals;

(5) Pay a civil fine for the violation and any fees and costs to the County;

(6) Pay a reduced fine;

(7) Undertake any other action reasonably necessary to remedy the violation.

(B) The Hearing Officer's order shall be in writing and may be accompanied by an opinion.

Section 6. § 37.0955 is amended as follows:

37.0955 Appeal

(A) Persons Authorized to Appeal Notice of Violation

(1) The Notice of Violation may be appealed by the respondent, ~~property owner of the subject property,~~ the property owner's representative or other person who has been included as part of the Notice of Violation.

(2) A representative of the property owner must have documentation demonstrating that ~~they are~~he/she is an authorized agent of the property owner.

(B) Notice of Hearing

(1) The notice shall contain the time, date, and place of the hearing. A copy of the Notice of Violation and a description of the appeal process and associated rights shall be attached to the notice.

(2) Notice shall be served on the respondent and property owner, if different, by personal service or certified mailed, return receipt requested at least 15 days prior to the hearing date. Notice is considered complete on the date of personal delivery or upon deposit in the U.S. mail. Notice will also be provided to surrounding properties within 750 feet of the subject property, complainant if known and other known interested parties who have made a written request for notice. Written notice includes email and faxes in addition to surface mail or hand-delivered documents.

(3) Failure of any person to receive notice properly given shall not invalidate or otherwise affect the proceedings under this subchapter.

(C) Appeal Hearing

(1) Hearings to determine whether a violation has occurred shall be held before the Hearings Officer. The County must prove the violation alleged by a preponderance of the evidence.

(2) The Hearings Officer shall set a time within which the respondent must comply. ~~order a person found in violation to comply within such time as the Compliance Hearings Officer may by order allow.~~ The order may require such person~~the respondent~~ to do any of the following:

(a) Obtain any and all necessary permits, inspections and approvals;

- (b) Install any equipment necessary to achieve compliance;
 - (c) Make any and all necessary repairs, modifications, and/or improvements to the structure, real property, or equipment involved;
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 - (e) Pay a civil fine for the violation and any fees and costs to the County;
 - (f) Pay a reduced fine;
 - (g) Undertake any other action reasonably necessary to ~~correct~~ remedy the violation.
- (3) The Hearing Officer's order shall be in writing or stated in the record and may be accompanied by an opinion.

Section 7. The effective date of the amendments to Chapter 38 Columbia River Gorge National Scenic Area, General Management Areas shall be the date they are approved by the Bi-State Gorge commission. Amendments to Special Management Areas shall be effective upon acknowledgement by the United States Secretary of Agriculture.

FIRST READING: July 12, 2007

SECOND READING AND ADOPTION: July 26, 2007

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By Sandra N. Duffy, Assistant County Attorney

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

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

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(1) The notice shall contain the time, date, and place of the hearing. A copy of the Notice of Violation and a description of the appeal process and associated rights shall be attached to the notice.

(2) Notice shall be served on the respondent and property owner, if different, by personal service or certified mailed, return receipt requested at least 15 days prior to the hearing date. Notice is considered complete on the date of personal delivery or upon deposit in the U.S. mail. Notice will also be provided to surrounding properties within 750 feet of the subject property, complainant if known and other known interested parties who have made a written request for notice. Written notice includes email and faxes in addition to surface mail or hand-delivered documents.

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FIRST READING:

July 12, 2007

SECOND READING AND ADOPTION:

July 26, 2007



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler
Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By *Sandra Duffy*
Sandra N. Duffy, 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: 07/26/07
 Agenda Item #: R-3
 Est. Start Time: 10:03 AM
 Date Submitted: 06/27/07

Agenda Title: Second Reading and Possible Adoption of a Proposed ORDINANCE Amending Multnomah County Code Chapters 11.15, 11.45, 33, 34, 35, 36, 37 and 38 to Add Criteria for Replatting and Consolidating Lots and Parcels

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

Requested Meeting Date: July 26, 2007 **Amount of Time Needed:** 2 mins
Department: Community Services **Division:** Land Use & Transportation
Contact(s): Derrick Tokos, Karen Schilling
Phone: 503-988-3043 **Ext.** 22682 **I/O Address:** 455/116
Presenter(s): Derrick Tokos

General Information

1. What action are you requesting from the Board?

Approval of the second reading and possible adoption of the proposed ordinance, adding language to the County code to create a clear process and approval standards for replatting and consolidating parcels and lots.

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 ordinance adds two new code sections. One section includes provisions for how adjacent parcels and lots can be consolidated together (combined by "erasing" the property line between the parcels or lots). The second section provides criteria for "replatting" parcels or lots within an existing partition plat or subdivision plat.

The terms "parcels" and "lots," have very specific definitions in state statute and the county code. Basically, a "parcel" was created by a "metes and bounds" description on a property deed before 1991 or was created by a "Partition Plat" in 1991 or later. No more than three parcels may be created in a calendar year from the parent property. A lot is created by a "Subdivision Plat" and is the required land division mechanism for creating four or more units of land in a calendar year.

Consolidation of parcels and lots in this proposal results in a new deed description for the perimeter of a property, eliminating the interior boundary line. It is different from tax roll account consolidations that may occur in an action by the County Assessment and Taxation office. A tax roll description is only a mechanism for assessing taxes and may or may not encompass the same area as a legal parcel and lot. For example, some taxing districts such as Community Colleges and fire protection districts may have boundaries that do not coincide with property boundaries. A tax boundary that passed through a parcel would result in a property with two tax statements for one legal parcel due to the differing tax rates within each taxing district.

This proposal is the remaining part of a larger project that had the objective of adding code sections that would solve several land division related problems experienced by property owners and staff. Replatting and consolidating properties are tools land owners can use for reconfiguring properties to correct land division problems. The County code does not currently provide a process or criteria for either approach. Consequently, landowners have had to utilize more expensive and time consuming tools such as a partition plat or subdivision plat to achieve the same result.

ORS Chapter 92 authorizes local governments to review and approve replats provided they process them in the same manner as a subdivision plat, including notice to adjoining property owners (ORS 92.185(3)). The statute does not spell out all of the criteria local governments can apply. Because there are a number of substandard lots scattered throughout rural portions of the County, in old subdivision plats, staff has drafted criteria to assist land owners interested in reconfiguring these properties. The replat option is not proposed for farm and forest zones. This is due to the potential for conflict between replat rules and existing aggregation and property line adjustment requirements in those districts.

State law for lot consolidations states *"A lot or parcel lawfully created shall remain a discrete lot or parcel, unless the lot or parcel lines are vacated or the lot or parcel is further divided, as provided by law"* (ORS 92.017). The steps landowners must follow to combine adjoining properties is not clear, and has led to confusion. Creating a simple process for achieving this objective resolves this problem.

Adopting this ordinance will help the Land Use Planning program achieve its objective of providing quality customer service to constituents in a timely fashion, by providing land owners a clear process for reconfiguring their land, be it to resolve a land division problem or to simply meet their needs for how they intend to use the property.

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

There are no fiscal impacts.

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

There are no legal issues. State law authorizes local governments to review and approve proposals, to replat or consolidate properties (ORS Chapter 92). The policy choices are whether or not to provide for these options and, if so, what process should be used.

The proposed ordinance provides an administrative review for replats, which is the simplest procedure in the County code that includes the required notice. The process for lot consolidations is ministerial (over the counter). A ministerial option for consolidating parcels or lots in platted subdivisions was added to ORS 368.351 in 2005. In consultation with the County Surveyor, staff chose not to pursue this approach because of questions surrounding how to describe the resulting properties. There is also no need for two processes to accomplish the same purpose (i.e. a replat can be used to eliminate lines separating platted parcels or lots).

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

The Planning Commission held work sessions on September 11, 2006 and February 5, 2007. Copies of the proposal were sent to the Gorge Commission, County Surveyor, and DLCD. Feedback provided by these groups has been addressed by staff. A public hearing was held before the Planning Commission on April 2, 2007 at which all interested persons were given an opportunity to appear and be heard. The Board of County Commissioners will conduct a similar hearing on July 12, 2007. Since the proposed changes do not regulate the use of property, the County has not provided direct mail notice to individual property owners. Notice of the hearings is published in the Oregonian newspaper and on the County website.

Required Signature

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



M. Cecilia Johnson

Date: 06/27/07

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending MCC Chapters 11.15, 11.45, 33, 34, 35, 36, 37 and 38 to Add Criteria for Replatting and Consolidating Lots and Parcels

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

The Multnomah County Board of Commissioners Finds:

- a. The Planning Commission is authorized by Multnomah County Code Chapter (MCC) § 33.0140 and by ORS 215.110 to recommend to the Board the adoption of ordinances to implement the Multnomah County Comprehensive Plan. The Planning Commission exercised this authority in recommending the proposed ordinance with Resolution PC-04-007 (Part 2).
- b. It is in the public interest that the County has a clear process and approval criteria for persons interested in “replatting” or “consolidating” properties they own. The County code does not currently provide such a process or criteria.
- c. The proposed code amendments are the remaining part of a larger project that had the objective of adding code sections that would solve land division related problems experienced by property owners and staff.
- d. Adding provisions to the code allowing properties to be reconfigured or consolidated, as provided for by ORS Chapter 92, gives land owners additional tools to correct land division problems, or to simply meet their needs for how they intend to use the property.
- e. No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required (“Ballot Measure 56” notice).
- f. The provisions of this ordinance were submitted to the Gorge Commission, State of Oregon Department of Land Conservation and Development and other interested parties, and there has been consultation with the staff of these agencies on the code provisions.
- g. Noticed public hearings were held before the Planning Commission on April 2, 2007 and Board of County Commission on July 12, 2007, where all interested persons were given an opportunity to appear and be heard.

Multnomah County Ordains as follows:

Section 1. §§33.2025, 33.2225, 33.2425, 33.2625, 33.2825, 33.3125 and 33.3325 are amended as follows:

[CFU-1]
33.2025 Review Uses

* * *

(L) Consolidation of Parcels and Lots pursuant to MCC 33.7794.

[CFU-2]

33.2225 Review Uses

* * *

(L) Consolidation of Parcels and Lots pursuant to MCC 33.7794.

[CFU-5]

33.2425 Review Uses

* * *

(L) Consolidation of Parcels and Lots pursuant to MCC 33.7794.

[EFU]

33.2625 Review Uses

* * *

(P) Consolidation of Parcels and Lots pursuant to MCC 33.7794.

[MUA-20]

33.2825 Review Uses

* * *

(J) Consolidation of Parcels and Lots pursuant to MCC 33.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 33.7797.

[RR]

33.3125 Review Uses

* * *

(J) Consolidation of Parcels and Lots pursuant to MCC 33.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 33.7797.

[RC]

33.3325 Review Uses

* * *

(J) Consolidation of Parcels and Lots pursuant to MCC 33.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 33.7797.

Section 2. §§34.2625, 34.2825, 34.3125 and 34.3325 are amended as follows:

[EFU]

34.2625 Review Uses

* * *

(P) Consolidation of Parcels and Lots pursuant to MCC 34.7794.

[MUA-20]

34.2825 Review Uses

* * *

(J) Consolidation of Parcels and Lots pursuant to MCC 34.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 34.7797.

[RR]

34.3125 Review Uses

(J) Consolidation of Parcels and Lots pursuant to MCC 34.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 34.7797.

[RC]

34.3325 Review Uses

(J) Consolidation of Parcels and Lots pursuant to MCC 34.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 34.7797.

Section 3. §§35.2025, 35.2225, 35.2625, 35.2825, 35.3125 and 35.3325 are amended as follows:

[CFU-3]

35.2025 Review Uses

(J) Consolidation of Parcels and Lots pursuant to MCC 35.7794.

[CFU-4]

35.2225 Review Uses

(L) Consolidation of Parcels and Lots pursuant to MCC 35.7794.

[EFU]

35.2625 Review Uses

(P) Consolidation of Parcels and Lots pursuant to MCC 35.7794.

[MUA-20]

35.2825 Review Uses

(J) Consolidation of Parcels and Lots pursuant to MCC 35.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 35.7797.

[RR]

35.3125 Review Uses

(J) Consolidation of Parcels and Lots pursuant to MCC 35.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 35.7797.

[RC]

35.3325 Review Uses

(J) Consolidation of Parcels and Lots pursuant to MCC 35.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 35.7797.

Section 4. §§36.2025, 36.2625, 36.2825, 36.3125, 36.3325, 36.3425 and 36.3525 are amended as follows:

[CFU]

36.2025 Review Uses

* * *

(L) Consolidation of Parcels and Lots pursuant to MCC 36.7794.

[EFU]

36.2625 Review Uses

* * *

(R) Consolidation of Parcels and Lots pursuant to MCC 36.7794.

[MUA-20]

36.2825 Review Uses

* * *

(I) Consolidation of Parcels and Lots pursuant to MCC 36.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 36.7797.

[RR]

36.3125 Review Uses

* * *

(I) Consolidation of Parcels and Lots pursuant to MCC 36.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 36.7797.

[PH-RC]

36.3325 Review Uses

* * *

(J) Consolidation of Parcels and Lots pursuant to MCC 36.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 36.7797.

[OR]

36.3425 Review Uses

* * *

(I) Consolidation of Parcels and Lots pursuant to MCC 36.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 36.7797.

[OCI]

36.3525 Review Uses

* * *

(I) Consolidation of Parcels and Lots pursuant to MCC 36.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 36.7797.

Section 5. §§38.2025, 38.2225, 38.2425, 38.2625, 38.2825, 36.3025 and 36.3225 are amended as follows:

[GGF & GSF]
38.2025 Review Uses

(A) The following uses may be allowed on lands designated GGF, . . .

