

# ANNOTATED MINUTES

Monday, September 9, 1996 - 3:00 PM  
United Way Boardroom, Third Floor  
619 SW 11th Avenue, Portland

## MCCF/BCC JOINT MEETING

*Multnomah Commission on Children and Families Vice-Chair Mark Rosenbaum convened the meeting at 3:25 p.m., with Barbara Friesen, Gary Hansen, Janet Kreitzmeier, Sharron Kelley, Muriel Goldman, Leslie Haines, Dianne Iverson, Dan Saltzman, Luther Sturtevant, Lee Coleman, Sharon McCluskey, Pauline Anderson, Susan Small, Jim Clay, Carol Wire, Chris Tebben, Norm Maves, Mary Li, Sonya Fischer, Gloria Musquiz, Rey España, Robert Trachtenberg, Pamela Wev, Susan Brady, Mindy Poetsch, Bonnie Hobson, Chiquita Rollins, Cornetta Smith, Vernon Baker, Wendy Byers, Carol Ford, Jean Wagner, Miltie Vega-Lloyd, John Hutzler, Carol Turner, Wanda Silverman, Jan Wallinda and Tom Darby present.*

JM-1 The Multnomah Commission on Children and Families and the Multnomah County Board of Commissioners Will Conduct a Joint Meeting Focusing on Multnomah County Priorities for Children and Families to Discuss Benchmarks. Presented by Carol Wire and Invited Others.

**CAROL WIRE, JIM CLAY AND CHRIS TEBBEN  
PRESENTATION AND RESPONSE TO QUESTIONS  
AND DISCUSSION WITH PARTICIPANTS BARBARA  
FRIESEN, GARY HANSEN, JANET KREITZMEIER,  
SHARRON KELLEY, MURIEL GOLDMAN, LESLIE  
HAINES, DIANNE IVERSON, DAN SALTZMAN,  
LUTHER STURTEVANT, LEE COLEMAN, SHARON  
MCCLUSKEY, PAULINE ANDERSON, SUSAN  
SMALLNEED, NORM MAVES, MARY LI, SONYA  
FISCHER, GLORIA MUZGUIZ, REY ESPAÑA,  
ROBERT TRACHTENBERG, PAMELA WEV, SUSAN  
BRADY, MINDY POETSCH, BONNIE HOBSON,  
CHIQUITA ROLLINS, CORNETTA SMITH, VERNON  
BAKER, WENDY BYERS, CAROL FORD, JEAN  
WAGNER, MILTIE VEGA-LLOYD, JOHN HUTZLER,  
CAROL TURNER, WANDA SILVERMAN, JAN  
WALLINDA AND TOM DARBY.**

*The meeting recessed at 4:35 p.m. and reconvened at 4:55 p.m.*

**UPON CONSENSUS, VICE-CHAIR ROSENBAUM DIRECTED STAFF TO RETURN WEDNESDAY WITH FOLLOW UP INFORMATION, INCLUDING MINIMUM STANDARDS FOR WEIGHING, PROPOSED CRITERIA 2 AND 3; TO SOME DEGREE, PROPOSED CRITERIA 1, 4 AND 5; AND PROVIDING DEFINITIONS FOR "WE" AND "COMPELLING" FROM PROPOSED CRITERIA.**

*There being no further business, the meeting was adjourned at 6:00 p.m.*

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Tuesday, September 10, 1996 - 9:30 AM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

## **LAND USE PLANNING MEETING**

*Vice-Chair Dan Saltzman convened the meeting at 9:35 a.m., with Commissioners Sharron Kelley, Gary Hansen and Tanya Collier present, and Chair Beverly Stein excused.*

P-1 **CU 1-96, HV 1-96, SEC 1-96 DECISION FROM AUGUST 13, 1996 DE NOVO HEARING** in the Matter of an Appeal of the Hearings Officer Decision Regarding a Conditional Use Permit to Allow a Dwelling Not Related to Forest Management on Property Located at 3130 NW FOREST LANE, PORTLAND.

**COUNTY COUNSEL SANDRA DUFFY EXPLAINED PROCESS, ADVISING THAT FOLLOWING THE CLOSE OF THE DE NOVO HEARING, TWO POST-HEARING BRIEFS WERE SUBMITTED, AS WELL AS A MEMO FROM COUNTY COUNSEL PLANNER BOB HALL EXPLANATION IN RESPONSE TO A QUESTION OF COMMISSIONER COLLIER. COMMISSIONER HANSEN MOVED, SECONDED BY COMMISSIONER COLLIER, TO UPHOLD THE HEARINGS OFFICER DECISION. COMMISSIONER HANSEN ASKED THAT THE ORDER BE PREPARED TO INCLUDE A LEGAL RESPONSE TO THE BOARD INTERPRETATION**

**REGARDING OWNERSHIP. FOLLOWING DISCUSSION AND AT THE SUGGESTION OF MS. DUFFY, BOARD CONSENSUS TO INCLUDE WORDING IN THE ORDER THAT IT IS NOT WITHIN THE BOARD'S SCOPE OF REVIEW TO DETERMINE STATE OR FEDERAL CONSTITUTIONALITY ISSUES. AT THE SUGGESTION OF MR. HALL, BOARD CONSENSUS TO INCLUDE CORRECTION TO HEARINGS OFFICER DECISION, IN THE LAST PARAGRAPH ON PAGE THREE, CITING ORDINANCE 643 INSTEAD OF ORDINANCE 786, AND CHANGING THE WORD "REQUEST" TO "REQUIREMENT". MOTION AFFIRMING THE JUNE 14, 1996 HEARINGS OFFICER DECISION SUBJECT TO CERTAIN MODIFICATIONS AND ADDITIONAL FINDINGS WAS UNANIMOUSLY APPROVED. STAFF TO PREPARE FINAL ORDER FOR BOARD APPROVAL ON THE NEXT AVAILABLE CONSENT CALENDAR. (ORDER 96-163 ADOPTED SEPTEMBER 19, 1996.)**

*There being no further business, the meeting was adjourned at 9:45 a.m.*

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Wednesday, September 11, 1996 - 3:00 PM  
United Way Boardroom, Third Floor  
619 SW 11th Avenue, Portland

## **MCCF/BCC JOINT MEETING**

*Multnomah Commission on Children and Families Vice-Chair Mark Rosenbaum convened the meeting at 3:20 p.m., with Carol Wire, Jim Clay, Chris Tebben, Barbara Friesen, Lee Coleman, Jim Sanger, Luther Sturtevant, Dan Saltzman, Dianne Iverson, Steve Fulmer, Samuel Henry, Sharron Kelley, Cornetta Smith, Tom Darby, Mary Li, Linda Doyle, Gloria Musquiz, Karen Belsey, Susan Smallreed, Sonya Fischer, Judy McGuire, Robert Trachtenberg, John Hutzler, Bonnie Hobson, Judy McGavin, Mike Delman, Carol Ford, Wendy Byers, Bonnie Rosatti, Linda Jaramillo, Pamela Wev, Rey España, Meganne Steele, Leslie Haines, Connie Carley, Miltie Vega-Lloyd, Sharon McCluskey, Beverly Stein, Gary Hansen, Muriel Goldman and Chiquita Rollins.*

JM-2 The Multnomah Commission on Children and Families and the Multnomah County Board of Commissioners Will Conduct a Joint Meeting Focusing on Multnomah County Priorities for Children and Families to Discuss Benchmarks. Presented by Carol Wire and Invited Others.

**CAROL WIRE, CAROL FORD AND CHRIS TEBBEN PRESENTATION AND RESPONSE TO QUESTIONS AND DISCUSSION. FOLLOWING DISCUSSION AND UPON MOTION OF SAMUEL HENRY, SECONDED BY DAN SALTZMAN, THE PROPOSED CRITERIA WAS UNANIMOUSLY APPROVED.**

*The meeting was recessed at 5:15 p.m. and reconvened at 5:40 p.m.*

**CONTINUED COMMENTS AND DISCUSSION WITH PARTICIPANTS MARK ROSENBAUM, STEVE FULMER, MURIEL GOLDMAN, CORNETTA SMITH, BEVERLY STEIN, LEE COLEMAN, SHARRON KELLEY, CHIQUITA ROLLINS, SHARON MCCLUSKEY, LESLIE HAINES, JIM CLAY, CAROL WIRE, KAREN BELSEY, LINDA JARAMILLO, MARY LI, SAMUEL HENRY, PAMELA WEV, MILTIE VEGALLOYD, GLORIA MUZGUIZ, GARY HANSEN AND REY ESPAÑA.**

*There being no further business, the meeting was adjourned at 6:25 p.m.*

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Thursday, September 12, 1996 - 9:30 AM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

## **REGULAR MEETING**

*Chair Beverly Stein convened the meeting at 9:33 a.m., with Vice-Chair Dan Saltzman, Commissioners Sharron Kelley, Gary Hansen and Tanya Collier present.*

### **CONSENT CALENDAR**

**UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, THE**

**CONSENT CALENDAR (ITEMS C-1 THROUGH C-3)  
WAS UNANIMOUSLY APPROVED.**

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

- C-1 TP 3-96 Reporting the Hearings Officer's Decision Regarding an Appeal of the Administrative Decision to Deny a Temporary Permit that would Increase the Number of Dwellings Allowed in a Rural Residential District
- C-2 NSA 8-96 Reporting the Hearings Officer's Decision Regarding a Request for Columbia River Gorge National Scenic Area Approval to Construct Additional Sleeping and Meeting Facilities at the Menucha Retreat and Conference Center

**DISTRICT ATTORNEY'S OFFICE**

- C-3 Intergovernmental Agreement 500167 with Tri-Met Providing Funding for 1 FTE Deputy DA in the Tri-Met Neighborhood Based Prosecution Office

**REGULAR AGENDA**

**PUBLIC COMMENT**

- R-1 Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.

***NO ONE WISHED TO COMMENT.***

**NON-DEPARTMENTAL**

- R-2 Employee Recognition of MERRIE ZIADY, Multnomah County Health Benefits Manager

***BILL FARVER, CHRIS JOHNSON, BILL HOOPER,  
NANCY MCCOY, WENDY HAUSOTTER AND BECKY  
STEWART PRESENTATION IN HONOR OF MERRIE  
ZIADY. MERRIE ZIADY COMMENTS IN  
RESPONSE.***

- R-3 PROCLAMATION Proclaiming September 18, 1996 to be WHITE ROSE DAY in Multnomah County, Oregon

**COMMISSIONER SALTZMAN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF R-3. JACK BOAS EXPLANATION. PROCLAMATION READ. BOARD COMMENTS IN SUPPORT. PROCLAMATION 96-160 UNANIMOUSLY APPROVED.**

- R-4 PROCLAMATION Proclaiming the Month of September, 1996 as TREATMENT WORKS! Month

**COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-4. COMMISSIONER KELLEY AND JEAN BUCCIARELLI EXPLANATION. PROCLAMATION READ. BOARD COMMENTS IN SUPPORT. PROCLAMATION 96-161 UNANIMOUSLY APPROVED.**

- R-5 RESOLUTION Adopting an Insert for the 1996 Property Tax Statements Explaining the Senior Tax Deferral Program and Real Market Value Determinations

**UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER KELLEY, R-5 WAS UNANIMOUSLY POSTPONED INDEFINITELY.**

**DEPARTMENT OF SUPPORT SERVICES**

- R-6 RESOLUTION Recognizing September 16-20, 1996 as NATIONAL PAYROLL WEEK in Multnomah County, Oregon

**COMMISSIONER SALTZMAN MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-6. MINDY HARRIS EXPLANATION. RESOLUTION READ. PAYROLL STAFF AND OTHER PROGRAMMING STAFF ACKNOWLEDGED AND RECOGNIZED. MS. HARRIS RESPONSE TO BOARD QUESTIONS. RESOLUTION 96-162 UNANIMOUSLY APPROVED.**

*There being no further business, the meeting was adjourned at 10:04 a.m.*

Thursday, September 12, 1996 - 3:00 PM  
United Way Boardroom, Third Floor  
619 SW 11th Avenue, Portland

## **MCCF/BCC JOINT MEETING**

JM-3 The Multnomah Commission on Children and Families and the Multnomah County Board of Commissioners Will Conduct a Joint Meeting Focusing on Multnomah County Priorities for Children and Families to Discuss Benchmarks. Presented by Carol Wire and Invited Others.

