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

Please complete this form and return to the Board Clerk
This form is a public record

MEETING DATE: 5/14/09

SUBJECT: _____

Oregon Partnership Community Response to NUP

AGENDA NUMBER OR TOPIC: _____

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Chloe Jones

ADDRESS: 10012 SW 50th Ave

CITY/STATE/ZIP: Portland OR 97219

PHONE: DAYS: 503-997-3495 EVES: _____

EMAIL: Chloe-jones@comcast.net FAX: _____

SPECIFIC ISSUE: underage drinking + substance abuse

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

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

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

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

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 5.14.09

SUBJECT:

Oregon Partnership Community Response to MIP

AGENDA NUMBER OR TOPIC: _____

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Donna Libem day

ADDRESS: 6443 SW Beaverton-Hillsdale Hwy Suite 200

CITY/STATE/ZIP: Portland, OR 97221

PHONE: _____ DAYS: 503-544-8933 EVES: _____

EMAIL: dlibemday@partnership.org FAX: _____

SPECIFIC ISSUE:

Underage drinking o Substance use

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

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

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: _____

SUBJECT: MWESB Program

AGENDA NUMBER OR TOPIC: N/A

FOR: — AGAINST: — THE ABOVE AGENDA ITEM

NAME: Bruce Feathers

ADDRESS: 2522 NE MLK JR BLVD

CITY/STATE/ZIP: Port ORC 97212

PHONE: _____ DAYS: _____ EVES: _____

EMAIL: feathers@featherlites.com FAX: 503 335 3986

SPECIFIC ISSUE: MWESB Procurement

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

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

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

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



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

Board Clerk Use Only

Meeting Date: 005/14/09
 Agenda Item #: C-1
 Est. Start Time: 9:30 AM
 Date Submitted: 04/22/09

Agenda Title: RESOLUTION Authorizing the Private Sale of a Tax Foreclosed Property to RANDALL B. BATEMAN & PATRICIA E. BATEMAN

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

Requested Meeting Date: May 14, 2009 Amount of Time Needed: Consent Item
 Department: Community Services Division: Tax Title
 Contact(s): Gary Thomas
 Phone: 503-988-3590 Ext. 22591 I/O Address: 503/1/Tax Title
 Presenter(s): Gary Thomas

General Information

1. What action are you requesting from the Board?

The Tax Title Section is requesting the Board to approve the private sale of a tax foreclosed property to RANDALL B. BATEMAN & PATRICIA E. BATEMAN.

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

The subject property is a strip of land that came into county ownership through the foreclosure of delinquent tax liens on October 25, 1985. The strip is more or less 1' x 25' and contains approximately 25 square feet. It is described on the attached plat map, Exhibit A, as Tax Lot No 20300. The strip is located between 3718 NE 42nd Ave and 3655 NE 43rd Ave. We propose to sell the strip to the owner of the NE 43rd Ave property. The attached aerial photo, Exhibit B, shows the strip in relation to the adjacent properties.

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

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

The private sale will allow for the recovery of a portion of the delinquent taxes, fees, and expenses.

The sale will also reinstate the property on the tax roll (see Exhibit D).

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

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

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

No citizen or government participation is anticipated.

Required Signature

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

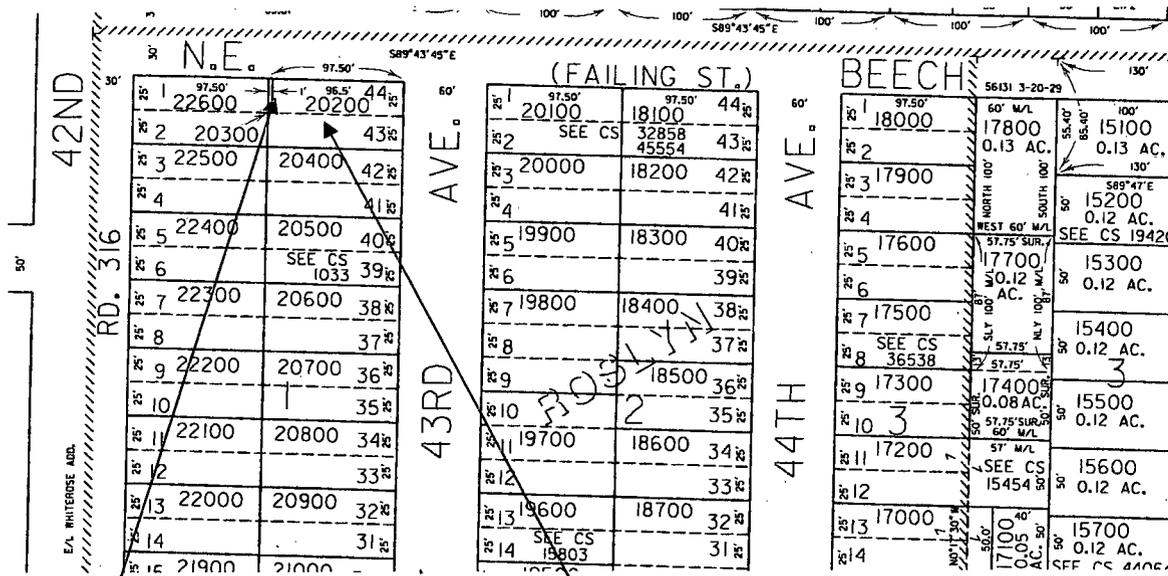


A handwritten signature in cursive script that reads "M. Cecilia Johnson". The signature is written in black ink and is positioned above a horizontal line.

Date: 04/22/09

EXHIBIT A

R262181



Subject strip 3655 NE 43rd Ave

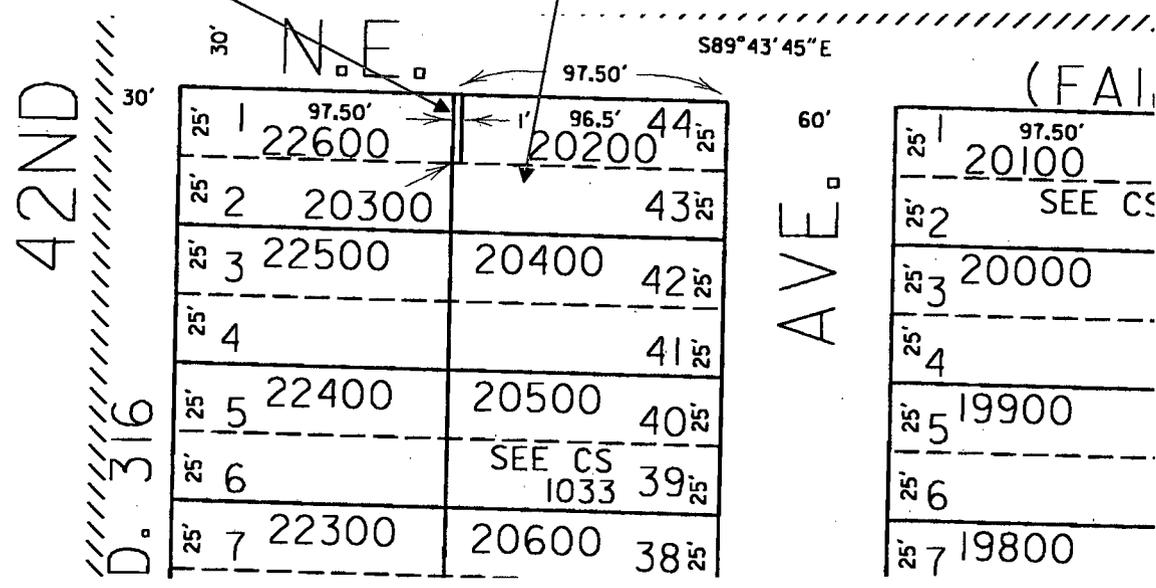


EXHIBIT B

R262181



3718 NE 42nd

Subject strip

3655 NE 43rd

Exhibit C

LEGAL DESCRIPTION:

ROSLYN W 1' OF LOT 44 BLOCK 1

ADJACENT PROPERTY ADDRESS	3655 NE 43 rd Ave
TAX ACCOUNT NUMBER:	R262181
GREENSPACE DESIGNATION:	No designation
SIZE OF PARCEL:	More or less 25 square feet
ASSESSED VALUE:	\$100

ITEMIZED EXPENSES FOR TOTAL PRICE OF PRIVATE SALE

BACK TAXES & INTEREST:	\$15.82
TAX TITLE MAINTENANCE COST & EXPENSES:	\$-0-
RECORDING FEE:	\$26.00
SUB-TOTAL	\$41.82
MINIMUM PRICE REQUEST OF PRIVATE SALE	\$26.00

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Authorizing the Private Sale of a Tax Foreclosed Property to RANDALL B. AND PATRICIA E. BATEMAN

The Multnomah County Board of Commissioners Finds:

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

ROSLYN W 1' OF LOT 44 BLOCK 1
- b. The property has a real market value of \$100 on the assessment roll prepared for the County, consistent with the requirement of ORS 275.225(1) (a).
- c. Although no written confirmation from the City of Portland was obtained, the Tax Title Division is confident that the shape and size of the property make it unsuitable for the construction or placement of a dwelling thereon under applicable zoning ordinances and building codes, as provided under ORS 275.225(1) (b).
- d. RANDALL B. AND PATRICIA E. BATEMAN have agreed to pay \$26.00, an amount the Board finds to be a reasonable price for the property in conformity with ORS 275.225.

The Multnomah County Board of Commissioners Resolves:

1. Upon Tax Title's receipt of the payment of \$26.00, the Chair on behalf of Multnomah County is authorized to execute a deed, substantially in compliance with the attached deed; conveying to RANDALL B. AND PATRICIA E. BATEMAN the real property described above.

ADOPTED this 14th day of May, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

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

Until a change is requested, all tax statements shall be sent to the following address:
RANDALL B. & PATRICIA E. BATEMAN
2914 NE SISKIYOU ST
PORTLAND OR 97212

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

Deed D092184 for R262181

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to RANDALL B. BATEMAN AND PATRICIA E. BATEMAN, husband and wife, **Grantee**, the following described property:

ROSLYN W 1' OF LOT 44 BLOCK 1

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

The true consideration for this conveyance is \$26.00.

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

Dated this 14th day of May, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 14th day of May 2009, by Ted Wheeler, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

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

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 09-054

Authorizing the Private Sale of a Tax Foreclosed Property to RANDALL B. AND PATRICIA E. BATEMAN

The Multnomah County Board of Commissioners Finds:

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

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- b. The property has a real market value of \$100 on the assessment roll prepared for the County, consistent with the requirement of ORS 275.225(1) (a).
- c. Although no written confirmation from the City of Portland was obtained, the Tax Title Division is confident that the shape and size of the property make it unsuitable for the construction or placement of a dwelling thereon under applicable zoning ordinances and building codes, as provided under ORS 275.225(1) (b).
- d. RANDALL B. AND PATRICIA E. BATEMAN have agreed to pay \$26.00, an amount the Board finds to be a reasonable price for the property in conformity with ORS 275.225.

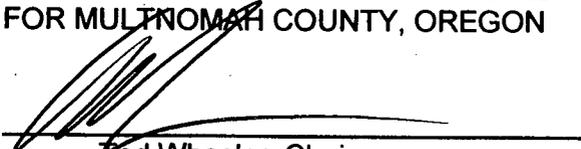
The Multnomah County Board of Commissioners Resolves:

1. Upon Tax Title's receipt of the payment of \$26.00, the Chair on behalf of Multnomah County is authorized to execute a deed, substantially in compliance with the attached deed; conveying to RANDALL B. AND PATRICIA E. BATEMAN the real property described above.

ADOPTED this 14th day of May, 2009.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Fed Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Dept. of Community Services

Until a change is requested, all tax statements shall be sent to the following address:
RANDALL B. & PATRICIA E. BATEMAN
2914 NE SISKIYOU ST
PORTLAND OR 97212

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

Deed D092184 for R262181

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The true consideration for this conveyance is \$26.00.

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

Dated this 14th day of May, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 14th day of May 2009, by Ted Wheeler, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

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

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

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PORTLAND OR 97212

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Multnomah County Tax Title 503/4

Deed D092184 for R262181

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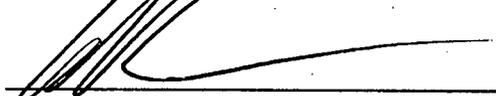
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IN WITNESS WHEREOF, the Multnomah County Board of Commissioners by authority of a Resolution of the Board, entered of record; has caused this deed to be executed by the Chair of the of County Board.

Dated this 14th day of May, 2009.



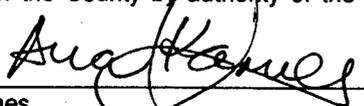
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

STATE OF OREGON

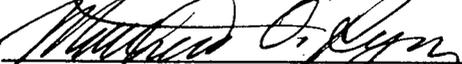
COUNTY OF MULTNOMAH

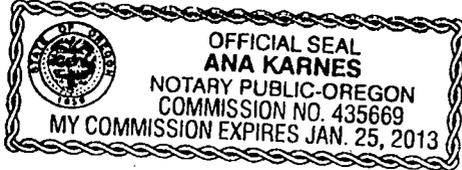
This Deed was acknowledged before me this 14th day of May 2009, by Ted Wheeler, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.


Ana Karnes
Notary Public for Oregon;
My Commission expires: 01/25/13

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney





MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 05/14/09
Agenda Item #: C-2
Est. Start Time: 9:30 AM
Date Submitted: 05/04/09

Agenda Title: **Approve Amendment to South/North Light Rail Transit Project Steering Committee Agreement**

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

Requested Meeting Date: May 14, 2009 **Amount of Time Needed:** Consent Calendar
Department: Community Services **Division:** Land Use and Transportation Planning
Contact(s): Karen Schilling/Jane McFarland
Phone: 503-988-5050 **Ext.** 29635 **I/O Address:** 455/1st Floor
Presenter(s): N/A

General Information

1. What action are you requesting from the Board?

Approve amendment to South/North Light Rail Transit Project Steering Committee Agreement

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 agreement is between TriMet, Oregon Department of Transportation, the counties of Clackamas and Multnomah, and the cities of Portland and Milwaukie representing the required Land Use Final Order (LUFO) Steering Committee. These are the affected local governments pertaining to the Portland to Milwaukie Light Rail Project, an element of the South/North MAX Light Rail line. TriMet is required to receive recommendations from the LUFO Steering Committee for the route, stations, lots and maintenance facilities and the highway improvements. Since the City of Gresham is the likely location of expanded rail maintenance facilities proposed to be part of this project, the Agreement needs to be amended to include the City of Gresham in the Steering Committee. In addition, there is an amended date for the establishment of the Agreement that was previously a typo.

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

There is no fiscal impact to the County

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

There are no legal or policy issues involved.

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

Multnomah County participates in the Steering Committee and the Project Management Team meetings.

Required Signature

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



M. Cecilia Johnson

Date:

**AMENDMENT TO SOUTH/NORTH LIGHT RAIL
TRANSIT PROJECT STEERING COMMITTEE AGREEMENT**

THIS AMENDMENT TO SOUTH/NORTH LIGHT RAIL TRANSIT PROJECT STEERING COMMITTEE AGREEMENT (the "Amendment") is entered into on June 17, 2008, by and between the Oregon Department of Transportation ("ODOT"), Metro, Tri-County Metropolitan Transportation District of Oregon ("TriMet"), Clackamas and Multnomah Counties, collectively referred to as political subdivisions of the state of Oregon, and the cities of Gresham, Milwaukie and Portland, incorporated municipalities of the state of Oregon (collectively the "Parties").

RECITALS

WHEREAS, on June 3, ~~1998~~1996, ODOT, Metro, TriMet, Clackamas and Multnomah Counties, and the cities of Milwaukie and Portland, entered into the SOUTH/NORTH LIGHT RAIL TRANSIT PROJECT STEERING COMMITTEE AGREEMENT ("Agreement") in accord with Chapter 12 Oregon Laws 1996, establishing mandatory state procedures for siting the South/North MAX Light Rail Project, via regional "land use final order" ("LUFO"), to be adopted by the Metro Council; and

WHEREAS, Section 6 (1)(a) of Chapter 12 Oregon Laws 1996 requires the establishment of a LUFO Steering Committee concerning the South/North MAX Light Rail Project (the "Project"); and

WHEREAS, the Portland to Milwaukie Light Rail Project is an element of the South/North MAX Light Rail line; and

WHEREAS, Section 1 (21) defines the Steering Committee to be comprised of representatives of ODOT, TriMet, an elected official from Metro and each of the affected local governments; and

WHEREAS, Section 6(1)(a) of Chapter 12 Oregon Laws 1996 requires that TriMet receive recommendations from the Department of Transportation and the LUFO Steering Committee as to the light rail route, stations, lots and maintenance facilities and the highway improvements for the Project, including their locations, prior applying to Metro for the LUFO; and

WHEREAS, because the City of Gresham is the likely location of expanded rail maintenance facilities proposed to be part of the Project, it is an affected local government under Chapter 12 Oregon Laws 1996;

**AMENDMENT TO SOUTH/NORTH LIGHT RAIL
TRANSIT PROJECT STEERING COMMITTEE AGREEMENT**

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RECITALS

WHEREAS, on June 3, 1998, ODOT, Metro, TriMet, Clackamas and Multnomah Counties, and the cities of Milwaukie and Portland, entered into the SOUTH/NORTH LIGHT RAIL TRANSIT PROJECT STEERING COMMITTEE AGREEMENT ("Agreement") in accord with Chapter 12 Oregon Laws 1996, establishing mandatory state procedures for siting the South/North MAX Light Rail Project, via regional "land use final order" ("LUFO"), to be adopted by the Metro Council; and

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WHEREAS, the Portland to Milwaukie Light Rail Project is an element of the South/North MAX Light Rail line; and

WHEREAS, Section 1 (21) defines the Steering Committee to be comprised of representatives of ODOT, TriMet, an elected official from Metro and each of the affected local governments; and

WHEREAS, Section 6(1)(a) of Chapter 12 Oregon Laws 1996 requires that TriMet receive recommendations from the Department of Transportation and the LUFO Steering Committee as to the light rail route, stations, lots and maintenance facilities and the highway improvements for the Project, including their locations, prior applying to Metro for the LUFO; and

WHEREAS, because the City of Gresham is the likely location of expanded rail maintenance facilities proposed to be part of the Project, it is an affected local government under Chapter 12 Oregon Laws 1996;

AGREEMENT

NOW THEREFORE, the Parties agree as follows:

I. Affected Local Governments

The City of Gresham is the likely location of expanded maintenance facilities proposed to be part of the Project, is therefore an affected local government, and must be represented on the LUFO Steering Committee.

II. LUFO Steering Committee Membership

The City of Gresham shall be a voting member of the LUFO Steering Committee, represented by one elected official from the City of Gresham.

The Parties hereby ratify and confirm this Amendment to the terms of the Agreement effective as of the date herein above. All other terms of the Agreement shall remain in full force and effect.

ODOT

By: [Signature]
Title: Region manager
Date: 6/26/08

Approved as to Form:

By: [Signature]
6/24/08
Attorney for ODOT

METRO

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____
Joel E. Morton
Senior Attorney for Metro

TriMet

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____
Attorney for TriMet

CLACKAMAS COUNTY

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____
Attorney for Clackamas County

AGREEMENT

NOW THEREFORE, the Parties agree as follows:

I. Affected Local Governments

The City of Gresham is the likely location of expanded maintenance facilities proposed to be part of the Project, is therefore an affected local government, and must be represented on the LUFO Steering Committee.

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The City of Gresham shall be a voting member of the LUFO Steering Committee, represented by one elected official from the City of Gresham.

The Parties hereby ratify and confirm this Amendment to the terms of the Agreement effective as of the date herein above. All other terms of the Agreement shall remain in full force and effect.

ODOT

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____

Attorney for ODOT

METRO

By: Scott Robinson
Title: Deputy COO
Date: 6/24/08

Approved as to Form:

By: [Signature]

Joel E. Morton
Senior Attorney for Metro

TriMet

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____

Attorney for TriMet

CLACKAMAS COUNTY

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____

Attorney for Clackamas County

AGREEMENT

NOW THEREFORE, the Parties agree as follows:

I. Affected Local Governments

The City of Gresham is the likely location of expanded maintenance facilities proposed to be part of the Project, is therefore an affected local government, and must be represented on the LUFO Steering Committee.

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The Parties hereby ratify and confirm this Amendment to the terms of the Agreement effective as of the date herein above. All other terms of the Agreement shall remain in full force and effect.

ODOT

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____
Attorney for ODOT

METRO

By: [Signature]
Title: Deputy COO
Date: 6/24/08

Approved as to Form:

By: [Signature]
Joel E. Morton
Senior Attorney for Metro

TriMet

By: [Signature]
Title: Executive Director
Date: June 26, 2008

Approved as to Form:

By: [Signature]
Tamara H. Leith
Attorney for TriMet

CLACKAMAS COUNTY

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____
Attorney for Clackamas County

AGREEMENT

NOW THEREFORE, the Parties agree as follows:

I. Affected Local Governments

The City of Gresham is the likely location of expanded maintenance facilities proposed to be part of the Project, is therefore an affected local government, and must be represented on the LUFO Steering Committee.

II. LUFO Steering Committee Membership

The City of Gresham shall be a voting member of the LUFO Steering Committee, represented by one elected official from the City of Gresham.

The Parties hereby ratify and confirm this Amendment to the terms of the Agreement effective as of the date herein above. All other terms of the Agreement shall remain in full force and effect.

ODOT

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____

Attorney for ODOT

METRO

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____
Joel E. Morton
Senior Attorney for Metro

TriMet

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____

Attorney for TriMet

CLACKAMAS COUNTY

By: SCOT SIDERAS
Title: COUNTY COUNSEL
Date: 6-25-08

Approved as to Form:

By: [Signature]
6-25-08
Attorney for Clackamas County

MULTNOMAH COUNTY

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____

Attorney for Multnomah County

CITY OF PORTLAND

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____

Attorney for City of Portland

CITY OF MILWAUKIE

By: Justin Bernard
Title: Mayor
Date: 6/26/08

Approved as to Form:

By: _____

Attorney for City of Milwaukie

CITY OF GRESHAM

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____

Attorney for City of Gresham

MULTNOMAH COUNTY

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____

Attorney for Multnomah County

CITY OF MILWAUKIE

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____

Attorney for City of Milwaukie

CITY OF PORTLAND

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____

Attorney for City of Portland

CITY OF GRESHAM

By: _____
Title: *City Manager*
Date: *6/23/08*

Approved as to Form:

By: _____
Richard D. Fays
Attorney for City of Gresham

MULTNOMAH COUNTY

By: _____
Title: CHAIR
Date: 5-14-09

Approved as to Form:

By: Sandra Duff
5.13.09
Attorney for Multnomah County

CITY OF PORTLAND

By: _____
Title: _____
Date: _____

Approved as to Form:

By: [Signature]
Attorney for City of Portland

CITY OF MILWAUKIE

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____
Attorney for City of Milwaukie

CITY OF GRESHAM

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____
Attorney for City of Gresham

MULTNOMAH COUNTY

By: [Signature]
Title: CHAIR
Date: 5-14-09

Approved as to Form:

By: Sandra Deffy
5-13-09
Attorney for Multnomah County

CITY OF PORTLAND

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____
Attorney for City of Portland

CITY OF MILWAUKIE

By: [Signature]
Title: Mayor
Date: 6/26/09

Approved as to Form:

By: _____
Attorney for City of Milwaukie

CITY OF GRESHAM

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____
Attorney for City of Gresham

MULTNOMAH COUNTY

By: _____
Title: CHAIR
Date: 5-14-09

Approved as to Form:

By: Sandra Duffy
5.13.09
Attorney for Multnomah County

CITY OF MILWAUKIE

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____
Attorney for City of Milwaukie

CITY OF PORTLAND

By: _____
Title: _____
Date: _____

Approved as to Form:

By: _____
Attorney for City of Portland

CITY OF GRESHAM

By: _____
Title: City Manager
Date: 6/23/08

Approved as to Form:

By: Richard D. Fays
Attorney for City of Gresham



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

POSTPONED TO JUNE 11, 2009

Board Clerk Use Only

Meeting Date: 05/14/09
 Agenda Item #: R-1
 Est. Start Time: 9:30 AM
 Date Submitted: 04/13/09

Agenda Title: First Reading of a Proposed ORDINANCE Amending Multnomah County Code Section 21.406, Ambulance Staffing

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

Requested Meeting Date: May 14, 2009 **Amount of Time Needed:** 10 minutes
Department: Health **Division:** Health Officer
Contact(s): William Collins
Phone: 503-988-3220 **Ext.** 22216 **I/O Address:** 160/7
Presenter(s): William Collins, Gary Oxman

General Information

1. What action are you requesting from the Board?

Approve first reading of ordinance amending MCC §21.406, Ambulance Staffing.

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 EMS Medical Director needs the flexibility to temporarily alter staffing necessary to meet public health needs during extraordinary circumstances. These circumstances could include emergencies putting unusual demands on the system, inclement weather, labor disputes, and other factors that could limit the availability of paramedic staffing.

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

None.

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

Multnomah County Health Department is responsible for regulating emergency ambulance services under ORS 682.

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

None.

Required Signature

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

*Karin Jensen for
William Shultz*

Date: 04/13/09

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending MCC §21.406, Ambulance Staffing

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

Multnomah County Ordains as follows:

Section 1. MCC 21.406 is amended as follows:

§ 21.406 Ambulance Staffing.

(A) ALS ambulances responding to emergency calls shall be staffed with two EMT-Paramedics.

(B) ALS ambulances transferring patients from hospitals to other facilities may be staffed at the minimum with one EMT-Paramedic and one EMT-Basic.

(C) The EMSMD shall specify staffing requirements for critical care ambulances if such a license is required under this subchapter.

(D) All other ambulances will be staffed with EMT-Basic or EMT-Intermediates whose orders and level of service will be specified by the EMSMD and which will allow for the medically appropriate transportation of patients with the most cost effective staffing.

(E) Notwithstanding subsections (A)-(D), the EMS Medical Director may temporarily alter staffing requirements as necessary to meet public health needs during extraordinary circumstances that would result in a shortage of ambulances. The duration of the staffing alteration shall be limited to the period of the circumstances that resulted in the need for the staffing alteration. Should extraordinary circumstances persist more than 15 days, the EMS Medical Director shall notify the Board of the continued alteration of staffing, the reasons for continuing the staffing change, and the estimated date of returning to regular staffing. The EMSMD will repeat this notification every 30 days until extraordinary circumstances are resolved.

In the event that extraordinary circumstances are related to a labor dispute involving a contracted ambulance provider, the EMSMD will respond to any alteration in staffing as dictated

by the terms of the contract with the ambulance provider, and shall make no change in staffing requirements that would impact the ability of any party in that labor dispute to engage in the free exercise of economic or other tools of negotiation.

FIRST READING:

May 14, 2009

SECOND READING AND ADOPTION:

May 21, 2009

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:

Lillian Shirley, Director of the Department of Health



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 05/14/09
Agenda Item #: R-2
Est. Start Time: 9:40 AM
Date Submitted: 05/05/09

Agenda Title: **Appointment of Robert Hardy, Martin Davidson, Barry Mattern and Nafisa Fai to the Multnomah County COMMUNITY HEALTH COUNCIL**

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

Requested Meeting Date: May 14, 2008 **Amount of Time Needed:** 5 minutes
Department: NDEP **Division:** Chair's Office
Contact(s): Ruth Langlois
Phone: (503)988-3308 **Ext.** 85531 **I/O Address:** 503/600
Presenter(s): Kate Yen

General Information

1. What action are you requesting from the Board?

Request approval of appointment of Robert Hardy, Martin Davidson, Barry Mattern and Nafisa Fai to the Multnomah County Community Health Council.

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

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

year terms by the County Chair from nominees selected by the current Council with approval of the Board of County Commissioners. Kate Yen is the manager of the Community Health Council.

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

No current year/ongoing fiscal impact

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

No legal and/or policy issues involved.

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

N/A

Required Signature

Elected Official or
Department/
Agency Director:



Date: 5/6/2009



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 05/14/09
 Agenda Item #: R-3
 Est. Start Time: 9:42 AM
 Date Submitted: 05/05/09

Agenda Title: Appointment of Katie Lane to the Multnomah County LIBRARY ADVISORY BOARD

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

Requested Meeting Date: May 14, 2009 Amount of Time Needed: 5 minutes
 Department: Non-Departmental Division: Chair's Office
 Contact(s): Ruth Langlois
 Phone: (503) 988-3308 Ext. 85531 I/O Address: 503/600
 Presenter(s): Marian Creamer

General Information

1. What action are you requesting from the Board?

Request the Board approve appointment of Katie Lane to the Multnomah County Library Advisory Board. The appointment will begin immediately and end June 30, 2010.

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

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

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

No fiscal impact

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

No legal and/or policy issues involved.

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

N/A

Required Signature

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

TED WHEELER

Date: 05/6/2009



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 05/14/09
Agenda Item #: R-4
Est. Start Time: 9:45 AM
Date Submitted: 4/20/09

Agenda Title: Introducing the 2009 Rose Festival Court and Highlighting Rose Festival Activities in and Around Multnomah County

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

Requested Meeting Date: 5/14/2009 **Amount of Time Needed:** 15
Department: NonD **Division:** Chair's Office
Contact(s): Tara Bowen-Biggs
Phone: (503)988-3953 **Ext.** 83953 **I/O Address:** 503/6
Presenter(s): Leslie Goodlow, past president Portland Rose Festival Board of Directors, and Members of the Rose Festival Court

General Information

1. What action are you requesting from the Board?

Welcome members of the 2008 Rose Festival Court and hear Highlights of Activities in and around Multnomah County.