* * *

(25) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

(B) The following uses may be allowed on lands designated GSF, . . .

* * *

(17) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

[GGA & GSA]
38.2225 Review Uses

(A) The following uses may be allowed on lands designated GGA, . . .

* * *

(21) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

(B) The following uses may be allowed on lands designated GSA-40, . . .

* * *

(20) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

[GGRC]
38.2425 Review Uses

* * *

(P) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

[GGO; GGO-GW; GGO-SP; & GSO]
38.2625 Review Uses

* * *

(A) The following uses may be allowed on lands designated GGO, . . .

* * *

(9) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

(B) The following uses are allowed on land designated GGO-GW, . . .

* * *

(13) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

(C) The following uses are allowed on land designated GGO-SP, . . .

* * *

(11) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

(D) The following uses may be allowed on lands designated GSO, . . .

* * *

(8) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

[GG-PR, GG-CR, & GS-PR]

38.2825 Review Uses

* * *

(A) The following uses are allowed on all lands designated GG-PR, . . .

* * *

(5) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

(B) The following uses are allowed on all lands designated GG-CR, . . .

* * *

(5) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

(C) The following uses are allowed on all lands designated GS-PR . . .

* * *

(13) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

[GGR & GSR]

38.3025 Review Uses

* * *

(A) The following uses may be allowed on lands designated GGR, . . .

* * *

(16) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

(B) The following uses may be allowed on lands designated GSR, . . .

* * *

(13) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

[GGC]

38.3225 Review Uses

* * *

(J) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

Section 6. §§11.15.2568, 11.15.2608 and 11.15.2628 are amended as follows:

[LR-10]

11.15.2568 Uses Permitted Under Prescribed Conditions

* * *

(I) Consolidation of Parcels and Lots pursuant to MCC 11.45.113.

(J) Replatting of Partition and Subdivision Plats pursuant to MCC 11.45.114.

* * *

[LR-7]

11.15.2608 Uses Permitted Under Prescribed Conditions

* * *

(K) Consolidation of Parcels and Lots pursuant to MCC 11.45.113.

(L) Replatting of Partition and Subdivision Plats pursuant to MCC 11.45.114.

* * *

[LR-5]

11.15.2628 Uses Permitted Under Prescribed Conditions

* * *

(J) Consolidation of Parcels and Lots pursuant to MCC 11.45.113.

(K) Replatting of Partition and Subdivision Plats pursuant to MCC 11.45.114.

* * *

Section 7. §§33.7794, 34.7794, 35.7794, 36.7794, 38.7794 and 11.45.113 are added as follows:

33.7794 Consolidation of Parcels and Lots

34.7794 Consolidation of Parcels and Lots

35.7794 Consolidation of Parcels and Lots

36.7794 Consolidation of Parcels and Lots

38.7794 Consolidation of Parcels and Lots

11.45.113 Consolidation of Parcels and Lots

This section states the procedures and requirements for removing property lines between adjacent parcels or lots in the same ownership in order to create one parcel or lot. The act of parcel or lot consolidation does not, in itself, remove prior conditions of land use approvals. A property owner may also choose to consolidate parcels or lots as part of a land division application. The parcel and lot consolidation process described in this section is different from (and does not replace) the process used by the County Assessment and Taxation Program to consolidate parcels and lots under one tax account.

Consolidation of parcels and lots may be approved under the applicable descriptions and approval criteria given in subsection (A) for parcels created by “metes and bounds” deed descriptions and subsection (B) for parcels and lots that were created by a Partition or Subdivision Plat.

(A) Consolidation of parcels created by “metes and bounds” deed descriptions may be approved under the standards of either subsections (1) or (2) as follows:

(1) If all the subject parcels proposed for consolidation were created by deed instruments prior to October 19, 1978, (the effective date of Ord. 174), or are Lots of Record created by deed instrument under the “minor partitions exempted” section 1.224 of Ord. 174 and MCC section 11.45.110, then the following shall apply:

(a) Under a Type I Permit Review and in accordance with MCC 37.0550, an application and fee shall be submitted to the Land Use Planning office. The contents of the application shall include maps, copies of all current deeds, a title report, an affidavit signed by the owner that verifies that the owner has the authority to consolidate the parcels, and any supplementary material that are determined by the Planning Director to be necessary and relevant to demonstrate compliance with the standards in (b);

(b) The Planning Director shall verify the following in a written report:

1. The subject parcels are in the same ownership and there are no ownership or financing obstacles to completing the consolidation;

2. The parcels to be consolidated are either existing Lots of Record or the act of consolidation will correct a past unlawful land division;

(c) The applicant shall submit to the Planning Director a copy of an unrecorded deed that conforms to the requirements of the Director’s report; and

(d) The applicant shall record the approved deed that accurately reflects the approved parcel consolidation.

(2) If the subject parcels proposed for consolidation includes a parcel created by deed instrument as described in (A)(1) above and includes a parcel created by Partition Plat or lot within a Subdivision Plat, then the following shall apply:

(a) The application and Planning Director verification requirements are those given in (A)(1)(a)&(b);

(b) Before submittal to the County Surveyor, the applicant shall submit to the Planning Director a copy of a “one parcel” Partition Plat that accurately reflects the requirements of the Director’s report; and

(c) The “one parcel” Partition Plat shall meet the technical requirements of ORS Chapter 92 before it is recorded with the County Recorder.

(B) Consolidation of parcels within a Partition Plat or lots within a Subdivision Plat (Parcel and Lot Line Vacation) may be approved with a replat.

Section 8. §§33.7797, 34.7797, 35.7797, 36.7797, 38.7797 and 11.45.114 are added as follows:

33.7797 Replatting of Partition and Subdivision Plats

34.7797 Replatting of Partition and Subdivision Plats

35.7797 Replatting of Partition and Subdivision Plats

36.7797 Replatting of Partition and Subdivision Plats

38.7797 Replatting of Partition and Subdivision Plats

11.45.114 Replatting of Partition and Subdivision Plats

(A) This section states the procedures and requirements for reconfiguring parcels, lots, and public easements within a recorded plat as described in ORS 92.180 through 92.190 (2006). This provision shall be utilized only in those zoning districts in which replatting is a Review Use. Nothing in this section is intended to prevent the utilization of other vacation actions in ORS chapters 271 or 368.

(B) As used in this subsection, “replat” and “replatting” shall mean the act of platting the parcels, lots and easements in a recorded Partition Plat or Subdivision Plat to achieve a reconfiguration of the existing Partition Plat or Subdivision Plat or to increase or decrease the number of parcels or lots in the Plat.

(C) Limitations on replatting include, but are not limited to, the following: A replat shall only apply to a recorded plat; a replat shall not vacate any public street or road; and a replat of a portion of a recorded plat shall not act to vacate any recorded covenants or restrictions.

(D) The Planning Director may approve a replatting application under a Type II Permit Review upon finding that the following are met:

(1) In accordance with MCC 37.0550 or 38.0550, an application and fee shall be submitted to the Land Use Planning office. The contents of the tentative plan shall include those maps, written information and supplementary material listed for contents of a Category 3 tentative plan that are determined by the Planning Director to be adequate to demonstrate compliance with the applicable approval criteria;

(2) Reconfiguration of the parcels or lots shall not result in an increase in the number of “buildable parcels or lots” over that which exist prior to reconfiguration. “Buildable parcels or lots,” as used in this approval criteria, shall mean that there is confidence that a building and sanitation permit could be approved on the parcel or lot. A replat resulting in an increase in the number of “buildable parcels or lots” shall be reviewed as a land division as defined in this Chapter;

(3) Parcels or lots that do not meet the minimum lot size of the zoning district shall not be further reduced in lot area in the proposed replat;

(4) The proposed reconfiguration shall meet the approval criteria given in the land division code sections on easements, water systems, sewage disposal, and surface drainage;

(5) All reconfigured parcels and lots shall have frontage on a public street except as provided for alternative access in the access requirement sections of each zoning district; and

(6) The applicant shall submit a Partition Plat or Subdivision Plat to the Planning Director and County Surveyor in accordance with the requirements of ORS 92 and which accurately reflects the approved tentative plan map and other materials.

Section 9. § 37.0530 is amended as follows:

37.0530 Summary Of Decision Making Processes.

The following decision making processes chart shall control the County's review of the indicated permits:

APPROVAL PROCESS					
Permit Type	I	II	III	IV	PC
Initial Approval Body	(Not a "land use decision")	(Planning Director)	(Hearings Officer)	(Planning Commission)	(Legislative)
Allowed Uses	X				
Review Uses		X			
Conditional Uses			X		
Community Service			X		
Design Review		X			
Plan/Zone Change (single tract) quasi-judicial				X	
Demolition of historic building or structure before 120 day permit delay				X	
Plan/Zone Changes-legislative					X
Zone Code Text Changes (Initiated by county only)					X
Creation of a parcel/lot not abutting a street			X		
Adjustment		X			
Variance			X		
Non-conforming Uses/Determination of Non-conforming Use		X			
Extensions of Decisions in EFU & CFU Zones (MCC 37.0690)	X				
All other Extensions of Decisions		X			
Revocation of Decision		X			
Property Line Adjustments		X			
Planned Developments			X		
Land Divisions:					
Category 1 & 2			X		
Category 3 & 4		X			
Significant Environmental Concern		X			
Hillside Development Permit		X			

APPROVAL PROCESS					
Permit Type	I	II	III	IV	PC
	(Not a "land use decision")	(Planning Director)	(Hearings Officer)	(Planning Commission)	(Legislative)
Willamette River Greenway		X			
Zoning Code Interpretations		X			
Temporary Permits		X			
Temporary Health Hardship		X	X If CU		
Bus Shelter		X			
Lot of Record Verification		X			
Lot of Exception		X			
Exceptions		X			
Post Emergency response to emergency/disaster event		X			
Lot Consolidation	X				
Replat		X			
All other discretionary decisions		X			
First response to emergency/disaster event	X				
Grading and Erosion Control	X				
Floodplain Development	X				
Street & Property Addressing	X				
Type A Home Occupation	X				

Section 10. § 38.0530 is amended as follows:

38.0530 Summary of decision making processes.

The following decision making processes chart shall control the County's review of the indicated permits:

APPROVAL PROCESS					
Permit Type	I	II	II Expedited	III	PC
	(Not a "land use decision")	(Planning Director)	(Planning Director)	(Hearings Officer)	(Legislative)
Allowed Uses	X				
Expedited Uses			X		
Review Uses		X			
Conditional Uses				X	
Zone Code Text Changes (Initiated by County only)					X
Variance		X		X	

APPROVAL PROCESS					
Permit Type	I	II	II Expedited	III	PC
Initial Approval Body:	(Not a "land use decision")	(Planning Director)	(Planning Director)	(Hearings Officer)	(Legislative)
Extension of Decision		X			
Property Line Adjustments		X			
Planned Unit Developments				X	
Land Divisions					
Subdivision				X	
Major Partition		X			
Minor Partition		X			
Lot Consolidation (same ownership; undeveloped)	X				
Replat		X			
Revocation of Decisions				X	
Zoning Code Interpretations		X			
Hillside Development Permit		X			
Floodplain Development	X				
Grading and Erosion Control	X				
Street and Property Addressing	X				
Final Plat Approval	X				
1 Although an Allowed Use by itself does not require a Type I permit, zoning approval of a building permit application for such a use is a Type 1 review.					

Section 11. § 38.7730 is repealed in its entirety as follows:

38.7730 Consolidation of Unplatted Properties

Lots or parcels created by deed for which a corresponding plat is not recorded may be consolidated by subsequently recording a deed. A subsequently recorded deed that describes two or more unplatted lots or parcels as a single unit of land shall have the effect of vacating the lines separating the properties and consolidating the described real properties into a single parcel, as provided in ORS 92.017.

Section 12. The effective date of the amendments to Chapters 11.15, 11.45, 33, 34, 35, 36 and 37 is August 25, 2007.

Section 13. The effective date of the amendments to Chapter 38 Columbia River Gorge National Scenic Area, General Management Areas shall be the date they are approved by the Bi-State Gorge Commission. Amendments to Special Management Areas shall be effective upon acknowledgement by the United States Secretary of Agriculture.

FIRST READING:

July 12, 2007

SECOND READING AND ADOPTION:

July 26, 2007

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

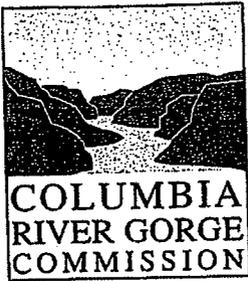
REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Sandra N. Duffy, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Department of Community Services



PO Box 730 • #1 Town & Country Square • White Salmon, Washington 98672 • 509-493-3323 • fax 509-493-2229
www.gorgecommission.org

June 13, 2007

Derrick Tokos, Principal Planner
Multnomah County Land Use and Transportation Program
1600 SE 190th Avenue
Portland, OR 97233-5910

Re: New County Regulations for Replats and Lot Consolidations (MCC 38.7794 & 38.7797)

Dear Derrick,

Thank you for providing our office with a copy of your revised draft ordinance amendment that would revise the Multnomah County code for replatting and consolidating lots and parcels. I have had the opportunity to review the changes and did not see any inconsistencies with the Management Plan.

As we have discussed in the past, our primary concern involved the possible creation of additional and non-compliant parcels through the replat process. I understand from your June 4, 2007 letter and the attached Staff Report that the creation of any new or additional parcel(s) not included in the original final plat would be reviewed as a new land division and therefore subject to scenic area rules, consistent with the Management Plan.

After the proposed amendments are adopted by the Multnomah County Board of Commissioners, I will prepare a staff report for the Columbia River Gorge Commission and schedule it be heard at the earliest possible Gorge Commission meeting (probably August 14, 2007). Please notify me when the Multnomah County Board of Commissioners adopts the ordinance.