***MEETING CANCELLED.***

BOARD CLERK FOR MULTNOMAH COUNTY, OREGON

***Deborah L. Bogstad***



**MULTNOMAH COUNTY OREGON**

OFFICE OF THE BOARD CLERK SUITE 1510, PORTLAND BUILDING 1120 SW FIFTH AVENUE PORTLAND, OREGON 97204 CLERK'S OFFICE - 248-3277 - 248-5222 FAX - (503) 248-5262	BOARD OF COUNTY COMMISSIONERS BEVERLY STEIN ▪ CHAIR ▪ 248-3308 DAN SALTZMAN ▪ DISTRICT 1 ▪ 248-5220 GARY HANSEN ▪ DISTRICT 2 ▪ 248-5219 TANYA COLLIER ▪ DISTRICT 3 ▪ 248-5217 SHARRON KELLEY ▪ DISTRICT 4 ▪ 248-5213
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**AGENDA**  
**MEETINGS OF THE MULTNOMAH COUNTY BOARD**  
**OF COMMISSIONERS**

*FOR THE WEEK OF*

**SEPTEMBER 9, 1996 - SEPTEMBER 13, 1996**

- Monday, September 9, 1996 - 3:00 PM - Joint Meeting.....Page 2*
- Tuesday, September 10, 1996 - 9:30 AM - Land Use Planning..... Page 2*
- Wednesday, September 11, 1996 - 3:00 PM - Joint Meeting.....Page 2*
- Thursday, September 12, 1996 - 9:30 AM - Regular Meeting..... Page 3*
- Thursday, September 12, 1996 - 3:00 PM - Joint Meeting..... Page 4*

*Thursday Meetings of the Multnomah County Board of Commissioners are \*cablecast\* live and taped and can be seen by Cable subscribers in Multnomah County at the following times:*

- Thursday, 9:30 AM, (LIVE) Channel 30*
- Friday, 10:00 PM, Channel 30*
- Sunday, 1:00 PM, Channel 30*

*\*Produced through Multnomah Community Television\**

**INDIVIDUALS WITH DISABILITIES MAY CALL THE OFFICE OF THE BOARD CLERK AT 248-3277 OR 248-5222, OR MULTNOMAH COUNTY TDD PHONE 248-5040, FOR INFORMATION ON AVAILABLE SERVICES AND ACCESSIBILITY.**

**AN EQUAL OPPORTUNITY EMPLOYER**

Monday, September 9, 1996 - 3:00 PM  
United Way Boardroom, Third Floor  
619 SW 11th Avenue, Portland

**MCCF/BCC JOINT MEETING**

JM-1      *The Multnomah Commission on Children and Families and the Multnomah County Board of Commissioners Will Conduct a Joint Meeting Focusing on Multnomah County Priorities for Children and Families to Discuss Benchmarks. Presented by Carol Wire and Invited Others. 3 HOURS REQUESTED.*

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Tuesday, September 10, 1996 - 9:30 AM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

**LAND USE PLANNING MEETING**

P-1      ***CU 1-96, HV 1-96, SEC 1-96    DECISION FROM AUGUST 13, 1996 DE NOVO HEARING in the Matter of an Appeal of the Hearings Officer Decision Regarding a Conditional Use Permit to Allow a Dwelling Not Related to Forest Management on Property Located at 3130 NW FOREST LANE, PORTLAND.***

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Wednesday, September 11, 1996 - 3:00 PM  
United Way Boardroom, Third Floor  
619 SW 11th Avenue, Portland

**MCCF/BCC JOINT MEETING**

JM-2      *The Multnomah Commission on Children and Families and the Multnomah County Board of Commissioners Will Conduct a Joint Meeting Focusing on Multnomah County Priorities for Children and Families to Discuss Benchmarks. Presented by Carol Wire and Invited Others. 3 HOURS REQUESTED.*

Thursday, September 12, 1996 - 9:30 AM  
Multnomah County Courthouse, Room 602  
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**REGULAR MEETING**

**CONSENT CALENDAR**

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

- C-1      TP 3-96      Reporting the Hearings Officer's Decision Regarding an Appeal of the Administrative Decision to Deny a Temporary Permit that would Increase the Number of Dwellings Allowed in a Rural Residential District
- C-2      NSA 8-96      Reporting the Hearings Officer's Decision Regarding a Request for Columbia River Gorge National Scenic Area Approval to Construct Additional Sleeping and Meeting Facilities at the Menucha Retreat and Conference Center

**DISTRICT ATTORNEY'S OFFICE**

- C-3      Intergovernmental Agreement 500167 with Tri-Met Providing Funding for 1 FTE Deputy DA in the Tri-Met Neighborhood Based Prosecution Office

**REGULAR AGENDA**

**PUBLIC COMMENT**

- R-1      Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.

**NON-DEPARTMENTAL**

- R-2      Employee Recognition of MERRIE ZIADY, Multnomah County Health Benefits Manager
- R-3      PROCLAMATION Proclaiming September 18, 1996 to be WHITE ROSE DAY in Multnomah County, Oregon
- R-4      PROCLAMATION Proclaiming the Month of September, 1996 as TREATMENT WORKS! Month

R-5        *RESOLUTION Adopting an Insert for the 1996 Property Tax Statements Explaining the Senior Tax Deferral Program and Real Market Value Determinations*

**DEPARTMENT OF SUPPORT SERVICES**

R-6        *RESOLUTION Recognizing September 16-20, 1996 as NATIONAL PAYROLL WEEK in Multnomah County, Oregon*

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*Thursday, September 12, 1996 - 3:00 PM  
United Way Boardroom, Third Floor  
619 SW 11th Avenue, Portland*

**MCCF/BCC JOINT MEETING**

JM-3        *The Multnomah Commission on Children and Families and the Multnomah County Board of Commissioners Will Conduct a Joint Meeting Focusing on Multnomah County Priorities for Children and Families to Discuss Benchmarks. Presented by Carol Wire and Invited Others. 3 HOURS REQUESTED.*





BOARD HEARING OF September 12, 1996

TIME 9:30am

CASE NAME Temporary Permit No. 3-96

NUMBER

TP 3-96

1. Applicant Name/Address

Samuel Oliver Sather, Jr.  
36641 SE Lusted Road  
Boring, OR 97009

2. Action Requested by Appellant/Applicant

Appellant/Applicant requested that the hearings officer overturn the denial of Temporary Permit No. 3-96.

3. Planning Staff Recommendation

To deny the Temporary Permit.

4. Hearings Officer Decision:

Deny appeal and affirm administrative decision.

5. If recommendation and decision are different, why?

ACTION REQUESTED OF BOARD	
<input checked="" type="checkbox"/>	Affirm Plan.Com./Hear.Of
<input type="checkbox"/>	Hearing/Rehearing
<input type="checkbox"/>	Scope of Review
<input type="checkbox"/>	On the record
<input type="checkbox"/>	De Novo
<input type="checkbox"/>	New Information allowed

**ISSUES**  
(who raised them?)

The Planning Director may issue a Temporary Permit, valid for a period of not more than one year after issuance, for structures, or uses which are temporary nature. It is the policy of the Planning section to permit temporary housing during construction projects when the existing dwelling is made non-habitable due to the scope of the construction or for health hardship situations. Mr. Sather wants to be granted approval of a temporary permit to increase the number of dwellings from one to two on his Rural Residential property.

Do any of these issues have policy implications? Explain.

Yes. The grant of a temporary permit to increase the number of dwellings on his 5 acre parcel would increase the density permitted by the zoning district and Comprehensive Plan. The allowance of the permit would circumvent the clear purpose, standards and criteria of the Rural Residential zoning district.

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**BEFORE THE HEARINGS OFFICER  
FOR MULTNOMAH COUNTY, OREGON  
FINAL ORDER**

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This Decision consists of Conditions, Findings of Fact and Conclusions.

**August 26, 1996**

**TP 3-96**

Appeal of an Administrative Decision

Appeal of an administrative decision which denied a Temporary Permit for placement of a mobile home for up to one year on applicant's property located at 36641 SE Lusted Road for temporary housing, office for a construction business and the use of the structure for the storage of tools (office equipment, computer and other miscellaneous items).

**Location:** 36641 SE Lusted Road  
Boring, OR 97009

**Map Description:** Tax Lot 22, Section 23, Township 1 South, Range 4 East

**Zoning Designation:** RR/SEC (Rural Residential/Significant Environmental Concern)

**Owner/Applicant  
& Appellant:** Samuel Oliver Sather, Jr.  
36641 SE Lusted Road  
Boring, OR 97009

**Hearings Officer Decision:**

Deny appeal and affirm administrative decision, which denied the Temporary Permit.

## PROCEDURAL ISSUES

### 1. Impartiality of the Hearings Officer

- A. No ex parte contacts. I did not have any ex parte contacts prior to the hearing of this matter. I did not make a site visit.
- B. No conflicting personal or financial or family interest. I have no financial interest in the outcome of this proceeding. I have no family or financial relationship with any of the parties.

### 2. Jurisdictional Issues

At the commencement of the hearing I asked the participants to indicate if they had any objections to jurisdiction. The participants did not allege any jurisdictional or procedural violations regarding the conduct of the hearing.

## BURDEN OF PROOF

In this proceeding, the burden of proof is upon the Owner/Applicant/Appellant.

## SCOPE OF APPEAL

A hearing before the Hearings Officer on a matter appealed under MCC .8290 shall be limited to the specific grounds relied on for reversal or modification of the decision in the Notice of Appeal. The appellant's attachment to the Notice of Appeal stating the grounds for the appeal of the administrative decision is attached hereto as Exhibit "A" and is incorporated by this reference herein.

## FACTS

### 1. Applicant's Proposal

Applicant requested that the Planning Director make a determination for permission to place a mobile home for up to one year on his property located at 36641 SE Lusted Road for temporary housing, office for his construction business and storage of tools (office equipment, computer and other miscellaneous items).

## **2. Procedural History**

A Zoning Violation (ZV 96-14) has been issued for the placement of a mobile home without land use permit on the proposed project site.

## **3. Site and Vicinity Information**

The property is five acres in size and has a one-story house built in 1930 and a barn. The property is zoned Rural Residential (RR). The purposes of the Rural Residential District are to provide areas for residential use for those persons who desire rural living environments; to provide standards for rural land use and development consistent with desired rural character, the capability of the land and natural resources; to manage the extension of public services; to provide for public review of non-residential use proposals and to balance the public's interest in the management of community growth with the protection of individual property rights through review procedures and flexible standards.

## **4. Testimony and Evidence Presented**

A. At the hearing on August 21, 1996, the following exhibits were received by the Hearings Officer:

1. Three photos of the subject site;
2. Two photos of the subject site;
3. Three photos of the subject site;
4. Three photos of the subject site;
5. Letter from Larry Brenner in opposition to the application for a temporary permit;
6. Letter from Gregg Shrake in opposition to granting of a temporary permit;
7. A letter from Larry Janson in opposition to granting a temporary permit;
8. Letter from Darryl Hough in opposition to the granting of a temporary permit;
101. Copy of an application for Assumed Business Name Registration;
102. Department of Forestry form relating to tree cutting (2 pp.);
103. Farmers Insurance Company form;
104. Page one of Articles of Incorporation for "The Sather Corp.";
105. Merrill & Ring price list;
106. Merrill & Ring specification sheet (2 pp.);
107. City of Portland septic system application;
108. Letter from City of Portland indicating mobile home is not in compliance with City water service requirements; and
109. Surety Bond (2 pp.).

- B. Lisa Estrin testified for the County, summarized the history of the application and the administrative decision denying the application for temporary permit and the subsequent appeal therefrom.
- C. Samuel Oliver Sather, Jr. testified and submitted written evidence in regards to the appeal.
- D. Gary Carstener testified in support of the granting of the temporary permit.
- E. Darryl Hough appeared in opposition to the application for a temporary permit and submitted written and oral testimony, and also submitted the three letters from neighbors in opposition to the application.

## **STANDARDS, CRITERIA, ANALYSIS AND FINDINGS OF FACT**

### **MCC 11.15.8705 Temporary Permits**

- (A) Notwithstanding the limitations of use as established by this Chapter in each of the several districts, the Planning Director may issue temporary permits, valid for a period of not more than one year after issuance, for structures, or uses which are of a temporary nature, such as:
  - (1) Storage of equipment during the building of roads or developments;
  - (2) Real estate office used for the sale of lots or housing in subdivision;
  - (3) Temporary storage of structures or equipment;
  - (4) Sheds used in conjunction with the building of a structure;
  - (5) Temporary housing; or
  - (6) Other uses of a temporary nature when approved by the Planning Director.
- (b) The Planning Director may attach reasonable conditions relevant to the proposed use to carry out the intent and purpose of this Chapter.

The applicant has applied for a Temporary Permit pursuant to MCC 11.15.8705. The applicant seeks to place a mobile home on his property for purposes of providing temporary housing and an office for his construction business and storage of tools.

Prior to receiving the permit the applicant went ahead and placed a mobile home on the property which is currently the subject of an enforcement action for a zoning violation.

The property already has a one-story house built in approximately 1930 and a barn on the premises. This is an RR zone. Two residential units are not allowed in the zone as an outright use.

Residential uses to provide for the housing of help involved in agricultural or forestry uses is allowed in the zone under prescribed conditions. However, during direct testimony, the applicant, Mr. Sather indicated that the person living in the mobile home, Gary Carstener, worked for Mr. Sather in the construction business, not in any agriculturally related pursuits. Accordingly, the proposed uses would not be allowed on a permanent basis, either outright or conditionally in the zone.

Similarly, a construction office is not an allowed use in the zone. During his direct testimony, the applicant indicated that he currently has a tenant living in the mobile home and that the tenant is paying \$395 a month rent. In the past, it has been the County policy to only allow temporary housing in a mobile during periods of construction of the primary residence or for hardship reasons. Neither situation would apply in the instant case.

In essence, the County has interpreted Section 11.15.8705 of the Multnomah County Code to allow temporary permits for housing only when a primary house is not habitable, such as during remodeling and construction projects, thereby maintaining only one habitable dwelling on the property. This is consistent with the underlying zoning requirements.

The allowance of multiple units of residential housing pursuant to a temporary permit would circumvent the clear purpose and standards and criteria of the RR zone. Accordingly, it would be appropriate to limit the issuance of temporary permits for housing in this zone to the situation where the temporary housing would be the only residential unit occupied on the premises. Again, that is not the situation in the instant case. Mr. Sather lives in the primary residence and rents the mobile home to a tenant.

The applicant proposes to use the mobile home as a temporary office on the property and off the property for a construction business and also as a single family dwelling for his tenant. Pursuant to ORS 446.245, a manufactured dwelling may not be used for commercial purposes. In order to use the structure as a contractor's office, a change of occupancy would need to be granted in accordance with the provisions of the Oregon Specialty Code. This would prevent anyone from occupying the structure as a dwelling.

The proposed use would not qualify as a home occupation either. Home occupation is defined as "any lawful activity not otherwise specifically provided for in this chapter, commonly carried on within a dwelling unit or accessory building by the occupant thereof, no employee or other person being engaged in the same; which activity is secondary to the use of the property for residential purposes; . . .". The occupant of the mobile home in question is not the party carrying on the business. The applicant has in fact indicated that he has an employee and it is the employee that would be occupying the proposed office temporary housing. Accordingly, this would not qualify as a home occupation under the Multnomah County Zoning Ordinance.

In the Notice of Appeal of the Administrative Decision, the stated basis and grounds relied upon by the appellant for reversal of the modification was that "this was a bad decision, you have not even looked at my home/farm so how can you decide". The stated basis for the appeal does not relate to any of the Multnomah County Zoning Ordinance criteria.

During the course of the hearing, the applicant tried to assert that he was operating the property as a farm and therefore was entitled to have the mobile home on the property. However, his own testimony indicated that the tenant in residence in the mobile home was not participating in any farm activities. In addition, the exhibits and evidence submitted by the appellant did not in any way prove that the property was utilized for farming purposes. There was no evidence that the farm actually generated any income. Although the applicant did submit an Oregon Corporation Division form registering "The Val Hala Farm" as an assumed business name, there was no evidence that any viable farming activity was actually conducted on the property.

It appears from the applicant/appellant's own testimony that the true purpose in seeking a temporary permit is to carry on activities on a "temporary basis" that would not be allowed as a permanent use on the subject site. It appears that the applicant is simply applying for a temporary permit in order to circumvent the specific requirements of the zone applicable to the subject site. The fact that the applicant moved the mobile home onto the subject site and started renting the mobile to a tenant prior to receiving approval for placement of the mobile is further evidence of appellant's desire to circumvent the specific requirements of the zoning ordinance. As indicated above, I find the Planning Director's denial of a temporary permit to place a mobile home on the subject site to be appropriate.