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

2009 marks the 102nd year of the Portland Rose Festival Celebration. This event brings visitors from around the state, the nation and the world to Portland and Multnomah County, creating an opportunity for this community to showcase its unique people and the qualities that make our region special. The Rose Festival is attended by over 2 million people, generating approximately \$80 million dollars for the region's economy. One component of the festival is the selection of the Rose Court, 14 outstanding young women who are selected by their peers to represent their respective high schools. The mission of the Rose Festival Court program is to provide scholarships for higher education, to promote community outreach and volunteerism, to offer networking and mentoring opportunities to

outstanding young women in a program that perpetuates an appreciation for Rose Festival history and tradition. Each court member represents her school through out the months of May and June at various events throughout the community.

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

None.

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

None.

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

None.

Required Signature

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

TED WHEELER

Date: 4/20/2009



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

Board Clerk Use Only

Meeting Date: 05/14/09
Agenda Item #: R-5
Est. Start Time: 10:00 AM
Date Submitted: 05/01/09

Agenda Title: **RESOLUTION Supporting HB 2074 to Apportion Tax Supervising and Conservation Commission Operating Costs Among the Multnomah County Taxing Districts**

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

Requested Meeting Date: May 14, 2009 **Amount of Time Needed:** 15 minutes
Department: Non-Departmental **Division:** District 1 – Commissioner Kafoury
Contact(s): Beckie Lee
Phone: 503 988-6796 **Ext.** 86796 **I/O Address:** 503/6th
Presenter(s): Commissioner Deborah Kafoury, Tom Linhares, Executive Director, TSCC

General Information

1. What action are you requesting from the Board?

Adopt a resolution supporting legislation (HB 2074) to apportion costs of operating the Tax Supervising Conservation Commission among the Multnomah County Taxing Districts. This resolution will serve as an amendment to the 2009 Legislative Agenda, adopted January 22, 2009.

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

Multnomah County is the only county in the state that is required by law to maintain a Tax Supervising Conservation Commission (TSCC). The County bears the entire \$280,000 in costs annually even though all of the municipal corporations under the commission's jurisdiction benefit from the technical advice provided and the various reports presented. This bill would apportion the cost of operating the commission among the Multnomah County taxing districts, and represents an important step toward greater financial stability for the TSCC. Additionally, it will provide some relief for Multnomah County as we face the challenges of balancing our budget for the difficult fiscal year ahead.

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

This legislation will reduce the annual costs of operating the TSCC. Currently Multnomah County is responsible for the total net operating costs of the TSCC. This legislation would make the county responsible for 50% of the annual net operating costs of the TSCC and apportion the remainder of the costs. The legislation also limits the annual increase in TSCC expenditures to 1.03 percent each fiscal year. It directs the TSCC to determine the amounts for apportionment to the County Assessment and Taxation office and for the county to recover the apportioned fees prior to distributing the tax, so it does not increase fiscal burden on the county.

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

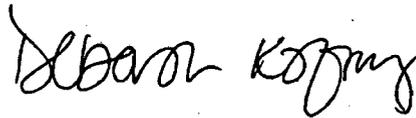
HB 2074 amends ORS 294.361, 294.630, and 311.390.

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

TSCC worked closely with Multnomah County and taxing districts within the county in creating the apportionment system and in writing this bill.

Required Signature

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



Date: May 1, 2009

HOUSE BILL 2074 - ONE PAGE SUMMARY

Multnomah County and the Tax Supervising and Conservation Commission (TSCC) have developed HB 2074 to change the way tax supervising and conservation commissions are funded by, starting in 2010-11, assigning some, but not all, of the costs of operating a commission to the 39 taxing districts served by the commission. Currently the county is responsible for paying all of these costs. TSCC's maximum operating budget, which is set in statute at \$280,000, would be indexed for inflation at three percent per year, starting in 2011.

The approach would be to apportion a portion of TSCC's net operating cost. The county would be responsible for the first 50% of these costs. The remaining 50% would be apportioned to the other jurisdictions using two separate apportionment methods: 1) budgeted expenditures for the current fiscal year if over \$50,000, and 2) for those districts that levy a property tax, taxes imposed from each districts' permanent tax rate limit or from urban renewal calculations from the prior fiscal year. Each method would have a \$250 minimum apportionment, for a total minimum of \$500.

If this proposal would have been in effect for the 2008-09 fiscal year, the breakdown of cost would have been as follows:

Actual Expenditures from prior fiscal year	\$ 224,263
Plus Amount for Office Space	\$ 43,081
Sub-Total, Expenditures	\$ 267,344
Less Reimbursement from A&T Grant	-\$ 76,211
Net Cost	\$ 191,133
Less County Responsibility (50%)	-\$ 95,566.50
Net to Apportion to Other Districts (50%)	\$ 95,566.50

Of the 39 taxing districts currently served by TSCC, 7 would have been responsible for \$250 and another 15 would have paid just \$500.

HB 2074 is supported by a number of the taxing districts that would be impacted by the change in the way TSCC is funded. See Attached.

TSCC FUNDING - JOINT COUNTY / TSCC PROPOSAL

**PRO-RATED 1/2 ON TOTAL BUDGET EXPENDITURES and 1/2 ON PERMANENT RATE TAXES IMPOSED w/ \$250 MINIMUM
2008-09**

District Name	BUDGET EXPENDITURES	TSCC ALLOCATION	PERM. RATE TAXES	TSCC ALLOCATION	TOTAL TSCC ALLOCATION
MULTNOMAH COUNTY	\$1,050,500,928	\$0.00	\$215,347,226.69	\$0.00	\$95,566.50
EAST MULTNOMAH SOIL & WATER	\$4,206,418	\$250.00	\$2,518,059.44	\$250.00	\$500.00
WEST MULTNOMAH SOIL & WATER	\$826,712	\$250.00	\$551,491.89	\$250.00	\$500.00
PORT OF PORTLAND	\$530,245,453	\$4,109.13	\$3,497,318.30	\$250.00	\$4,359.13
METRO	\$300,518,267	\$2,328.86	\$4,757,550.36	\$347.91	\$2,676.78
TRIMET TRANSPORTATION	\$807,844,746	\$6,260.38	\$0.00	\$250.00	\$6,510.38
GRESHAM REDEVELOPMENT COMMISSION	\$0	\$0.00	\$1,500,485.70	\$250.00	\$250.00
PORTLAND DEVELOPMENT COMMISSION	\$0	\$0.00	\$85,621,838.73	\$6,261.44	\$6,261.44
UR AGENCY OF CITY OF TROUTDALE	\$0	\$0.00	\$22,969.94	\$250.00	\$250.00
CITY OF FAIRVIEW	\$13,804,424	\$250.00	\$1,752,697.63	\$250.00	\$500.00
CITY OF GRESHAM	\$195,541,798	\$1,515.35	\$21,885,952.29	\$1,600.50	\$3,115.85
CITY OF MAYWOOD PARK	\$229,257	\$250.00	\$31,765.91	\$250.00	\$500.00
CITY OF PORTLAND	\$2,123,810,675	\$16,456.89	\$180,273,731.81	\$13,183.24	\$29,640.13
CITY OF TROUTDALE	\$24,758,032	\$250.00	\$3,763,618.88	\$275.23	\$525.23
CITY OF WOOD VILLAGE	\$6,915,273	\$250.00	\$751,030.69	\$250.00	\$500.00
MT HOOD COMMUNITY COLLEGE	\$131,777,032	\$1,021.20	\$7,712,318.50	\$563.99	\$1,585.20
PORTLAND COMMUNITY COLLEGE	\$253,942,393	\$1,967.92	\$9,749,785.70	\$712.99	\$2,680.92
MULTNOMAH ESD	\$96,801,004	\$750.16	\$22,796,644.29	\$1,667.10	\$2,417.25
PORTLAND SCHOOL DIST #1JT	\$548,445,444	\$4,250.17	\$177,472,268.90	\$12,978.37	\$17,228.54
PARKROSE SCHOOL DIST #3	\$51,475,605	\$398.91	\$12,999,143.30	\$950.61	\$1,349.52
REYNOLDS SCHOOL DIST #7	\$133,045,345	\$1,031.03	\$19,779,060.97	\$1,446.42	\$2,477.46
GRESHAM-BARLOW SCHL DIST #10	\$128,787,908	\$998.04	\$17,601,155.97	\$1,287.16	\$2,285.20
CENTENNIAL SCHOOL DIST #2&JT	\$83,323,202	\$645.71	\$8,802,091.58	\$643.69	\$1,289.40
CORBETT SCHOOL DIST #39	\$7,706,117	\$250.00	\$1,314,180.50	\$250.00	\$500.00
DAVID DOUGLAS SCHOOL DIST #40	\$135,427,125	\$1,049.49	\$11,822,818.12	\$864.59	\$1,914.08
RIVERDALE SCHOOL DIST #51	\$8,535,980	\$250.00	\$1,811,205.75	\$250.00	\$500.00
MULTNOMAH CTY-FIRE DIST #10	\$1,473,880	\$250.00	\$1,257,212.52	\$250.00	\$500.00
RIVERDALE FIRE DISTRICT #11J	\$763,250	\$250.00	\$557,283.50	\$250.00	\$500.00
CORBETT FIRE DISTRICT #14	\$641,864	\$250.00	\$347,351.73	\$250.00	\$500.00
SAUVIE ISLAND RFPD #30	\$325,468	\$250.00	\$97,166.20	\$250.00	\$500.00
ALTO PARK WATER DISTRICT	\$29,077	\$0.00	\$30,808.97	\$250.00	\$250.00
BURLINGTON WATER DISTRICT	\$231,194	\$250.00	\$97,517.69	\$250.00	\$500.00
CORBETT WATER DISTRICT	\$1,285,305	\$250.00	\$126,888.38	\$250.00	\$500.00
LUSTED WATER DISTRICT	\$259,432	\$250.00	\$22,468.71	\$250.00	\$500.00
PALATINE HILL WATER DISTRICT	\$648,600	\$250.00	\$0.00	\$0.00	\$250.00
PLEASANT HOME WATER DISTRICT	\$280,370	\$250.00	\$0.00	\$0.00	\$250.00
VALLEY VIEW WATER DISTRICT	\$1,394,145	\$250.00	\$127,729.58	\$250.00	\$500.00
DUNTHORPE RIVERDALE SEWER	\$1,022,250	\$250.00	\$0.00	\$0.00	\$250.00
MID COUNTY LIGHTING SVCS DIST	\$398,750	\$250.00	\$0.00	\$0.00	\$250.00
Total	\$6,647,022,723	\$47,783.25	\$816,800,839	\$47,783.25	\$191,133.00

TAXING DISTRICTS' POSITION ON HB 2074

District	Supports	Opposes	No Position	Unknown
Multnomah County			x	
Metro	x			
Port of Portland	x			
TriMet	x			
East Multnomah Soil & Water CD			x	
West Multnomah Soil & Water CD	x			
City of Portland		x		
PDC				x
City of Fairview			x	
City of Gresham	x			
Gresham Urban Renewal	x			
City of Maywood Park	x			
City of Troutdale		x		
Urban Renewal Agency of Troutdale		x		
City of Wood Village				x
Mt. Hood Community College			x	
Portland Community College	x			
Education Service District				x
Portland SD 1J	x			
Parkrose SD 3				x
Reynolds SD 7				x
Gresham/Barlow SD 10J				x
Centennial SD 28J				x
Corbett SD 39			x	
David Douglas SD 40				x
Riverdale SD 51J				x
Multnomah RFPD No. 10	x			
Riverdale RFPD No. 11J				x
Multnomah RFPD No. 14		x		
Sauvie Island RFPD No. 30J				x
Alto Park Water				x
Burlington Water	x			
Corbett Water				x
Lusted Water				x
Palatine Hill Water				x
Pleasant Home Water				x
Valley View Water				x
Dunthorpe-Riverdale Sewer CSD			x	
Mid County Lighting CSD			x	

IMPLICATIONS FOR ELIMINATING FUNDING FOR TAX SUPERVISING AND CONSERVATION COMMISSION (TSCC)

Prepared by: Tom Linhares, Executive Director, TSCC

Immediately:

- Amend Assessment & Taxation Grant Application to Oregon Department of Revenue (DOR) to remove TSCC expenditures from Function Summary. Results in loss of reimbursement of approximately \$69,000.
- Notify other municipal corporations under TSCC's jurisdiction of budget decision.

July thru September:

- Assessor to take on sole responsibility for resolving questions/errors in municipal corporation's property tax certification (LB – 50, ED – 50 or UR – 50) and budget adoption resolutions. Consult with DOR rather than TSCC.
- Assessor to accept filings of Adopted Budgets from all municipal corporations for public access and file retention. (TSCC retains for 25 years.)

September thru November:

- Assessor to consult with DOR on assessment and tax roll calculations and/or preparation of Summary of Assessments and Levies (SAL) reports rather than TSCC.
- Compile, print and distribute Summary of Assessment and Tax Roll to governments, media and citizens. (Scaled down version of TSCC's Annual Report.)
- Possibly answer more questions from media that typically go to TSCC.
- Assessor to provide value, tax rate and Measure 5 compression estimates for proposed property tax measures.

December:

- Appoint five (5) citizen members to three year, staggered terms on County Budget Committee.

January thru March:

- Assessor to compile and distribute to taxing districts estimates of assessed value for 2010-11 for purposes of estimating revenue from property taxes.
- Provide training to citizen members of Budget Committee. Send to DOR Local Budget Law Training if available.

April thru June:

- Convene Budget Committee for purposes of presenting Budget Message and Proposed Budget. Requires allowance for citizen input. Multiple meetings may be necessary for Budget Committee to fully understand budget.
- Budget Committee formally approves the budget, as proposed or as amended, and approves the maximum property tax levy.
- Publish Notice of Budget Hearing and Financial Summary of all funds (DOR Forms LB - 1, LB - 2 and LB - 3) five to 30 days prior to public hearing.
- Board of Commissioners conducts public hearing rather than TSCC public hearing.

**A-Engrossed
House Bill 2074**

Ordered by the House April 24
Including House Amendments dated April 24

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Revenue)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Divides responsibility for funding tax supervising and conservation commission between county and municipal corporations within county. Permits county to receive reimbursement for net costs of tax supervising and conservation commission from amounts scheduled to be paid to municipal corporations as part of distribution of tax collection moneys.

A BILL FOR AN ACT

1
2 Relating to the tax supervising and conservation commission; creating new provisions; and amending
3 ORS 294.361, 294.630 and 311.390.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** Section 2 of this 2009 Act is added to and made a part of ORS 294.605 to
6 **294.705.**

7 **SECTION 2.** (1) Not later than August 30 of each year, the tax supervising and conser-
8 vation commission shall calculate the net cost of commission operations for the preceding
9 fiscal year. The calculation shall include:

10 (a) Actual expenditures paid out of the tax supervising and conservation commission ac-
11 count established in ORS 294.630;

12 (b) A provision for the cost to the county of providing office space for use by the com-
13 mission, as required by ORS 294.620; and

14 (c) A deduction for an estimate of the amount received by the county under ORS 294.175
15 to 294.187 attributable to the expenditures in the grant submitted by the county for activ-
16 ities, functions or services of the tax supervising and conservation commission.

17 (2) Municipal corporations, other than the county, that are within the county and that
18 are subject to the jurisdiction of a tax supervising and conservation commission shall reim-
19 burse the county 50 percent of the net costs calculated under subsection (1) of this section.
20 The amounts allocable to each municipal corporation required to reimburse the county under
21 this subsection shall be determined as follows:

22 (a)(A) Fifty percent of the amount allocated shall be based on the taxes imposed for the
23 preceding fiscal year for taxes certified to the county assessor under ORS 310.060 (2)(a) from
24 the permanent rate limitations of the municipal corporations after reductions necessary to
25 comply with section 11b, Article XI of the Oregon Constitution.

26 (B) The amount allocated under this paragraph shall be prorated based on each municipal

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted.
New sections are in boldfaced type.

1 corporation's share of the total tax imposed from the permanent rate limitation of municipal
2 corporations that are subject to the jurisdiction of the tax supervising and conservation
3 commission.

4 (C) A minimum amount of \$250 shall be allocated to any municipal corporation under this
5 paragraph.

6 (D) Municipal corporations that do not levy ad valorem taxes are exempt from proration
7 under this paragraph.

8 (b)(A) Fifty percent of the amount allocated shall be based on the expenditures, as de-
9 fined in ORS 294.311, for the current fiscal year for each municipal corporation required to
10 reimburse the county under this subsection.

11 (B) The amount allocated under this paragraph shall be prorated based on each municipal
12 corporation's share of the total expenditures for those municipal corporations that are under
13 the jurisdiction of the tax supervising and conservation commission.

14 (C) A minimum amount of \$250 shall be allocated to any municipal corporation under this
15 paragraph.

16 (D) Municipal corporations with budgeted expenditures of \$50,000 or less and urban re-
17 newal agencies formed under ORS chapter 457 are exempt from proration under this para-
18 graph.

19 (E) If a municipal corporation has adopted a biennial budget, the calculation of the pro-
20 ration under this paragraph shall use fiscal year expenditures. If the budget document
21 adopted by the municipal corporation does not indicate fiscal year expenditures, then 45
22 percent of the biennial expenditures shall be used for the proration in the first fiscal year
23 of the municipal corporation's budget period and 55 percent of the biennial expenditures shall
24 be used for the proration in the second year of the budget period.

25 (3) Not later than August 30 of each fiscal year, the tax supervising and conservation
26 commission shall distribute to each municipal corporation an accounting of the calculations
27 under this section showing:

28 (a) The net costs under subsection (1) of this section;

29 (b) The 50 percent of net costs allocable to municipal corporations, except the county,
30 under subsection (2) of this section; and

31 (c) The amounts prorated to each municipal corporation under subsection (2) of this
32 section.

33 (4) Not later than September 15 of each fiscal year, the tax supervising and conservation
34 commission shall send to the county tax collector, or other county official responsible for
35 preparing the percentage schedule under ORS 311.390, a list of municipal corporations subject
36 to proration under this section and the amounts prorated under this section.

37 (5) If a municipal corporation subject to proration under this section does not certify a
38 property tax to the county assessor under ORS 310.060, the county shall, not later than No-
39 vember 30 of each year, send the municipal corporation a billing for the amount prorated and
40 owed to the county under this section.

41 **SECTION 3.** ORS 294.630 is amended to read:

42 294.630. (1) There hereby is created an account to be known as the tax supervising and con-
43 servation commission account in the general fund of each county subject to ORS 294.605 to 294.705.

44 (2)(a) The tax supervising and conservation commission shall on or before April 1 of each year
45 submit certified budgets for the ensuing fiscal year to the county court or board of county commis-

1 sioners. The budget shall contain a complete and detailed estimate of the proposed expenditures of
2 the commission for all purposes.

3 (b) Following the receipt of the budget, the county court or board of county commissioners shall
4 include the budget as submitted as a part of the county budget and shall make an appropriation for
5 the tax supervising and conservation commission account sufficient to cover the proposed expen-
6 ditures, but no appropriation shall be made in any county in any year for such purpose in excess
7 of \$280,000. **The maximum amount of the appropriation shall be increased by three percent**
8 **each fiscal year, beginning with the fiscal year starting July 1, 2011.** The county court or board
9 of county commissioners shall not reduce the amount of the budget as presented by the tax super-
10 vising and conservation commission, within the amount stated in this section, nor shall it refuse to
11 approve any lawful request for disbursement of money from the tax supervising and conservation
12 commission account.

13 **SECTION 4.** ORS 294.361 is amended to read:

14 294.361. (1) Each municipal corporation shall estimate in detail its budget resources for the en-
15 suing year or ensuing budget period by funds and sources.

16 (2) Budget resources include but are not limited to:

17 (a) The balance of cash, cash equivalents and investments (in the case of a municipal corpo-
18 ration on the cash basis) or the net working capital (in the case of a municipal corporation on the
19 accrual or modified accrual basis of accounting) that will remain in each fund on the last day of the
20 current year or current budget period;

21 (b) Taxes;

22 (c) Fees;

23 (d) Licenses;

24 (e) Fines;

25 (f) Interest on deposits or on securities of any kind;

26 (g) Endowments;

27 (h) Annuities;

28 (i) Penalties;

29 (j) Sales of property or other assets or products of any kind;

30 (k) Delinquent taxes;

31 (L) Judgments;

32 (m) Damages;

33 (n) Rent;

34 (o) Premiums on sales of bonds;

35 (p) Reimbursement for services, road or other work performed for others;

36 (q) Transfer or reverter of unused balances of any kind;

37 (r) Reimbursement for services provided other funds;

38 (s) Rebates;

39 (t) Refunds of moneys heretofore paid on any account;

40 (u) Apportionment, grant, contribution, payment or allocation from the federal or state govern-
41 ment or any unit of government;

42 (v) Taxes for the ensuing year or ensuing budget period;

43 (w) Interfund revenue transfers; and

44 (x) Revenues from any and all other sources of whatsoever kind or character.

45 (3) Budget resources do not include:

1 (a) The estimate for the ensuing year or ensuing budget period of discounts under ORS 311.505.

2 (b) The estimate of uncollectible amounts of taxes, fees or charges for the ensuing year or en-
3 suing budget period.

4 (c) Moneys accumulated under an approved employee deferred compensation plan and interest
5 or investment returns earned on such moneys.

6 (d) Grants, gifts, bequests or devises transferred to a municipal corporation in trust for specific
7 uses in the year of transfer. However, such grants, gifts, bequests or devises shall be included as
8 budget resources if, by the time the budget committee approves the budget, the amount thereof that
9 will be received in the ensuing year or ensuing budget period can be reasonably estimated. Such
10 grants, gifts, bequests or devises may be placed in a trust and agency fund, to then be appropriated
11 from such fund or funds.

12 (e) **Amounts deducted from taxes pursuant to section 2 of this 2009 Act.**

13 **SECTION 5.** ORS 311.390 is amended to read:

14 311.390. (1)(a) When the tax collector receives the assessor's certificate pursuant to ORS
15 311.115, the tax collector shall prepare and file with the county treasurer a percentage schedule of
16 the ratio of taxes on property, as defined in ORS 310.140, and other amounts to be collected, after
17 reductions necessary to comply with section 11b, Article XI of the Oregon Constitution, after making
18 adjustments in accordance with ORS 311.105 (1)(c), for each governmental unit as shown in such
19 certificate, compared to the total of each of those amounts.

20 (b) **If a tax supervising and conservation commission has submitted to the tax collector**
21 **a list of municipal corporations subject to proration and the amounts prorated under section**
22 **2 of this 2009 Act, before the tax collector calculates the ratio of taxes on property under this**
23 **subsection, the tax collector shall deduct the amounts submitted by the tax supervising and**
24 **conservation commission from the amounts scheduled for distribution under this section for**
25 **municipal corporations subject to the jurisdiction of the tax supervising and conservation**
26 **commission. The amount deducted from the distribution to the municipal corporations shall**
27 **be added to the amount distributed to the county.**

28 (c) [Such] The schedule shall be approved by the county accountant, if one exists in the county,
29 or by the county clerk before filing. Except as provided in subsections (2) and (3) of this section, the
30 distribution of collections by the tax collector shall be made on the basis of the ratios computed
31 pursuant to this section. The ratios computed pursuant to this section for a given fiscal year shall
32 be used for the distribution of all taxes on property or penalties that have been imposed, collected
33 and received for that fiscal year, regardless of the actual date of receipt, except for moneys retained
34 by a county to pay bankruptcy costs under ORS 311.484. Interest earned on moneys in the unseg-
35 regated tax collections account shall be distributed according to the ratio applicable to the year in
36 which the moneys are distributed.

37 (2) If, after the ratios are computed pursuant to this section, the amount of a levy or other tax
38 on property is changed, or a levy or other tax on property is filed with the assessor pursuant to
39 ORS 310.060 that had not been included in the tax distribution schedule for that year, the tax col-
40 lector shall revise the percentages provided in subsection (1) of this section to reflect the corrected
41 or added levy or tax and shall adjust the amounts previously distributed and to be distributed
42 thereafter to reflect the revision in percentages.

43 (3) If, in the opinion of the tax collector, it is not feasible to make the revisions described in
44 subsection (2) of this section, the tax collector shall treat the amount of the change in levy or tax
45 or the additional levy or tax as a separate tax collection and segregate the moneys collected for the

1 particular district or districts in the periodic statement of tax collections given to the county
2 treasurer pursuant to ORS 311.395.

3 (4) If the percentage schedule is revised, a copy shall be filed with the county treasurer after
4 approval by the county accountant, if one exists in the county, or by the county clerk.

5 (5) If, after the ratios are computed under this section, a levy or tax is changed or a levy or tax
6 is filed with the assessor pursuant to ORS 310.060, that was not included in the tax distribution
7 schedule for that year, future distributions of interest shall be based on the revised percentages that
8 reflect the corrected or added levy or tax. No adjustments shall be made for previously distributed
9 interest.

10

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

RESOLUTION NO. _____

Supporting HB 2074 to Apportion Tax Supervising and Conservation Commission Operating Costs Among the Multnomah County Taxing Districts

The Multnomah County Board of Commissioners Finds:

- a. The Tax Supervising and Conservation Commission (TSCC) has been in existence since 1921. Its mission is to ensure the economical expenditure of public funds by Multnomah County local governments and to provide comprehensive, objective financial information for the public.
- b. From the beginning, Multnomah County has funded 100% of the net operating costs of the TSCC.
- c. This cost, starting at \$10,000 in 1921 and currently at \$280,000, has been a source of concern for the County and the TSCC.
- d. All of the municipal corporations under the TSCC's jurisdiction benefit from its technical advice, including school districts, cities, water districts, Metro, Port of Portland, and others.
- e. The County's 2009 Legislative Agenda directed Government Relations staff to track the progress of a bill that would apportion the costs of the TSCC among the Multnomah County taxing districts.
- f. House Bill 2074 would apportion 50% of TSCC's annual net operating costs to the municipal corporations within the county, thereby increasing its financial stability and reducing the financial burden on Multnomah County.

The Multnomah County Board of Commissioners Resolves:

1. The Multnomah County Board of Commissioners supports this bill and urges an affirmative vote on HB 2074.

ADOPTED this 14th day of May 2009.

**BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

SUBMITTED BY:
Commissioner Deborah Kafoury, District 1

Substitute
R-5

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

supporting ~~HB 2074~~ Legislation To Apportion Tax Supervising & Conservation Commission Operating Costs
Among The Multnomah County Taxing Districts

The Multnomah County Board of Commissioners Finds:

- a. The Tax Supervising & Conservation Commission (TSCC) has been in existence since 1921. ~~It's~~ Its mission is to ensure the economical expenditure of public funds by Multnomah County local governments and to provide comprehensive, objective financial information for the public.
- b. From the beginning, Multnomah County has funded 100% of the net operating costs of the TSCC.
- c. This cost, starting at \$10,000 in 1921 and currently at \$280,000, has been a source of concern for the County and the TSCC.
- d. All of the municipal corporations under the TSCC's jurisdiction benefit from its technical advice, including school districts, cities, water districts, Metro, Port of Portland, and others.
- e. The County's 2009 Legislative Agenda directed Government Relations staff to track the progress of ~~a bills~~ that would apportion the costs of the TSCC among the Multnomah County taxing districts.
- f. ~~House Bill 2074~~ Multnomah County supports legislation that will ~~would~~ apportion 50% of TSCC's annual net operating costs to ~~the~~ municipal corporations within the county, thereby increasing its financial stability and reducing the financial burden on Multnomah County.

The Multnomah County Board of Commissioners Resolves:

- 1. The Multnomah County Board of Commissioners supports ~~this bill~~ legislation that apportions TSCC's costs among municipal corporations within Multnomah County ~~and urges an affirmative vote on HB 2074.~~

ADOPTED this 7th day of May 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

SUBMITTED BY:
Commissioner Deborah Kafoury, District 1

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 09-055

Supporting Legislation to Apportion Tax Supervising & Conservation Commission Operating Costs
Among the Multnomah County Taxing Districts

The Multnomah County Board of Commissioners Finds:

- a. The Tax Supervising & Conservation Commission (TSCC) has been in existence since 1921. Its mission is to ensure the economical expenditure of public funds by Multnomah County local governments and to provide comprehensive, objective financial information for the public.
- b. From the beginning, Multnomah County has funded 100% of the net operating costs of the TSCC.
- c. This cost, starting at \$10,000 in 1921 and currently at \$280,000, has been a source of concern for the County and the TSCC.
- d. All of the municipal corporations under the TSCC's jurisdiction benefit from its technical advice, including school districts, cities, water districts, Metro, Port of Portland, and others.
- e. The County's 2009 Legislative Agenda directed Government Relations staff to track the progress of bills that would apportion the costs of the TSCC among the Multnomah County taxing districts.
- f. Multnomah County supports legislation that will apportion TSCC's annual net operating costs to municipal corporations within the county, thereby increasing its financial stability and reducing the financial burden on Multnomah County.

The Multnomah County Board of Commissioners Resolves:

1. The Multnomah County Board of Commissioners supports legislation that apportions TSCC's costs among municipal corporations within Multnomah County.

