



Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

BOARD OF COMMISSIONERS

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AUGUST 16, 2007 BOARD MEETINGS FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	10:00 a.m. Wednesday Sauvie Island Bridge Construction Tour
Pg 2	9:00 a.m. Thursday Executive Session
Pg 3	9:30 a.m. Thursday Public Comment
Pg 3	9:30 a.m. Thursday Proclamation Declaring Saturday August 18, 2007 Hawthorne Day
Pg 4	10:15 a.m. Thursday Resolution Establishing Population Capacity and Revised Capacity Management Action Plan for County Jails
Pg 4	10:35 a.m. Thursday First Reading and Possible Adoption of a Proposed Ordinance Amending Multnomah County Code Chapter 21.406, Ambulance Staffing
Pg 5	Resolution Establishing Land Use Planning Fees for Lot Consolidations and Replats

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

Saturday, 10:00 AM, Channel 29

Sunday, 11:00 AM, Channel 30

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Wednesday, August 15, 2007 – 10:00 AM to 12:00 PM
Departing from the Multnomah Building
501 SE Hawthorne Boulevard, Portland

BRIDGE TOUR

A quorum or more of the Multnomah County Commissioners will travel from the Multnomah Building to the Sauvie Island Bridge for a construction tour of the new bridge. The tour will begin in the parking lot on the island side of the bridge. For additional information, please contact Michael Pullen, Public Affairs Office at 503-988-6804.

Thursday, August 16, 2007 - 9:00 AM
Multnomah Building, Sixth Floor Commissioners Conference Room 635
501 SE Hawthorne Boulevard, Portland

IF NEEDED EXECUTIVE SESSION

- E-1 The Multnomah County Board of Commissioners will meet in Executive Session Pursuant to ORS 192.660(2)(d),(e) and/or (h). Only Representatives of the News Media and Designated Staff are allowed to attend. News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Session. No Final Decision will be made in the Session. Presented by County Attorney Agnes Sowle. 15-30 MINUTES REQUESTED.
-

Thursday, August 16, 2007 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

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

- C-1 Appointment of Jean Korte and Steve Weiss to the ELDERS IN ACTION COMMISSION

- C-2 Appointment of Pamela Knowles and Re-Appointment of Mary Edmeades and Julie Vigeland to the REGIONAL ARTS AND CULTURE COUNCIL

DEPARTMENT OF COMMUNITY SERVICES

- C-3 RESOLUTION Authorizing the Private Sale of a Tax Foreclosed Property to MATTHEW AND KAREN E. KRAMER

DEPARTMENT OF COUNTY HUMAN SERVICES

- C-4 Budget Modification DCHS-06 Reclassifying a Project Manager to a Research Evaluation Analyst Senior in Domestic Violence as Determined by the Class/Comp Unit of Central Human Resources
- C-5 ORDER Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

DEPARTMENT OF COUNTY MANAGEMENT

- C-6 Budget Modification DCM-02 Relating to Reclassification of Positions in Finance and Risk Management as Determined by the Class/Comp Unit of Central Human Resources

REGULAR AGENDA

PUBLIC COMMENT - 9:30 AM

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

NON-DEPARTMENTAL - 9:30 AM

- R-1 **9:30 AM TIME CERTAIN:** PROCLAMATION Declaring Saturday August 18, 2007 Hawthorne Day in Multnomah County, Oregon

PUBLIC AFFAIRS OFFICE – 9:40 AM

- R-2 Legislative Briefing. Presented by Gary Conkling and Gina Mattioda. 30 MINUTES REQUESTED.

SHERIFF'S OFFICE – 10:10 AM

- R-3 Budget Modification MCSO-01 Reducing the Emergency Communications Fund (1502) by \$20,000 to Bring Appropriation More in Line with Revenue Estimates
- R-4 RESOLUTION Establishing the Population Capacity and Adopting a Revised Capacity Management Action Plan for the Multnomah County Sheriff's Office Jail Facilities and Repealing Resolution 06-014

DEPARTMENT OF HEALTH – 10:25 AM

- R-5 Budget Modification HD-03 Appropriating \$92,056 in Revenue from the Northwest Health Foundation to Support Optimization of the Health Department's Electronic Health Records System
- R-6 Budget Modification HD-06 Appropriating \$25,943 from the Northwest Health Foundation for the Community Coalition to Address Childhood Obesity in North Portland Project
- R-7 NOTICE OF INTENT to Apply for a \$900,000 Grant from the Health Resources and Services Administration's Maternal and Child Health Bureau to Support a Collaborative Research Project to Investigate Obesity in Latino Children
- R-8 NOTICE OF INTENT to Submit a Proposal to the National Association of County and City Health Officials' Incorporating Social Justice Principles and Addressing Health Equity in Public Health Preparedness Grant Competition
- R-9 First Reading and Possible Adoption of a Proposed ORDINANCE Amending Multnomah County Code Chapter 21.406, Ambulance Staffing, and Declaring an Emergency

DEPARTMENT OF COMMUNITY SERVICES – 10:45 AM

- R-10 Second Reading and Possible Adoption of a Proposed ORDINANCE Amending MCC Chapters 33, 34, 35 and 36, to Update the County Code Relating to Exclusive Farm Use and Commercial Forest Use Zoning Districts, and Chapters 37 and 38 to Repeal Newspaper Notice Publishing Requirements for Appeals of Type II Land Use Decisions and Type III Land Use Applications

- R-11 Second Reading and Possible Adoption of a Proposed Special ORDINANCE Designating Disposition of Tax Foreclosed Property and Declaring an Emergency
- R-12 NOTICE OF INTENT to Seek Federal Highway Bridge Program Funding for 2012 and 2013
- R-13 Intergovernmental Revenue Agreement 0708052 with Oregon Department of Transportation for Road Improvements to Townsend Business Park at NE Sandy Boulevard and NE 223rd Avenue (Continued from July 26, 2007)
- R-14 RESOLUTION Establishing Land Use Planning Fees for Review of Lot Consolidations and Replats, as Provided in MCC Chapter 37 Administration and Procedures, and Chapter 38 for the Columbia River Gorge National Scenic Area

DEPARTMENT OF COUNTY MANAGEMENT – 11:00 AM

- R-15 RESOLUTION Approving Reimbursement to the County for County Sponsored Projects from Title III Funding for Fiscal Year 2007 and Authorizing Expenditures for Fiscal Year 2008
- R-16 RESOLUTION Approving Amendments to Real Property Leases and Authorizing County Chair to Execute Further Lease Amendments with Hacienda Community Development Corporation at the Baltazar F. Ortiz Community Center, 6856 NE Killingsworth Street, Portland, Oregon
- R-17 RESOLUTION Approving Amendment to Real Property Lease and Authorizing County Chair to Execute Further Lease Amendments with Unico Properties, LLC at the Lincoln Building, 421 SW Oak Street Portland, Oregon

DEPARTMENT OF COUNTY HUMAN SERVICES – 11:10 AM

- R-18 Budget Modification DCHS-05 Increasing Mental Health and Addiction Services Appropriation by \$157,420 to Reflect a New Agreement with Multnomah County Education Service District for Funding Two New Mental Health Consultants (1.66 FTE) in the School Based Mental Health Program

DEPARTMENT OF COMMUNITY JUSTICE – 11:15 AM

R-19 NOTICE OF INTENT to Apply for Office of Juvenile Justice and Delinquency Prevention Funds to Increase Juvenile Sex Offender Treatment Capacity

BOARD COMMENT

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

BOGSTAD Deborah L

From: LIEUALLEN Matt
Sent: Thursday, August 16, 2007 8:49 AM
To: WHEELER Ted; ROJO DE STEFFEY Maria; COGEN Jeff; NAITO Lisa H; ROBERTS Lonnie J
Cc: BOGSTAD Deborah L; KARNES Ana; MARTINEZ David; MADRIGAL Marissa D; PETERSON Sam
Subject: Commissioner Naito may leave the Board Meeting early today

Commissioners,

Today the Board will be proclaiming August 18th Hawthorne Day in Multnomah County and will be accepting a bronze plaque celebrating the history of Hawthorne Boulevard from the Hawthorne Boulevard Business Association. The plaque will be mounted by facilities on the Multnomah Building tomorrow. The HBBA and other neighborhood associations involved in Hawthorne Day are having a press conference this morning at 11am. Commissioner Naito is scheduled to speak at the event and may have to leave the board meeting a few minutes early to do so.

Thank you,

Matthew

Matthew R. Lieuallen, JD
Office of Commissioner Lisa Naito
501 SE Hawthorne Blvd., Suite 600
Portland, OR 97214
Phone: (503) 988-5217
Fax: (503) 988-5262

8/16/2007

BOGSTAD Deborah L

From: FERNANDES April
Sent: Monday, August 13, 2007 10:18 AM
To: BOGSTAD Deborah L
Subject: FW: Sauvie Island Bridge Tour

Deb,

The Sauvie Island Bridge Tour has been canceled.

Sorry for the late notice. I will have Jan let you know when it is rescheduled (probably won't be until October).

Thanks!

April

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

From: FERNANDES April
Sent: Mon 8/13/2007 8:59 AM
To: WHEELER Ted; BOWEN-BIGGS Tara C; FISH Warren; COGEN Jeff; ROBERTS Lonnie J; WEST Kristen; PETERSON Sam; MACK Thomas M; LIEUALLEN Matt; NAITO Lisa H; POE Lorenzo T
Cc:
Subject: Sauvie Island Bridge Tour

Bad news. We have to cancel the Sauvie Island Bridge Tour on Wednesday, August 15th. Sorry for the inconvenience.

If you could send me other dates that your Commissioner is available in September or October, I would appreciate it.

Thank you!

April Fernandes
Office of Commissioner Maria Rojo de Steffey
Multnomah County - District One
501 SE Hawthorne Blvd., #600
Portland, OR 97214
[503] 988-5220
[503] 988-5440 fax
april.fernandes@co.multnomah.or.us

BOGSTAD Deborah L

From: FERNANDES April
Sent: Monday, July 23, 2007 10:58 AM
To: BOGSTAD Deborah L
Subject: RE: August 15 Sauvie Island Bridge Construction Project Tour

Deb,

I only have a limited amount of information right now. The tour will probably run until 12pm. We are still coming up with a convenient meeting place but it looks like it might be the Multnomah Building (right now they are thinking of loading everyone onto a van and driving to the bridge). The best contact would be Mike Pullen in PAO. I will update you when I have more information.

Thanks, Deb!

April

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

From: BOGSTAD Deborah L
Sent: Monday, July 23, 2007 10:54 AM
To: FERNANDES April
Subject: August 15 Sauvie Island Bridge Construction Project Tour

Agnes wants me to notice. Would you give me the times (10:00 a.m. to ?) and meet location, i.e. south bridge head or parking lot, or whatever. It would be nice to have a contact name and number as well.

I'll add this notice with the August 16 Board meeting agenda, so need the info by noon, Wednesday, August 8 please!

Thank you.

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

Deb,

Our office is organizing a tour of the construction project for the Sauvie Island Bridge for Wednesday, August 15th @ 10am, and the Chair and all Commissioners were invited. As of today, Jeff, Ted and Maria are confirmed to attend the tour. Does this tour have to be publicly noticed? There will be no meeting or discussion, but it looks like there will be a quorum.

Let me know if there is something that I need to do.

Thank you!

April Fernandes

7/23/2007

Office of Commissioner Maria Rojo de Steffey
Multnomah County - District One
501 SE Hawthorne Blvd., #600
Portland, OR 97214
[503] 988-5220
[503] 988-5440 fax
april.fernandes@co.multnomah.or.us

BOGSTAD Deborah L

From: SOWLE Agnes
Sent: Monday, July 23, 2007 10:46 AM
To: BOGSTAD Deborah L
Subject: RE: Public notice: Sauvie Island Bridge construction tour

I would go ahead and notice it for appearance sake.

Agnes Sowle
Multnomah County Attorney
501 SE Hawthorne Blvd., Ste. 500
Portland, OR 97214
(503)988-3138

From: BOGSTAD Deborah L
Sent: Monday, July 23, 2007 10:13 AM
To: SOWLE Agnes
Subject: FW: Public notice: Sauvie Island Bridge construction tour

Good morning Agnes! I can't wait to hear how your rafting/camping vacation turned out!

See April's email below. The tour involves walking around in hardhats and the Commissioners won't be deliberating toward a decision, so I'm thinking the answer to whether I need to publicly notice this tour is NO. It would be no problem for me to add something to the Board meeting agenda for that week, but as usual, I want to double-check with you.

District 1 has notified Arthur Sulzberger of the tour.

Thank you.



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

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

From: FERNANDES April
Sent: Thursday, July 19, 2007 12:38 PM
To: BOGSTAD Deborah L
Subject: Public notice: Sauvie Island Bridge construction tour

7/23/2007

Deb,

Our office is organizing a tour of the construction project for the Sauvie Island Bridge for Wednesday, August 15th @ 10am, and the Chair and all Commissioners were invited. As of today, Jeff, Ted and Maria are confirmed to attend the tour. Does this tour have to be publicly noticed? There will be no meeting or discussion, but it looks like there will be a quorum.

Let me know if there is something that I need to do.

Thank you!

April Fernandes
Office of Commissioner Maria Rojo de Steffey
Multnomah County - District One
501 SE Hawthorne Blvd., #600
Portland, OR 97214
[503] 988-5220
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april.fernandes@co.multnomah.or.us



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 08/16/07
 Agenda Item #: E-1
 Est. Start Time: 9:00 AM
 Date Submitted: 08/09/07

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

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

Requested Meeting Date: August 16, 2007 Amount of Time Needed: 15-30 minutes
 Department: Non-Departmental Division: County Attorney
 Contact(s): Agnes Sowle
 Phone: 503 988-3138 Ext. 83138 I/O Address: 503/500
 Presenter(s): Agnes Sowle and Invited Others

General Information

- 1. What action are you requesting from the Board?**
 No final decision will be made in the Executive Session.
- 2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.**
 Only representatives of the news media and designated staff are allowed to attend. Representatives of the news media and all other attendees are specifically directed not to disclose information that is the subject of the Executive Session.
- 3. Explain the fiscal impact (current year and ongoing).**
- 4. Explain any legal and/or policy issues involved.**
 ORS 192.660(2)(d),(e)and/or(h)
- 5. Explain any citizen and/or other government participation that has or will take place.**

Required Signature

Elected Official or
 Department/
 Agency Director:

Date: **08/09/07**



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only	
Meeting Date:	<u>08/16/07</u>
Agenda Item #:	<u>C-1</u>
Est. Start Time:	<u>9:30 AM</u>
Date Submitted:	<u>08/03/07</u>

Agenda Title: Appointment of Jean Korte and Steve Weiss to the Elders in Action Commission

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

Requested Meeting Date:	<u>August 16, 2007</u>	Amount of Time Needed:	<u>Consent Agenda</u>
Department:	<u>Non-Departmental</u>	Division:	<u>Chair's Office</u>
Contact(s):	<u>Ted Wheeler, Tara Bowen-Biggs</u>		
Phone:	<u>(503)988-3308</u>	Ext.	<u>83953</u>
		I/O Address:	<u>503/600</u>
Presenter(s):	<u>N/A</u>		

General Information

1. What action are you requesting from the Board?

Recommend Board approval of appointments of Jean Korte and Steve Weiss to the Elders in Action Commission.

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

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

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

No fiscal impact

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

No legal and/or policy issues involved.

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

N/A

Required Signature

Elected Official or
Department/
Agency Director:

TED WHEELER

Date: 08/03/07



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only	
Meeting Date:	<u>08/16/07</u>
Agenda Item #:	<u>C-2</u>
Est. Start Time:	<u>9:30 AM</u>
Date Submitted:	<u>08/03/07</u>

Agenda Title: Appointment of Pamela Knowles and Re-Appointment of Mary Edmeades and Julie Vigeland to the Regional Arts and Culture Council

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

Requested Meeting Date:	<u>August 16, 2007</u>	Amount of Time Needed:	<u>Consent Agenda</u>
Department:	<u>Non-Departmental</u>	Division:	<u>Chair's Office</u>
Contact(s):	<u>Ted Wheeler, Tara Bowen-Biggs</u>		
Phone:	<u>(503)988-3308</u>	Ext. <u>83953</u>	I/O Address: <u>503/600</u>
Presenter(s):	<u>N/A</u>		

General Information

1. What action are you requesting from the Board?

Recommend Board approval of appointments of Pamela Knowles, Mary Edmeades, and Julie Vigeland to the Board of Directors of the Regional Arts and Culture 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 Regional Arts & Culture Council (RACC) is the steward of public investment in arts and culture, and along with partner organizations, works to create an environment in which the arts and culture of the region can flourish and prosper. Through vision, leadership and services, RACC works to integrate arts and culture in all aspects of community life. RACC's four primary services are public art, grants to artists and organizations, advocacy and development efforts, and information and education. The RACC Board of Directors consists of 21 members. Five directors are appointed by the Multnomah County Chair with approval of the Board of County Commissioners; six directors are appointed by the Mayor of the City of Portland; two directors are appointed by Clackamas County Board Chair; two directors are appointed by the Washington County Board Chair; two directors are appointed by the Metro Executive. Board members are appointed for two-year terms expiring June 30 and are eligible for up to three consecutive terms.

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: 08/03/07



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST short form

Board Clerk Use Only	
Meeting Date:	<u>08/16/07</u>
Agenda Item #:	<u>C-3</u>
Est. Start Time:	<u>9:30 AM</u>
Date Submitted:	<u>07/30/07</u>

Agenda Title:	RESOLUTION Authorizing the Private Sale of a Tax Foreclosed Property to MATTHEW AND KAREN E KRAMER
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Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Date Requested:	<u>August 16, 2007</u>	Time Requested:	<u>Consent Calendar</u>
Department:	<u>Community Services</u>	Division:	<u>Tax Title</u>
Contact(s):	<u>Gary Thomas</u>		
Phone:	<u>503-988-3590</u>	Ext.:	<u>22591</u>
Presenter(s):	<u>N/A</u>	I/O Address:	<u>503/4/TT</u>

General Information

1. What action are you requesting from the Board?

The Tax Title Section is requesting the Board to approve the private sale of a tax foreclosed property to MATTHEW AND KAREN E KRAMER.

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 small strip that came into county ownership through the foreclosure of delinquent tax liens on October 18, 1991. The parcel is more or less 2' x 17' and contains approximately 34 square feet. The parcel is located adjacent to 1993 SW Montgomery PL and 1987 SW Montgomery PL. It is unclear as to when and why the strip was created but it at one time was included in the legal description of the 1993 Montgomery PL property. We propose to sell the strip to the current owners of that property.

Exhibit A, plat map shows the shape and location of the strip. Exhibit B, an aerial photo shows where the strip is in relation to the properties around it.

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

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

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

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

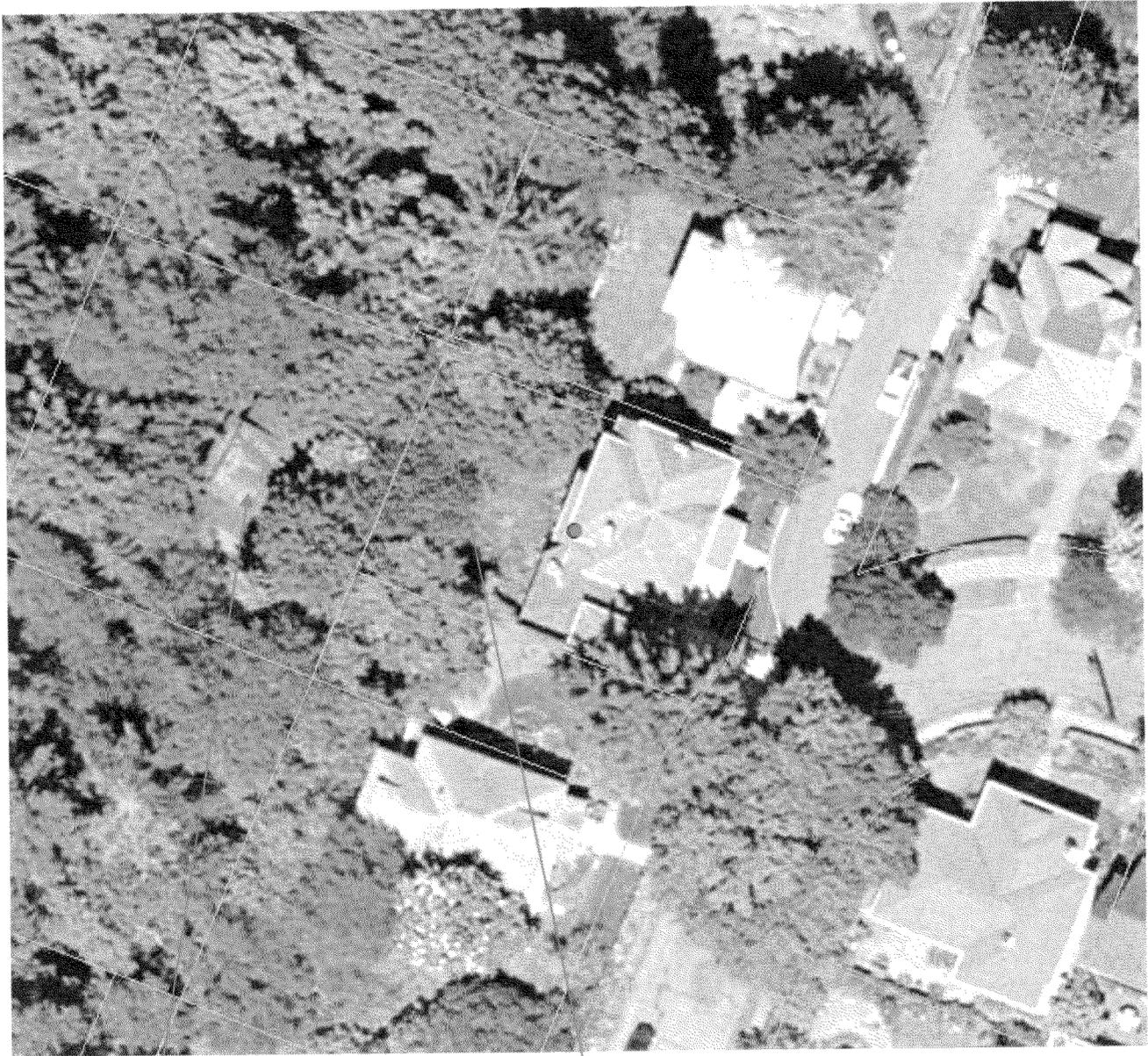
4. Explain any legal and/or policy issues involved.

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

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

No citizen or government participation is anticipated.

EXHIBIT B



1993 SW Montgomery PL

Subject strip

EXHIBIT C
PROPOSED PROPERTY LISTED FOR PRIVATE SALE

LEGAL DESCRIPTION:

The northerly 2 feet of the westerly 17 feet of the following described strip of land:
 Beginning at the northwest corner of that certain portion of Lot 5, Block 65, CARTERS ADDITION TO THE CITY OF PORTLAND, heretofore conveyed by Walter V. Smith and Edith J. Smith to Mary E. Northrup by deed recorded March 7, 1908, in Deed Book 416, page 147; thence westerly along the northerly line of that certain tract of land conveyed to Henrietta E. Failing and Mary F. Failing by deed recorded June 9, 1926 in Deed Book 1052, Page 442, 10 feet; thence northerly along a line parallel to a west line of said Lot 5, 4 feet; thence easterly along the line drawn parallel to the North line of said Lot 5, 117 feet, more or less, to the westerly line of S.W. Montgomery Place; thence southerly following the westerly line of S.W. Montgomery place 4 feet; thence westerly 107 feet, more or less, to the place of beginning:

RESERVING to the grantor and her successors in the ownership of the premises lying northerly from the premises herein conveyed, the right of common user over said 4-foot strip.

ADJACENT PROPERTY ADDRESS: 1993 SW Montgomery PL
 TAX ACCOUNT NUMBER: R128437
 GREENSPACE DESIGNATION: No designation
 SIZE OF PARCEL: Approximately 34 square feet
 ASSESSED VALUE: \$100

ITEMIZED EXPENSES FOR TOTAL PRICE OF PRIVATE SALE

BACK TAXES & INTEREST:	\$37.36
TAX TITLE MAINTENANCE COST & EXPENSES:	\$50.00
RECORDING FEE:	\$26.00
SUB-TOTAL	\$113.36
MINIMUM PRICE REQUEST OF PRIVATE SALE	\$50.00

Required Signature

**Department/
Agency Director:**

Date: 07/26/07



Jerry Elliott

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Authorizing the Private Sale of a Tax Foreclosed Property to MATTHEW AND KAREN E. KRAMER

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:

Described in that certain DEED dated the 18th day of October, 1991; wherein Janice Druian, was the party of the first part; and Multnomah County, was the party of the second part; recorded at Book 2467 and Page 1743 in the Multnomah County Deed Records; being the second property interest listed on Page 1757 of said DEED.

- b. The property has an assessed value of \$100.
- c. Although no written confirmation from the City of Portland was obtained, the Tax Title Division is confident that the irregular shape and size of the property make it unsuitable for the construction or placement of a dwelling thereon under current zoning ordinances and building codes, as provided under ORS 275.225.
- d. MATTHEW AND KAREN E. KRAMER have agreed to pay \$50, 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 \$50, the Chair on behalf of Multnomah County is authorized to execute a deed conveying to MATTHEW AND KAREN E. KRAMER the above described real property.

ADOPTED this 16th day of August, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

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

Until a change is requested, all tax statements
shall be sent to the following address:
MATTHEW AND KAREN E. KRAMER
1993 SW MONTGOMERY PL
PORTLAND OR 97201

After recording, return to:
MULTNOMAH COUNTY
TAX TITLE DIVISION
503/4

Deed D072137 For R128437

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to MATTHEW AND KAREN E. KRAMER, **Grantees**, the following real property:

Described in that certain DEED dated the 18th day of October, 1991; wherein Janice Druian, was the party of the first part; and Multnomah County, was the party of the second part; recorded at Book 2467 and Page 1743 in the Multnomah County Deed Records; being the second property interest listed on Page 1757 of said DEED.

The true consideration paid for this transfer is \$50.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES 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 197.352

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 16th day of August 2007, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.

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

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 16th day of August 2007, 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

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 07-138

Authorizing the Private Sale of a Tax Foreclosed Property to MATTHEW AND KAREN E. KRAMER

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:

Described in that certain DEED dated the 18th day of October, 1991; wherein Janice Druian, was the party of the first part; and Multnomah County, was the party of the second part; recorded at Book 2467 and Page 1743 in the Multnomah County Deed Records; being the second property interest listed on Page 1757 of said DEED.

- b. The property has an assessed value of \$100.
- c. Although no written confirmation from the City of Portland was obtained, the Tax Title Division is confident that the irregular shape and size of the property make it unsuitable for the construction or placement of a dwelling thereon under current zoning ordinances and building codes, as provided under ORS 275.225.
- d. MATTHEW AND KAREN E. KRAMER have agreed to pay \$50, 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 \$50, the Chair on behalf of Multnomah County is authorized to execute a deed conveying to MATTHEW AND KAREN E. KRAMER the above described real property.

ADOPTED this 16th day of August, 2007.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By *Matthew O. Ryan*
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:
MATTHEW AND KAREN E. KRAMER
1993 SW MONTGOMERY PL
PORTLAND OR 97201

After recording, return to:
MULTNOMAH COUNTY
TAX TITLE DIVISION
503/4

Deed D072137 For R128437

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to MATTHEW AND KAREN E. KRAMER, **Grantees**, the following real property:

Described in that certain DEED dated the 18th day of October, 1991; wherein Janice Druian, was the party of the first part; and Multnomah County, was the party of the second part; recorded at Book 2467 and Page 1743 in the Multnomah County Deed Records; being the second property interest listed on Page 1757 of said DEED.

The true consideration paid for this transfer is \$50.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES 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 197.352

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 16th day of August 2007, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.

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

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 16th day of August 2007, 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: 01/25/09

Until a change is requested, all tax statements shall be sent to the following address:
MATTHEW AND KAREN E. KRAMER
1993 SW MONTGOMERY PL
PORTLAND OR 97201

After recording, return to:
MULTNOMAH COUNTY
TAX TITLE DIVISION
503/4

Deed D072137 For R128437

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to MATTHEW AND KAREN E. KRAMER, **Grantees**, the following real property:

Described in that certain DEED dated the 18th day of October, 1991; wherein Janice Druian, was the party of the first part; and Multnomah County, was the party of the second part; recorded at Book 2467 and Page 1743 in the Multnomah County Deed Records; being the second property interest listed on Page 1757 of said DEED.

The true consideration paid for this transfer is \$50.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES 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 197.352

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 16th day of August 2007, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.

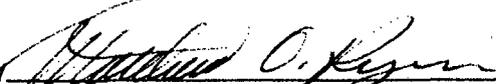


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

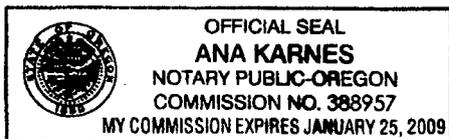
REVIEWED:

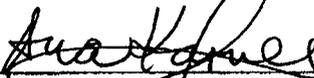
AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 16th day of August 2007, 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: 01/25/09



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # C-4 DATE 8/16/07
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 08/16/07
 Agenda Item #: C-4
 Est. Start Time: 9:30 AM
 Date Submitted: 08/08/07

BUDGET MODIFICATION: DCHS-06

Agenda Title: Budget Modification DCHS-06 Reclassifying a Project Manager to a Research Evaluation Analyst Senior in Domestic Violence as Determined by the Class/Comp Unit of Central Human Resources

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

Requested Meeting Date: August 16, 2007 Amount of Time Needed: N/A
 Department: County Human Services Division: Domestic Violence
 Contact(s): Kathy Tinkle
 Phone: 503 988-3691 Ext. 26858 I/O Address: 167/620
 Presenter(s): Consent Calendar

General Information

1. What action are you requesting from the Board?

The Department of County Human Services recommends approval of budget modification DCHS-06 reclassifying a position from Project Manager to Research Evaluation Analyst Senior in Domestic Violence.