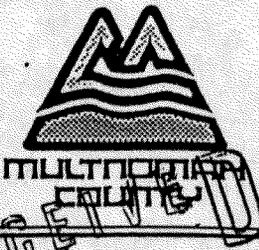
## **CONCLUSION**

Based on the findings and the substantial evidence cited or referenced herein, I conclude that the applicant's request for permission to place a mobile home for up to one year on his property should be denied. Accordingly, the appeal of the Planning

Director's decision is denied and the decision denying the Temporary Permit is affirmed.

IT IS SO ORDERED, this 26th day of August, 1996.

  
\_\_\_\_\_  
JOAN M. CHAMBERS, Hearings Officer



DEPARTMENT OF ENVIRONMENTAL SERVICES  
 DIVISION OF PLANNING AND DEVELOPMENT  
 2115 SE MORRISON STREET  
 PORTLAND, OREGON 97214 (503) 248-3043

TOTAL 100.00  
 0000-001 7/18/96  
 +336 JOHN 12:00PM

RECEIVED  
 JUL 10 1996

NOTICE OF APPEAL  
 ADMINISTRATIVE DECISION

Multnomah County  
 Zoning Division

8/2/96  
 @ 9:00

1. Name: SATHER, OLIVIER, SAMUEL JR.  
Last Middle First  
 2. Address: 30041 SE Lusk Rd, OR 97009  
Street or Box City State and Zip Code  
 3. Telephone: (503) 662-2522

4. If serving as a representative of other persons, list their names and addresses:  
NONE

copy to Miles Edward Sather Admin  
at Estab same address

5. What is the decision you wish reviewed (e.g., denial of a minor variance, approval of a Greenway Permit, etc.)?  
Converted to Farm  
Appeal 5 yr Tax Relief  
 11# USE ZONING 100.00

6. Date the decision was filed with the Director of the Department of Environmental Services:  
July 8, 1996

7. Describe specific grounds relied on for reversal or modification of the decision.  
 (use additional sheets if necessary)  
THIS WAS A BAD DECISION YOU  
HAVE NOT EVEN LOOKED AT MY  
HOME/FARM SO HOW CAN YOU DENY

Signed: [Signature] Date: July 14 1996

Notice of Appeal Fee = <del>\$200.00</del> <sup>100.00</sup> Received by: <u>[Signature]</u> Date: <u>7/18/96</u>	Staff Use Only EXHIBIT <u>A</u> Page <u>1 of 1</u> Case No. <u>TP 396</u>
-------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------





CASE NAME Manucha

NUMBER

NSA 8-96

1. Applicant Name/Address

Manucha Retreat & Conference Center  
P.O. Box 8  
Corbett, OR 97019

2. Action Requested by Applicant

Applicant request Columbia River Gorge National Scenic Area approval to construct additional sleeping and meeting facilities at the Manucha Retreat & Conference Center.

ACTION REQUESTED OF BOARD	
<input checked="" type="checkbox"/>	Affirm Plan.Com./Hear.Of
<input type="checkbox"/>	Hearing/Rehearing
<input type="checkbox"/>	Scope of Review
<input type="checkbox"/>	On the record
<input type="checkbox"/>	De Novo
<input type="checkbox"/>	New Information allowed

3. Planning Staff Recommendation

Approve as requested.

4. Hearings Officer Decision:

Approve as requested.

5. If recommendation and decision are different, why?

**ISSUES**  
(who raised them?)

No parties appeared or submitted testimony in opposition to this request; consequently, no issues were raised.

Do any of these issues have policy implications? Explain.

No



## **Hearings Officer Decision:**

Approve, subject to conditions, the Columbia River Gorge National Scenic Area application to construct additional sleeping and meeting facilities at the Menucha Retreat and Conference Center, based on the following Findings and Conclusions.

## **Condition of Approval:**

1. The applicant shall cease work and notify the Planning Director, SHPO and the Columbia River Gorge Commission within twenty-four (24) hours should a cultural resource be discovered during the course of excavation for and construction of the project.

## **FACTS**

### **1. Applicant's Proposal**

Applicant requests NSA site review approval to construct additional sleeping and meeting facilities at the Menucha Retreat and Conference Center, a 99.99 acre parcel in a Special Management area zoned Forestry. The GSF district allows expansion of existing non-profit retreats such as the Menucha Center as conditional uses if necessary for the successful operation of the facility on the dedicated site.

### **2. Site and Vicinity Information**

This 99.99 acre parcel is located on the north side of the Historic Columbia River Highway just west of Women's Forum State Park. Several of the structures on the property were constructed in the 1920's and originally used as a summer home. That use continued until the 1950's when the property was sold to the First Presbyterian Church of Portland which has continuously used it as a group retreat.

The property is developed with a main conference center, several satellite meeting and sleeping facilities, and a parking lot. The site is also developed with recreational facilities (e.g., tennis and basketball court, swimming pool, trails, etc.). Several acres of the site are cleared of underbrush, landscaped, and continuously maintained.

The surrounding area is a mix of rural residences on the north side of the Historic Columbia River Highway immediately to the south, Women's Forum Park and undeveloped State Park properties to the east and north, and Camp Crestview to the west.

### **3. Testimony and Evidence Presented**

- A. Bob Hall testified for the County, summarized the Staff Report and showed slides of the site and surrounding area. The facts stated by staff in the Staff Report are hereby incorporated by this reference herein.
- B. Merritt C. McCall, the Administrator of the Menucha Conference Center, spoke on behalf of the application.
- C. Lennart Swenson, a neighboring property owner, spoke in regards to the application. Mr. Swenson indicated that his property was probably the only property that was close enough to have any view of the subject property. Mr. Swenson indicated that all of his concerns were addressed and he supported the application.
- D. Ten (10) slides of the subject site were submitted as exhibits.
- E. No testimony or evidence was presented in opposition to the application.

## **STANDARDS AND CRITERIA, ANALYSIS AND FINDINGS OF FACT**

### **1. Applicability of Community Service Use Standards**

The Hearings Officer has reviewed the Findings of Fact recommended by the Planning Staff as contained in the Staff Report prepared by Bob Hall, for the public hearing held on August 21, 1996.

The Hearings Officer finds that staff has accurately addressed the relevant ordinance criteria and does hereby adopt and incorporate by reference those findings herein. A copy of the Staff Report is attached herein as Exhibit "A" and is incorporated by this reference herein.

## **CONCLUSION**

Based upon the Staff Report and the findings and substantial evidence cited or referenced therein, I conclude that the application for Columbia River Gorge National Scenic Area approval to construct additional sleeping and meeting facilities at the Menucha Retreat and Conference Center satisfies all applicable approval criteria, provided that the condition of approval included herewith is complied with. Accordingly, the applicant's request for Columbia River Gorge National Scenic Area approval to construct additional sleeping and meeting facilities at the Menucha Retreat

and Conference Center is hereby approved subject to the condition of approval contained herein.

IT IS SO ORDERED, this 23rd day of August, 1996.

A handwritten signature in black ink, appearing to read "Joan M. Chambers", written over a horizontal line.

JOAN M. CHAMBERS, Hearings Officer



Department of Environmental Services  
Division of Planning and Development  
2115 S.E. Morrison Street  
Portland, Oregon 97214 (503) 248-3043

Staff Report.

This Staff Report consists of Findings of Fact and Conclusions

August 21, 1996

NSA 8-96

Conditional Use Request  
(Retreat Sleeping and Meeting Facilities)

Applicant requests Columbia River Gorge National Scenic Area approval to construct additional sleeping and meeting facilities at the Menucha Retreat and Conference Center.

**Location:** 38711 E Historic Columbia River Highway

**Legal:** Tax Lots '6', '8', '15', '18', '27', '29', '34', '35', & '41', Section 25, T1N-R4E, 1991 Assessor's Map

**Site Size:** 99.99 acres

**Property Owner:** First Presbyterian Church of Portland  
1200 SW Alder  
Portland, OR 97205

**Applicant:** Menucha Retreat & Conference Center  
P.O. Box 8  
Corbett, Oregon 97019

**Comprehensive Plan:** Special Management - Forestry

**Present Zoning:** GSF-40

**Recommended  
Hearings Officer  
Decision:**

**Approve**, subject to conditions, Columbia River Gorge National Scenic Area application to convert construct additional sleeping and meeting facilities at the Menucha Retreat and Conference Center, based on the following Findings and Conclusions.

Staff Contact:  
Bob Hall

EXHIBIT. A Page, 1 of 8

NSA 8-96



EXHIBIT, A Page 2 of 8

Menucha Semi-Private U's  
 Members Retreat and Conference Center, Corvallis, Oregon

9/20/04

1

Site & Roof Plan

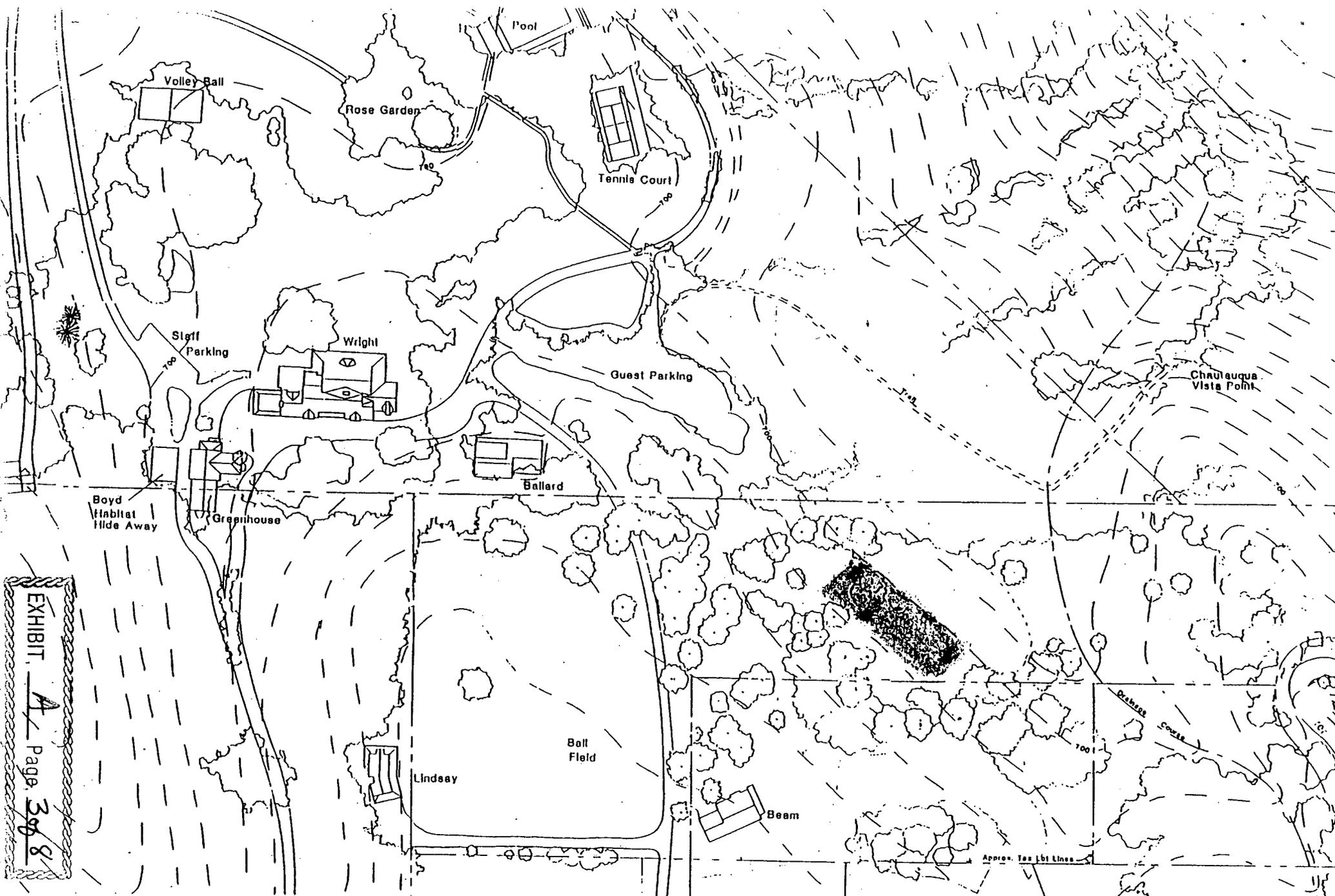


EXHIBIT A Page 3 of 8

**Menucha Semi-Private Housing**  
**= Location (Approximate)**



**Condition:**

The applicant shall cease work and notify the Planning Director, SHPO, and the Gorge Commission within twenty-four hours should a cultural resource be discovered during the course of the project.

*Note: Applicant shall make an appointment with Bob Hall for determination of compliance with this approval prior to issuance of any permits for this project.*

**COMMENTS FROM OTHER AGENCIES/INDIVIDUALS:**

Notice of the subject request was mailed to the following agencies/individuals:

Columbia River Gorge Commission/Cultural Advisory Committee  
Confederated Tribes of the Umatilla Indian Reservation  
Confederated Tribes of Warm Springs  
Nez Perce Tribe  
OR State Historic Preservation Office  
U.S. Forest Service NSA Office  
Yakima Indian Nation  
Oregon Department of Transportation  
Friends of the Columbia Gorge  
8 surrounding property owners

Comments were received from the Columbia River Gorge Commission, Oregon Department of Transportation, Friends of the Columbia Gorge, the State Historic Preservation Office, the U.S. Forest Service NSA Office, and one neighbor. While SHPO has a concern about possible disturbance of a grave site on the property, no negative comments were received.

**FINDINGS OF FACT:**

**I. Applicants Request:** Applicant requests NSA Site Review approval to construct additional sleeping and meeting facilities at the Menucha Retreat and Conference Center, a 99.99 acre parcel in the Special Management Area zoned Forestry. The GSF district allows expansion of existing non-profit retreats such as this [MCC .3636(B)(7)] as conditional uses if necessary for the successful operation of the facility on the dedicated site. MCC .3556 defines dedicated site as an area actively devoted to the current use as delineated on the site plan.

**II. Site and Vicinity Characteristics:**

This 99.99 acre parcel is located on the north side of the Historic Columbia River Highway just west of Women's Forum State Park. Several of the structures on the property were constructed in the 1920's and originally used as a summer home. That use continued until the 1950's when the property was sold the First Presbyterian Church of Portland which has continuously used it as a group retreat.