ADOPTED this 14th day of May 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

SUBMITTED BY:
Commissioner Deborah Kafoury, District 1

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 09-055

Supporting Legislation to Apportion Tax Supervising & Conservation Commission Operating Costs
Among the Multnomah County Taxing Districts

The Multnomah County Board of Commissioners Finds:

- a. The Tax Supervising & Conservation Commission (TSCC) has been in existence since 1921. Its mission is to ensure the economical expenditure of public funds by Multnomah County local governments and to provide comprehensive, objective financial information for the public.
- b. From the beginning, Multnomah County has funded 100% of the net operating costs of the TSCC.
- c. This cost, starting at \$10,000 in 1921 and currently at \$280,000, has been a source of concern for the County and the TSCC.
- d. All of the municipal corporations under the TSCC's jurisdiction benefit from its technical advice, including school districts, cities, water districts, Metro, Port of Portland, and others.
- e. The County's 2009 Legislative Agenda directed Government Relations staff to track the progress of bills that would apportion the costs of the TSCC among the Multnomah County taxing districts.
- f. Multnomah County supports legislation that will apportion TSCC's annual net operating costs to municipal corporations within the county, thereby increasing its financial stability and reducing the financial burden on Multnomah County.

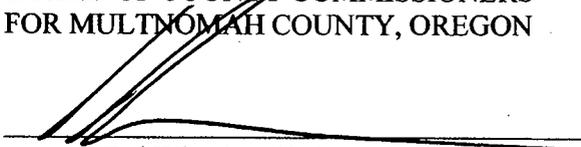
The Multnomah County Board of Commissioners Resolves:

1. The Multnomah County Board of Commissioners supports legislation that apportions TSCC's costs among municipal corporations within Multnomah County.

ADOPTED this 14th day of May 2009.

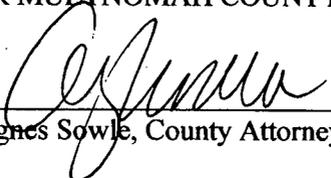


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 

Agnes Sowle, County Attorney

SUBMITTED BY:

Commissioner Deborah Kafoury, District 1



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

Board Clerk Use Only

Meeting Date: 05/14/09
 Agenda Item #: R-6
 Est. Start Time: 10:15 AM
 Date Submitted: 04/29/09

Agenda Title: First Reading of a Proposed ORDINANCE Repealing MCC §§ 29.725 – 29.729, the Special Bridge Lighting Ordinance and Dissolving the Special Bridge Lighting Committee

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

Requested Meeting Date: 5/14/09 Amount of Time Needed: 3 minutes
 Department: District 1 – Commissioner Kafoury Division: Non-Dept.
 Contact(s): Beckie Lee
 Phone: 988-6796 Ext. 86796 I/O Address: 503/6th
 Presenter(s): Jon Henrichsen, Beckie Lee.

General Information

1. What action are you requesting from the Board?

Approve first reading of ordinance repealing the Special Bridge Lighting Ordinance and dissolving the Special Bridge-Lighting Committee.

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.

Ordinance 1109 and Resolution 08-007 established a special bridge lighting permit program and a committee to provide the opportunity for community organizations to engage in the special bridge lighting program. Staff from District 1, the Public Affairs Office, and the County Bridge Shop have determined that the County no longer needs this program. Upon approval of this ordinance, the Department of Community Services, Transportation Division, will finalize a contract with the Willamette Light Brigade (WLB) to manage the special bridge lighting program. WLB is uniquely qualified to do the outreach necessary to make this program effective and available to all in the community. WLB is a non-profit organization founded in 1986 and established as a non-profit organization in 2000 with the sole purpose of adding architectural lighting to the Willamette River

Bridges. To date, the WLB has raised funds to purchase, install, and maintain lights on the Morrison and Hawthorne Bridges. They are currently raising funds to light the Burnside Bridge.

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

None. The sole-source contract directs the Willamette Light Brigade to solicit and approve applications for special bridge lighting, collect the fees, work with the bridge shop to implement the applications, and reimburse the county for any costs associated with this work. The contract does not require the county to pay the Willamette Light Brigade, however it does allow the WLB to keep any fees received over and above the county's costs up to \$5,000 annually.

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

None.

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

None.

Required Signature

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



Date: April 29, 2009

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Repealing MCC §§ 29.725-29.729, the Special Bridge Lighting Ordinance and Dissolving the Special Bridge Lighting Committee

The Multnomah County Board of Commissioners Finds:

- a. On February 7, 2008, by Ordinance 1109, the Board established a special bridge architectural lighting display permit program. The Board concurrently adopted Resolution 08-007 establishing a Special Bridge Lighting Committee to review applications and make recommendations to the Chair regarding proposed lighting displays.
- b. Since the adoption of Ordinance 1109, the lighting display program has not had active public participation.
- c. The County is now planning to execute a new agreement with the non-profit group the "Willamette Light Brigade" to better promote and encourage the participation of the public in the use of the lighting display system; which currently is only available on the County's Morrison Bridge.
- d. Because of the proposed new agreement, the Board now finds that the public's interest is best served by the repeal of the Special Bridge Lighting Ordinance and the discontinuance of the Special Bridge Lighting Committee created by Resolution 08-007.

Multnomah County Ordains as follows:

Section 1. MCC §§ 29.725 – 29.729, the Special Bridge Lighting Ordinance, are repealed, and the Special Bridge Lighting Committee created by Resolution 08-007 is dissolved.

FIRST READING:

May 14, 2009

SECOND READING AND ADOPTION:

May 21, 2009

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

Commissioner Deborah Kafoury, District 1



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-7 DATE 5-14-09
 ANA KARNES, ASST BOARD CLERK

Board Clerk Use Only

Meeting Date: 05/14/09
 Agenda Item #: R-7
 Est. Start Time: 10:20 AM
 Date Submitted: 05/06/09

Agenda Title:	NOTICE OF INTENT to Apply for Federal American Recovery and Reinvestment Act (ARRA) Funds through the Oregon Department of Energy for the Revolving Energy Efficiency Fund (REEF)
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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: May 14th, 2009 **Amount of Time Needed:** 5 minutes
Department: Department of County Management **Division:** District 3, FPM
Contact(s): Commissioner Judy Shiprack, Matthew Lashua, Clark Jurgemeyer
Phone: 503-988-3074 **Ext.** x 83074 **I/O Address:** 274 or 503/6
Presenter(s): Clark Jurgemeyer

General Information

1. What action are you requesting from the Board?

Authorize of the application and acceptance of a state grant to establish a Revolving Energy Efficiency Fund (REEF) that will target Multnomah County branch libraries.

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.

A revolving fund would provide ongoing capital to invest in energy conservation measures to improve County-owned facilities, reduce utility costs, and lessen maintenance time and expense. Utility savings from the energy conservation measures would revert to the revolving fund to finance later energy conservation measures. If granted, the funds would be added to the Facilities and Property Management (FPM) Capital Improvement Program (CIP) budget.

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

For the current year, we would adjust the Budget for \$160,000 of which \$130,000 would initially come from the grant application and the remainder from estimated BETC and ETO incentives. For ongoing years, energy savings of \$24,000 per year will be returned to the Budget. No matching requirement.

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

Whether directly from the federal government or through the State, accepting stimulus money will obligate the County to provide monthly reporting and perhaps project auditing to verify that funds are spent in accordance with the grant program requirements.

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

The County would work with state Business Energy Tax Credit (BETC) program, Energy Trust of Oregon Inc. (ETO) and other parties to leverage grant money to make requests more competitive and attractive to grant application reviewers.

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?**

The Oregon Department of Energy (ODOE)

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

Significant reporting will be required on the use of these funds, consistent with all ARRA funded projects. As reporting requirements will be similar for all project participants, project partner administrative resources will be leveraged to minimize the reporting burden required of Multnomah County. Multnomah County will be required to submit regular reporting on other ARRA funds outside of this project, and it is anticipated that reporting for this grant can be included as part of that process. Project indicators that will need to be regularly reported include:

1. Jobs created
2. Energy saved
3. GHG emissions reduced
4. Energy cost savings
5. Federal Funds leveraged

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

Grant funds are one time only.

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

In order to comply with the compressed application timeline surrounding the use of ARRA funding, an initial “expression of interest” may be submitted to ODOE before the requested Board session. If the initial project outline is accepted by ODOE, the County expects to submit a formal application to ODOE and/or US Department of Energy within 30 – 60 days. Once the project has been formally approved, the County will submit an Energy Efficiency and Conservation Strategy (EECS) for the project to ODOE and US Department of Energy within 120 days.

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

All funds must be obligated/committed within 18 months of the effective date of the grant award and expended within 36 months of the effective date of the award.

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

No additional funding plans are required, because the revolving fund should be replenished by energy savings from the originally-funded energy conservation measures.

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

Administrative costs may be recovered by the grant funding, but are capped at less than 10% of the total amount of the grant.

ATTACHMENT B

Required Signatures

Elected Official or
Department/
Agency Director:

Carol M. Ford

Date: 05-06-09

Budget Analyst:

Debra

Date: 05-06-09

Federal Stimulus Project Information - Request for Funding

If you have a project or proposal that may be eligible through the Oregon Department of Energy, please fill out the form below, keeping the following in mind:

- **Your project submission is not an application for funding. It is an expression of interest in applying for funds through the American Recovery and Reinvestment Act.**
- A separate submission form should be filled out for each proposal or project that might be eligible for funding.
- Collaborative projects and projects which leverage other funds are highly encouraged. Project collaborators should coordinate with each other so that each project is submitted only once.
- Demand for funds will exceed the available supply. Not all eligible projects will receive funding.

Please give us your best estimate. Please fill in *all* fields, even if zero. The initial screening of applications/project submissions will begin April 15, 2009.

Contact Information

First Name Clark
Last Name Jurgemeyer
Company Multnomah County Oregon
Email clark.r.jurgemeyer@co.multnomah.co.
us
Phone 503 988-3074

Project Information

City not applicable
County Multnomah
Project Owner Multnomah County

Project Description REVOLVING ENERGY EFFICIENCY FUND (REEF) - Establish a revolving fund to demonstrate energy conservation measures at Multnomah County branch libraries, whose utility cost savings will replenish the revolving fund.

Estimated Project Cost \$160,000

Cost Share \$30,000

Amount of Stimulus Funding Requested \$130,000

Projected Timeframe to Start 31-60 days

Do you have
Assessment

Permits

Energy

Design Documentation

Comments

We have identified Multnomah County branch libraries as targets for energy conservation measures (e.g. weatherproofing, hvac, lighting, and building automation) to be installed. We plan a 5-year payback so that the revolving fund may address other work. A non-revolving portion of the initial grant will be used to promote the energy efficiency improvements to members of the community through educational kiosks located within the improved libraries.

Jobs Created or Maintained

Construction Jobs Peggidy

Long Term Jobs Created Peggidy

Jobs Maintained Peggidy

Indirect Jobs Created/Maintained Peggidy

Energy Savings / Generation

Fuel Unit Monetary Savings

Electricity 200,000 (annual) kwh \$

\$17,000 (annual)

Fuel	Quantity	Unit	Monetary Savings
Natural gas	0 <input type="text"/>	therms	\$ <input type="text"/> \$5,000
Propane	0 <input type="text"/>	gallons	\$ <input type="text"/> \$0
Fuel Oil	0 <input type="text"/>	gallons	\$ <input type="text"/> \$0
Other Fuel	0 <input type="text"/>	units	\$ <input type="text"/> \$0
Water Savings	0 <input type="text"/>	gallons	\$ <input type="text"/> \$0

Other Benefits

The projected electricity savings are for each 5-year payback cycle in which we target about 60,000 SF. The dollar savings would replenish the revolving fund. It will take two 5-year payback cycles to address 12 branch libraries.



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-8 DATE 5-14-09
 ANA KARNES, ASST BOARD CLERK

Board Clerk Use Only

Meeting Date: 05/14/09
 Agenda Item #: R-8
 Est. Start Time: 10:25 AM
 Date Submitted: 05/05/09

Agenda Title: NOTICE OF INTENT to Apply for U.S. EPA West Coast Collaborative Diesel Emissions Reduction Program Grant Funding in the Amount of \$1,622,348

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

Requested Meeting: May 14, 2009 **Amount of Time Needed:** 5 minutes
Department: DCM, ND **Division:** FREDS, Sustainability, D2
Contact(s): Rich Swift, Michele Gardner, Tim Lynch, Warren Fish
Phone: 503.988.4094 **Ext.** X84094 **I/O Address:** 503/4/Sustainability
Presenter(s): Rich Swift and/or Michele Gardner (Fleet), Tim Lynch (Sustainability)

General Information

1. What action are you requesting from the Board?

Approval to apply for grant funding from the U.S. Environmental Protection Agency (EPA) Region 10 to address construction diesel emissions from County owned equipment and third party contractor equipment operating on County 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.

Diesel emissions from construction vehicles like backhoes, graders, front-end loaders are a major source of pollution in our community. Unlike diesel emissions from on-road trucks, cars and busses, emissions from construction vehicles are virtually unregulated. 494 tons of diesel soot from construction vehicles is emitted into our Portland Metro area air each year (Oregon DEQ data, 2006), representing 37% of total diesel air toxins in our community from all sources. Children and the elderly are most susceptible to illness as a result of inhaled diesel particulate matter. The Multnomah County Sustainability Program and District 2 are working in collaboration with the City of Portland and Oregon DEQ on a plan to address construction diesel emissions. One of the first steps identified in that process is upgrading our County-owned fleet of construction vehicles with clean diesel emissions technologies, such as particulate filters and oxidation catalysts. Grant funding from the EPA and the West Coast Collaborative Diesel Emissions Reduction Program will help us get that accomplished.

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

The total grant application is for \$1.6 Million, and would be managed by the City of Portland's Bureau of Planning and Sustainability. A portion of those funds, \$178,000, would be transferred to the County for retrofit of county-owned diesel equipment with clean diesel technology. In addition, \$165,000 would be reserved for retrofitting third party contractor construction equipment working on City and County publicly-funded projects. The third party retrofits would serve as pilot of a clean diesel contracting policy currently under development by District 2 and the Sustainability Program. In 2008, Multnomah County was awarded approximately \$150,000 in DEQ and EPA grants for County fleet diesel retrofits and \$160,000 for third party retrofits. This new grant will allow the County to retrofit most of the remaining diesel equipment in its fleet and expand the clean diesel contracting policy pilot to include additional projects/contractor equipment.

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

The project would support Multnomah County's initiatives on toxic emissions, health equity, and environmental health.

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

Multnomah County is a co-applicant to the grant, in partnership with the City of Portland and the City of Salem. Oregon DEQ has been involved in this process as an advisor and supporter. Partners in the West Coast Collaborative include many state and local government agencies, corporations, non-profit agencies, non-governmental organizations and quasi public agencies. A full list of partners is available at: www.westcoastdiesel.org/partners.htm Some of the more familiar partners to the West Coast Diesel Collaborative include the California Air Resources Board, Amtrak, CH2MHill, Freightliner Inc., Waste Management Inc., Environmental Defense, Union of Concerned Scientists, Oregon Environmental Council, and Natural Resources Defense Council.

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

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?**

United States Environmental Protection Agency (U.S. EPA) Region 10.

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

The grant requires innovative approaches to addressing the human health and environmental impacts of construction diesel emissions. The project approach would involve two main strategies. Number one is additional funds to upgrade County and City owned construction equipment with clean diesel technologies like particulate filters and oxidation catalysts. Number two, is a pilot project that would fund clean construction upgrades on public construction occurring in a neighborhood with higher than average concentrations of harmful diesel particulates. A key component of the pilot project is to help minority-owned, women-owned, and emerging small businesses to compete for work on the project by granting them funds for construction equipment upgrades.

No matching funds are required for this grant from Multnomah County. Reporting to EPA will be completed by the City of Portland, with information provided by Multnomah County Fleet. Retrofits will be completed by 3rd party contractors, requiring only minimal Fleet staff resources, which were already included as an in-kind match for EPA/DEQ diesel grant funds previously awarded in 2008.

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

This is a one-time only funding request. The funds would support Multnomah County and City of Portland retrofits of owned equipment and would help fund a clean construction pilot project.

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

The City of Portland is the primary applicant, and Multnomah County the co-applicant. Application deadline was April 28th, 2009 and the City of Portland filed an application on April 23rd, 2009.

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

The grants cover a two-year period.

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

As a discreet project, no additional funding is required.

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

Since this project would be managed by the City of Portland Bureau of Planning and Sustainability, Multnomah County would have little responsibility for overhead or indirect costs.

ATTACHMENT B

Required Signatures

Elected Official or
Department/
Agency Director:

Carol M. Ford

Date: 05-06-09

Budget Analyst:

Debra

Date: 05-05-09

AMERICAN RECOVERY AND REINVESTMENT ACT
NATIONAL CLEAN DIESEL FUNDING ASSISTANCE PROGRAM
RFA Number: EPA-ARRA-OAR-OTAQ-09-06

i) Project Title: Portland Clean Diesel Partnership

ii) Applicant Information:

City of Portland
721 NW 9th Avenue, Suite 195
Portland, Oregon 97209

Michele Crim
Phone: 503.823.5638
Fax: 503.823.5311
mcrim@ci.portland.or.us

• DUNS Number: 054971197

iii) Applicant Eligibility: City of Portland is a local government with jurisdiction over transportation.

iv) Funding Requested: \$1,622,348

v) Total Project Cost: \$1,622,348

vi) Project Period: June 2009 - September 2010

vii) Multiple Projects: Replace inefficient marine fire boat engines with clean diesel engines. EPA Region 10. \$950,000 requested.

SECTION 1: WORKPLAN: PROJECT SUMMARY/APPROACH

Means of Emission Reductions: As an expansion and enhancement of the recent grant award from the EPA for the first phase of this project (EPA Grant ID: DE-960848-01), the City of Portland proposes to:

- 1). Retrofit Portland, Salem and Multnomah County's municipal diesel fleet:** The City of Portland proposes using EPA grant funding to purchase and install verified emission reduction technologies (diesel particulate filters, partial flow filters and diesel oxidation catalysts) on the City of Portland's (Portland or City), City of Salem's (Salem) and Multnomah County's (County) diesel fleet.
- 2). Purchase and install fuel operated heaters:** Portland proposes using EPA grant funding to install verified idle reduction technologies, in the form of fuel operated heaters, on Portland and Multnomah County's diesel fleet. By combining idle reduction technologies with verified retrofit technologies, the project will further reduce emissions.
- 3). Pilot a Clean Diesel Contracting Policy for construction contractors working for the City of Portland and Multnomah County on publicly funded construction projects:** Portland and Multnomah County will pilot clean diesel requirements on a number of upcoming construction projects, prioritizing those projects located in areas of poor air quality. Portland proposes using EPA grant funding to purchase and install verified emission reduction technologies on the contractor owned, leased, or rented off-road construction equipment used in pilot projects. The selection of pilot construction projects and the contractors that will do that work has not been finalized. In these demonstration projects, the City and County will seek to identify and mitigate barriers for small contractors and sub-contractors, especially disadvantaged and historically underutilized businesses.

Fleet Profile and Technologies: The City of Portland will prepare and manage a competitive Request for Proposals (RFP) to identify vendors and contractors to provide verified retrofit (filters) and idle reduction technologies (fuel operated heaters) and installation services. The subsequent contract(s) will meet cooperative purchasing guidelines allowing other jurisdictions not part of this project to purchase similar technologies if they desire. Equipment will be purchased and installed under contract(s) using only EPA or CARB verified best available passive system diesel retrofit technology, including Diesel Particulate Filters, Partial Flow Filters and Diesel Oxidation Catalysts, as well as fuel operated heaters (idle reduction technology). Contracts with vendors will require evidence of this verification. By matching each piece of equipment with the best available technology, and with the use of ULSD and high blends of biodiesel (B20 or greater), the project will maximize the diesel emission reductions. Portland's fleet ranges from 1996 to 2008, Salem's fleet ranges from 1999 to 2006, and Multnomah County's fleet ranges from 1977 to 2007. On average, off-road vehicles are kept in municipal fleets for 12 to 15 years. See attached fleet spreadsheet for details regarding number, types, use, ownership, engines and proposed emission reduction technologies.

Roles and Responsibilities: Project partners include the municipal jurisdictions of the City of Portland, the City of Salem and Multnomah County, as well as private construction contractors participating in the policy pilot. Portland proposes using grant funding to hire a Fleet Supervisor to facilitate the expedient retrofit of the municipal fleets with verified emission controls and fuel operated heaters – including the procurement, contracting, exhaust testing, installation, maintenance, documentation and data collection. Portland, as the grant applicant, will administer the grant and sub-awards, and be ultimately responsible for tracking and reporting on the success of the project. All partners will ensure proper maintenance of the retrofits, as well as data collection and reporting. Portland and Multnomah County will also provide staff resources for the clean diesel contracting policy development and pilot implementation – including coordinating the retrofit of private contractor construction equipment participating in the pilot projects. All partners, including private contractors, will be responsible for ensuring proper operation and maintenance of the retrofits installed on their equipment, keeping the technology on the equipment for a minimum amount of time (per EPA’s guidance), and reporting necessary data and information back to Portland to enable tracking and reporting on success. The Oregon DEQ will support this project with technical assistance.

Project Timeline:

- **May 2009: Issue Request For Proposals** for the purchase and installation of verified emission reduction technologies; begin identifying construction projects to pilot clean diesel contracting policy and incorporating appropriate specifications into contract bid documents, change orders, etc.
- **May 2009:** Adopt an idle reduction policy for City of Portland vehicles and equipment.
- **June 2009:** Finalize grant agreement with EPA; **Issue Request for Proposals** and/or Bid Requests for the purchase and installation of fuel operated heaters. Draft and adopt IGAs with project partners.
- **July 2009: Award vendor contract(s) and finalize price agreements for the purchase and installation of emission reduction technologies;** continue identifying construction projects to pilot clean diesel contracting policy and incorporate appropriate specifications into contract bid documents, change orders, etc.; **begin retrofitting municipal fleets, and contractor equipment.**
- **July / August 2009: Award vendor contract(s) and finalize price agreement for the purchase and installation of fuel operated heaters (idle reduction technology).** Begin installing heaters on Portland and Multnomah County equipment.
- **March / May 2010:** Complete retrofits and heater installation on Portland, Salem and Multnomah fleet.
- **September 2010:** Complete retrofits on construction contractor equipment participating in piloting the clean diesel policy.

Project Sustainability: While equipment remains in the municipal fleet, staff will maximize the useful life and performance of the equipment through regular maintenance and cleaning, which will be further facilitated by the use of grant funds to purchase a Diesel Particulate Filter Cleaning System. When equipment is sold or auctioned, retrofits will be kept in place in order to maintain emission reductions for the life of the equipment. To maximize the expected lifetime of the technology installed on project partner’s and contractor’s equipment, letters of agreement with the entities receiving sub-awards will include language detailing minimum requirements for proper maintenance, as well as the minimum amount of time (per EPA’s recommendations) the technology must remain on the equipment after the project is completed. Most lasting, the project will lend strong evidence to the formal adoption of a policy in which retrofitted technologies are required and/or weigh heavily as evaluation criteria in requests for proposals when awarding future publicly funded construction projects through Portland and Multnomah County.

Restriction for Mandated Measures: There are no Federal, State or local laws that mandate emission reductions associated with this project or its partners.

SECTION 2: NATIONAL REQUIREMENTS: RECOVERY ACT FUNDING PRIORITIES

Recovery Act Funding Priorities: The proposed project will achieve the goal of promoting job creation and/or preservation and economic recovery. According to the Oregon Economic and Community Development Department (OECDD), the seasonally adjusted unemployment rate in Oregon has increased from 5.5% in 2008 to 12.1% in 2009 – **currently the second highest unemployment rate in the nation.** Multnomah County has seen an even higher increase in unemployment, going from 4.7% in 2008, to 11.2% in 2009 (138% increase). Salem has also seen an increase in unemployment going from 5.2% in 2008 to 11.2% in 2009 (115% increase).

In addition, Oregon has shown the steepest increase in unemployment compared to other Region 10 States. Specifically, from February 2008 to February 2009, the percent change was 100% for Oregon, 78.8% for Washington, 74.4% for Idaho, and 23.1% for Alaska. In addition, the number of people employed in the Motor Vehicle and Parts Dealer sector in Oregon has decreased by 18.9%, representing a loss of 4200 jobs in the last year. This employment sector would see the most activity from diesel retrofitting activity, which is critical to economic recovery in Oregon, as the unemployment rate in this particular sector has grown faster than the state-wide averages for several other employment sectors.

The Manufacturers of Emission Controls Association (MECA) has provided a jobs calculation formula, which builds on the study conducted by Keybridge Research regarding the macroeconomic impacts associated with DERA funding. This formula assumes 14.9 jobs per \$1M in spending for replacement, and 21.15 jobs per \$1M in spending for retrofits. Portland is using their formula in this application to allow for project proposals to be consistently reviewed (see below).

Total Project Cost (TPC): \$1.62M
Percent of TPC for Retrofit: 100
Percent of TPC for Replacement: 0

$$\begin{aligned} \text{Jobs/Million} &= (100)(21.15) + (0)(14.9) = 21.15 \\ \text{Total Jobs Created} &= (21.15)(\$1.62\text{M}) = 34.3 \end{aligned}$$

The proposed project will reduce emissions from diesel engines, one of the most important air quality challenges facing this country. The project will invest in idle reduction and diesel emission retrofitting activities that provide long-term economic benefits by protecting the environment and improving public health. Such efforts will help reduce serious problems like asthma, lung cancer and various cardiac and respiratory diseases, which currently result in thousands of premature deaths, and millions of lost work-days each year. These investments will also increase economic efficiency by encouraging advances in vehicle emission reduction technologies.

Portland is positioned to **commence expenditures and activities very quickly**, as procurement efforts are already underway in connection with the recent grant award from the EPA for the first phase of this project (EPA Grant ID: DE-960848-01). In cooperation with Multnomah County, Portland is currently finalizing a competitive Request for Proposals (RFP) to identify vendors and contractors to provide retrofit technologies and installation services. This RFP is written to allow for the procurement of subsequent retrofit services if additional funding becomes available through the EPA or other sources. This RFP should be released in early May 2009, with the expectation of announcing the award(s) in June 2009. Procurement contract(s) are expected to be in place by July 2009, with project expenditures beginning soon thereafter. The resulting contract(s) and price agreement(s) will meet cooperative purchasing guidelines allowing other jurisdictions in the Portland metro area, that are not part of this project proposal, to purchase similar exhaust controls off of contract(s) if they desire.

Portland is committed to tracking and measuring the project's progress towards advancing the Recovery Act priorities using current and future information and resources, including the jobs calculation formula from MECA, employment information from OECDD, public health and environmental protection

information from the Oregon DEQ, project information provided by partners, suppliers and vendors hired by Portland to do the retrofit work and pilot the clean diesel contracting policy.

SECTION 3: NATIONAL PROGRAMMATIC PRIORITIES

The Portland-Multnomah Clean Diesel Partnership will **maximize health benefits** by reducing diesel PM in a densely populated urban area with poor air quality. The municipal fleets are housed and operate in the urban environment. The project will retrofit approximately 141 pieces of public fleet on- and off-road equipment, 20 pieces of private contractor construction equipment and install 237 fuel operated heaters (municipal fleet only). Using the available municipal fleet data and national estimates for private contractor construction equipment (EPA Non-Road Model defaults), the benefits estimated by the EPA Diesel Emissions Quantifier include:

	Total Tons Reduced Per Year	Total Tons Reduced Lifetime	Total Cost Effectiveness (Project Cost /Lifetime Ton)
NOx	5.69	72.35	\$ 22,424.20
PM	4.07	26.49	\$ 61,240.78
HC	4.44	36.75	\$ 44,141.92
CO	25.28	229.85	\$ 7,058.28
CO2	267.54	3,399.66	\$ 477.21

Recent studies conducted by the EPA and the Oregon Department of Environmental Quality (DEQ) documented **elevated levels of air toxics, including diesel PM, in Portland** (Portland Air Toxics Assessment (PATA): <http://www.deq.state.or.us/air/toxics/pata.htm>; National-scale Air Toxics Assessment (NATA): <http://www.deq.state.or.us/air/toxics/nata.htm>). According to the EPA’s NATA, Multnomah County ranks the highest state-wide in terms health threats associated with exposure to air toxics, with mobile sources (cars and trucks) being the largest contributors of cancer-causing (56%) and non-cancer causing (73%) air toxics. The Salem area is under an approved Oregon Department of Environmental Quality Carbon Monoxide Limited Maintenance Plan.

According to the Oregon DEQ’s PATA (2006), mobile source pollutants, including acetaldehyde, formaldehyde, 1,3 butadiene, diesel PM, benzene, and arsenic show high concentrations along and adjacent to the major traffic corridors, with the urban core area having relatively greater mobile source concentrations than elsewhere. The DEQ found that **diesel PM is one of the top three sources of adverse health effects and cancer risk within the Portland area**. According to the DEQ, in Multnomah County (Portland), all diesel vehicles emitted 541.9 tons of PM 2.5 in 2005. In Marion County (Salem), all diesel vehicles emitted 270 tons of PM 2.5 in 2005. On- and off-road diesel engines are equally important diesel sources. While risk was significant across their modeling domain, higher concentrations likely exist in the downtown area where there is a concentration of emissions from vehicles, construction, marine and rail sources. They also determined that diesel PM alone contributes to 90-99 percent of the cumulative non-cancer and cancer risk in the Portland area.

The twenty-four neighborhoods comprising North Portland (including North East Portland) represent the oldest, and most racially and ethnically diverse communities in the Metropolitan area. North Portland residents have an incidence of respiratory illness that exceeds statewide and national averages, linked in part, to the fact that **North Portland has the highest levels of diesel emissions in the state**, estimated at twenty times the health standard. A map of diesel particulate matter and another map of children in poverty show high concentrations of both in the same area of Multnomah County (both maps can be found here: <http://www.equityatlas.org/maps/map2-11b.pdf> and <http://www.equityatlas.org/maps/map6-4.pdf>).