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

This modification reflects a Class/Comp decision on a reclassification request initiated by the Manager in Domestic Violence (Program Offer 25040). Class/Comp reviewed the submitted job duties and descriptions and concluded that Research Evaluation Senior was the best fit for this position. This vacant grant funded position is being reduced from a 1.00 FTE to a .50 FTE as the duties were condensed to focus primarily on research related functions. The duties and responsibilities of this position included review/refine project findings; assure reliable consistent implementation of research protocols and data collection; design/draft reports; articles; and train/mentor staff on research protocols.

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

For the current fiscal year and ongoing this reclassification is budget neutral as the pay scales are the same for both job classifications. Personnel expenses are reduced by \$53,258 due to the .50 FTE reduction and professional services expenses increase by a like amount pending approval from the Center for Disease Control (CDC) Cooperative Agreement regarding a revised grant budget.

Service reimbursement from the Fed/State fund to the Risk fund decreases by \$7,146.

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?

Risk fund decreases by \$7,146

- What do the changes accomplish?

Approval of a classification decision from Class/Comp initiated by Division Management.

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

Reclassification of Project Manager position to a Research Evaluation Senior along with a .50 FTE reduction of the position

- 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: DCHS-06

Required Signatures

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

Kathy Linker for Joanne Fuller

Date: 08/06/07

Budget Analyst:

Michael D. Gaspin

Date: 08/10/07

Department HR:

Joi E. Ott

Date: 08/06/07

Countywide HR:

Date: _____

Budget Modification ID: DCHS-06

EXPENDITURES & REVENUES

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Program Offer	Cost Center	WBS Element						
1	20-30	32183	40	25040		DV CRD.CDC	60000	227,835	192,111	(35,724)		Permanent
2	20-30	32183	40	25040		DV CRD.CDC	60130	67,603	57,215	(10,388)		Salary Related
3	20-30	32183	40	25040		DV CRD.CDC	60140	61,694	54,548	(7,146)		Insurance
4	20-30	32183	40	25040		DV CRD.CDC	60170	217,293	270,551	53,258		Professional Services
5												
6	72-10	3500	20		705210		50316		7,146	7,146		Svc Reim F/S to Risk
7	72-10	3500	20		705210		60330		(7,146)	(7,146)		Claims Paid
8												
9												
10												
11												
12												
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25												
26												
27												
28												
29												
										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 Center	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
20-30	6063	61398	Project Manager	712523	(1.00)	(65,280)	(18,983)	(13,922)	(98,185)
20-30	6087	61398	Research Eval/Analyst SR	712523	0.50	29,556	8,595	6,776	44,927
									0
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TOTAL ANNUALIZED CHANGES					(0.50)	(35,724)	(10,388)	(7,146)	(53,258)

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 Center	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
									0
									0
									0
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									0
TOTAL CURRENT FY CHANGES					0.00	0	0	0	0



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only	
Meeting Date:	<u>08/16/07</u>
Agenda Item #:	<u>C-5</u>
Est. Start Time:	<u>9:30 AM</u>
Date Submitted:	<u>08/02/07</u>

Agenda Title: **ORDER Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody**

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

Requested Meeting Date:	<u>August 16, 2007</u>	Amount of Time Needed:	<u>N/A</u>
Department:	<u>DCHS</u>	Division:	<u>MHASD</u>
Contact(s):	<u>Jean Dentinger/Debra Myers</u>		
Phone:	<u>(503) 988-5464</u>	Ext.:	<u>27297</u>
Presenter(s):	<u>Consent Calendar</u>	I/O Address:	<u>167/1/520</u>

General Information

- 1. What action are you requesting from the Board?**
 Requesting adoption of order and approval of designees. The Mental Health and Addiction Services Division is recommending approval of the designees in the accordance with ORS 426.215.
- 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.**
 Outpatient mental health agencies depend upon certain staff having the ability to assess clients for "Director Designee Custody". This certification allows the designee to direct a police officer or secure transportation provider to take into custody any individual with mental health issues who is found to be dangerous to self or to others. Police then transport the individual to a hospital or other approved treatment facility for further evaluation. As agencies experience staffing turnover or increases, new staff needs to be trained and certified as designees.
- 3. Explain the fiscal impact (current year and ongoing).**
 None.
- 4. Explain any legal and/or policy issues involved.**
 In accordance with ORS 426.215.
- 5. Explain any citizen and/or other government participation that has or will take place.**
 None.

Required Signature

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

Joanne Fulmer

Date: 07/30/07

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. _____

Authorizing a Designee of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

The Multnomah County Board of Commissioners Finds:

- a) If authorized by a county governing body, a designee of a mental health program director may direct a peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody, and treatment of mental illness.
- b) There is a current need for specified designees of the Multnomah County Mental Health Program Director to have the authority to direct a peace officer to take an allegedly mentally ill person into custody.
- c) The designee listed below has been specifically recommended by the Mental Health Program Director and meets the standards established by the Mental Health Division.

The Multnomah County Board of Commissioners Orders:

1. The individual listed below is authorized as a designee of the Mental Health Program Director for Multnomah County to direct any peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody or treatment for mental illness.
2. Added to the list of designees are:

Melva Penne

Sara Fallico

Megan Chaloupka

Jennifer Olson

ADOPTED this 16th day of August, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLES, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Patrick Henry, Assistant County Attorney

SUBMITTED BY:
Joanne M. Fuller, Director, Dept. of County Human Services

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. 07-139

Authorizing a Designee of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

The Multnomah County Board of Commissioners Finds:

- a) If authorized by a county governing body, a designee of a mental health program director may direct a peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody, and treatment of mental illness.
- b) There is a current need for specified designees of the Multnomah County Mental Health Program Director to have the authority to direct a peace officer to take an allegedly mentally ill person into custody.
- c) The designee listed below has been specifically recommended by the Mental Health Program Director and meets the standards established by the Mental Health Division.

The Multnomah County Board of Commissioners Orders:

1. The individual listed below is authorized as a designee of the Mental Health Program Director for Multnomah County to direct any peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody or treatment for mental illness.
2. Added to the list of designees are:

Melva Penne

Sara Fallico

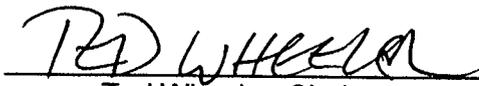
Megan Chaloupka

Jennifer Olson

ADOPTED this 16th day of August, 2007.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLES, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Patrick Henry, Assistant County Attorney

SUBMITTED BY:

Joanne M. Fuller, Director, Dept. of County Human Services



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # C-6 DATE 8/16/07
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 08/16/07
 Agenda Item #: C-6
 Est. Start Time: 9:30 AM
 Date Submitted: 08/02/07

BUDGET MODIFICATION: DCM - 02

Agenda Title: Budget Modification DCM-02 Relating to Reclassification of Positions in Finance and Risk Management as Determined by the Class/Comp Unit of Central Human Resources

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

Requested Meeting Date: August 16, 2007 Amount of Time Needed: Consent Calendar
 Department: County Management Division: Director's Office
 Contact(s): Bob Thomas
 Phone: (503) 988-4283 Ext. 84283 I/O Address: 503 / 531
 Presenter(s): NA

General Information

1. What action are you requesting from the Board?

The department is requesting Board approval of a budget modification authorizing the reclassification of two positions in Finance & Risk Management.

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

The Department of County Management is requesting Board approval the reclassification requests for the following positions that were approved by the Central Class Comp Unit:

Finance & Risk Management

Position Title (Old)	Position Title (New)	Position Number	FTE
Vacant Program Communication & Web Spec Sr	It Architect	705796	No FTE Change
Vacant Office Assistant Sr	Procurement Associate	702681	No FTE Change

The Class Comp Unit was asked to examine the duties of the vacant Program Communication & Web Specialist Sr position in the SAP Support. After review with management, Class Comp has reclassified this position to IT Architect level. This position is budgeted for FY 2008 in offer 72019 SAP Integrated Information System. This reclassification is intended to improve the organization's ability to maintain the SAP system that is being upgraded during this fiscal year.

In the Central Procurement and Contract Administration Unit, a vacant Office Assistant Senior position has been reclassified to the Procurement Associate level by Class Comp. The Procurement Associate level is a relatively new class that was created last year as part of a larger classification study. This position was not included within the original study, but was reassigned to this level when Class Comp examined the duties when it became vacant. The position is budgeted for FY 2008 in offer 72018 Central Procurement & Contract Administration. No changes to the program's results are expected.

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

Budget modification detail is attached. The reclassification requests are being accomplished within current resources for FY 2008. Salary and fringe costs will increase by \$28,198 during this fiscal year. Materials and Services are being reduced by this same amount to cover the increase. Expected future cost of living and merit increases are likely for these positions in future years.

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

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

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

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

NA

ATTACHMENT A

Budget Modification

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

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

Risk Management Fund revenue is increased by \$1,212 from service reimbursements related to these reclassified positions.

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

The Risk Management Fund budget is increased by \$1,212.

- **What do the changes accomplish?**

The changes implement personnel actions approved by the Central Class Comp Unit.

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

Yes, four reclassifications and one new position are created by this budget modification.

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

None of these apply to this action.

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

NA

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

NA

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

NA

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

ATTACHMENT B

BUDGET MODIFICATION: DCM - 02

Required Signatures

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

Carol M. Ford

Date: 08/02/07

Budget Analyst:

Christy

Date: 07/31/07

Department HR:

Paul R. Quigg

Date: 08/02/07

Countywide HR:

Joe E. Ott

Date: 08/02/07

Budget Modification ID: DCM-02

EXPENDITURES & REVENUES

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
1	72-10	1000	20		700004		60000	17,113	17,113		Increase Permanent	
2	72-10	1000	20		700004		60130	6,972	6,972		Increase Salary Related	
3	72-10	1000	20		700004		60140	1,113	1,113		Increase Insurance Ben	
4	72-10	1000	20		700004		60170	30,000	15,000	(15,000)	Decrease Prof Svcs	
5	72-10	1000	20		700004		60260	34,000	23,802	(10,198)	(0) Decrease Educ and Trng	
6	72-10	1000	20		704700		60000	1,532	1,532		Increase Permanent	
7	72-10	1000	20		704700		60130	1,370	1,370		Increase Salary Related	
8	72-10	1000	20		704700		60140	99	99		Increase Insurance Ben	
9	72-10	1000	20		704700		60170	120,200	117,199	(3,001)	0 Decrease Prof Svcs	
10	72-10	3500	20		705210		50316	(1,212)	(1,212)		Increase Serv Reimb Rev	
11	72-10	3500	20		705210		60330	1,212	1,212	0	Increase offsetting expend	
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									0	0	Total - Page 1	
									0	0	GRAND TOTAL	

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

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

MEETING DATE: 8/16/2007

SUBJECT: County Nurse Negotiations

AGENDA NUMBER OR TOPIC: N/A PUBLIC COMMENT

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Rob Nosse & Carol Simmons

ADDRESS: 1712 SE 47th Portland OR 97215 10801 SE Mill Court Portland OR 97216

CITY/STATE/ZIP: _____

PHONE: DAYS: 503 293-0011 EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: County Nurse Negotiations

WRITTEN TESTIMONY: - available upon request.

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 (short form)

Board Clerk Use Only	
Meeting Date:	<u>08/16/07</u>
Agenda Item #:	<u>R-1</u>
Est. Start Time:	<u>9:30 AM</u>
Date Submitted:	<u>08/08/07</u>

Agenda Title: PROCLAMATION Declaring Saturday August 18, 2007 Hawthorne Day in Multnomah County, Oregon

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

Requested Meeting Date:	<u>August 8, 2007</u>	Amount of Time Needed:	<u>10 mins</u>
Department:	<u>Non-Departmental</u>	Division:	<u>District 3 - Naito</u>
Contact(s):	<u>Matthew Lieuallen</u>		
Phone:	<u>503.988.5217</u>	Ext.:	<u>85217</u>
Presenter(s):	<u>John Laursen and invited others</u>		
I/O Address:	<u>503/6</u>		

General Information

- 1. What action are you requesting from the Board?**
Adoption of a Proclamation proclaiming August 18, 2007 Hawthorne Day in 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.**
See attached materials
- 3. Explain the fiscal impact (current year and ongoing).**
- 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.**
See attached materials

Required Signature

Elected Official or Department/ Agency Director:

Chris Naito

Date: 08/08/07

BOGSTAD Deborah L

From: LIEUALLEN Matt
Sent: Wednesday, August 08, 2007 2:16 PM
To: BOGSTAD Deborah L
Subject: FW: Hawthorne Boulevard Plaque

Deb - here are the packet materials for the Hawthorne Day proclamation.

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

From: John Laursen [mailto:john@press-22.net]
Sent: Thursday, July 26, 2007 12:52 PM
To: LIEUALLEN Matt
Cc: Karin Edwards
Subject: Re: Hawthorne Boulevard Plaque

Matt,

Thanks so much for your help with this, and many thanks to Commissioner Naito for her support as well.

Attached is a PDF with a brief history of the project, which I believe would provide you with enough material to draft a proclamation. I'm also attaching a PDF of the plaque text itself, in case that would be of any value. Please don't hesitate to let me know what else you think would be helpful. I have the actual bronze plaque in hand and would be happy to bring it down to the County building to confirm with Craig how the installation will work.

I'm copying Karin Edwards on this. I don't believe you've met her, but she is the current president of the HBBA and central to all of the Hawthorne Day planning. I like your idea of presenting the plaque to the County Commissioners on the 16th, and she and I would most likely do that together.

Let me know what the next step on our part should be whenever you've had time to figure this out.

Best,

John
503-231-8022

THE HAWTHORNE PLAQUES AND THE MT. TABOR ENTRYWAY

Hawthorne Boulevard is one of Portland's oldest and most lively commercial districts, home to a broad range of locally owned and operated businesses. Originally named "U Street" when it was the southern boundary of the town of East Portland (NE Glisan was "A Street"), later designated "Asylum Avenue" for the mental-health clinic operated by Dr. James C. Hawthorne at roughly Seventh and Hawthorne, it was finally named "Hawthorne Boulevard" after the doctor, a beloved and highly respected member of the community, passed away.

When the initial meetings of the Citizens Advisory Committee (CAC) for the City of Portland's Hawthorne Transportation Plan (HTP) were held in 1996, many of the participants hoped that the plan would include aesthetic improvements along the boulevard as well as functional ones. As the planning process moved forward, however, it became clear that the City's budget for this project would be stretched just to achieve the transportation improvements. The Portland Office of Transportation had no money to spend on any kind of public art or even on landscaping, other than occasional street trees. If there were to be aesthetic enhancements to the boulevard they would have to come about through citizen efforts.

The HTP was developed over the course of 1997; four years later, in 2001, the CAC was reconvened to refine the plan in order to meet the available budget. John Laursen, a designer and business owner on Hawthorne who co-chaired the CAC and is also a member of the Mt. Tabor Neighborhood Association (MTNA) board, devised the idea of locating a neighborhood entryway for Mt. Tabor on the City's new curb extension at SE 50th and Hawthorne. This effort was endorsed by the Hawthorne CAC and supported by the MTNA. Laursen's design for the entryway features a basalt wall with a cast bronze sign to signal eastbound vehicles that they are leaving the commercial boulevard and entering a residential neighborhood.

As the entryway design was developed and refined, it made sense to enliven the pedestrian side of the sign with a narrative bronze plaque recounting the history of Mt. Tabor, and the idea quickly followed of adding a matching plaque relaying the history of Hawthorne. When Laursen presented the plans for the entire project to the board of the Hawthorne Boulevard Business Association (HBBA), that group was enthusiastic about the MTNA's willingness to include a Hawthorne history plaque on its entryway and suggested proposing to Multnomah County the inclusion of a matching Hawthorne history plaque on the County building at SE Grand and Hawthorne, thus bookending the boulevard with a narrative history plaque at each end.

The County generously embraced this proposal, and the HBBA secured a grant from the Alliance of Portland Neighborhood Business Associations to fund manufacture of the additional plaque. Countless hours of design and project management for both the entryway and the plaque on the County building have been donated. And the Mt. Tabor entryway project has been entirely privately funded, paid for with seed money from the MTNA and a large number of individual citizen contributions, ranging from ten dollars to several thousand.

The combination of the entryway and plaques is thus a collaboration between citizens, a neighborhood association, the business association, and two local governments. Saturday, August 18, 2007, has been designated "Hawthorne Day," in recognition of the long-awaited completion of the Hawthorne Transportation Plan and the dedication of the entryway and plaques. It is hoped that both the County and the City will issue proclamations to this effect.

The HBBA is organizing a variety of events the length of the boulevard in celebration of the occasion. In addition, the Mt. Tabor Neighborhood Association is hosting a neighborhood-wide party on Hawthorne Day, to celebrate completion of the new neighborhood entryway. SE 50th Avenue will be closed just north of Hawthorne and there will be live music from noon to three. The entryway sign will be unveiled at 1:00.

HAWTHORNE BOULEVARD

When James Stephens platted the townsite of East Portland in 1850, it was bounded on the north by "A Street" (now Northeast Glisan Street) and on the south by "U Street," a rutted dirt track wending its way east from the Willamette River.

In 1859 Dr. James C. Hawthorne arrived here—from California, where he had served two terms as a state senator—to care for indigent patients at the county hospital. A few years later, on seven acres at what is now Southeast Salmon Street and Tenth Avenue, he founded the Oregon Hospital for the Insane. This hospital served as the state asylum for two decades, and "U Street" became "Asylum Avenue." The doctor was highly regarded for his humanitarian spirit as well as for the enlightened and conscientious care he accorded his patients. Upon his death in 1881, it was said: "He died at the summit of usefulness, universally regretted, and left behind the memory of a broad-minded, courageous man, gifted with rare talents which he used for the benefit of his fellowmen."

An 1888 ordinance renamed the street once more, this time in honor of Dr. Hawthorne. When the cities of Portland, East Portland, and Albina consolidated in 1891, many street names—most of them east of the Willamette—were changed in what came to be known as "the Great Renaming." Local citizens, however, resisted the effort to replace "Hawthorne" with "East Columbia."

Beginning in the late 1880s, the Mount Tabor Street Railway Company ran a steam-powered streetcar along Hawthorne Boulevard from Southeast Fifth Avenue to Fifty-Fourth. This route was

popular, and a branch line was added at Fiftieth Avenue, extending service south. The wooden Madison Street Bridge and its successor, the Hawthorne Bridge, built in 1910, enabled a direct streetcar commute from Mount Tabor to downtown.

The advent of the streetcar opened the Hawthorne area for residential and commercial development, leading to an increase in population. Along the streetcar line, specialty stores and services—grocers, butchers, hardware stores, beauty parlors, barber shops, bakeries—sprang up to serve the nearby residents. This growth sparked demand for a better road surface, and Hawthorne was paved early in the new century; by 1920 it was one of the city's busiest thoroughfares. The improved roadway, in turn, coupled with the growing popularity of the automobile, led to the demise of the streetcar, and in the 1940s the rails were covered with asphalt.

As it did elsewhere, the automobile fostered a new sort of commerce, and a handful of large stores were built, accompanied by similarly large parking lots. But Hawthorne was spared the strip development that occurred on Portland's longer through streets. Its character was already determined, shaped in part by its being just sixty blocks long—contained between Mount Tabor, on the east, and the Hawthorne Bridge, with its inviting access to downtown, on the west. Hawthorne was further defined by the early flowering along the streetcar line, which, in bequeathing to the boulevard an idiosyncratic mixture of residential properties and small, locally owned businesses, imparted an enduring vitality.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. _____

Declaring Saturday August 18, 2007 Hawthorne Day in Multnomah County, Oregon

The Multnomah County Board of Commissioners Finds:

- a. Hawthorne Boulevard is one of Portland's oldest and most lively commercial districts, home to a broad range of locally owned and operated businesses, as well as to the Multnomah County seat, located at its western terminus.
- b. Hawthorne Boulevard was originally named "U Street" when it served as the southern boundary for the town of East Portland. It was later designated as "Asylum Avenue" in reference to the mental health clinic operated by Dr. James C. Hawthorne at roughly Seventh and Hawthorne, very near to where the Multnomah Building stands today.
- c. Hawthorne Boulevard received its present name in 1888 in honor of Dr. Hawthorne, a beloved and highly respected member of the community, who passed away in 1881. Dr. Hawthorne was highly regarded for his humanitarian spirit as well as for the enlightened and conscientious care he accorded his patients.
- d. Beginning in the late 1880s, the Mount Tabor Street Railway Company ran a steam-powered streetcar along Hawthorne Boulevard from Southeast Fifth Avenue to Fifty-Fourth leading to Hawthorne becoming one of the City's busiest thoroughfares. The streetcar rails were paved over in the 1940s due to the increase in popularity of the automobile
- e. In 1997 the Hawthorne Transportation plan was developed to improve the transportation infrastructure on Hawthorne Boulevard. Because the plan did not include any money for aesthetic improvements, citizen organizations joined together in planning and fundraising for these additions.
- f. The result of this incredible citizen effort is the development of a neighborhood entryway for Mt. Tabor on the City's new curb extension at SE 50th and Hawthorne. The entryway, to be unveiled on Saturday, August 18, 2007, features bronze plaques celebrating the history of Hawthorne Boulevard and Mt. Tabor.
- g. The Hawthorne Boulevard Business Association proposed that a plaque celebrating the history of Hawthorne Boulevard be placed on the Multnomah Building at SE Grand and Hawthorne. The Association is donating this plaque to the County for installation there, thus bookending the boulevard with a narrative history plaque at each end.

The Multnomah County Board of Commissioners Proclaims:

The day of August 18, 2007 as Hawthorne Day in Multnomah County, Oregon. In honor of the day Multnomah County is proud to partner with our neighborhood associations in celebrating the history of Hawthorne Boulevard by mounting a narrative bronze plaque to the Multnomah Building. A twin of this plaque will be mounted at the east end of the boulevard at 50th and Hawthorne.

ADOPTED this 16th day of August, 2007.

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

Ted Wheeler, County Chair

Maria Rojo de Steffey,
Commissioner District 1

Jeff Cogen,
Commissioner District 2

Lisa Naito,
Commissioner District 3

Lonnie Roberts,
Commissioner District 4

SUBMITTED BY:
Lisa Naito, Commissioner District 3

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. 07-140

Declaring Saturday August 18, 2007 Hawthorne Day in Multnomah County, Oregon

The Multnomah County Board of Commissioners Finds:

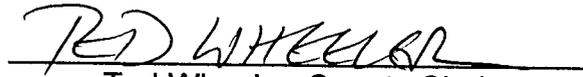
- a. Hawthorne Boulevard is one of Portland's oldest and most lively commercial districts, home to a broad range of locally owned and operated businesses, as well as to the Multnomah County seat, located at its western terminus.
- b. Hawthorne Boulevard was originally named "U Street" when it served as the southern boundary for the town of East Portland. It was later designated as "Asylum Avenue" in reference to the mental health clinic operated by Dr. James C. Hawthorne at roughly Seventh and Hawthorne, very near to where the Multnomah Building stands today.
- c. Hawthorne Boulevard received its present name in 1888 in honor of Dr. Hawthorne, a beloved and highly respected member of the community, who passed away in 1881. Dr. Hawthorne was highly regarded for his humanitarian spirit as well as for the enlightened and conscientious care he accorded his patients.
- d. Beginning in the late 1880s, the Mount Tabor Street Railway Company ran a steam-powered streetcar along Hawthorne Boulevard from Southeast Fifth Avenue to Fifty-Fourth leading to Hawthorne becoming one of the City's busiest thoroughfares. The streetcar rails were paved over in the 1940s due to the increase in popularity of the automobile
- e. In 1997 the Hawthorne Transportation plan was developed to improve the transportation infrastructure on Hawthorne Boulevard. Because the plan did not include any money for aesthetic improvements, citizen organizations joined together in planning and fundraising for these additions.
- f. The result of this incredible citizen effort is the development of a neighborhood entryway for Mt. Tabor on the City's new curb extension at SE 50th and Hawthorne. The entryway, to be unveiled on Saturday, August 18, 2007, features bronze plaques celebrating the history of Hawthorne Boulevard and Mt. Tabor.
- g. The Hawthorne Boulevard Business Association proposed that a plaque celebrating the history of Hawthorne Boulevard be placed on the Multnomah Building at SE Grand and Hawthorne. The Association is donating this plaque to the County for installation there, thus bookending the boulevard with a narrative history plaque at each end.

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ADOPTED this 16th day of August, 2007.

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


Ted Wheeler, County Chair


Maria Rojo de Steffey
Commissioner District 1




Jeff Cogen
Commissioner District 2


Lisa Naito,
Commissioner District 3


Lonnie Roberts,
Commissioner District 4

SUBMITTED BY:
Lisa Naito, Commissioner District 3



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 08/16/07
 Agenda Item #: R-2
 Est. Start Time: 9:40 AM
 Date Submitted: 07/02/07

Agenda Title: Legislative Briefing

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

Requested Meeting Date: August 16, 2007 Amount of Time Needed: 30 minutes
 Department: Non Departmental Division: Public Affairs Office
 Contact(s): Barb Disciascio
 Phone: 503-988-6800 Ext. 86800 I/O Address: 503/600/PAO
 Presenter(s): Gary Conkling and Gina Mattioda

General Information

1. What action are you requesting from the Board?
None
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.
Update on the work of the 74th Legislature as it pertains to the county's legislative agenda.
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:

Date: July 2, 2007



August 16, 2007

TO/ Gina Mattioda

FROM/ CFM Team, Gary Conkling

RE/ 2007-2009 state budget items

State Budget Overview Items of interest to Multnomah County 2007-2009 Biennium

Department of Human Services/ House Bill 5031

Total Approved 2007-2009	\$11,489.95 million
Governor's Recommended budget	\$11,934.94 million
2005-2007 budget	\$10,170.66 million
% Change 2005-07 to 2007-09	12.97% (increase)

Budget areas of interest to the county:

<u>Department</u>	<u>Program</u>	<u>2007-2009 Approved</u>	<u>2005-2007</u>	<u>% Change</u>
Children, Adults and Families		\$2,485.02 million	\$2,296.69 million	8.2%
	Healthy Kids: Not approved	Tobacco tax on 2007 ballot.		
Health Services		\$5,649.12 million	\$4,925.13 million	14.7%
	Strengthening Families program/ youth substance abuse prevention	\$1.90 million	n/a	

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E-mail tome@cfmpdx.com
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Salem & Washington, DC



	Sub-Acute Care Facility: Proposed in Senate bill 881.	\$0 Died in Ways and Means.		
Seniors and People with Disabilities		\$2,878.72 million	\$2,518.57 million	14.3%
	Oregon Project Independence (OPI):	\$12.6 million Governor recommended: \$16.6 million	\$12.23 million	3%
	Mental Health Services website (state-wide)	\$400,000	n/a	

Details of note:

- \$ 4.3 million to EAST (Early Assessment and Support Team)
 - Multnomah County will receive **\$1 million**
- \$4 million to Equitable Alcohol and Drug Treatment
 - Multnomah County will receive **\$1 million**
- \$5.2 million to Public Health Capacity Building
 - Multnomah County will receive **\$1.20 per capita** rather than .59
- **Developmental Disabilities Funding** is below. Funding level is state-wide each of these item includes state general funds (GF) matching federal fund (FF).
 - \$7.2 million: \$3.6 million in GF with a FF match of \$3.6 million for higher Developmental Disabilities community-based caseload.
 - These funds will help pay for case management staff based on the formula the state uses. It is provided only as a new client enters a county system, and is not an addition to already existing client case management funds.



- \$20 million: \$8 million in GF with a FF match of \$12 million.
 - These are pass-through funds that go directly to the providers for a wage increase to staff who have not had a COLA in some time.

**Department of Housing and Community Services/
Senate Bill 5517**

Total Approved 2007-2009	\$2,162.87 million
Governor's Recommended budget	\$2,164.27 million
2005-2007 budget	\$2,505.62 million
% Change 2005-07 to 2007-09	-13.68% (decrease)

Overall the legislature allocated **\$26 million in new resources** to housing for working families, seniors, veterans and people with disabilities.

- \$16 million in Lottery backed bonds will be committed to developing **new affordable housing** and for funding services for people coming out of homelessness.
- \$8 million in new General Funds will be used for the preservation of **affordable housing** around the state in jeopardy of being lost to the private market.
- \$2 million of General Fund will **restore money taken** from the Housing Trust Fund in earlier sessions.

Department of Corrections/ Senate Bill 5505

Total Approved 2007-2009	\$1,312.15 million
Governor's Recommended budget	\$1,340.59 million
2005-2007 budget	\$1,129.55 million
% Change 2005-07 to 2007-09	16.17% (increase)

Community Corrections: \$227.2 million
Governor recommended: \$239 million



Department of Veterans' Affairs/ Senate Bill 5541

Total Approved 2007-2009 **\$654.48 million**
 Governor's Recommended \$654.38 million
 budget
 2005-2007 budget \$638.84 million
% Change 2005-07 to 2007-09 **2.45% (increase)**

Budget areas of interest to the county:

		<u>2007-2009</u> <u>Approved</u>	<u>2005-2007</u>	<u>%</u> <u>Change</u>
Veterans' Services		\$8.08 million	\$3.98 million	103.02%
	To Multnomah County	\$899,084*	n/a	
Veterans' Home		\$21.08 million	\$19.69 million	5.61%

* Multnomah County receives \$899,084. Additional funds of **\$208,442** allows county to provide services to approximately 500 more clients and fund a Veterans Services Officer, who will be assisting them in securing services.

Oregon Youth Authority/ Senate Bill 5544

Total Approved 2007-2009 **\$269.25 million**
 Governor's Recommended \$308.06 million
 budget
 2005-2007 budget \$252.19 million
% Change 2005-07 to 2007-09 **6.76% (increase)**



Budget areas of interest to the county:

	<u>2007-2009 approved</u>	<u>Governor recommended</u>	<u>2005-2007</u>	<u>% Change</u>
Multnomah County Youth Gang Services	\$3.36 million	\$4.46 million	\$2.5 million	34.4%
East Multnomah County gang intervention	\$400,000	<i>Added in Christmas Tree bill (SB 5549)</i>	n/a	n/a

**State Commission on Children and Families/
Senate Bill 5504**

Total Approved 2007-2009	\$87.89 million
Governor's Recommended budget	\$92.55 million
2005-2007 budget	\$73.00 million
% Change 2005-07 to 2007-09	20.39% (increase)

Budget areas of interest to the county:

- **\$627,000** to a statewide community schools initiative. Funding distributed through a statewide competitive process. The legislature did not allocate the \$500,000 proposed in the Governor's Budget to the Department of Education.