The property is developed with a main conference center, several satellite meeting and sleeping

facilities, and a parking lot. The site is also developed with recreational facilities (e.g., tennis and basketball court, swimming pool, trails, etc.). Several acres of the site are cleared of underbrush, landscaped, and continuously maintained.

The surrounding area is a mix of rural residences on the north side of the Historic Columbia River Highway immediately to the south, Women's Forum Park and undeveloped State Park properties to the east and north, and Camp Crestview to the west.

### III. Compliance with Ordinance Criteria:

#### A. Retreat Expansion Approval Criteria:

The singular approval criteria for expansion of existing retreats in the GSF-40 district is contained in MCC 11. 15. 3636(B)(7). That section allows:

“Expansion of existing non-profit group camps, retreats, conference or education centers, for the successful operation on the dedicated site. Expansion beyond the dedicated site shall be prohibited.”

#### Discussion:

The applicant discusses the need for the proposed facilities on pages 4 through 6 of the narrative dated June 5, 1996. That discussion centers on the changing desires of potential retreat participants with respect to accommodation expectations. The retreat provides mostly dormitory style sleeping facilities (5 to 9 persons per room). Such accommodations do not satisfy the desires or requirements of many potential retreat customers. Consequently, Menucha is unable to provide facilities for many groups which have programs strongly supported by the Center.

While this proposal would expand the physical facilities at the Center, the applicant indicates that the actual capacity of the site is controlled by the capacity of the dining room. The cooking and dining facilities can accommodate a maximum of 160 persons; that capacity is not increased by this request.

#### Conclusion:

This request is necessary for the successful operation of the Menucha Retreat and Conference Center because it provides accommodations that are increasingly demanded by retreat and conference customers. This request helps satisfy that demand without increasing the overall user capacity of the site.

### IV. NSA Site Review

#### Scenic Resources

This property is in a Coniferous Woodland landscape setting and indicated on maps provided by the Gorge Commission as being visible from a Key Viewing Area. A site visit, however,

determined that due to the topography surrounding the proposed location, the buildings (with a 35 foot maximum height) would not be visible from either the Historic Columbia River Highway, the Columbia River, Crown Point, I-84, Beacon Rock, Portland Women's Forum State Park, Rooster Rock State Park, or Washington State Route 14, therefore, is not visible from any Key Viewing Areas. As such, the proposal must satisfy the standards of MCC .3814(A) and (C)(2).

#### **Discussion:**

The proposed location of this complex is directly to the southeast of the existing parking lot. The drive to the complex will follow the grade from that lot; thereby, requiring only limited grading. The complex itself will be located on a portion of the site which slopes minimally from south to north. Grading associated with construction will, therefore, be minimized.

The proposed one and one-half building height, wooden siding and dark and natural earth tone colors is comparable to other buildings on the property, many of which are two stories in height. The complex would be adequately screened by existing surrounding vegetation and will not extend above the surrounding forest canopy, which is in excess of one hundred feet. No new access to the Historic Columbia River Highway is proposed or required since the complex would utilize the existing one-way loop drive which serves the property.

#### **Conclusion:**

The subject parcel is located in a Coniferous Woodland landscape setting. The proposed sleeping and meeting facilities would not change the landscape setting of the surrounding area and would be developed in compliance with the applicable scenic review criteria.

### **B. Cultural Resources**

Several of the structures on this site are potentially eligible for inclusion on the National Register of Historic Places and there is a presumed, although not accurately located, cemetery plot on the property. The State Historic Preservation Office has determined that this development would have "conditional no adverse effect" on those cultural resources if SHPO were notified if the cemetery plot were disturbed during construction.

MCC .3818(L) requires cessation of work and notification of the Planning Director and the Gorge Commission within twenty-four hours should a cultural resource be discovered during the course of the project.

#### **Conclusion:**

The proposed development would not affect known cultural resources.

### **C. Recreation Resources**

The property is in Recreation Intensity Class 3. No additional recreational use of the property would result from this project. The development is not visible from Women's Forum State

Park, the closest recreational facility.

**Conclusion:**

The proposed development would not adversely affect recreation resources within the Scenic Area.

**D. Natural Resources**

Maps provided by the Gorge Commission and site inspection indicate that:

1. No sensitive, threatened and endangered plant or animal species have been identified on the subject property.
2. No known natural areas, endemic plant species or sensitive wildlife areas have been identified in the subject area.
3. The site is not used as winter range by deer or elk.
4. The property is not within a wetland.

**Conclusion:**

The proposed development would not adversely affect any natural resources.

This Staff Report and recommendation was available on August 15, 1996 six days before the August 21, 1996 public hearing scheduled before a County Hearings Officer. The Hearings Officer may announce a decision on the item (1) at the close of the hearing; (2) upon continuance to a date and time certain; or (3) after the close of the record following the hearing.

A written decision is usually mailed to all parties and filed with the Clerk of the Board within ten days of the decision by the Hearings Officer.

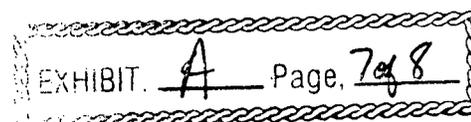
**Appeal to the Board of County Commissioners**

The Hearings Officer Decision may be appealed to the Board of County Commissioners (Board) by any person or organization who appears and testifies at the hearing, or by those who submit written testimony into the record. An appeal must be filed with the County Planning Division within ten days after the Hearings Officer's decision is submitted to the Clerk of the Board. An appeal requires a completed *Notice of Review* form and a fee of \$500.00 plus a \$3.50 per minute charge for a transcript of the hearing [ref. MCC 11.15.8260(A)(1) and MCC 11.15.9020(B)]. Instructions and forms are available at the County Planning and Development Office at 2115 SE Morrison Street (in Portland) or you may call 248-3043.

Failure to raise an issue by the close of the record at or following the final hearing (in person or by

Staff Report  
August 21, 1996

7



NSA 8-96

letter) precludes appeal to the Gorge Commission on that issue. Failure to provide specificity on an issue sufficient for the Board to respond, precludes appeal to the Gorge Commission on that issue.

Staff Report  
August 21, 1996

MEETING DATE: SEP 12 1996

AGENDA NO: C-3

**AGENDA PLACEMENT FORM**

SUBJECT: RENEWAL OF THE INTERGOVERNMENTAL REVENUE AGREEMENT BETWEEN TRI-MET AND THE DISTRICT ATTORNEY'S OFFICE FOR THE NEIGHBORHOOD BASED PROSECUTION PROGRAM.

BOARD BRIEFING Date Requested: \_\_\_\_\_

Amount of Time Needed: \_\_\_\_\_

REGULAR MEETING: Date Requested: <sup>12</sup> September 8, 1996

Amount of Time Needed: Renewal/Consent Agenda

DEPARTMENT/OFFICE: District Attorney DIVISION: District Court

CONTACT: Tom Simpson TELEPHONE #: 248-3863

BLDG/ROOM#: Courthouse (101), Room 600

PERSON(S) MAKING PRESENTATION: Tom Simpson

**ACTION REQUESTED:**

INFORMATION ONLY    POLICY DIRECTION    APPROVAL    OTHER

SUMMARY (Statement of rationale for action requested, personnel and fiscal budgetary impacts, if applicable): This IGA with the Tri-Met will continue to fund 1.0 FTE deputy district attorney in the Neighborhood Based Prosecution Unit.

9/12/96 ORIGINALS TO LISA MOORE  
**SIGNATURE REQUIRED**

ELECTED OFFICIAL: \_\_\_\_\_  
OR

DEPARTMENT MANAGER: Kelly Baumgardner

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

96 SEP -3 PM 4: 18  
MULTNOMAH COUNTY  
OREGON  
BOARD OF  
COUNTY COMMISSIONERS



CONTRACT APPROVAL FORM
(See Administrative Procedure #2106)

MULTNOMAH COUNTY OREGON

Contract # 500167

Amendment #

CLASS I: Professional Services under \$25,000
CLASS II: Professional Services over \$25,000 (RFP, Exemption), PCRB Contract, Maintenance Agreement, Licensing Agreement, Construction, Grant, Revenue
CLASS III: Intergovernmental Agreement
APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS
AGENDA # C-3 DATE 9/12/96
DEB BOGSTAD
BOARD CLERK

Department District Attorney Division District Court Date 8/28/96

Contract Originator Lisa Moore Phone 248-3133 Bldg/Room 101/600

Administrative Contact same Phone Bldg/Room

Description of Contract This is an IGA between Tri-Met and the DA's office to provide 1 FTE deputy DA to the Tri-Met neighborhood based prosecution office. This was contract #700046 in the 95/96 fiscal year.

RFP/BID # Date of RFP/BID Exemption Exp. Date

ORS/AR # Contractor is MBE WBE QRF

Contractor Name Tri-Met
Mailing Address 4012 SE 17th Portland, OR 97202
Phone (503)239-6419 - Kayle Pendleton
Employer ID# or SS#
Effective Date 7/1/96
Termination Date 6/30/96
Original Contract Amount \$ 62,619
Total Amount of Previous Amendments \$
Amount of Amendment \$
Total Amount of Agreement \$ 62,619

Remittance Address (If Different)

Payment Schedule Terms
Lump Sum \$ Due on receipt
Monthly \$ Net 30
Other \$15,654.75 Other quarterly
Requirements contract - Requisition required.
Purchase Order No.
Requirements Not to Exceed \$

REQUIRED SIGNATURES:

Department Manager Kelly Bacon
Purchasing Director Sandra Duff
County Counsel
County Chair / Sheriff
Contract Administration (Class I, Class II Contracts Only)

Encumber: Yes No
Date 8-28-96
Date
Date 8-30-96
Date September 12, 1996
Date

Table with columns: VENDOR CODE, VENDOR NAME, TOTAL AMOUNT \$, LINE NO., FUND, AGENCY, ORGANIZATION, SUB ORG, ACTIVITY, OBJECT/REV SRC, SUB OBJ, REPT CATEG, LGFS DESCRIPTION, AMOUNT, INC/DEC IND. Row 01: 100, 023, 2452, Neighborhood DA, 62,619, no.

INSTRUCTIONS ON REVERSE SIDE

1  
2 INTERGOVERNMENTAL  
3 AGREEMENT  
4

5 THIS AGREEMENT is made between the Tri-County Metropolitan Transportation  
6 District of Oregon ("Tri-Met"), and Multnomah County (hereinafter referred to as  
7 "County"), by and through the Multnomah County District Attorney's Office.  
8

9 WITNESSETH:

10 Recitals:

11 1. Tri-Met and County have mutual interest in improving the public safety  
12 services for all transit riders in and around Multnomah County; and

13 2. The Multnomah County District Attorney is prepared to continue a  
14 neighborhood-based prosecution project in the area served by Tri-Met; and

15 3. Tri-Met and County have authority under ORS Chapter 190 to enter into  
16 this Agreement; and

17 4. Sufficient funding is available for the project to operate for the fiscal year  
18 beginning July 1, 1996.  
19

20 I. Description of Project and Responsibilities

21 1. The Multnomah County District Attorney shall be completely responsible  
22 for the management of the project. The District Attorney shall submit an interim  
23 report describing the project activities to the Tri-Met Board October 1, 1996.  
24  
25  
26  
27



1 B. Maintenance and Inspection of Records

2 1. Required Records

3 Comprehensive records and documentation relating to the work conducted  
4 under this Agreement shall be kept by County.

5 2. Audit and Inspection of Records

6 County shall permit the authorized representatives of Tri-Met to inspect and  
7 audit all data and records of County relating to its performance under this Agreement  
8 for a period of three (3) years after expiration of this Agreement.

9 C. Adherence to Law

10 County shall adhere to all applicable laws governing its relationships with its  
11 employees, including but not limited to laws, rules, regulations, and policies  
12 concerning workers' compensation, and minimum and prevailing wage requirements,  
13 and all other applicable federal and state laws and regulations.

14 D. Mutual Indemnification

15 In accordance with the provisions of the Oregon Tort Claims Act, ORS 30.260  
16 through 30.300, including the limits of liability for public bodies provided for therein,  
17 County and Tri-Met mutually agree to defend, hold harmless and indemnify each other  
18 for their own negligence and that of their respective directors, officers, employees and  
19 agents, against any liability, settlements, costs, losses or expenses in connection with  
20 any third party claim, suit or action.

21 E. Project Managers

22 The County's Project Manager is Deputy District Attorney Wayne Pearson. Tri-  
23 Met's Project Manager is Deputy General Counsel Paul Mautner. All routine  
24 correspondence and communication regarding this Agreement shall be between the  
25 Project Managers.

1 F. Workers Compensation

2 County shall comply with ORS 656.017 which requires subject employers to  
3 provide workers' compensation for all subject workers. County warrants that all  
4 persons engaged in contract work and subject to the Oregon workers compensation  
5 laws are covered by a workers' compensation plan or insurance policy that fully  
6 complies with Oregon law. County shall indemnify Tri-Met for any liability incurred  
7 by Tri-Met as a result of County's breach of the warranty under this Paragraph.

8 G. Assignment

9 County may not assign, delegate, or subcontract for performance of any of its  
10 responsibilities under this Agreement without Tri-Met's prior written consent.

11 H. Termination

12 (1) Termination for Convenience

13 Tri-Met may terminate this Agreement upon determining that termination is in  
14 the public interest, which shall be effective upon delivery of written notice of  
15 termination to County. County shall be entitled to payment in accordance with the  
16 terms of this Agreement for work completed prior to the notice of termination, and  
17 for reasonable contract close-out costs. Within thirty (30) days after termination,  
18 County shall submit to Tri-Met's Project Manager its itemized request for such  
19 reimbursement. Tri-Met shall not be liable for any costs invoiced after thirty (30)  
20 days.

21 (2) Termination for Default

22 Either Tri-Met or County may terminate this Agreement for default. Prior to  
23 terminating for default, the non-breaching party shall provide written notice of the  
24 default to the other party, specifying the manner in which the party is in default and  
25  
26  
27

1 allowing the party no less than fifteen (15) business days in which to remedy the  
2 default. If the default is not remedied within the time specified in the notice, the non-  
3 breaching party may terminate all or any part of this Agreement.

4 I. No Waiver

5 A party's failure to object to any breach of this Agreement shall not constitute  
6 a waiver of that party's right to object to any additional breach or to require specific  
7 performance of this Agreement.