Portland receives a **disproportionate quantity of air pollution from diesel fleets** operating in the area, including the ports of Portland and Vancouver, the intermodal yards of the Union Pacific, Burlington Northern, and Santa Fe railroads, the Portland International Airport and the convergence of four major interstates (I-5, I-205, I-84 and I-405). The I-5 corridor, the primary north-south highway and truck freight

route along the west coast; runs through the Salem city limits, along with Highway 22, a designated East-West freight route to the Oregon Pacific Coast. Union Pacific's primary North-South West coast route, the Portland & Western Railroad and a rail switching yard all operate within Salem. The proposed project will prioritize retrofits on equipment operated in North Portland, downtown (including Salem) and other locations in the urban environment that have historically been disproportionately affected by high diesel emissions. Experience gained through this and related projects will enable the Portland and Multnomah County to ultimately enact a Clean Diesel Contracting Policy that will mitigate long-term health risks across the entire urban area.

The project will utilize EPA and/or CARB **verified technologies** to reduce diesel pollution by retrofitting diesel on-road and construction equipment with best available passive system retrofits including diesel particulate filters, partial flow filters and diesel oxidation catalysts. In order to **maximize the useful life** of these devices, the municipal fleet managers and construction project managers (for clean diesel policy pilot projects) will work closely with emission control manufacturers to determine best practices for the equipment being retrofitted. When equipment is sold or auctioned, retrofits will be kept in place in order to maintain emission reductions for life of equipment. To maximize the expected lifetime of the technology installed on contractor equipment, letters of agreement with the contractors receiving funding will include language detailing minimum requirements for proper maintenance, as well as the minimum amount of time (per EPA's recommendations) the technology must remain on the contractor's equipment after the project is completed.

Diesel fuel conservation measures for both the municipal fleet and the construction contractors will be taken to further minimize diesel emissions, including installation of fuel operated heaters. Additionally, other measures will be taken to reduce diesel fuel use, such as, regular equipment maintenance/tune-ups, fuel consumption data tracking/reporting, and the implementation of an idle-reduction policy. Portland, Salem and Multnomah County began using **biodiesel blended** (Portland B20 to B99; Multnomah B20; Salem B5) **with ultra-low sulfur diesel (ULSD)** in both their on- and off-road diesel fleets several years ago, meeting EPA's ULSD mandate for non-road projects well ahead of the anticipated schedule. These fuel practices will continue, and the use of ULSD will be a requirement for private sector construction contractors working on publicly funded projects through the piloting, and eventual implementation, of the clean diesel contracting policy. In addition, in 2007, the City of Portland adopted a **local renewable fuel standard** that requires 5% biodiesel to be blended into all on-road diesel fuel sold inside of the city limits.

SECTION 4: REGIONAL SIGNIFICANCE

Based on estimates by the Oregon DEQ, in Multnomah County each ton of diesel PM has a \$398,425 environmental and public health impact price tag. The proposed project will **maximize health benefits** by reducing diesel PM in densely populated urban areas (Portland and Salem) with poor air quality. The municipal fleets are housed and operate in the urban environment. In fact, the bulk of Portland's diesel fleet operates daily out of maintenance yards located directly adjacent to Interstate-5 and a major hospital in North Portland. Several interstate and international goods movement corridors converge in the Portland-Multnomah area, including I-5, I-205, I-405 and I-84, as well as barge and rail traffic along Columbia and Willamette River industrial areas. As a result, Portlanders are more exposed to higher concentrations of diesel emissions than many other parts of the State. Additionally, many of the potential construction projects identified for piloting the clean diesel policy are located in downtown, North and Northeast Portland, areas with identified toxic air pollutant concerns and geographic "hot spots" for diesel particulate matter (according to the Oregon DEQ's Portland Air Toxics Assessment study).

Because of the known air quality issues in North Portland, a **community-based multi-stakeholder collaborative process** called the North Portland Diesel Emissions Reduction Project (<http://www.orsolutions.org/metrohood/dieselem.htm>) convened in 2006. Community groups, regulators, and private and public fleets committed to several voluntary diesel emission-reduction actions. Reducing emissions from off-road construction equipment was one of the actions identified through that stakeholder process that this project proposal will help address. Also in 2006, the Portland and Multnomah County

adopted a joint Toxics Reduction Strategy that set a goal to reduce toxic emissions from fleet equipment by 2010 through particulate filter installations and implementation of an idle reduction policy. A multi-stakeholder group including representatives from government, industry, advocacy groups, and the public developed the Toxics Reduction Strategy.

By focusing investments on best available retrofits for diesel equipment, the proposed project is a **cost effective method** for achieving real reductions in diesel PM emissions. The project will utilize EPA and/or CARB **verified technologies** to reduce diesel pollution by retrofitting diesel vehicles and equipment with best available passive system retrofits including diesel particulate filters, partial flow filters and diesel oxidation catalysts. The project will further reduce emissions by installing fuel operated heaters to reduce idle time for fleet vehicles.

In order to **maximize the useful life** of these devices, the municipal fleet managers and construction project managers (for clean diesel policy pilot projects) will work closely with emission control manufacturers to determine best technology applications for the equipment being retrofitted. Portland, Salem and Multnomah fleet shops will ensure proper cleaning and maintenance of the technologies installed on the municipal fleets, and contractor equipment will be retrofitted/maintained by equally qualified private sector shops. In addition, both Portland and Multnomah municipal shops have received the "Eco-Business" certification, a joint pollution prevention project through the Oregon DEQ that recognizes automotive repair shops that go the extra mile to minimize their environmental impacts.

Lastly, **diesel fuel conservation** measures for both the municipal fleets and the construction contractors will be taken to minimize diesel emissions, as well as **greenhouse gas emissions**. Such measures include, but are not limited to, regular equipment maintenance/tune-ups, fuel consumption data tracking/reporting, and the implementation of an idle-reduction policy. Portland, Salem and Multnomah County began using **biodiesel** blended with ultra-low sulfur diesel (ULSD) in both their on- and off-road diesel fleets some time ago, meeting EPA's **ULSD mandate** for non-road projects well ahead of the anticipated schedule. These fuel practices will continue, and the use of ULSD will be a requirement for private sector construction contractors working on publicly funded projects through the piloting, and eventual implementation, of the clean diesel contracting policy.

SECTION 5: PAST PERFORMANCE

1) EPA Grant No. X3-83220701-0 "Stormwater Marketplace Feasibility Study"

The City has complied with all reporting requirements of the grant, including participation in meetings of a cohort group of grantees in Washington, DC in October 2005, December 2006, and November 2007. In addition, the City hosted a meeting of EPA representatives from the national office and Region 10 in May 2007. Each of these presentations provided in-depth information about the status of the project, lessons learned to date, significant changes in project team members, products developed as a result of the project, and expected next steps. In addition to these meetings, the Bureau has submitted two formal progress reports in 2006 and 2007. We have worked closely with our grant administrator and others associated with EPA's Science to Achieve Results (STAR) Program of the National Center for Environmental Research. The Network has provided valuable professional guidance, connected Portland's research to similar efforts around the country, and exposed Portland's project to interested and supportive staff within the EPA. The City has complied with all reporting requirements as noted above. All research materials, presentation and associated project information is available on the Internet at the following City web site:
<http://www.portlandonline.com/bes/index.cfm?c=44048> .

2) EPA Grant No. BF96024001 "Portland Brownfield Project"

Progress has been reported through quarterly submission of Property Profile Forms, annual financial status reports, and closeout reports once grant agreements have concluded. Success in this agreement is attributed to the dedicated staff that followed the required EPA work plans. This includes interagency coordination among the City's grants office, program management, and staff. The City has fulfilled all reporting

requirements, including quarterly brownfield reports. All final technical reports have been submitted for grants whose cooperative agreements have expired.

3) *EPA Grant No. #XP97045801 "Innovative Wet Weather Project"*

The City published 17 project reports of public and private projects that demonstrate low-impact stormwater management solutions. For community engagement, the City has been conducting site visits and tours with EPA of the over 25 projects that were partially funded through the Innovative Wet Weather Program (IWWP). The agreements are successfully completed by providing in-house technical assistance and grants. Public/private partners share oversight responsibilities and provide additional funds and in-kind resources. BES successfully provided matching dollars at 45/55 (City/federal) via the Tanner 3 Sewer Project. The Bureau has complied with all reporting requirements including quarterly progress reports and a final environmental assessment submitted to the EPA in April 2004. All research materials, presentation and associated project information is available on the Internet at the following website:

<http://www.portlandonline.com/bes/index.cfm?c=35941&>

SECTION 6: STAFF EXPERIENCE AND QUALIFICATIONS

For the proposed project, Portland, Salem and Multnomah County lend staff expertise including, but not limited to, project management, fleet managers and mechanics, program managers for historically underutilized construction businesses, and project assistance.

- John Hunt, *City of Portland Fleet Manager*, will coordinate staff training and oversee the purchasing, installation and maintenance of City fleet retrofits. Hunt has 33 years of experience in fleet management and was named first ever Fleet Manager of the Year by Government Fleet.
- Michele Gardner, *County Fleet Manager*, will coordinate staff training and oversee the purchasing, installation and maintenance of County fleet retrofits. Gardner has worked with Multnomah County Fleet Services for 21 years.
- Donald Thomson, *City of Salem Fleet/Warehouse Superintendent* will coordinate staff training and oversee the purchasing, installation and maintenance of Salem's retrofits. Thomson has been a fleet manager since 1985 in both private and public sectors.
- Michele Crim, *City Sustainability Project Manager*, will coordinate clean diesel contracting and idle-reduction policy development, implementation, and enforcement. Crim currently oversees sustainable city government operations and has worked in pollution prevention for over 10 years.
- Tim Lynch, *County Sustainability Project Manager*, will coordinate clean diesel contracting and idle-reduction policy development, implementation, and enforcement. Lynch currently oversees toxics reduction efforts for Multnomah County's operations.
- Kyle Diesner, *City Sustainability Project Assistant*, will assist with project development and implementation including monitoring and verification. Diesner has 5 years experience in grant administration totaling \$2.5 million.

SECTION 7: RESULTS

Portland and the project partners are committed to tracking, measuring and reporting progress toward quickly reducing diesel emissions and maximizing job preservation and/or creation to promote economic recovery. The following table outlines the project's expected activities, outputs, outcomes and how Portland will track and evaluate the effectiveness of those efforts.

Activities	Outputs	Outcomes	Tracking and Reporting
<p>I. Retrofit Portland, Salem and Multnomah County diesel vehicles and equipment.</p> <p>II. Retrofit private construction contractor equipment through piloting clean diesel contracting policy.</p>	<p>A. Evaluation of the completion status of the project, ultimately resulting in 121 pieces of municipal diesel equipment retrofitted with the best available passive control technology.</p> <p>B. Evaluation of the completion status of the project, ultimately resulting in ~20 pieces of heavy-duty off-road construction equipment retrofitted with the best available passive control technology.</p>	<p>1) <u>Short-term:</u> Successful installation of 141 retrofits, furthering the widespread adoption of the retrofits – especially in the private construction sector.</p> <p>2) <u>Medium-term:</u> Reduce emissions from municipal and contractor fleets:</p> <ul style="list-style-type: none"> – 4 tons/year of PM – 25 tons/year of CO – 4 tons/year of HC – 5 tons/year of NOx – 267 tons/year of CO2 <p>3) <u>Long-term:</u> Environmental and health benefits achieved, including avoided public health impacts and costs associated with exposure diesel emissions.</p>	<p>1) The number of retrofitted pieces of equipment, including breakdown by equipment type, retrofit date and emission control technology.</p> <p>2) Emission reduction estimates (from the <i>EPA Diesel Emissions Quantifier</i>) based on completed retrofits on various pieces of equipment, and annual usage hours. For pilot projects, estimates will also be based on usage hours on the specific construction project.</p> <p>3) Environmental and public health benefits in terms of savings from avoided impacts based on estimated diesel PM reductions from retrofitting municipal and contractor fleet, multiplied by <i>Oregon DEQ</i> estimates of public health costs per ton of PM (\$398,425 per ton per year).</p>
<p>III. Install fuel operated heaters on Portland and Multnomah County diesel vehicles and equipment to reduce fuel consumption and associated greenhouse gas emissions.</p>	<p>C. Evaluation of the completion status of the project, ultimately resulting in 237 pieces of equipment with fuel operated heaters installed.</p>	<p>1) <u>Short-term:</u> Successful installation of 237 fuel operated heaters, furthering the widespread adoption of idle reduction technologies.</p> <p>2) <u>Medium-term:</u> Reduced idle times by ~22,000 hours (estimated) and ~24,000 gallons of fuel saved (estimated).</p> <p>3) <u>Long-term:</u> Reduced emissions, including avoided release of greenhouse gas emissions.</p>	<p>1) Number of fuel operated heaters installed including breakdown by equipment type, installation date and heater size.</p> <p>2) Reduced idle time estimates in hours, and associated fuel savings and avoided emissions, based on extrapolation of available fleet fuel management and other data as available.</p> <p>3) Tons of CO2 equivalents reduced, estimated from reduced idle times and fuel gallons saved.</p>

Activities	Outputs	Outcomes	Tracking and Reporting
IV. Commence expenditures for emission and idle reduction technologies as quickly as prudently possible to create and preserve jobs in the Motor Vehicle and Parts Sector in Oregon and beyond.	D. Evaluation of the completion status of the project, including the status of vendor selection(s) and procurement(s), and amount of funds expended on the project and dispersed to sub-recipients. E. Number of individual jobs preserved and/or created working directly on the project.	1) <u>Short-term:</u> Complete project and spend nearly \$1.62 million in grant funding by September 2010. 2) <u>Medium-term:</u> Cost effectiveness of the project leads to an increased understanding of the environmental and economic benefits of the implemented technologies. 3) <u>Long-term:</u> Preservation and/or creation of jobs and the promotion of economic recovery.	1) Itemized summary of total project dollars spent, by quarter, including amount of those funds dispersed to sub-recipients. 2) Dollars spent per ton of PM and other air emission reductions. 3) Number of jobs created or preserved from the install of diesel emission and idle reduction equipment and economic impact from increased spending, estimated using current and future information and resources, including the jobs calculation formula from MECA, employment information from OECD, and employment information provided by suppliers and vendors hired to do the work.

SECTION 8: LEVERAGED RESOURCES AND PROJECT PARTNERS

Project partners include the City of Portland, the City of Salem, Multnomah County and private construction contractors. The project will leverage the continued use of cleaner fuels by the municipalities, which began using biodiesel blended (Portland B20-B99, Multnomah B20 and Salem B5) with ultra-low sulfur diesel (ULSD) in both their on- and off-road diesel fleets years ago, meeting EPA’s ULSD mandate for non-road projects well ahead of the anticipated schedule. These fuel practices will continue, and the use of ULSD will be a requirement for private sector construction contractors working on publicly funded projects through the piloting, and eventual implementation, of the clean diesel contracting policy.

In addition, the City of Portland proposes to leverage this funding as part of an expansion and enhancement of the project recently awarded grant funding from the EPA (EPA Grant ID: DE-960848-01). Portland and Multnomah County will also coordinate the use of EPA funding with expected diesel retrofit grant monies from the Oregon DEQ (anticipated \$295,000 divided between Portland and Multnomah County). Collectively, this funding will result in the successful and cost effective retrofit of 164 Portland diesel vehicles and equipment, 63 Multnomah diesel vehicles and equipment, and 28 Salem diesel vehicles. The City of Portland will soon (May 2009) issue a competitive Request for Proposals for the retrofit devices, which will enable the quick expenditure of the funds and completion of the project. The bulk purchase of equipment for Portland, Salem and Multnomah County will significantly reduce the project cost for each jurisdiction, enhancing cost effectiveness of the project. The purchasing contract(s) will contain cooperative purchasing language, allowing other jurisdictions in the Portland area to buy off the resulting price agreement(s) and enabling the expenditure of funds to commence as quickly as possible. The Oregon DEQ will support this project, including the development of the clean diesel contracting policy, with technical assistance.

SECTION 9: BUDGET DETAIL

Personnel	Federal	Match	Leverage
City of Portland Management Assistant @ \$53,040 annually .25 FTE Spent on Project - Grant/Sub-Award Administration	\$13,260		
City of Portland Program Manager @ \$68,536 annually .10 FTE Spent on Project – Project Oversight	\$6,854		

City of Portland Fleet Services Supervisor @ \$73,611 annually 1 FTE Spent on Project – Procurement, Installation, Data Tracking	\$73,611		
Personnel Sub Total	\$93,725	\$0	\$0
Fringe Benefits – Including leave, retirement, health benefits.			
Management Assistant @ 39% of Annual Full time Salary	\$5,171		
Program Manager @ 39% of Annual Full time Salary	\$2,673		
Fleet Services Supervisor @ 39% of Annual Full time Salary	\$28,708		
Fringe Sub Total	\$36,552	\$0	\$0
Travel			
N/A			
Equipment			
One Diesel Particulate Filter Cleaning Equipment System @ \$46,000, including the following components: <i>Pneumatic Cleaner, SootSucker with HEPA, Airflow Test Bench, Thermal Cleaner, TrapTongs, Extension Ring & 2 Filter Rack</i>	\$46,000		
Equipment Sub Total	\$46,000	\$0	\$0
Supplies			
N/A			
Contractual			
City of Portland Fleet Retrofits:			
16 Partial Flow Filters @ \$7,750/each	\$124,000		
37 Diesel Particulate Filters @ \$10,250/each	\$379,250		
4 Diesel Oxidation Catalysts @ \$2,250/each	\$9,000		
203 Fuel Operated Heaters @ 35 M8 \$2,975/each	\$104,125		
168 D5 \$1,095/each	\$183,960		
Multnomah County Fleet Retrofits:			
8 Partial Flow Filters @ \$7,750/each	\$62,000		
2 Diesel Particulate Filters @ \$10,250/each	\$20,500		
26 Diesel Oxidation Catalysts @ \$2,250/each	\$58,500		
34 Fuel Operated Heaters @ \$1,095/each	\$37,230		
City of Salem Fleet Retrofits:			
24 Diesel Particulate Filters @ \$10,250/each	\$246,000		
4 Diesel Oxidation Catalysts @ \$2,250/each	\$9,000		
Targeted Private Contractor Equipment Retrofits:			
~15 Diesel Particulate Filters @ \$10,250/each	\$153,750		
~5 Diesel Oxidation Catalysts @ \$2,250/each	\$11,250		
Contractual Sub Total	\$1,398,565	\$0	\$0
Other			
Installation of DPF cleaning equipment:			
Freight to Portland	\$800		
Electrical hookup	\$2,500		
On Site Installation Assistance	\$800		
On Site Training	\$800		
Install fuel operated heaters @ \$85/hr			
35 M8- 25% in 5hrs, 75% in 3 hrs	\$10,412		
202 D5- 25% in 3 hrs, 75% in 1.5 hrs	\$32,194		
Other Sub Total	\$47,506		
Total Direct Cost	\$1,622,348	\$0	\$0

SECTION 10: CLEAR DESCRIPTION OF TARGET FLEET: See Attached

SECTION 11: OPTIONAL ATTACHMENTS: See attached letters of support from Multnomah County, City of Salem and the Oregon Department of Environmental Quality.



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

Board Clerk Use Only

Meeting Date: 05/14/09
Agenda Item #: R-9
Est. Start Time: 10:30 AM
Date Submitted: 04/27/09

Second Reading and Possible Adoption of an ORDINANCE Amending
Agenda Title: Multnomah County Code Sections 11.300, 11.301 and 11.304 Relating to Motor Vehicle Rental Tax

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

Requested Meeting Date: May 14, 2009 **Amount of Time Needed:** 10 minutes
Department: Non-Departmental **Division:** Commissioner Jeff Cogen
Contact(s): Karol Collymore
Phone: 503 988-6786 **Ext.** 8-6786 **I/O Address:** 503/600
Presenter(s): Mark Campbell

General Information

1. What action are you requesting from the Board?

Request approval of second reading and adoption of a proposed ordinance change to MCC §11.300 - §11.301 and §11.304 relating to the Motor Vehicle Rental Tax (MVRT). The ordinance will increase the existing tax rate from 12.5% to 17%. It increases the base tax rate from 10% to 14.5% and dedicates the 4.5% increase to the County General Fund.

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 Motor Vehicle Rental Tax was originally established for a three year period in 1976 and was extended indefinitely in 1979. The tax is imposed on individuals who rent motor vehicles in Multnomah County. Rental car agencies remit the tax to the County.

The rate was set at 10% of the rental fee charged by rental car agencies or other commercial establishments. It remained at 10% until April, 2000. That portion of the tax has been a dedicated General Fund resource since it has been in place. In FY 2008, the 10% motor vehicle rental tax **generated \$13.4 million**. It is currently the third largest source of revenue in the General Fund

(excluding Beginning Working Capital).

In April, 2000 the tax was increased from 10% to 12.5% to support bond payments associated with expansion of the Oregon Convention Center, renovations to Civic Stadium (PGE Park), and improvements to the Portland Center for the Performing Arts. The additional 2.5% motor vehicle rental tax **generated approximately \$3.4 million** in FY 2008 and it is scheduled to sunset upon retirement of the bonds issued for the projects described above.

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

Based on projections developed for the FY 2010 budget, a 4.5% increase in the base motor vehicle rental tax rate will generate approximately \$4.7 million. This revenue has been included in the County Chair's Proposed Budget which was released on April 23, 2009.

Over the five year forecast period General Fund revenue is expected to range from a low of \$4.7 million to a high of \$5.5 million. The forecast assumes that motor vehicle rental tax revenue will experience 3% annual growth.

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

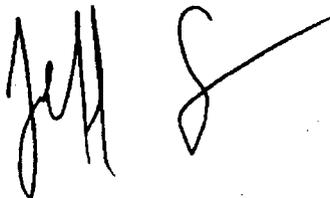
The Board has the authority to increase the existing tax by ordinance. If the first reading of this ordinance is approved the second reading will be held on May 14, 2009.

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:

A handwritten signature in black ink, appearing to be 'JMS', written over a horizontal line.

Date: 04/27/09

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending MCC §§ 11.300, 11.301 and 11.304 Relating to Motor Vehicle Rental Tax

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

Multnomah County Ordains as follows:

Section 1. MCC §§ 11.300, 11.301 and 11.304 are amended as follows:

11.300* MOTOR VEHICLE RENTAL TAX

11.300- Definitions.

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

CAR SHARING ORGANIZATION. A profit or non-profit organization with membership requirements that provides the use of motor vehicles exclusively to its members for a fee.

COMMERCIAL ESTABLISHMENT. Any person or other entity, any part of whose business consists of providing the use of motor vehicles for a rental fee.

DIRECTOR. The Chief Financial Officer of the county.

DOING BUSINESS IN THE COUNTY. Any of the following conduct by a commercial establishment whose business address is within or outside the county:

- (1) Delivery of a rented vehicle to a location within the county for use by a person within the county; or
- (2) Presenting for execution within the county by any person a car rental agreement.

EXEMPTION AREA. Multnomah, Washington and Clackamas Counties.

MOTOR VEHICLE. Without limitation, automobiles, trucks having a manufacturer's gross vehicle weight not exceeding 24,000 pounds, motor homes, motorcycles, pickup campers and any motorized passenger vehicles designed to carry fewer than ten persons, which are capable of being used on the highways of the state.

REGIONAL CHILDREN'S CAMPUS (RCC) BONDS AND PARITY OBLIGATIONS. (a) ~~County Revenue Bonds, Series 1998 (Regional Children's Campus, Inc.) that are dated October 1, 1998,~~ (b) Motor Vehicle Rental Tax Revenue Bonds, Series 2000A and 2000B dated November 1, 2000, (eb) any obligations issued to refund obligations described in clause (a) ~~or (b)~~ of this definition.

RENTAL FEE. The gross fee and charges, whatever the basis of their calculation, paid to a commercial establishment by any person for the rental of a motor vehicle.

RENTAL or RENTING. Obtaining in the county the use of a motor vehicle from a commercial establishment in the county for a rental fee, and includes all services, supplies and commodities furnished by the commercial establishment in connection with providing the use of the vehicle, but does not include leasing or other transactions where title of a motor vehicle is permanently or temporarily transferred from the commercial establishment to any other person or entity.

YEAR ONE. Fiscal Year 2000-2001.

11.301 Imposition Of Tax.

(A) A tax is imposed on every person renting a motor vehicle from a commercial establishment doing business in the county, if the rental is for a period of 30 days or less. A rental must have a duration of 30 days or less if the actual possession or use by the person renting the vehicle terminates not later than the end of a 30-day period or if any contract governing the rental has a duration of 30 days or less.

(B) The base rate of the tax imposed by subsection (A) is equal to ~~10~~14.5% of the rental fee charged by the commercial establishment for the rental.

(C) The surcharge rate of the tax imposed by subsection (A) is equal to 2.5% of the rental fee charged by the commercial establishment for the rental. This 2.5% surcharge will terminate if the 2.5% transient lodging tax imposed by § 11.401(E) is terminated before the issuance of the bonds defined in § 11.400.

(D) If, with respect to any rental fee, the tax imposed under this section does not equal an amount calculable to a whole cent, the commercial establishment must charge a tax equal to the next highest whole cent. However, the amount remitted to the Director by the commercial establishment for each quarter must equal ~~12.5~~17% of the total rental fees collected by the commercial establishment during the quarter.
Penalty, see § 11.399

11.304 Use Of Taxes.

(A) The ~~10~~14.5% base taxes collected under this subchapter are general fund revenues of the county, except that the portion of taxes attributable to gasoline sales are subject to the limitations on use prescribed by the constitution and laws of the state.

(B) ~~The base taxes, and to the extent necessary also surcharge taxes, will be used by the County to pay any debt service on the RCC Bonds and Parity Obligations. All 2.5% surcharge taxes collected under this subchapter not needed for that purpose will be deposited in the Visitors Facilities Trust Account (VFTA) created by 11.401(E) and allocated as provided by 11.401(E)(4). The Board is authorized under Home Rule authority to enter an intergovernmental agreement with the City of Portland to pledge the County to maintain this surcharge to pay the bonds and other obligations identified in 11.401(E). Such pledge is binding under ORS 288.594 from April 1, 2000 as long as the 11.401(E) bonds are outstanding.~~

Section 2. This ordinance is effective on _____.

FIRST READING: May 7, 2009

SECOND READING AND ADOPTION: May 14, 2009

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

SUBMITTED BY:
Commissioner Jeff Cogen

MOTOR VEHICLE RENTAL TAX

§ 11.300- DEFINITIONS.

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

CAR SHARING ORGANIZATION. A profit or non-profit organization with membership requirements that provides the use of motor vehicles exclusively to its members for a fee.

COMMERCIAL ESTABLISHMENT. Any person or other entity, any part of whose business consists of providing the use of motor vehicles for a rental fee.

DIRECTOR. The Finance Director of the county.

DOING BUSINESS IN THE COUNTY. Any of the following conduct by a commercial establishment whose business address is within or outside the county:

(1) Delivery of a rented vehicle to a location within the county for use by a person within the county; or

(2) Presenting for execution within the county by any person a car rental agreement.

EXEMPTION AREA. Multnomah, Washington and Clackamas Counties.

MOTOR VEHICLE. Without limitation, automobiles, trucks having a manufacturer's gross vehicle weight not exceeding 24,000 pounds, motor homes, motorcycles, pickup campers and any motorized passenger vehicles designed to carry fewer than ten persons, which are capable of being used on the highways of the state.

REGIONAL CHILDREN'S CAMPUS (RCC) BONDS AND PARITY OBLIGATIONS. (a) County Revenue Bonds, Series 1998 (Regional Children's Campus, Inc.) that are dated October 1, 1998, (b) Motor Vehicle Rental Tax Revenue Bonds, Series 2000A and 2000B dated November 1, 2000, (c) any obligations issued to refund obligations described in clause (a) or (b) of this definition.

RENTAL FEE. The gross fee and charges, whatever the basis of their calculation, paid to a commercial establishment by any person for the rental of a motor vehicle.

RENTAL or RENTING. Obtaining in the county the use of a motor vehicle from a commercial establishment in the county for a rental fee, and includes all services, supplies and commodities furnished by the commercial establishment in connection with providing the use of the vehicle, but does not include leasing or other transactions where title of a motor vehicle is permanently or temporarily transferred from the commercial establishment to any other person or entity.

YEAR ONE. Fiscal Year 2000-2001.

(Ord. 957, Amended, 01/25/2001; Ord. 942, Amended, 02/17/2000; Ord. 934, Amended, 07/29/1999; '90 Code, § 5.40.010, 07/01/1998; Ord. 849, passed, 04/11/1996; Ord. 627, passed, 08/17/1989; Ord. 519, passed, 06/19/1986; Ord. 417, passed, 05/01/1984; Ord. 407, passed, 12/11/1983; Ord. 122, passed, 04/15/1976)

§ 11.301 IMPOSITION OF TAX.

(A) A tax is imposed on every person renting a motor vehicle from a commercial establishment doing business in the county, if the rental is for a period of 30 days or less. A rental must have a duration of 30 days or less if the actual possession or use by the person renting the vehicle terminates not later than the end of a 30-day period or if any contract governing the rental has a duration of 30 days or less.

(B) The base rate of the tax imposed by subsection (A) is equal to 14.5% of the rental fee charged by the commercial establishment for the rental.

(C) The surcharge rate of the tax imposed by subsection (A) is equal to 2.5% of the rental fee charged by the commercial establishment for the rental. This 2.5% surcharge will terminate if the 2.5% transient lodging tax imposed by § 11.401(E) is terminated before the issuance of the bonds defined in § 11.400.