Thank you for taking our concerns into consideration. Please do not hesitate to contact me if you have any questions or concerns about my comments. I can be reached at (509) 493-3323 extension 232 or by email at kenney@gorgecommission.org.

Sincerely,

Angie Kenney
Planner

BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. PC 04-007 (Part 2)

Recommend to the Board of County Commissioners the adoption of an ordinance amending MCC Chapters 33, 34, 35, 36 and 38 to include criteria for "replatting" and "consolidating" lots and parcels.

The Planning Commission Finds:

- a. The Planning Commission is authorized by Multnomah County Code Chapter subsection 33.0140 and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- b. The individual Code chapters should be periodically updated and improvements adopted. As part of that effort the Planning Commission sees a need to provide clear approval standards for persons interested in "replatting" or "consolidating" properties they own.
- c. The proposed code amendments are the remaining part of a larger project that had the objective of adding code sections that would solve land division related problems experienced by property owners and staff.
- d. Adding provisions to the County Code allowing properties to be reconfigured or consolidated, as provided for by statute (ORS 92), provides land owners with additional tools to correct land division problems, or to simply meet their needs for how they intend to use the property.
- e. No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required ("Ballot Measure 56" notice).
- f. Notice of the Planning Commission hearing was published in the "Oregonian" newspaper and on the Land Use Program web site. The Planning Commission held a public hearing on April 2, 2007 where all interested persons were given an opportunity to appear and be heard.

The Planning Commission Resolves:

The proposed Ordinance amending MCC Chapters 33, 34, 35, 36 and 38 is hereby recommended for adoption by the Board of County Commissioners.

ADOPTED this 2nd day of April, 2007.

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON


John Ingle, Chair

TOKOS Derrick I

From: HOVDEN Robert A
Sent: Wednesday, June 20, 2007 2:47 PM
To: TOKOS Derrick I
Subject: Amending MCC Chapters 11.15, 11.45, 33, 34, 35, 36 and 38 to add criteria for replatting & Consolidating lots & parcels

Derrick,

I have review the proposed change to county code and support this ordinance.

Thanks.

Bob

Robert A. Hovden, PLS
Multnomah County Surveyor
1600 SE 190th Avenue
Portland, OR 97233
503-988-5573

6/20/2007

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1097

Amending MCC Chapters 11.15, 11.45, 33, 34, 35, 36, 37 and 38 to Add Criteria for Replatting and Consolidating Lots and Parcels

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

The Multnomah County Board of Commissioners Finds:

- a. The Planning Commission is authorized by Multnomah County Code Chapter (MCC) § 33.0140 and by ORS 215.110 to recommend to the Board the adoption of ordinances to implement the Multnomah County Comprehensive Plan. The Planning Commission exercised this authority in recommending the proposed ordinance with Resolution PC-04-007 (Part 2).
- b. It is in the public interest that the County has a clear process and approval criteria for persons interested in “replatting” or “consolidating” properties they own. The County code does not currently provide such a process or criteria.
- c. The proposed code amendments are the remaining part of a larger project that had the objective of adding code sections that would solve land division related problems experienced by property owners and staff.
- d. Adding provisions to the code allowing properties to be reconfigured or consolidated, as provided for by ORS Chapter 92, gives land owners additional tools to correct land division problems, or to simply meet their needs for how they intend to use the property.
- e. No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required (“Ballot Measure 56” notice).
- f. The provisions of this ordinance were submitted to the Gorge Commission, State of Oregon Department of Land Conservation and Development and other interested parties, and there has been consultation with the staff of these agencies on the code provisions.
- g. Noticed public hearings were held before the Planning Commission on April 2, 2007 and Board of County Commission on July 12, 2007, where all interested persons were given an opportunity to appear and be heard.

Multnomah County Ordains as follows:

Section 1. §§33.2025, 33.2225, 33.2425, 33.2625, 33.2825, 33.3125 and 33.3325 are amended as follows:

[CFU-1]

33.2025 Review Uses

* * *

(L) Consolidation of Parcels and Lots pursuant to MCC 33.7794.

[CFU-2]

33.2225 Review Uses

* * *

(L) Consolidation of Parcels and Lots pursuant to MCC 33.7794.

[CFU-5]

33.2425 Review Uses

* * *

(L) Consolidation of Parcels and Lots pursuant to MCC 33.7794.

[EFU]

33.2625 Review Uses

* * *

(P) Consolidation of Parcels and Lots pursuant to MCC 33.7794.

[MUA-20]

33.2825 Review Uses

* * *

(J) Consolidation of Parcels and Lots pursuant to MCC 33.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 33.7797.

[RR]

33.3125 Review Uses

* * *

(J) Consolidation of Parcels and Lots pursuant to MCC 33.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 33.7797.

[RC]

33.3325 Review Uses

* * *

(J) Consolidation of Parcels and Lots pursuant to MCC 33.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 33.7797.

Section 2. §§34.2625, 34.2825, 34.3125 and 34.3325 are amended as follows:

[EFU]

34.2625 Review Uses

* * *

(P) Consolidation of Parcels and Lots pursuant to MCC 34.7794.

[MUA-20]

34.2825 Review Uses

* * *

(J) Consolidation of Parcels and Lots pursuant to MCC 34.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 34.7797.

[RR]

34.3125 Review Uses

* * *

(J) Consolidation of Parcels and Lots pursuant to MCC 34.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 34.7797.

[RC]

34.3325 Review Uses

* * *

(J) Consolidation of Parcels and Lots pursuant to MCC 34.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 34.7797.

Section 3. §§35.2025, 35.2225, 35.2625, 35.2825, 35.3125 and 35.3325 are amended as follows:

[CFU-3]

35.2025 Review Uses

* * *

(J) Consolidation of Parcels and Lots pursuant to MCC 35.7794.

[CFU-4]

35.2225 Review Uses

* * *

(L) Consolidation of Parcels and Lots pursuant to MCC 35.7794.

[EFU]

35.2625 Review Uses

* * *

(P) Consolidation of Parcels and Lots pursuant to MCC 35.7794.

[MUA-20]

35.2825 Review Uses

* * *

(J) Consolidation of Parcels and Lots pursuant to MCC 35.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 35.7797.

[RR]

35.3125 Review Uses

* * *

(J) Consolidation of Parcels and Lots pursuant to MCC 35.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 35.7797.

[RC]

35.3325 Review Uses

* * *

(J) Consolidation of Parcels and Lots pursuant to MCC 35.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 35.7797.

Section 4. §§36.2025, 36.2625, 36.2825, 36.3125, 36.3325, 36.3425 and 36.3525 are amended as follows:

[CFU]

36.2025 Review Uses

* * *

(L) Consolidation of Parcels and Lots pursuant to MCC 36.7794.

[EFU]

36.2625 Review Uses

* * *

(R) Consolidation of Parcels and Lots pursuant to MCC 36.7794.

[MUA-20]

36.2825 Review Uses

* * *

(I) Consolidation of Parcels and Lots pursuant to MCC 36.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 36.7797.

[RR]

36.3125 Review Uses

* * *

(I) Consolidation of Parcels and Lots pursuant to MCC 36.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 36.7797.

[PH-RC]

36.3325 Review Uses

* * *

(J) Consolidation of Parcels and Lots pursuant to MCC 36.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 36.7797.

[OR]

36.3425 Review Uses

* * *

(I) Consolidation of Parcels and Lots pursuant to MCC 36.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 36.7797.

[OCI]

36.3525 Review Uses

* * *

(I) Consolidation of Parcels and Lots pursuant to MCC 36.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 36.7797.

Section 5. §§38.2025, 38.2225, 38.2425, 38.2625, 38.2825, 36.3025 and 36.3225 are amended as follows:

[GGF & GSF]
38.2025 Review Uses

(A) The following uses may be allowed on lands designated GGF, . . .

* * *

(25) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

(B) The following uses may be allowed on lands designated GSF, . . .

* * *

(17) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

[GGA & GSA]
38.2225 Review Uses

(A) The following uses may be allowed on lands designated GGA, . . .

* * *

(21) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

(B) The following uses may be allowed on lands designated GSA-40, . . .

* * *

(20) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

[GGRC]
38.2425 Review Uses

* * *

(P) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

[GGO; GGO-GW; GGO-SP; & GSO]
38.2625 Review Uses

* * *

(A) The following uses may be allowed on lands designated GGO, . . .

* * *

(9) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

(B) The following uses are allowed on land designated GGO-GW, . . .

* * *

(13) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

(C) The following uses are allowed on land designated GGO-SP, . . .

* * *

(11) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

(D) The following uses may be allowed on lands designated GSO, . . .

* * *

(8) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

[GG-PR; GG-CR, & GS-PR]

38.2825 Review Uses

* * *

(A) The following uses are allowed on all lands designated GG-PR, . . .

* * *

(5) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

(B) The following uses are allowed on all lands designated GG-CR, . . .

* * *

(5) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

(C) The following uses are allowed on all lands designated GS-PR . . .

* * *

(13) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

[GGR & GSR]

38.3025 Review Uses

* * *

(A) The following uses may be allowed on lands designated GGR, . . .

* * *

(16) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

(B) The following uses may be allowed on lands designated GSR, . . .

* * *

(13) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

[GGC]

38.3225 Review Uses

* * *

(J) Consolidation of Parcels and Lots pursuant to MCC 38.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 38.7797.

* * *

Section 6. §§11.15.2568, 11.15.2608 and 11.15.2628 are amended as follows:

[LR-10]

11.15.2568 Uses Permitted Under Prescribed Conditions

(I) Consolidation of Parcels and Lots pursuant to MCC 11.45.113.

(J) Replatting of Partition and Subdivision Plats pursuant to MCC 11.45.114.

[LR-7]

11.15.2608 Uses Permitted Under Prescribed Conditions

(K) Consolidation of Parcels and Lots pursuant to MCC 11.45.113.

(L) Replatting of Partition and Subdivision Plats pursuant to MCC 11.45.114.

[LR-5]

11.15.2628 Uses Permitted Under Prescribed Conditions

(J) Consolidation of Parcels and Lots pursuant to MCC 11.45.113.

(K) Replatting of Partition and Subdivision Plats pursuant to MCC 11.45.114.

Section 7. §§33.7794, 34.7794, 35.7794, 36.7794, 38.7794 and 11.45.113 are added as follows:

33.7794 Consolidation of Parcels and Lots

34.7794 Consolidation of Parcels and Lots

35.7794 Consolidation of Parcels and Lots

36.7794 Consolidation of Parcels and Lots

38.7794 Consolidation of Parcels and Lots

11.45.113 Consolidation of Parcels and Lots

This section states the procedures and requirements for removing property lines between adjacent parcels or lots in the same ownership in order to create one parcel or lot. The act of parcel or lot consolidation does not, in itself, remove prior conditions of land use approvals. A property owner may also choose to consolidate parcels or lots as part of a land division application. The parcel and lot consolidation process described in this section is different from (and does not replace) the process used by the County Assessment and Taxation Program to consolidate parcels and lots under one tax account.

Consolidation of parcels and lots may be approved under the applicable descriptions and approval criteria given in subsection (A) for parcels created by “metes and bounds” deed descriptions and subsection (B) for parcels and lots that were created by a Partition or Subdivision Plat.

(A) Consolidation of parcels created by “metes and bounds” deed descriptions may be approved under the standards of either subsections (1) or (2) as follows:

(1) If all the subject parcels proposed for consolidation were created by deed instruments prior to October 19, 1978, (the effective date of Ord. 174), or are Lots of Record created by deed instrument under the “minor partitions exempted” section 1.224 of Ord. 174 and MCC section 11.45.110, then the following shall apply:

(a) Under a Type I Permit Review and in accordance with MCC 37.0550, an application and fee shall be submitted to the Land Use Planning office. The contents of the application shall include maps, copies of all current deeds, a title report, an affidavit signed by the owner that verifies that the owner has the authority to consolidate the parcels, and any supplementary material that are determined by the Planning Director to be necessary and relevant to demonstrate compliance with the standards in (b);

(b) The Planning Director shall verify the following in a written report:

1. The subject parcels are in the same ownership and there are no ownership or financing obstacles to completing the consolidation;

2. The parcels to be consolidated are either existing Lots of Record or the act of consolidation will correct a past unlawful land division;

(c) The applicant shall submit to the Planning Director a copy of an unrecorded deed that conforms to the requirements of the Director’s report; and

(d) The applicant shall record the approved deed that accurately reflects the approved parcel consolidation.

(2) If the subject parcels proposed for consolidation includes a parcel created by deed instrument as described in (A)(1) above and includes a parcel created by Partition Plat or lot within a Subdivision Plat, then the following shall apply:

(a) The application and Planning Director verification requirements are those given in (A)(1)(a)&(b);

(b) Before submittal to the County Surveyor, the applicant shall submit to the Planning Director a copy of a “one parcel” Partition Plat that accurately reflects the requirements of the Director’s report; and

(c) The “one parcel” Partition Plat shall meet the technical requirements of ORS Chapter 92 before it is recorded with the County Recorder.

(B) Consolidation of parcels within a Partition Plat or lots within a Subdivision Plat (Parcel and Lot Line Vacation) may be approved with a replat.

Section 8. §§33.7797, 34.7797, 35.7797, 36.7797, 38.7797 and 11.45.114 are added as follows:

33.7797 Replatting of Partition and Subdivision Plats

34.7797 Replatting of Partition and Subdivision Plats

35.7797 Replatting of Partition and Subdivision Plats

36.7797 Replatting of Partition and Subdivision Plats

38.7797 Replatting of Partition and Subdivision Plats

11.45.114 Replatting of Partition and Subdivision Plats

(A) This section states the procedures and requirements for reconfiguring parcels, lots, and public easements within a recorded plat as described in ORS 92.180 through 92.190 (2006). This provision shall be utilized only in those zoning districts in which replatting is a Review Use. Nothing in this section is intended to prevent the utilization of other vacation actions in ORS chapters 271 or 368.