8 J. Independent Contractor

9 County shall be an independent contractor for all purposes, and shall be entitled  
10 to no compensation other than the compensation provided for in Paragraph III,  
11 Financing.

12 K. Federal Funding

13 Tri-Met receives funding from the U.S. Department of Transportation, Federal  
14 Transit Administration (FTA). This agreement is subject to all provisions required by  
15 the FTA to be included in third party agreements, including those provisions set forth  
16 in the attached Exhibit B, which is incorporated into and made part of this Agreement.

17 L. Authority

18 The representatives signing on behalf of the parties certify that they are duly  
19 authorized by the party for which they sign to make this Agreement.

20 M. Integration

21 This Agreement constitutes the entire, complete and final expression of the  
22 Agreement of the parties, and may only be modified by mutual written agreement.

1 IN WITNESS WHEREOF, the parties have executed this Agreement on the dates  
2 hereinafter indicated.

3 By:

4 M. Brian Playfair  
5 Tri-County Metropolitan Transportation  
6 District of Oregon

8/22/96  
Date

7 Ratified

8 Beverly Stein  
9 Beyerly Stein, Chair  
10 Multnomah County Board of Commissioners

APPROVED AS TO LEGAL SUFFICIENCY:  
Liz Goebel  
Liz Goebel  
Assistant General Counsel

September 12, 1996  
Date

11 Approved as to Form:

12 Sandra Weyers  
13 Legal Counsel

8-30-96  
Date

14 APPROVED MULTNOMAH COUNTY  
15 BOARD OF COMMISSIONERS  
16 AGENDA # C-3 DATE 9/12/96  
DEB BOGSTAD  
17 BOARD CLERK

ATTACHMENT A  
June 1, 1995

Duties of Tri-Met Deputy District Attorney

1. Must perform only transit-related work, per procurement/accounting laws.
2. Provide consulting and assistance in the other counties of Tri-Met system.
3. Provide training to police, employees, as needed.
4. Participate in pro-active projects, community affairs, etc.
5. Be on-call, prepared to advise in handling of crime investigations, arrests, etc., respond to a scene.
6. Participate in Tri-Met meetings, etc., as needed.
7. Visit, observe Tri-Met operations, processes to develop orientation and familiarity. Recommend needed improvements relating to prosecutions of crimes.
8. Evaluate current legislation, develop improvements as pertain to transit security.

## EXHIBIT B

This Exhibit B contains federal provisions required to be included in FTA funded contracts. Federal requirements may be amended from time to time, which amendments will apply to this Contract, unless determined otherwise by the Federal Government. As used in this Exhibit B, the term "Contractor" shall mean the County.

### 1. Disadvantaged Business Enterprises

The DBE goal for this contract is zero percent (0%). Pursuant to 49 CFR 23.43(a), it is the policy of the U.S. Department of Transportation (DOT) and Tri-Met that DBEs as defined in 49 CFR Part 23 shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this contract. Consequently, the DBE requirements of 49 CFR Part 23 apply to this contract. Contractor agrees to ensure that DBEs as defined in 49 CFR Part 23 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this contract. In this regard, Contractor shall take all necessary and reasonable steps in accordance with 49 CFR Part 23 to ensure that DBEs have the maximum opportunity to compete for and perform contracts. Contractor shall not discriminate on the basis of race, color, national origin or sex in the award and performance of DOT-assisted contracts.

Contractor's failure to carry out the requirements set forth herein shall constitute a breach of contract, and may result in termination of the contract by Tri-Met or such other remedy as Tri-Met deems appropriate.

### 2. Civil Rights

A. Nondiscrimination. In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. §2000d, Section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. §6102, section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. §12132, and Federal Transit Act at 49 U.S.C. §5332, the Contractor agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. In addition, the Contractor agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA may issue.

#### B. Equal Employment Opportunity.

In accordance with Title VII of the Civil Rights Act, as amended, 42 U.S.C. §2000e, and Federal transit laws at 49 U.S.C. §5332, the Contractor agrees to comply with all applicable equal employment opportunity requirement of U.S. Department of Labor (U.S. DOL) regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 C.F.R. Part 60 et seq (which implement Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order NO. 11375, "Amending Executive Order 11246 Relating to Employment Opportunity," 42 U.S.C. §2000e note. The Contractor agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, national origin, sex, or age. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Contractor agrees to comply with any implementing requirements FTA may issue.

In accordance with Section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. §§623 and Federal transit law at 49 U.S.C. §5332, the Contractor agrees to refrain from discrimination against present and prospective employees for reason of age. Contractor agrees to comply with any implementing requirements FTA may issue.

In accordance with Section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. §12112, the Contractor agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, "Regulations to Implement the Equal Employment Provisions of the American with Disabilities Act," 29 C.F.R. Part 1630, pertaining to employment of persons with disabilities. Contractor agrees to comply with any implementing requirements FTA may issue.

Contractor agrees to include the above requirements in each subcontract financed in whole or in part with Federal assistance provided by FTA, modified only if necessary to identify the affected parties.

### 3. Debarred Bidders

Neither Contractor, nor any officer or principal (as defined at 49 C.F.R. § 29.105(p) of Contractor, is currently, or has been previously, on any debarred bidders list maintained by the United States Government or by the State of Oregon.

### 4. Reporting, Record Retention and Access

A. Contractor shall comply with reporting requirements of the U.S. Department of Transportation grant management rules, and any other reports required by the Federal Government.

B. Contractor agrees to maintain intact and readily accessible all work, materials, payrolls, books, documents, papers, data, records and accounts pertaining to the Contract. Contractor agrees to permit the Secretary of Transportation, the Comptroller General of the United States and Tri-Met, or their authorized representatives, access to any work, materials, payrolls, books, documents, papers, data, records and accounts involving the Contract for the purpose of making audit, examination, excerpts, and transcriptions pertaining to the Contract as it affects the Project. Contractor shall retain all required records for three years after Tri-Met has made final payments and all other pending matters are closed. The period of access and examination for records that relate to (1) litigation or the settlement of claims arising out of the performance of this Contract, or (2) costs and expenses of this Contract as to which exception has been taken by the Comptroller General of the United States or the U.S. Department of Transportation, or any of their duly authorized representatives, shall continue until such litigation, claims, or exceptions have been disposed of. Contractor shall require its subcontractors to also comply with the provisions of this Subparagraph (B), and shall include the provisions of this Subparagraph (B) in each of its subcontracts.

5. Lobbying Prohibitions

This contract is subject to 31 U.S.C. 1352, as amended by the Lobbying Disclosure Act of 1995, P.L. 104-65 (2 U.S.C. §1601, et seq.), and U.S. DOT regulations "New Restrictions on Lobbying," 49 CFR Part 20, pursuant to which Tri-Met may not expend funds to pay any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with any of the following covered Federal actions: the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement. By signing this contract Contractor agrees to comply with these laws and regulations.

6. No Federal Government Obligation to Third Parties

Contractor agrees that, absent the Federal Government's express written consent, the Federal Government shall not be subject to any obligations or liabilities to any subrecipient, any third party contractor, or any other person not a party to the Grant Agreement in connection with this Project. Notwithstanding any concurrence provided by the Federal Government in or approval of any solicitation, subagreement, or third party contract, the Federal Government continues to have no obligations or liabilities to any party, including a subrecipient or third party contractor.

7. False or Fraudulent Statements and Claims

(1) The Contractor recognizes that the requirements of the Program Fraud Civil Remedies Act of 1986, as amended, 49 U.S.C. §§ 3801 et seq. and U.S. DOT regulations, "Program Fraud Civil Remedies," 49 C.F.R. Part 31, apply to its actions pertaining to this Project. Accordingly, by signing this Contract, the Contractor certifies or affirms the truthfulness and accuracy of any statement it has made, it makes, or it may make pertaining to the covered Grant Agreement, Cooperative agreement, Contract or Project. In addition to other penalties that may be applicable, the Contractor acknowledges that if it makes a false, fictitious, or fraudulent claim, statement, submission, or certification, the Federal Government reserves the right to impose the penalties of the Program Fraud Civil Remedies Act of 1986, as amended, on the Contractor, to the extent the Federal Government deems appropriate.

(2) The Contractor also acknowledges that if it makes a false, fictitious, or fraudulent claim, statement, submission, or certification to the Federal Government in connection with an urbanized area formula project financed with Federal assistance authorized by 49 U.S.C. § 5307, the Government reserves the right to impose on the Contractor the penalties of 18 U.S.C. § 1001 and 49 U.S.C. § 5307(n)(1), to the extent the Federal Government deems appropriate.

(3) The Contractor agrees to include the above two clauses in each subcontract financed in whole or in part with Federal assistance provided by FTA.

8. Exclusionary or Discriminatory Specifications

Apart from inconsistent requirements imposed by Federal statute or regulations, the Contractor agrees that it will comply with the requirement of 49 U.S.C. § 5323(h)(2) by refraining from using any Federal assistance awarded by FTA to support procurements using exclusionary or discriminatory specifications.

9. Energy Conservation

Contractor agrees to comply with mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.

**END OF EXHIBIT B - FEDERAL REQUIREMENTS**

MEETING DATE: SEP 12 1996

AGENDA #: R-2  
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

**AGENDA PLACEMENT FORM**

SUBJECT: Employee Recognition

BOARD BRIEFING: DATE REQUESTED: \_\_\_\_\_

REQUESTED BY: \_\_\_\_\_

AMOUNT OF TIME NEEDED: \_\_\_\_\_

REGULAR MEETING: DATE REQUESTED: September 12, 1996

AMOUNT OF TIME NEEDED: 5 Minutes

DEPARTMENT: DSS

DIVISION: \_\_\_\_\_

CONTACT: Maria Rojo de Steffey

TELEPHONE #: 248-3955

BLDG/ROOM #: 106/1515

PERSON(S) MAKING PRESENTATION: Bill Farver, Wendy Hausotter

ACTION REQUESTED:

INFORMATIONAL ONLY     POLICY DIRECTION     APPROVAL     OTHER

SUGGESTED AGENDA TITLE:

*Employee Recognition - Merrie Ziady, Health Benefits Manager*

BOARD OF  
COUNTY COMMISSIONERS  
96 SEP -5 PM 12:05  
MULTNOMAH COUNTY  
OREGON

SIGNATURES REQUIRED:

ELECTED  
OFFICIAL:  
(OR)  
DEPARTMENT  
MANAGER:



ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Office of the Board Clerk 248-3277 or 248-5222

MEETING DATE: SEP 12 1996

AGENDA #: R-3

ESTIMATED START TIME: 9:35

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT:

BOARD BRIEFING:

DATE REQUESTED:

REQUESTED BY:

AMOUNT OF TIME NEEDED:

REGULAR MEETING:

DATE REQUESTED: 9/12/96

AMOUNT OF TIME NEEDED: 5 Minutes

DEPARTMENT: Nondepartmental

DIVISION: County Chair's Office

CONTACT: Chair Stein

TELEPHONE #: 248-3308

BLDG/ROOM #: 101/1515

PERSON(S) MAKING PRESENTATION: Representative from Oregon Holocaust Resource Center

ACTION REQUESTED:

INFORMATIONAL ONLY  POLICY DIRECTION  APPROVAL  OTHER

SUGGESTED AGENDA TITLE:

al12196 ORIGINAL to JACK POAS ; COPY to CHAIR STEIN

Proclamation declaring September 18, 196 to be White Rose Day in Multnomah County Oregon

SIGNATURES REQUIRED:

ELECTED OFFICIAL:  
(OR)  
DEPARTMENT  
MANAGER:

*Beverly Stein*

BOARD OF  
COUNTY COMMISSIONERS  
96 AUG 21 PM 3:25  
MULTNOMAH COUNTY  
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Office of the Board Clerk 248-3277 or 248-5222

# THE WHITE ROSE

*"One of the few groups that dared to challenge Hitler's tyranny openly was a student organization known as the White Rose. Franz Müller, a surviving member, recalls how public beatings and deportations of Jews led to the group's formation. 'We started to discuss things and discovered an important thing -- that Nazis were liars,' he says. 'The aim of those who joined was to expose the Nazi lies to as many compatriots as possible.'"*



**september 2 - october 5, 1996**  
**Oregon Holocaust Resource Center at**  
**Pacific University, Forest Grove, Oregon**  
**Student Center, MF 10-6**  
**Sat 11-4; Sun 1-5**

# The White Rose Exhibit

*Newsweek*: "Ultimately, a young student named Hans Scholl ... learned from German soldiers about Hitler's 'final solution'. On February 18, 1943, Hans and his sister, Sophie — both formerly in the Hitler Youth — were arrested as they dropped leaflets from a balcony at the University of Munich. The leaflets, revealing that 300,000 Jews had been murdered by the regime — one of the first public reports of the carnage — urged all Germans to rise against the Reich. Four days later, the Scholls and a friend ... were convicted of treason by the People's Court and beheaded."

The exhibition consists of 65 panels and is divided into eighteen main topics. Nine deal with the biographies and actions of the White Rose group; the other half deals with the historical and political background of the Third Reich.

As added attractions, the OHRC and Pacific University have scheduled a number of events to coincide with the exhibition (all events at Pacific University, unless otherwise noted). These include:

- "The Story of Sophie Scholl: A Young Woman's Resistance in Nazi Germany," Penelope Youngfeather (performance and discussion); September 20, 11:00 am, Taylor-Meade Performing Arts Center (particularly suited for middle and high school students)
- "Aggression, Pathological Hate and the Holocaust," lecture by Dr. Robert Nemiroff (co-sponsored by the Portland Psychoanalytic Association); September 29, 1:00 pm; Taylor Auditorium, Marsh Hall, followed by reception at Old College Hall
- "The White Rose," feature film, September 12 and September 26, 8:00pm, Milky Way
- Hitler's Willing Executioners; panel discussion, with Franz Müller, on Daniel Goldhagen's controversial book; October 2, 7:30 pm, Taylor Auditorium, Marsh Hall
- Awards ceremony at the Portland Hilton, Pavilion Room, October 3, 7:00 pm, honoring Franz Müller and presentation of the Janusz Korczak Prize to a teacher demonstrating unparalleled commitment to teaching the Holocaust and Holocaust-related issues in the classroom; honoring OHRC volunteers and members of the Speakers' Bureau (survivors, refugees, liberators, children of survivors who speak about their experiences in the schools)
- Talks by survivors and refugees of the Hitler years (dates, times and locations to be announced)

*The WHITE ROSE EXHIBITION is a great educational experience,  
particularly for high school and university students.  
Reserve dates now for special group visits.*

**For further information, contact Jack Boas at 2043 College Way, Warner 25, Forest Grove, OR 97116; tel: (503) 359-2930; fax: (503) 359-2246; email boasj1@pacificu.edu; <http://www.pacificu.edu/up/ohrc/>**

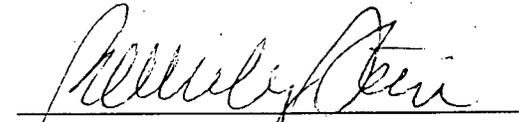
**The White Rose Exhibition is sponsored by OHRC, Pacific University, and the Goethe House (Seattle).**

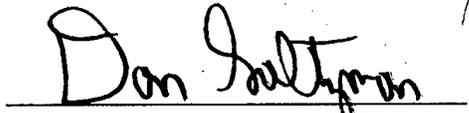


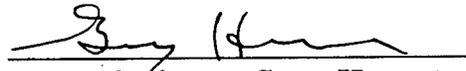
THEREFORE, the Board of County Commissioners HEREBY PROCLAIMS September 18, 1996 to be *WHITE ROSE DAY* in Multnomah County, Oregon and encourages all citizens to join in this observance.