(D) If, with respect to any rental fee, the tax imposed under this section does not equal an amount calculable to a whole cent, the commercial establishment must charge a tax equal to the next highest whole cent. However, the amount remitted to the Director by the commercial establishment for each quarter must equal 17% of the total rental fees collected by the commercial establishment during the quarter.

Penalty, see § 11.399

(Ord. 942, Amended, 02/17/2000; ' 90 Code, § 5.40.050, 07/01/1998; Ord. 849, passed, 04/11/1996; Ord. 407, passed, 12/11/1983; Ord. 122, passed, 04/15/1976)

§ 11.302 COLLECTION OF TAX; REMITTANCE RECORDS; TAX AS DEBT.

(A) The commercial establishment must collect the tax imposed by § 11.301 at the time it collects a rental fee.

(B) On or before the last business day of January, April, July and October of each year, each commercial establishment must remit to the Director all taxes collected during the preceding calendar quarter. The remittance must be accompanied by a report showing:

(1) The amount of the rental fees collected by the commercial establishment during the preceding quarter;

(2) The amount, if any, of those rental fees that is attributable to and identified on the records or billings of the commercial establishment for gasoline sales;

(3) Such further information as the Director may prescribe;

(C) The report and all such additional information as required from the commercial establishment accompanying remittance of the collected tax is exempt from public disclosure and remains confidential in the possession of the Director.

(D) All commercial establishments must maintain accurate records of rental fees assessed and of taxes collected, and such records are subject to review, inspection and audit within the county by the Director or the director's designee at all reasonable times.

(E) The commercial establishment that rents a vehicle in the county is responsible for remittance of the tax, based on the total rental fee, wherever collected, as well as maintenance of the appropriate records of the fees.

(F) The tax imposed by § 11.301 is a debt owed by the commercial establishment to the county until remitted under this section.

Penalty, see § 11.399

(Ord. 942, Amended, 02/17/2000; ' 90 Code, § 5.40.075, 07/01/1998; Ord. 849, passed, 04/11/1996; Ord. 592, passed, 09/29/1988; Ord. 407, passed, 12/11/1983; Ord. 122, passed, 04/15/1976)

§ 11.303 TAX EVASION OR DEFICIENCY DETERMINATION.

(A) If the Director determines that the report required in § 11.302(B) has not been filed or is incorrect, the Director may compute and determine the amount required to be paid upon the basis of the facts contained in any report or reports, or upon the basis of any available information. One or more deficiency or evasion determinations may be made of the amount due for one or more than one period. The amount so determined is due and pay-able immediately upon service

of notice, after which the amount determined is delinquent. Penalties on deficiencies will be applied under § 11.399.

(B) In making a determination, the Director may offset any overpayments previously made for a period or periods, against any under-payment for a subsequent period or periods, or against penalties and interest on the underpayments. Interest on underpayments will accrue at the rate of one percent per month pro rata from the date the tax became delinquent until the date paid.

(C) The Director will give written determination notice to the commercial establishment, served personally or by certified mail. If mail service is employed, service is deemed made upon mailing.

(D) Except where fraud or intent to evade this subchapter exists, every deficiency determination must be made and notice given within three years after the last day of the month following the close of the quarterly reporting period for which the amount is proposed to be determined, or within three years after the report reflecting an underpayment is filed, whichever period expires later.

Penalty, see § 11.399

(Ord. 942, Amended, 02/17/2000; '90 Code, § 5.40.080, 07/01/1998; Ord. 849, passed, 04/11/1996; Ord. 592, passed, 09/29/1988; Ord. 407, passed, 12/11/1983)

§ 11.304 USE OF TAXES.

(A) The 14.5% base taxes collected under this subchapter are general fund revenues of the county, except that the portion of taxes attributable to gasoline sales are subject to the limitations on use prescribed by the constitution and laws of the state.

(B) All 2.5% surcharge taxes collected under this subchapter will be deposited in the Visitors Facilities Trust Account (VFTA) created by 11.401(E) and allocated as provided by 11.401(E)(4). The Board is authorized under Home Rule authority to enter an intergovernmental agreement with the City of Portland to pledge the County to maintain this surcharge to pay the bonds and other obligations identified in 11.401(E). Such pledge is binding under ORS 288.594 from April 1, 2000 as long as the 11.401(E) bonds are outstanding.

(Ord. 957, Amended, 01/25/2001; Ord. 942, Amended, 02/17/2000; '90 Code, § 5.40.100, 07/01/1998; Ord. 122, passed, 04/15/1976)

§ 11.305 EXEMPTIONS.

The tax imposed by 11.301 is not applicable to:

(A) A rental fee that state or federal law exempts from the tax.

(B) A rental fee for a motor vehicle used for official governmental business by an employee of the federal government.

(C) A motor vehicle rented by a resident of the exemption area to temporarily replace a vehicle being repaired or serviced.

(D) A motor vehicle rented in the county by a member of a car sharing organization who is a resident of the exemption area

(Ord. 942, Amended, 02/17/2000; Ord. 934, Amended, 07/29/1999; '90 Code, § 5.40.125, 07/01/1998; Ord. 627, passed, 08/17/1989; Ord. 592, passed, 09/29/1988; Ord. 122, passed, 04/15/1976)

§ 11.306 LICENSE REQUIRED.

Every commercial establishment shall be required to obtain from the Director a one-time only, non-transferable, non-renewable license for its operation in the county. A license shall be required for each site within the county. The Director shall collect a fee in an amount set by Board resolution for each license issued.

Penalty, see § 11.399

('90 Code, § 5.40.150, 07/01/1998; Ord. 849, passed, 04/11/1996; Ord. 592, passed, 09/29/1988; Ord. 407, passed, 12/11/1983; Ord. 122, passed, 04/15/1976)

§ 11.307 DIRECTOR'S RULES.

The Director is authorized to establish rules and procedures for the implementation and enforcement of this subchapter.

('90 Code, § 5.40.175, 07/01/1998; Ord. 122, passed, 04/15/1976)

§ 11.399 PENALTY.

(A) In addition to any other penalties prescribed by law, any commercial establishment which fails to collect and remit all taxes collected by it or otherwise fails to comply with this subchapter shall be subject to a penalty equal to 50% of any deficiency in the taxes remitted by it, or to such lesser penalty as the director may assess.

(B) The penalty imposed by division (A) of this section shall be a debt owed by the commercial establishment to the county.

(C) Any person who willfully violates any provision of this subchapter shall, upon conviction, be subject to a fine of not more than \$500, imprisonment in the county jail for not more than six months, or both.

('90 Code, § 5.40.900, 07/01/1998; Ord. 122, passed, 04/15/1976)

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1132

Amending MCC §§ 11.300, 11.301 and 11.304 Relating to Motor Vehicle Rental Tax

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

Multnomah County Ordains as follows:

Section 1. MCC §§ 11.300, 11.301 and 11.304 are amended as follows:

11.300* MOTOR VEHICLE RENTAL TAX

11.300- Definitions.

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

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COMMERCIAL ESTABLISHMENT. Any person or other entity, any part of whose business consists of providing the use of motor vehicles for a rental fee.

DIRECTOR. The Chief Financial Officer of the county.

DOING BUSINESS IN THE COUNTY. Any of the following conduct by a commercial establishment whose business address is within or outside the county:

- (1) Delivery of a rented vehicle to a location within the county for use by a person within the county; or
- (2) Presenting for execution within the county by any person a car rental agreement.

EXEMPTION AREA. Multnomah, Washington and Clackamas Counties.

MOTOR VEHICLE. Without limitation, automobiles, trucks having a manufacturer's gross vehicle weight not exceeding 24,000 pounds, motor homes, motorcycles, pickup campers and any motorized passenger vehicles designed to carry fewer than ten persons, which are capable of being used on the highways of the state.

REGIONAL CHILDREN'S CAMPUS (RCC) BONDS AND PARITY OBLIGATIONS. (a) ~~County Revenue Bonds, Series 1998 (Regional Children's Campus, Inc.) that are dated October 1, 1998,~~ (b) Motor Vehicle Rental Tax Revenue Bonds, Series 2000A and 2000B dated November 1, 2000, (c) any obligations issued to refund obligations described in clause (a) ~~or (b)~~ of this definition.

RENTAL FEE. The gross fee and charges, whatever the basis of their calculation, paid to a commercial establishment by any person for the rental of a motor vehicle.

RENTAL or RENTING. Obtaining in the county the use of a motor vehicle from a commercial establishment in the county for a rental fee, and includes all services, supplies and commodities furnished by the commercial establishment in connection with providing the use of the vehicle, but does not include leasing or other transactions where title of a motor vehicle is permanently or temporarily transferred from the commercial establishment to any other person or entity.

YEAR ONE. Fiscal Year 2000-2001.

11.301 Imposition Of Tax.

(A) A tax is imposed on every person renting a motor vehicle from a commercial establishment doing business in the county, if the rental is for a period of 30 days or less. A rental must have a duration of 30 days or less if the actual possession or use by the person renting the vehicle terminates not later than the end of a 30-day period or if any contract governing the rental has a duration of 30 days or less.

(B) The base rate of the tax imposed by subsection (A) is equal to ~~40~~14.5% of the rental fee charged by the commercial establishment for the rental.

(C) The surcharge rate of the tax imposed by subsection (A) is equal to 2.5% of the rental fee charged by the commercial establishment for the rental. This 2.5% surcharge will terminate if the 2.5% transient lodging tax imposed by § 11.401(E) is terminated before the issuance of the bonds defined in § 11.400.

(D) If, with respect to any rental fee, the tax imposed under this section does not equal an amount calculable to a whole cent, the commercial establishment must charge a tax equal to the next highest whole cent. However, the amount remitted to the Director by the commercial establishment for each quarter must equal ~~12.5~~17% of the total rental fees collected by the commercial establishment during the quarter.
Penalty, see § 11.399

11.304 Use Of Taxes.

(A) The ~~40~~14.5% base taxes collected under this subchapter are general fund revenues of the county, except that the portion of taxes attributable to gasoline sales are subject to the limitations on use prescribed by the constitution and laws of the state.

(B) ~~The base taxes, and to the extent necessary also surcharge taxes, will be used by the County to pay any debt service on the RCC Bonds and Parity Obligations. All 2.5% surcharge taxes collected under this subchapter not needed for that purpose will be deposited in the Visitors Facilities Trust Account (VFTA) created by 11.401(E) and allocated as provided by 11.401(E)(4). The Board is authorized under Home Rule authority to enter an intergovernmental agreement with the City of Portland to pledge the County to maintain this surcharge to pay the bonds and other obligations identified in 11.401(E). Such pledge is binding under ORS 288.594 from April 1, 2000 as long as the 11.401(E) bonds are outstanding.~~

Section 2. This ordinance is effective on _____.

FIRST READING:

_____ May 7, 2009 _____

SECOND READING AND ADOPTION:

_____ May 14, 2009 _____



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

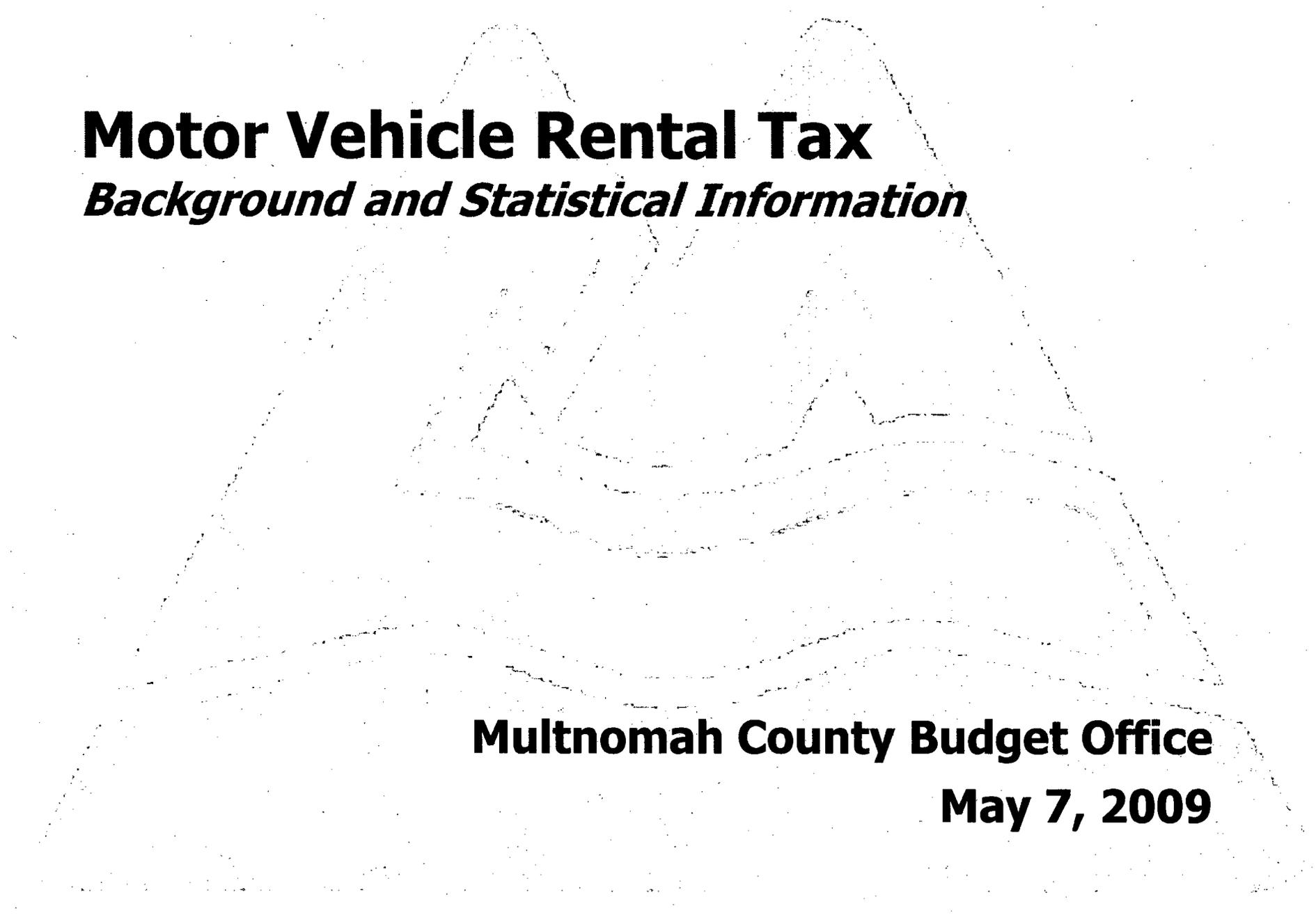
Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Agnes Sowle, County Attorney

SUBMITTED BY:
Commissioner Jeff Cogen



Motor Vehicle Rental Tax

Background and Statistical Information

Multnomah County Budget Office

May 7, 2009

Introduction

- History of Motor Vehicle Rental Tax
 - Ordinance # 122 – April, 1976
 - Changes Since 1976
- Motor Vehicle Tax as % of General Fund
 - Historical Collections
 - Share of FY 2009 Revenue
 - Link to Travel/Tourism
- How Do We Stack Up?
 - Motor Vehicle Tax Compared to Other Jurisdictions
 - Total Travel Taxes Compared to Other Jurisdictions



Ordinance # 122

- Established Motor Vehicle Rental Tax
 - Tax Set @ 10% of Gross Rental Fees
 - Tax Imposed on Individuals, Collected and Remitted by Commercial Vehicle Rental Establishments
 - Exempts Vehicles Over 24,000 lbs. Gross Vehicle Weight

- Tax Collections
 - Collected Quarterly
 - Requires Commercial Establishments Maintain Records
 - Annual License Fee Requirement

- Use of Tax
 - Tax Collected for Use as General Fund Resource



Changes Since 1976

- 1983 - 1998
 - Minor Housekeeping
 - Close Loopholes – Define “Doing Business in The County”
 - Response to Audit

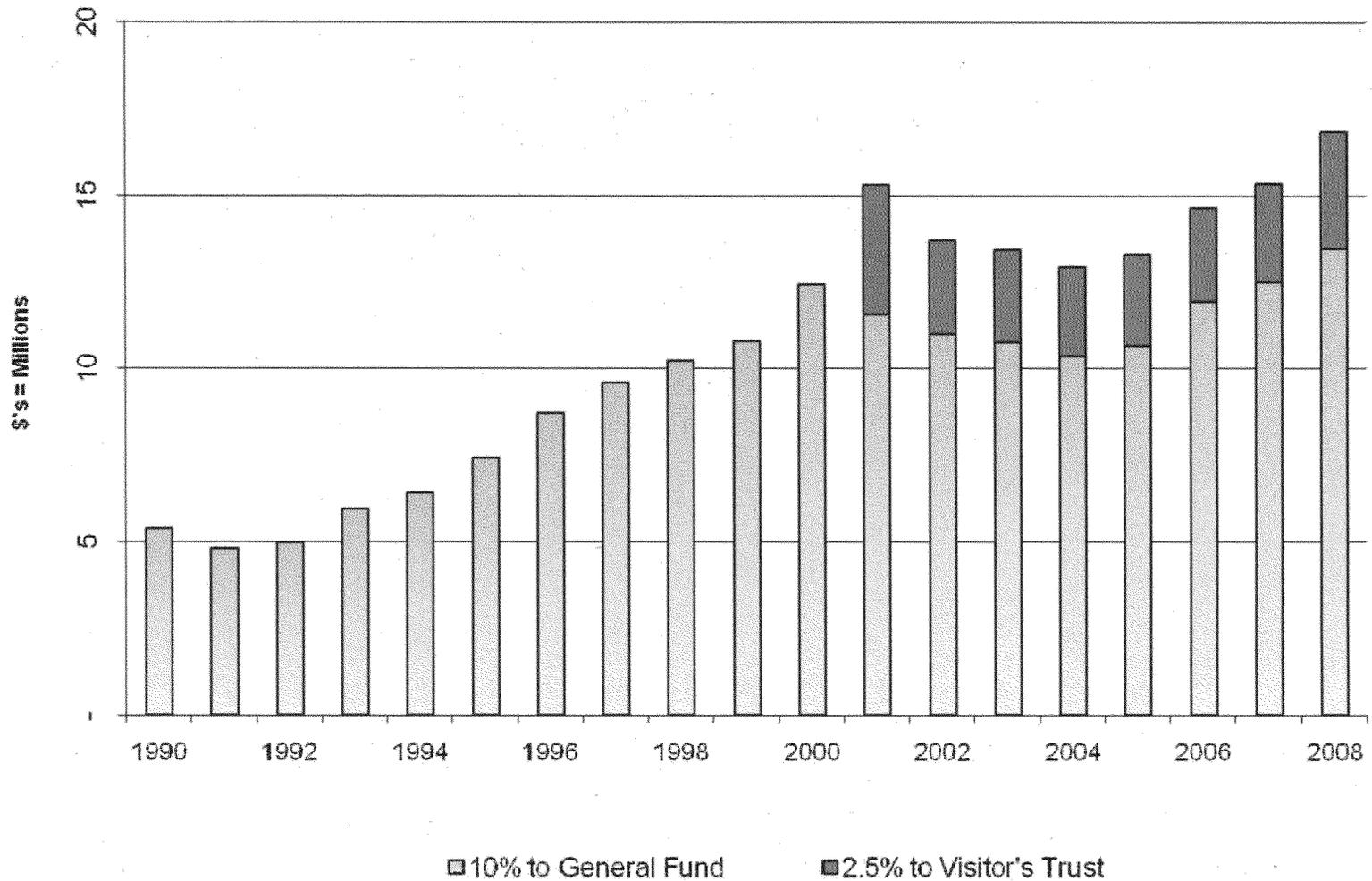
- 1998 - 2001
 - Exemption for Car Sharing Organizations
 - Imposed 2.5% Surcharge to Support Expansion of Convention Center (And Other Tourism Related Venues)

- No Code Changes Since 2001



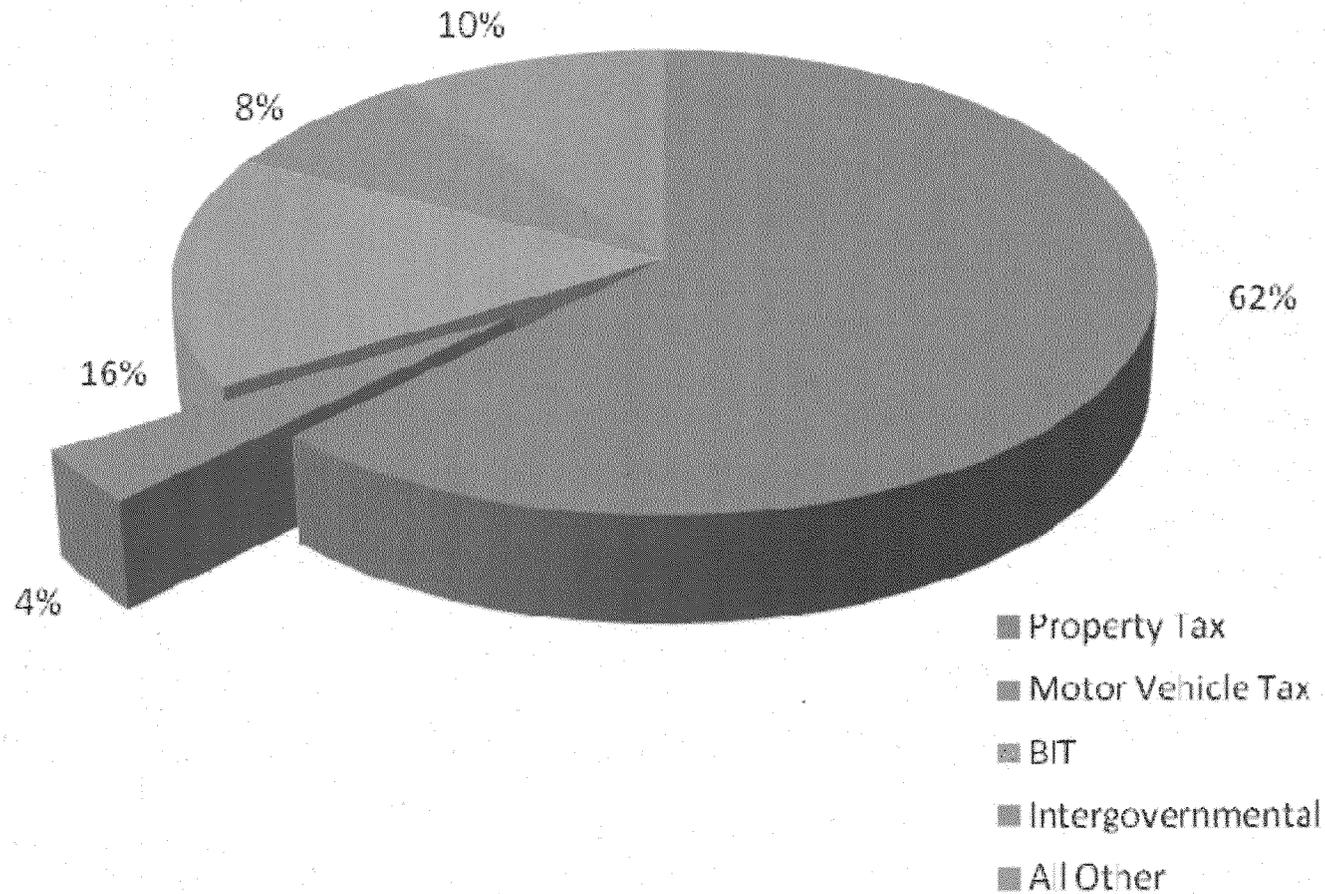
Historical MVR Tax Collections

Actual Collections (FY 1990 - FY 2008)



Motor Vehicle Tax as % of General Fund

Composition of General Fund (FY 2009)



Where Does Motor Vehicle Tax Come From?

	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
A-1 Rental	4,515	3,222	2,514	2,129	332
Alamo Rent-A-Car	1,318,501	1,655,893	1,933,277	2,122,501	2,309,004
Avis Rent-A-Car	2,604,017	2,320,346	2,545,482	2,584,091	2,768,894
Bob's Rental & Sales	-	-	-	-	161
Brattain Int'l Trucks, Inc.	237	686	1,418	1,450	1,346
Budget Rent-A-Car	1,165,454	1,553,762	1,716,942	1,756,739	1,864,891
Crown Auto Rental	4,517	7,225	9,280	8,540	1,539
Cruise America	48,116	63,972	67,043	69,493	88,804
Dollar Rent-A-Car	1,231,539	1,080,794	1,248,428	1,393,661	1,526,887
Dream Cars NW	-	851	4,705	2,398	-
DSU Truck Rental, Inc.	1,194	2,457	957	140	406
El Monte Rents RV	6,445	6,305	-	-	-
Enterprise Rent-A-Car	1,146,082	1,340,279	1,627,851	1,841,552	2,105,865
FMI Lease & Rental	432	222	264	95	213
Gresham Ford/Bee Rent-A-Car	8,777	6,918	2,413	3,596	165
Hertz Corporation	3,481,020	3,850,996	4,086,723	4,328,678	4,481,459
Latus Motors	2,834	-	-	-	-
Lewis Brothers Rentals	4,202	5,826	6,681	9,466	6,987
National	434,064	-	-	-	-
Northside Ford Truck Sales	-	-	-	50	166
Penske Truck Leasing	88,254	107,888	114,581	125,730	115,283
Rent-A-Wreck	2,808	2,117	-	-	-
Ryder Truck Rentals	22,538	21,313	18,128	23,781	19,962
Speed's Auto Services Group	263	83	123	242	35
Thrifty Car Rental	901,534	874,792	1,053,680	906,759	1,109,774
Town & County Rent-A-Car	20,901	4,893	-	-	-
United Rentals	11,252	53,204	123,769	139,134	38,637
U-Haul of Oregon	368,413	355,310	319,335	319,249	402,000
Wentworth Chevrolet	759	499	681	849	460
Weston Pontiac	598	1,550	2,373	336	21
Jartran Bankruptcy Settlement	4,906	-	-	-	-
	12,884,173	13,321,404	14,886,649	15,640,656	16,843,291
% Annual Increase		3.39%	11.75%	5.06%	7.69%



Rate Comparison

Top Tax Rates (Based on Current Rate) Car Rental Taxes Only

1	Chicago	23.5%
2	Phoenix	21.8%
3	Charlotte	21.2%
4	Las Vegas	19.8%
5	Seattle	19.3%
6	Boston	18.8%
7	Nashville	18.4%
8	Albuquerque	18.3%
9	Salt Lake City	17.6%
10	Houston	17.3%
25	Portland	12.5%



Rate Comparison

Overall Tax Rates

Includes Car Rental, Lodging, and Sales Taxes

1	Chicago	\$	42.44
2	Nashville	\$	39.95
3	Charlotte	\$	38.80
4	Seattle	\$	38.70
5	Houston	\$	37.62
6	Phoenix	\$	37.28
7	San Antonio	\$	37.00
8	Dallas	\$	35.70
9	Austin	\$	35.29
10	Cleveland	\$	34.52
49	Portland	\$	22.83



Summary

- Motor Vehicle Tax Has Been In Place Since 1976
 - Base Rate Has Not Changed Since Inception
- Major Source of Revenue for General Fund
- Bulk of Rental Taxes Generated From Airport Locations
- Current Tax Puts County Exactly in the Middle of Top 50 Survey Markets
 - Base Increase Will Move Us Close to Top 10
 - BUT, Portland Is Second Lowest of Top 50 Survey Markets for Overall "Travel" Taxes





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

Board Clerk Use Only

Meeting Date: 05/14/09
 Agenda Item #: R-10
 Est. Start Time: 10:35 AM
 Date Submitted: 05/04/09

Agenda Title: PROCLAMATION Declaring the Week of May 17 though May 23, 2009, as NATIONAL PUBLIC WORKS WEEK, and Recognizing the Contributions of All Multnomah County Transportation Employees

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

Requested Meeting Date: May 14, 2009 **Amount of Time Needed:** 3 minutes
Department: Community Services **Division:** Land Use & Transportation
Contact(s): Kim Peoples
Phone: 503 988-5050 **Ext.:** 26797 **I/O Address:** 425/Kim Peoples
Presenter(s): Kim Peoples

General Information

1. What action are you requesting from the Board?

The Department of Community Services' Land Use and Transportation Program requests a reading of the Proclamation Declaring the Week of May 17 through May 23, 2009, as **NATIONAL PUBLIC WORKS WEEK**, recognition of the contributions of all Multnomah County Transportation Employees, and adoption of the Proclamation by the Board.

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 DCS Land Use and Transportation Program annually recognizes the dedication and contributions of their public works employees to our community by a Proclamation presented to the Board of County Commissioners. The annual recognition corresponds with **NATIONAL PUBLIC WORKS WEEK** which this year is May 17 through the 23rd, 2009. Several events to celebrate the accomplishments of public works employees across the country are scheduled during that week in the nation's capital.

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

N/A

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

N/A

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

N/A

Required Signature

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

M. Cecilia Johnson

Date: 05/04/09

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. _____

Declaring the Week of May 17 through May 23, 2009, as “**NATIONAL PUBLIC WORKS WEEK,**”
and Recognizing the Contributions of All Multnomah County Transportation Employees

The Multnomah County Board of Commissioners Finds:

- a. Transportation services provided in Multnomah County are an integral part of the everyday lives of its citizens, promoting clean, healthy neighborhoods establishing Vibrant Communities;
- b. The County’s regional transportation infrastructure is essential in sustaining a Thriving Economy which greatly impacts our livability, business, and commerce;
- c. That citizens recognize the importance and value of our nation’s transportation system and those components built and maintained by Multnomah County; such as our rural roads, city streets, bikeways, pedestrian facilities, rights of way, and Willamette River Bridges, and
- d. The quality and effectiveness of transportation projects and services enjoyed by citizens of Multnomah County are dependent upon the skills of the qualified and dedicated Transportation Employees.