Columbia River Gorge Commission/ House Bill 5011

Total Approved 2007-2009	\$1.02 million
Governor's Recommended budget	\$0.9 million
2005-2007 budget	\$0.86 million
% Change 2005-07 to 2007-09	18.6% (increase)

Added in Christmas Tree bill: \$61,906 for a project manager to assess and track the condition of the Columbia River Gorge's scenic, cultural, recreational and environmental resources and to provide public outreach.

Multnomah County

2007 Oregon Legislative Wrapup

Key Legislative Actions

Assessment and Taxation. The legislature approved Senate Bills 814 and 815, introduced at the request of Multnomah County. SB 814 authorizes county assessors to correct valuation errors at any time, as long as the correction reduces the amount of tax owed. This allows a county in a contested case to reduce a valuation due to an error and avoid costly interest charges that can accrue in prolonged litigation. Senate Bill 815 clarifies when property transferred from exempt to taxable status goes on the tax roll.

Strategic Investment Program. At the initiative of Washington County, the legislature approved Senate Bill 954 that allows counties to capture 50 percent of the state income tax revenue generated from new industry that locates in Oregon because of a county-approved SIP beginning in 2008. Captured income tax revenues are to be shared with cities and special districts, which also surrender property tax revenues under a SIP.

[Note: Gresham decided not to pursue its proposed legislation to clarify that a second SIP can be approved involving the same property.]

Measure 37 Modification. Lawmakers gave state and county land-use officials additional time to process Measure 37 claims. On a partisan vote, the legislature referred Measure 49 to voters this November that if approved would constrain development under Measure 37 claims. Measure 49 would eliminate commercial and industrial development under Measure 37 claims and restrict residential development to no more than 10 home sites per claim and to three or fewer on high-value farm and forestlands.

Healthy Kids Insurance Program. After several unsuccessful tries to enact an 84-cent per pack tobacco tax increase, legislators voted to refer Measure 50 to voters this fall, which if approved would finance the Healthy Kids insurance program. Early in the session, Multnomah County played an aggressive role in ensuring school-based and safety net clinics would be entitled to reimbursement under the Healthy Kids plan.

Electronic Tolling Approval. The legislature approved an amended form of Senate Bill 1022 that streamlines Oregon's statutes relating to tolling bridges and highways, including authority to use electronic tolling. Citing the need to finance replacement of the Sellwood Bridge, Multnomah County played a lead role in convincing the Oregon Department of Transportation to agree to amend its bill to remove a provision requiring state approval for a city or county tolling project.

Urban and Rural Reserves. Under Metro's leadership, lawmakers approved a consensus version of Senate Bill 1011 that allows the regional agency, in coordination with its three constituent counties, to designate urban and rural reserves. Multnomah County officials participated in work groups that developed the final compromises built into SB 1011, which will allow Metro and counties to identify land for future urbanization without strict adherence to the hierarchy of soil types. Rural reserves are intended as farming sanctuaries that give farmland owners greater security against urban sprawl.

Transportation Funding. Lawmakers approved lottery-backed bonding to finance the state share of the extension of light rail from downtown through Southeast Portland to Milwaukie. Lawmakers also approved a second \$100 million round of Connect Oregon funding for rail, air, marine and transit projects.

Restaurant Inspection. Senator Jackie Winters, R-Salem, introduced Senate Bill 895 to ease inspections of restaurants, including eliminating the 6-month inspection requirement in current law. With Multnomah County in opposition, this measure did not receive a hearing or move out of committee in the Senate.

Substance Abuse and Addiction Treatment Programs. At the request of the Oregon Treatment Network, Rep. Mitch Greenlick, D-Portland, introduced House Bill 2646 to allow non-profit providers to enter into direct contracts with the Department of Human Services. Multnomah County and others objected, noting this approach could undermine county-led efforts to ensure coordination and quality of services. HB 2646 received a courtesy hearing in the House, but didn't receive further legislative attention.

Key Legislative Budget Decisions

The legislature adopted final budgets that were reduced from the Governor's proposed budget, in part because the governor's budget was based on additional revenues such as a tobacco tax increase that weren't approved during the session.

The attached State Budget Overview document shows the disposition of major state budgets of relevance to Multnomah County, including how the final versions of appropriations differed from the governor's proposed budget and reflected an increase over the previous biennium.

Notable Legislative Failures

Affordable Housing Document Fee. Affordable housing legislation enjoying broad support and seemingly enough Republican votes in the House still managed to fail in the waning hours of the session after the House GOP caucus locked up in opposition to the proposed document fee. The legislation that started originally in the Senate faced a

serious road bump mid-way in the session when Legislative Counsel opined the proposed document fee was actually a tax, requiring the bill to begin in the House. At least part of the GOP opposition to the document tax can be attributed to concerns that this funding source could be used to finance courthouse replacement and renovation.

Addiction Treatment Funding Increase. A funding increase for alcohol and drug addiction treatment failed to materialize with the demise of a proposed statewide beer tax hike. The beer tax increase received an injection of political life during the session when a handful of House Republicans proposed using a portion of that increase to provide a dedicated funding source for the Oregon State Police. The House GOP caucus later proposed a dedicated funding source carved out of the state General Fund.

Highway and Road Funding. A relatively modest highway modernization finance package, paid for by a license plate fee increase, failed to survive in the Oregon House. A Senate proposal to allow counties to impose a local vehicle registration fee without a vote failed to emerge from a Senate committee.

Looking Ahead to 2008 Special Session

The Oregon legislature will experiment with annual sessions by calling a special session next February. The month-long session, which was anticipated as part of the decision to adjourn by the end of June this year, will not be reserved for budget-related items. Interim committees will be appointed soon to vet consensus legislation that will be considered next February.

Bill drafts must be submitted to Legislative Counsel by the middle of November. All bills considered in the February 2008 special session must be pre-session filed so they can be referred to committees on the first day of the session. Bills will have two weeks to emerge from their house of origin, allowing the remainder of the session to move through the opposite chamber.

During the regular 2007 legislative session, a number of topics were rolled over to the special session. However, some of the most likely legislative targets will be bills that almost made it through the legislature this year, such as a paid family leave proposal and a measure giving employers more control over workplace assignments for medical marijuana card-holders.

Lawmakers also can be expected to deal with the aftermath of voter decisions on Measures 49 and 50. Passage of Measure 50 could create an opportunity to shift some funding around inside the Department of Human Services, perhaps for addiction treatment. The special session is expected to review and approve a DHS re-balance proposal, which is usually handled by the Emergency Board.

The Minneapolis bridge disaster could spark interest in a transportation funding bill during the special session. Senate Majority Leader Richard Devlin, D-Tualatin, has suggested that is a possibility. However, senators who work regularly on transportation issues, such as Rick Metsger, D-Mt. Hood, and Bruce Starr, R-Hillsboro, have discouraged any action on a funding bill during the special session. They favor a more extensive interim effort to develop a major funding bill, with broad consensus, for the 2009 legislative session.

A number of major topics, including tax reform, beverage container recycling, universal health care access and land-use revisions, are all assigned to task forces with deadlines to submit recommendations to the 2009 session.

Planning for the 2009 Session

The shape and pace of the interim will be different with the addition of a planned special session next February. In essence, interim committee work aimed at the 2009 session will be shrunk to less than 10 months.

This compressed schedule demands earlier legislative planning and preparation by organizations such as Multnomah County. Objectives and legislative vehicles need to be identified as early as possible, especially if they involve funding.

The 2009-2011 state budget can be expected to be the "legacy budget" for Governor Kulongoski who will be entering the last two years of his second term.

The political climate appears favorable to Democrats retaining control of the legislature, and perhaps strengthening their grip on the Oregon House. That means more urban lawmakers will be in charge of committees, though it is likely no lawmaker from Multnomah County will be a presiding officer or majority leader in either the House or Senate in the 2009 session. It is likely that Rep. Mary Nolan, D-Portland, will return as House co-chair of the Joint Ways and Means Committee.

Broad topics of interest that are likely to be aired in the 2009 session include:

- Highway and road funding (including bridges);
- Universal health care access, which will need to integrate with public health systems and address mental health integration issues;
- Implementation of the Healthy Kids plan (assuming voter approval), which will require vigilance to mesh the managed care system with safety net clinics; and
- Land-use revisions, as well as Metro's implementation of Senate Bill 1011.

Areas the county may wish to pursue with specific proposals include:

- A funding source for courthouse replacement;
- A solution for Wapato jail;
- A regional bridge authority; and
- Funding formula tweaks or enhancements that recognize additional costs and social burdens borne by Multnomah County taxpayers.



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-3 DATE 8/16/07
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 08/16/07
 Agenda Item #: R-3
 Est. Start Time: 10:10 AM
 Date Submitted: 08/01/07

BUDGET MODIFICATION: MCSO - 01

Agenda Title: Budget Modification MCSO-01 Reducing the Emergency Communications Fund (1502) by \$20,000 to Bring Appropriation More in Line with Revenue Estimates

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

Requested Meeting Date: August 16, 2007 Amount of Time Needed: 5 Minutes
 Department: Sheriff's Office Division: Business Services
 Contact(s): Wanda Yantis, Christian Elkin
 Phone: 503.988.4455 Ext. 84455 I/O Address: 503/3/MCSO
 Presenter(s): Wanda Yantis

General Information

1. What action are you requesting from the Board?

Reduction of the Emergency Communications Fund (1502) by \$20,000 to bring the appropriation more in line with revenue estimates

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

During the preparation of the FY 2008 assumptions regarding revenues must be early on in the process in order to meet all of the legal deadlines. Upon reflection, it was determined that it is probably more conservative to use a lower estimate for the Emergency Communications Fund. This fund accounts for revenues received from the State Telephone Excise Tax.

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

All expenditures in the Emergency Communications Fund are restricted for the Emergency Communication Network in conjunction with the City of Portland.

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

n/a

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

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?**
Reduces the 911 Telecommunications revenue by \$20,000 in the Emergency Communications Fund (1502)
- **What budgets are increased/decreased?**
Reduces the professional services by \$20,000.
- **What do the changes accomplish?**
Brings the budget more in line with revenue estimates.
- **Do any personnel actions result from this budget modification? Explain.**
No
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**
This action does not affect these costs.
- **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**
No
- **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: MCSO - 01

Required Signatures

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



Date: 08/01/07

Budget Analyst:



Date: 08/01/07

Department HR:

Date: _____

Countywide HR:

Date: _____

Budget Modification ID: MCSO-01

EXPENDITURES & REVENUES

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
1	60-50	1502	50		601601		50180	240,000	220,000	20,000		Decrease 911 Revenue
2	60-50	1502	50		601601		60170	226,637	206,637	(20,000)		Decrease Prof. Svcs.
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MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 08/16/07
Agenda Item #: R-4
Est. Start Time: 10:15 AM
Date Submitted: 08/08/07

Agenda Title: **RESOLUTION Establishing the Population Capacity and Adopting a Revised Capacity Management Action Plan for the Multnomah County Sheriff's Office Jail Facilities and Repealing Resolution 06-014**

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

Requested Meeting Date: August 16, 2007 **Amount of Time Needed:** 10 minutes
Department: Sheriff's Office **Division:** Corrections
Contact(s): Chief of Staff Christine Kirk or Assistant County Attorney Jacquie Weber
Phone: 503 988-4301 **Ext.:** 84301 **I/O Address:** 503/350
Presenter(s): Assistant County Attorney Jacquie Weber and MCSO Chief of Staff Christine Kirk

General Information

1. What action are you requesting from the Board?

Adoption of the resolution establishing the Population Capacity for Multnomah County Sheriff's Office Jail Facilities which include the Multnomah County Detention Center and Multnomah County Inverness Jail. The resolution will also revise the Capacity Management Action Plan and repeal Resolution 06-014.

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 resolution is necessary as the capacity in the jail facilities has changed since Resolution 06-014. There are two primary changes to this resolution from past resolutions:

It differs from past resolutions in that the capacity limit is set by system capacity and is no longer limited to the capacity of MCDC alone. This change more accurately conveys how the system is managed and is a more appropriate determiner of when capacity reaches a population emergency. The Sheriff, District Attorney and the County Attorney have determined that the county jail population is best managed with a system population capacity, taking into account the individual facility capacities.

Section VI of the Capacity Management Plan has been revised so that it is consistent with the definition of forced release in ORS 169.005.

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

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

ORS 169.042, 169.044 and 169.046 set forth the legal parameters for setting a capacity limit and creating an capacity management plan in correctional facilities.

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

This revision has been discussed with the Criminal Justice Advisory Committee Pre-Trial Subcommittee, the District Attorney's Office, and the County Attorney's Office.

Required Signature

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



Date: August 8, 2007

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Establishing the Population Capacity and Adopting a Revised Capacity Management Action Plan for the Multnomah County Sheriff's Office Jail Facilities and Repealing Resolution 06-014

The Multnomah County Board of Commissioners Finds:

- a. The Board of County Commissioners and the Sheriff are committed to operating the county's jails in a manner that is consistent with prevailing constitutional standards and statutory provisions regarding conditions of confinement.
- b. The maximum population capacity of the Multnomah County Detention Center (MCDC) has changed over time as a result of design changes, temporary construction and capital improvement projects.
- c. Resolution 06-014 established and amended the maximum jail population and capacity management plan for MCDC.
- d. The Sheriff, District Attorney and the County Attorney have reviewed the maximum population capacity as established in Resolution 06-014 and recommends the maximum MCDC capacity remain 676, consistent with the current design capacity, physical condition and program capabilities, prevailing constitutional standards, statutory provisions regarding conditions of confinement.
- e. Multnomah County Inverness Jail (MCIJ) is an integral part of the County jail system. The population capacity at MCIJ is dictated by land use regulations and cannot exceed 1068.
- f. The jail system in Multnomah County has changed significantly since the Board passed Resolution 06-014 and currently consists of MCIJ, a medium security facility, and MCDC a maximum security facility. The Sheriff, District Attorney and the County Attorney have determined that the county jail population is best managed with a system population capacity, taking into account the individual facility capacities as specified above.
- g. The Sheriff, District Attorney, and County Attorney have reviewed the Capacity Management Plan as revised in 06-014 and recommends changes to the Plan to ensure compliance with current law, operational best practices and policy direction. The primary changes to the Plan include revisions to Section VI consistent with the definition of forced release in ORS 169.005, and reference to the role of Multnomah County Inverness Jail in managing the population capacity at MCDC.

- h. The Board has reviewed and considered the recommendations and consulted with the elected and appointed officials identified in ORS 169.046.

The Multnomah County Board of Commissioners Resolves:

1. Pursuant to ORS 169.042 and 169.044 the population limit for the Multnomah County jail system consisting of MCDC and MCIJ is set at 1633.
2. If the number of inmates housed within the Multnomah County Jail System reaches 97% of the population limit, a county jail population emergency will exist.
3. The attached Capacity Management Action Plan (Plan) is adopted and will be implemented in accordance with ORS 169.044 in the event of a county jail population emergency.
4. The Sheriff or designee, in the event the Sheriff is unable to act, will implement the Plan in the event of a county jail population emergency.
5. The Board, the Local Public Safety Coordinating Council, or the Sheriff may request a review of the Population Capacity at MCDC and/or the Capacity Management Plan.
6. The Board may issue additional orders or resolutions to carry out the functions and authority granted to Multnomah County under ORS 169.042, 169.044 and 169.046.
7. This resolution takes effect and Resolution 06.014 is repealed on August 16, 2007.

ADOPTED this 16th day of August, 2007.

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:
Bernie Giusto, Multnomah County Sheriff

CAPACITY MANAGEMENT ACTION PLAN

- I. This Capacity Management Action Plan ("Plan") is adopted pursuant to ORS 169.044 to resolve a county jail population emergency. A jail population emergency exists when the total jail population exceeds 97 percent of its population limit. In the event of a county jail population emergency, the Sheriff or his designee will implement this Plan.
- II. The intent of this Plan is to resolve a jail population emergency by holding in jail those that have been evaluated and found to represent the greatest threat to the safety of the community and releasing those that pose the least risk. Such evaluations will be based on objective criteria reasonably calculated to:
 - A. Resolve the jail population emergency;
 - B. Ensure community safety; and
 - C. Comply with prevailing constitutional and Oregon jail standards relating to conditions of incarceration.
- III. The Sheriff or his designee will develop and implement policies and procedures in which every person in custody of the Sheriff, and eligible under the Sheriff's authority to release, is evaluated using the following criteria:
 - A. Risk to self or other persons;
 - B. Propensity for violence;
 - C. Criminal Charges (person vs. non person);
 - D. Prior failures to follow court orders;
 - E. Parole, probation, or post-prison revocations; and
 - F. Institutional behavior or classification.
- IV. Persons whose current charge relates to or who have a criminal history involving the following shall receive special consideration:
 - A. Domestic violence;
 - B. Sex abuse;
 - C. Child abuse or crimes relating to children;
 - D. Risk to a known victim;
 - E. Gang violence;
 - F. Crimes involving a weapon;
 - G. A history of an inability to comply with release conditions or sentencing orders (including Failure to Appear);
 - H. A history of Driving Under the Influence of an Intoxicants; or
 - I. A history of property crimes.
- V. A numerical score will be assigned to each person in custody and will rank the inmate population from highest to lowest score as indicated in Attachment A. The lowest score will represent the least threat to community safety.

- VI. As defined in ORS 169.005, the categories in this Plan apply only to unsentenced offenders. In the event of multiple charges pending against a single inmate, the most serious charge will determine the inmate's primary charge category. Only unsentenced offenders may be released for population reasons. Releases for population reasons will be made based upon the lowest score. Also, the Sheriff may release one gender with higher scores, if releasing the other gender with lower scores would only make available beds that would not be filled because there are no gender appropriate inmates waiting to be housed or no gender appropriate inmates classified for housing at the available bed.
- VII. In addition to the numerical score described herein, both sentenced and unsentenced inmates with a classification status consistent with confinement in a medium security facility will be transferred to MCIJ for housing as the population at MCIJ permits and as needed to reduce the population at MCDC.
- VIII. The Plan shall ensure compliance with ORS 169.046 regarding notice of a county jail population emergency.
- IV. The Sheriff may adopt, amend, and rescind MCSO policies and procedures as necessary to ensure compliance with the intent of section II of this Plan.

ATTACHMENT A CAPACITY MANAGEMENT PLAN

CHARGE LEVEL	PERSON ^{1 2}	NON PERSON ²
Measure 11	150	150
Class A Felony	135	100
Exemption	100 points: Burglary 1	35 points: MCS I and all DCS I related charges, with the exception of DCS to a Minor or Using a Minor in a Drug Offense
Class B Felony	80	35
Exemption	Escape I is 135 points.	50 points: MCS II, Possession of Precursor 20 points: PCS I
Class C Felony	50	20
Exemption	80 points: <ul style="list-style-type: none"> • Attempted Escape I • Negligent Homicide • Stalking - Violation of a Court Protective Order • Unlawful use of a Weapon • - Felony DUII 	35 points: <ul style="list-style-type: none"> • Identity Theft • Forgery • UUMV 50 points: <ul style="list-style-type: none"> • Tampering with a Witness • Riot • Attempted Theft by Extortion
Class A Misd.	25	14
Exemption	50 points: DUII 80 points: <ul style="list-style-type: none"> • Stalking • Violation of a Court Protective Order 	35 points: Mail Theft 50 points: Strangulation
Class B Misd.	14	7
Class C Misd	NA	7
Unclassified Misd/Ordinances	7	7
		170 points: - Restraining Order Violation
Violation	NA	7

¹ Person crimes are those defined by the Oregon Criminal Justice Commission, all child abuse and crimes relating to children, including delivering controlled substances to a child, using a child in a drug offense, all sex abuse, firearms related crimes, escape and any conspiring to commit those crimes defined here as person crimes.

² The charge of Conspiring to Commit a Crime is treated the same the charge for the crime (example Conspiring to Commit a Burglary I is the same score as Burglary I).

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 07-141

Establishing the Population Capacity and Adopting a Revised Capacity Management Action Plan for the Multnomah County Sheriff's Office Jail Facilities and Repealing Resolution 06-014

The Multnomah County Board of Commissioners Finds:

- a. The Board of County Commissioners and the Sheriff are committed to operating the county's jails in a manner that is consistent with prevailing constitutional standards and statutory provisions regarding conditions of confinement.
- b. The maximum population capacity of the Multnomah County Detention Center (MCDC) has changed over time as a result of design changes, temporary construction and capital improvement projects.
- c. Resolution 06-014 established and amended the maximum jail population and capacity management plan for MCDC.
- d. The Sheriff, District Attorney and the County Attorney have reviewed the maximum population capacity as established in Resolution 06-014 and recommends the maximum MCDC capacity remain 676, consistent with the current design capacity, physical condition and program capabilities, prevailing constitutional standards, statutory provisions regarding conditions of confinement.
- e. Multnomah County Inverness Jail (MCIJ) is an integral part of the County jail system. The population capacity at MCIJ is dictated by land use regulations and cannot exceed 1068.
- f. The jail system in Multnomah County has changed significantly since the Board passed Resolution 06-014 and currently consists of MCIJ, a medium security facility, and MCDC a maximum security facility. The Sheriff, District Attorney and the County Attorney have determined that the county jail population is best managed with a system population capacity, taking into account the individual facility capacities as specified above.
- g. The Sheriff, District Attorney, and County Attorney have reviewed the Capacity Management Plan as revised in 06-014 and recommends changes to the Plan to ensure compliance with current law, operational best practices and policy direction. The primary changes to the Plan include revisions to Section VI consistent with the definition of forced release in ORS 169.005, and reference to the role of Multnomah County Inverness Jail in managing the population capacity at MCDC.

- h. The Board has reviewed and considered the recommendations and consulted with the elected and appointed officials identified in ORS 169.046.

The Multnomah County Board of Commissioners Resolves:

1. Pursuant to ORS 169.042 and 169.044 the population limit for the Multnomah County jail system consisting of MCDC and MCIJ is set at 1633.
2. If the number of inmates housed within the Multnomah County Jail System reaches 97% of the population limit, a county jail population emergency will exist.
3. The attached Capacity Management Action Plan (Plan) is adopted and will be implemented in accordance with ORS 169.044 in the event of a county jail population emergency.
4. The Sheriff or designee, in the event the Sheriff is unable to act, will implement the Plan in the event of a county jail population emergency.
5. The Board, the Local Public Safety Coordinating Council, or the Sheriff may request a review of the Population Capacity at MCDC and/or the Capacity Management Plan.
6. The Board may issue additional orders or resolutions to carry out the functions and authority granted to Multnomah County under ORS 169.042, 169.044 and 169.046.
7. This resolution takes effect and Resolution 06.014 is repealed on August 16, 2007.

ADOPTED this 16th day of August, 2007.

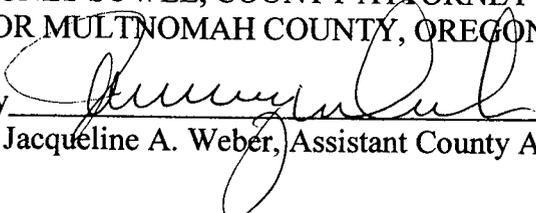


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Jacqueline A. Weber, Assistant County Attorney

SUBMITTED BY:

Bernie Giusto, Multnomah County Sheriff

CAPACITY MANAGEMENT ACTION PLAN

- I. This Capacity Management Action Plan ("Plan") is adopted pursuant to ORS 169.044 to resolve a county jail population emergency. A jail population emergency exists when the total jail population exceeds 97 percent of its population limit. In the event of a county jail population emergency, the Sheriff or his designee will implement this Plan.
- II. The intent of this Plan is to resolve a jail population emergency by holding in jail those that have been evaluated and found to represent the greatest threat to the safety of the community and releasing those that pose the least risk. Such evaluations will be based on objective criteria reasonably calculated to:
 - A. Resolve the jail population emergency;
 - B. Ensure community safety; and
 - C. Comply with prevailing constitutional and Oregon jail standards relating to conditions of incarceration.
- III. The Sheriff or his designee will develop and implement policies and procedures in which every person in custody of the Sheriff, and eligible under the Sheriff's authority to release, is evaluated using the following criteria:
 - A. Risk to self or other persons;
 - B. Propensity for violence;
 - C. Criminal Charges (person vs. non person);
 - D. Prior failures to follow court orders;
 - E. Parole, probation, or post-prison revocations; and
 - F. Institutional behavior or classification.
- IV. Persons whose current charge relates to or who have a criminal history involving the following shall receive special consideration:
 - A. Domestic violence;
 - B. Sex abuse;
 - C. Child abuse or crimes relating to children;
 - D. Risk to a known victim;
 - E. Gang violence;
 - F. Crimes involving a weapon;
 - G. A history of an inability to comply with release conditions or sentencing orders (including Failure to Appear);
 - H. A history of Driving Under the Influence of an Intoxicants; or
 - I. A history of property crimes.
- V. A numerical score will be assigned to each person in custody and will rank the inmate population from highest to lowest score as indicated in Attachment A. The lowest score will represent the least threat to community safety.

- VI. As defined in ORS 169.005, the categories in this Plan apply to only to unsentenced offenders. In the event of multiple charges pending against a single inmate, the most serious charge will determine the inmate's primary charge category. Only unsentenced offenders may be released for population reasons. Releases for population reasons will be made based upon the lowest score. Also, the Sheriff may release one gender with higher scores, if releasing the other gender with lower scores would only make available beds that would not be filled because there are no gender appropriate inmates waiting to be housed or no gender appropriate inmates classified for housing at the available bed.
- VII. In addition to the numerical score described herein, both sentenced and unsentenced inmates with a classification status consistent with confinement in a medium security facility will be transferred to MCIJ for housing as the population at MCIJ permits and as needed to reduce the population at MCDC.
- VIII. The Plan shall ensure compliance with ORS 169.046 regarding notice of a county jail population emergency.
- IV. The Sheriff may adopt, amend, and rescind MCSO policies and procedures as necessary to ensure compliance with the intent of section II of this Plan.

ATTACHMENT A CAPACITY MANAGEMENT PLAN

CHARGE LEVEL	PERSON ^{1 2}	NON PERSON ²
Measure 11	150	150
Class A Felony	135	100
Exemption	100 points: Burglary 1	35 points: MCS I and all DCS I related charges, with the exception of DCS to a Minor or Using a Minor in a Drug Offense
Class B Felony	80	35
Exemption	Escape I is 135 points.	50 points: MCS II, Possession of Precursor 20 points: PCS I
Class C Felony	50	20
Exemption	80 points: <ul style="list-style-type: none"> • Attempted Escape I • Negligent Homicide • Stalking - Violation of a Court Protective Order • Unlawful use of a Weapon • - Felony DUII 	35 points: <ul style="list-style-type: none"> • Identity Theft • Forgery • UUMV 50 points: <ul style="list-style-type: none"> • Tampering with a Witness • Riot • Attempted Theft by Extortion
Class A Misd.	25	14
Exemption	50 points: DUII 80 points: <ul style="list-style-type: none"> • Stalking • Violation of a Court Protective Order 	35 points: Mail Theft 50 points: Strangulation
Class B Misd.	14	7
Class C Misd	NA	7
Unclassified Misd/Ordinances	7	7
		170 points: - Restraining Order Violation
Violation	NA	7

¹ Person crimes are those defined by the Oregon Criminal Justice Commission, all child abuse and crimes relating to children, including delivering controlled substances to a child, using a child in a drug offense, all sex abuse, firearms related crimes, escape and any conspiring to commit those crimes defined here as person crimes.

² The charge of Conspiring to Commit a Crime is treated the same the charge for the crime (example Conspiring to Commit a Burglary I is the same score as Burglary I).



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED: MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-5 DATE 8/16/07
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 08/16/07
 Agenda Item #: R-5
 Est. Start Time: 10:25 AM
 Date Submitted: 08/02/07

BUDGET MODIFICATION: HD - 03

Agenda Title: Budget Modification HD-03 Appropriating \$92,056 in Revenue from the Northwest Health Foundation to Support Optimization of the Health Department's Electronic Health Records System

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

Requested Meeting Date: August 16, 2007 Amount of Time Needed: 5 minutes
 Department: Health Division: Integrated Clinical Services
 Contact(s): Lester A. Walker, Finance and Budget Manager
 Phone: 503-988-3674 Ext. 26457 I/O Address: 167/2/210
 Presenter(s): Susan Kirchoff, Program Manager

General Information

1. What action are you requesting from the Board?

Approval of appropriation of \$92,056 in FY08 funding from the Northwest Health Foundation – Electronic Health Records Optimization Initiative to support optimization of the Health Department's Electronic Health Records system.

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.

Each year the Health Department's Integrated Clinical Services division provides nearly 250,000 visits for more than 54,000 patients. The Health Department is the largest safety net provider in Oregon, providing direct access to primary care and wrap-around services at seven Joint Commission on Accreditation of Healthcare Organizations (JCAHO)-certified centers.

The Department initiated the establishment of an electronic health records system during 2004 with a readiness assessment that addressed the needs for infrastructure improvements, new equipment, staff training, and other activities associated with the conversion of paper medical records to

electronic health records. As of December 2006, five of the Department's seven primary care clinics have completed the conversion to electronic health records, and in February 2007, the Department began implementing electronic health records at its school based health service sites. Once all the records systems for the primary care clinics have been converted to electronic health records, the Department will focus its attention on its specialty clinics and programs including HIV/AIDS Health Services Center, Dental Services and the Early Childhood Services Program.

While the implementation of Epic electronic health records has been successful, systemic changes of this nature invariably reveal unanticipated challenges that only become apparent after the system has been fully adopted. The proposed Electronic Health Records Optimization Initiative will enable the Department to address some of these challenges, for example:

- The most common concern was "provision of ongoing training to stay current with improvements and modifications" followed by "training new staff" and "continuing need to develop customized applications to meet our own needs."
- Concerns were expressed frequently about the need for modification of the electronic health records software to respond to the specific needs and patient populations of safety net clinics, and the adaptability of the templates embedded in the software to meet users' needs.
- Staff expressed that they received sufficient advance training prior to "go-live" and are appreciative of the ongoing availability of technical assistance, but did identify a strong need for ongoing support and problem-solving.