(B) As used in this subsection, “replat” and “replatting” shall mean the act of platting the parcels, lots and easements in a recorded Partition Plat or Subdivision Plat to achieve a reconfiguration of the existing Partition Plat or Subdivision Plat or to increase or decrease the number of parcels or lots in the Plat.

(C) Limitations on replatting include, but are not limited to, the following: A replat shall only apply to a recorded plat; a replat shall not vacate any public street or road; and a replat of a portion of a recorded plat shall not act to vacate any recorded covenants or restrictions.

(D) The Planning Director may approve a replatting application under a Type II Permit Review upon finding that the following are met:

(1) In accordance with MCC 37.0550 or 38.0550, an application and fee shall be submitted to the Land Use Planning office. The contents of the tentative plan shall include those maps, written information and supplementary material listed for contents of a Category 3 tentative plan that are determined by the Planning Director to be adequate to demonstrate compliance with the applicable approval criteria;

(2) Reconfiguration of the parcels or lots shall not result in an increase in the number of “buildable parcels or lots” over that which exist prior to reconfiguration. “Buildable parcels or lots,” as used in this approval criteria, shall mean that there is confidence that a building and sanitation permit could be approved on the parcel or lot. A replat resulting in an increase in the number of “buildable parcels or lots” shall be reviewed as a land division as defined in this Chapter;

(3) Parcels or lots that do not meet the minimum lot size of the zoning district shall not be further reduced in lot area in the proposed replat;

(4) The proposed reconfiguration shall meet the approval criteria given in the land division code sections on easements, water systems, sewage disposal, and surface drainage;

(5) All reconfigured parcels and lots shall have frontage on a public street except as provided for alternative access in the access requirement sections of each zoning district; and

(6) The applicant shall submit a Partition Plat or Subdivision Plat to the Planning Director and County Surveyor in accordance with the requirements of ORS 92 and which accurately reflects the approved tentative plan map and other materials.

Section 9. § 37.0530 is amended as follows:

37.0530 Summary Of Decision Making Processes.

The following decision making processes chart shall control the County's review of the indicated permits:

APPROVAL PROCESS					
Permit Type	I	II	III	IV	PC
Initial Approval Body	(Not a "land use decision")	(Planning Director)	(Hearings Officer)	(Planning Commission)	(Legislative)
Allowed Uses	X				
Review Uses		X			
Conditional Uses			X		
Community Service			X		
Design Review		X			
Plan/Zone Change (single tract) quasi-judicial				X	
Demolition of historic building or structure before 120 day permit delay				X	
Plan/Zone Changes-legislative					X
Zone Code Text Changes (Initiated by county only)					X
Creation of a parcel/lot not abutting a street			X		
Adjustment		X			
Variance			X		
Non-conforming Uses/Determination of Non-conforming Use		X			
Extensions of Decisions in EFU & CFU Zones (MCC 37.0690)	X				
All other Extensions of Decisions		X			
Revocation of Decision		X			
Property Line Adjustments		X			
Planned Developments			X		
Land Divisions:					
Category 1 & 2			X		
Category 3 & 4		X			
Significant Environmental Concern		X			
Hillside Development Permit		X			

APPROVAL PROCESS					
Permit Type	I	II	III	IV	PC
	(Not a "land use decision")	(Planning Director)	(Hearings Officer)	(Planning Commission)	(Legislative)
Willamette River Greenway		X			
Zoning Code Interpretations		X			
Temporary Permits		X			
Temporary Health Hardship		X	X If CU		
Bus Shelter		X			
Lot of Record Verification		X			
Lot of Exception		X			
Exceptions		X			
Post Emergency response to emergency/disaster event		X			
Lot Consolidation	X				
Replat		X			
All other discretionary decisions		X			
First response to emergency/disaster event	X				
Grading and Erosion Control	X				
Floodplain Development	X				
Street & Property Addressing	X				
Type A Home Occupation	X				

Section 10. § 38.0530 is amended as follows:

38.0530 Summary of decision making processes.

The following decision making processes chart shall control the County's review of the indicated permits:

APPROVAL PROCESS					
Permit Type	I	II	II Expedited	III	PC
	(Not a "land use decision")	(Planning Director)	(Planning Director)	(Hearings Officer)	(Legislative)
Allowed Uses ¹	X				
Expedited Uses			X		
Review Uses		X			
Conditional Uses				X	
Zone Code Text Changes (Initiated by County only)					X
Variance		X		X	

APPROVAL PROCESS					
Permit Type	I	II	II Expedited	III	PC
Initial Approval Body:	(Not a "land use decision")	(Planning Director)	(Planning Director)	(Hearings Officer)	(Legislative)
Extension of Decision		X			
Property Line Adjustments		X			
Planned Unit Developments				X	
Land Divisions					
Subdivision				X	
Major Partition		X			
Minor Partition		X			
Lot Consolidation (same ownership; undeveloped)	X				
Replat		X			
Revocation of Decisions				X	
Zoning Code Interpretations		X			
Hillside Development Permit		X			
Floodplain Development	X				
Grading and Erosion Control	X				
Street and Property Addressing	X				
Final Plat Approval	X				
1 Although an Allowed Use by itself does not require a Type I permit, zoning approval of a building permit application for such a use is a Type I review.					

Section 11. § 38.7730 is repealed in its entirety as follows:

38.7730 Consolidation of Unplatted Properties

~~Lots or parcels created by deed for which a corresponding plat is not recorded may be consolidated by subsequently recording a deed. A subsequently recorded deed that describes two or more unplatted lots or parcels as a single unit of land shall have the effect of vacating the lines separating the properties and consolidating the described real properties into a single parcel, as provided in ORS 92.017.~~

Section 12. The effective date of the amendments to Chapters 11.15, 11.45, 33, 34, 35, 36 and 37 is August 25, 2007.

Section 13. The effective date of the amendments to Chapter 38 Columbia River Gorge National Scenic Area, General Management Areas shall be the date they are approved by the Bi-State Gorge Commission. Amendments to Special Management Areas shall be effective upon acknowledgement by the United States Secretary of Agriculture.

FIRST READING:

July 12, 2007

SECOND READING AND ADOPTION:

July 26, 2007

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Ted Wheeler
Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By *Sandra Duffy*
Sandra N. Duffy, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Department of Community Services



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

Board Clerk Use Only

Meeting Date: 07-26-07
 Agenda Item #: R-4
 Est. Start Time: 10:00 AM
 Date Submitted: 07-10-07

Agenda Title: RESOLUTION Scheduling a Public Hearing and Directing Notice thereof for the Consideration of the Legalization of a Portion of SW Hewett Boulevard

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

Date Requested:	<u>July 26, 2007</u>	Time Requested:	<u>1 minute</u>
Department:	<u>Community Services</u>	Division:	<u>Land Use & Transportation</u>
Contact(s):	<u>Robert Hovden, County Surveyor</u>		
Phone:	<u>503-988-5573</u>	Ext.:	<u>85573</u>
		I/O Address:	<u>455/123</u>
Presenter(s):	<u>Kim Peoples</u>		

General Information

1. What action are you requesting from the Board?

Scheduling a Public Hearing to consider legalization of a portion SW Hewett Boulevard in its "as-traveled" location in accordance with ORS 368.201 to 368.221.

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

The legalization procedure is used to clarify the record of the right of way boundaries of a road. In this case, SW Hewett Boulevard was established as County Road No. 405 in 1886, and maintenance and improvements have changed its location over the years. The road as traveled and used for more than 10 years does not conform to the location of the road as described in the county records. Also, the location of the 1886 road cannot be accurately determined due to numerous alterations of the road and a defective survey.

On November 9, 2006, at the request of the Transportation Division, the County Board of Commissioners initiated proceedings to legalize a portion of SW Hewett Boulevard and directed the road to be surveyed. The County Surveyor has completed the survey and the documentation will be ready for the September 6, 2007 Public Hearing.

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

Cost to road fund for costs of the legalization process.

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

This legalization will follow procedures as required by ORS 368.201 to 368.221.

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

All adjacent property owners will be served legal notice of the public hearing to consider this legalization and notice will be posted in the area as required by ORS 368.206(1)(c). All adjacent property owners will have an opportunity to express their concerns in writing or at the public hearing.

Required Signatures

**Department/
Agency Director:**



A handwritten signature in cursive script that reads "M. Cecilia Johnson". The signature is written in black ink and is positioned above a horizontal line.

Date: 07-10-07

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Scheduling a Public Hearing and Directing Notice Thereof For the Consideration of the Legalization of a Portion of SW Hewett Boulevard

The Multnomah County Board of Commissioners Finds:

- a. SW Hewett Boulevard was established as County Road No. 405 in 1886 and maintenance and improvements have changed its location over the years.
- b. On November 9, 2006, consistent with ORS 368.201 to 368.221, the Board of Commissioners initiated proceedings for legalizing SW Hewett Boulevard in its as traveled location and directed the County Surveyor to conduct a survey of the road.
- c. As required under ORS 368.206(1), the County Surveyor has completed the survey of the road and prepared a report to the Board with the proposed new County Road Number "5025."
- d. The above referenced statutes require the County to hold a public hearing to consider legalization of SW Hewett Boulevard and provide notice thereof by personal service to the abutting property owners and by posting.

The Multnomah County Board of Commissioners Resolves:

1. The Board of County Commissioner will hold a hearing on Thursday, September 6, 2007 at 9:30 a.m., in the Multnomah Building, First Floor Commissioners Boardroom 100, 501 SE Hawthorne Boulevard, Portland, Oregon.
2. The purpose of the hearing is to determine whether the legalization of SW Hewett Boulevard, as County Road No. 5025, is in the public's interest. The hearing will concern SW Hewett Boulevard from SW Grant Street southeasterly, about 1,650 feet to the North-South centerline of Section 7, T1S, R1E, WM.
3. The County Surveyor is directed to provide notice of the hearing to abutting property owners and by posting in a manner consistent with ORS 368.401-369.426.
4. The notice shall advise that all persons interested in or concerned with the road are invited to attend the hearing.

5. Further the notice shall provide the following information:

- That any objections to the proposal or other information relating thereto must be filed in the Multnomah County Surveyor's Office, 1600 SE 190th Avenue, Portland, Oregon 97233, on or before September 4, 2007;
- A statement as follows: "For more information, call Robert Hovden, County Surveyor at 503-988-5573".

ADOPTED this 26th day of July, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTOMAH 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

BOGSTAD Deborah L

From: BOGSTAD Deborah L
Sent: Monday, July 23, 2007 5:55 PM
To: Jeff COGEN; Lisa Naito; Lonnie Roberts; Maria ROJO DE STEFFEY; Ted WHEELER
Cc: RYAN Matthew O; SOWLE Agnes; PEOPLES Kim E; HOVDEN Robert A; KINOSHITA Carol; JOHNSON Cecilia; FARMER Stuart L; Barbara WILLER; David MARTINEZ; Kristen WEST; Marissa MADRIGAL; Matt LIEUALLEN; Tara BOWEN-BIGGS
Subject: Substitute/Amended Resolution for R-4 on Thursday, July 26

Per Matt Ryan's email below, the Commissioners are requested to move approval of an amended resolution on Thursday, July 26. (R-4

As you can see from the attached, Mr. Ryan has provided clarification/corrections to finding b and resolves 3 and 4. Thank you for your courtesies.



Everybody,
Attached is the version of the Legalization Resolution I have reviewed and approved for submission to the BCC. I spoke with Deb; we can do the amendment by inter-lineation on Thursday morning. 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

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>

BOGSTAD Deborah L

From: RYAN Matthew O
Sent: Monday, July 23, 2007 4:31 PM
To: BOGSTAD Deborah L; PEOPLES Kim E; HOVDEN Robert A
Cc: KINOSHITA Carol; JOHNSON Cecilia; KARNES Ana; FARMER Stuart L
Subject: FW: R-4 on the July 26 Board Meeting agenda
Importance: High

Everybody,

Attached is the version of the Legalization Resolution I have reviewed and approved for submission to the BCC. I spoke with Deb; we can do the amendment by inter-lineation on Thursday morning. 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: BOGSTAD Deborah L
Sent: Monday, July 23, 2007 3:57 PM
To: RYAN Matthew O
Cc: PEOPLES Kim E; KARNES Ana
Subject: R-4 on the July 26 Board Meeting agenda
Importance: High

Matthew, Ana informed me you were not asked to review the attached resolution prior to its being placed on the Board meeting agenda. I apologize for "assuming" that you had. Attached for your assistance are the electronic APR and resolution documents submitted for this item.

Please let me know how you want to proceed. 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>

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Scheduling a Public Hearing and Directing Notice Thereof ~~For~~ for the Consideration of the Legalization of a Portion of SW Hewett Boulevard

The Multnomah County Board of Commissioners Finds:

- a. SW Hewett Boulevard was established as County Road No. 405 in 1886 and maintenance and improvements have changed its location over the years.
- b. On November 9, 2006, consistent with ORS 368.201 to 368.221, the Board of Commissioners by the adoption of Resolution No. 06-184, initiated proceedings for legalizing SW Hewett Boulevard in its as traveled location and directed the County Surveyor to conduct a survey of the road.
- c. As required under ORS 368.206(1), the County Surveyor has completed the survey of the road and prepared a report to the Board with the proposed new County Road Number "5025."
- d. The above referenced statutes require the County to hold a public hearing to consider legalization of SW Hewett Boulevard and provide notice thereof by personal service to the abutting property owners and by posting.