The Multnomah County Board of Commissioners Proclaims:

The Week of May 17 through May 23, 2009 as “**NATIONAL PUBLIC WORKS WEEK**” with the 2009 theme “**Revitalize, Reinvest, Renew**” and calls upon the citizens of our community to realize the contributions that all Transportation Employees make every day to our health, safety, comfort, environmental quality, and economic prosperity.

ADOPTED this 14th day of May, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, County Chair

Deborah Kafoury,
Commissioner District 1

Jeff Cogen,
Commissioner District 2

Judy Shiprack,
Commissioner District 3

Diane McKeel,
Commissioner District 4

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

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. 09-056

Declaring the Week of May 17 through May 23, 2009, as "NATIONAL PUBLIC WORKS WEEK,"
and Recognizing the Contributions of All Multnomah County Transportation Employees

The Multnomah County Board of Commissioners Finds:

- a. Transportation services provided in Multnomah County are an integral part of the everyday lives of its citizens, promoting clean, healthy neighborhoods establishing Vibrant Communities;
- b. The County's regional transportation infrastructure is essential in sustaining a Thriving Economy which greatly impacts our livability, business, and commerce;
- c. That citizens recognize the importance and value of our nation's transportation system and those components built and maintained by Multnomah County; such as our rural roads, city streets, bikeways, pedestrian facilities, rights of way, and Willamette River Bridges, and
- d. The quality and effectiveness of transportation projects and services enjoyed by citizens of Multnomah County are dependent upon the skills of the qualified and dedicated Transportation Employees.

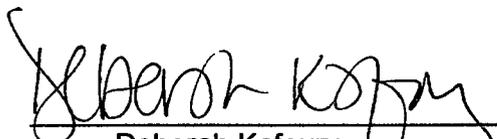
The Multnomah County Board of Commissioners Proclaims:

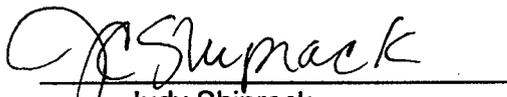
The Week of May 17 through May 23, 2009 as "NATIONAL PUBLIC WORKS WEEK" with the 2009 theme "**Revitalize, Reinvest, Renew**" and calls upon the citizens of our community to realize the contributions that all Transportation Employees make every day to our health, safety, comfort, environmental quality, and economic prosperity.

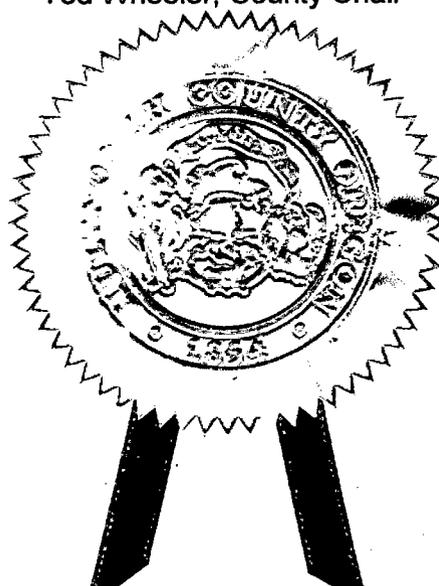
ADOPTED this 14th day of May, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, County Chair


Deborah Kafoury,
Commissioner District 1


Judy Shiprack,
Commissioner District 3




Jeff Cogen,
Commissioner District 2


Diane McKeel,
Commissioner District 4

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



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

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # : R-11 DATE 5-14-09
 ANA KARNES, ASST BOARD CLERK

Board Clerk Use Only

Meeting Date: 05/14/09
 Agenda Item #: R-11
 Est. Start Time: 10:40
 Date Submitted: 04/24/09

BUDGET MODIFICATION: DCHS – 34

Agenda Title: BUDGET MODIFICATION DCHS-34 Increasing the SUN Service System, SUN Community Schools revenue by \$11,276 funding from the Coalition for Community Schools

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

Requested Meeting Date:	<u>May 14, 2009</u>	Amount of Time Needed:	<u>5 minutes</u>
Department:	<u>County Human Services</u>	Division:	<u>SUN Service System</u>
Contact(s):	<u>Kathy Tinkle</u>		
Phone:	<u>503-988-3691</u>	Ext.	<u>26858</u>
		I/O Address:	<u>167/2</u>
Presenter(s):	<u>Peggy Samolinski</u>		

General Information

1. What action are you requesting from the Board?

The Department of County Human Services (DCHS) recommends approval of budget modification DCHS-34. This budget modification increases the SUN Service System (SUN) budget by \$11,276 for FY09 and any unexpended funds as of June 30th will carry over into FY10 to enhance the FY10 allocation.

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 SUN Service System has been asked by the Coalition for Community Schools to initiate a project called *The Oregon Early Childhood Community School Linkages Project* (ECCS). Funding for this project is provided by the Coalition for Community Schools, in conjunction with the W.K. Kellogg Foundation. Multnomah County was selected by the Coalition because of our strong SUN Community School program, and is regarded as a model Community School effort. A Notice of Intent (NOI) was not prepared because this was not solicited funding. This action will impact program offer 25145A SUN Community Schools.

The purpose of the ECCS project is to identify the pre-kindergarten settings that children are in prior to arriving at kindergarten, then offer support and activities to the children and their parents, which ensure that they will have a welcoming and supportive transition into the kindergarten classroom setting. The funding will allow SUN Community School to hire a 0.50 FTE Program Development Specialist that will develop and implement these specific activities and strategies at the school site, in conjunction with school personnel, while building relationships and collaborations between providers of early childhood services and SUN Community Schools.

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

This funding is expected to be ongoing with the current FY09 SUN Community Schools budget increasing by \$11,276. FY10 will be funded for \$63,724 and ongoing funding of \$75,000 per each fiscal year for at least three consecutive years beginning April 2009 through April 2012.

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?**

The budget modification recognizes an increase in new funding in the current fiscal year by \$11,276. This funding will help SUN Community Schools begin to implement the project in Multnomah County.

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

The SUN Service System, SUN Community Schools program offer 25145A budget is increased by \$11,276 in FY09. The Risk fund will increase by \$1,154; Telecom will increase by \$104.

- **What do the changes accomplish?**

The increased funding would allow SUN Community Schools to cover additional expenses in initiating the ECCS project.

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

There is a total increase of .50 FTE for a new Program Development Specialist as determined by Class/Comp unit of Central Human Resources to help implement the new program.

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

County indirect, central finance and all other M&S costs are covered by this grant.

- **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 funding is expected to be ongoing for at least three years.

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

The current funding covers from April 15, 2009 to April 15, 2012.

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

Although this funding is expected to be ongoing, when it is no longer available, services will be reduced.

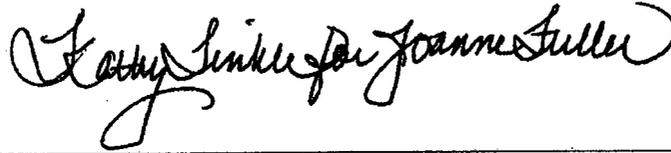
NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

ATTACHMENT B

BUDGET MODIFICATION: DCHS - 34

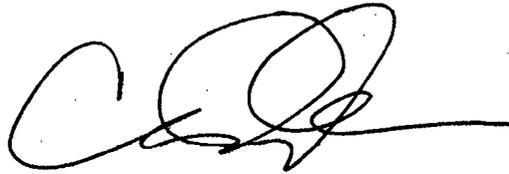
Required Signatures

Elected Official
or Department/
Agency Director:



Date: 04/24/09

Budget Analyst:



Date: 04/28/09

Department HR:



Date: 04/27/09

Countywide HR:



Date: 03/25/09



Department of County Management
MULTNOMAH COUNTY OREGON
 Human Resources

Multnomah Building
 501 SE Hawthorne, Suite 400
 Portland, Oregon 97214
 (503) 988-5015 Phone
 (503) 988-3009 Fax

To: Peggy Samolinski, DCHS, SUN Service System x24564 167/2
From: Elisabeth Nunes, Classification & Compensation Unit 503/4
Date: March 25, 2009
Subject: Reclassification Request #1196 (NEW P.T. Program Coordinator or PDS)

We have completed our review of your request and the decision is outlined below.

Request Information:

Date Request Received: March 13, 2009	Position Number: TBD
Current Classification: N/A	Requested Classification: Program Coord. Or PDS
Job Class Number: N/A	Job Class Number: 6022 or 6021
Pay Grade: N/A	Pay Grade: 25

Request is: Approved as Requested Effective Date: April 1, 2009
 Approved - Revised
 Denied

Allocated Classification: Program Dev. Specialist Job Class Number: 6021
 Pay Range: \$23.16 - \$28.47 hourly Pay Grade: 25

Please note this classification decision is subject to all applicable requirements stated in MC Personnel Rule 5-50 and may require Board of County Commissioners' approval. This decision is considered preliminary until such approval is received.

Position Information:

Vacant - see New/Vacant Section
 Filled & incumbent reclassified - see Employee Information Section
 Filled & incumbent not reclassified with position - see New/Vacant Section

New/Vacant Position Information:

If the position is vacant or incumbent not reclassified with position, position must be filled in accordance with the normal appointment procedures. If position is reclassified due to re-organization, a limited recruitment process may be conducted. Please consult with the Department Human Resources Unit for assistance.

Reason for Classification Decision:

The purpose of this position is to design and implement the Oregon Early Childhood-Community School Linkages Project. This is a three-year grant funded project through the Kellogg Foundation. Essential job functions include convening key partners and leaders to develop and implement project; identify, develop, and collect project data for evaluation and reporting; offer presentations and disseminate findings; and research best practices to guide ongoing implementation. These and other responsibilities best fit the Program Development Specialist classification.

Appeal Rights

The outcome of a reclassification request may be appealed under Article 15 of the Local 88 contract by filing a Step 3 grievance within fifteen (15) days of receipt of this notification letter.

If you have any questions, please feel free to contact me at 503-988-5015 ext. 22342.

cc: Paula Brunt, HR Manager
 Gary Miguel, HR Analyst
 Pauline Reed, HR Maintainer
 Local 88
 Class Comp File Copy

Budget Modification ID: **DCHS-34 SUN ECCS****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2009

Line No.	Fund Center	Fund Code	Program #	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Internal Order	Cost Center	WBS Element						
1	22-20	32335	25145A	0040			SCPSP.SUN.IEL	50190	0	(11,276)	(11,276)	IG - OP Fed Thru St	
2	22-20	32335	25145A	0040			SCPSP.SUN.IEL	60000	0	4,030	4,030	Permanent	
3	22-20	32335	25145A	0040			SCPSP.SUN.IEL	60130	0	1,267	1,267	Salary Related Expns	
4	22-20	32335	25145A	0040			SCPSP.SUN.IEL	60140	0	1,154	1,154	Insurance Benefits	
5	22-20	32335	25145A	0040			SCPSP.SUN.IEL	60170	0	3,167	3,167	Professional Services	
6	22-20	32335	25145A	0040			SCPSP.SUN.IEL	60180	0	33	33	Printing	
7	22-20	32335	25145A	0040			SCPSP.SUN.IEL	60240	0	749	749	Supplies	
8	22-20	32335	25145A	0040			SCPSP.SUN.IEL	60260	0	279	279	Travel & Training	
9	22-20	32335	25145A	0040			SCPSP.SUN.IEL	60270	0	333	333	Local Travel	
10	22-20	32335	25145A	0040			SCPSP.SUN.IEL	60340	0	14	14	Dues & Subscriptions	
11	22-20	32335	25145A	0040			SCPSP.SUN.IEL	60350	0	42	42	Central Indirect 2.07%(FY09)	
12	22-20	32335	25145A	0040			SCPSP.SUN.IEL	60355	0	35	35	Dept Indirect 1.73% (FY09)	
13	22-20	32335	25145A	0040			SCPSP.SUN.IEL	60370	0	104	104	Intl Svc Dist/Telephone	
14	22-20	32335	25145A	0040			SCPSP.SUN.IEL	60410	0	46	46	Intl Svc Dist/Motor Pool	
15	22-20	32335	25145A	0040			SCPSP.SUN.IEL	60460	0	25	25	Intl Svc Dist/Postage	
16										0			
17	72-10	3500		0020		705210		50316		(1,154)	(1,154)	Svc. Reim F/S to Risk	
18	72-10	3500		0020		705210		60330		1,154	1,154	Claims Paid	
19										0			
20	19	1000		0020		9500001000		50310		(42)	(42)	Svc Reim F/S to General	
21	19	1000		0020		9500001000		60470		42	42	Contingency	
22										0			
23	26-00	1000	25000	0040			CHSDO.IND1000	50370		(35)	(35)	Dept. Indirect Revenue	
24	26-00	1000	25000	0040			CHSDO.IND1000	60240		35	35	Supplies	
25										0			
26	72-60	3503		0020		709525		50310		(104)	(104)	Telecom Reimb	
27	72-60	3503		0020		709525		60200		104	104	Communications	
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	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
32335	6021	65076	SCPSP.SUN.IEL	Program Dev. Specialist	NEW	0.50	24,179	7,602	6,925	38,706
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
TOTAL ANNUALIZED CHANGES						0.50	24,179	7,602	6,925	38,706

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	CC/WBS/IO	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
32335	6021	65076	SCPSP.SUN.IEL	Program Dev. Specialist	NEW	0.08	4,030	1,267	1,154	6,451
										0
										0
										0
										0
										0
										0
										0
										0
										0
										0
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										0
										0
										0
										0
										0
										0
										0
										0
TOTAL CURRENT FY CHANGES						0.08	4,030	1,267	1,154	6,451



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

Board Clerk Use Only

Meeting Date: 05/14/09
Agenda Item #: R-12
Est. Start Time: 10:45 AM
Date Submitted: 05/04/09

Agenda Title: First Reading of a Proposed ORDINANCE Amending MCC §§15.700-760 Relating To Alarm Systems

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

Requested Meeting Date: Next available **Amount of Time Needed:** 5 Minutes
Department: Sheriff's Office **Division:** Business Services
Contact(s): Wanda Yantis
Phone: 503-988-4455 **Ext.** 84455 **I/O Address:** 503/350
Presenter(s): Larry Aab and Kimberly Walker-Norton

General Information

1. **What action are you requesting from the Board?**
 Approve first reading of an ordinance amending MCC §§15.700-760 Relating To Alarm Systems.

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 purpose of Chapter 15 of the Multnomah County code subchapters 15.700 through 15.760 is to encourage alarm users and alarm businesses to assume increased responsibility for maintaining the mechanical reliability and the proper use of alarm systems to prevent unnecessary responses to false alarms and thereby to protect the emergency response capability of the county from misuse. The Ordinance before the Board updates and adds language to clarify definitions, amends certain processes, and amends the fees.

3. **Explain the fiscal impact (current year and ongoing).**
 Implementation of this ordinance will support the collection of revenue from Sheriff's Office fees for services as provided in the Multnomah County Code Chapter 15.

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

none

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

The Alarms Task Force has reviewed the amendments to this ordinance. The members of the Alarms Task Force are: Jim Akers, Councilman for the City of Maywood Park; Sheila Ritz, City Administrator for the City of Wood Village; Captain David Lerwick of the Gresham Police Department; Melody Thompson, Troutdale Police Department; Barbara Hamlin, Director of Customer Service for Sonitrol Pacific; and Kimberly Walker-Norton Law Enforcement Support Unit Manager, Multnomah County Sheriff's Office.

Required Signature

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

/s/ Bob Skipper / L.A.

Date: 05-04-09

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

ORDINANCE NO. _____

Amending MCC §§15.700-760 Relating To Alarm Systems

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

Multnomah County Ordains as follows:

Section 1. MCC § 15.702 is amended as follows:

15.702 Definitions.

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

ALARM BUSINESS. The business by any individual, partnership, corporation, or other entity of selling, leasing, maintaining, servicing, repairing, monitoring, altering, replacing, moving or installing any alarm system or causing to be sold, leased, maintained, serviced, repaired, monitored, altered, replaced, moved or installed any alarm system in or on any building, structure or facility.

ALARM SYSTEM. Any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of an illegal entry or other activity requiring urgent attention and to which law enforcement officers are ~~expected to respond~~alerted.

ALARM USER. The person, firm, partnership, association, corporation, company or organization of any kind which owns, controls or occupies any building, structure or facility wherein an alarm system is maintained.

AUTOMATIC DIALING DEVICE. A device which is interconnected to a telephone line and is programmed to select a predetermined telephone number and transmit by voice message or code signal an emergency message indicating a need for emergency response. Such a device is an alarm system.

BUREAU OF EMERGENCY COMMUNICATIONS. The city or county facility used to receive emergency and general information from the public to be dispatched to the respective law enforcement departments utilizing the bureau.

BURGLARY or ROBBERY ALARM SYSTEM. An automated or manual alarm system signaling an entry or attempted entry into the area protected by the system.

COMMERCIAL ALARM SYSTEM. An alarm system maintained in a building, structure or facility that is not primarily used as the alarm system user's residence..

ECONOMICALLY DISADVANTAGED PERSON. A person receiving public assistance or food stamps.

FALSE ALARM. An alarm signal, eliciting a response by a law enforcement officer when a situation requiring a response by such officer does not in fact exist. An alarm is not considered false if the, but does not include an alarm signal is caused by violent conditions of nature or other extraordinary circumstances not reasonably subject to control by the alarm business operator or alarm user, including but not limited to, evidence of a crime or an attempted crime; notice from the alarm business that the system is faulty before the officer arrives on the scene or notice from alarm business operator that the system or the user erred before an officer arrives on the scene.

INTERCONNECT. To connect an alarm system including an automatic dialing device to a telephone line, either directly or through a mechanical device that utilizes a telephone, for the purpose of using the telephone line to transmit a message upon the activation of the alarm system.

NO RESPONSE. Law enforcement officers will not be dispatched to investigate a report of an alarm signal.

NOTICE. All notices in this ordinance required to be given by the Sheriff to an alarm user or alarm business shall be by ~~certified U.S. mail with return receipt.~~ **NOTICE**, whether actual or constructive, is presumed to be given seven days from the date printed on the notice when the Sheriff receives the return receipt.

~~**PRIMARY TRUNK LINE.** A telephone line serving the Bureau of Emergency Communications that is designated to receive emergency calls.~~

~~**ROBBERY ALARM SYSTEM.** An alarm system signaling a robbery.~~

RESIDENTIAL ALARM SYSTEM. An alarm system maintained in a building, structure or facility that is primarily used as the alarm system user's residence.

SHERIFF. The Multnomah County Sheriff, or designee.

~~**SOUND EMISSION CUTOFF FEATURE.** A feature of an alarm system which will cause an audible alarm to stop emitting sound.~~

SYSTEM BECOMES OPERATIVE. When the alarm system is capable of eliciting a response by law enforcement officers.

Section 2. MCC § 15.703 is amended as follows:

15.703 Permits Required; Payment of Permit Fees and Other Fees.

(A) Every alarm user, including but not limited to users of any non-monitored alarm systems, shall ~~must~~ obtain an alarm user's permit for each system from the Sheriff within 30 days of the time when the system becomes operative. Users of commercial alarm systems using having both robbery manual and burglary automated alarm capabilities shall ~~must~~ obtain a separate permit for each function. ~~Application for a burglary or robbery alarm user's permit and a fee for each in an amount set by Board resolution shall be filed with the Sheriff each year. Each permit shall bear the signature of the Sheriff and be valid for a one-year period. The permit shall be physically upon the premises using the alarm system and shall be available for inspection by the Sheriff.~~

(B) Permits issued under this subchapter expire annually on March 31. Application for an alarm user's permit and the permit fees as set by Board resolution must be filed with the Sheriff each year. The permit fees must be postmarked to the Sheriff on or before midnight March 31 of the preceding permit year.

(BC) If a residential alarm user is over the age of ~~62~~65 or is an economically disadvantaged person and is a resident of the residence, and if no business is conducted in the residence, a user's permit may be obtained from the Sheriff's office according to subsections (A) and (B) without the payment of a reduced fee as set by Board resolution.

(D) Each permit will bear the signature of the Sheriff and must be physically upon the premises where the alarm system is used and available for inspection by the Sheriff. If a law enforcement officer is dispatched to investigate a report of an alarm signal and a valid permit is not available for inspection, the alarm user must pay a fee as set by Board resolution and obtain a permit within 30 days of the date of dispatch.

(~~E~~) A late fee in an amount set by Board resolution will be charged in addition to the fees provided in this subsection (~~A~~) to an alarm user who fails to obtain a permit within 30 days after the system becomes operative, or who is more than 30 days delinquent in renewing a permit.

(~~F~~) If an alarm user fails to renew a permit within 30 days after the permit expires, the Sheriff will notify the alarm user that, unless the permit is renewed and all fees are paid within 30 days of receipt of notice, the Sheriff will initiate the no response process. If the permit is not renewed and all fees paid, the Sheriff will initiate the no response process and make notifications as provided in § 15.705(C).

Section 3. MCC § 15.704 is amended as follows:

15.704 Excessive False Alarms; ~~Fines~~Fees.

(A) After the fourth false alarm within the permit year there may be no law enforcement response to subsequent alarms without approval of the Sheriff.

(B) After a false alarm, the Sheriff will also notify the alarm user that:

(1) After the fourth false alarm within the permit year, there may be no response to subsequent alarms without the approval of the Sheriff; and

(2) Approval of the Sheriff may only be obtained by applying in writing for reinstatement. The Sheriff may reinstate the alarm user upon a finding that reasonable effort has been made to correct the false alarms.

(AC) Fees for excessive false alarms will be assessed by the Sheriff as set by Board resolution.

(BD) The Sheriff will notify the alarm user and the alarm business of a false alarm, the fees for excessive false alarms, if any, and the consequences of the failure to pay the fees. The Sheriff will also inform the alarm user of his or her right to appeal the validity of the false alarm to the Sheriff, as provided in § 15.709.

(CE) A late fee in an amount set by Board resolution will be charged in addition to the fee provided in subsection (A) to an alarm user who fails to pay the excessive false alarm fees within 30 days after receipt of the notice.

(DF) ~~If the a residential alarm system user fails to pay the excessive false alarm fee within 30 days after receipt the date of the initial notice and no appeal hearing is pending, the Sheriff will notify the alarm user that unless all fees are paid within seven days of receipt the date of the notice, the Sheriff will initiate the no response process. If payment is not received within seven days of the date of the notice Sheriff receives the return receipt, the Sheriff will initiate the no response process, make notifications as provided in § 15.705(C) and may initiate the enforcement of penalties.~~

(G) If a commercial alarm system user fails to pay the excessive false alarm fee within 30 days after the date of the initial notice and no appeal hearing is pending, the Sheriff will notify the alarm user that unless all fees are paid within seven days of receipt of notice, the Sheriff may initiate the no response process. If payment is not received within seven days of the date of the notice, the Sheriff may initiate the no response process, make notifications as provided in § 15.705 and may initiate the enforcement of penalties.
Penalty, see § 15.999

Section 4. MCC § 15.705 is amended as follows:

15.705 Excessive Alarms; No Response; Reinstatement Fee.

~~(A) After the fourth false alarm within the permit year there will be no law enforcement response to subsequent alarms without approval of the Sheriff.~~

~~(B) After a false alarm, the Sheriff shall also notify the alarm user that:~~

~~(1) After the fourth false alarm within the permit year, there will be no response to subsequent alarms without the approval of the Sheriff; and~~

~~(2) Approval of the Sheriff may only be obtained by applying in writing for reinstatement. The Sheriff may reinstate the alarm user upon a finding that reasonable effort has been made to correct the false alarms.~~

(CA) When the no response process is initiated, the Sheriff shall notify:

- (1) The Bureau of Emergency Communications;
- (2) The alarm user; and
- (3) Any alarm business employed by the alarm user if known; and

~~(4) The persons listed on the alarm user's permit who are to be contacted in case of emergency, by certified mail with return receipt.~~

(DB) No response to an alarm shall will begin seven days after the date ~~the Sheriff receives return receipts from~~ of the notices provided in ~~subsection (C)~~ above unless a written request for a false alarm validity hearing has been made in the time period required under § 15.709.

(C) If a no response order is issued by the Sheriff, a reinstatement fee as set by Board resolution will be charged in addition to any outstanding fees, fines and penalties.

Section 5. MCC § 15.706 is amended as follows:

15.706 Special Permits.

(A) The following alarm users will be issued a special permit:

(1) An alarm user required by federal, state, county or ~~city~~ municipal law to install, maintain and operate an alarm system; or

(2) A federal, state or local government unit.

(B) Special permit holders must pay the regular permit fee, but are not subject to the no response procedure under this subchapter.

(C) Any alarm user that is a federal government agency is not liable for false alarm fees. ~~shall be subject to this subchapter, provided:~~

~~(1) A permit shall be designated a special alarm user's permit;~~

~~(2) A special alarm user's permit for a system which has four false alarms in a permit year shall not be subject to the no response procedure and shall pay the regular fee; and~~

~~(3) The payment of any fee provided for in subsection (A)(2) shall not be deemed to extend the term of the permit.~~

~~(B) An alarm user that is a government unit is subject to this subchapter.~~

Section 6. MCC § 15.707 is amended as follows:

15.707 User Instructions Alarm Business Responsibilities.

~~(A) Every alarm business selling, leasing or furnishing to any user an alarm system which is installed on premises located in the area subject to this subchapter shall must:~~

(A) ~~f~~urnish the user with instructions that provide information to enable the user to operate the alarm system properly and to obtain service for the alarm system at any time.

(B) The alarm business shall also inform each alarm user of the requirement to obtain a permit and where it can be obtained. Notify the user of the requirement to get a permit and give the user a copy of the application necessary to obtain a permit.

(C) Give the user a copy of the county notice that outlines the consequences of generating false alarms, including possible fees, penalties, and fines, and such other forms and notices as required by the county.

~~(BD)~~ Maintain a list of all active alarm customers and provide this list to the Multnomah County Sheriff's Office upon request. ~~Standard form instructions shall be submitted by every alarm business to the Sheriff. If the Sheriff reasonably finds such instructions to be incomplete, unclear or inadequate, the Sheriff may require the alarm business to revise the instructions to comply with subsection (A) and then to distribute the revised instructions to its alarm users.~~
Penalty, see § 15.999

Section 7. MCC § 15.708 is amended as follows:

15.708 Automatic Dialing Device; Certain Interconnections Prohibited.

~~(A) — It is unlawful for any person to program an automatic dialing device to select a primary trunk line and it is unlawful for an alarm user to fail to disconnect or reprogram an automatic dialing device which is programmed to select a primary trunk line within 12 hours of receipt of written notice from the Sheriff that it is so programmed.~~

~~(B) — It is unlawful for any person to program an automatic dialing device to select any telephone line assigned to the county a governmental agency related to emergency response, and it is unlawful for an alarm user to fail to disconnect or reprogram such device within 12 hours of receipt of written notice from the Sheriff that an automatic dialing device is so programmed.~~
Penalty, see § 15.999

Section 8. MCC § 15.709 is amended as follows:

15.709 Hearing.

(A) An alarm user who wants to appeal validity of a false alarm determination may appeal to the Sheriff for a hearing. The appeal must be in writing and must be received by the Sheriff within ~~seven-~~ 14 days of from the date of notice. ~~alarm user having received notice of the false alarm determination from the Sheriff.~~ Failure to contest the determination in the required time period results in a conclusive presumption for all purposes that the alarm was false.

(B) If a hearing is requested, the Sheriff will notify the alarm user of the time and place of the hearing ~~at least~~ no later than ten ~~ten~~ 10 days prior to the hearing date, which date ~~shall~~ will not be more than 21 nor less than ~~ten~~ 10 days after the request for hearing is received unless agreed upon by both parties.

(C) The hearing shall be before ~~the Sheriff~~ a hearings officer. The alarm user ~~shall have~~ has the right to present written and oral evidence, subject to the right of cross examination. If the Sheriff determines that the alleged false alarms ~~alleged have~~ occurred in a permit year, the Sheriff ~~shall~~ will issue written findings waiving, expunging or entering a false alarm designation on an alarm user's record at ~~his~~ the Sheriff's discretion. The decision of the Sheriff or hearings officer is final. If false alarm designations are entered on the alarm user's record, the Sheriff may find that the alarm user is liable for hearing costs, including costs of the hearings officer and and witnesses and shall ~~will~~ pursue fee collection as set out in § ~~15.704~~ this subchapter.

~~(D) — The Sheriff may appoint another person to be a hearings officer to hear the appeals and to render a decision at the hearing.~~

Section 9. MCC § 15.711 is amended as follows:

15.711 Confidentiality, Statistics.

~~———— (A) ——— All information submitted in compliance with this subchapter shall be held in the strictest confidence and shall be deemed a public record exempt from disclosure pursuant to ORS 192.502(3), and any violation of confidentiality shall be deemed a violation of this subchapter. The Sheriff shall be charged with the sole responsibility for the maintenance of all records of any kind under this subchapter.~~

~~———— (B) ——— Subject to the requirements of confidentiality, the Sheriff shall will develop and maintain statistics within reason for having the purpose of assisting alarm system evaluation for use by members of the public evaluating member service for the municipalities and alarm companies.~~

Section 10. MCC§ 15.714 is amended as follows:

15.714 Enforcement.

(A) Enforcement of this subchapter may be by civil action as provided in ORS 30.315, ~~or by criminal prosecution, as provided in ORS 203.810 for offenses under county law.~~

(B) The failure or omission to comply with any section of this subchapter shall be deemed a violation and may be so prosecuted.
Penalty, see § 15.999

Section 11. This ordinance is effective on July 1, 2009.