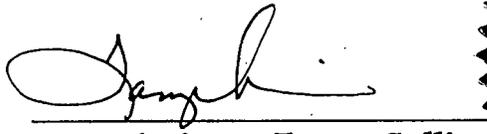
DATED this 12th day of September, 1996.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

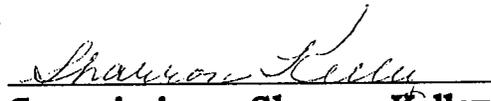
  
Beverly Stein, Chair

  
Commissioner Dan Saltzman

  
Commissioner Gary Hansen

  
Commissioner Tanya Collier



  
Commissioner Sharron Kelley





## SUBSTANCE ABUSE AND TREATMENT

Substance abuse is a major public health problem that affects millions of people and places enormous financial and social burdens on society. It destroys families, cripples the economy, victimizes communities and suffocates the education, criminal justice and social service systems. Yet, every day, people with alcohol and other drug problems are given the chance to rebuild their lives through treatment. Below are some important facts about substance abuse and treatment.

### Substance Abuse

- In 1994, an estimated 12.6 million Americans were current illicit drug users, meaning they had used an illicit drug in the month prior to interview. This is 6 percent of the population 12 years old and older (Preliminary Estimates from the 1994 National Household Survey on Drug Abuse; Advance Report No. 10, September 1995, Substance Abuse and Mental Health Services Administration, Office of Applied Studies).
- More than 5 percent of the 4 million women who gave birth in the U.S. in 1992 used illegal drugs at sometime during their pregnancy. Marijuana and cocaine were the most frequently used illicit drugs—2.9 percent, or 119,000 pregnant women, used marijuana and another 1.1 percent, or 45,000 pregnant women, used cocaine. Over 750,000 women, or 18.8%, used alcohol at some time during pregnancy (National Pregnancy and Health Survey, National Institute on Drug Abuse, 1994).

- Nearly 5 percent of today's high school seniors and nearly 3 percent of 10th-graders are current daily marijuana users (Monitoring the Future Study, University of Michigan, 1995).
- Alcohol is the most costly abused substance, with a total estimated bill to the nation of \$99 billion in 1990. Drug abuse is estimated to have cost the nation almost \$67 billion during that same year. The major burden of alcohol abuse relates to lost productivity associated with illness and death, whereas the major economic, not to mention societal, burden of drug abuse is crime (Unpublished data for 1990 from Dorothy P. Rice, Institute for Health and Aging, University of California at San Francisco, CA).

### Treatment

- Key findings from a study conducted in California from September 1992 through March 1994 on the effectiveness of substance abuse treatment indicated that: 1) the level of criminal activity declined by two-thirds from before treatment to after treatment. The greater the length of time spent in treatment, the greater the percentage reduction in criminal activity; 2) alcohol and drug use declined approximately two-fifths from before treatment to after treatment; 3) about one-third reduction in hospitalizations was reported from before treatment to after treatment; and 4) despite the concern that stimulants, and crack cocaine especially, might be much more resistant to treatment than more familiar drugs such as alcohol

or heroin; treatment for problems with the major stimulant drugs (crack cocaine, powdered cocaine and methamphetamine), which were all in widespread use, was found to be just as effective as treatment for alcohol problems, and somewhat more effective than treatment for heroin problems (CALDATA, California Drug and Alcohol Treatment Assessment).

- Of women in treatment for substance abuse: 95 percent reported uncomplicated, drug-free births; 81 percent who were referred by the criminal justice system had no new charges following their treatment; 75 percent who successfully completed treatment remained drug-free; 46 percent obtained employment following treatment; and 40 percent eliminated or reduced their dependence on welfare. Of their children: 65 percent were returned from foster care; and 84 percent who participated in treatment with their mothers improved their school performance (Center for Substance Abuse Treatment, quarterly report data from sampling of grant programs, Women and Children's Branch, 1995).

- In Xenia, Ohio, of 26 women who had been arrested prior to treatment, 25 had not been rearrested two years after treatment. Of 41 women surveyed two years after leaving the center, 36 reported abstinence from, or only one use of, drugs and alcohol. This Women's Recovery Center treats women who are often homeless, 80 to 90 percent have been physically or sexually abused and most have drug-related criminal histories. The center's staff work with the women to treat their substance abuse and other health problems (Ohio Profile: Alcohol, Tobacco & Drugs, Drug Strategies, 1995).
- Providing treatment to all addicts in the United States could save more than \$150 billion in social costs over the next 15 years, while requiring just \$21 billion in treatment costs (C. Peter Rydell and Susan S. Everingham, Controlling Cocaine: Supply Versus Demand Programs, Santa Monica, CA: RAND, 1994).
- In a 1994 study of employees referred to four different treatment programs in Philadelphia, University of Pennsylvania researchers found that outcomes improve by 40 percent if treatment services are matched to the particular needs of the client (Keeping Score 1996, Drug Strategies, 1996)



## MYTHS AND FACTS ABOUT ADDICTION AND TREATMENT

**Myth:** Addiction is a bad habit, the result of moral weakness and over-indulgence.

**Fact:** Addiction is a chronic, life-threatening condition, like hypertension, atherosclerosis and adult diabetes.

**Fact:** Addiction has roots in genetic susceptibility, social circumstance and personal behavior.

**Fact:** Certain drugs are highly addictive, rapidly causing biochemical and structural changes in the brain. Others can be used for longer periods of time before they begin to cause inescapable cravings and compulsive use.

**Myth:** If an addict has enough willpower, he or she can stop abusing alcohol and using drugs.

**Fact:** Few people addicted to alcohol and other drugs can simply stop using them, no matter how strong their inner resolve. Most need one or more courses of structured substance abuse treatment to reduce or end their dependence on alcohol and other drugs.

**Myth:** Many people relapse, so treatment obviously does not work.

**Fact:** Like virtually any other medical treatment, addiction treatment cannot guarantee lifelong health. Relapse, often a part of the recovery process, is always possible—and treatable. Even if a person never achieves perfect abstinence, addiction treatment can reduce the number and duration of relapses, minimize related problems such as crime and poor overall health, improve the individual's ability to function in daily life and strengthen the individual to better cope with the next temptation or craving. These improvements reduce the social and economic costs of addiction.

**Myth:** We have reached the limits of what we can do to treat addiction.

**Fact:** The more we learn about addiction, the more effective treatment becomes. Matching clients to the services they most need, while supporting continuous and focused engagement in treatment, is imperative. Today's treatment providers are better able to do this than ever before.

**Myth:** People with alcohol and other drug problems get sent to 28-day treatment programs, where they dry out and emerge new individuals, cured of their problems.

**Fact:** Treatment is provided in many different settings, in many different ways, for different lengths of time. It is important to provide the most appropriate mix of services and settings for each client based on an assessment of individual needs and cultural relevance.

**Fact:** Treatment is provided in both outpatient and inpatient settings, with different levels of intensity. Residential treatment is provided in the form of short-term treatment and therapeutic communities. Outpatient treatment is available in three general formats: 1) intensive day treatment; 2) intensive outpatient treatment; and 3) traditional outpatient treatment. General phases of treatment include: 1) detoxification; 2) rehabilitation; 3) continuing care; and 4) relapse prevention.

Source: The White Paper: Effectiveness of Substance Abuse Treatment, U.S. Department of Health and Human Services, February 1995.



## SUBSTANCE ABUSE, CRIME AND TREATMENT

The high correlation between substance abuse and criminal behavior has been well documented in the last decade. Drug-using offenders account for a disproportionate share of all crime and violence in the nation. However, studies show that substance abuse treatment for offenders can reduce the prevalence and incidence of criminal activity.

### Substance Abuse and Crime

- The public views drugs and crime as the two most important issues facing the nation (Wall Street Journal/NBC Poll, December 1995).
- Thirty-three percent of all murders or manslaughter incidents are related to drug and alcohol use. Over 50 percent of spousal murders are drug- or alcohol-related (Bureau of Justice Statistics, Criminal Victimization in the United States 1992, January 1994).
- In a national telephone survey conducted among 318 chiefs of police, 82 percent of police chiefs in large cities (with populations greater than 100,000) said drug abuse is an extremely serious (45%) or quite serious (37%) problem in their communities (Peter D. Hart Research Associates, Drugs and Crime Across America: Police Chiefs Speak Out, Police Foundation and Drug Strategies, 1996).
- The National Institute of Justice Drug Use Forecasting program found that the percentage of adult males arrested in 23 cities throughout the U.S. in 1993 who tested positive for drugs ranged from 54 percent in Omaha and San Jose to 81

percent in Chicago. Of adult females arrested in 20 cities throughout the U.S., the percentage of those testing positive for drugs ranged from 42 percent in San Antonio to 83 percent in Manhattan (Bureau of Justice Statistics: Drugs and Crime Facts, 1994).

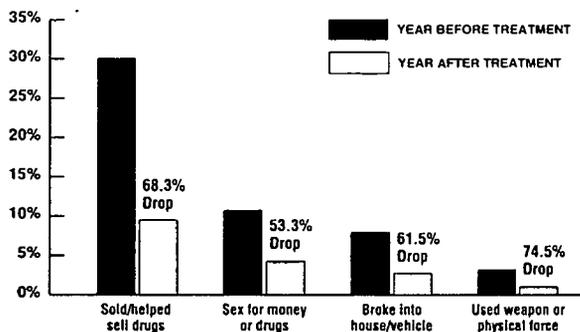
- A cross-section of police chiefs surveyed in 386 U.S. cities report that substance abuse is the number one problem facing their communities, more serious even than the lack of law enforcement resources, overcrowded courts and the ready availability of guns. These police officials also believe that reducing drug abuse should be the first priority in combating violent crime (On the Front Line: The Death Penalty Information Centers, February 1995).

### Crime and Treatment

- Only one in five adults who know someone who has been addicted to illegal drugs believes that a prison sentence would have been more helpful to that person than a supervised treatment program, while almost 70 percent believe that treatment would have been more helpful than prison (Peter D. Hart Research Associates, Americans Look at the Drug Problem, Drug Strategies, 1995).
- One million prison inmates in this country have serious drug habits, regardless of the crimes for which they were convicted. Drug treatment is currently available for less than 10 percent of Federal inmates who need it (Drugs, Crime & Campaign '96, Drug Strategies; Drug Use Forecasting, 1995).

- A RAND study found that substance abuse treatment is seven times more cost-effective in reducing cocaine use than domestic law enforcement (RAND Corporation Drug Policy Research Center, Controlling Cocaine: Supply vs. Demand Programs, 1994).
- Individuals in Chicago awaiting trial or sentencing for a drug-related crime, who have non-violent criminal histories, can receive treatment from Treatment Alternatives for Special Clients (TASC), a non-profit agency providing court-approved treatment. The program, designed to reduce prison overcrowding, provides substance abuse treatment, education and job training tailored to the specific treatment needs of each offender. According to the Illinois Criminal Justice Information Authority, 99 percent of participants miss no court appearances, compared to 35 percent in the general population. Less than 5 percent of participants have been reincarcerated. TASC costs only \$39 per day, compared to \$89 per day to keep offenders jailed (Keeping Score 1996, Drug Strategies, 1996).
- A recently released comprehensive drug and alcohol treatment follow-up study of approximately 3,000 individuals found that criminal activity declined 66 percent following treatment, and the longer the individual remained in treatment, the greater the reduction in criminal activity (CALDATA, California Department of Alcohol and Drug Programs, 1994).
- An estimated 80 percent of the 118,195 Texas prison inmates have a history of substance abuse. Half were on drugs when they committed their crimes. The New Vision In-Prison Therapeutic Community for men, located in Kyle, Texas, treats 500 inmates. Forty-two percent have completed the nine-month in-prison component as well as four months or longer in transitional community treatment or outpatient counseling. One year after release, only 7 percent of those completing the program had returned to prison. This is less than half the recidivism rate of those who had no treatment or who dropped out of treatment (Keeping Score 1996, Drug Strategies, 1996).
- The Drug Court Program in Rochester, New York, was started in January of 1995. The program employs treatment providers and case managers. Judges and other drug court staff work collaboratively with case managers to be sure offenders get the help they need. In less than a year, of the 172 participants, only 12 have been rearrested. In all, only 27 defendants have quit or been released from the drug court program and sent back to the traditional criminal justice system (Fixing a Failing System, Report from a Join Together Policy Panel, February 1996).

### **Criminal Activity Drops Significantly Year After Substance Abuse Treatment**



SOURCE: CALDATA, California Department of Alcohol and Drug Programs, 1994.



## A LOOK AT SUCCESSFUL AND COST-EFFECTIVE STATE TREATMENT PROGRAMS

Many states have implemented effective, innovative and cost-effective substance abuse treatment programs, causing those who may doubt the necessity of treatment to reconsider their position. The programs highlighted here were chosen based on community reputation for their work and evaluation of outcomes that the programs have conducted themselves, by external reviewers or through more elaborate scientific study. These programs are testimony to the fact that treatment works. Substance abuse treatment not only benefits the abuser, resulting in a productive, self-supporting individual, it also benefits society, resulting in lower health and welfare costs and safer communities. The success of the following state programs supports this statement.