Implementing electronic health records continues to be the key focus of the Integrated Clinical Services division and has enabled the Department to realize a successful electronic health records implementation. Portland State University conducted an evaluation of the electronic health records system's effectiveness during 2006 and cited numerous examples that electronic health records has resulted in improved quality of patient care. For example, providers and staff reported that they had experienced improved accessibility with patients' medical information; improved legibility of patients' health records; and improved processes for patient follow-up, event tracking, patient referrals, ordering and accessibility of lab results. Patients involved in focus groups and surveys reported that they are now able to make appointments faster, wait times for seeing providers has been decreased, and prescriptions are being filled faster.

This action supports Program Offers 40019 – North Portland Clinic, 40020 – Northeast Health Clinic, 40021A – Westside Health Clinic, 40022 – Mid County Health Clinic, 40023A – East County Health Clinic, 40024A – School Based Health Centers High Schools, 40024B – School Based Health Centers Middle & Elementary Schools.

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

Approval of this budget modification will increase the Health Department's FY08 federal/state budget by \$92,056.

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

The project will follow all laws, regulations and policies concerning the protection of personal health records.

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 Health Department's FY08 federal/state revenue will increase by \$92,056 as a result of the work performed under this grant.

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

The Health Department's Integrated Clinical Services FY08 federal/state budget will increase by \$92,056: Professional Services = \$92,000; Local Travel/Mileage = \$56.

- **What do the changes accomplish?**

The Department will hire an information technology consultant to implement project components (electronic health records content management and systems sustainability strategies.) The changes will improve the Department's utilization of the electronic health records system and address the challenges noted in the answer to Question #2 above.

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

N/A

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

The grant does not cover these costs because Northwest Health Foundation only funds indirect costs associated with personnel costs. The Department will cover costs for administering this grant using existing resources.

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

The revenue is one-time-only in nature. The function will not be ongoing.

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

The grant covers the period 6/19/07 – 8/31/08. All funds will be utilized during FY08.

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

When the grant expires, the project will be completed.

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

ATTACHMENT B

BUDGET MODIFICATION: HD - 03

Required Signatures

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

Jillian Stanley/wj

Date: 07-27-07

Budget Analyst:

Debra

Date: 08/01/07

Department HR:

Kathleen Keller

Date: 07/20/07

Countywide HR:

Date:

Budget Modification ID: HD-08-03

EXPENDITURES & REVENUES

Budget/Fiscal Year: 2008

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

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center	WBS Element						
1	40-80	32202	30			4CA101-1	50210	0	(92,056)	(92,056)		Northwest Health Foundation (NWHF)
2	40-80	32202	30			4CA101-1	60170	0	92,000	92,000		IT Consultant
3	40-80	32202	30			4CA101-1	60240	0	56	56		Local Travel/Mileage
4									0			
5									0			
6									0			
7									0			
8									0			
9									0			
10									0			
11									0			
12									0			
13									0			
14									0			
15									0			
16									0			
17									0			
18									0			
19									0			
20									0			
21									0			
22									0			
23									0			
24									0			
25									0			
26									0			
27									0			
28									0			
29									0			
										0	0	Total - Page 1
										0	0	GRAND TOTAL



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-6 DATE 8/16/07
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 08/16/07
Agenda Item #: R-6
Est. Start Time: 10:27 AM
Date Submitted: 07/30/07

BUDGET MODIFICATION: HD – 06

Agenda Title: **Budget Modification HD-06 Appropriating \$25,943 from the Northwest Health Foundation for the Community Coalition to Address Childhood Obesity in North Portland Project**

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

Requested Meeting Date: August 16, 2007 **Amount of Time Needed:** 5 minutes
Department: Health **Division:** Community Health, Promotion, Partnerships and Planning (CHP3)
Contact(s): Lester A. Walker, Finance and Budget Manager
Phone: 503-988-3674 **Ext.** 26457 **I/O Address:** 167/2/210
Presenter(s): Sonia Manhas, Program Supervisor and Consuelo Saragoza, CHP3 Director

General Information

1. What action are you requesting from the Board?

Approval and appropriation of \$25,943 in funding from the Northwest Health Foundation for the Health Department's participation in the Community Coalition to Address Childhood Obesity in North Portland Project.

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 this project is to expand the focus of the Clarendon Elementary School's Healthy Eating/Active Living Coalition (an initiative to address social and environmental factors that influence healthy eating and active living for students) to include multiple schools in the North Portland area. The Coalition's work will be broadened to implement promising practices to reduce childhood obesity through healthy eating and physical activity for students, and it will work to address health disparities in terms of obesity rates among low income, African American, and Latino communities in North Portland.

According to the Oregon Department of Human Services, about 63% of the Latino community in

Oregon is overweight or obese, less than one-third of the Latino population meets current physical activity guidelines, and the Latino population is less likely to have received preventive services such as cholesterol or high blood pressure screenings than the Oregon population. 63% of Oregon's African-Americans are overweight or obese, increasing the risks of high blood pressure, stroke, heart disease, and diabetes. Only 38% of this group meets current physical activity guidelines. These statistics are mirrored in the population of North Portland.

This action will support the goal of Program Offer 40045: Reducing Racial and Ethnic Disparities.

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

This bud mod increases the Health Department's Fed/State FY08 budget by \$25,943. The total grant award is \$58,998 for the period 7/1/07 – 6/30/10.

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.

The founding coalition members of the Clarendon Elementary School's Healthy Eating/Active Living Coalition include the Health Department, Clarendon Elementary School, Latino Alliance, Portland State University, and Portland Parks and Recreation. This coalition grew to include parents, community members, and local organizations such as churches, the Portland Food Bank, the Portsmouth Neighborhood Association, and local businesses. As this project is expanded through the application of these grant funds, the coalition members and community partners will expand as well to reflect the larger North Portland Area.

Allies such as community Health Partnership, Active Living by Design, Kaiser Permanente, and the State Health Promotion and Chronic Disease Prevention Program have been briefed on the project and have made a commitment to provide technical assistance as our coalition builds and interventions are implemented. Many other potential allies and future partners have been identified and will be informed of the project as part of the overall outreach and communication plan.

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 Health Department's FY08 Fed/State revenue will increase by \$25,943 as a result of the work performed under this grant.

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

The Health Department's FY08 budget will increase by \$25,943: Personnel = \$19,600; Materials & Supplies = \$1,000; Local Travel/Mileage = \$500; Internal Services = \$3,152; Indirect = \$1,691.

• **What do the changes accomplish?**

This project will engage local residents to better understand the causes and implications of the obesity epidemic and it will support a process to address the root causes of obesity among children, including factors of food choice and physical activity. Specific objectives of the project are to (1) Build community leadership, (2) Increase access to healthy food, (3) Increase opportunities to be physically active, and (4) Identify promising practices to reduce disparities in obesity rates among low income, African American and Latino children.

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

No FTE will be added. This grant will support the hiring of a temporary part-time Community Health Specialist to support the expansion and implementation of the Community Coalition to Address Childhood Obesity in North Portland project.

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

Revenue covers indirect costs for personnel only.

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

The function will be ongoing. The grant award provides \$58,998 for a three year period.

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

The grant covers the period 7/1/07 – 6/30/08. The award period is 7/1/07 – 6/30/10.

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

We are actively identifying and pursuing additional resources via new grants, also working with partners to see what parts of the work can integrate with existing initiatives and activities. The department does not intend to backfill these grant funds with general fund.

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

ATTACHMENT B

BUDGET MODIFICATION: HD - 06

Required Signatures

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

Jillian Sturley/wj

Date: 07-30-07

Budget Analyst:

Angela Burdine

Date: 08/10/07

Department HR:

Kathleen Miller

Date: 07/25/07

Countywide HR:

Date: _____

Budget Modification ID: **HD-06****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
					Cost Center	WBS Element						
1	40-40	32224	30			4CA102-01-1	50210	0	(25,943)	(25,943)		Northwest Health Foundation
2	40-40	32224	30			4CA102-01-1	60100	0	14,298	14,298		Community Health Specialist II (741 hrs)
3	40-40	32224	30			4CA102-01-1	60135	0	4,587	4,587		Non-base fringe
4	40-40	32224	30			4CA102-01-1	60145	0	715	715		Non-base insurance
5	40-40	32224	30			4CA102-01-1	60240	0	1,000	1,000		educational, marketing supplies
6	40-40	32224	30			4CA102-01-1	60270	0	500	500		Local Travel/Mileage
7	40-40	32224	30			4CA102-01-1	60350	0	449	449		Central Indirect
8	40-40	32224	30			4CA102-01-1	60355	0	1,243	1,243		Departmental Indirect
9	40-40	32224	30			4CA102-01-1	60370	0	750	750		Internal Service Telephone
10	40-40	32224	30			4CA102-01-1	60430	0	2,302	2,302		Internal Service Building Management
11	40-40	32224	30			4CA102-01-1	60460	0	100	100		Internal Service Dist/Postage
12									0			
13	72-10	3500	0020			705210	50316		(715)	(715)		Insurance Revenue
14	72-10	3500	0020			705210	60330		715	715		Offsetting expenditure
15									0			
16	19	1000	0020			9500001000	50310		(449)	(449)		Indirect reimbursement revenue in GF
17	19	1000	0020			9500001000	60470		449	449		CGF Contingency expenditure
18									0			
19	40-90	1000	30			409050	50370		(1,243)	(1,243)		Indirect Dept reimbursement revenue in GF
20	40-90	1000	30			409001	60000		1,243	1,243		Off setting Dept expenditure in GF
21									0			
22	72-60	3503	0020			709525	50310		(750)	(750)		Budgets receipt of reimbursement
23	72-60	3503	0020			709525	60200		750	750		Budgets offsetting exp in telecomm fund
24									0			
25	72-50	3505	0020			902575	50310		(2,302)	(2,302)		Budgets receipt of Bldg Mgmt svc reimb
26	72-50	3505	0020			902575	60170		2,302	2,302		Budgets offsetting expenditure
27									0			
28	72-55	3504	0020			904400	50310		(100)	(100)		Budgets receipt of service reimbursement
29	72-55	3504	0020			904400	60230		100	100		Budgets offsetting expenditure
									0	0		Total - Page 1
									0	0		GRAND TOTAL



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-7 DATE 8/16/07
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only	
Meeting Date:	<u>08/16/07</u>
Agenda Item #:	<u>R-7</u>
Est. Start Time:	<u>10:30 AM</u>
Date Submitted:	<u>08/07/07</u>

Agenda Title:	NOTICE OF INTENT to Apply for a \$900,000 Grant from the Health Resources and Services Administration's Maternal and Child Health Bureau to Support a Collaborative Research Project to Investigate Obesity in Latino Children
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Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Requested Meeting Date:	<u>August 16, 2007</u>	Amount of Time Needed:	<u>5 minutes</u>
Department:	<u>Health</u>	Division:	<u>Community Health Promotion, Planning and Partnerships</u>
Contact(s):	<u>Dr. Patsy Kullberg, Chris Sorvari, Tom Waltz</u>		
Phone:	<u>503-988-3674</u>	Ext.:	<u>22670</u>
Presenter(s):	<u>Chris Sorvari, Tom Waltz (MCHD), Mark Spofford (Kaiser Center for Health Research)</u>		
I/O Address:	<u>160/9</u>		

General Information

1. What action are you requesting from the Board?

Authorize the Director of the Health Department to apply for a \$900,000 grant from the Health Resources and Services Administration's Maternal and Child Health Bureau to support a collaborative research project with the Kaiser Center for Health Research. The purposed research, entitled the Latino Child Obesity Prevention Study, will seek to demonstrate the effectiveness of delivering group well-child visits using community health workers to reduce the rate of obesity among Latino children in 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.

Childhood obesity is a major health problem in the United States with the number of overweight children doubling over recent decades.¹ Overweight and obesity disproportionately affect low income Latino children, especially those in families who are more acculturated.² By the age of three, Latino children have rates of obesity up to twice

¹ Deckelbaum RJ, Williams CL. Childhood obesity: The health issue. *Obesity Res* 2001, 9(4), 239S – 243S.

² Trowbridge F, Mendoza F. Preventing obesity in Mexican-American children and adolescents. In M Oria & K Sawyer (rapporteurs). Joint US-Mexico Workshop on preventing obesity in children and youth of Mexican origin:

that of young children of other ethnic groups.³ Obesity early in life relates to significant health problems in childhood and adolescence across all ethnic groups; as well as great increase in morbidity and mortality in adulthood.⁴ Once developed, obesity is difficult to reverse, and children who are affected by obesity have significantly greater odds of being obese into adulthood.⁵ Since eating habits and other health practices are determined very early in life,⁶ development of effective family-based preventive interventions for young children that focus on the development of lifestyle behaviors are key to reducing both morbidity and mortality from obesity-related illnesses later in life.

The goal of the proposed study is to demonstrate that a group approach to delivering well child care using methods of popular education⁷ and including Community Health Workers as educators can be more effective in helping young, low-income Latino families adopt good health promotion and disease prevention behaviors than the individual visit approach used in usual care. Specifically, the Latino Child Obesity Prevention Study will evaluate whether a "Group Well Child Visit" intervention that utilizes Community Based Participatory Research methods and popular education approaches can result in better obesity prevention behaviors in Latino mothers and decreased obesity and overweight in their 2-year old children compared to usual methods of delivering well child care.

Program offers that may be associated with this request – This request is similar to Program Offer 40047, "Obesity and Chronic Disease Prevention," and Program Offer 40045, "Reducing Racial and Ethnic Disparities." Grant funds resulting from this request will not be used to supplant County funding. However, the project's outcomes may enhance the work associated with these proposed program offers.

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

There is no fiscal impact to Multnomah County; grant funding will enable the County to participate in important population-based research at no direct expense.

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

None, the project is consistent with County policy to address racial and ethnic health disparities, and Institutional Review Board approval will be sought to ensure the protection of study participants.

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

In addition to the Multnomah County Health Department, the project will involve the Kaiser

Summary. Food and Nutrition Board, Institute of Medicine of the National Academies. Washington DC: National Academies Press, c2007.

³Kimbro RT, Brooks-Gunn J, McLanahan S. Racial and ethnic differentials in overweight and obesity among 3-year-old children. *Am J Public Health* 2007; 97(2): 298-305.

⁴Daniels SR. The consequences of childhood overweight and obesity. *The Future of Children* 2006 16(1):47-67.

⁵Whitaker RC, Wright JA, Pepe MS, Seidel KD, Dietz WH. Predicting obesity in young adulthood from childhood and parental obesity. *New England Journal of Medicine*, 1997; 337(13):926-7.

Birch LS. Development of food acceptance patterns in the first years of life. *Proceedings of the Nutrition Society* 1998, 57(4): 617-24.

⁶Birch LS. Development of food acceptance patterns in the first years of life. *Proceedings of the Nutrition Society* 1998, 57(4): 617-24.

⁷Farquhar SA, Michael YL, Wiggins N. Building on leadership and social capital to create change in 2 urban communities. *Am Jour Pub Health* 2005; 95(4):596-601.

Center for Health Research, and the Virginia Garcia Memorial Health Center in Washington County.

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?**

Maternal and Child Health Bureau of the Health Resources and Services Administration (HRSA).

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

The specific grant program is a new competition under the Maternal and Child Health Research Program (# HRSA-08-001). No local match is required for this grant. Grantees are required to monitor expenses and report activities on regular intervals as established in the grant agreement, and provide a final report upon the completion of the project.

The mission of MCHB is to provide national leadership and to work, in partnership with States, communities, public-private partners, and families to strengthen the maternal and child health (MCH) infrastructure, assure the availability of medical homes, and build the knowledge and human resources, in order to assure continued improvement in the health, safety, and well-being of the MCH population. The MCH population includes all America's women, infants, children, adolescents and their families, including fathers and children with special health care needs.

The goals of MCHB are to:

- Provide National Leadership for Maternal and Child Health
- Eliminate Health Barriers and Disparities
- Assure Quality of Care
- Improve the Health Infrastructure and Systems of Care

The Maternal and Child Health Research Program is authorized by Title V, Section 501(a)(2); 42 U.S.C. 701(a)(2) of the Social Security Act. The program is administered by the Division of Research, Training and Education, Maternal and Child Health Bureau. The MCH Research Program is built on almost 40 years of experience, and it has supported ground-breaking investigations which have significantly influenced clinical management, organization and delivery of health care services, preventive care and early intervention for the maternal and child health population.

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

This is one-time funding.

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

September 14, 2007

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

The grant will cover a 36-month period beginning in February 2008.

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

This is one-time funding.

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

Administrative expenses can be requested in addition to the amount of the grant request.

ATTACHMENT B

Required Signatures

Elected Official or
Department/
Agency Director:

Jillian Shirley / WS

Date: 08/07/07

Budget Analyst:

Michael D. Gaspi

Date: 08/08/07



**MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST**

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-8 DATE 8/16/07
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 08/16/07
Agenda Item #: R-8
Est. Start Time: 10:33 AM
Date Submitted: 08/09/07

**NOTICE OF INTENT to Submit a Proposal to the National Association of
County and City Health Officials' Incorporating Social Justice Principles and
Addressing Health Equity in Public Health Preparedness Grant Competition**

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

Requested Meeting Date: August 16, 2007 **Amount of Time Needed:** 5 minutes
Department: Health **Division:** Community Health Services
Contact(s): Tricia Tillman, Jessica Guernsey, Nicole Hermanns
Phone: 503-988-3030 **Ext.** 29087 **I/O Address:** 420/1
Presenter(s): Tricia Tillman

General Information

1. What action are you requesting from the Board?

Authorize the Director of the Health Department to apply for up to \$10,000 in grant funding for an eight month project period, beginning October 1, 2007, from the National Association of County & City Health Officials' (NACCHO) Incorporating Social Justice Principles and Addressing Health Equity in Public Health Preparedness grant program.

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

In the wake of Hurricane Katrina, government agencies at all levels have been re-examining their emergency preparedness systems to ensure the plans are socially just. To further this effort, NACCHO, in conjunction with the CDC, has put out a request for proposals to "strengthen the public health preparedness infrastructure of local health departments in addressing health equity through social justice by combating the root causes of inequity".

Multnomah County Health Department (MCHD) has been engaged in a Community Emergency Preparedness Process for the past several years. Beginning in the summer of 2003, MCHD completed an assessment of internal community emergency preparedness capacity, in which several

MCHD employees with specialized knowledge, skills, and relationships with communities of color and immigrant/refugee communities were identified and invited to take part in the process as *Community Connectors*. Participating Community Connectors were then trained in emergency preparedness and risk communications, and the new Community Connector Network was integrated into the Health Department and the Incident Command System. After the Network was in place, Community Connectors began to engage community based organizations around the issue of emergency preparedness.

MCHD is now working to bring these stakeholders together in the final phase of the process. On August 14th, a table top exercise around a pandemic flu scenario was convened with members of MCHD, Incident Command, and representatives from community based organizations. The goal of the exercise was to identify and address aspects of the plan, that when applied, will create issues for individuals and communities that will hinder successful implementation.

This grant will provide MCHD with the resources to expand the current levels of community involvement in emergency preparedness by providing the funds to hold a second table-top exercise that will involve both new community based organizations and individual members from the community. By expanding the level of involvement in emergency preparedness to the community member level, our emergency preparedness plans will be more equitable, socially just, and inclusive, and our community will be more engaged and knowledgeable in emergency preparedness.

The grant is related to Program Offer 40005 – Public Health and Regional Health Systems Emergency Preparedness.

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

This grant would provide the Health Department with an addition \$5,000 - \$10,000 to cover the costs of a community involvement event around emergency preparedness in Multnomah County.

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

There are no legal or policy issues.

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

Over the past several years, MCHD has worked with community based organizations to engage in inclusive emergency preparedness planning. This grant will allow for an expansion in community involvement by inviting individual community members to the table to provide input and shape emergency preparedness planning, with the goal of creating equitable, culturally competent plans.

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?**
NACCHO – The National Association of County & City Health Officials
- **Specify grant (matching, reporting and other) requirements and goals.**
This is a small (\$5,000-\$10,000) grant available only to local health departments to implement a short (maximum of eight months) project whose goal is “to create awareness and activate change in preparedness planning in order to fully incorporate principles of social justice into preparedness planning”. There is no matching requirement. Regular progress reports and a final report are required.
- **Explain grant funding detail – is this a one time only or long term commitment?**
This is a one-time grant award of \$5,000 - \$10,000
- **What are the estimated filing timelines?**
Application is due September 4, 2007.
- **If a grant, what period does the grant cover?**
October 1, 2007 through May 31, 2008
- **When the grant expires, what are funding plans?**
These funds will be used to hold a community event. When the grant expires the project/event will have been concluded. Information gained and partnerships built during the grant period will be incorporated into regular emergency preparedness planning activities.
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**
Indirect costs will be covered by grant funding.

ATTACHMENT B

Required Signatures

Elected Official or
Department/
Agency Director:

Lillian Shirley

/KJ

Date: 08/09/07

Budget Analyst:

Angela Burdine

Date: 08/10/07



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 08/16/07
 Agenda Item #: R-9
 Est. Start Time: 10:35 AM
 Date Submitted: 08/07/07

Agenda Title: First Reading and Possible Adoption of a Proposed ORDINANCE Amending Multnomah County Code Chapter 21.406, Ambulance Staffing, and Declaring an Emergency

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

Requested Meeting Date: August 16, 2007 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, and Declaring an Emergency.
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:**

Jillian Shulley / WS

Date: 08-07-07

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending MCC §21.406, Ambulance Staffing, and Declaring an Emergency

(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.

Penalty, see § 21.999

BOGSTAD Deborah L

From: WILLER Barbara
Sent: Wednesday, July 11, 2007 3:25 PM
To: BOGSTAD Deborah L
Subject: FW: Proposed Amendment of MCC Section 21.406 (follow-up)

I replied to this gentleman that I will let him know if it goes back on Board agenda. Do you have capacity to track this and then let him know? Thanks.

Barbara Willer
Deputy Chief Operating Officer
Multnomah County
501SE Hawthorne, 6th floor
Portland, OR 97212
503-988-5002
barbara.willer@co.multnomah.or.us

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

From: Multnomah County Chair
Sent: Wednesday, July 11, 2007 2:21 PM
To: WILLER Barbara
Subject: FW: Proposed Amendment of MCC Section 21.406 (follow-up)

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

From: Charles Savoie [mailto:audioxcel.1@netzero.net]
Sent: Wednesday, July 11, 2007 1:27 PM
To: Multnomah County Chair
Subject: Proposed Amendment of MCC Section 21.406 (follow-up)

July 11, 2007

Dear Honorable Commissioner,

I have been informed that this matter has been taken off of the agenda for the 7/12/07 meeting. Accordingly, I will not be delivering a signed hard copy of the email that I sent yesterday regarding this matter.

An email or letter confirming that this matter will not be reconsidered until after our labor negotiations with AMR have been completed would be greatly appreciated.

Should this matter ever be placed on the agenda again (even in an emergency session), I request to be notified. Thank you.

We do expect AMR to attempt to convince the county to allow one EMT and one paramedic staffing on ALS ambulances for financial reasons sometime after a new CBA is ratified. We will address that when the time comes.

Sincerely,

7/12/2007

Charles F. Savoie, EMT-P
MultCo Ambulance Staffing Taskforce, Chair
NEMSA

BOGSTAD Deborah L

From: John Praggastis [jpraggastis@earthlink.net]
Sent: Tuesday, August 14, 2007 12:02 PM
To: BOGSTAD Deborah L
Subject: Re: R-9 on August 16 Board meeting agenda - ambulance staffing code amendment - rescheduled to September 6 Board meeting
Importance: High

Thanks, Deb!

XoXoXoXo!

John

On Aug 14, 2007, at 11:54 AM, BOGSTAD Deborah L wrote:

At the request of Chair Wheeler, the First Reading and Possible Adoption of a Proposed ORDINANCE Amending Multnomah County Code Chapter 21.406, Ambulance Staffing, and Declaring an Emergency will be rescheduled to the September 6, 2007 Board meeting agenda.

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

BOGSTAD Deborah L

From: Charles Savoie [audioxcel.1@netzero.com]
Sent: Tuesday, August 14, 2007 6:48 PM
To: BOGSTAD Deborah L
Subject: Re: R-9 on August 16 Board meeting agenda - ambulance staffing code amendment - rescheduled to September 6 Board meeting

Dear Ms. Bogstad,

Thank you again for your promptness.

Charles Savoie
 MultCo Ambulance Staffing Taskforce, chair
 NEMSA

-- "BOGSTAD Deborah L" <deborah.l.bogstad@co.multnomah.or.us> wrote:
 Return-Path: <deborah.l.bogstad@co.multnomah.or.us>
 Received: from mx33.lax.unttd.com (mx33.lax.unttd.com [10.130.24.93])
 by maildeliver07.lax.unttd.com with SMTP id AABDND8WHAU7C6K2
 for <audioxcel.1@netzero.net> (sender <deborah.l.bogstad@co.multnomah.or.us>);
 Tue, 14 Aug 2007 11:55:03 -0700 (PDT)
 Received: from multco-smtp2.co.multnomah.or.us (eagle.co.multnomah.or.us [159.121.4.169])
 by mx33.lax.unttd.com with SMTP id AABDND8WHAMZSHSHS
 for <audioxcel.1@netzero.net> (sender <deborah.l.bogstad@co.multnomah.or.us>);
 Tue, 14 Aug 2007 11:55:03 -0700 (PDT)
 Received: from ex2k-
 hub.co.multnomah.or.us (unverified [172.20.198.26]) by buckman.co.multnomah.or.us
 (Clearswift SMTPRS 5.2.9) with ESMTP id <T8170a2af79c0a8012fce4@buckman.co.multnomah.or.us
 Tue, 14 Aug 2007 11:54:51 -0700
 Received: from mtscott.co.multnomah.or.us ([172.20.198.39]) by ex2k-
 hub.co.multnomah.or.us with Microsoft SMTPSVC(5.0.2195.6713);
 Tue, 14 Aug 2007 11:54:55 -0700
 X-MimeOLE: Produced By Microsoft Exchange V6.0.6619.12
 content-class: urn:content-classes:message
 MIME-Version: 1.0
 Content-Type: multipart/alternative;
 boundary="-----_NextPart_001_01C7DEA4.9A54E048"
 Subject: R-9 on August 16 Board meeting agenda - ambulance staffing code amendment -
 rescheduled to September 6 Board meeting
 Date: Tue, 14 Aug 2007 11:54:54 -0700
 Message-ID: <91823D28CDFF9B41BAF380D199EAA01C097CF7D1@mtscott.co.multnomah.or.us>
 X-MS-Has-Attach:
 X-MS-TNEF-Correlator:
 Thread-Topic: R-9 on August 16 Board meeting agenda - ambulance staffing code amendment -
 rescheduled to September 6 Board meeting
 Thread-Index: AcfefJoyqk4DfjgMR4iS4DkiGHSfFQ==

8/15/2007

X-Priority: 1
Priority: Urgent
Importance: high
From: "BOGSTAD Deborah L" <deborah.l.bogstad@co.multnomah.or.us>
Bcc:
Return-Path: deborah.l.bogstad@co.multnomah.or.us
X-OriginalArrivalTime: 14 Aug 2007 18:54:55.0618 (UTC) FILETIME=[9AC87620:01C7DEA4]
To: Undisclosed-recipients;
X-ContentStamp: 6:3:4185783824
X-MAIL-
INFO:518f3ee38f434b4b433b4be3373b6b5f7a837a47d7671b7b7f6eb3bb232b9f1f4eaf7f7baa031f23028
X-UNTD-Peer-Info: 159.121.4.169|eagle.co.multnomah.or.us|multco-
smtp2.co.multnomah.or.us|deborah.l.bogstad@co.multnomah.or.us
X-UNTD-UBE:-1

At the request of Chair Wheeler, the First Reading and Possible Adoption of a Proposed ORDINANCE Amending Multnomah County Code Chapter 21.406, Ambulance Staffing, and Declaring an Emergency will be rescheduled to the September 6, 2007 Board meeting agenda.

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



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 08/16/07
 Agenda Item #: R-10
 Est. Start Time: 10:45 AM
 Date Submitted: 07/24/07

Agenda Title: **Second Reading and Possible Adoption of a Proposed ORDINANCE Amending Multnomah County Code Chapters 33, 34, 35 and 36, to Update the County Code Relating to Exclusive Farm Use and Commercial Forest Use Zoning Districts, and Chapters 37 and 38 to Repeal Newspaper Notice Publishing Requirements for Appeals of Type II Land Use Decisions and Type III Land Use Applications**

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

Requested Meeting Date: August 16, 2007 Amount of Time Needed: 5 mins
 Department: Community Services Division: Land Use & Transportation
 Contact(s): Chuck Beasley, Derrick Tokos
 Phone: 503-988-3043 Ext. 22610 I/O Address: 455/116
 Presenter(s): Chuck Beasley

General Information

1. What action are you requesting from the Board?

Approval of a proposed Ordinance that combines two Zoning Code amendment projects. Planning Commission Resolutions PC 06-007 and PC 06-010 recommend adoption of Zoning Code amendments that do the following: (1) Update the Exclusive Farm Use (EFU) and Commercial Forest Use (CFU) zoning districts to include changes made in 2005 and early 2006 to State of Oregon Statutes and Administrative Rules, and (2) remove the requirement for publishing newspaper notices for certain land use public hearings.

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.

Land uses on farm and forest zoned lands are regulated by State of Oregon Statutes and Rules which are administered by counties in their zoning codes. Those Statutes and Rules are periodically amended, requiring counties to make corresponding changes in their zoning codes. Changes include the following:

- (1) An amendment to an approval criteria for a "Template Dwelling," (a method of approving

construction of a new home in a forest zone), to require existing houses that are only partially within the template be counted, as opposed to the present requirement that the existing dwelling be entirely within the template. This may result in a few additional dwellings being approved on undeveloped, CFU zoned properties;

(2) Add a provision for a "deferred replacement permit" that allows a delay between when an existing house is demolished and a replacement house is built in the EFU zone;

(3) Add a clarification that the "propagation, cultivation, maintenance and harvesting of aquatic species" that are "Conditional Uses" requiring land use approval are those aquatic species "that are not under the jurisdiction of the State Fish and Wildlife Commission;" and

(4) Add a definition for "farm crops and livestock" allowed to be sold at farm stands in the EFU zone.