FIRST READING: May 14, 2009
SECOND READING AND ADOPTION: May 21, 2009

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:
Bob Skipper, Multnomah County Sheriff



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

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-13 DATE 5-14-09
 ANA KARNES, ASST BOARD CLERK

Board Clerk Use Only

Meeting Date: 05/14/09
 Agenda Item #: R-13
 Est. Start Time: 10:50 AM
 Date Submitted: 04/29/09

BUDGET MODIFICATION PROJECT REALLOCATION: FPM 09-07

Agenda Title: BUDGET MODIFICATION PROJECT REALLOCATION FPM 09-07 Justice Bond Fund and Capital Project Reallocation

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

Requested Meeting Date:	<u>05/14/09</u>	Amount of Time	<u>5 mins</u>
Department:	<u>County Management</u>	Division:	<u>Facilities and Property Management</u>
Contact(s):	<u>John Lindenthal, Mark Gustafson</u>		
Phone:	<u>503-988-4213</u>	I/O	<u>Ext. 84384</u>
Presenter(s):	<u>John Lindenthal</u>	Address:	<u>John.a.lindenthal@co.multnomah.or.us</u>

General Information

1. What action are you requesting from the Board?

Requested action is to reallocate FY09 Justice Bond budget of \$283,000 from the Wapato Facility Commissioning, \$15,000 from Wapato Minor Capital Repairs, and \$11,000 from Wapato Close-out projects for a total of \$309,000 to the following projects: Wapato Upper Tier Rail Extensions increase by \$61,000 for revised total of \$196,000, Justice Center Domestic H2O Boiler #1 replacement for \$55,000 MCIJ and Justice Center Cooling Tower project for \$98,000 and JJC Roof replacement \$95,000.

River Patrol Ramp project reallocating Capital Improvement funds from the Justice Center Cooling Tower project in the amount of \$85,000 to the River Patrol Ramp project.

There is no net change to either the Justice Bond Fund or the Capital Improvement Fund totals for FY09.

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 Board included the following Budget Note in the FY05 Adopted Budget. No reallocation of funds from capital or maintenance projects shall occur without review and approval from the Chief Financial Officer. Projects that will exceed their budgeted appropriation in excess of five percent up to \$25,000 will need to be approved by the Chief Financial Officer; over \$25,000 will need to be brought back to the Board for approval. Facilities shall report to the Board on a semi-annual basis the progress of capital projects and the financial status of capital and maintenance projects.” This filing is in response to that requirement and complies with the new County Administrative Procedure, Fin-15, created to implement this process.

The Wapato Jail Upper Tier Rail Project was one of several projects that needed to be completed in order to open Wapato in mid-FY09. Due to various budget issues the Wapato Jail will not open in FY09.

The requested Justice Bond reallocations will effectively spend out the Justice Bond. There will be no FY10 Justice Bond carry-over. The reallocations will move project costs into the Justice Bond and Capital fund as noted below. There are no increases in any project budgets, except for the Wapato Jail Upper Tier Rail project.

The Upper Tier Rail project had an increase in costs due a higher initial bid, due to material costs at the time, and unforeseen conditions. The Change Order for the amount of \$28,150 (\$9,383 / Dorm) was for the unforeseen conditions. As-Built drawings indicated that the ceilings had a metal beam above the upper tiers in all three dorms. This beam was going to be used to weld the upper rail sections for stability. During installation, it was found that the beam did not exist. The contractor was forced to install steel plates above the ceilings in all penetration areas to allow for a secure means of fastening the rail system.

The Justice Center Domestic H2O boiler project replaces a failing boiler with three high efficiency water heaters that supply the jail showers. FY09 project budget is \$55,000.

Justice Center Cooling Tower Upgrades. This project upgrades the existing cooling tower to be more efficient and provides cooling to the entire building. FY09 project budget is \$98,000.

JJC Roof replacement \$95,000. The total project budget is \$2,050,000 and will not change.

River Patrol Ramp project by reallocating Capital Improvement funds from the Justice Center Cooling Tower project in the amount of \$85,000. This project was originally funded by the Facilities Management Fund, by an earlier FM Fund contingency request.

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

Fiscal year FY09: No overall fiscal impact except at the project level. Projects will be completed this FY09 and will not be carried over.

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?**

No budget change except at project level.

- **What do the changes accomplish?**

N/A

- **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?**

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: PROJECT REALLOCATION: FPM 09-07

Required Signatures

**Facilities and
Property
Management
Director:**



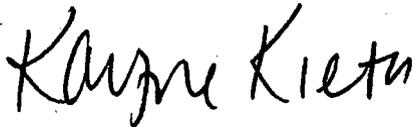
Date: 04/29/09

**Chief Financial
Officer:**



Date: 04/29/09

Budget Director:



Date: 04/29/09

Budget Modification ID: FPM09-07

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: 2009

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	2500	72-50	50			CP01.09.01	60530	\$283,000	\$0	(\$283,000)		Facility Commissioning
2	2500	72-50	50			CP01.09.01	60530	\$37,000	\$22,000	(\$15,000)		Minor Capital Repair
3	2500	72-50	50			CP01.09.01	60530	\$55,000	\$44,000	(\$11,000)		Construction Closeout
4	2500	72-50	50			CP01.09.01	60530	\$135,000	\$196,000	\$61,000		Upper Tier Rail Extensions
5	2500	72-50	50			CP08.06.28	60530	\$0	\$55,000	\$55,000		Domestic H2O boiler #1
6	2500	72-50	50			CP10.8.05	60530	\$0	\$95,000	\$95,000		JJC Roof Restoration
7	2500	72-50	50			CP08.07.24	60530	\$0	\$98,000	\$98,000		Cooling Tower Upgrades
8												
9	2507	72-50	20			CP08.07.24	60530	\$98,000	\$13,000	(\$85,000)		Cooling Tower Upgrades
10	2507	72-50	20			B307 COLUMBIABOATRMP PRJ	60530	\$0	\$85,000	\$85,000		Columbia Boat Ramp Project
11												
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28												
29												
										0	0	GRAND TOTAL



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-14 DATE 5-14-09
ANA KARNES, ASST BOARD CLERK

Board Clerk Use Only

Meeting Date: 05/14/09
Agenda Item #: R-14
Est. Start Time: 10:55 AM
Date Submitted: 04/15/09

SUPPLEMENTAL BUDGET: FY-2009

Agenda Title: Approve Fiscal Year 2009 Supplemental Budget

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

Date Requested: May 14, 2009 **Time Requested:** 5 Minutes
Department: County Management **Division:** Budget Office
Contact(s): Angela Burdine
Phone: 503-988-3312 **Ext.** 26744 **I/O Address:** 503/531
Presenter(s): Julie Neburka

General Information

1. What action are you requesting from the Board?

Approval of a FY 2009 supplemental budget. This supplemental budget contains "housekeeping" changes necessary to avoid potential budget law and/or audit violations for fiscal year 2009.

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

The FY 2009 Supplemental Budget is a relatively small "housekeeping" measure, and it recommends several actions to account for the following items in two County funds. Each of these items affects FY 2009 only; there is no ongoing fiscal impact.

None of these changes increase the fund by more than 10%, so this year's supplemental budget process is not as complex as in past years. A notice of the regular Board meeting at which the supplemental budget will be adopted will be published 5 days prior to the meeting.

The Federal/State Fund will be increased by a net of \$768,009.

- **State Criminal Alien Assistance Program Grant (SCAAP) \$743,665** – The FY 2009 award for this grant is \$488,382 which is to be used to cover expenditures in the Corrections Division of the Sheriff's Office. The remaining \$255,283 is a result of Beginning Working Capital being carried over from FY 2008. In FY 2008, The Sheriff's Office received \$466,874 from the SCAAP Grant. These funds were used to purchase resources to assist with corrections recruitment and training, re-keying the Multnomah County Detention Center, upgrade video conferencing at the Multnomah County Inverness Jail, fund one half of the LEDS Encryption Project, as well as purchase new equipment to replace worn out items in the corrections support services. Not all of these projects were completed by the end of FY 2008, so \$255,283 was carried over into FY 2009.
- **HAVA Grant BWC \$91,897** - The Department of County Management Elections division is carrying over \$91,897 from the HAVA grant to pay for the completion of a remodeling project that was started in FY 2008.
- **SB1145 Reduction in State funding net (\$67,553)** – As a result of decisions made by the State of Oregon, the funding originally expected for housing inmates as a result of SB1145 will be reduced by \$1,286,381. Most of the reduction will be covered by an increase in Beginning Working Capital (BWC) of \$1,218,828 in the same fund. These funds were accounted for on the balance sheet but not appropriated for FY 2009. The remaining \$67,553 reflects the net reduction taken by the Sheriff's Office for FY 2009. However, increased revenues in the Special Operations Fund will cover expenditures for the remainder of this fiscal year.

The Special Operations Fund will increase by \$191,187

- **MCSO Corrections Work Crews \$67,553** - The Multnomah County Sheriff's Office Work Crews do work for the community which produces revenue to support those activities while giving the inmate opportunities to develop valuable skills to help them transition back into the community at the end of their incarceration period. The revenue collected from these service contracts is accounted for in the County's Special Operations Fund. The increased revenue is due to a rate increase which was approved at the beginning of this fiscal year therefore was not included in the FY 2009 adopted budget. These funds will be used to offset the reductions that were made to SB1145 funding for FY 2009
- **Emergency Medical Services \$123,634** – The Health Department Emergency Medical Services ambulance fees are not assessed until the end of the contract year. Therefore, revenue is collected at the end of the fiscal year and must be carried forward into the current year. This amount is reflective of those funds collected at the end of FY 2008.

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

Expenditures and revenues will be changed as outlined above in order to keep the County's

budget within the bounds of Oregon Budget Law and/or generally accepted accounting principles. None of these expenditure or revenue changes are designed to be ongoing. These actions have no impact on the FY 2010 approved budget.

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

Supplemental budgets for the purposes outlined above are required by ORS Chapter 294, Local Budget Law.

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

Public Notice of Board meeting will be published not less than five days before the meeting.

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?**

The Federal/State fund is being increased in the Sheriff's Office by;

- SCAAP Grant BWC \$255,283
- SCAAP Grant award FY2009 \$488,382
- SB1145 Revenue *reduction* (\$67,553)

The Federal/State Fund is being increased in the Department of County Management Elections by \$91,897 to pay for the completion of the remodeling project that was started in FY 2008.

The Special Operations fund in the Sheriff's Office is being increased by \$67,553 as a result of increase revenue collections in service contracts executed by the Inmate Work Crew. The increase is due to a rate increase on service contracts which was approved at the beginning of FY 2009 but not included in the projected revenue in the adopted budget.

The Special Operations fund in \$123,634 in the Health Department to appropriate ambulance fees collected at the end of FY 2008 and carried forward to FY 2009.

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

Sheriff's Office Corrections Federal/State Budget will increase by \$676,112

Department of County Management Elections Federal/State budget will increase by \$91,897

Sheriff's Office Corrections Special Operations Budget will increase by \$67,553.

Health Department Special Operations budget will increase by \$123,634.

• **What do the changes accomplish?**

These changes accomplish;

- The appropriation of the BWC in the SCAAP grant will allow for previously approved purchases & projects to be completed.
- The increase in the Sheriff's Office Special Operations fund will help offset reductions in the SB1145 State revenue for FY 2009.
- Increase in the Emergency Mgmt Special Operations will continue to cover expenditures in the EMS program
- Increase in Elections will pay for completion of current remodeling project

• **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?**

Funds cover these expenditures

• **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 increase is one-time-only.

SUPPLEMENTAL BUDGET FY 2009

Required Signatures

**Department/
Agency Director:**

Carol M. Ford

Date: 04/15/09

Budget Analyst:

Debra

Date: 04/15/09

**FY 2009 SUPPLEMENTAL BUDGET
MESSAGE**

Supplemental Budget

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Supplemental Budget

THE DOCUMENT

The document consists of three sections:

1. The budget message explaining the reasons for the changes proposed,
2. A section of detailed estimate sheets and descriptions for those actions resulting in changes in expenditures,
3. A financial summary of the resources and requirements being changed by fund.

REASONS FOR CHANGES

A Supplemental Budget is the vehicle allowed by ORS Chapter 294 for the Board to address changes in financial conditions not anticipated at the time the budget was adopted. In cases where no fund's expenditures are increased by more than 10 percent of the adopted budget figure, the law allows the Board to make additional appropriations after advertising a hearing on the Supplemental Budget.

This FY 2009 Supplemental Budget is a relatively straight forward "housekeeping" measure, and it recommends several actions to account for the following items in two County funds. Each of these items affects FY 2009 only; there is no ongoing fiscal impact.

The Federal-State fund increases by \$768,009, due to three actions:

1. **State Criminal Alien Assistance Program Grant (SCAAP) \$743,665** – The FY 2009 award for this grant is \$488,382 which is to be used to cover expenditures in the Corrections Division of the Sheriff's Office. The remaining \$255,283 is a result of Beginning Working Capital being carried over from FY 2008.
2. **HAVA Grant BWC \$91,897** - The Department of County Management Elections division is carrying over \$91,897 from the HAVA grant to pay for the completion of a remodeling project that was started in FY 2008.
3. **SB1145 Reduction in State funding net (\$67,553)** – As a result of decisions made by the State of Oregon, the funding originally expected for housing inmates as a result of SB1145 will be reduced by \$1,286,381. Most of the reduction will be covered by an increase in Beginning Working Capital (BWC) of \$1,218,828 in the same fund. These funds were accounted for on the balance sheet but not appropriated for FY 2009. The remaining \$67,553 reflects the net reduction taken by the Sheriff's Office for FY 2009. However, increased revenues in the Special Operations Fund will cover expenditures for the remainder of this fiscal year.

Supplemental Budget

Federal-State Fund (1505)

The Federal-State fund increases by \$768,009, due to three actions:

1. **State Criminal Alien Assistance Program Grant (SCAAP) \$743,665** – The FY 2009 award for this grant is \$488,382 which is to be used to cover expenditures in the Corrections Division of the Sheriff's Office. The remaining \$255,283 is a result of Beginning Working Capital being carried over from FY 2008. In FY 2008, The Sheriff's Office received \$466,874 from the SCAAP Grant. These funds were used to purchase resources to assist with corrections recruitment and training, re-keying the Multnomah County Detention Center, upgrade video conferencing at the Multnomah County Inverness Jail, fund one half of the LEDS Encryption Project, as well as purchase new equipment to replace worn out items in the corrections support services. Not all of these projects were completed by the end of FY 2008, so \$255,283 was carried over into FY 2009.
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Supplemental Budget

Special Operations Fund (Fund 1516)

The Special Operations Fund will increase by \$191,187, due to two actions:

1. **MCSO Corrections Work Crews \$67,553** - The Multnomah County Sheriff's Office Work Crews do work for the community which produces revenue to support those activities while giving the inmate opportunities to develop valuable skills to help them transition back into the community at the end of their incarceration period. The revenue collected from these service contracts is accounted for in the County's Special Operations Fund. The increased revenue is due to a rate increase which was approved at the beginning of this fiscal year therefore was not included in the FY 2009 adopted budget. These funds will be used to offset the reductions that were made to SB1145 funding for FY 2009
2. **Emergency Medical Services \$123,634** – The Health Department Emergency Medical Services ambulance fees are not assessed until the end of the contract year. Therefore, revenue is collected at the end of the fiscal year and must be carried forward into the current year. This amount is reflective of those funds collected at the end of FY 2008.

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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: 2009

Line No.	Fund Center	Fund Code	Func. Area	Program Offer	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Cost Center	WBS Element						
1	91-40	23440	20			HAVABW	50000	0	(91,897)	(91,897)		Beginning Working Capital
2	91-40	23440	20			HAVABW	60430	0	91,897	91,897		Intl Svc Bldg Mgmt
									0			
3	72-50	3505	20		902575		50310	0	(91,897)	(91,897)		Intl Svc Reimbursement
4	72-50	3505	20		902575		95430	0	91,897	91,897		Settle Service Request
								0	0			
5	60-30	90000	30			SOCOR.GRANT.SCAAP.BWC	50000		(255,283)	(255,283)		BWC
6	60-30	32295	30			SOCOR.GRANT.SCAAP.2008	50170		(488,382)	(488,382)		IG-OP-Direct Fed
7	60-30	32295	30			SOCOR.GRANT.SCAAP.2008	60100		43,883	43,883		Temp
8	60-30	32295	30			SOCOR.GRANT.SCAAP.2008	60135		3,638	3,638		Temp - Fringe
9	60-30	32295	30			SOCOR.GRANT.SCAAP.2008	60145		2,479	2,479		Temp - Insurance
10	60-30	32295	30			SOCOR.GRANT.SCAAP.2008	60170		53,286	53,286		Professional Svcs
11	60-30	32295	30			SOCOR.GRANT.SCAAP.2008	60240		348,734	348,734		Supplies
12	60-30	32295	30			SOCOR.GRANT.SCAAP.2008	60350		6,749	6,749		Central Indirect
13	60-30	32295	30			SOCOR.GRANT.SCAAP.2008	60355		14,574	14,574		Dept Indirect
14	60-30	32295	30			SOCOR.GRANT.SCAAP.2008	60420		15,039	15,039		Int'l Svcs - Electronics
15	60-30	90000	30			SOCOR.GRANT.SCAAP.BWC	60550		217,356	217,356		Capital
16	60-30	90000	30			SOCOR.GRANT.SCAAP.BWC	60350		3,477	3,477		Central Indirect
17	60-30	90000	30			SOCOR.GRANT.SCAAP.BWC	60355		7,508	7,508		Dept Indirect
18	60-30	90000	30			SOCOR.GRANT.SCAAP.BWC	60240		26,942	26,942		Dept Indirect Rev
19	60-20	1000	50		604020		50370		(22,082)	(22,082)		Supplies
20	60-20	1000	50		604020		60240		22,082	22,082		Indirect Revenue
21	19	1000	20		9500001000		50310		(10,226)	(10,226)		Contingency
22	19	1000	20		9500001000		60470		10,226	10,226		
23	72-10	3500	20		705210		50316		(2,479)	(2,479)		Risk Fund
24	72-10	3500	20		705210		60330		2,479	2,479		Risk Fund
									0			
25	72-55	3501	0020		904200		50310		(15,039)	(15,039)		Receipt of Electronics service reimbursement
26	72-55	3501	0020		904200		60240		15,039	15,039		Budgets offsetting expenditure
									0	0		Total - Page 1
									0	0		GRAND TOTAL



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

Board Clerk Use Only

Meeting Date: 05/14/09
Agenda Item #: R-15
Est. Start Time: 11:00 AM
Date Submitted: 05/05/09

Agenda Title: **General Fund Revenue Forecast Update**

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

Requested Meeting Date:	<u>May 14, 2009</u>	Amount of Time Needed:	<u>30 minutes</u>
Department:	<u>County Management</u>	Division:	<u>Budget Office</u>
Contact(s):	<u>Karyne Kieta</u>		
Phone:	<u>503-988-3312</u>	Ext.	<u>22457</u>
		I/O Address:	<u>503/501</u>
Presenter(s):	<u>Mike Jaspin</u>		

General Information

1. What action are you requesting from the Board?

Attend a briefing session to hear an update of the County's General Fund revenue forecast. No decisions will be made; this is an information briefing only.

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

County Financial Policies recognize the importance of developing and maintaining a five-year financial forecast for the General Fund in order for the Board to be able to assess the long-term financial implications of current and proposed policies and programs.

The forecast presentation will provide an update of available funding for FY 09, FY 10 and beyond; provide context for evaluating financial risk and for assessing the County's ability to sustain services; and identify key variables that might change the level of revenues or expenditures.

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

N/A—briefing only.

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

N/A—briefing only.

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

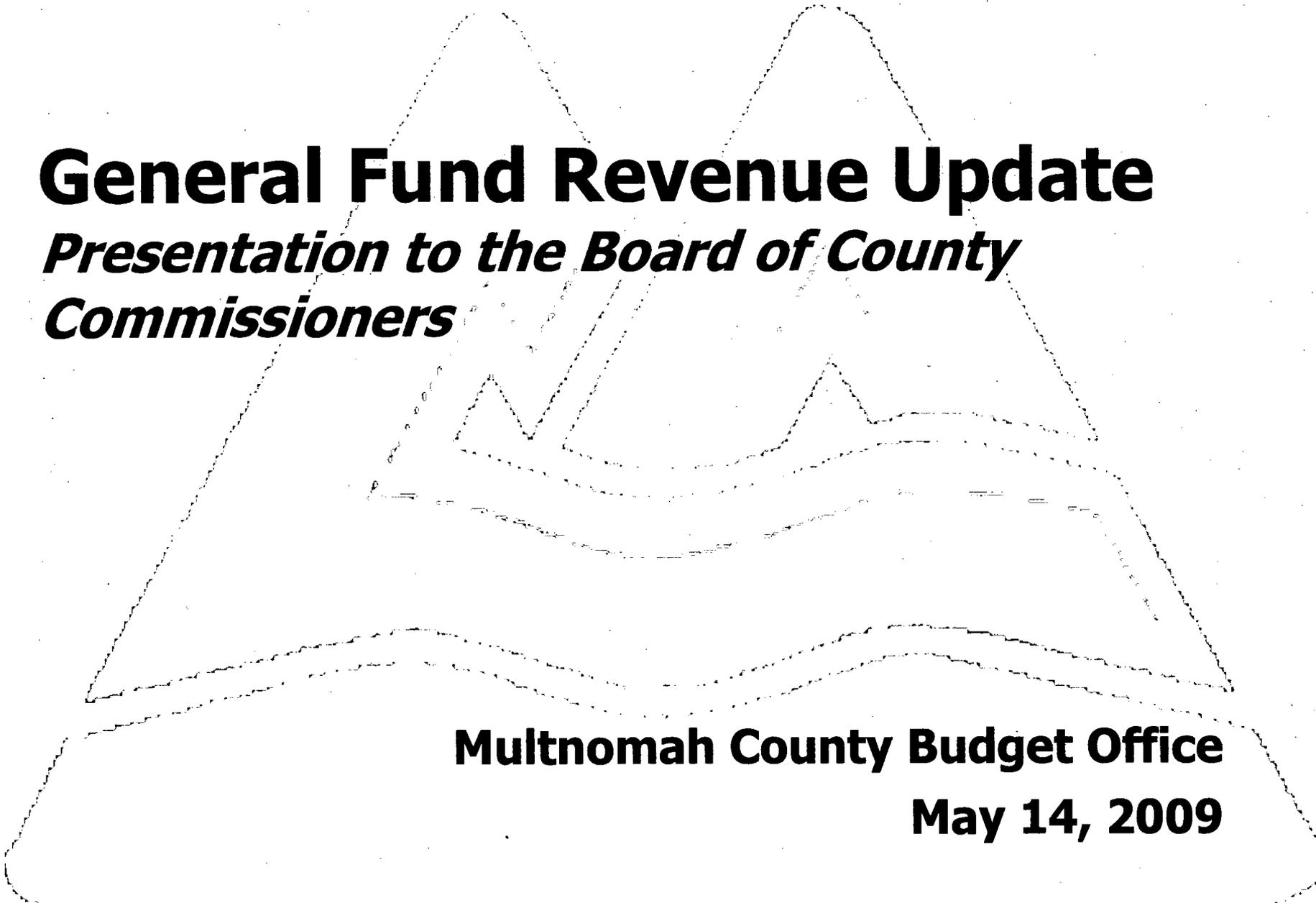
N/A—briefing only.

Required Signature

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

Carol M. Ford

Date: 05/06/09



General Fund Revenue Update
*Presentation to the Board of County
Commissioners*

Multnomah County Budget Office

May 14, 2009

Introduction

- Economic Overview
- FY 2009 & FY 2010 General Fund Revenue Update
 - Property Tax
 - Business Income Tax
 - Motor Vehicle Rental Tax
 - Recording Fees/CAFFA Grant
 - State Shared Revenues
 - Interest Earnings
 - FY 2009 Ending Balance & One-Time-Only Funds for FY 2010
 - Forecast Risks
- Summary & Questions



Economic Overview

■ National

- ✓ Credit Markets & Financial Sector
- ✓ Severe Recession (Retail sales, industrial production, unemployment, inflation/energy prices, transportation sector)

■ State

- ✓ Employment & income taxes

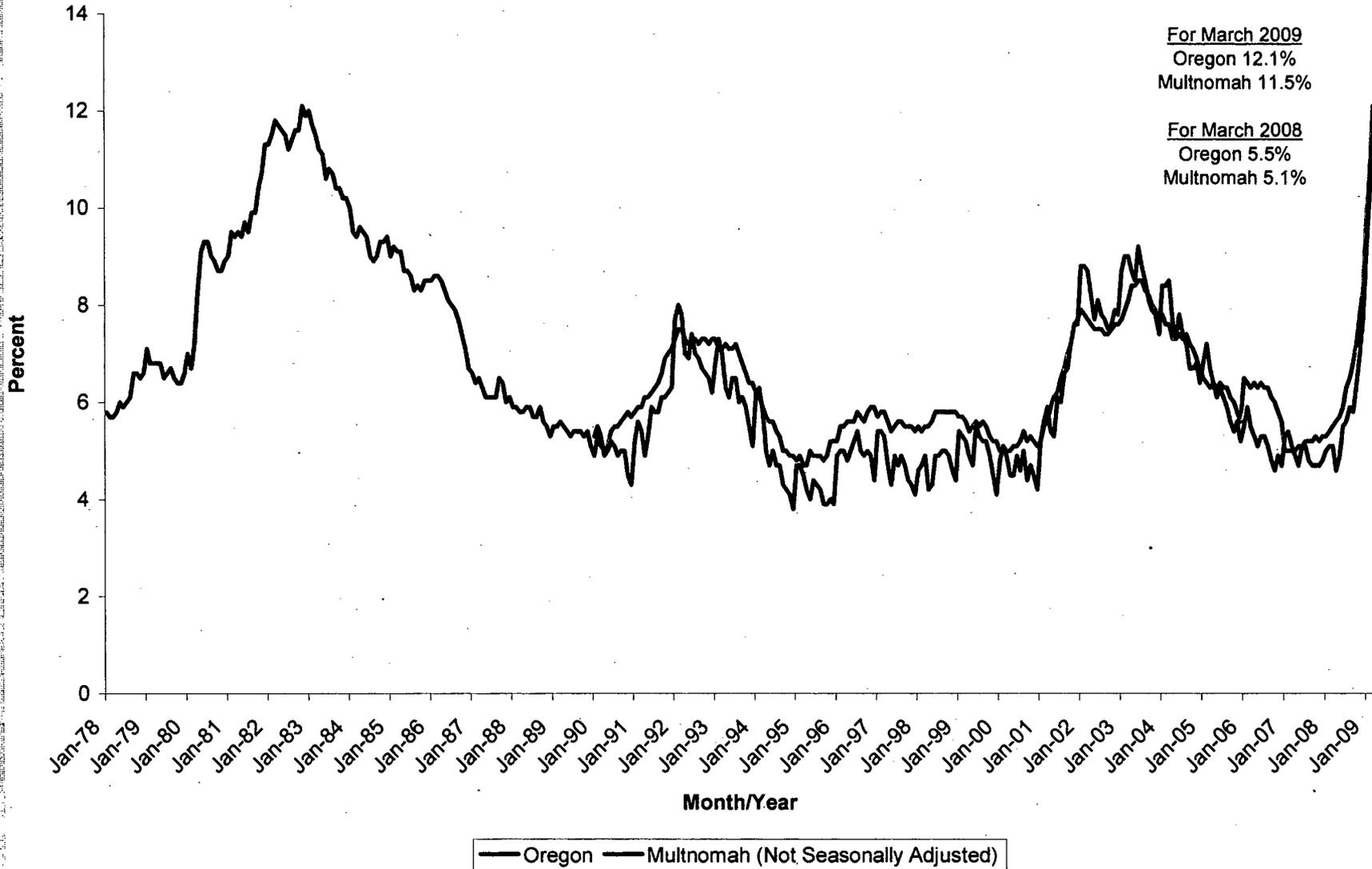
■ Local

- ✓ Housing (prices, defaults, recording fees, builder bankruptcy, bank failures)
- ✓ Unemployment