- Second felony offenders who participated in Brooklyn, New York's Drug Treatment Alternative to Prison Program had an 8 percent recidivism rate six months after treatment compared to a 40 percent recidivism rate for drug felony offenders who were incarcerated and not given treatment (Drugs, Crime & Campaign '96, Drug Strategies; Drug Treatment Alternatives-to-Prisons Program, February 1994).
- In Maine, a client outcome survey revealed that 79 percent of clients had not been arrested one year after substance abuse treatment (Commonwealth Marketing and Développement, Client Treatment Follow-up Study, Portland: Maine Office of Substance Abuse, 1994).
- In the state of Washington, evaluators studied the Traffic Safety Commission's deferred prosecution program, which encourages criminal (misdemeanor) offenders influenced by alcohol and other drug or mental health problems to obtain treatment. Four years after disposition, drivers who had received deferred prosecution had a non-recidivism rate of 78 percent compared with 52 percent of alcoholics who were convicted of DWI (Baxter, B.L., Salzberg, P.M. and Kleyn, J.E., The Effectiveness of Deferred Prosecution in Reducing DWI Recidivism: An Update. Prepared for the Washington Traffic Safety Commission. Seattle: Alcohol and Drug Abuse Institute, University of Washington, 1993).
- A 1994 Ohio study found that hospital admissions decreased by 66 percent and emergency room use dropped by 41 percent within one year after treatment (Ohio Department of Alcohol and Drug Addiction Services, Unpublished Data from the Comprehensive Assessment Treatment Outcome Registry (CATOR) by New Standards, Inc., St. Paul, MN., 1994).
- In 1994, a Minnesota study found that the number of hospitalizations decreased by 5 percent in the first six months following treatment, producing \$22 million in annual health care savings from 18,000 clients (Turnure, C., Implications of the State of Minnesota's Consolidated Chemical Dependency Treatment Fund for Substance Abuse Coverage Under Health Care Reform. Testimony Presented to the U.S. Senate Labor and Human Resources Committee. Washington, D.C., March 8, 1994).

- The state of Georgia's Project Adventure, a three-phase program targeted to adjudicated youths who have multiple prior offenses and meet the diagnostic criteria for substance abuse or dependence, conducted a one year follow-up assessment of those participants completing the program. Of the 131 youths who participated in the program, 80 percent of the participants who completed the program were assessed; 72 percent of the youths were no longer in the Department of Children and Youth Services for juvenile offenses; and 95 percent were not actively using alcohol or other drugs. In comparison, the overall data from the state of Georgia revealed a 55 percent recidivism rate for youth offenders (Gillis, H.L., Brief Report on Project Adventure's CO-OP Program: Recidivism and Relapse Data. Covington, GA: Project Adventure, Inc., 1994).
- In Texas, a one-year follow-up study reported that 80 percent of clients who completed the treatment program were arrest-free for 12 months after treatment (Nelson, R. and Spence, R., The Texas Commission on Alcohol and Drug Abuse, Substance Abuse Treatment Outcome Study (SATOS), 1992).

In 1992, the California Department of Alcohol and Drug Programs launched an initiative to determine the epidemiology of substance abuse and the outcomes of substance abuse treatment. The California Drug and Alcohol Treatment Assessment (CALDATA) is the first product of this initiative. CALDATA is a large-scale study of the effectiveness, benefits and costs of alcohol and drug treatment in California, using state data bases, provider records and follow-up interviews with participants in treatment. Of particular importance to taxpayers in California is that for every \$1 spent in alcohol and other drug abuse treatment programs, an average of \$7 was saved. Other major findings from the study are provided below.

- CALDATA showed a ratio of 4-to-1 savings for residential care and 10-to-1 for outpatient care, including methadone treatment (Evaluating Recovery Services: The California Drug and Alcohol Treatment Assessment (CALDATA) General Report. Sacramento, CA: Department of Alcohol and Drug Programs, 1994).
- California spent \$209 million on substance abuse treatment for 150,000 people. Benefits received during treatment and in the first year afterwards were approximately 1.4 billion in savings to taxpaying citizens, due mostly to reductions in crime. The average per-person annual medical bills dropped from \$3,227 to \$2,469, emergency room visits were cut by 38 percent and hospital admissions were cut by 33 percent (Evaluating Recovery Services: The California Drug and Alcohol Treatment Assessment (CALDATA) General Report. Sacramento, CA: Department of Alcohol and Drug Programs, 1994).
- Among those treated for alcohol and drug abuse problems, California's \$209 million expenditure also resulted in a 36 percent decrease in hospitalizations for physical health problems; 58 percent decrease in hospitalizations for drug overdoses; 44 percent decrease in hospitalizations for mental health problems; and 25 percent cut in the total number of hospital days (Evaluating Recovery Services: The California Drug and Alcohol Treatment Assessment (CALDATA) General Report. Sacramento, CA: Department of Alcohol and Drug Programs, 1994).



## SUBSTANCE ABUSE, HEALTH CARE COSTS AND TREATMENT

Substance abuse adds substantially to the nation's total health care bill. Numerous studies show that providing adequate and accessible treatment for those with alcohol and other drug problems is the most effective method to improve the health of drug abusers and relieve the growing burden of drug-related health care costs. Treatment is a sound, long-term and cost-effective investment in America's future.

### Substance Abuse and Health Care Costs

- About one-third of all AIDS cases are related to intravenous drug use, and 90 percent of all pediatric AIDS cases are related to maternal exposure to HIV through drug use or sex with a drug user (Centers for Disease Control and Prevention, 1996).
- On the average, untreated alcoholics generally incur general health care costs that are at least 100 percent higher than those of the non-alcoholic. In the last 12 months before treatment, the alcoholic's costs are close to 300 percent higher (The Rutgers Study: Socioeconomic Evaluations of Addictions Treatment, 1992).
- If tobacco, alcohol and drug abuse were reduced by 20 percent in New York City, then each year \$520 million in inpatient hospital costs would be saved (CASA: Substance Abuse and Urban America: Its Impact on an American City, New York, 1996).
- More than 5 percent (221,000) of the 4 million women who give birth each year use illicit

drugs during their pregnancy (1994 National Pregnancy and Health Survey, National Institute on Drug Abuse).

- The Health Insurance Association of America estimates an expenditure of from \$48,000 to \$150,000 in costs of maternity care, physicians' fees and hospital charges for each delivery that is complicated by substance abuse (The Sourcebook of Health Insurance Data—1993, Washington, DC: Health Insurance Association of America, 1994).
- The number of methamphetamine (speed)-related emergency room episodes increased by 35 percent (from 7,800 to 10,600) between the first half of 1994 and the first half of 1995 (Preliminary Estimates from The Drug Abuse Warning Network, Advance Report Number 14, SAMHSA, OAS, May 1996).

### Health Care and Treatment

- Chicago's Women's Treatment Center offers a wide variety of residential and outpatient programs for adolescent girls, pregnant women and women with young children. The Center has the only crisis nursery in Chicago, which provides care 24 hours a day to the infants and children of women undergoing medically supervised detoxification. As a result of the Women's Treatment Center's focus on responsible parenting, 67 drug-free babies have been born to women in treatment (Keeping Score 1996, Drug Strategies, 1996).

- Substance abuse treatment reduces overall hospital admission rates by at least 38 percent. Hospital admissions for drug overdose decreased by 58 percent among those who had been treated (Evaluating Recovery Services: CALDATA General Report, California Department of Alcohol and Drug Programs, 1994).
- Ninety-five percent of women reported uncomplicated births, free of illicit drugs, after one year of treatment (Center for Substance Abuse Treatment. Study of grantees administered by the Women and Children's Branch, 1995).
- The state Alcohol and Other Drug Authority in Minnesota has reported that, for chemical dependency clients, the state has saved approximately \$22 million in annual health care costs by providing treatment (Turnure, C. Implications of the State of Minnesota's Consolidated Chemical Dependency Treatment Fund for Substance Abuse Coverage Under Health Care Reform, Testimony Presented to the U.S. Senate Labor and Human Resources Committee, Washington, D.C., March 8, 1994).



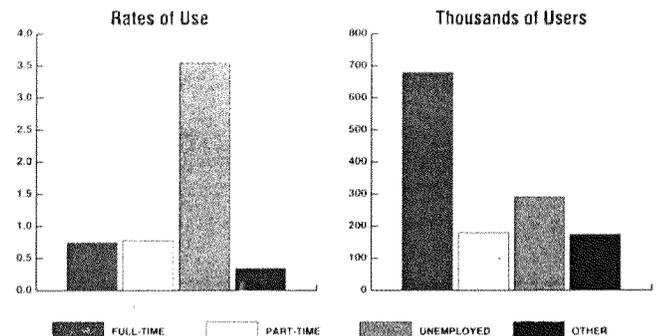
## SUBSTANCE ABUSE TREATMENT AND COST SAVINGS TO BUSINESS

Studies have shown that health care costs for employees with substance abuse problems are about twice those of other employees. Substance abuse also causes employers to incur costs related to injuries, high employee turnover and decreased productivity. However, treatment results in a reduction in medical claims, absenteeism and disability, reasons why many employers sponsor employee assistance programs (EAPs). EAPs conduct drug testing or have policies or procedures to detect substance use and promote early treatment. Here are some important facts.

- The rate of cocaine use in 1994 was highest among the unemployed, as 3.5 percent of unemployed adults (age 18 or older) were current cocaine users, compared with only 0.7 percent of employed adults. Nevertheless, 65 percent of all adult cocaine users in 1994 were employed either full- or part-time. (Preliminary Estimates from the 1994 National Household Survey on Drug Abuse, Advance Report #10, September 1995).

- Three out of four adults who used illegal drugs at least once a month in 1994 were employed, a total of more than 8 million people. Eighty percent of these workers are full-time employees (Preliminary Estimates from the 1994 National Household Survey on Drug Abuse, Advance Report #10, September 1995).
- A 1995 Gallup poll found that more than two-thirds of Americans view drugs as a serious problem affecting the workplace and want workplace drug testing increased (Public Voices Concern About Drugs as Presidential Election Nears, The Gallup Organization, December 12, 1995).
- The cost of alcohol and other drug use in the workplace, including lost productivity, medical claims and accidents, amounts to \$140 billion per year (Brandeis University, 1993).
- Thirty-eight to 50 percent of all workers' compensation claims are related to the abuse of alcohol or other drugs in the workplace (National Council on Compensation Insurance, 1993).

**Past Month Cocaine Use Among Adults  
BY CURRENT EMPLOYMENT STATUS, 1994**



SOURCE: Preliminary Estimates from the 1994 National Household Survey on Drug Abuse, U.S. Department of Health and Human Services, Public Health Service, Substance Abuse and Mental Health Services Administration, Office of Applied Studies, Advance Report Number 10, September 1995.

- United Airlines estimates that it has a \$16.95 return for every dollar invested in a drug-free workplace program (ASIS O.P. Norton Information Resources Center, "Substance Abuse: A Guide to Workplace Issues," August 1990).
- In 1995, Drug Strategies commissioned a special study of the most recent Bureau of Labor Statistics Employee Benefits Survey and the National Drug and Alcoholism Treatment Unit Survey (NDATUS 1992). The study found that health care coverage for substance abuse treatment has declined over

the last decade, resulting in fewer workers and their dependents having access to privately funded drug treatment. Additionally, many plans have lifetime caps of \$50,000 for substance abuse treatment compared to \$1 million for other diseases (Keeping Score 1996, Drug Strategies, 1996).

- Massachusetts was the first state to implement a comprehensive managed care program for delivering substance abuse and mental health services to Medicaid recipients. During the program's first year, use of substance abuse treatment services increased 10 percent, while the cost of these services declined 45 percent (from \$28 million in FY 92 to \$15.8 million in FY 93). Savings were achieved primarily through reduced

- use of hospitals and increased use of detoxification centers (Dennis McCarty, Managed Care for Substance Abuse Treatment Services, Waltham, MA: Brandeis University, Institute for Health Policy, October 27, 1995).

- The Small Business Administration reports that drug-free workplace programs produce a significant return on investment because of reduced employee turnover and increased productivity. Studies show that workplace programs cost only \$22 to \$50 per employee, compared with the estimated \$640 in annual work force costs incurred by each untreated drug abuser (Keeping Score: What We Are Getting for Our Federal Drug Control Dollars, 1995, Drug Strategies, 1995).



## ONLINE DRUG-RELATED RESOURCES

This is a list of drug-related information resources that are available on the World Wide Web (WWW) and Gopher Servers.

### <http://www.jointogether.org>

This is a resource center and meeting place for communities working to reduce the harms associated with the use of illicit drugs, excessive alcohol and tobacco.

### <http://www.health.org/prevdef.htm>

The National Clearinghouse for Alcohol and Drug Information's PREVline is an electronic communication system dedicated to exchanging ideas and information concerning alcohol, tobacco and illicit drug problem prevention. Home pages of federal agencies and services, clearinghouses and other related online services can be accessed through PREVline or directly through the following addresses:

Department of Health and Human Services is the principal agency for protecting the health of all Americans and providing essential human services, especially for those who are least able to help themselves.

[www.os.dhhs.gov](http://www.os.dhhs.gov)

Substance Abuse and Mental Health Services Administration's site also provides access to the home pages of the Center for Substance Abuse Treatment (CSAT), Center for Substance Abuse Prevention (CSAP) and Center for Mental Health Services (CMHS).

[www.samhsa.gov](http://www.samhsa.gov)

National Institutes of Health is one of the foremost biomedical research centers and the Federal focal point for biomedical research in the U.S.

[www.nih.gov](http://www.nih.gov)

National Institute on Alcohol Abuse and Alcoholism supports and conducts biomedical research on the causes, consequences, treatment and prevention of alcoholism and alcohol-related problems.

[www.niaaa.nih.gov](http://www.niaaa.nih.gov)

National Institute on Drug Abuse brings the power of science to bear on drug abuse and addiction.

[www.nida.nih.gov](http://www.nida.nih.gov)

National Library of Medicine is the world's largest library dealing with a single scientific/professional topic, carrying over 4.5 million holdings.

[www.nlm.nih.gov](http://www.nlm.nih.gov)

Drug Enforcement Administration enforces the controlled substances laws and regulations of the U.S.

[www.usdoj.gov/dea/deahome.html](http://www.usdoj.gov/dea/deahome.html)

Indian Health Service is an agency of the PHHS providing health care to American Indians and Alaska Natives.