In addition, this ordinance repeals the requirement to publish an advertisement in the Oregonian newspaper for land use applications that require public hearings before a Hearings Officer. Experience has shown that nearly all participation by interested parties in these hearings is the result of mailed notice to all property owners within 750 feet of the subject property or, in the case of Type III permits, by passers-by reading the sign that is posted at the road in front of the property.

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

Eliminating the requirement to publish newspaper notice will reduce the direct cost of publication as well as reduce staff time needed to ensure that publication occurs as prescribed by the code.

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

There are no legal issues. The amendments to the EFU and CFU zones incorporate recent changes to state law. Regarding hearing notice, state law does not require published notice for the types of land use actions subject to the proposed change. There is a policy question as to whether or not this form of notice is effective in informing constituents about land use matters. Our experience has been that it is not.

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

Work sessions, open to the public, were held by the Planning Commission. Copies of all proposed code changes have been sent to the State of Oregon Department of Land Conservation and Development, giving that agency an opportunity to comment on the proposals. No comments were returned by the State agency.

A public hearing was held before the Planning Commission where the public was invited to speak. Public notice in the Oregonian newspaper was given for all work sessions and public hearings. No citizens spoke regarding the amendments at the hearing. The Planning Commission's vote was unanimous to recommend approval of these amendments to the Board of County Commissioners.

Required Signature

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



Date: 07/24/07

BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. PC 06-007

Recommend to the Board of County Commissioners the adoption of an ordinance amending MCC Chapters 33, 34, 35 and 36 by updating the Exclusive Farm Use and Commercial Forest Use zoning districts to reflect changes made in State Statute and State Administrative Rules.

The Planning Commission Finds:

- a. The Planning Commission is authorized by Multnomah County Code Chapter subsections 33.0140, 34.0140, 35.0140, 36.0140 and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- b. Under the State of Oregon Land Use Planning Program, regulation of land uses on farm and forest lands are based in State Statute and Administrative Rules, which Counties then administer.
- c. The State Legislature and the Land Conservation and Development Commission continue to modify and amend those statutes and rules.
- d. The amendments in the proposed ordinance have been found by the Planning Commission to be needed to update the respective Multnomah County Zoning Code Chapters to comply with state requirements.
- e. No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required ("Ballot Measure 56" notice). Notice of the Planning Commission hearing was published in the "Oregonian" newspaper and on the Land Use Programs web site.
- f. The Planning Commission held a public hearing on October 2, 2006 where all interested persons were given an opportunity to appear and be heard.

The Planning Commission Resolves:

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

ADOPTED this 2nd day of October, 2006.

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON



John Ingle, Chair

BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. PC 06-010

Recommend to the Board of County Commissioners the adoption of an ordinance amending MCC Chapters 37 and 38 by repealing newspaper notice requirements for appeals of Type II applications and hearings of Type III applications.

The Planning Commission Finds:

- a. The Planning Commission is authorized by Multnomah County Code Chapter subsections 33.0140, 34.0140, 35.0140, 36.0140 and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- b. The existing Zoning Code chapters require publication of notices in a newspaper of Type III land use applications and appeal of Type II land use applications. Publication of these notices is not a requirement from the State or Columbia River Gorge Commission.
- c. The experience of planning staff is that response from the public that results directly from the published notices of these land use applications is very rare. Nearly all response to proposed applications is from the mailed notices that are sent to surrounding property owners or from the posting of signs at the subject property.
- d. Eliminating the requirement to publish notices of Type III and appeals of Type II applications will reduce the costs of publication and the amount of staff time in preparing the notices while not appreciably affecting notice to the public.
- e. The Planning Commission further endorses a policy encouraging the Land Use Planning Program to post notices of all land use applications on the County's internet web site.
- f. The Planning Commission held a public hearing on October 2, 2006 where all interested persons were given an opportunity to appear and be heard.

The Planning Commission Resolves:

The proposed Ordinance amending MCC Chapters 37 and 38 is hereby recommended for adoption by the Board of County Commissioners.

ADOPTED this 2nd day of October, 2006.

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON


John Ingle, Chair

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending MCC Chapters 33, 34, 35 and 36 to Update the County Code Relating to Exclusive Farm Use and Commercial Forest Use Zoning Districts, and Chapters 37 and 38 to Repeal Newspaper Notice Publishing Requirements for Appeals of Type II Land Use Decisions and Type III Land Use Applications.

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

The Multnomah County Board of Commissioners Finds:

- a. The Planning Commission is authorized by Multnomah County Code Chapter (MCC) § 33.0140 and by ORS 215.110 to recommend to the Board the adoption of ordinances to implement the Multnomah County Comprehensive Plan. The Planning Commission exercised this authority in recommending the proposed ordinance with Resolutions PC-06-007 and PC-06-010.
- b. The County Zoning Code implements the Comprehensive Plan and must be periodically amended to include updates of land use laws and rules enacted by the State of Oregon. In addition, there is a need for continuing reexamination of procedures for review of land use applications to verify the requirements effectiveness and to improve efficiencies.
- c. Under the State of Oregon Land Use Planning Program, regulation of land uses on farm and forest lands is based in State Statute and Administrative Rules, which Counties then administer. The State Legislature and the Land Conservation and Development Commission continue to modify and amend those statutes and rules. The amendments in this ordinance update Multnomah County Zoning Code Chapters 33, 34, 35, and 36 to comply with those changes in state requirements.
- d. The existing Zoning Code chapters 37 and 38 require newspaper notices to be published for all Type III land use applications and appeal of Type II land use applications. However, publication of these notices is not a requirement of the State of Oregon or the Columbia River Gorge Commission. Planning program staff's experience is that response from the public that results directly from the published notices of these land use applications is very rare. Nearly all response to proposed applications is from the mailed notices that are sent to surrounding property owners or from the posting of signs at the subject property. Repeal of the requirement to publish these notices will reduce the expense of publication and the amount of staff time to prepare the notices while not appreciably reducing the effective amount of notice given to the public.
- e. No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required ("Ballot Measure 56" notice).
- f. The provisions of this ordinance were submitted to the State of Oregon Department of Land Conservation and Development and their staff was given an opportunity to comment on the proposed amendments. No comments were received.
- g. Noticed public hearings were held before the Planning Commission on October 2, 2006 and Board of County Commission on August 9, 2007, where all interested persons were given an opportunity to appear and be heard.

Multnomah County Ordains as follows:

PART I – UPDATE OF CFU AND EFU DISTRICTS

Section 1. §§ 33.2240, 33.2440, 35.2240 and 36.2040 are amended as follows:

[CFU-2]

§ 33.2240 **Template and Heritage Tract Dwellings**

[CFU-5]

§ 33.2440 **Template Dwellings**

[CFU-4]

§ 35.2240 **Template and Heritage Tract Dwellings**

[CFU]

§ 36.2040 **Template and Heritage Tract Dwellings**

(A) A template dwelling may be sited on a tract, subject to the following:

* * *

(3) The tract shall meet the following standards:

(a) If the tract is predominantly composed of soils which are capable of producing 0 to 49 cubic feet of Douglas Fir timber per acre per year (cf/ac/yr); and

1. The lot upon which the dwelling is proposed to be sited and at least all or part of 3 other lawfully created lots existed on January 1, 1993 within a 160-acre square when centered on the center of the subject tract parallel and perpendicular to section lines; and

2. At least three dwellings lawfully existed on January 1, 1993 within the 160-acre square and those dwellings either continue to exist or have been replaced by lawful replacement dwellings, or

(b) If the tract is predominantly composed of soils which are capable of producing 50 to 85 cf/ac/yr of Douglas Fir timber; and

1. The lot upon which the dwelling is proposed to be sited and at least all or part of 7 other lawfully created lots existed on January 1, 1993 within a 160-acre square when centered on the center of the subject tract parallel and perpendicular to section lines; and

2. At least three dwellings lawfully existed on January 1, 1993 within the 160-acre square and those dwellings either continue to exist or have been replaced by lawful replacement dwellings, or

(c) If the tract is predominantly composed of soils which are capable of producing above 85 cf/ac/yr of Douglas Fir timber; and

1. The lot upon which the dwelling is proposed to be sited and at least all or part of 11 other lawfully created lots existed on January 1, 1993 within a 160-acre square when centered on the center of the subject tract parallel and perpendicular to section lines; and

2. At least five dwellings lawfully existed on January 1, 1993 within the 160-acre square and those dwellings either continue to exist or have been replaced by lawful replacement dwellings.

* * *

(k) "Within" as used in the context of (a)2., (b)2. and (c)2. shall mean that all of the dwellings or any part of the dwellings are in the 160-acre square.

Section 2. §§ 33.2610, 34.2610, 35.2610 and 36.2610, Definitions, are amended as follows:

Contiguous refers to parcels or lots which have any common boundary, excepting a single point, and shall include, but not be limited to, parcels or lots separated only by an alley, street or other right-of-way.

Deferred replacement permit is a building permit for replacement of an existing dwelling that allows construction of a replacement dwelling at any time. The *deferred replacement permit* may not be transferred, by sale or otherwise, except by the applicant to the spouse or a child of the applicant. The replacement dwelling must comply with applicable building codes, plumbing codes, sanitation codes and other requirements relating to health and safety or to siting at the time of construction.

Farm Operator means a person who operates a farm, doing the work and making the day-to-day decisions about such things as planting, harvesting, feeding and marketing.

Section 3. §§ 33.2620, 34.2620, 35.2620 and 36.2620, Allowed Uses, are amended as follows:

(L) Alteration, restoration or replacement of a lawfully established habitable dwelling.

(1) In the case of a replacement dwelling:

(a) ~~the~~ The existing dwelling must be removed, demolished or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling, or

(b) If the applicant has requested a *deferred replacement permit*, the existing dwelling must be removed or demolished within three months after the *deferred replacement permit* is issued. If, however, the existing dwelling is not removed or demolished within three months after the *deferred replacement permit* is issued, the permit becomes void.

Section 4. §§ 33.2625, 34.2625, 35.2625 and 36.2625, Review Uses, are amended as follows:

(H) Farm Stands when found that:

(1) The structures are designed and used for the sale of farm crops or livestock grown on the farm operation, or grown on the farm operation and other farm operations in the local agricultural area, including the sale of retail incidental items, and fee-based activity to promote the sale of farm crops or livestock sold at the farm stand if the annual sale of incidental items and fees from promotional activity do not make up no more than 25 percent of the total sales of the farm stand; and

(2) The farm stand does not include structures designed for occupancy as a residence or for activities other than the sale of farm crops and livestock and does not include structures for banquets, public gatherings or public entertainment.

(3) As used in this section, "farm crops or livestock" includes both fresh and processed farm crops and livestock grown on the farm operation, or grown on the farm operation and other farm operations in the local agricultural area. As used in this subsection, "processed crops and livestock" includes jams, syrups, apple cider, animal products and other similar farm crops and

livestock that have been processed and converted into another product but not prepared food items.

(4) As used in this section, "local agricultural area" includes Oregon or an adjacent county in Washington that borders Multnomah County.

* * *

Section 5. §§ 33.2630, 34.2630, 35.2630 and 36.2630 are amended as follows:

§ 33.2630 Conditional Uses

The following uses may be permitted when approved by the Hearings Officer pursuant to the provisions of MCC 33.6300 to 33.6335:

* * *

(K) The propagation, cultivation, maintenance and harvesting of aquatic species that are not under the jurisdiction of the State Fish and Wildlife Commission. In accordance with ORS 215.283(2)(p) 2006, notice of all applications shall be mailed to the State Department of Agriculture at least 20 calendar days prior to any initial hearing on the application.

* * *

§ 34.2630 Conditional Uses

The following uses may be permitted when approved by the Hearings Officer pursuant to the provisions of MCC 34.6300 to 34.6335:

* * *

(K) The propagation, cultivation, maintenance and harvesting of aquatic species that are not under the jurisdiction of the State Fish and Wildlife Commission. In accordance with ORS 215.283(2)(p) 2006, notice of all applications shall be mailed to the State Department of Agriculture at least 20 calendar days prior to any initial hearing on the application.

* * *

§ 35.2630 Conditional Uses

The following uses may be permitted when approved by the Hearings Officer pursuant to the provisions of MCC 35.6300 to 35.6335:

* * *

(K) The propagation, cultivation, maintenance and harvesting of aquatic species that are not under the jurisdiction of the State Fish and Wildlife Commission. In accordance with ORS 215.283(2)(p) 2006, notice of all applications shall be mailed to the State Department of Agriculture at least 20 calendar days prior to any initial hearing on the application.

* * *

§ 36.2630 Conditional Uses.

The following uses may be permitted when found by the approval authority to satisfy the applicable provisions in MCC 36.6300 to 36.6335 or the criteria listed for the use:

* * *

(H) The propagation, cultivation, maintenance and harvesting of aquatic species that are not under the jurisdiction of the State Fish and Wildlife Commission subject to the approval criteria in MCC 36.6315(A) through (H). In accordance with ORS 215.283(2)(p) 2006, notice of all applications shall be mailed to the State Department of Agriculture at least 20 calendar days prior to any initial hearing on the application.

* * *

PART II – AMENDMENT TO NEWSPAPER NOTICE REQUIREMENTS

Section 6. **§§ 37.0620 and 38.0620 are amended as follows:**

§ 37.0620 **Hearings Notice - Type II Appeals, Type III Or Type IV Applications.**

Except for appeals of Hearings Officer decisions by the Planning Director which have different notice requirements in MCC 37.0640(B), notice for all public hearings for Type III, IV or an appeal of a Type II application shall conform to the requirements of this section. At least 20 days prior to the hearing, the county shall prepare and send, by first class mail, notice of the hearing to all owners of record, based upon the most recent Multnomah County records, of property within 750 feet of the subject tract and to any county-recognized neighborhood association or identified agency whose territory includes the subject property. The county shall further provide notice at least 20 days prior to a hearing to those persons who have identified themselves in writing as aggrieved or potentially aggrieved or impacted by the decision prior to the required mailing of such notice. The county shall also publish the notice in a newspaper of general circulation within the county at least 20 days prior to the hearing. Notice of the hearing shall include the following information:

- (A) The time, date and location of the public hearing;
- (B) Street address or other easily understood location of the subject property and County assigned case file number;
- (C) A description of the applicant's proposal, along with a list of citations of the approval criteria that the County will use to evaluate the proposal;
- (D) A statement that any interested party may testify at the hearing or submit written comments on the proposal at or prior to the hearing, and that a staff report will be prepared and made available to the public at least 7 days prior to the hearing;
- (E) A statement that any issue which is intended to provide a basis for an appeal to the Land Use Board of Appeals must be raised before the close of the public record. Issues must be raised and accompanied by statements or evidence sufficient to afford the County and all parties to respond to the issue;
- (F) A statement that the application and all supporting materials and evidence submitted in regard to support of the application may be inspected at no charge, and that copies may be obtained at cost, at the Multnomah County Land Use Planning Division during normal business hours; and
- (G) The name and telephone number of the planning staff person responsible for the application and who is otherwise available to answer questions about the application.
- (H) Notice published in a newspaper shall include the information in (A), (B) and (G) above, along with a brief description of the applicant's proposal, and a statement that all interested parties may testify at the hearing or submit written comments on the proposal at, or prior to the hearing.

§ 38.0620 **Hearings Notice - Type II appeals or Type III applications.**

Notice for all public hearings for Type III application or an appeal of a Type II application shall conform to the requirements of this section. At least 20 days prior to the hearing, the County shall prepare and

send, by first class mail, notice of the hearing to all owners of record, based upon the most recent Multnomah County records, of property within 750 feet of the subject tract and to the Gorge Commission, the U.S. Forest Service, the Indian tribal governments. Notice shall also be sent to the State Historic Preservation Office, and the Cultural Advisory Committee, unless the appeal is of a decision subject to expedited review. The County shall further provide notice to those persons who have identified themselves in writing as aggrieved or potentially aggrieved or impacted by the decision prior to the required mailing of such notice. The County shall also publish the notice in a newspaper of general circulation within the County. For all Type II and III hearings except development reviewed with the expedited process, the County shall mail provide and publish notice of hearing at least 20 days prior to hearing. For development reviewed with the expedited process, the County shall mail provide and publish notice of the hearing at least 14 days prior to the hearing. Notice of the hearing shall include the following information:

* * *

(F) A statement that the application and all supporting materials and evidence submitted in regard to support of the application may be inspected at no charge, and that copies may be obtained at cost, at the Multnomah County Land Use Planning Division during normal business hours; and

* * *

(H) Notice published in a newspaper shall include the information in (A), (B) and (G) above, along with a brief description of the applicant's proposal, and a statement that all interested parties may testify at the hearing or submit written comments on the proposal at, or prior to the hearing.

* * *

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

FIRST READING:

August 9, 2007

SECOND READING AND ADOPTION:

August 16, 2007

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Sandra N. Duffy, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Department of Community Services

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: 16 Aug 07

SUBJECT: NEWSPAPER PUBLIC NOTIFICATION

AGENDA NUMBER OR TOPIC: R-10

FOR: AS AMENDED W/CONDITIONS
AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: BOB LEPPER

ADDRESS: PO BOX 94

CITY/STATE/ZIP: TROUTDALE, OR 97060

PHONE: DAYS: 503-695-5276

EVES: _____

EMAIL: _____

FAX: _____

SPECIFIC ISSUE: PUBLIC NOTIFICATION IN NEWSPAPER FOR CERTAIN
PLANNING ISSUES

WRITTEN TESTIMONY: YES - SEE ATTACHED

IF YOU WISH TO ADDRESS THE BOARD:

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

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

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

16 August 2007

Multnomah County Board of Commissioners

Re: MC Planning deletion of notification requirement, R-10

Someone recently said: "In a democracy sunshine and transparency is the rule". I only wish that were true at the Planning Division. Last week you were presented a proposal to delete newspaper public notification on certain planning issues. Without giving this commission, the public, or even your own board clerk prior copies, Chuck Beasley, senior planner, changes that proposal to offer several alternatives, including keeping the notification but making it less wordy, something that should have been done years ago. This commission wisely chose this option. Thank you for that wisdom. But that should not be the end of the discussion.

Why did the Planning Division make the original proposal? To save money? It probably would have resulted in a few hundred dollars savings over a year, but as was pointed out last week, this is a pretty minor amount considering the Planning Division total budget and income derived from permits. I believe one of the reasons was simply to continue to play the "hide the bean shell game" the Planning Division likes to play. They don't want someone like me looking at what they have done or not done and saying so. As far as some planners are concerned, they are part of a monarchical court, if not the royals themselves. There are some good, ethical planners at Multnomah County. But there is also at least one that doesn't believe state laws and even your own codes apply to him. That's why the 2003 Oregon legislature passed SB 310, by a nearly unanimous vote of the House, and it was signed into law.

The discussion should also look at cost savings or revenue sources that haven't been presented. Not puny half-hearted proposals like you have rejected, but some that would save or bring in tens of thousands, if not hundreds of thousands of dollars. Meaningful enforcement is one that I have already mentioned. By the Planning Division's own count, there are hundreds of cases. I'd like to be more accurate, but that information has been locked away, unless I want to give the Planning Division a blank check for a "research fee", even though they recently presented the Gorge Commission with a partial accounting. Last week I mentioned an actual decision where the applicants asked for three decisions, got three decisions, but only paid for two. Why? A hypothetical example: A homeowner wants to add a 210 sf deck to his existing house, not visible from a KVA. The NSA site review fee would be \$710, just about the amount the homeowner could build the deck for. The next person applies for an NSA site review for a 26,000 sf new house, estimated at \$5,000,000, visible from at least three KVA's. The fee? The same \$710. Guess which one is going to take the planners more time to review? The NSA does not restrict the county fee system. Another hypothetical example: A person comes in for an existing use determination for an old barn. The fee is \$833. The next person also comes in for an existing use determination, for thirteen uses or structures and pays the same \$833. Why? You know and I know that the planners are going to spend more time researching, reviewing and deciding 13 determinations than they are one determination. The Planning Division should be charging more for applications that take more time. Several applications I have seen look like they were drawn with a Hershey Bar on the back of a paper sack. Applications which have been poorly drafted, contain conflicting, evasive or deceptive statements, or which are clearly incomplete should be rejected. Applications in which the applicant is outright lying should be subject to at least double fees when it can be shown the application is untruthful. Processing these types of applications takes more time and wastes taxpayer dollars.

Bob Leipper
PO Box 94
Troutdale, OR 97060

503-695-5276

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1098

Amending MCC Chapters 33, 34, 35 and 36 to Update the County Code Relating to Exclusive Farm Use and Commercial Forest Use Zoning Districts, and Chapters 37 and 38 to Modify Newspaper Notice Publishing Requirements for Appeals of Type II Land Use Decisions and Type III Land Use Applications

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

The Multnomah County Board of Commissioners Finds:

- a. The Planning Commission is authorized by Multnomah County Code Chapter (MCC) § 33.0140 and by ORS 215.110 to recommend to the Board the adoption of ordinances to implement the Multnomah County Comprehensive Plan. The Planning Commission exercised this authority in recommending the proposed ordinance with Resolutions PC-06-007 and PC-06-010.
- b. The County Zoning Code implements the Comprehensive Plan and must be periodically amended to include updates of land use laws and rules enacted by the State of Oregon. In addition, there is a need for continuing reexamination of procedures for review of land use applications to verify the requirements effectiveness and to improve efficiencies.
- c. Under the State of Oregon Land Use Planning Program, regulation of land uses on farm and forest lands is based in State Statute and Administrative Rules, which Counties then administer. The State Legislature and the Land Conservation and Development Commission continue to modify and amend those statutes and rules. The amendments in this ordinance update Multnomah County Zoning Code Chapters 33, 34, 35, and 36 to comply with those changes in state requirements.
- d. The existing Zoning Code chapters 37 and 38 require newspaper notices to be published for all Type III land use applications and appeal of Type II land use applications. However, publication of these notices is not a requirement of the State of Oregon or the Columbia River Gorge Commission. Planning program staff's experience is that response from the public that results directly from the published notices of these land use applications is very rare. Nearly all response to proposed applications is from the mailed notices that are sent to surrounding property owners or from the posting of signs at the subject property. Modification of the requirement to publish these notices will reduce the expense of publication and the amount of staff time to prepare the notices while not appreciably reducing the effective amount of notice given to the public.
- e. No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required ("Ballot Measure 56" notice).
- f. The provisions of this ordinance were submitted to the State of Oregon Department of Land Conservation and Development and their staff was given an opportunity to comment on the proposed amendments. No comments were received.
- g. Noticed public hearings were held before the Planning Commission on October 2, 2006 and Board of County Commission on August 9, 2007, where all interested persons were given an opportunity to appear and be heard.

Multnomah County Ordains as follows:

PART I – UPDATE OF CFU AND EFU DISTRICTS

Section 1. §§ 33.2240, 33.2440, 35.2240 and 36.2040 are amended as follows:

[CFU-2]

§ 33.2240 Template and Heritage Tract Dwellings

[CFU-5]

§ 33.2440 Template Dwellings

[CFU-4]

§ 35.2240 Template and Heritage Tract Dwellings

[CFU]

§ 36.2040 Template and Heritage Tract Dwellings

(A) A template dwelling may be sited on a tract, subject to the following:

* * *

(3) The tract shall meet the following standards:

(a) If the tract is predominantly composed of soils which are capable of producing 0 to 49 cubic feet of Douglas Fir timber per acre per year (cf/ac/yr); and

1. The lot upon which the dwelling is proposed to be sited and at least all or part of 3 other lawfully created lots existed on January 1, 1993 within a 160-acre square when centered on the center of the subject tract parallel and perpendicular to section lines; and

2. At least three dwellings lawfully existed on January 1, 1993 within the 160-acre square and those dwellings either continue to exist or have been replaced by lawful replacement dwellings, or

(b) If the tract is predominantly composed of soils which are capable of producing 50 to 85 cf/ac/yr of Douglas Fir timber; and

1. The lot upon which the dwelling is proposed to be sited and at least all or part of 7 other lawfully created lots existed on January 1, 1993 within a 160-acre square when centered on the center of the subject tract parallel and perpendicular to section lines; and

2. At least three dwellings lawfully existed on January 1, 1993 within the 160-acre square and those dwellings either continue to exist or have been replaced by lawful replacement dwellings, or

(c) If the tract is predominantly composed of soils which are capable of producing above 85 cf/ac/yr of Douglas Fir timber; and

1. The lot upon which the dwelling is proposed to be sited and at least all or part of 11 other lawfully created lots existed on January 1, 1993 within a 160-acre square when centered on the center of the subject tract parallel and perpendicular to section lines; and

2. At least five dwellings lawfully existed on January 1, 1993 within the 160-acre square and those dwellings either continue to exist or have been replaced by lawful replacement dwellings.

* * *

(k) "Within" as used in the context of (a)2., (b)2. and (c)2. shall mean that all of the dwellings or any part of the dwellings are in the 160-acre square.

* * *

Section 2. §§ 33.2610, 34.2610, 35.2610 and 36.2610, Definitions, are amended as follows:

* * *

Contiguous refers to parcels or lots which have any common boundary, excepting a single point, and shall include, but not be limited to, parcels or lots separated only by an alley, street or other right-of-way.

Deferred replacement permit is a building permit for replacement of an existing dwelling that allows construction of a replacement dwelling at any time. The *deferred replacement permit* may not be transferred, by sale or otherwise, except by the applicant to the spouse or a child of the applicant. The replacement dwelling must comply with applicable building codes, plumbing codes, sanitation codes and other requirements relating to health and safety or to siting at the time of construction.

Farm Operator means a person who operates a farm, doing the work and making the day-to-day decisions about such things as planting, harvesting, feeding and marketing.

* * *

Section 3. §§ 33.2620, 34.2620, 35.2620 and 36.2620, Allowed Uses, are amended as follows:

* * *

(L) Alteration, restoration or replacement of a lawfully established habitable dwelling.

(1) In the case of a replacement dwelling:

(a) ~~the~~ The existing dwelling must be removed, demolished or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling, or

(b) If the applicant has requested a *deferred replacement permit*, the existing dwelling must be removed or demolished within three months after the *deferred replacement permit* is issued. If, however, the existing dwelling is not removed or demolished within three months after the *deferred replacement permit* is issued, the permit becomes void.

* * *

Section 4. §§ 33.2625, 34.2625, 35.2625 and 36.2625, Review Uses, are amended as follows:

* * *

(H) Farm Stands when found that:

(1) The structures are designed and used for the sale of farm crops or livestock grown on the farm operation, or grown on the farm operation and other farm operations in the local agricultural area, including the sale of retail incidental items, and fee-based activity to promote the sale of farm crops or livestock sold at the farm stand if the annual sale of incidental items and fees from promotional activity do not make up no more than 25 percent of the total sales of the farm stand; and

(2) The farm stand does not include structures designed for occupancy as a residence or for activities other than the sale of farm crops and livestock and does not include structures for banquets, public gatherings or public entertainment.

(3) As used in this section, "farm crops or livestock" includes both fresh and processed farm crops and livestock grown on the farm operation, or grown on the farm operation and other farm operations in the local agricultural area. As used in this subsection, "processed crops and livestock" includes jams, syrups, apple cider, animal products and other similar farm crops and

livestock that have been processed and converted into another product but not prepared food items.

(4) As used in this section, "local agricultural area" includes Oregon or an adjacent county in Washington that borders Multnomah County.

* * *

Section 5. §§ 33.2630, 34.2630, 35.2630 and 36.2630 are amended as follows:

§ 33.2630 Conditional Uses

The following uses may be permitted when approved by the Hearings Officer pursuant to the provisions of MCC 33.6300 to 33.6335:

* * *

(K) The propagation, cultivation, maintenance and harvesting of aquatic species that are not under the jurisdiction of the State Fish and Wildlife Commission. In accordance with ORS 215.283(2)(p) 2006, notice of all applications shall be mailed to the State Department of Agriculture at least 20 calendar days prior to any initial hearing on the application.

* * *

§ 34.2630 Conditional Uses

The following uses may be permitted when approved by the Hearings Officer pursuant to the provisions of MCC 34.6300 to 34.6335:

* * *

(K) The propagation, cultivation, maintenance and harvesting of aquatic species that are not under the jurisdiction of the State Fish and Wildlife Commission. In accordance with ORS 215.283(2)(p) 2006, notice of all applications shall be mailed to the State Department of Agriculture at least 20 calendar days prior to any initial hearing on the application.

* * *

§ 35.2630 Conditional Uses

The following uses may be permitted when approved by the Hearings Officer pursuant to the provisions of MCC 35.6300 to 35.6335:

* * *

(K) The propagation, cultivation, maintenance and harvesting of aquatic species that are not under the jurisdiction of the State Fish and Wildlife Commission. In accordance with ORS 215.283(2)(p) 2006, notice of all applications shall be mailed to the State Department of Agriculture at least 20 calendar days prior to any initial hearing on the application.

* * *

§ 36.2630 Conditional Uses.

The following uses may be permitted when found by the approval authority to satisfy the applicable provisions in MCC 36.6300 to 36.6335 or the criteria listed for the use:

* * *

(H) The propagation, cultivation, maintenance and harvesting of aquatic species that are not under the jurisdiction of the State Fish and Wildlife Commission subject to the approval criteria in MCC 36.6315(A) through (H). In accordance with ORS 215.283(2)(p) 2006, notice of all applications shall be mailed to the State Department of Agriculture at least 20 calendar days prior to any initial hearing on the application.

* * *

PART II – AMENDMENT TO NEWSPAPER NOTICE REQUIREMENTS

Section 6. §§ 37.0620 and 38.0620 are amended as follows:

§ 37.0620 Hearings Notice - Type II Appeals, Type III Or Type IV Applications.