The Multnomah County Board of Commissioners Resolves:

1. The Board of County Commissioner will hold a hearing on Thursday, September 6, 2007 at 9:30 a.m., in the Multnomah Building, First Floor Commissioners Boardroom 100, 501 SE Hawthorne Boulevard, Portland, Oregon.
2. The purpose of the hearing is to determine whether the legalization of SW Hewett Boulevard, as County Road No. 5025, is in the public's interest. The hearing will concern SW Hewett Boulevard from SW Grant Street southeasterly, about 1,650 feet to the North-South centerline of Section 7, T1S, R1E, WM.
3. The County Surveyor is directed to provide notice of the hearing to abutting property owners and by posting in a manner consistent with ORS 368.401-3698.426 by service to owners of abutting land and by posting.
4. The notice shall comply with ORS 368.426 and advise that all persons interested in or concerned with the road are invited to attend the hearing.

5. Further the notice shall provide the following information:

- That any objections to the proposal or other information relating thereto must be filed in the Multnomah County Surveyor's Office, 1600 SE 190th Avenue, Portland, Oregon 97233, on or before September 4, 2007;
- A statement as follows: "For more information, call Robert Hovden, County Surveyor at 503-988-5573".

ADOPTED this 26th day of July, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTOMAH 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. 07-132

Scheduling a Public Hearing and Directing Notice Thereof for the Consideration of the Legalization of a Portion of SW Hewett Boulevard

The Multnomah County Board of Commissioners Finds:

- a. SW Hewett Boulevard was established as County Road No. 405 in 1886 and maintenance and improvements have changed its location over the years.
- b. On November 9, 2006, consistent with ORS 368.201 to 368.221, the Board of Commissioners by the adoption of Resolution No. 06-184, initiated proceedings for legalizing SW Hewett Boulevard in its as traveled location and directed the County Surveyor to conduct a survey of the road.
- c. As required under ORS 368.206(1), the County Surveyor has completed the survey of the road and prepared a report to the Board with the proposed new County Road Number "5025."
- d. The above referenced statutes require the County to hold a public hearing to consider legalization of SW Hewett Boulevard and provide notice thereof by personal service to the abutting property owners and by posting.

The Multnomah County Board of Commissioners Resolves:

1. The Board of County Commissioner will hold a hearing on Thursday, September 6, 2007 at 9:30 a.m., in the Multnomah Building, First Floor Commissioners Boardroom 100, 501 SE Hawthorne Boulevard, Portland, Oregon.
2. The purpose of the hearing is to determine whether the legalization of SW Hewett Boulevard, as County Road No. 5025, is in the public's interest. The hearing will concern SW Hewett Boulevard from SW Grant Street southeasterly, about 1,650 feet to the North-South centerline of Section 7, T1S, R1E, WM.
3. The County Surveyor is directed to provide notice of the hearing to abutting property owners and by posting in a manner consistent with ORS 368.401-368.426 by service to owners of abutting land and by posting.
4. The notice shall comply with ORS 368.426 and advise that all persons interested in or concerned with the road are invited to attend the hearing.

5. Further the notice shall provide the following information:

- That any objections to the proposal or other information relating thereto must be filed in the Multnomah County Surveyor's Office, 1600 SE 190th Avenue, Portland, Oregon 97233, on or before September 4, 2007;
- A statement as follows: "For more information, call Robert Hovden, County Surveyor at 503-988-5573".

ADOPTED this 26th day of July, 2007.



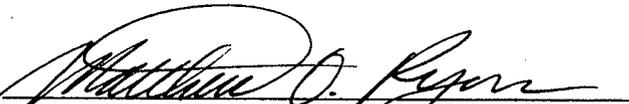
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


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 (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # RS DATE 07-26-07
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 07-26-07
 Agenda Item #: R-5
 Est. Start Time: 10:07 AM
 Date Submitted: 07-12-07

BUDGET MODIFICATION: DCS - 02

Agenda Title: Budget Modification DCS-02 Appropriating Oregon Secretary of State Grant Funds for Help America Vote Act Expenses

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

Requested Meeting Date: July 26, 2007 Amount of Time Needed: 5 minutes
 Department: Community Service Division: Elections
 Contact(s): Jerry Elliott
 Phone: (503) 988-4624 Ext. 84624 I/O Address: 455/2/224
 Presenter(s): John Kauffman and Jerry Elliott

General Information

1. What action are you requesting from the Board?

The Department is requesting the Board approve a budget modification to appropriate grant funds to be received from the Oregon Secretary of State for Help America Vote Act (HAVA) expenses.

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 Help America Vote Act of 2002 provided funds to the states to replace and improve vote tally equipment. Multnomah County purchased new equipment in 2003. These funds will be used to add a permanent ballot box on Belmont St., replace doors and provide card readers to limit access to several rooms in the Elections Office during an election. These projects are in response to findings in a recent County Audit of our Elections Office.

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

The fiscal impact is on the current year (FY 08) only in the amount of \$129,033.20.

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

There are no legal and/or policy issues involved.

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?**
Grant revenue will increase by \$129,033
- **What budgets are increased/decreased?**
Both revenue and expense will increase by \$129,033.
- **What do the changes accomplish?**
This budget modification appropriates budget to allow funds provided by the grant to be expended.
- **Do any personnel actions result from this budget modification? Explain.**
N/A
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**
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?**
The revenue and expenses are one-time-only in nature.
- **If a grant, what period does the grant cover?**
October 2002 through June 2009
- **If a grant, when the grant expires, what are funding plans?**
June 30, 2009

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 - 02

Required Signatures

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



Date: 07-12-07

Budget Analyst:



Date: 07-12-07

Budget Modification ID: **DCS-02****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
1	91-40	23440	0020			HAVA	50190	-	(129,033)	(129,033)		Increase Fed thru State
2	91-40	23440	0020			HAVA	60430	321,666	446,275	124,609		Increase Bldg Mgmt
3	91-40	23440	0020			HAVA	60350	-	2,854	2,854		Increase Central Indirect
4	91-40	23440	0020			HAVA	60355	-	1,570	1,570		Increase Dept Indirect
5									0			
6	72-50	3505	0020		902575		50310		(124,609)	(124,609)		Increase Bldg Service Rev
7	72-50	3505	0020		902575		60170		124,609	124,609		Increase Bldg Service Exp
8	19	1000	0020		9500001000		50310		(2,854)	(2,854)		Increase Cen Indirect Rev
9	19	1000	0020		9500001000		60470		2,854	2,854		Increase Contingency
10	91-00	1000	0020		700000		50370	323,000	321,430	(1,570)		Increase Dept Indirect Rev
11	91-00	1000	0020		700000		60170	50,000	51,570	1,570		Increase Prof Svcs
12									0			
13									0			
14									0			
15									0			
16									0			
17									0			
18									0			
19									0			
20									0			
21									0			
22									0			
23									0			
24									0			
25									0			
26									0			
27									0			
28									0			
29									0			
									0	0		Total - Page 1
									0	0		GRAND TOTAL



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R6 DATE 07-26-07
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 07-26-07
Agenda Item #: R-6
Est. Start Time: 10:10 AM
Date Submitted: 07-10-07

BUDGET MODIFICATION: DCJ - 01

Agenda Title: **Budget Modification DCJ-01 Appropriating \$283,542 in Oregon Criminal Justice Commission funds to provide program enhancement for the Sanction Treatment Opportunity Progress (STOP) Drug Court.**

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

Requested Meeting Date:	<u>July 26, 2007</u>	Amount of Time Needed:	<u>5 minutes</u>
Department:	<u>Dept. of Community Justice</u>	Division:	<u>ECCS</u>
Contact(s):	<u>Shaun Coldwell</u>		
Phone:	<u>503-988-3961</u>	Ext.	<u>83961</u>
		I/O Address:	<u>503 / 250</u>
Presenter(s):	<u>John Turner</u>		

General Information

1. What action are you requesting from the Board?

The Department of Community Justice (DCJ) requests approval of a budget modification to appropriate \$283,542 from the Oregon Criminal Justice Commission to provide program enhancement for the Sanction Treatment Opportunity Progress (STOP) Drug Court.

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 1991 STOP Court became the first drug court in Oregon. The partners involved in STOP Court include the Multnomah County Judiciary, the Metropolitan Public Defender's Office, the Multnomah County District Attorney's Office (MCDA), the Trial Court Administrator, DCJ and InAct, Inc., the treatment provider. To be eligible for STOP Court, a client must be charged with Felony drug possession and have no other pending Felony, Misdemeanor person crime, DUII or Firearm charges. Treatment lasts for a minimum of one year and includes Court appearances ranging from daily to every six weeks, depending on the quality of participation. At each appearance, the drug court team reviews treatment progress, attendance, group participation, attitude, and urinary

analysis results.

This is the second year that DCJ has received funding for STOP Court and this will be a continuation of the FY07 grant. At the time the FY08 Requested Budget was prepared, funding was not available for STOP Court and this grant was not included in the budget submittal. In June, 2007 DCJ was notified that STOP Court funding was available and an NOI was approved by Multnomah County Board of Commissioners on July 12, 2007.

The grant will provide 1) long-term residential treatment beds for STOP Court clients requiring residential treatment; 2) provide short-term funding for transitional drug-free housing for STOP clients who are either homeless or are transitioning out of residential care with no available permanent housing; 3) continue the outpatient treatment models of the Matrix Intensive Outpatient Program and Seeking Safety, that clinical studies have shown to be effective for methamphetamine and stimulant users and 4) additional drug testing to support the Matrix model.

The STOP grant will enhance Program Offer 50044 Addiction Services – Adult Drug Court Program by providing additional treatment beds and housing to give clients a greater chance of succeeding and graduating in Drug Court.

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

This budget modification includes revenue and expenditures covering the period July 1, 2007 through June 30, 2008.

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

N/A

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

N/A

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?**
State revenue for Criminal Justice Commission increases by \$283,542 for FY08.
- **What budgets are increased/decreased?**
Employee, Community and Clinical Services Professional Services budget is increased \$262,442
Central Indirect increases \$6,010
Department Indirect increases \$15,090
- **What do the changes accomplish?**
Professional Services increases \$262,442 to contract for counseling services, residential beds, transitional housing, supplies and training.
- **Do any personnel actions result from this budget modification? Explain.**
N/A
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**
This grant provides for Central Indirect and Department Indirect costs.
- **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**
The revenue is one-time only.
- **If a grant, what period does the grant cover?**
July 1, 2007 through June 30, 2008.
- **If a grant, when the grant expires, what are funding plans?**
The program will be eliminated at the end of the grant period.

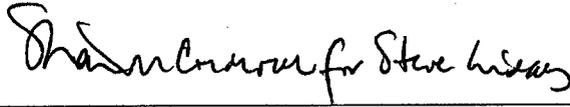
NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

ATTACHMENT B

BUDGET MODIFICATION: DCJ - 01

Required Signatures

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



Date: 07-10-07

Budget Analyst:



Date: 07-10-07

Budget Modification ID: DCJ-01

EXPENDITURES & REVENUES

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
1	50-05	32212	50			CJ044.STOP	50180	(283,542)	(283,542)		incr Revenue Stop Court Grant	
2								0		(283,542)		
3	50-05	32212	50			CJ044.STOP	60170	262,442	262,442		Incr Professional Services for Treatment beds and transitional housing; InAct \$149,348, DePaul \$113,094	
4	50-05	32212	50			CJ044.STOP	60350	6,010	6,010		Incr Central Indirect 2.29%	
5	50-05	32212	50			CJ044.STOP	60355	15,090	15,090		Incr Dept Indirect 5.75%	
6								0		283,542	ECC Drug Court	
7								0				
8	19	1000	20		9500001000		50310	(6,010)	(6,010)		Incr Reimb Rev GF	
9	19	1000	20		9500001000		60470	6,010	6,010		Incr offsetting exp GF	
10								0		0		
11	50-00	1000	50		509600		50370	(15,090)	(15,090)		Incr Dept Indirect Revenue	
12	50-00	1000	50		509600		60170	15,090	15,090		Incr Prof Svc by Dept Indirect	
13								0		0		
14								0				
15								0				
16								0				
17								0				
18								0				
19								0				
20								0				
21								0				
22								0				
23								0				
24								0				
25								0				
26								0				
27								0				
28								0				

Budget Modification ID: DCJ-01

EXPENDITURES & REVENUES

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
29								0				
									0	0		Total - Page 1
									0	0		GRAND TOTAL



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R7 DATE: 07-26-07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 07-26-07
Agenda Item #: R-7
Est. Start Time: 10:13 AM
Date Submitted: 07-06-07

BUDGET MODIFICATION: DCHS - 02

Agenda Title: Budget Modification DCHS-02 Appropriating \$90,978 State of Oregon Housing and Community Services Grant Funds for the Energy Services Program

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

Date Requested: July 26, 2007 Time Requested: N/A
Department: Dept. of County Human Services Division: Community Services
Contact(s): Mary Li
Phone: 988-6295 Ext. 26787 I/O Address: 167/200
Presenter(s): Mary Li

General Information

1. What action are you requesting from the Board?

The Department of County Human Services (DCHS) requests the approval of Budget Modification DCHS-02. This budget modification increases DCHS's Fiscal Year '08 budget by \$90,978 in State of Oregon Housing and Community Services (OHCS) grant funding to add a new, full-time Family Intervention Specialist (FIS) position to the Energy Services program.