[www.tucson.ih.gov](http://www.tucson.ih.gov)

Office of National Drug Control Policy (ONDCP) Drugs and Crime Clearinghouse specializes in disseminating information on drug-use trends, drug-related crime issues and national drug-control policy.

**[www.ncjrs.org](http://www.ncjrs.org)**

The Center for Substance Abuse Research (CESAR at the University of Maryland, College Park) collects, analyzes and disseminates information on the nature and extent of substance abuse and related problems in Maryland and nationally.

**[www.bsos.umd.edu/cesar/cesar.html](http://www.bsos.umd.edu/cesar/cesar.html)**

Hazelden is a non-profit organization providing high-quality, affordable rehabilitation, education, prevention and professional services and publications relating to chemical dependency and related disorders.

**[www.hazelden.org](http://www.hazelden.org)**

Mothers Against Drunk Driving (MADD) is a non-profit organization that aims to stop drunk driving and to support the victims of this violent crime.

**[www.gran-net.com/madd/madd.htm](http://www.gran-net.com/madd/madd.htm)**

Indiana Prevention Resource Center is a statewide clearinghouse for technical assistance on prevention and information about alcohol, tobacco and other drugs.

**[www.drugs.indiana.edu](http://www.drugs.indiana.edu)**

Wisconsin Clearinghouse for Prevention Resources is part of the University Health Services at the University of Wisconsin-Madison providing educational materials and training information.

**[danenet.wicip.org/wisclearhouse](http://danenet.wicip.org/wisclearhouse)**

#### **Gopher Server:**

The Robert Wood Johnson Foundation is the nation's largest philanthropy devoted to health care.

**[gopher.rwjf.org:45001](http://gopher.rwjf.org:45001)**

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

Proclaiming September, 1996 as ) PROCLAMATION  
TREATMENT WORKS! Month in ) 96-161  
Multnomah County, Oregon )

WHEREAS, the National Coalition on Alcohol and Other Drug Issues and the Center for Substance Abuse Treatment of the Substance Abuse and Mental Health Services Administration, United States Department of Health and Human Services, have named September "TREATMENT WORKS!" month; and

WHEREAS, the disease of alcoholism and drug dependence is America's most serious health problem, affecting millions of families and every community throughout the nation in a myriad of painful and costly ways; and

WHEREAS, naming this month as "TREATMENT WORKS!" month offers advocates of alcohol and drug treatment in Multnomah County an opportunity to educate the public and policy makers about alcoholism, drug dependence and treatment issues, and the social and financial effectiveness of treatment; and

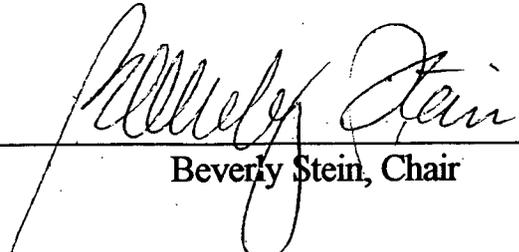
WHEREAS, each year hundreds of health care providers and others in Multnomah County are dedicated to assisting thousands of persons in discovering the rewards of the recovery process; now therefore

The Board of County Commissioners HEREBY PROCLAIMS the month of September, 1996 as "TREATMENT WORKS!" month in Multnomah County, Oregon.

DATED this 12th day of September, 1996.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON



  
Beverly Stein, Chair

MEETING DATE: SEP 12 1996

AGENDA #: R-5

ESTIMATED START TIME: 9:45 Am

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Resolution adopting an insert in the 1996 Property Tax statements explaining the Senior Tax Deferral Program and Real Market Value determinations

BOARD BRIEFING:

DATE REQUESTED:

REQUESTED BY:

AMOUNT OF TIME NEEDED:

REGULAR MEETING:

DATE REQUESTED: September 12, 1996

AMOUNT OF TIME NEEDED: 10 minutes

DEPARTMENT: Non Departmental

DIVISION: Commissioner Saltzman

CONTACT: Cameron

TELEPHONE #: 248-5220

BLDG/ROOM #: 106/1500

PERSON(S) MAKING PRESENTATION: Janice Druian/Assessment and Taxation

ACTION REQUESTED:

INFORMATIONAL ONLY    POLICY DIRECTION    APPROVAL    OTHER

SUGGESTED AGENDA TITLE:

Resolution adopting an insert for the 1996 property tax statements explaining the Senior Tax Deferral Program and Real Market Value determinations.

*9/12/96 postponed indefinitely*  
SIGNATURES REQUIRED:

ELECTED  
OFFICIAL:  
(OR)  
DEPARTMENT  
MANAGER:

*Dan Saltzman*

BOARD OF  
COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
SEP - 5 AM 10: 26

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES  
Any Questions: Call the Office of the Board Clerk 248-3277 or 248-5222

TO: BOARD OF COUNTY COMMISSIONERS  
FROM: CAMERON VAUGHAN TYLER  
DATE: SEPTEMBER 5, 1996  
REQUESTED PLACEMENT DATE: SEPTEMBER 12, 1996

**RE: Adopting an insert for the 1996 property tax statement explaining the Senior Tax Deferral Program and Real Market Value determinations.**

Recommendation/Action Requested: Acceptance of new and easier-to-follow language on how Real Market Value determinations are made, and of the Senior Property Tax Deferral program. The language for both items is included in the body of the resolution.

Background/Analysis: This new language is a direct response to the calls and questions Multnomah County receives from citizens who are unclear on Multnomah County's method of determining the real market value of their homes and property. Also, on the reverse side of the statement insert will be a new, larger print, explanation of how homeowners age 62 and over, and living on an annual income of no more than \$24,000, can defer their property taxes.

Financial Impact: The statement insert will not result in increased postage costs.

Legal Issues: None

Controversial Issues: None

Link to Current County Policies: New language is consistent with Multnomah County's urgent benchmark to increase government accountability and responsiveness.

Citizen Participation: None

Other Government Participation: None



## ***“WHAT DETERMINES PROPERTY VALUE”***

*“On your tax statement, you will find the assessed value of your property. Generally there will be a value for land and improvements. “Improvements” is the term that describes houses, or improvements on the land. Land value includes septic systems, wells, and other site developments (landscaping, etc.).*

*Oregon law requires that property be valued at 100% of “real market value.” This means that the assessor must determine what a willing seller and a willing buyer would agree upon as a fair market price and use this assessment to determine your property's real market value.*

*We use a method called the “market related cost approach” to estimate the value of residential property. Appraisers physically inspect property approximately every six years (or more often if building permits indicate that there have been significant remodeling). Characteristics (# of bathrooms, size of structure, etc.) and quality and condition are noted. These become the basis for estimating the cost to replace the property. Then the subject property is compared to similar properties in similar neighborhoods that have sold recently. This information is used to make the final estimate of real market value.*

*For those not physically appraised, sales of similar properties in similar neighborhoods are reviewed and an adjusted trend is established to bring the property value to 100% of Real Market Value. If similar properties in a similar neighborhood have increased in value by 5%, we trend individual properties in the neighborhood by 5%. If the properties have gone down 7% we decrease the value on all similar properties in the neighborhood by 7%. This is how the office of Assessment and Taxation establishes the real market value of property for each tax year.*

*If you ask yourself, “Could I sell my property for about what the Assessor has on the tax statement?” and the answer is “Yes,” the value is likely at real market value. If your answer is “no,” then you might want to look at recent sales in your neighborhood of similar properties to confirm your belief that our real market value is wrong. If the sales data confirm that our value is too high, then you should appeal the real market value of your property to the citizens who serve on the Board of Equalization. (Instructions on how to appeal are included on the back side of the Important Tax Information included in the envelope with your tax statement.)”*

**"SENIOR CITIZEN'S PROPERTY TAX DEFERRAL PROGRAM INFORMATION"**

*"Seniors, are you 62 years old or older and having trouble paying your property taxes? If the answer is YES, and your income is less than \$24,500 per year, there may be help. You may be eligible for the Senior Citizen Property Tax Deferral, which allows Oregon homeowners age 62 or over to delay paying property taxes on their residences. The taxes must be paid, with interest, when the owner dies, sells the property, moves or changes ownership.*

*IMPORTANT NOTE: This program does not forgive taxes that are currently owed, but defers future tax payments.*

*IF YOU ARE INTERESTED, CALL US AT 248-3326 - AFTER JANUARY 1<sup>ST</sup>*

*An application for the deferral must be filed with the county assessor between January 1 and April 15. Forms and complete information are available from the Multnomah County Office of Assessment and Taxation after January 1<sup>st</sup>.*

*If you are already enrolled in this program you receive a yellow information tax statement which should be retained for your records".*

ADOPTED this 12th day of September, 1996

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

by \_\_\_\_\_  
Beverly Stein, Chair  
Multnomah County, Oregon

Reviewed:

Laurence Kressel, County Counsel  
For Multnomah County, Oregon

by Sandra Duffy  
Sandra Duffy, Deputy County Counsel  
of Multnomah County, Oregon

# SENIORS

# DRAFT

## ARE YOU 62 YEARS OLD OR OLDER AND HAVING TROUBLE PAYING YOUR PROPERTY TAXES?

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ADOPTED this 12th day of September, 1996

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

by \_\_\_\_\_  
Beverly Stein, Chair  
Multnomah County, Oregon

Reviewed:

Laurence Kressel, County Counsel  
For Multnomah County, Oregon

by Sandra K Duffy  
Sandra Duffy, Deputy County Counsel  
of Multnomah County, Oregon

MEETING DATE: September 12, 1996

AGENDA #: R-6

ESTIMATED START TIME: 9:55

(Above Space for Board Clerk's Use ONLY)

**AGENDA PLACEMENT FORM**

SUBJECT: Resolution recognizing National Payroll Week

BOARD BRIEFING: DATE REQUESTED: \_\_\_\_\_  
REQUESTED BY: \_\_\_\_\_  
AMOUNT OF TIME NEEDED: \_\_\_\_\_

REGULAR MEETING: DATE REQUESTED: September 12, 1996  
AMOUNT OF TIME NEEDED: 5 minutes

DEPARTMENT: DSS DIVISION: Finance

CONTACT: Mindy Harris TELEPHONE #: 248-3432  
BLDG/ROOM #: 106/1430

PERSON(S) MAKING PRESENTATION: Mindy Harris

ACTION REQUESTED:

INFORMATIONAL ONLY  POLICY DIRECTION  APPROVAL  OTHER

SUGGESTED AGENDA TITLE:

Resolution in the matter of recognizing September 16-20 as National Payroll Week.

*9/12/96 copies to Mindy Harris*

SIGNATURES REQUIRED:

ELECTED OFFICIAL: *Beverly Stein*  
(OR) DEPARTMENT MANAGER: *Paul Payne*

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
96 SEP -4 PM 3:33

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Office of the Board Clerk 248-3277 or 248-5222



# MULTNOMAH COUNTY, OREGON

## COUNTY COMMISSIONERS

BEVERLY STEIN, CHAIR  
TANYA COLLIER  
GARY HANSEN  
SHARRON KELLEY  
DAN SALTZMAN

DIRECTORS OFFICE  
ACCOUNTS PAYABLE  
GENERAL LEDGER  
PAYROLL  
TREASURY  
LAN ADMINISTRATION

## FINANCE DIVISION

PORTLAND BUILDING  
1120 SW FIFTH AVENUE, SUITE 1430  
PO BOX 14700  
PORTLAND, OR 97214-0700  
PHONE (503)248-3312  
FAX (503) 248-3292  
TDD (503) 248-5170

CENTRAL STORES  
CONTRACTS  
PURCHASING

FORD BUILDING  
2505 SE 11TH  
PORTLAND, OR 97202  
PHONE (503) 248-5111  
FAX (503)248-3252

## MEMORANDUM

TO: Board of County Commissioners

FROM: Mindy Harris, Payroll Manager

DATE: September 4, 1996

SUBJECT: Resolution recognizing National Payroll Week, September 16 - 20, 1996

I. Recommendation / Action: Approval of resolution.

II. Background / Analysis: Payroll departments collected nearly \$880 billion in federal taxes in 1995. These funds are used to support government programs, including many of the programs administered by Multnomah County. The Multnomah County Payroll department collected nearly \$17 million in federal tax and \$9 million in state tax in 1995.

Multnomah County Payroll has been recognized by the Internal Revenue Service as a quality supplier of information.

III. Financial Impact: None.

IV. Legal Issues: None that I am aware of.

V. Controversial Issues: None that I am aware of.

VI. Link to Current County Policy: Linked to the Good Government Benchmark.

VII. Citizen Participation: None.

VIII. Other Government Participation: None.

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

In the matter of Multnomah County	)	
recognizing September 16-20, 1996	)	RESOLUTION
as National Payroll Week	)	96-162

WHEREAS, payroll professionals in the United States of America play a key role in maintaining the nation's economic health, carrying out such diverse tasks as tax withholding, reporting and depositing, paying into the unemployment insurance system and providing information for child support enforcement; and

WHEREAS, payroll departments withhold, report and deposit, on behalf of the federal government alone, nearly \$880 billion in taxes annually; and

WHEREAS, Multnomah County Payroll withholds, deposits, and reports nearly \$26 million on behalf of the federal and state governments; and

WHEREAS, Multnomah County is the recipient of federal and state funds collected by payroll professionals; and

WHEREAS, Multnomah County Payroll has been recognized by the Internal Revenue Service as a quality supplier of information; and

WHEREAS, payroll professionals play an increasingly important role ensuring the economic security of American families by helping to identify non-custodial parents and making sure they comply with their child support mandates; and

WHEREAS, Multnomah County continues to invest in and support programs which strive to improve the overall health and welfare of citizens of the region; and

WHEREAS, payroll professionals meet regularly with federal and state tax officials to discuss both improving compliance with government procedures and how compliance can be achieved at less cost to both government and businesses; and

WHEREAS, September 16-20, 1996, has been proclaimed National Payroll Week.

THEREFORE, BE IT RESOLVED,

1. Multnomah County Board of County Commissioners officially recognizes National Payroll Week in Multnomah County, and

2. Multnomah County Board of County Commissioners officially recognizes the staff of the Multnomah County Payroll Section for providing quality customer service with a professional demeanor, and the staff in each County Department for providing the Payroll Section the information they require to carry out their mission.

Adopted this 12th day of September, 1996.



Board of County Commissioners  
Multnomah County, Oregon

By *Beverly Stein*  
Beverly Stein, Chair

Reviewed by:

*Laurence Kressel*  
Laurence Kressel, County Counsel  
of Multnomah County, Oregon