Except for appeals of Hearings Officer decisions by the Planning Director which have different notice requirements in MCC 37.0640(B), notice for all public hearings for Type III, IV or an appeal of a Type II application shall conform to the requirements of this section. At least 20 days prior to the hearing, the county shall prepare and send, by first class mail, notice of the hearing to all owners of record, based upon the most recent Multnomah County records, of property within 750 feet of the subject tract and to any county-recognized neighborhood association or identified agency whose territory includes the subject property. The county shall further provide notice at least 20 days prior to a hearing to those persons who have identified themselves in writing as aggrieved or potentially aggrieved or impacted by the decision prior to the required mailing of such notice. The county shall also publish the notice in a newspaper of general circulation within the county at least 20 days prior to the hearing. Notice of the hearing shall include the following information:

- (A) The time, date and location of the public hearing;
- (B) Street address or other easily understood location of the subject property and County assigned case file number;
- (C) A description of the applicant's proposal, along with a list of citations of the approval criteria that the County will use to evaluate the proposal;
- (D) A statement that any interested party may testify at the hearing or submit written comments on the proposal at or prior to the hearing, and that a staff report will be prepared and made available to the public at least 7 days prior to the hearing;
- (E) A statement that any issue which is intended to provide a basis for an appeal to the Land Use Board of Appeals must be raised before the close of the public record. Issues must be raised and accompanied by statements or evidence sufficient to afford the County and all parties to respond to the issue;
- (F) A statement that the application and all supporting materials and evidence submitted in regard to support of the application may be inspected at no charge, and that copies may be obtained at cost, at the Multnomah County Land Use Planning Division during normal business hours; and
- (G) The name and telephone number of the planning staff person responsible for the application and who is otherwise available to answer questions about the application.
- (H) Notice published in a newspaper shall include the information in (A), (B) and (G) above, along with a brief description of the applicant's proposal, and a statement that all interested parties may testify at the hearing or submit written comments on the proposal at, or prior to the hearing.

§ 38.0620 Hearings Notice - Type II appeals or Type III applications.

Notice for all public hearings for Type III application or an appeal of a Type II application shall conform to the requirements of this section. At least 20 days prior to the hearing, the County shall prepare and

send, by first class mail, notice of the hearing to all owners of record, based upon the most recent Multnomah County records, of property within 750 feet of the subject tract and to the Gorge Commission, the U.S. Forest Service, the Indian tribal governments. Notice shall also be sent to the State Historic Preservation Office, and the Cultural Advisory Committee, unless the appeal is of a decision subject to expedited review. The County shall further provide notice to those persons who have identified themselves in writing as aggrieved or potentially aggrieved or impacted by the decision prior to the required mailing of such notice. The County shall also publish the notice in a newspaper of general circulation within the County. For all Type II and III hearings except development reviewed with the expedited process, the County shall mail provide and publish notice of hearing at least 20 days prior to hearing. For development reviewed with the expedited process, the County shall mail provide and publish notice of the hearing at least 14 days prior to the hearing. Notice of the hearing shall include the following information:

* * *

(F) A statement that the application and all supporting materials and evidence submitted in regard ~~to support of~~ the application may be inspected at no charge, and that copies may be obtained at cost, at the Multnomah County Land Use Planning Division during normal business hours; and

* * *

(H) Notice published in a newspaper shall include the information in (A), (B) and (G) above, along with a brief description of the applicant's proposal, and a statement that all interested parties may testify at the hearing or submit written comments on the proposal at, or prior to the hearing.

* * *

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

FIRST READING: August 9, 2007

SECOND READING AND ADOPTION: August 16, 2007



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler
Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

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

SUBMITTED BY:

M. Cecilia Johnson, Director, Department of Community Services



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST short form

Board Clerk Use Only

Meeting Date: 08/16/07
Agenda Item #: R-11
Est. Start Time: 10:47 AM
Date Submitted: 07/24/07

Second Reading and Possible Adoption of a Proposed Special Ordinance
Agenda Designating Disposition of Tax Foreclosed Property and Declaring an
Title: Emergency

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

Date Requested: August 16, 2007 **Time Requested:** 5 mins
Department: Community Services **Division:** Tax Title
Contact(s): Gary Thomas
Phone: 503-988-3590 **Ext.** 22591 **I/O Address:** 503/4/TT
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 repurchase of a tax foreclosed property by the former owner ERIC C. REMLINGER and adopt the Special Ordinance Designating Disposition of Tax Foreclosed Property and Declaring an Emergency.

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 (as shown in Exhibit A) was foreclosed on for delinquent property taxes and came into County ownership on September 25, 2006. A letter dated October 30, 2006 was sent to the former owner of record, ERIC C. REMLINGER, providing the opportunity to repurchase the property. Mr. Remlinger contacted the County on December 6, 2006, requesting the payoff information to repurchase the property within the 30 days provided by Multnomah County Code Chapter 7.

Although Mr. Remlinger continued to work with the County since November 2006, to complete the repurchase, certain complications related to financing, made it difficult to complete the repurchase within the 30 day timeline provided for under the County Code. The Tax Title Program recommends the Board approve this repurchase.

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

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

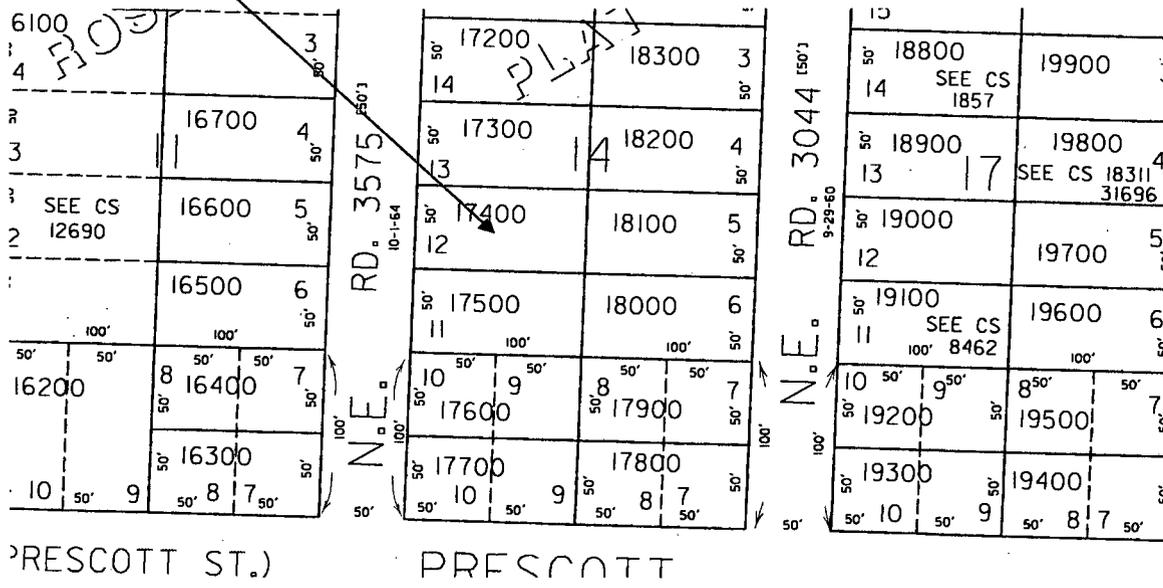
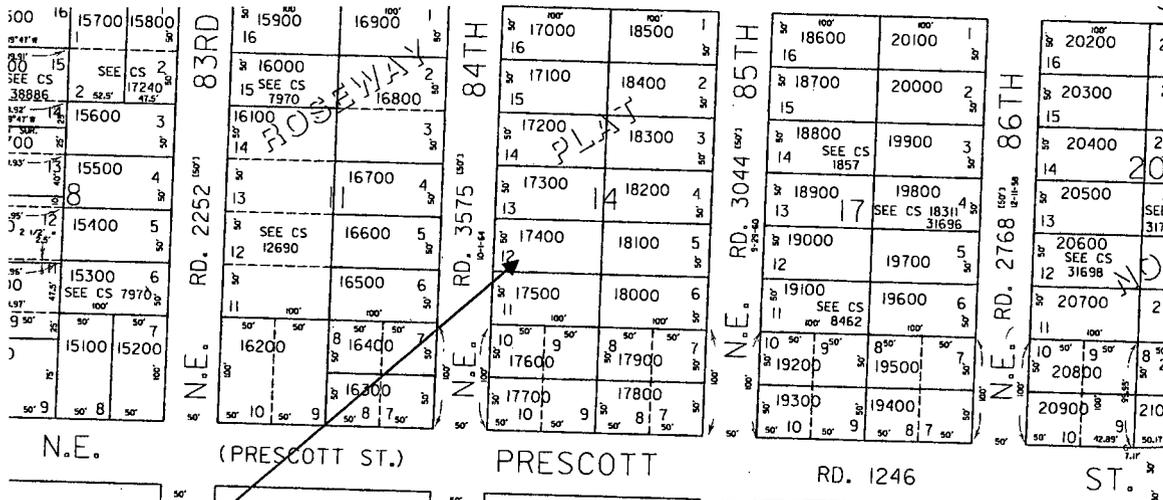
Multnomah County Code Section 7.402 provides for notices by certified mail to be sent to the former owners of tax foreclosed properties. The notices shall advise the recipients that within 30 days from the date of notice they can pay in cash the repurchase price established by the department or complete an application to repurchase the property by repurchase contract.

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

The former owner is allowed to repurchase the property. Proof of payment of City of Portland Liens has been provided by Mr. Remlinger.

EXHIBIT A

R261837 4534 NE 84th Ave



**EXHIBIT B
PROPOSED PROPERTY LISTED FOR REPURCHASE
FISCAL YEAR 2007**

LEGAL DESCRIPTION:

Lot 12 Block 14; ROSEWAY & PLAT 2

PROPERTY ADDRESS: 4534 NE 84TH AVE

TAX ACCOUNT NUMBER: R261837

GREENSPACE DESIGNATION: No designation

SIZE OF PARCEL: 5,000 Square Feet

ASSESSED VALUE: \$150,010

ITEMIZED EXPENSES FOR TOTAL PRICE OF PRIVATE SALE

BACK TAXES & INTEREST:	\$15,067.17
TAX TITLE MAINTENANCE COST & EXPENSES:	\$720.56
PENALTY & FEE:	\$769.27
SUB-TOTAL	\$16,557.00
MINIMUM PRICE REQUEST FOR REPURCHASE	\$16,557.00

Required Signature

**Department/
Agency Director:**



M. Cecilia Johnson

Date: 07/24/07

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Special Ordinance Designating Disposition of Tax Foreclosed Property and Declaring an
Emergency

The Multnomah County Board of Commissioners Finds:

- a. On September 21, 2004 judgment was entered in Multnomah County Circuit Court foreclosing the property tax liens against the property described as:

LOT 12 BLOCK 14 ROSEWAY & PLAT 2

On September 25, 2006 the County Tax Collector deeded all right, title and interest in the property to Multnomah County as authorized under ORS 312.200.

- b. On October 30, 2006 County's Tax Title Division sent a letter to the former owner of record, Eric C. Remlinger, advising him of his rights to repurchase the tax foreclosed property under Multnomah County Code (MCC) Chapter 7. The letter stated that he must repurchase or vacate the property by December 14, 2006.
- c. On December 6, 2006 Mr. Remlinger came into Tax Title and requested to repurchase his "home", which is how he referenced the property. ORS 307.100 requires the payment of all local assessments and liens prior to repurchasing tax foreclosed real property from the County. Mr. Remlinger advised County staff that he had an inheritance and would be able to pay the City liens as well as the cost to repurchase the property from the County.
- d. Under ORS 275.180, the minimum price for which the County can sell the property back to Mr. Remlinger is not less than the amount of taxes and interest accrued and charged against the property, but he indicated back in December 2006 he would need time to get the funds transferred from his trust account to be able to pay all these costs.
- e. On December 19, 2006 Nancy Blackledge, with the City's Office of Neighborhood Involvement, called Tax Title regarding nuisance liens against the subject property. She stated that she was in the process of reviewing Mr. Remlinger's case, at his request, in the hope of obtaining a reduction in the amount of liens owed to the City.
- f. On July 10, 2007; Eric Remlinger's brother Mark Remlinger, paid the City liens against the Property; and also paid the County the amount equal to the taxes, interests and costs accrued against the property through foreclosure.
- g. County staff has learned the payment of the City liens and the back taxes discussed above substantially depleted the trust account set up for Eric by his family; but will nonetheless allow for Eric to remain in his present home.
- h. Although the timeline for repurchase, as provided under MCC 7.402 has passed; Tax Title recommends the Board approve this Special Ordinance allowing the repurchase because Mr. Remlinger initiated the process in a timely manner in compliance with the

cited code section and has made a reasonable good faith effort to accomplish the repurchase.

- i. In the interest of fairness and to prevent potential challenges to the disposition of the property, the Board believes it to be in the best interests of the County to approve this Special Ordinance and remove this property from consideration for alternative disposition under MCC Chapter 7 and authorize the repurchase of the property by Eric C. Remlinger.

Multnomah County Ordains as follows:

Section 1. Notwithstanding MCC 7.402; Multnomah County is authorized to sell to Eric C. Remlinger the real property described above in compliance with the requirements of ORS 275.180.

Section 2. The County Chair is authorized to execute Deed No. D072121; conveying the real property described above to Eric C. Remlinger. A copy of Deed No. D072121 is attached identified as Exhibit A.

Section 3. This ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and the ordinance takes effect upon its signature by the County Chair.

FIRST READING:

August 9, 2007

SECOND READING AND ADOPTION:

August 16, 2007

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

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

EXHIBIT A

Until a change is requested, all tax statements
shall be sent to the following address:
ERIC C REMLINGER
4534 NE 84TH AVE
PORTLAND OR 97220-4844

After recording, return to:
MULTNOMAH COUNTY
TAX TITLE DIVISION
503/4

Deed D072121 for R261837

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to ERIC C. REMLINGER, Grantee, the following described real property located in Multnomah County, Oregon:

LOT 12 BLOCK 14 ROSEWAY & PLAT 2

The true consideration paid for this transfer is \$16,557.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES 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 197.352

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 9th day of August 2007, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.

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

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 9th day of August 2007, 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

BOGSTAD Deborah L

From: GRACE Becky J
Sent: Tuesday, July 24, 2007 12:01 PM
To: BOGSTAD Deborah L
Subject: FW: Draft of Special Ordinance for Remlinger Repurchase

Hi Deb,

This is the ordinance that Sheila just sent to you. I know that you always remove the footer and exhibit off of the deed but this is a friendly reminder since Matt requested that the exhibit reference and the footer are deleted from the Deed before the signing.

Thank you for all that you do without me ever even asking!! Have a great day☺

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

From: RYAN Matthew O
Sent: Tuesday, July 17, 2007 3:41 PM
To: GRACE Becky J
Cc: THOMAS Gary A
Subject: FW: Draft of Special Ordinance for Remlinger Repurchase

Becky,

The attached special ordinance has been reviewed and is approved for submission to the BCC for its consideration. The deed attached is identified as Exhibit A. When the actual deed is printed we need to make sure the exhibit reference and the footer are deleted. Thanks.

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

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From: RYAN Matthew O
Sent: Tuesday, July 17, 2007 12:22 PM
To: KINOSHITA Carol
Subject: FW: Draft of Special Ordinance for Remlinger Repurchase

Carol,

Could you take one last look at the special ordinance for the Remlinger repurchase? Thanks.

Matthew O. Ryan
Assistant County Attorney
Office of Multnomah County Attorney
501 SE Hawthorne, Suite 500

7/26/2007

Portland, Oregon 97214
Tel: 503-988-3138; Fax: 503-988-3377
matthew.o.ryan@co.multnomah.or.us

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From: GRACE Becky J
Sent: Tuesday, July 17, 2007 11:23 AM
To: RYAN Matthew O
Cc: THOMAS Gary A
Subject: FW: Draft of Special Ordinance for Remlinger Repurchase

Matt,
Gary has accepted your revisions.
Thanks!

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

From: RYAN Matthew O
Sent: Friday, July 13, 2007 7:19 AM
To: GRACE Becky J
Cc: THOMAS Gary A
Subject: FW: Draft of Special Ordinance for Remlinger Repurchase

Becky,
See the attached revised draft.

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

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From: GRACE Becky J
Sent: Thursday, July 12, 2007 3:17 PM
To: RYAN Matthew O
Cc: THOMAS Gary A
Subject: Draft of Special Ordinance for Remlinger Repurchase

Hi Matt,
Attached for your review and approval is a draft of the Special Ordinance for the Remlinger repurchase.
Thanks,

Becky Grace

7/26/2007

Multnomah County Tax Title
PO Box 2716
Portland OR 97208
503-988-3590

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1099

Special Ordinance Designating Disposition of Tax Foreclosed Property and Declaring an Emergency

The Multnomah County Board of Commissioners Finds:

- a. On September 21, 2004 judgment was entered in Multnomah County Circuit Court foreclosing the property tax liens against the property described as:

LOT 12 BLOCK 14 ROSEWAY & PLAT 2

On September 25, 2006 the County Tax Collector deeded all right, title and interest in the property to Multnomah County as authorized under ORS 312.200.

- b. On October 30, 2006 County's Tax Title Division sent a letter to the former owner of record, Eric C. Remlinger, advising him of his rights to repurchase the tax foreclosed property under Multnomah County Code (MCC) Chapter 7. The letter stated that he must repurchase or vacate the property by December 14, 2006.
- c. On December 6, 2006 Mr. Remlinger came into Tax Title and requested to repurchase his "home", which is how he referenced the property. ORS 307.100 requires the payment of all local assessments and liens prior to repurchasing tax foreclosed real property from the County. Mr. Remlinger advised County staff that he had an inheritance and would be able to pay the City liens as well as the cost to repurchase the property from the County.
- d. Under ORS 275.180, the minimum price for which the County can sell the property back to Mr. Remlinger is not less than the amount of taxes and interest accrued and charged against the property, but he indicated back in December 2006 he would need time to get the funds transferred from his trust account to be able to pay all these costs.
- e. On December 19, 2006 Nancy Blackledge, with the City's Office of Neighborhood Involvement, called Tax Title regarding nuisance liens against the subject property. She stated that she was in the process of reviewing Mr. Remlinger's case, at his request, in the hope of obtaining a reduction in the amount of liens owed to the City.
- f. On July 10, 2007; Eric Remlinger's brother Mark Remlinger, paid the City liens against the Property; and also paid the County the amount equal to the taxes, interests and costs accrued against the property through foreclosure.
- g. County staff has learned the payment of the City liens and the back taxes discussed above substantially depleted the trust account set up for Eric by his family; but will nonetheless allow for Eric to remain in his present home.
- h. Although the timeline for repurchase, as provided under MCC 7.402 has passed; Tax Title recommends the Board approve this Special Ordinance allowing the repurchase because Mr. Remlinger initiated the process in a timely manner in compliance with the

cited code section and has made a reasonable good faith effort to accomplish the repurchase.

- i. In the interest of fairness and to prevent potential challenges to the disposition of the property, the Board believes it to be in the best interests of the County to approve this Special Ordinance and remove this property from consideration for alternative disposition under MCC Chapter 7 and authorize the repurchase of the property by Eric C. Remlinger.

Multnomah County Ordains as follows:

Section 1. Notwithstanding MCC 7.402; Multnomah County is authorized to sell to Eric C. Remlinger the real property described above in compliance with the requirements of ORS 275.180.

Section 2. The County Chair is authorized to execute Deed No. D072121; conveying the real property described above to Eric C. Remlinger. A copy of Deed No. D072121 is attached identified as Exhibit A.

Section 3. This ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and the ordinance takes effect upon its signature by the County Chair.

FIRST READING:

August 9, 2007

SECOND READING AND ADOPTION:

August 16, 2007



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

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

EXHIBIT A

Until a change is requested, all tax statements
shall be sent to the following address:
ERIC C REMLINGER
4534 NE 84TH AVE
PORTLAND OR 97220-4844

After recording, return to:
MULTNOMAH COUNTY
TAX TITLE DIVISION
503/4

Deed D072121 for R261837

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to ERIC C. REMLINGER, Grantee, the following described real property located in Multnomah County, Oregon:

LOT 12 BLOCK 14 ROSEWAY & PLAT 2

The true consideration paid for this transfer is \$16,557.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES 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 197.352

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 9th day of August 2007, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.

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

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 9th day of August 2007, 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: 01/25/09

Until a change is requested, all tax statements
Shall be sent to the following address:
ERIC C REMLINGER
4534 NE 84th AVE
PORTLAND OR 97220-4844

After recording, return to:
MULTNOMAH COUNTY
TAX TITLE DIVISION
503/4

Deed D072121 for R261837

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IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners the 9th day of August 2007, by authority of a Resolution of the Board of County Commissioners heretofore entered of record.



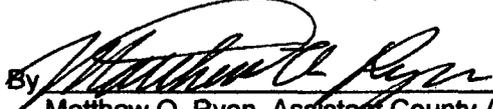
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Ted Wheeler, Chair

REVIEWED:

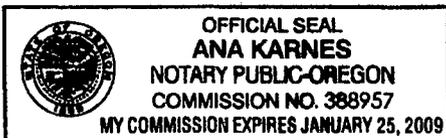
AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

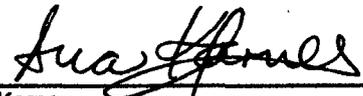
By 

Matthew O. Ryan, Assistant County Attorney

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 9th day of August 2007, 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: 1/25/09



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-12 DATE 8/16/07
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 08/16/07
Agenda Item #: R-12
Est. Start Time: 10:50 AM
Date Submitted: 08/08/07

Agenda Title: **NOTICE OF INTENT to Seek Federal Highway Bridge Program Funding for 2012 and 2013**

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

Requested Meeting Date:	<u>August 16, 2007</u>	Amount of Time Needed:	<u>5 minutes</u>
Department:	<u>Non-Dept / Community Services</u>	Division:	<u>District 1 / Transportation</u>
Contact(s):	<u>Ian Cannon</u>		
Phone:	<u>(503) 988-3595</u>	Ext.	<u>83595</u>
Presenter(s):	<u>Ian Cannon</u>		
I/O Address:	<u>446</u>		

General Information

1. What action are you requesting from the Board?

Approval to request Highway Bridge Program funding for federal fiscal years 2012 and 2013.

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 Oregon Department of Transportation administers Federal Highway Bridge Program funds that are provided to local agencies. Local agencies are invited to apply for funds every 2 years. The current funding is for projects to be constructed during federal fiscal years 2012 and 2013.

Multnomah County's Willamette River Bridge's Capital Improvement Plan includes a list of projects totaling in excess of \$300 million. We are proposing to request \$6 million to complete the painting of the Broadway Bridge truss spans that was started during the recent Broadway Bridge Rehabilitation project and also to request \$3.5 million to combine with other funding to replace the driving surface on the Morrison Bridge lift span.

Painting is vital maintenance on steel structures like the Broadway Bridge. It protects the steel from corrosion which can lead to structural deterioration. The recent rehabilitation project (completed in 2005) included painting significant portions of the bridge, but left the above deck portions of 3 of the truss spans unpainted due to insufficient funding at the time. This funding would allow the

County to complete painting of the truss spans.

The Morrison Bridge lift span deck is the original steel grating installed in the 1950's. The lift span deck grating requires ongoing maintenance to repair cracks. In addition, the current grating is worn and does not provide an optimal driving surface. The County has secured HBP funding for the 2010-2011 time period, but the funds secured to date will not be enough to complete the work. We are proposing to request additional funds to provide sufficient funding to complete the project.

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

There is no current year fiscal impact. At the time the work is undertaken the County will need to provide approximately 10 percent matching funds. Funds to provide this match are not currently identified, although the County Chair, District 1, and the Transportation Program are working on a strategy to provide stable funding for the Willamette River Bridge program.

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

By Oregon statute, Multnomah County is responsible for the maintenance of the Willamette River Bridges.

The County will need to enter into an Intergovernmental Agreement with ODOT to receive the funds.

The County will need to get permits from various state and federal regulatory agencies for these projects.

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

These are Federal funds for which the Oregon Department of Transportation serves as the conduit.

The projects will include a public involvement segment, primarily be aimed at mitigating and minimizing impacts to the public due to construction activities. ODOT, the City of Portland, and federal and state regulators will be involved in the project.

ATTACHMENT A

Grant Application/Notice of Intent

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

- **Who is the granting agency?**
Oregon Department of Transportation
- **Specify grant (matching, reporting and other) requirements and goals.**
The funds require a minimum 10.27 percent match.
- **Explain grant funding detail – is this a one time only or long term commitment?**
This funding is for projects of limited duration. At the end of the projects the funding stream and need for the funding stream terminate.
- **What are the estimated filing timelines?**
Applications are due by August 27, 2007.
- **If a grant, what period does the grant cover?**
Federal fiscal years 2012 and 2013.
- **When the grant expires, what are funding plans?**
Projects will be complete when the grants expire.
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**
The majority of the funds in these grants is administered by the Oregon Department of Transportation and does not pass through the County's budget system. Overhead and indirect is collected on certain funds that pass through the County's finance system.

ATTACHMENT B

Required Signatures

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

Maria Rajs de Steffey

Date: August 8, 2007

Budget Analyst:

Debra

Date: 08/09/07



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 08/16/07
Agenda Item #: R-13
Est. Start Time: 10:53.AM
Date Submitted: 07/11/07

Agenda Title: **Intergovernmental Revenue Agreement 0708052 with Oregon Department of Transportation for Road Improvements to Townsend Business Park at NE Sandy Boulevard and NE 223rd Avenue (Continued from July 26, 2007)**

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

Requested Meeting Date: August 16, 2007 **Amount of Time Needed:** 5 mins
Department: Community Services **Division:** Land Use & Transportation
Contact(s): Kim Peoples
Phone: (503) 988-5050 **Ext.** 26797 **I/O Address:** 425
Presenter(s): Kim Peoples and Matthew O. Ryan

General Information

1. What action are you requesting from the Board?

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

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

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

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

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

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

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

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

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

Required Signature

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



Date: 07-10-07

MULTNOMAH COUNTY CONTRACT APPROVAL FORM (CAF)

Contract #: 0708052

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

Amendment #: _____

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

Department: Community Services

Division/

Program: Land Use and Trans Program

Date: 7/10/2007

Originator: Ed Abrahamson

Phone: (503) 988-5050 x29620

Bldg/Room: #455/Annex

Admin Contact: Cathey Kramer

Phone: (503) 988-5050 x22589

Bldg/Room: #425/Yeon

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

RENEWAL: PREVIOUS CONTRACT #(S) _____

EEO CERTIFICATION EXPIRES _____

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

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

Contractor	Oregon Dept. of Transportation			Payment Schedule / Terms:	
Address	123 NW Flanders St.				
City/State	Portland OR				
ZIP Code	97209-4037				
Phone	(503) 743-3157/Fax: (503) 731-8259 (Debbie Burgess)			<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on Receipt
Employer ID# or SS#	N/A			<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30
Contract Effective Date	08/01/2007	Term Date	07/31/2009	<input type="checkbox"/> Other \$ _____	<input type="checkbox"/> Other
Amendment Effect Date		New Term Date		<input type="checkbox"/> Price Agreement (PA) or Requirements Funding Info:	
Original Contract Amount	\$	Original PA/Requirements Amount	\$		
Total Amt of Previous Amendments	\$ 0	Total Amt of Previous Amendments	\$		
Amount of Amendment	\$ 0	Amount of Amendment	\$		
Total Amount of Agreement	\$ 500,000.00	Total PA/Requirements Amount	\$		

REQUIRED SIGNATURES:

Department Manager *[Signature]*

DATE 7/10/07

County Attorney *[Signature]*

DATE 8/15/07

PCPA Manager _____

DATE _____

County Chair *[Signature]*

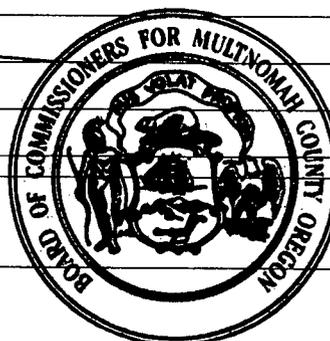
DATE 8/16/07

Sheriff _____

DATE _____

Contract Administration _____

DATE _____



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

**IMMEDIATE OPPORTUNITY FUND AGREEMENT
Townsend Business Park**

THIS AGREEMENT is made and entered into by and between the STATE OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "State"; and MULTNOMAH COUNTY, acting by and through its elected officials, hereinafter referred to as "Agency."

RECITALS

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

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

TERMS OF AGREEMENT

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

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

STATE OBLIGATIONS

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

AGENCY OBLIGATIONS

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

M C & A No. 23,079
MULTNOMAH COUNTY

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

M C & A No. 23,079
MULTNOMAH COUNTY

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

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

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

20. Job Growth Assessment

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

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

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

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

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

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

GENERAL PROVISIONS

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

M C & A No. 23,079
MULTNOMAH COUNTY

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

M C & A No. 23,079
MULTNOMAH COUNTY

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

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

Signature page to follow

M C & A No. 23,079
MULTNOMAH COUNTY

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

MULTNOMAH COUNTY, by and through
its elected officials

By *RD WATKINS*
Chair

Date 8/16/07

STATE OF OREGON, by and through
its Department of Transportation

By _____
Deputy Director, Highways

Date _____

**APPROVED AS TO LEGAL
SUFFICIENCY**

By *Matthew C. Ryan*
Agency Attorney

Date 8/15/07

APPROVAL RECOMMENDED

By _____
Technical Services Manager/Chief Engineer

Date _____

By *[Signature]*
Region 1 Manager

Date 7/2/07

Agency Contact:

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



**APPROVED AS TO LEGAL
SUFFICIENCY**

By _____
Assistant Attorney General

Date: _____



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 08/16/07
Agenda Item #: R-14
Est. Start Time: 10:55 AM
Date Submitted: 08/01/07

Agenda Title: **RESOLUTION Establishing Land Use Planning Fees for Review of Lot Consolidations and Replats, as Provided in MCC Chapter 37 Administration and Procedures, and Chapter 38 for the Columbia River Gorge National Scenic Area**

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

Requested Meeting Date: August 16, 2007 **Amount of Time Needed:** 5 mins
Department: Community Services **Division:** Land Use & Transportation
Contact(s): Derrick Tokos, Karen Schilling
Phone: 503-988-3043 **Ext.** 22682 **I/O Address:** 455/116
Presenter(s): Derrick Tokos

General Information

1. What action are you requesting from the Board?

Adopt the Resolution to establish fees for new services Land Use Planning staff will provide when reviewing requests for lot consolidations and replats.

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.