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

The majority of the Energy Services program is funded by grants from the State. OHCS conducted a statewide evaluation of the Energy and Weatherization programs and client needs, and as a result, developed a project to implement changes in service delivery. In FY07, OHCS funded a new full time FIS position. As an enhancement to the original project, the State has increased funding in order to allow another full time position to be created. This additional position will double current service capacity.

Based on the functions of the existing position, the new position will use a similar job description, previously classified by Central HR as a Family Intervention Specialist. Both positions will work

with households to achieve self-sufficiency and reduce dependence on energy assistance programs.

Budget Modification DCHS-02 increases DCHS's Fiscal Year '08 budget for Energy Services by \$90,978 in additional grant funding for the 1.0 FTE Family Intervention Specialist position.

The funding is part of interest generated by Oregon Energy Assistance Program funds earmarked by the State for this particular project.

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

Budget Modification DCHS-02 increases the DCHS's Fiscal Year '08 budget for Energy Services by \$86,958 in OHCS Oregon Energy Assistance grant funding and \$4,020 OHCS Duke El Paso grant funding, for a total increase of \$90,978. The OHCS revenue contract is renewed each biennium

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

n/a

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

n/a

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?

Budget Modification DCHS-02 increases DCHS's Fiscal Year '08 budget by 1.0 FTE. As part of a statewide restructuring of Energy Services programs, OHCS has increased DSCP Energy Services' grant funding by \$90,978 to pay for this position.

- What budgets are increased/decreased?

DCHS's Fiscal Year '08 budget for Energy Services will be increased by \$86,958 in OHCS Oregon Energy Assistance grant funding and \$4,020 OHCS Duke El Paso grant funding, for a total increase of \$90,978. Of the \$90,978, OHCS has directed that \$82,751 be used to pay for this position in Energy Services. This position has been classified by Central HR as a Family Intervention Specialist.

The remaining \$8,227 has been awarded for Administrative costs, including Central and Departmental Indirect, and Materials & Services. Based on established Fiscal Year '08 Indirect rates, \$1,996 will pay for Central Indirect, \$1,795 will pay for Departmental Indirect, and the remaining \$4,436 will pay for the M&S utilized by this position.

- What do the changes accomplish?

This new Family Intervention Specialist will work with households to identify and address their unique and multiple challenges to achieving self-sufficiency. The new position will double service capacity annually.

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

Budget Modification DCHS-02 adds 1.0 FTE Family Intervention Specialist to the Department of County Human Services' Fiscal Year '08 budget.

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

The \$90,978 grant increase includes \$3,791 for Central and Departmental Indirect, and \$4,436 for Materials and Services costs.

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

The OHCS revenue contract is renewed each biennium.

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

The current OHCS revenue contract is effective through June 30th, 2009.

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

The OHCS revenue agreement will be renewed for the 09-11 biennium.

ATTACHMENT B

BUDGET MODIFICATION: DCHS -02

Required Signatures

**Department/
Agency Director:**

Joanna Felt

Date:

July 6, 2007

Budget Analyst:

Michael D. Jones

Date:

7/12/2007

Department HR:

Joni E. Orr

Date:

July 16, 2007

~~**Countywide HR:**~~

Date:

NA

Budget Modification ID: **DCHS-02****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Internal Order	Cost Center	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
							WBS Element						
1	22-10	23350	40				SCPCESE2.OEACM.07.PG	50180	(17,711)	0	17,711		IG-OP-Direct State
2	22-10	23350	40				SCPCESE2.OEACM.07.PG	60000	9,680	0	(9,680)		Permanent
3	22-10	23350	40				SCPCESE2.OEACM.07.PG	60130	3,106	0	(3,106)		Salary Related Expns
4	22-10	23350	40				SCPCESE2.OEACM.07.PG	60140	2,314	0	(2,314)		Insurance Benefits
5	22-10	23350	40				SCPCESE2.OEACM.07.PG	60180	723	0	(723)		Printing
6	22-10	23350	40				SCPCESE2.OEACM.07.PG	60240	1,031	0	(1,031)		Supplies
7	22-10	23350	40				SCPCESE2.OEACM.07.PG	60260	698	0	(698)		Education & Training
8	22-10	23350	40				SCPCESE2.OEACM.07.PG	60270	159	0	(159)	0	Local Travel/Mileage
9										0			
10	22-10	23350	40				SCPCESE2.OEACM.07.AD	50180	(771)	0	771		IG-OP-Direct State
11	22-10	23350	40				SCPCESE2.OEACM.07.AD	60350	406	0	(406)		Central Indirect
12	22-10	23350	40				SCPCESE2.OEACM.07.AD	60355	365	0	(365)	0	Department Indirect
13										0			
14	22-10	23350	40				SCPCESE2.OEACM07.PPL.PG	50180	0	(25,648)	(25,648)		IG-OP-Direct State
15	22-10	23350	40				SCPCESE2.OEACM07.PPL.PG	60000	0	16,346	16,346		Permanent
16	22-10	23350	40				SCPCESE2.OEACM07.PPL.PG	60130	0	5,245	5,245		Salary Related Expns
17	22-10	23350	40				SCPCESE2.OEACM07.PPL.PG	60140	0	4,057	4,057	0	Insurance Benefits
18										0			
19	22-10	23350	40				SCPCESE2.OEACM07.PGE.PG	50180	0	(69,344)	(69,344)		IG-OP-Direct State
20	22-10	23350	40				SCPCESE2.OEACM07.PGE.PG	60000	0	44,194	44,194		Permanent
21	22-10	23350	40				SCPCESE2.OEACM07.PGE.PG	60130	0	14,182	14,182		Salary Related Expns
22	22-10	23350	40				SCPCESE2.OEACM07.PGE.PG	60140	0	10,968	10,968	0	Insurance Benefits
23										0			
24	22-10	23350	40				SCPCESE2.OEACM07.PPL.AD	50180	0	(2,821)	(2,821)		IG-OP-Direct State
25	22-10	23350	40				SCPCESE2.OEACM07.PPL.AD	60180	0	295	295		Printing
26	22-10	23350	40				SCPCESE2.OEACM07.PPL.AD	60240	0	565	565		Supplies
27	22-10	23350	40				SCPCESE2.OEACM07.PPL.AD	60260	0	488	488		Education & Training
28	22-10	23350	40				SCPCESE2.OEACM07.PPL.AD	60270	0	286	286		Local Travel/Mileage
29	22-10	23350	40				SCPCESE2.OEACM07.PPL.AD	60350	0	625	625		Central Indirect
30	22-10	23350	40				SCPCESE2.OEACM07.PPL.AD	60355	0	562	562	0	Department Indirect
										0	0	0	Total - Page 1
										0	0	0	GRAND TOTAL

Budget Modification ID: **DCHS-02****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Cost Center	WBS Element						
31	22-10	23350	40			SCPCESE2.OEACM07.PGE.AD	50180	0	(7,627)	(7,627)		IG-OP-Direct State
32	22-10	23350	40			SCPCESE2.OEACM07.PGE.AD	60180	0	729	729		Printing
33	22-10	23350	40			SCPCESE2.OEACM07.PGE.AD	60240	0	2,148	2,148		Supplies
34	22-10	23350	40			SCPCESE2.OEACM07.PGE.AD	60260	0	1,010	1,010		Education & Training
35	22-10	23350	40			SCPCESE2.OEACM07.PGE.AD	60270	0	532	532		Local Travel/Mileage
36	22-10	23350	40			SCPCESE2.OEACM07.PGE.AD	60350	0	1,689	1,689		Central Indirect
37	22-10	23350	40			SCPCESE2.OEACM07.PGE.AD	60355	0	1,519	1,519	0	Department Indirect
38									0			
39	22-10	20726	40			SCPCESE2.DEPCM.07.PG	50180	(19,401)	(22,260)	(2,859)		IG-OP-Direct State
40	22-10	20726	40			SCPCESE2.DEPCM.07.PG	60000	12,436	14,256	1,820		Permanent
41	22-10	20726	40			SCPCESE2.DEPCM.07.PG	60130	3,991	4,575	584		Salary Related Expns
42	22-10	20726	40			SCPCESE2.DEPCM.07.PG	60140	2,974	3,429	455	0	Insurance Benefits
43									0			
44	22-10	20726	40			SCPCESE2.DEPCM.07.AD	50180	(844)	(2,005)	(1,161)		IG-OP-Direct State
45	22-10	20726	40			SCPCESE2.DEPCM.07.AD	60180	0	44	44		Printing
46	22-10	20726	40			SCPCESE2.DEPCM.07.AD	60240	0	350	350		Supplies
47	22-10	20726	40			SCPCESE2.DEPCM.07.AD	60260	0	400	400		Education & Training
48	22-10	20726	40			SCPCESE2.DEPCM.07.AD	60270	0	200	200		Local Travel/Mileage
49	22-10	20726	40			SCPCESE2.DEPCM.07.AD	60350	444	532	88		Central Indirect
50	22-10	20726	40			SCPCESE2.DEPCM.07.AD	60355	400	479	79	0	Department Indirect
51									0			
52	22-10	1000	40			SCPCESE2.CGF	60370	0	1,210	1,210		Int Svc Telephone
53	22-10	1000	40			SCPCESE2.CGF	60410	0	540	540		Int Svc Motorpool
54	22-10	1000	40			SCPCESE2.CGF	60460	0	45	45		Int Svc Dist/Postage
55	26-00	1000	40			CHSDO.IND1000	50370	(826,682)	(828,477)	(1,795)	0	Dept Indirect Revenue
56									0			
57	19	1000	0020		9500001000		50310		(1,996)	(1,996)		Internal Svc Reimbursement
58	19	1000	0020		9500001000		60470		1,996	1,996	0	Contingency
59									0			
									0	0	0	Total - Page 2
									0	0	0	GRAND TOTAL

Budget Modification ID: **DCHS-02**

EXPENDITURES & REVENUES

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Cost Center	WBS Element						
60	72-10	3500	0020			705210		50316	(13,166)	(13,166)		Service Reimbursement
61	72-10	3500	0020			705210		60330	13,166	13,166	0	Claims Paid
62									0			
63	72-60	3503	0020			709525		50310	(1,210)	(1,210)		Internal Svc Reimbursement
64	72-60	3503	0020			709525		60200	1,210	1,210	0	Communications
65									0			
66	72-55	3501	0020			904100		50310	(540)	(540)		Internal Svc Reimbursement
67	72-55	3501	0020			904100		60240	540	540	0	Supplies
68									0			
69	72-55	3504	0020			904400		50310	(45)	(45)		Internal Svc Reimbursement
70	72-55	3504	0020			904400		60230	45	45	0	Postage
71									0			
72									0			
73									0			
74									0			
75									0			
76									0			
77									0			
78									0			
79									0			
80									0			
81									0			
82									0			
83									0			
84									0			
85									0			
86									0			
87									0			
									0	0	0	Total - Page 3
									0	0	0	GRAND TOTAL

ANNUALIZED PERSONNEL CHANGE

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

						ANNUALIZED			
Fund	Job #	HR Org Unit	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
23350	6305	63257	Family Intervention Specialist	new	0.97	50,860	16,321	12,711	79,892
20726	6305	63257	Family Intervention Specialist	new	0.03	1,820	584	455	2,859
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
TOTAL ANNUALIZED CHANGES					1.00	52,680	16,905	13,166	82,751

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 Unit	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
23350	6305	63257	Family Intervention Specialist	new	0.97	50,860	16,321	12,711	79,892
20726	6305	63257	Family Intervention Specialist	new	0.03	1,820	584	455	2,859
									0
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									0
TOTAL CURRENT FY CHANGES					1.00	52,680	16,905	13,166	82,751



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # RP DATE 07-26-07
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 07-26-07
 Agenda Item #: R-8
 Est. Start Time: 10:15 AM
 Date Submitted: 07-10-07

NOTICE OF INTENT to Apply for Grant Funding of up to \$50,000 from the Oregon Economic and Community Development Department Renewable Energy Feasibility Fund to Study the Feasibility of Generating Hydro-Electric Power at County-Owned Bridges in the Willamette River

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

Requested Meeting Date: July 26, 2007 **Amount of Time Needed:** 5 minutes
Department: Department of County Management **Division:** Director's Office
Contact(s): Doug Butler (FPM), Jon Schrotzberger (FPM), Clark Jurgemeyer (FPM) – phone
Phone: 503.988.3074 **Ext.** **I/O Address:** 274
Presenter(s): Jon Schrotzberger, Clark Jurgemeyer

General Information

1. What action are you requesting from the Board?

Authorize application for a grant to pay for studying the feasibility of generating hydro-electric power for County-owned buildings and properties. This grant will allow us to hire outside experts to help analyze potential power-generation projects at little cost to the County. Although permanent County staff includes lawyers, financial analysts, engineers and project managers, we do not have in-house staff with the expertise in hydro-electric generation or electricity markets to adequately analyze potential projects.

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.

Hydro-electric power is clean, renewable, and fairly constant. Though the speed and volume may vary, river water flows 24 hours a day 7 days a week (unlike solar energy that requires daylight or wind energy that requires a breeze). Multnomah County may have an opportunity to generate electricity from the water passing under the many County-owned bridges in the Willamette River to offset our use of more polluting sources of electricity. The feasibility study would determine whether attaching hydro-turbines to the side of bridge piers would generate enough electricity to offset the cost of installation over a reasonable amount of time.

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

Will increase County budget by up to \$57,500 for one year. The state may grant up to \$50,000 depending on the amount awarded and the total expenses incurred from outside experts. The grant requires the applicant to provide a minimum of 25 percent of the total study costs (with at least 15 percent representing direct cash contributions). The County will provide staff time for its 10 percent contribution and request the Energy Trust of Oregon, Inc. provide the remaining 15% (\$7,500). The grant terminates at project completion. Funds may carryover into a second year, if funds are not yet exhausted and project still ongoing.