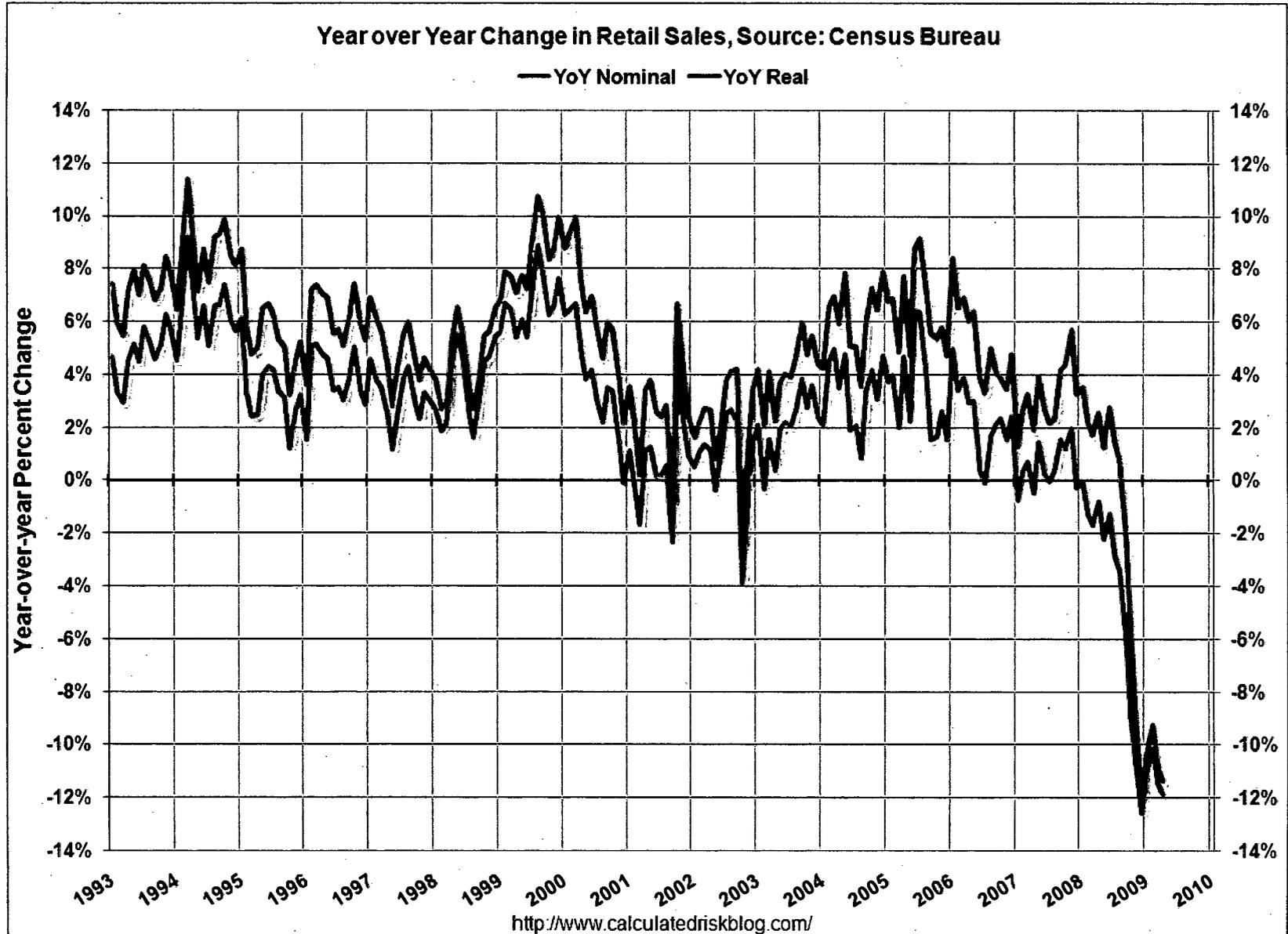


Economic Overview

Oregon & Multnomah County Unemployment Rates

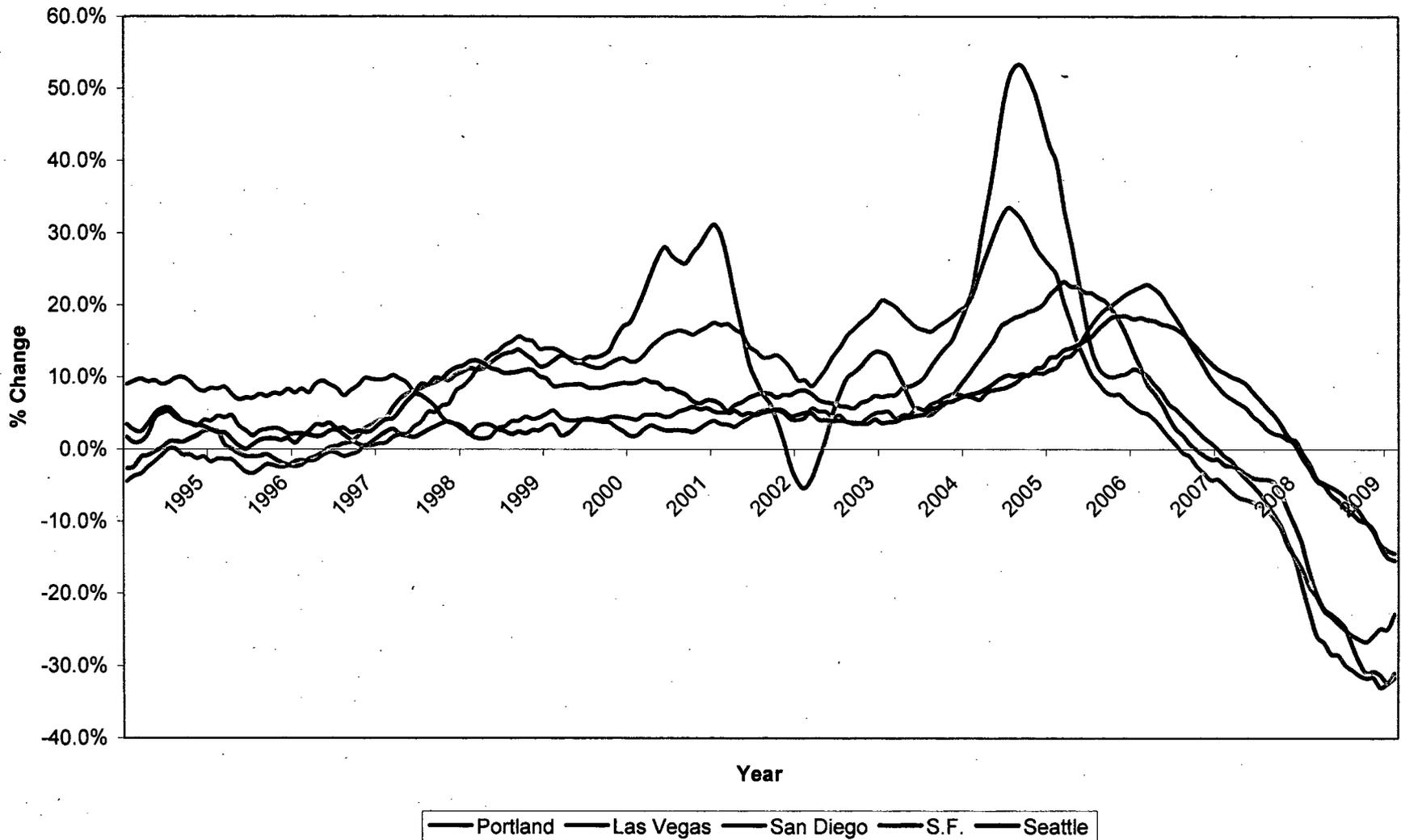


Economic Overview



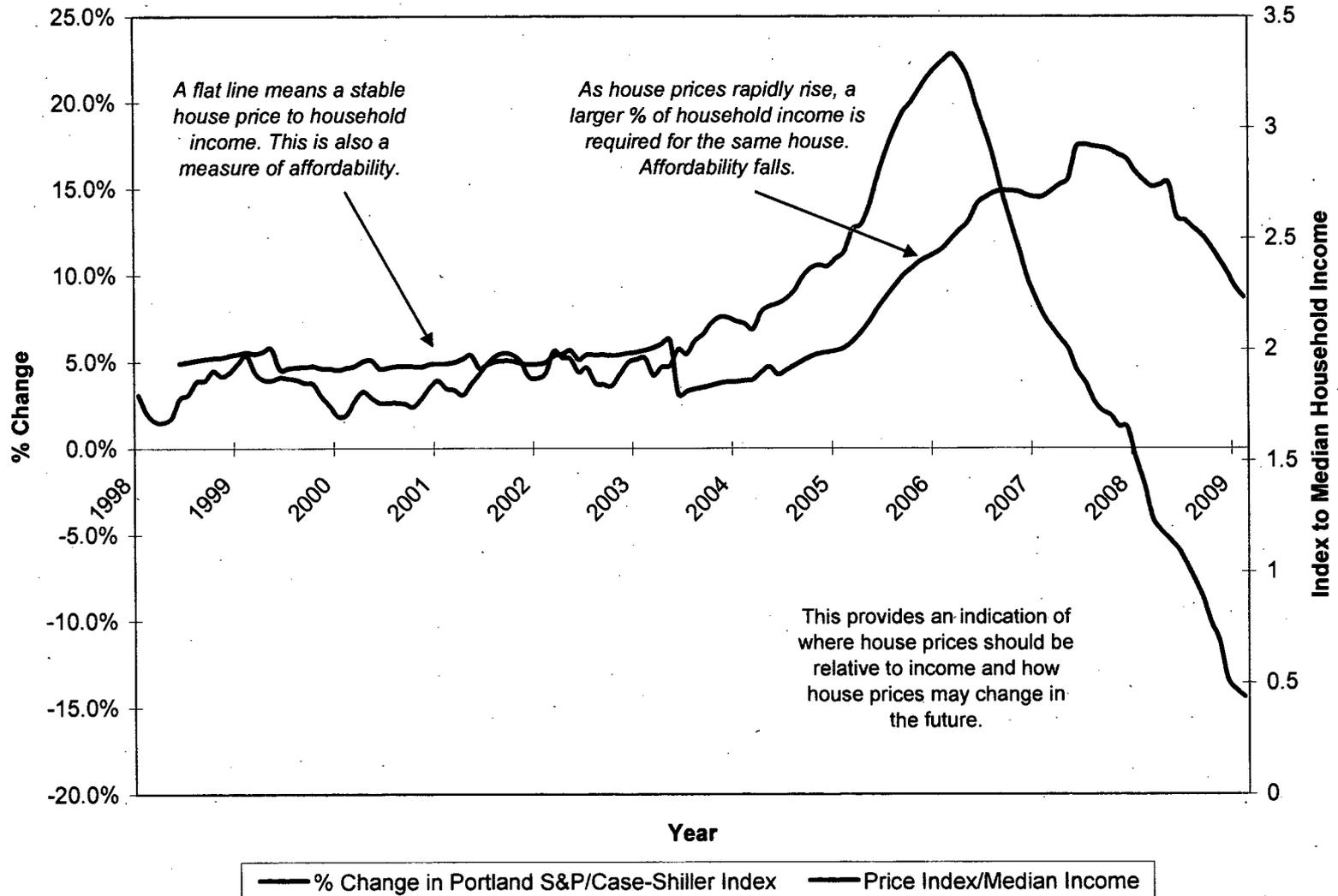
Economic Overview

Monthly Year-Over-Year % Change
Based on S&P/Case-Shiller Home Price Index Thru February 2009



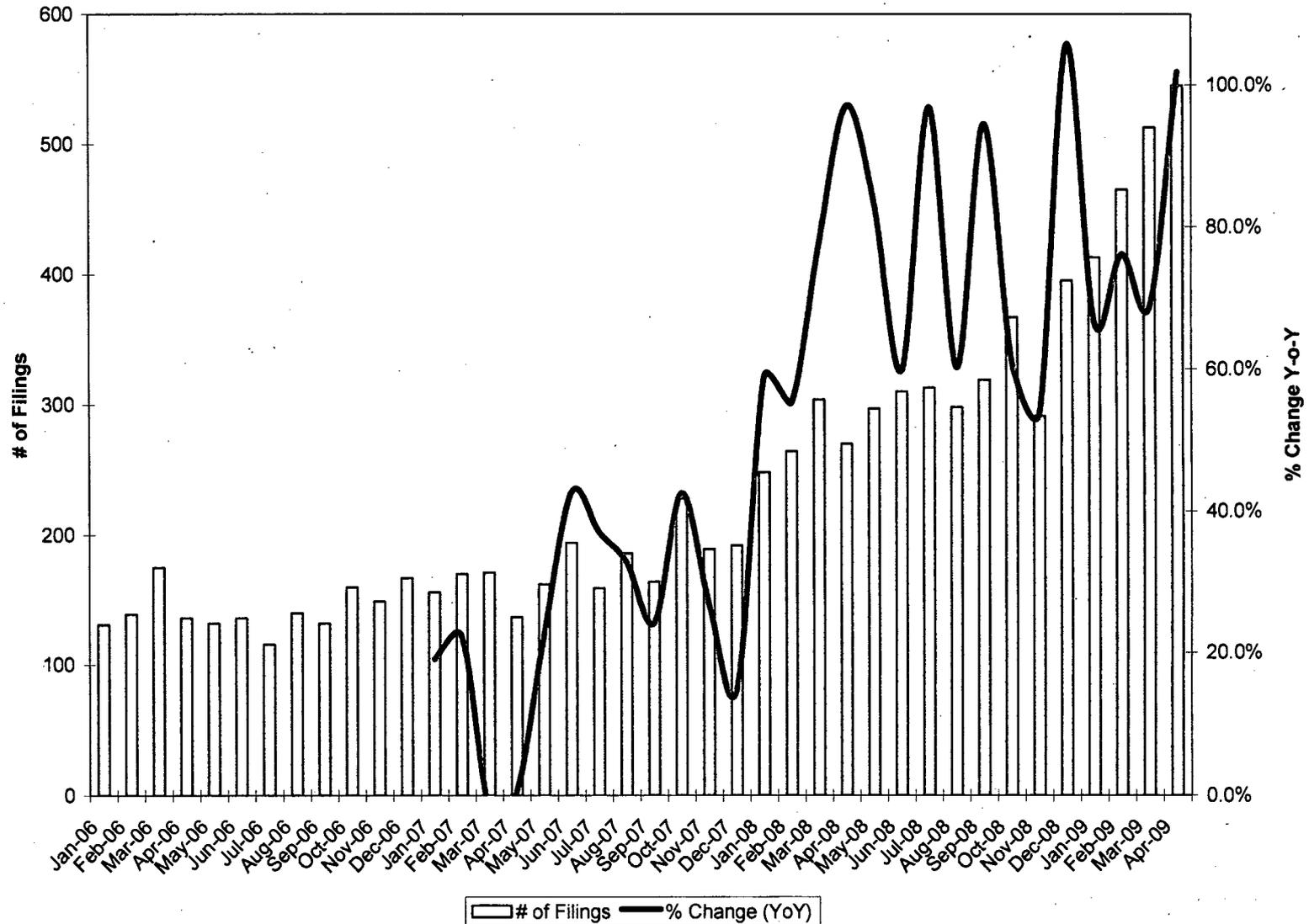
Economic Overview

% Change in Portland S&P/Case-Shiller House Price Index and Index to Median Household Income



Economic Overview

Default Filings in Multnomah County & Year-Over-Year % Change (Thru April)



Economic Overview

- What is unusual is that this is a balance-sheet driven recession, centered on the damaged financial condition of both households and banks.
– *Roger Altman, Deputy Treasury Secretary in the Clinton Administration*
- Some people mistook the end of "cliff diving" for "green shoots" and started predicting a "V-shaped" recovery. Although the worst of the declines is probably over, an immaculate recovery seems very unlikely.
– *CalculatedRisk*
- The inescapable fact is that the U.S. consumer is faced with daunting fundamentals. Wage and salary income growth has evaporated, credit is very tight, home prices continue to decline, financial asset values have been decimated, and household balance sheets are generally a wreck.
– *Joshua Shapiro, MFR Inc.*
- The FY 2010 forecast assumes a severe recession with rising unemployment, tight credit, falling real estate values, and general uncertainty and fear.
– *February 2009 General Fund Forecast*



FY 2009 & 2010 BIT Estimates

- FY 2009 BIT Collections – Thru April

	YTD Thru April	Year End Forecast
Quarterly	-9.67%	
Yearly	-40.51%	
Refunds	50.61%	
Overall %	-31.59%	-31.00%
Overall \$	(\$16,318,550)	(\$20,599,500)
Collections	\$35,906,734	\$45,850,500

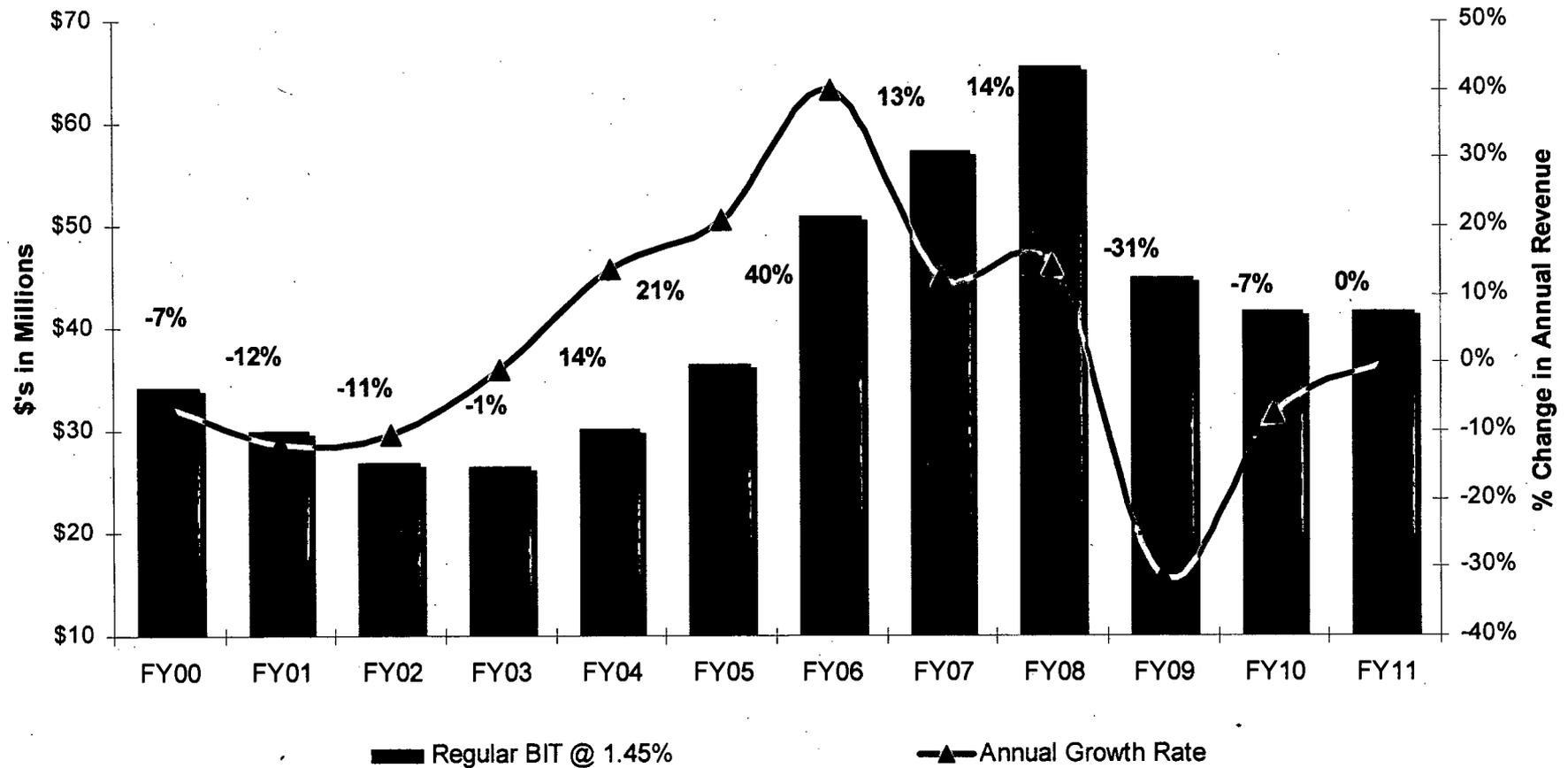
- Historical, fiscal year-end variance based on April YTD actual collections implies year-end variance of +/- \$2.5 million.
- FY 2010 Approved Budget assumes \$42.5 million in BIT collections, or a 36% drop from FY 2008 actual and a 7% drop from FY 2009 Forecast.
- No Change to FY 2009 or FY 2010 forecast.



Annual BIT Collections

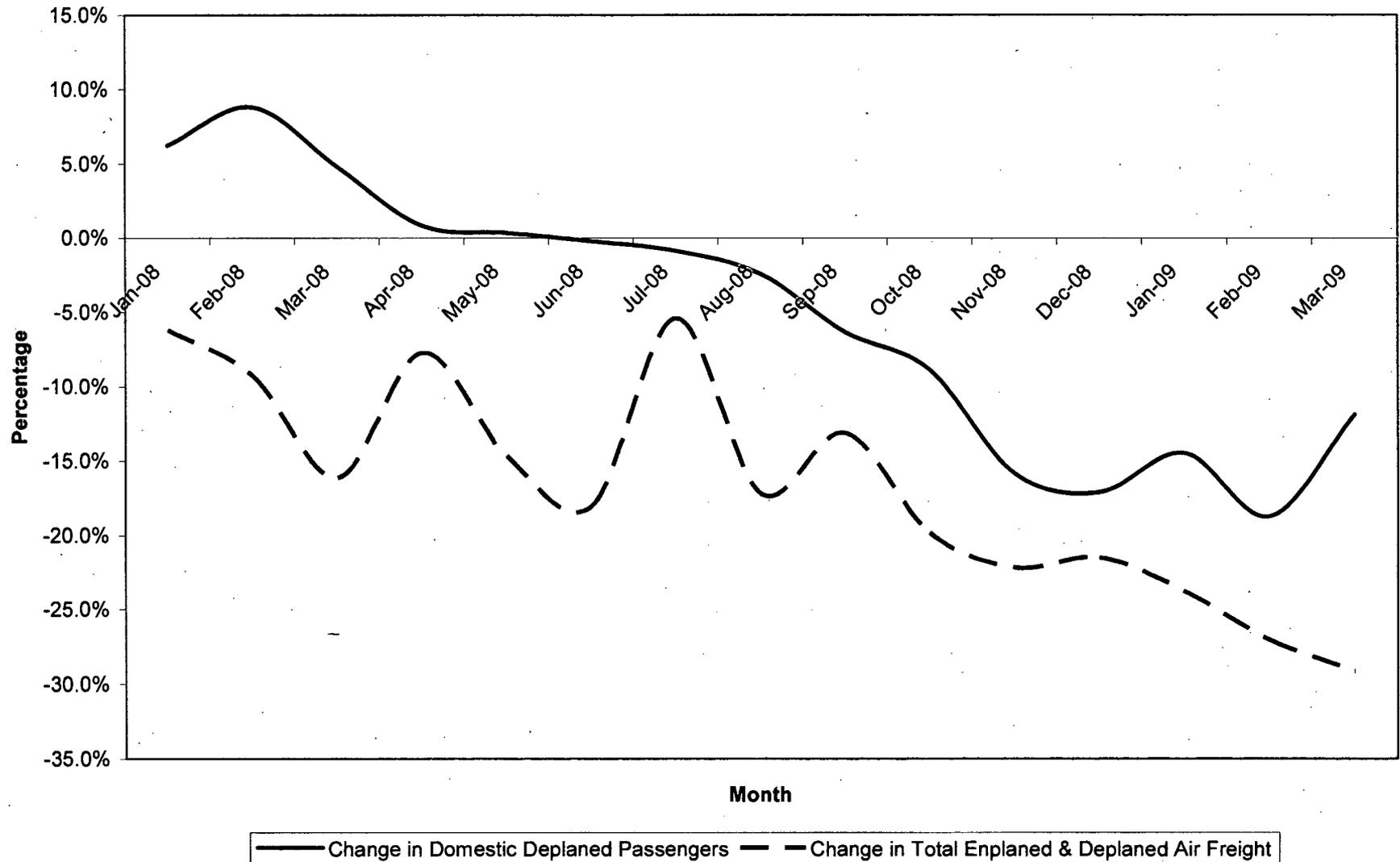
Annual BIT Collections

(FY 2000 to FY 2008 Actuals; FY 2009 Estimated; FY 2010 & 11 Forecast)



PDX Passenger & Freight Statistics

Year-Over-Year Change in Passengers & Freight at PDX



FY 2009 & 2010 MVRT Estimates

- FY 2009 Motor Vehicle Rental Tax (MVRT) Collections
 - ✓ Q1 – Up 6.2%
 - ✓ Q2 – Down 13.5%
 - ✓ Q3 – Down 14%
 - ✓ Q4 – Down 14% (Forecast)
 - ✓ Full year collections forecast at \$12,590,030, down \$622,242 from Adopted/February forecast of \$13,212,272.

- FY 2010 MVRT Forecast
 - ✓ Assumes 11% reduction from FY 2008 actual collections

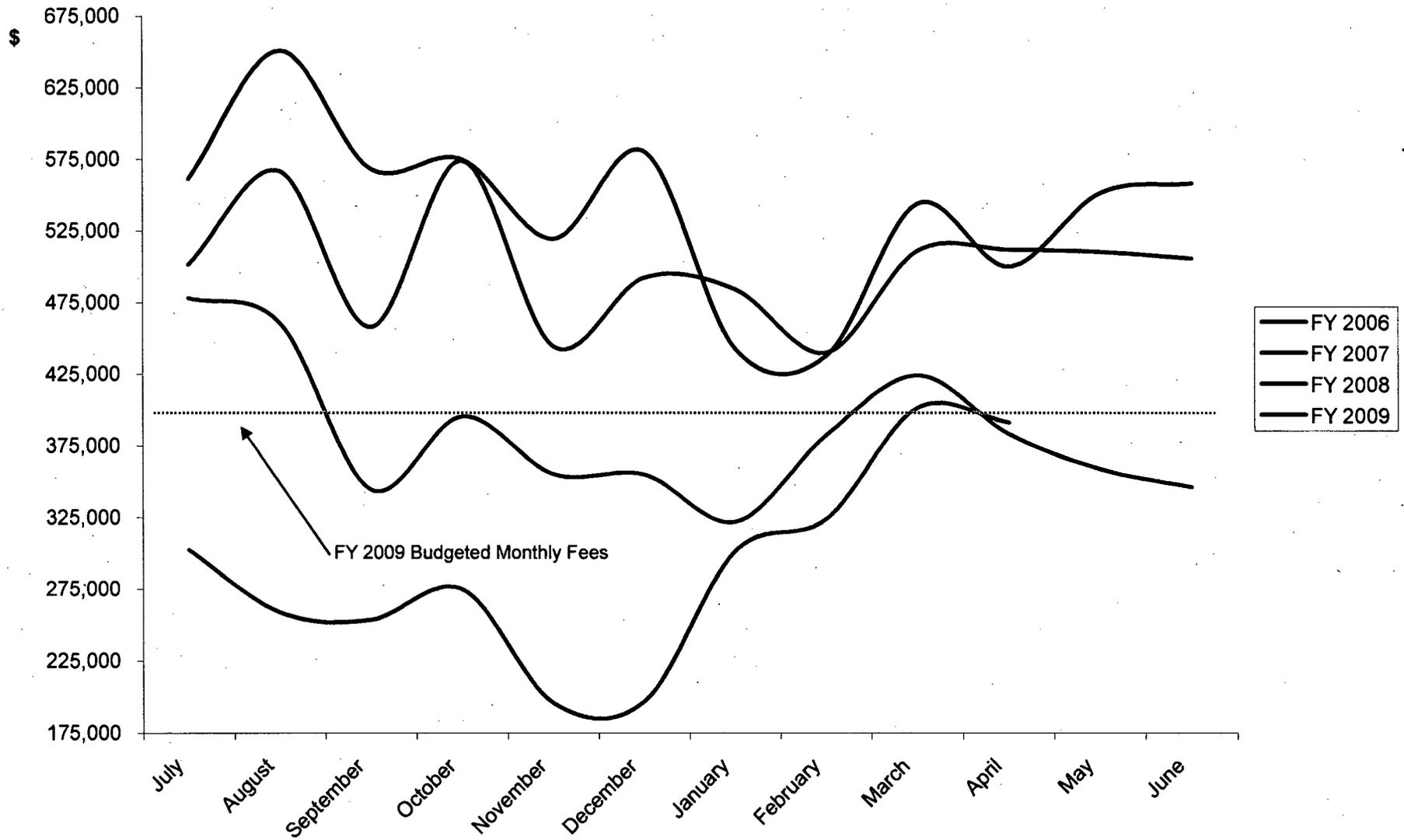
	FY 10 Approved	FY 10 May Forecast	Change
MVRT (10%)	12,672,540	11,998,469	(674,071)
MVRT (4.5%)	4,740,000	5,399,311	659,311
	<u>17,412,540</u>	<u>17,397,780</u>	<u>(14,760)</u>

- FY 2009 Forecast reduced by \$622,242. FY 2010 forecast unchanged.



Monthly Recording Fees

Monthly Recording Fees



Adjustments to FY 2009 Ending Balance

Adjustments to Ending Balance/OTO Funds for FY 2010 Since February Forecast

(Excludes \$932,922 due to May Forecast of Property Taxes, MVRT, State Revenues, and Interest)

Less McCoy Building Repairs (BM DCM 08)	(1,850,000)
Less Wapato O&M Funds (BM DCM 08)	(285,000)
Less Hansen Building Repairs (BM DCM 08)	(500,000)
Less DCJ Sanction Options	(153,371)
Less Temporary State Backfill/Rampdown DCJ/MCSO	(644,102)
Less Courthouse Repairs	(3,700,000)
Less Early Retirement Program	(144,060)
Less Video Lottery - Economic Development Reduction	(600,000)
Plus Complete Count Census 2010 Carryover	25,000
Plus Local 88 Class Comp Balance Carryover	810,000
<u>Less General Fund Reserve increase for MVRT</u>	<u>(474,000)</u>
	(7,515,533)



Forecast Risks

- Economic conditions continue to worsen
 - ✓ BIT
 - ✓ Length and severity of recession – property tax compression.
- State Budget Impacts on General Fund



Summary

- Continued severe recession with “L-Shaped” recovery
- FY 2009 revenues are forecast to be \$923,000 lower, resulting in BWC for FY 2010 to be correspondingly lower
- No change in FY 2010 revenues (other than BWC)
- Downside risk to revenue forecast – economy, state impacts, and increasing property tax compression.
- Questions?
- More info @ www.co.multnomah.or.us/BudgetFY2010