On July 26, 2007 the Board adopted Ordinance No. 1097 adding criteria to the County code authorizing lot consolidations and replats. The language requires that Land Use Planning staff evaluate requests from property owners to ensure that they comply with the new rules, and it is appropriate that the County collect a fee for this service.

The County code requires fees be set by resolution. The proposal includes two new fees. A fee of \$249 is proposed for replats. This coincides with what the County presently charges for Category 4 land divisions, which are processed in the same manner and have similar criteria. A fee of \$148 is proposed for lot consolidations. This reflects an estimate of 4 hours of staff time using the current hourly rate that we use for calculating fees.

Both fees may need to be adjusted in the coming months when we discuss the overall fee structure and potential increases with the Board. A resolution is being presented at this time because the ordinance creating these two permitting processes goes into effect on August 25, 2007, before we will have an opportunity to get concurrence from the Board on a new fee structure.

Criteria for lot consolidations and replats apply only to rural and certain urban unincorporated areas that are not subject to Intergovernmental Agreements with the cities of Portland and Troutdale. Accordingly, the fees do not apply to these areas.

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

We do not anticipate the new fees having a significant impact on revenues. It is unlikely they will be submitted in large numbers and, in some cases, provide a less expensive alternative to the form of review that is otherwise be available under the County Code.

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

Staff has not identified any legal or policy issues.

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

There has not been any outreach regarding the specific fees and none is planned. During the process of adopting ordinance 1097, staff informed the Planning Commission and Board that fees would need to be set for these new permits and advised what they would be in general terms. These conversations occurred during public hearings and the specific fees included in the resolution are in line with what was discussed.

Required Signature

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



Date:

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Establishing Land Use Planning Fees for Review of Lot Consolidations and Replats, as Provided in MCC Chapter 37 Administration and Procedures, and Chapter 38 for the Columbia River Gorge National Scenic Area

The Multnomah County Board of Commissioners Finds:

- a. On July 26, 2007 the Board adopted Ordinance No. 1097 adding criteria to MCC Chapters 11.15, 11.45, 33, 34, 35, 36, and 38 of the County code for the review and approval of lot consolidations and replats.
- b. Land Use Planning staff must evaluate requests from the public to ensure that they comply with these criteria and it is appropriate for those in need of this review to pay a fee for the service.
- c. The County Code requires the type and amount of fees for land use services be set by resolution.
- d. Criteria for lot consolidations and replats apply only to rural and certain urban unincorporated areas that are not subject to Intergovernmental Agreements with the cities of Portland and Troutdale. Accordingly, these fees do not apply to these areas.

The Multnomah County Board of Commissioners Resolves:

1. Land Use Planning Division fees for review of lot consolidations and replats to ensure compliance with criteria set forth in MCC Chapters 11.15, 11.45, 33, 34, 35, 36, and 38 are as follows:
 - I. Lot Consolidations: \$148
 - II. Replats: \$249
2. Fees for planning services provided by the cities of Portland and Troutdale pursuant to adopted Intergovernmental Agreements are unchanged by this resolution.
3. This Resolution takes effect on August 25, 2007 to coincide with the effective date of Ordinance 1097.

ADOPTED this 16th day of August, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Jed R. Tomkins, Assistant County Attorney

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

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 07-142

Establishing Land Use Planning Fees for Review of Lot Consolidations and Replats, as Provided in MCC Chapter 37 Administration and Procedures, and Chapter 38 for the Columbia River Gorge National Scenic Area

The Multnomah County Board of Commissioners Finds:

- a. On July 26, 2007 the Board adopted Ordinance No. 1097 adding criteria to MCC Chapters 11.15, 11.45, 33, 34, 35, 36, and 38 of the County code for the review and approval of lot consolidations and replats.
- b. Land Use Planning staff must evaluate requests from the public to ensure that they comply with these criteria and it is appropriate for those in need of this review to pay a fee for the service.
- c. The County Code requires the type and amount of fees for land use services be set by resolution.
- d. Criteria for lot consolidations and replats apply only to rural and certain urban unincorporated areas that are not subject to Intergovernmental Agreements with the cities of Portland and Troutdale. Accordingly, these fees do not apply to these areas.

The Multnomah County Board of Commissioners Resolves:

1. Land Use Planning Division fees for review of lot consolidations and replats to ensure compliance with criteria set forth in MCC Chapters 11.15, 11.45, 33, 34, 35, 36, and 38 are as follows:
 - I. Lot Consolidations: \$148
 - II. Replats: \$249
2. Fees for planning services provided by the cities of Portland and Troutdale pursuant to adopted Intergovernmental Agreements are unchanged by this resolution.
3. This Resolution takes effect on August 25, 2007 to coincide with the effective date of Ordinance 1097.

ADOPTED this 16th day of August, 2007.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Jed R. Tomkins, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Department of Community Services



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

FINAL

Board Clerk Use Only

Meeting Date: 08/16/07
 Agenda Item #: R-15
 Est. Start Time: 11:00 AM
 Date Submitted: 08/15/07

Agenda Title: RESOLUTION Approving Reimbursement to the County for County Sponsored Projects from Title III Funding for Fiscal Year 2007 and Authorizing Expenditures for Fiscal Year 2008

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

Requested meeting Date: August 16, 2007 Amount of Time Needed: 5 minutes
 Department: Department of County Management Division: Director's Office
 Contact(s): Bob Thomas
 Phone: (503) 988-4283 Ext. 84283 I/O Address: 503 / 531
 Presenter(s): Bob Thomas

General Information

1. What action are you requesting from the Board?

The Department of County Management recommends approval of this Resolution authorizing reimbursement to Multnomah County for County sponsored projects from Title III funding (PL 106-393).

2. Please provide sufficient background information for the Board and the public to understand this issue. Please not which Program Offer this action affects and how it impacts the results.

In May 2006 and June 2007, the Board approved Resolutions electing the methods by which the County would receive federal forest safety net payments from the Forest Service and the Bureau of Land Management (BLM/O&C Lands). These Resolutions were for expenditure after federal fiscal years 2006 and 2007, respectively. A portion of each of these payments was designated to be received as Title III project funds. Title III projects are approved by the Board and are paid for by the County out of Title III funds that it receives. The moneys are not dedicated to individual departments but are County resources to be used for the following purposes:

- **Search, rescue, and emergency services.** -- An eligible county or applicable

sheriff's department may use these funds as reimbursement for search and rescue and other emergency services, including fire fighting, performed on Federal lands and paid for by the county.

- **Community service work camps.** -- An eligible county may use these funds as reimbursement for all or part of the costs incurred by the county to pay the salaries and benefits of county employees who supervise adults or juveniles performing mandatory community service on Federal lands.
- **Easement purchases.** -- An eligible county may use these funds to acquire --
 1. easements, on a willing seller basis, to provide for non-motorized access to public lands for hunting, fishing, and other recreational purposes;
 2. conservation easements; or
 3. both.
- **Forest related educational opportunities.** -- A county may use these funds to establish and conduct forest-related after school programs.
- **Fire prevention and county planning.** -- A county may use these funds for --
 1. efforts to educate homeowners in fire-sensitive ecosystems about the consequences of wildfires and techniques in home siting, home construction, and home landscaping that can increase the protection of people and property from wildfires; and
 2. planning efforts to reduce or mitigate the impact of development on adjacent Federal lands and to increase the protection of people and property from wildfires.
- **Community forestry.** -- A county may use these funds towards non-Federal cost-share requirements of section 9 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2105).

In May 2006, the Board also approved \$27,000 of Federal Forest Payments to be designated as Title II Funds for Forest Service and \$17,000 for BLM Resource Advisory Committees for their approval. Specific use of Title II funds are not under the control of the Multnomah County Board. In June 2007, the Board approved \$30,000 of Federal Forest Payments to be designated as Title II Funds for Forest Service and \$20,000 for BLM Resource Advisory Committees to allocate.

Program Offers that are being partially reimbursed by this resolution for FY 2007 include: 60024E MCSO Law Enforcement-Patrol East, 91020A Land Use Planning, and 72000A DCM Director's Office. Since these are reimbursements for services already completed there is no direct impact on program performance.

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

In FY 2007, the County received \$306,359 in Title III funds from the Forest Service and BLM. Interest earned on unexpended Title III funds was calculated to be \$9,486 for FY 2007. Total Title III revenue is \$315,845.

The County provides ongoing services to the public that qualify for funding under Title III. For the period July 1, 2006 through June 30, 2007, the following County projects qualify for Title III funding:

Fiscal Year 2006-2007 Title III Projects to Approve

Search and Rescue in National Forests -	
Sheriff's Office expenditures	\$215,007
Search and Rescue non-profit mini grant *	\$9,466
Support in County Management -- Finance Admin	<u>\$3,222</u>

Total Search and Rescue projects \$227,695

Forest Related Educational Opportunities

Oregon State Extension Service – 4H Forest Stewards * \$12,000
Support in County Management – Finance Admin \$2,499

Total Forest Related Educational Opportunities \$14,499

Fire Prevention and County Planning

Community Services - Land Use Planning \$41
Support in County Management – Finance Admin \$781

Total Fire Prevention and County Planning \$822

Total County Title III eligible projects shown above \$243,016

* In June 2006, the Board previously authorized mini grants from Title III funds to provide radios for Search and Rescue and also 4H after school Forest Stewards programs.

For FY 2008, Title III payments from the Forest Service and BLM are estimated at \$295,000.

The department is proposing that the Board authorize the following estimated amounts for County FY 2008 Title III projects:

Fiscal Year 2007-2008 Title III Projects to Pre-Approve

Search and Rescue in National Forests -

Total Sheriff's Office, County Administration \$180,000

Forest Related Educational Opportunities

Grants to non-profits through County Human Services \$100,000
County Administration of process \$10,000

Total Forest Related Educational Opportunities \$110,000

Fire Prevention and County Planning -

Land Use Planning and Finance Administration \$5,000

Total County Title III eligible projects shown above \$295,000

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

The federal legislation requires that the County governing body approve projects for reimbursement from Title III funds. This Resolution is the formal approval of these County projects by the Board.

The County has the ability to approve funding for eligible Title III project costs to groups outside of the County. Any project funds that are approved for use by outside groups would be a direct reduction to County General Fund revenue.

Approval of this resolution will permit the county to gain full credit for Title III funds already deposited into the county general fund for FY 2007. This action is in support of county financial policies by taking full advantage of a federal/state funding source without

expanding service costs and crediting title iii funds to programs that are already in place.

This initial legislation expired in October 2006, but was reauthorized for one additional year on May 25, 2007 by Congress and the President. It is advised that these payments not be considered dedicated resources for ongoing programs.

The Department of County Human Services is preparing a process soliciting proposals to provide After School Forest Educational Opportunities for students during the upcoming school year. When this process is complete the Board will be asked to approve a budget modification increasing the DCHS budget to add Title III one time only funds for this purpose.

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

As was required by the federal legislation, a Public Notice was published and a 45-day comment period began on June 14th and concluded July 30th. Citizens had the opportunity to provide written comments on the Multnomah County projects that will qualify under Title III. The County received no public comment.

Required Signature

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

Carol M. Ford

Date: 08/02/07

FINAL

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Approving Reimbursement to the County for County Sponsored Projects from Title III Funding for Fiscal Year 2007 and Authorizing Expenditures for Fiscal Year 2008

The Multnomah County Board of Commissioners Finds:

- a. The Secure Rural Schools and Community Self-Determination Act of 2000 (PL 106-393), provides for funding from the United States Forest Service and Bureau of Land Management for use by counties to benefit transportation, education, public safety, law enforcement and other public purposes.
- b. Title III of PL106-393 provides that these funds be dedicated to projects under the following authorized uses: Search, Rescue, and Emergency Services on federal lands; Community Service Work Camps; Easement Purchases; Forest Related Educational Opportunities; Fire Prevention and County Planning; and Community Forestry.
- c. On May 25, 2007, Congress and the President approved a one year extension of PL106-393.
- d. Multnomah County, on May 18, 2006 and June 28, 2007, adopted Resolutions that elected to receive a portion of its annual federal forest payments as Title III project funds for federal fiscal years 2006 and 2007 (for expenditure after federal fiscal years 2006 and 2007, respectively).
- e. On June 14, 2007, the County published a Public Notice describing proposed Title III projects and opened a forty-five (45) day public comment period. That period ended July 30, 2007.
- f. The County received no comments during this period.
- g. The County currently provides several public services in and adjacent to federal lands that are eligible for Title III funding.
- h. The projects sponsored by Multnomah County for County FY 2007 and the amounts spent were:

Search, Rescue, and Emergency Services (Sheriff's Office, County Administrative costs Finance)	\$218,229
Search and Rescue (Grant to Non-profit)	\$9,466
Forest Related Educational Opportunities (Grants to non-profits)	\$12,000
Forest Related Educational Opportunities (County Administrative costs)	\$2,499
Fire Prevention and County Planning (Land Use Planning and County Administrative costs)	\$822
Total County Title III projects shown above	\$243,016

FINAL

- i. The County expects to receive \$295,000 in Title III payments during County FY 2008 and authorizes estimated expenditures from those funds for the following projects:

Search, Rescue, and Emergency Services (Sheriff's Office, County Administrative costs)	\$180,000
Forest Related Educational Opportunities (Grant to Non-profit)	\$100,000
Forest Related Educational Opportunities (County Administrative costs)	\$10,000
Fire Prevention and County Planning (Land Use Planning)	\$5,000
Total County Title III projects shown above	\$295,000

- j. Grants to two non-County organizations were approved by the Board for Search and Rescue and for Forest Related Educational Opportunities on June 22, 2006 and represented in table h. above.

The Multnomah County Board of County Commissioners Resolves:

1. The County projects listed in h. above are authorized to be reimbursed from County Title III funds for expenditures incurred on these projects during the period July 1, 2006 through June 30, 2007.
2. The County projects listed in i. above are authorized for the amounts shown for the period July 1, 2007 through June 30, 2008.

ADOPTED this 16th day of August, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
John S. Thomas, Deputy County Attorney

SUBMITTED BY:
Carol M. Ford, Director, Dept. of County Management



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 08/16/07
Agenda Item #: R-15
Est. Start Time: 11:00 AM
Date Submitted: 08/02/07

Agenda Title: **RESOLUTION Approving Reimbursement to the County for County Sponsored Projects from Title III Funding for Fiscal Year 2007 and Authorizing Expenditures for Fiscal Year 2008**

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

Requested meeting Date: August 16, 2007 **Amount of Time Needed:** 5 minutes
Department: Department of County Management **Division:** Director's Office
Contact(s): Bob Thomas
Phone: (503) 988-4283 **Ext.** 84283 **I/O Address:** 503 / 531
Presenter(s): Bob Thomas

General Information

1. What action are you requesting from the Board?

The Department of County Management recommends approval of this Resolution authorizing reimbursement to Multnomah County for County sponsored projects from Title III funding (PL 106-393).

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- **Search, rescue, and emergency services.** -- An eligible county or applicable sheriff's department may use these funds as reimbursement for search and rescue and other emergency services, including fire fighting, performed on Federal lands and paid

for by the county.

- **Community service work camps.** -- An eligible county may use these funds as reimbursement for all or part of the costs incurred by the county to pay the salaries and benefits of county employees who supervise adults or juveniles performing mandatory community service on Federal lands.
- **Easement purchases.** -- An eligible county may use these funds to acquire --
 1. easements, on a willing seller basis, to provide for non-motorized access to public lands for hunting, fishing, and other recreational purposes;
 2. conservation easements; or
 3. both.
- **Forest related educational opportunities.** -- A county may use these funds to establish and conduct forest-related after school programs.
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 1. efforts to educate homeowners in fire-sensitive ecosystems about the consequences of wildfires and techniques in home siting, home construction, and home landscaping that can increase the protection of people and property from wildfires; and
 2. planning efforts to reduce or mitigate the impact of development on adjacent Federal lands and to increase the protection of people and property from wildfires.
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In May 2006, the Board also approved \$27,000 of Federal Forest Payments to be designated as Title II Funds for Forest Service and \$17,000 for BLM Resource Advisory Committees for their approval. Specific use of Title II funds are not under the control of the Multnomah County Board. In June 2007, the Board approved \$30,000 of Federal Forest Payments to be designated as Title II Funds for Forest Service and \$20,000 for BLM Resource Advisory Committees to allocate.

Program Offers that are being partially reimbursed by this resolution for FY 2007 include: 60024E MCSO Law Enforcement-Patrol East, 91020A Land Use Planning, and 72000A DCM Director's Office. Since these are reimbursements for services already completed there is no direct impact on program performance.

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

Note that many figures in this Agenda Placement Request and in the Resolution itself are currently unknown. Departments are still compiling FY 2007 year end figures. Actual figures will be provided the Board in a substitute Resolution in time for the August 16th Board date so that they can still be posted to FY 2007 by the close of August 17th.

In FY 2007, the County received \$306,359 in Title III funds from the Forest Service and BLM. Interest earned on unexpended Title III funds was calculated to be \$9,295 for FY 2007. Total Title III revenue is \$315,654.

The County provides ongoing services to the public that qualify for funding under Title III. For the period July 1, 2006 through June 30, 2007, the following County projects qualify for Title III funding:

Fiscal Year 2006-2007 Title III Projects to Approve

Search and Rescue in National Forests -
Sheriff's Office expenditures

\$XXX,XXX

Search and Rescue non-profit mini grant *	<u>\$X,XXX</u>
Support in County Management – Finance Admin	\$3,222
Total Search and Rescue projects	<u>\$XXX,XXX</u>

Community Service Work Camps	
FY 2007 Community Service Work Camps	<u>\$X,XXX</u>

Forest Related Educational Opportunities	
Oregon State Extension Service – 4H Forest Stewards *	\$12,000
Support in County Management – Finance Admin	\$2,499
Total Forest Related Educational Opportunities	<u>\$14,499</u>

Fire Prevention and County Planning –	
Community Services - Land Use Planning	\$41
Support in County Management – Finance Admin	\$781
Total Fire Prevention and County Planning	<u>\$822</u>

Total County Title III eligible projects shown above \$XXX,XXX

* In June 2006, the Board previously authorized mini grants from Title III funds to provide radios for Search and Rescue and also 4H after school Forest Stewards programs.

For FY 2008, Title III payments from the Forest Service and BLM are estimated at \$295,000.

The department is proposing that the Board authorize the following estimated amounts for County FY 2008 Title III projects:

Fiscal Year 2007-2008 Title III Projects to Pre-Approve

Search and Rescue in National Forests -	
Total Sheriff's Office, County Administration	\$130,953

Community Service Work Camps	
Estimated FY 2008 Community Service Work Camps	\$12,000
Support in County Management – Finance Admin	\$500
Total Community Service Work Camps	<u>\$12,500</u>

Forest Related Educational Opportunities	
Grants to non-profits through County Human Services	\$100,000
County Administration of Mini Grant process	\$18,000
Total Forest Related Educational Opportunities	<u>\$118,000</u>

Fire Prevention and County Planning -	
Land Use Planning and Finance Administration	\$33,547

Total County Title III eligible projects shown above **\$295,000**

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

The federal legislation requires that the County governing body approve projects for reimbursement from Title III funds. This Resolution is the formal approval of these County

projects by the Board.

The County has the ability to approve funding for eligible Title III project costs to groups outside of the County. Any project funds that are approved for use by outside groups would be a direct reduction to County General Fund revenue.

APPROVAL OF THIS RESOLUTION WILL PERMIT THE COUNTY TO GAIN FULL CREDIT FOR TITLE III FUNDS ALREADY DEPOSITED INTO THE COUNTY GENERAL FUND. THIS ACTION IS IN SUPPORT OF COUNTY FINANCIAL POLICIES BY TAKING FULL ADVANTAGE OF A FEDERAL/STATE FUNDING SOURCE WITHOUT EXPANDING SERVICE COSTS AND CREDITING TITLE III FUNDS TO PROGRAMS THAT ARE ALREADY IN PLACE.

This initial legislation expired in October 2006, but was reauthorized for one additional year on May 25, 2007 by Congress and the President. It is advised that these payments not be considered dedicated resources for ongoing programs.

The Department of County Human Services is preparing a process soliciting proposals to provide After School Forest Educational Opportunities for students during the upcoming school year. When this process is complete the Board will be asked to approve a budget modification increasing the DCHS budget to add Title III one time only funds for this purpose.

- 5. Explain any citizen and/or other government participation that has or will take place.**
As was required by the federal legislation, a Public Notice was published and a 45-day comment period began on June 14th and concluded July 30th. Citizens had the opportunity to provide written comments on the Multnomah County projects that will qualify under Title III. The County received no public comment.

Required Signature

Elected Official or
Department/Agency
Director:

Carol M. Ford

Date: 08/02/07

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 07-XXX

Approving Reimbursement to the County for County Sponsored Projects from Title III Funding for Fiscal Year 2007 and Authorizing Expenditures for Fiscal Year 2008

The Multnomah County Board of Commissioners Finds:

- a. The Secure Rural Schools and Community Self-Determination Act of 2000 (PL 106-393), provides for funding from the United States Forest Service and Bureau of Land Management for use by counties to benefit transportation, education, public safety, law enforcement and other public purposes.
- b. Title III of PL106-393 provides that these funds be dedicated to projects under the following authorized uses: Search, Rescue, and Emergency Services on federal lands; Community Service Work Camps; Easement Purchases; Forest Related Educational Opportunities; Fire Prevention and County Planning; and Community Forestry.
- c. On May 25, 2007, Congress and the President approved a one year extension of PL106-393.
- d. Multnomah County, on May 18, 2006 and June 28, 2007, adopted Resolutions that elected to receive a portion of its annual federal forest payments as Title III project funds for federal fiscal years 2006 and 2007 (for expenditure after federal fiscal years 2006 and 2007, respectively).
- e. On June 14, 2007, the County published a Public Notice describing proposed Title III projects and opened a forty-five (45) day public comment period. That period ended July 30, 2007.
- f. The County received no comments during this period.
- g. The County currently provides several public services in and adjacent to federal lands that are eligible for Title III funding.
- h. The projects sponsored by Multnomah County for County FY 2007 and the amounts spent were:

Search, Rescue, and Emergency Services (Sheriff's Office, County Administrative costs Finance)	\$XXX,XXX
Community Service Work Camps (includes County Administrative Costs)	\$XX
Forest Related Educational Opportunities (Grants to non-profits and Administrative costs)	\$14,499
Search and Rescue (Grant to Non-profit)	\$X,XXX
Fire Prevention and County Planning (Land Use Planning and County Administrative costs)	\$822
Total County Title III projects shown above	\$XXX,XXX

- i. The County expects to receive \$295,000 in Title III payments during County FY 2008 and authorizes estimated expenditures from those funds for the following projects:

Search, Rescue, and Emergency Services (Sheriff's Office, County Administrative costs)	\$130,953
Community Service Work Camps (includes County Administrative Costs)	\$12,500
Forest Related Educational Opportunities (Grant to Non-profit)	\$100,000
Forest Related Educational Opportunities (County Administrative costs)	\$18,000
Fire Prevention and County Planning (Land Use Planning)	\$33,547
Total County Title III projects shown above	\$295,000

- j. Grants to two non-County organizations were approved by the Board for Search and Rescue and for Forest Related Educational Opportunities on June 22, 2006 and represented in table h. above.

The Multnomah County Board of County Commissioners Resolves:

1. The County projects listed in h. above are authorized to be reimbursed from County Title III funds for expenditures incurred on these projects during the period July 1, 2006 through June 30, 2007.
2. The County projects listed in i. above are authorized for the amounts shown for the period July 1, 2007 through June 30, 2008.

ADOPTED this 16th day of August, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
John S. Thomas, Deputy County Attorney

SUBMITTED BY:
Carol M. Ford, Director, Dept. of County Management

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 07-143

Approving Reimbursement to the County for County Sponsored Projects from Title III Funding for Fiscal Year 2007 and Authorizing Expenditures for Fiscal Year 2008

The Multnomah County Board of Commissioners Finds:

- a. The Secure Rural Schools and Community Self-Determination Act of 2000 (PL 106-393), provides for funding from the United States Forest Service and Bureau of Land Management for use by counties to benefit transportation, education, public safety, law enforcement and other public purposes.
- b. Title III of PL106-393 provides that these funds be dedicated to projects under the following authorized uses: Search, Rescue, and Emergency Services on federal lands; Community Service Work Camps; Easement Purchases; Forest Related Educational Opportunities; Fire Prevention and County Planning; and Community Forestry.
- c. On May 25, 2007, Congress and the President approved a one year extension of PL106-393.
- d. Multnomah County, on May 18, 2006 and June 28, 2007, adopted Resolutions that elected to receive a portion of its annual federal forest payments as Title III project funds for federal fiscal years 2006 and 2007 (for expenditure after federal fiscal years 2006 and 2007, respectively).
- e. On June 14, 2007, the County published a Public Notice describing proposed Title III projects and opened a forty-five (45) day public comment period. That period ended July 30, 2007.
- f. The County received no comments during this period.
- g. The County currently provides several public services in and adjacent to federal lands that are eligible for Title III funding.
- h. The projects sponsored by Multnomah County for County FY 2007 and the amounts spent were:

Search, Rescue, and Emergency Services (Sheriff's Office, County Administrative costs Finance)	\$218,229
Search and Rescue (Grant to Non-profit)	\$9,466
Forest Related Educational Opportunities (Grants to non-profits)	\$12,000
Forest Related Educational Opportunities (County Administrative costs)	\$2,499
Fire Prevention and County Planning (Land Use Planning and County Administrative costs)	\$822
Total County Title III projects shown above	\$243,016

- i. The County expects to receive \$295,000 in Title III payments during County FY 2008 and authorizes estimated expenditures from those funds for the following projects:

Search, Rescue, and Emergency Services (Sheriff's Office, County Administrative costs)	\$180,000
Forest Related Educational Opportunities (Grant to Non-profit)	\$100,000
Forest Related Educational Opportunities (County Administrative costs)	\$10,000
Fire Prevention and County Planning (Land Use Planning)	\$5,000
Total County Title III projects shown above	\$295,000

- j. Grants to two non-County organizations were approved by the Board for Search and Rescue and for Forest Related Educational Opportunities on June 22, 2006 and represented in table h. above.

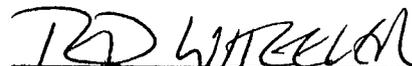
The Multnomah County Board of County Commissioners Resolves:

1. The County projects listed in h. above are authorized to be reimbursed from County Title III funds for expenditures incurred on these projects during the period July 1, 2006 through June 30, 2007.
2. The County projects listed in i. above are authorized for the amounts shown for the period July 1, 2007 through June 30, 2008.

ADOPTED this 16th day of August, 2007.

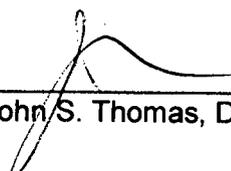


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
John S. Thomas, Deputy County Attorney

SUBMITTED BY:
Carol M. Ford, Director, Dept. of County Management



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 08/16/07
Agenda Item #: R-16
Est. Start Time: 11:03 AM
Date Submitted: 08/01/07

Agenda Title: **RESOLUTION Approving Amendments to Real Property Leases and Authorizing County Chair to Execute Further Lease Amendments with Hacienda Community Development Corporation at the Baltazar F. Ortiz Community Center, 6856 NE Killingsworth Street, Portland, Oregon**

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

Requested Meeting Date: August 16, 2007 **Amount of Time Needed:** 5 Minutes
Department: County Management **Division:** Facilities and Property Management
Contact(s): Mike Sublett
Phone: (503) 988-4149 **Ext** 84149 **I/O Address:** FPM / 274
Presenter(s): Doug Butler, FPM

General Information

1. What action are you requesting from the Board?

Approve two amendments to real property leases and authorize the County Chair to execute further lease amendments with Hacienda Community Development Corporation at the Baltazar F. Ortiz Community Center, 6856 NE Killingsworth Street, Portland, Oregon

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 leases approximately 7,439 square feet from the Hacienda Community Development Corporation ("Hacienda") under two separate leases ("Leases"), in the Baltazar F. Ortiz Community Center, 6856 NE Killingsworth Street, Portland, Oregon ("Property"). Multnomah County Health Department operates La Clara Vista Family Resource Center and La Clinica programs at the Property. The terms of the original leases, entered into in March 2000, allowed for annual rent escalations at the Consumer Price Index (CPI). Hacienda has maintained the original base rent without increase since that time, although the CPI has increased twenty-one

percent during County occupancy. In order to maintain prudent and stable property operation for both the County and Hacienda, Facilities and Property Management Division has negotiated the attached Amendments which provide for base rent increases of 5.5% in 2007 and 2008. Therefore, it is in the best interests of the County to amend the Property Leases on the terms and conditions set forth in the attached Amendments.

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

Annual rent under both leases will be \$4,939 higher than a strict CPI escalator. However, the 5.5% increase has been budgeted for FY08 so there will be no adverse budgetary impact.

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

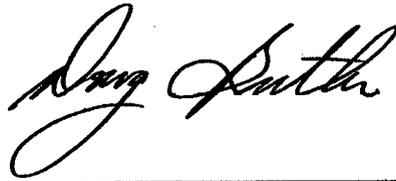
None

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: 08/01/07

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Approving Amendments to Real Property Leases and Authorizing County Chair to Execute Further Lease Amendments with Hacienda Community Development Corporation at the Baltazar F. Ortiz Community Center, 6856 NE Killingsworth Street, Portland, Oregon

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County leases approximately 7,439 square feet from the Hacienda Community Development Corporation ("Hacienda") under two separate leases ("Leases"), in the Baltazar F. Ortiz Community Center, located at 6856 NE Killingsworth Street, Portland, Oregon ("Property"). Multnomah County operates La Clara Vista Family Resource Center and La Clinica programs at the Property.
- b. The terms of the original leases, entered into in March 2000, allowed for annual rent escalations at the Consumer Price Index (CPI). Hacienda has maintained the rent without increase since that time, although the CPI has increased twenty-one percent during County occupancy.
- c. In order to maintain prudent and stable property operation for the County and Hacienda, Facilities and Property Management Division has negotiated a new rate for both leases which provide for base rent increases of 5.5% in 2007 and 2008.
- d. Attached identified as Exhibits A and B are copies of the proposed lease amendments for the County occupied sites at the Property, that reflect the rent increase. All other terms and conditions of the Leases remain the same and in full force and effect.
- e. It is in the best interests of the County to amend the Property Leases on the terms and conditions set forth in Exhibits A and B.