Similar to proposals to generate solar-electric power, hydro-electric power may help the County gain rate stability and predictability for the portion of its electric needs that comes from these hydro-electric power generation sites. Utility regulation and tax policy in Oregon encourage and protect alternative energy projects. Producing this electricity will not change our status as customers of our utilities or impact our ability to buy the electricity we need from our local utilities.

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

Applying for this grant funding does not obligate the County to pursue a hydro-electric power generation or to take action on any other renewable energy policy. The goal for the grant is to protect the County's interest by bringing in the appropriate experts to study the feasibility for us.

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

A few years ago, the County investigated several options including hydro-electric power to provide aesthetic lighting for the Willamette Light Brigade. Though the hydro-electric option was not selected at that time, the Willamette River provides a constant stream of energy that could be converted to electricity for use in County-owned buildings. The proposed grant would fund a study to determine if and how it would be feasible for the County to develop hydro-electric power.

ATTACHMENT A

Grant Application/Notice of Intent

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

- **Who is the granting agency?**

Oregon Economic and Community Development Department (OECDD)

- **Specify grant (matching, reporting and other) requirements and goals.**

Direct support, up to \$50,000. We will request matching funds (additional \$7,500) be supplied by Energy Trust of Oregon, Inc. Reporting will include scope of work provided and expenses incurred.

The goal is to determine the feasibility of using the Willamette River to generate hydro-electric power with turbines mounted to the side of bridge piers in the river. Understanding, quantifying and verifying that feasibility will help the County decide whether to proceed with further development.

- **Explain grant funding detail – is this a one time only or long term commitment?**

One time only. We are responsible for identifying and contracting with appropriate experts. We will be billed and pay directly for their services. Then the grantor OECDD will verify our billing charges and reimburse us on a net 30 days basis.

- **What are the estimated filing timelines?**

Fall 2007.

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

Twelve months.

- **When the grant expires, what are funding plans?**

None. Do not expect to need funding for any feasibility or expert analysis beyond grant expiration date. If we do, will need to make other arrangements.

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

Administrative expenses and County staff time are not covered by this grant. Overhead charges will be absorbed within existing resources.

ATTACHMENT B

Required Signatures

Elected Official or
Department/
Agency Director:

Carol M. Ford

Date: 07-09-07

Budget Analyst:

Michael D. Jaspis

Date: 07-09-07

Renewable Energy Feasibility Fund Grant program

Governor Ted Kulongoski's Executive Order 06-02 entitled "Sustainability for the 21st Century" directs the Oregon Economic and Community Development Department (OECD), in coordination with the Oregon Department of Energy, to establish a fund "within existing funding and authority" to support feasibility studies for "community renewable energy projects." The Renewable Energy Feasibility Fund (REF Fund) has been established for this purpose, namely to encourage the widespread adoption of renewable energy projects that reduce Oregon's dependence on fossil-based energy sources and promote sustainable economic development for communities throughout the state.

What is a "feasibility study?"

A feasibility study is broadly defined as an analytical tool that assists in determining the viability of a development project.

Who is eligible to apply for REF Fund assistance?

The following municipalities are eligible to apply for REF Fund assistance:

- Cities
- Counties
- County service districts (organized under ORS Chapter 451)
- Tribal Councils of Indian tribes
- Ports
- Districts as defined in ORS 198.010
- Airport districts (ORS 838)

Who is *not* eligible to apply for REFF assistance?

All entities that are not explicitly included in the list above are ineligible to apply. Examples of ineligible entities include, but are not limited to, individuals, private businesses and non-profit organizations, schools and universities, public agencies, etc.

What qualifies as a "renewable energy feasibility study" under this program?

A renewable energy feasibility study is one that incorporates renewable energy source(s) for the purpose of generating electricity, heat and/or fuel *from an existing or proposed municipally-owned facility or project.*

OECD staff will determine project eligibility as part of the application review process. Though not an exhaustive list, examples of studies that may be eligible for the REF Fund include those that address:

- initial resource assessment
- siting and permitting requirements
- transmission and interconnection issues
- ownership structure and funding mechanisms
- project costs and economic viability
- financial incentives

Call for Applications

Deadline: 4:00 pm April 11, 2007
\$150,000 in grant funding available this round

More Information:

REF Program

Glenn Montgomery, REF Program
Coordinator
503-229-5223

[Complete Program Information \(PDF\)](#)

Intake [Form](#) (Word)

Answers to [public inquiries](#)

Also request an application by phone, 503-986-0123 or by mail to OECD, 775 Summer St., NE, Suite 200, Salem, OR 97301-1280.

[Special Public Works Fund](#); or call the department at 503-968-0123

[BETC](#) program or call the Department of Energy at 1-800-221-8035 (in Salem 503-378-4040).

[State Energy Loan Program \(SELP\)](#)

[Governor's Executive Order 06-02 \(PDF\)](#)

available output contracts and price
fatal flaw analysis
community issues and acceptance

May "demonstration" projects or R&D projects qualify for the REF Fund?

It is unlikely that a demonstration or R&D project would receive REF funding. The intent of the REF Fund is to support renewable energy development projects that rely on commercially viable technologies. Thus, feasibility studies are limited to those projects that incorporate technologies with a demonstrated maturity in the marketplace or can provide definitive proof of commercial viability.

What type of funding assistance is available?

Funding will be provided from OECD's Special Public Works Fund (SPWF). A limited amount of grant funding will be available and administered via a contract between the award recipient and OECD's Community Development Division. Loans also are available and rates are set quarterly. The current terms are 3.27% interest rate for up to 7 years:

In addition to the criteria herein, the awards made under the REF Fund program are subject to requirements in the Special Public Works Fund statutes and Administrative Rules. The statutory series is ORS 285B.410 to 285B.464. The Administrative rules are contained in OAR 123-042. Additional requirements such as the municipality's responsibilities when using lottery bond proceeds, are contained in the contract boilerplate for the SPWF program.

How much money is available for this program?

A total of \$150,000 is available for this round of funding.

Is there a funding limit for a feasibility study?

Yes. The maximum grant award amount is \$50,000 per study.

Is there a cost sharing requirement?

Yes. The applicant must provide a minimum of 25 percent of the total study costs with at least 15 percent representing direct cash contributions. All or a portion of the cost sharing requirement could be in the form of a loan from the SPWF, subject to applicant's eligibility and the availability of funds. In addition, if the applicant secures federal funds, such as grants from USDA or US DOE, the applicant's portion of the cost sharing may be reduced by this amount.

Do "in-kind" goods and/or services qualify for cost sharing?

Yes. "In-kind" contributions, such as consulting services, equipment, supplies, etc. that are needed to conduct the study may qualify as part of the applicant's cost sharing requirement. This does not include project overhead costs, such as grant writing costs, contract administration, fringe benefits, office overhead, etc. An Evaluation Committee will determine what qualifies as "in-kind" support as part of the application review process.

Are there other specific criteria required in order to be eligible for funding?

Yes. For electricity production, studies are limited to development projects that aim for capacity of more than 25kW and a maximum of 10MW. For heat and/or fuel generation projects, eligibility will be determined on a case by case with an emphasis on small-scale production.

Priority will be given to projects that have the potential to qualify as a "Renewable Resource Project" under Oregon's Business Energy Tax Credit (BETC) program and/or are eligible for the State's Energy Loan Program (SELP) with the Oregon Department of Energy.

How does an applicant apply for funding?

A Call for Intake & Project Notification will be issued twice annually in the Fall and Spring (typically March and September). Applicants must submit a completed "Intake" within the designated timeframe, and those that meet SPWF program eligibility requirements will be invited to submit a full proposal. The specific timeline and application details will be made available on OECD's web site during each funding round, and this material can be requested by contacting the program coordinator or the OECD Regional Coordinator for your area.

Is this a competitive process?

Yes. Limited grant funds will be made available during each application cycle. An Evaluation Committee comprised of a cross-section of state agency staff and external partners will rank the proposals based on the combined merits of each application relative to the pool of applications received. The Evaluation Committee will consider a number of factors in making ranking decisions, including but not limited to:

- Quality of project
 - potential cost/benefit
 - economic development potential, e.g. impacts on jobs and revenue
 - clearly defined deliverables and outcomes
 - viability of proposed technology
- Likelihood of project to satisfy BETC criteria, assuming project is feasible
- Demonstrated capability of project team
- Demonstrated need, e.g. preference to rural and distressed communities
- Amount of funding request (preference is to maximize the number of studies)
- Nature of project (preference is to maximize the overall diversity of projects)
- Clear and direct benefit to local community
- Availability of state funds to make awards

The Evaluation Committee reserves the right to recommend a downward adjustment to an award amount relative to an applicant's request to better fulfill the mission of the REF Fund. In these instances, the committee and/or OECD will work with the applicant to determine how to conduct the study with the adjusted award amount.

What is the process and expected turn-around time for issuing awards?

The approximate timeframe for the REF Fund process is as follows:

Pre-Application	Full Proposal	Review	Awards/Contracts
Month 1	Month 2	Month 3	Months 4-6

As part of the Intake and proposal process, OECD staff and the Evaluation Committee may request additional information from applicants. Under normal circumstances, awards will be announced approximately 45 days from the full proposal due date, and award recipients will be invited to enter into contractual agreement with OECD. The contract process varies in length depending on the nature of the project, parties involved, competing demands on OECD staff, etc., but the goal is to commence projects within 90 days of award announcements.

How will the money be disbursed?

In general, eligible study costs will be reimbursed as they are incurred. The specific terms will be worked out during the contract development phase and included in the agreement.

Who will own the end product of the feasibility study?

The award recipient will own the study; however, OECD will be given a copy of the final report and any requested work products as well as full, access to the study and any analysis performed to complete the study. Work products that are created using SPWF funds are subject to public information laws. Provisions may be included to protect intellectual property rights, on a case-by-case basis.



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 07-26-07
Agenda Item #: R-9
Est. Start Time: 10:20 AM
Date Submitted: 07-16-07

Agenda Title: **PROCLAMATION Proclaiming July 30, 2007 as Beat Your Risk of High Blood Pressure Day in Multnomah County**

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

Requested Meeting Date: July 26, 2007 **Amount of Time Needed:** 10 minutes
Department: Non-Departmental **Division:** Rojo de Steffey
Contact(s): Matthew Lashua
Phone: 503 988-6796 **Ext.** 86796 **I/O Address:** 503/600
Presenter(s): Todd Mosetter – American Heart Association

General Information

1. **What action are you requesting from the Board?**
 Adoption of Proclamation
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 American Heart Association and the Multnomah County Health Department are urging Multnomah County residents to participate in free blood pressure screenings at Pioneer Courthouse Square from 10AM – 2PM on July 30, 2007.
3. **Explain the fiscal impact (current year and ongoing).**
 N/A
4. **Explain any legal and/or policy issues involved.**
 N/A

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

Required Signature

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

Mania Rojo de Steffen

Date: 07-16-07

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. _____

Proclaiming July 30, 2007 as Beat Your Risk of High Blood Pressure Day in Multnomah County, Oregon

The Multnomah County Board of Commissioners Finds:

- a) On behalf of the citizens of Multnomah County, we are pleased to join the American Heart Association and American Stroke Association in celebrating July 30, 2007 as Beat Your Risk of High Blood Pressure Day in Multnomah County.
- b) The goal for Beat Your Risk of High Blood Pressure Day is to encourage people to be proactive about their blood pressure, understand the risks it poses for adverse cardiovascular events, and learn more about how to maintain healthy blood pressure to reduce their risk.
- c) Nearly one in three adults in the U.S. has high blood pressure, but because there are no symptoms, nearly one-third of these people don't know they have it.
- d) Uncontrollable high blood pressure is a primary cause of death for over a quarter of a million Americans annually, and can lead to stroke, heart attack, heart failure or kidney failure.
- e) High blood pressure is a leading risk factor for all forms of cardiovascular disease, which claim the lives of nearly 9,000 Oregonians each year.
- f) The only way to check for high blood pressure is to have your blood pressure checked.
- g) The American Heart Association and the Multnomah County Health Department urge Multnomah county residents to participate in free blood pressure screenings at Pioneer Courthouse Square on Monday July 30, 2007 from 10 a.m. to 2 p.m.

The Multnomah County Board of Commissioners Proclaims:

July 30, 2007 to be BEAT YOUR RISK OF HIGH BLOOD PRESSURE DAY in Multnomah County and urge all Oregonians to familiarize

themselves with the risk factors associated with high blood pressure so that we might begin to reduce the devastating cardiovascular effects of high blood pressure on our population. Further, we encourage county residents to participate in the free blood screenings at Pioneer Courthouse Square on July 30.

ADOPTED this 30th day of July, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, County Chair

Maria Rojo de Steffey,
Commissioner District 1

Jeff Cogen
Commissioner District 2

Lisa Naito,
Commissioner District 3

Lonnie Roberts,
Commissioner District 4

SUBMITTED BY:
Commissioner Maria Rojo de Steffey

BOGSTAD Deborah L

From: ROJO DE STEFFEY Maria
Sent: Tuesday, July 24, 2007 4:06 PM
To: LASHUA Matthew; LIEUALLEN Matt; FISH Warren; #ALL DISTRICT 1; #ALL DISTRICT 3
Cc: MADRIGAL Marissa D; BOGSTAD Deborah L
Subject: RE: High Blood Pressure

Now we all have high blood pressure!