The Multnomah County Board of Commissioners Resolves:

1. The lease amendments with Hacienda as proposed herein are approved.
2. The County Chair is authorized to execute lease amendments substantially in the form of the attached Exhibits A and B.
3. The County Chair is authorized to execute future amendments to the leases without further Board action.

ADOPTED this 16th day of August 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:
Carol M. Ford, Director, Dept. of County Management

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the respective dates set opposite their signatures below, but this Agreement on behalf of such party shall be deemed to have been dated as of the date first above written.

For Landlord:

HACIENDA COMMUNITY DEVELOPMENT CORP

Date: _____

By: _____

For Tenant:

MULTNOMAH COUNTY, OREGON

Date: _____

By: _____
Ted Wheeler, Chair

Date: _____

By: _____
Matthew O. Ryan, Asst. County Attorney

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the respective dates set opposite their signatures below, but this Agreement on behalf of such party shall be deemed to have been dated as of the date first above written.

For Landlord:

HACIENDA COMMUNITY DEVELOPMENT CORP

Date: _____

By: _____

For Tenant:

MULTNOMAH COUNTY, OREGON

Date: _____

By: _____

Ted Wheeler, Chair

Date: _____

By: _____

Matthew O. Ryan, Asst. County Attorney

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 07-144

Approving Amendments to Real Property Leases and Authorizing County Chair to Execute Further Lease Amendments with Hacienda Community Development Corporation at the Baltazar F. Ortiz Community Center, 6856 NE Killingsworth Street, Portland, Oregon

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County leases approximately 7,439 square feet from the Hacienda Community Development Corporation ("Hacienda") under two separate leases ("Leases"), in the Baltazar F. Ortiz Community Center, located at 6856 NE Killingsworth Street, Portland, Oregon ("Property"). Multnomah County operates La Clara Vista Family Resource Center and La Clinica programs at the Property.
- b. The terms of the original leases, entered into in March 2000, allowed for annual rent escalations at the Consumer Price Index (CPI). Hacienda has maintained the rent without increase since that time, although the CPI has increased twenty-one percent during County occupancy.
- c. In order to maintain prudent and stable property operation for the County and Hacienda, Facilities and Property Management Division has negotiated a new rate for both leases which provide for base rent increases of 5.5% in 2007 and 2008.
- d. Attached identified as Exhibits A and B are copies of the proposed lease amendments for the County occupied sites at the Property, that reflect the rent increase. All other terms and conditions of the Leases remain the same and in full force and effect.
- e. It is in the best interests of the County to amend the Property Leases on the terms and conditions set forth in Exhibits A and B.

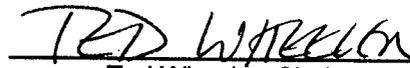
The Multnomah County Board of Commissioners Resolves:

1. The lease amendments with Hacienda as proposed herein are approved.
2. The County Chair is authorized to execute lease amendments substantially in the form of the attached Exhibits A and B.
3. The County Chair is authorized to execute future amendments to the leases without further Board action.

ADOPTED this 16th day of August 2007.



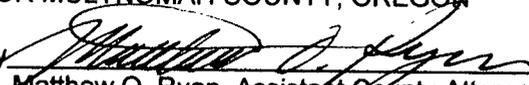
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

Carol M. Ford, Director, Dept. of County Management

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the respective dates set opposite their signatures below, but this Agreement on behalf of such party shall be deemed to have been dated as of the date first above written.

For Landlord:

HACIENDA COMMUNITY DEVELOPMENT CORP

Date: _____

By: _____

For Tenant:

MULTNOMAH COUNTY, OREGON

Date: _____

By: _____
Ted Wheeler, Chair

Date: _____

By: _____
Matthew O. Ryan, Asst. County Attorney

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the respective dates set opposite their signatures below, but this Agreement on behalf of such party shall be deemed to have been dated as of the date first above written.

For Landlord:

HACIENDA COMMUNITY DEVELOPMENT CORP

Date: _____

By: _____

For Tenant:

MULTNOMAH COUNTY, OREGON

Date: _____

By: _____
Ted Wheeler, Chair

Date: _____

By: _____
Matthew O. Ryan, Asst. County Attorney



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (short form)

Board Clerk Use Only

Meeting Date: 08/16/07
 Agenda Item #: R-17
 Est. Start Time: 11:06 AM
 Date Submitted: 08/01/07

**RESOLUTION Approving Amendment to Real Property Lease and Authorizing
 Agenda County Chair to Execute Further Lease Amendments with Unico Properties,
 Title: LLC at the Lincoln Building, 421 SW Oak Street Portland, Oregon**

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

Requested Meeting Date: August 16, 2007 Amount of Time Needed: 5 Minutes
 Department: County Management Division: Facilities and Property Management
 Contact(s): Mike Sublett
 Phone: (503) 988-4149 Ext.: 84149 I/O Address: FPM / 274
 Presenter(s): Doug Butler, FPM

General Information

1. What action are you requesting from the Board?

Approve Amendment to Real Property Lease and Authorize County Chair to Execute Further Lease Amendments with Unico Properties, LLC at the Lincoln Building, 421 SW Oak Street

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 leases approximately 8,347 square feet from the YWCA of Greater Portland at the YWCA Downtown Center ("Center"), located at 1111 SW 10th Street, Portland, Oregon. Multnomah County Department of County Human Services ("DCHS") Aging and Disability Services Division ("ADS") operates the West ADS Office at the Center. The lease is set to expire not later than March 31, 2008. (By an amendment, Multnomah County has a termination option with 120 days notice.) Multnomah County leases approximately 99,478 square feet from Unico Properties, LLC ("Unico") at the Lincoln Building, 421 SW Oak Street, Portland, Oregon ("Lincoln Building") in a lease expiring in April 2016 ("Property Lease"). The Lincoln Building serves as a major DCHS hub. The Multnomah County Facilities Strategic Plan, adopted by Resolution 05-148,

included the development and expansion of hubs and consolidation of smaller sites as an effective strategy for improving service delivery and efficiency. After initial space planning, financial analysis, and operational and programmatic development with DCHS, the Facilities and Property Management Division has negotiated the attached Lease Terms Letter, dated July 19, 2007, with Unico to amend the Property Lease to include an additional space of approximately 5,311 square feet in the Lincoln Building for the relocation of the West ADS Office. This will be first floor space, far superior for the clients than the current second floor space. Moreover, because of the location in the hub, the program will be able to greatly reduce their square footage through shared common facilities, such as conference rooms, break rooms, restrooms, etc. Facilities therefore recommends that it is in the best interests of the County to amend the Property Lease on the terms and conditions set forth in the attached Lease Terms Letter.

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

Annual rent under the current lease has been budgeted in FY08 at \$187,589 per annum, versus \$120,000 per annum in the proposed lease amendment. The landlord has also offered a tenant improvement allowance sufficient to build-out the new space and possibly help with some move costs. Total one time costs are anticipated to be covered in first year rental savings.

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: 08/01/07

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Approving Amendment to Real Property Lease and Authorizing County Chair to Execute Further Lease Amendments with Unico Properties, LLC at the Lincoln Building, 421 SW Oak Street Portland, Oregon

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County leases approximately 8,347 square feet from the YWCA of Greater Portland at the YWCA Downtown Center ("Center"), located at 1111 SW 10th Street, Portland, Oregon. Multnomah County Department of County Human Services ("DCHS") Aging and Disability Services Division ("ADS") operates the West ADS Office at the Center. The lease is set to expire not later than March 31, 2008.
- b. Multnomah County leases approximately 99,478 square feet from Unico Properties, LLC ("Unico") at the Lincoln Building, 421 SW Oak Street, Portland, Oregon ("Lincoln Building") in a lease expiring in April 2016 ("Property Lease"). The Lincoln Building serves as a major DCHS hub. The Multnomah County Facilities Strategic Plan, adopted by Resolution 05-148, included the development and expansion of hubs and consolidation of smaller sites as an effective strategy for improving service delivery and efficiency.
- c. After initial space planning, financial analysis, and operational and programmatic development with DCHS, the Facilities and Property Management Division has negotiated the attached Lease Terms Letter, dated July 19, 2007, with Unico to amend the Property Lease to include an additional space of approximately 5,311 square feet in the Lincoln Building for the relocation of the West ADS Office.
- d. It is in the best interests of the County to amend the Property Lease on the terms and conditions set forth in the attached Lease Terms Letter.

The Multnomah County Board of Commissioners Resolves:

1. The Board approves the attached Lease Terms Letter as the basis for a lease amendment to the Property Lease effective on or about December 1, 2007. The County Chair is authorized to execute an amendment to the Property Lease substantially conforming to the terms of the attached Lease Terms Letter.

2. The County Chair is authorized to execute future amendments to the Property Lease without further Board action.

ADOPTED this 16th day of August 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
John S. Thomas, Deputy County Attorney

SUBMITTED BY:
Carol M. Ford, Director, Dept. of County Management



July 19, 2007

111 SW 5TH AVENUE - SUITE 4070
PORTLAND, OREGON 97204

Via Electronic Mail

David Reinhart
CresaPartners
One SW Columbia Street, Suite 1610
Portland, OR 97258

RE: *Multnomah County – Lincoln Building First Floor Expansion*

Dear David:

Enclosed for your review are the proposed business terms regarding an expansion for Multnomah County ("Tenant") at the Lincoln Building. We appreciate the opportunity to provide this proposal and look forward to the continuation of a mutually beneficial relationship with Multnomah County.

Expansion Premises	Approximately 5,311 rentable square feet (RSF) currently available for lease on the 1 st floor of the Lincoln Building. ("Expansion Premises")
Lease Commencement	Upon completion of Tenant Improvements in the Expansion Premises, but in no event less than 120 days after lease execution. Lease Commencement is estimated to be January 1, 2007.
Lease Expiration	April 30, 2016
Full Service Lease Rate	The full service base rental rate for the Expansion Premises shall be: Months 1-12: \$10,000 per Month net of Real Estate Taxes Base Rent shall increase by \$0.50 per RSF ² each Year thereafter beginning on July 1, 2008.
Operating Expenses	The base rental includes operating expenses for the calendar year 2006, exclusive of real estate taxes. All other terms and conditions relating to Operating Expenses shall remain as written in the Lease.

Tenant Improvements	Landlord shall tender the Expansion Premises to tenant in "as-is" condition. Landlord shall provide tenant with an Improvement Allowance of \$25.00 per RSF of the Expansion Premises to offset design and construction costs. All design and construction cost overages shall be at Tenant's sole cost and expense. Costs associated with final space planning, permitting, construction drawings and construction management fee will be applied against the Improvement Allowance. Landlord makes no representation whatsoever to the actual cost of tenant construction. Any unused Improvement Allowance may be used by Tenant for any purpose relating to Tenant's relocation, including furniture, data, phones and direct move expenses.
Construction	All improvements shall be made using building standard finishes or better. Space plans, construction drawings and finish selections will be subject to Landlord's review and approval.
Professional Representation	Unico recognizes CresaPartners in this transaction and shall pay a commission to CresaPartners pursuant to a separate commission agreement between the two parties.
Conditions Precedent	This proposal is an outline of the material terms of our proposed transaction. We expect to negotiate a lease agreement, which will be generally consistent with this letter. This proposal shall not constitute a formal agreement, is subject to the full execution of a mutually acceptable lease, availability of the space and the approval of the transaction by building ownership and any lender.

If the attached terms meet your approval, please sign and return a copy of the document as acknowledgment of your acceptance. This proposal stands valid until July 31, 2007, and is subject to prior leasing. Upon notification, lease documents will be prepared for your review. If you have any questions, please do not hesitate to call me at 503-425-6707.

Sincerely,



Brian Pearce
General Manager

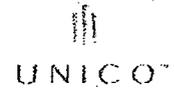
AGREED AND ACCEPTED

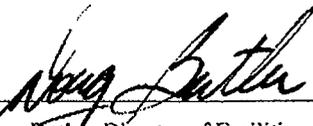
Any proposed amendments to terms and conditions of the current lease between Landlord and Tenant will be subject to review by the County Attorney. Please note any amendment requested, proposal made, or counteroffer accepted by me or other authorized County representative for the above referenced property is not binding on the County until and unless the Board approves the proposed lease or amendment upon such terms and conditions that may be imposed.

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David Reinhart

July 19, 2007



BY: 
Doug Butler, Director of Facilities
Multnomah County

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 07-145

Approving Amendment to Real Property Lease and Authorizing County Chair to Execute Further Lease Amendments with Unico Properties, LLC at the Lincoln Building, 421 SW Oak Street Portland, Oregon

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County leases approximately 8,347 square feet from the YWCA of Greater Portland at the YWCA Downtown Center ("Center"), located at 1111 SW 10th Street, Portland, Oregon. Multnomah County Department of County Human Services ("DCHS") Aging and Disability Services Division ("ADS") operates the West ADS Office at the Center. The lease is set to expire not later than March 31, 2008.
- b. Multnomah County leases approximately 99,478 square feet from Unico Properties, LLC ("Unico") at the Lincoln Building, 421 SW Oak Street, Portland, Oregon ("Lincoln Building") in a lease expiring in April 2016 ("Property Lease"). The Lincoln Building serves as a major DCHS hub. The Multnomah County Facilities Strategic Plan, adopted by Resolution 05-148, included the development and expansion of hubs and consolidation of smaller sites as an effective strategy for improving service delivery and efficiency.
- c. After initial space planning, financial analysis, and operational and programmatic development with DCHS, the Facilities and Property Management Division has negotiated the attached Lease Terms Letter, dated July 19, 2007, with Unico to amend the Property Lease to include an additional space of approximately 5,311 square feet in the Lincoln Building for the relocation of the West ADS Office.
- d. It is in the best interests of the County to amend the Property Lease on the terms and conditions set forth in the attached Lease Terms Letter.

The Multnomah County Board of Commissioners Resolves:

1. The Board approves the attached Lease Terms Letter as the basis for a lease amendment to the Property Lease effective on or about December 1, 2007. The County Chair is authorized to execute an amendment to the Property Lease substantially conforming to the terms of the attached Lease Terms Letter.

2. The County Chair is authorized to execute future amendments to the Property Lease without further Board action.

ADOPTED this 16th day of August 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

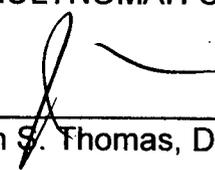




Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 

John S. Thomas, Deputy County Attorney

SUBMITTED BY:

Carol M. Ford, Director, Dept. of County Management



July 19, 2007

111 SW 5TH AVENUE - SUITE 4070
PORTLAND, OREGON 97204

Via Electronic Mail

David Reinhart
CresaPartners
One SW Columbia Street, Suite 1610
Portland, OR 97258

RE: *Multnomah County – Lincoln Building First Floor Expansion*

Dear David:

Enclosed for your review are the proposed business terms regarding an expansion for Multnomah County ("Tenant") at the Lincoln Building. We appreciate the opportunity to provide this proposal and look forward to the continuation of a mutually beneficial relationship with Multnomah County.

Expansion Premises	Approximately 5,311 rentable square feet (RSF) currently available for lease on the 1 st floor of the Lincoln Building. ("Expansion Premises")
Lease Commencement	Upon completion of Tenant Improvements in the Expansion Premises, but in no event less than 120 days after lease execution. Lease Commencement is estimated to be January 1, 2007.
Lease Expiration	April 30, 2016
Full Service Lease Rate	The full service base rental rate for the Expansion Premises shall be: Months 1-12: \$10,000 per Month net of Real Estate Taxes Base Rent shall increase by \$0.50 per RSF each Year thereafter beginning on July 1, 2008.
Operating Expenses	The base rental includes operating expenses for the calendar year 2006, exclusive of real estate taxes. All other terms and conditions relating to Operating Expenses shall remain as written in the Lease.



Tenant Improvements	Landlord shall tender the Expansion Premises to tenant in "as-is" condition. Landlord shall provide tenant with an Improvement Allowance of \$25.00 per RSF of the Expansion Premises to offset design and construction costs. All design and construction cost overages shall be at Tenant's sole cost and expense. Costs associated with final space planning, permitting, construction drawings and construction management fee will be applied against the Improvement Allowance. Landlord makes no representation whatsoever to the actual cost of tenant construction. Any unused Improvement Allowance may be used by Tenant for any purpose relating to Tenant's relocation, including furniture, data, phones and direct move expenses.
Construction	All improvements shall be made using building standard finishes or better. Space plans, construction drawings and finish selections will be subject to Landlord's review and approval.
Professional Representation	Unico recognizes CresaPartners in this transaction and shall pay a commission to CresaPartners pursuant to a separate commission agreement between the two parties.
Conditions Precedent	This proposal is an outline of the material terms of our proposed transaction. We expect to negotiate a lease agreement, which will be generally consistent with this letter. This proposal shall not constitute a formal agreement, is subject to the full execution of a mutually acceptable lease, availability of the space and the approval of the transaction by building ownership and any lender.

If the attached terms meet your approval, please sign and return a copy of the document as acknowledgment of your acceptance. This proposal stands valid until July 31, 2007, and is subject to prior leasing. Upon notification, lease documents will be prepared for your review. If you have any questions, please do not hesitate to call me at 503-425-6707.

Sincerely,

Brian Pearce
General Manager

AGREED AND ACCEPTED

Any proposed amendments to terms and conditions of the current lease between Landlord and Tenant will be subject to review by the County Attorney. Please note any amendment requested, proposal made, or counteroffer accepted by me or other authorized County representative for the above referenced property is not binding on the County until and unless the Board approves the proposed lease or amendment upon such terms and conditions that may be imposed.

Page 3

David Reinhart

July 19, 2007



BY: _____

Doug Butler

Doug Butler, Director of Facilities
Multnomah County



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-18 DATE 8/16/07
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 08/16/07
 Agenda Item #: R-18
 Est. Start Time: 11:10 AM
 Date Submitted: 07/31/07

BUDGET MODIFICATION: DCHS - 05

**Budget Modification DCHS-05 Increasing Mental Health and Addiction Services
 Appropriation by \$157,420 to Reflect a New Agreement with Multnomah
 County Education Service District for Funding Two New Mental Health
 Consultants (1.66 FTE) in the School Based Mental Health Program**

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

Requested Meeting Date: August 16, 2007 **Amount of Time Needed:** 5 minutes
Department: Department of County Human Services **Division:** Mental Health & Addiction Services
Contact(s): Kathy Tinkle, Godwin Nwerem
Phone: 503 988-3691 **Ext.** 26858 or 84135 **I/O Address:** 167/620
Presenter(s): Godwin Nwerem, Barbara Jorgensen

General Information

1. What action are you requesting from the Board?

The Department of County Human Services (DCHS) recommends approval of budget modification DCHS-5 adding two .83 FTE Mental Health Consultants for the School Based Mental Health Program.

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

The Multnomah Education Services District (MESD) has officially requested two School Mental Health Consultant to be cited and fully dedicated to their Arata Creek Campus staff and students. Arata Creek serves students with serious behavioral needs and require higher level of mental health intervention. DCHS will be providing mental health treatment to these priority one children and youth with mental health disorders and their families in the least restrictive, most normative

environment available (school) that reduce stigma and other barriers to treatment. By providing services to these high risk children and youth, the program advances the county benchmark of 100% school completion. This budget modification will impact program offer 25076 – School Based Mental Health Services.

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

The two year agreement with MESD provides \$157,420.00 per year from FY 08 to FY 09. This amount is fully covers the cost of the two Mental Health Consultant Staff. Multnomah County Mental Health and Addiction Services Division (MHASD) System of Care for children and families management staff will provide the administrative oversight and service design to the program.

Revenue increases by \$157,420. The following expenses increase: Personnel by \$140,956 (1.66 FTE Mental Health Consultants), Printing \$645, Supplies by \$4,000, Education and Training by \$1,600, Local Travel by \$620, Indirect by \$6,562, Telephone by \$2,308, and Motor Pool by \$729.

Department Indirect Revenue increases by \$3,455 with a corresponding increase in supplies.

Service reimbursements from the Fed/State fund will be increased as follows: \$22,012 Risk Fund, \$3,107 General Fund, \$2,308 Information Technology Fund, and \$729 Fleet.

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?**
Mental Health and Addiction Services Division appropriation increases by \$157,420 due to new funding from MESD.
- **What budgets are increased/decreased?**
Mental Health and Addiction Services Division appropriation increases by \$157,420 (program offer 25076). Director's Office budget (program offer 25000) increases by \$3,455. Internal Service provider's budgets increase by \$28,156.
- **What do the changes accomplish?**
Provides additional service capacity for School Based Mental Health and brings the budget in line with current agreements.
- **Do any personnel actions result from this budget modification? Explain.**
Adds two new .83 FTE Mental Health Consultants.
- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**
Indirect is covered.
- **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 is a two year agreement, with possible renewal.
- **If a grant, what period does the grant cover?**
07/01/07 –6/30/09
- **If a grant, when the grant expires, what are funding plans?**
If the agreement is not renewed then the positions will be eliminated.

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- 05

Required Signatures

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

Kathy Linker for Joanne Fuller

Date: 07/31/07

Budget Analyst:

Michael D. Gaspin

Date: 08/01/07

Department HR:

Joi E. Ott

Date: 07/31/07

Countywide HR:

Date:

Budget Modification ID: **DCHS-05****EXPENDITURES & REVENUES**

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

Budget/Fiscal Year: 2008

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit			Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Program Offer	Cost Center	WBS Element						
1	20-80	32256	40	25076A		MA SC SMHP MESD	50200	0	(157,420)	(157,420)		IG OP OTHER
2	20-80	32256	40	25076A		MA SC SMHP MESD	60000	0	90,048	90,048		Permanent
3	20-80	32256	40	25076A		MA SC SMHP MESD	60130	0	28,896	28,896		Salary Related
4	20-80	32256	40	25076A		MA SC SMHP MESD	60140	0	22,012	22,012		Insurance
5	20-80	32256	40	25076A		MA SC SMHP MESD	60180	0	645	645		Printing
6	20-80	32256	40	25076A		MA SC SMHP MESD	60240	0	4,000	4,000		Supplies
7	20-80	32256	40	25076A		MA SC SMHP MESD	60260	0	1,600	1,600		Education and Training
8	20-80	32256	40	25076A		MA SC SMHP MESD	60270	0	620	620		Local Travel/Mileage
9	20-80	32256	40	25076A		MA SC SMHP MESD	60350	0	3,107	3,107		Central Indirect (2.06%)
10	20-80	32256	40	25076A		MA SC SMHP MESD	60355	0	3,455	3,455		Dept Indirect (2.29%)
11	20-80	32256	40	25076A		MA SC SMHP MESD	60370	0	2,308	2,308		Telephone
12	20-80	32256	40	25076A		MA SC SMHP MESD	60410	0	729	729		Motor Pool
13												
14	26-00	1000	40	25000		CHSDO.IND1000	50370		(3,455)	(3,455)		Dept Indirect Rev
15	26-00	1000	40	25000		CHSDO.IND1000	60240		3,455	3,455		Supplies
16												
17	19	1000	20		9500001000		50310		(3,107)	(3,107)		Svs Reim F/S to General
18	19	1000	20		9500001000		60470		3,107	3,107		Contingency
19												
20	72-10	3500	20		705210		50316		(22,012)	(22,012)		Svc Reim F/S to Risk
21	72-10	3500	20		705210		60330		22,012	22,012		Claims Paid
22												
23	72-60	3503	20		709525		50310		(2,308)	(2,308)		Svc Reim F/S to Info Tech
24	72-60	3503	20		709525		60200		2,308	2,308		Communications
25												
26	72-55	3501	20		904200		50310		(729)	(729)		Svc Reim F/S to Fleet
27	72-55	3501	20		904200		60240		729	729		Supplies
28												
29												
									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 Center	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
20-80	6365	63294	Mental Health Consultant	New	0.83	45,024	14,448	11,006	70,478
20-80	6365	63294	Mental Health Consultant	New	0.83	45,024	14,448	11,006	70,478
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
TOTAL ANNUALIZED CHANGES					1.66	90,048	28,896	22,012	140,956

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 Center	Job #	HR Org	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
20-80	6365	63294	Mental Health Consultant	New	0.83	45,024	14,448	11,006	70,478
20-80	6365	63294	Mental Health Consultant	New	0.83	45,024	14,448	11,006	70,478
									0
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									0
TOTAL CURRENT FY CHANGES					1.66	90,048	28,896	22,012	140,956



MULTNOMAH COUNTY
AGENDA PLACEMENT REQUEST (long form)

APPROVED : MULTNOMAH COUNTY
 BOARD OF COMMISSIONERS
 AGENDA # R-19 DATE 8/16/07
 DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 08/16/07
Agenda Item #: R-19
Est. Start Time: 11:15 AM
Date Submitted: 08/01/07

Agenda Title: **NOTICE OF INTENT to Apply for Office of Juvenile Justice and Delinquency Prevention Funds to Increase Juvenile Sex Offender Treatment Capacity**

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

Requested Meeting Date: August 16, 2007 **Amount of Time Needed:** 5 minutes
Department: Community Justice **Division:** JSD
Contact(s): Robb Freda-Cowie
Phone: 503 988-5820 **Ext.** 85820 **I/O Address:** 503/250
Presenter(s): Wayne Scott

General Information

1. What action are you requesting from the Board?

Approval of DCJ's application for Federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) funds to build capacity for juvenile sex offender treatment. DCJ seeks a grant of \$1 million over two years.

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 grant would allow Multnomah County (in partnership with Morrison Child and Family Services) to expand our continuum of juvenile sex offender (JSO) treatment services, while making a broader array of JSO-specific services available to the tri-county area and ensuring its one-of-a-kind secure treatment program for juvenile sex offenders remains fully utilized.

Currently, Multnomah County operates one of the nation's few secure juvenile residential sex offender treatment programs (SRTP), a clinical program which is co-located in an unused portion of the Donald E. Long detention center. Clinical services are provided by Morrison Child and Family Services, while DCJ manages the environment in which therapeutic interventions occur.

SRTP provides intensive, residential treatment for high-risk juvenile sex offenders (who have an average of 4.5 child victims). Evaluations show that SRTP has produced substantial reductions in sexual recidivism. According to most recent results, 99% of SRTP offenders did not commit a new

sexual offense in the year following their participation in the program.

This grant would provide opportunities to enhance the SRTP service model and address specific program needs:

- Ensure that the program is more fully utilized (including referrals from neighboring counties); and to
- Compliment SRTP's residential services with an outpatient component for youth whose level of risk may not require a residential intervention or who need aftercare following their discharge from SRTP. Currently, some youth who successfully complete SRTP treatment must be committed to OYA youth correctional facilities because a lack of aftercare services makes them a risk for community placement.

The goals of this expansion are to:

1. *Enhance SRTP's effectiveness* by pairing residential services with an evidence-based treatment model for continuing care—an adaptation of *Multi-Systemic Therapy* (known as Multi-Systemic Therapy for youth with Problem Sexual Behaviors (MST-PSB) that has been developed specifically for juvenile sex offenders and their families;
2. *Lessen youth dependence on expensive institutional care*, through decreasing the average length of stay and preventing commitment to Oregon Youth Authority youth correctional facilities, while at the same time preserving community safety;
3. *Expand access to this continuum of juvenile sex offender services to the tri-county area* and the Oregon Youth Authority for JSOs returning to the tri-county area (Multnomah, Clackamas, and Washington Counties);
4. *Enhance the referral base* for Multnomah County's Secure Residential Treatment Program (SRTP), an effective, intensive, one-of-a-kind secure treatment program for juvenile sex offenders, which has had declining referrals in the past two years;
5. *Increase the menu of services* available to juvenile sex offenders and thus increase *responsivity* (i.e., our ability to tailor services to match each JSO's individual risks and treatment needs).

Multnomah County will expand the capacity of its continuum of juvenile sex offender (JSO) treatment services to the tri-county area. DCJ intends to use this grant to fund three core service elements, currently missing in the current service array:

- A team of family therapists specifically trained in Multisystemic Therapy for youth with problem sexual behaviors (MST-PSB), an evidence-based practice developed for and researched on juvenile sex offenders. The grant-funded MST team will target high-risk juvenile sex offenders in the tri-county area who are at risk of residential placement, long-term foster care, or commitment to a Youth Correctional Facility. The team will provide intensive, in-home family treatment. In addition to serving youth in the community who need the service to prevent commitment or residential placement, the MST-PSB team will do reach-in activities with youth preparing to discharge from SRTP;
- The new MST-PSB team will also partner with Multnomah County's Secure Residential Treatment Program (SRTP), as its continuing care option for some youth discharging from SRTP, who meet MST's criteria. The MST-PSB team will do reach-in activities with SRTP youth in the pilot program. This partnership between a residential facility and MST-PSB as the continuing care provider has been shown to decrease length of stay in the most expensive level of care and to enhance long-term positive outcomes (i.e. reduced recidivism

and increased retention in continuing care).

- The program will include short-term treatment foster care for youth involved in MST. DCJ research has demonstrated that short-term therapeutic foster care enhances long-term outcomes for youth served through MST.

Through these program components, this grant opportunity would enable DCJ and the Morrison Center to reduce the risk juvenile sex offenders pose to their siblings and the community.

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

This grant will provide \$500,000 a year for two years, beginning in January, 2008.

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

N/A

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

N/A

ATTACHMENT A

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?**

Office of Juvenile Justice and Delinquency Prevention (OJJDP)

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

The goal of the grant is to “provide support to applicants to develop or build capacity of residential treatment programs for juvenile sex offenders, in particular regarding re-entry programming. Ideally, applications should propose strategies that are evidence-based.” The grant requires semi-annual reporting and a 25% match of in-kind services i.e. DCJ SRTP staff who provide milieu management and pro-social skill building.

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

This is a two year grant.

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

August 9, 2007

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

January 1, 2008 through December 31, 2009.

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

DCJ will submit a new program offer to the County Board of Commissioners to continue the program in 2010. In addition, Washington and Clackamas Counties are pursuing activities to ensure the program is sustained.

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

The grant allows for Central Indirect and Department Indirect.

ATTACHMENT B

Required Signatures

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



Date: 07/26/07

Scott M. Taylor

Budget Analyst:



Date: 08/01/07

Christian M. Elkin