Maria

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

From: LASHUA Matthew
Sent: Tue 7/24/2007 3:23 PM
To: LIEUALLEN Matt; ROJO DE STEFFEY Maria; FISH Warren; #ALL DISTRICT 1; #ALL DISTRICT 3
Cc: MADRIGAL Marissa D; BOGSTAD Deborah L
Subject: RE: High Blood Pressure

Hi Deb:

Ted will be reading the proclamation on High Blood Pressure. He requests he has it before him so he can read from it and hand it off to them. Thanks for your help with this. Hopefully this is the last e-mail about this proclamation!!

Thanks everyone

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

From: LIEUALLEN Matt
Sent: Tuesday, July 24, 2007 3:22 PM
To: ROJO DE STEFFEY Maria; FISH Warren; #ALL DISTRICT 1; #ALL DISTRICT 3
Cc: MADRIGAL Marissa D; BOGSTAD Deborah L
Subject: RE: High Blood Pressure

Maria,

Lisa is going to be calling in for the meeting on Thursday and will not be introducing the proclamation. It is my understanding from conversations staff had today that Ted will be introducing this item on the 26th.

Thanks!

Matthew

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

From: ROJO DE STEFFEY Maria
Sent: Tuesday, July 24, 2007 2:58 PM
To: FISH Warren; #ALL DISTRICT 1; #ALL DISTRICT 3
Cc: MADRIGAL Marissa D; BOGSTAD Deborah L
Subject: RE: High Blood Pressure

Thanks, Lisa is going to introduce it.

maria

7/25/2007

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

From: FISH Warren

Sent: Tue 7/24/2007 2:07 PM

To: #ALL DISTRICT 1; #ALL DISTRICT 3

Cc: MADRIGAL Marissa D; BOGSTAD Deborah L

Subject: High Blood Pressure

Hi All –

Jeff would be happy to introduce the High Blood Pressure awareness measure on Thursday. He would like some brief talking points on it though. Would someone please email me those by end of day tomorrow? Thank you!

Warren

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. 07-133

Proclaiming July 30, 2007 as Beat Your Risk of High Blood Pressure Day in Multnomah County, Oregon

The Multnomah County Board of Commissioners Finds:

- a) On behalf of the citizens of Multnomah County, we are pleased to join the American Heart Association and American Stroke Association in celebrating July 30, 2007 as Beat Your Risk of High Blood Pressure Day in Multnomah County.
- b) The goal for Beat Your Risk of High Blood Pressure Day is to encourage people to be proactive about their blood pressure, understand the risks it poses for adverse cardiovascular events, and learn more about how to maintain healthy blood pressure to reduce their risk.
- c) Nearly one in three adults in the U.S. has high blood pressure, but because there are no symptoms, nearly one-third of these people don't know they have it.
- d) Uncontrollable high blood pressure is a primary cause of death for over a quarter of a million Americans annually, and can lead to stroke, heart attack, heart failure or kidney failure.
- e) High blood pressure is a leading risk factor for all forms of cardiovascular disease, which claim the lives of nearly 9,000 Oregonians each year.
- f) The only way to check for high blood pressure is to have your blood pressure checked.
- g) The American Heart Association and the Multnomah County Health Department urge Multnomah county residents to participate in free blood pressure screenings at Pioneer Courthouse Square on Monday July 30, 2007 from 10 a.m. to 2 p.m.

The Multnomah County Board of Commissioners Proclaims:

July 30, 2007 to be BEAT YOUR RISK OF HIGH BLOOD PRESSURE DAY in Multnomah County and urge all Oregonians to familiarize

themselves with the risk factors associated with high blood pressure so that we might begin to reduce the devastating cardiovascular effects of high blood pressure on our population. Further, we encourage county residents to participate in the free blood screenings at Pioneer Courthouse Square on July 30.

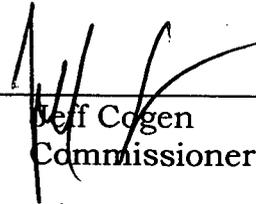
ADOPTED this 30th day of July, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

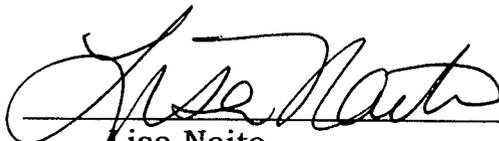

Ted Wheeler, County Chair



Maria Rojo de Steffey,
Commissioner District 1



Jeff Cogen
Commissioner District 2



Lisa Naito,
Commissioner District 3





Lonnie Roberts,
Commissioner District 4

SUBMITTED BY:
Commissioner Maria Rojo de Steffey



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R10 DATE 07-26-07
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 07-26-07
 Agenda Item #: R-10
 Est. Start Time: 10:25 AM
 Date Submitted: 07-18-07

BUDGET MODIFICATION: DCS - 03

Agenda Title: Budget Modification DCS-03 Requesting \$100,000 General Fund Contingency Transfer for Improvements to the Multnomah County Emergency Operations Center

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

Requested Meeting Date:	<u>July 26, 2007</u>	Amount of Time Needed:	<u>10 minutes</u>
Department:	<u>Chair's Office</u>	Division:	<u>MCEM</u>
Contact(s):	<u>George Whitney</u>		
Phone:	<u>(503) 988-4580</u>	Ext.	<u>84580</u>
Presenter(s):	<u>George Whitney</u>	I/O Address:	<u>503/6</u>

General Information

1. What action are you requesting from the Board?

Approval of Budget Modification to allocate \$100,000 of a \$250,000 contingency budget identified in the FY 08 Adopted Budget for improvements to the County's Emergency Management Program. These funds would be used to create a functional Emergency Operations Center for the County.

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

Under ORS 401, Multnomah County is required to develop and maintain an emergency management program to prepare for, respond to and recover from emergencies and disasters that may affect the county. An Emergency Operations Center (EOC) is critical to coordinating County response and necessary for county compliance with State and Federal requirements. The County currently does not maintain an EOC, but has begun negotiations with the City of Portland to develop co-located EOCs. This budget modification would facilitate building improvements within the Multnomah Building to accomplish the construction of a functional, temporary EOC until development of a long-term EOC with Portland is accomplished.

The Board set aside \$250,000 in an FY 08 Budget Note to accomplish such program development.

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

Approval of this Budget Modification will increase the FY 08 budget for Multnomah County Emergency Management by \$100,000. Approval of this request would reduce the remaining contingency budget set-aside to \$150,000. Approval will also result in nominal recurring support costs for data, telephone and computer line charges to be addressed during the normal budget process.

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

Approval of this Budget Modification will allow the County to comply with State Law and State and Federal grant program requirements. Completion of these facility improvements will also eliminate several identified safety hazards present in the current facility environment.

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

This Budget Modification is based on an estimate provided by Facilities Management. No other citizen or other government involvement is planned or anticipated with this request.

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?**

No revenue is being changed by this budget modification.

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

Multnomah County Emergency Management budget will be increased by the full amount of this budget modification. The affect of this increase will be to provide funds pay for County and contractor costs associated with EOC improvement.

- **What do the changes accomplish?**

Build-out of a County Emergency Operations Center. The changes also allow the County to create a safe, productive environment for County staff. The two rooms subject to this build-out also serve as workspace for emergency management staff. Much of the space is currently without wallboard taping, texture, paint, adequate lighting and appropriate furniture. Use of this unfinished space has necessitated worker safety considerations that would be eliminated by approval of this budget modification.

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

No personnel actions will result from this budget modification.

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

Because build-out of the EOC will create some additional recurring charges (e.g., telephone, data, and computer equipment recurring costs), emergency management staff have engaged the Department of County Management to negotiate reduced charges. Emergency Management staff believe that the infrequent use of such services – services that will largely only be used in an emergency – will not significantly affect overall county costs for these services.

Because of the need to develop a County EOC prior to the TOPOFF exercise in October 2007, emergency management staff intend to negotiate reduced rates concurrent with EOC use, absorb current year costs for these services in the remaining contingency budget and develop a more informed, long-term budget proposal during FY 08, as actual costs are better understood.

- **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 request is considered a one-time request only. The contingency budget and this budget modification are not grant-related. The requirement to maintain an EOC will be ongoing and the submittal of an FY 09 budget request will reflect the expected nominal costs of annual facility operation.

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

This request does not relate to a grant program.

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

N/A

Contingency Request

If the request is a Contingency Request, please answer all of the following in detail:

- **Why was the expenditure not included in the annual budget process?**

The FY 08 budget request for emergency management was submitted before the County's new emergency manager could define requirements. The County has recently committed to improving its emergency management program. It has taken the last three months to meet with stakeholders, review program requirements and to develop requests to support an improved program sustainable over the long term. The resulting contingency request is expected to be a one-time response program evaluation and planning.

- **What efforts have been made to identify funds from other sources within the Department/Agency to cover this expenditure?**

No other funds from within the department or other departments have been made available to accomplish this work.

- **Why are no other department/agency fund sources available?**

The budget for the County's Emergency Management program is insufficient to accomplish this EOC build-out and does not incorporate support for EOC operation. Emergency management staff have inquired, but have been unable to identify an available source of funds with other divisions or departments.

- **Describe any new revenue this expenditure will produce, any cost savings that will result, and any anticipated payback to the contingency account. What are the plans for future ongoing funding?**

Approval of this budget modification is not expected to create any new revenue, except for allowing the County to demonstrate compliance with State and Federal requirements and to maintain access to grant programs that fund personnel, planning, training, exercise, and equipment costs. No dollar-for-dollar payback to the contingency account is planned or expected. The recurring costs associated with operation of the EOC are being negotiated to minimize their overall impact and will be presented to the Board of County Commissioners in an FY09 long-term budget request.

- **Has this request been made before? When? What was the outcome?**

No such request is known to have been made before by emergency management staff.

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 - 03

Required Signatures

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

TED WHEELER

Date: 07-18-07

Budget Analyst:

[Signature]

Date: 07-18-07

Budget Modification ID: DCS-03

EXPENDITURES & REVENUES

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
1	91-20	1000	0020		703001		60430	43,720	143,720	100,000		Increase Bldg Mgmt
2	19	1000	0020		9500001000		60470		(100,000)	(100,000)		Increase Gen Fund Cont.
3									0			
4									0			
5									0			
6	72-50	3505	0020		902575		50310		(100,000)	(100,000)		Increase Bldg Service Rev
7	72-50	3505	0020		902575		60170		100,000	100,000		Increase Bldg Service Exp
8									0			
9									0			
10									0			
11									0			
12									0			
13									0			
14									0			
15									0			
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23									0			
24									0			
25									0			
26									0			
27									0			
28									0			
29									0			
										0	0	Total - Page 1
										0	0	GRAND TOTAL



Department of County Management
MULTNOMAH COUNTY OREGON

Budget Office

501 SE Hawthorne Blvd., Suite 531
Portland, Oregon 97214
(503) 988-3312 phone
(503) 988-5758 fax
(503) 988-5170 TDD

TO: Board of County Commissioners

FROM: Ching Hay, Sr. Budget Analyst

DATE: July 18, 2007

SUBJECT: General Fund Contingency Request for \$100,000 for improvements to the Multnomah County Emergency Operations Center.

A budget note was included in the FY 2008 Adopted Budget for Emergency Management. It states the following:

“The Board of Commissioners directs the Emergency Management Director to craft a plan to address the County’s need for a comprehensive emergency management system. The Emergency Management Director shall bring the plan to the Board for approval and may, at that time, request up to \$250,000 in Contingency funds to develop an emergency operations center to conduct appropriate drills leading up to and following up on the TOPOFF drill set in October, 2007.”

A \$100,000 General Fund contingency is being proposed to facilitate building improvements within the Multnomah Building to construct a functional, temporary Emergency Operations Center (EOC) to be used until development of a long-term EOC with Portland is accomplished.

General Fund Contingency Policy Compliance

The Budget Office is required to inform the Board if contingency requests submitted for approval satisfy the general guidelines and policies for using the General Fund Contingency. The request is consistent with County policy because it is included in a budget note. In particular,

- Criteria 1 states contingency requests should be for one-time-only purposes. If this is not judged to be one-time-only transition funding, the request essentially funds ongoing programs with one-time-only emergency contingency funds. **This funding is one-time-only in nature.**
- Criteria 2 Addresses emergencies and unanticipated situations. **This expenditure was anticipated too late in the budget process to be included in the adopted budget.**
- Criteria 3 addresses items identified in Board Budget Notes. **This item was addressed in a budget note.**

BOGSTAD Deborah L

From: Laura Grandin [Laura_Grandin@co.washington.or.us]
Sent: Tuesday, July 17, 2007 11:18 AM
To: Barbara Hejtmanek; MaryR@co.Clackamas.or.us; BOGSTAD Deborah L
Subject: Public Notice: Please Post

Hello Ladies,

Here is the public notice I touched base with you about a few weeks ago. Please post this notice on behalf of your respective counties. (County Commissioners Cogen, Schrader, and Schouten would like to provide proper public notice of this meeting, but we are not looking to promote it beyond that.)

Deborah, it seemed like my call came out of the blue for you. I don't know if this will help or not, but Tom Fronk used to be the Director of the Safety Net Enterprise (SNE), and he is the one who set it up to have your office post SNE meeting notices for Multnomah County, in past years.

Please give me a call if you have any questions or concerns.

Thanks very much,

Laura Grandin, PhD.
Department of Health and Human Services
Washington County
503 846-3648

PUBLIC NOTICE

WHO: The Tri-County Health Care Safety Net Enterprise
Board of Directors

WHAT: Has scheduled a retreat

WHY: To develop a plan for the future of the organization

WHEN: July 27, 2007 7:30 a.m. to 1:00 p.m.

WHERE: 4380 SW Macadam, Conference Room

CONTACT: Laura Grandin, Ph.D. 503 846-3648

Citizens wishing to attend the meeting who need assisted listening devices or translation services are asked to please make your request to 503 846-3648 no later than three business days prior to the meeting.