

Commissioner Judy Shiprack

Multnomah County Oregon

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Portland, Oregon 97214

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MEMORANDUM

TO: Chair Jeff Cogen
Commissioner Deborah Kafoury
Commissioner Loretta Smith
Commissioner Diane McKeel
Clerk of the Board Lynda Grow

FROM: Keith Falkenberg
Staff to Commissioner Judy Shiprack

DATE: January 5, 2011

RE: Excuse Memo for January 20th and 25th.

Commissioner Shiprack will not be able to attend the Board functions on January 20th and 25th. She will be representing Multnomah County at the National Public Safety Coordinating Council.



**MULTNOMAH COUNTY
OREGON**

BOARD OF COMMISSIONERS

Jeff Cogen, Chair

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Diane McKeel, Commission Dist. 4

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Link for on-line agendas and agenda info:

www.co.multnomah.or.us/cc/agenda.shtml

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JAN. 18 & 20, 2011 BOARD MEETINGS HIGHLIGHTS

REVISED

Tues. @ 10a - Informational Board Briefing on the 2011 State Legislative Agenda
Tues @ 11a - Informational Board Briefing on Mental Health & Addictions Services System of Care and Funding Sources
Thur @ 9:30 am - Opportunity for Public Comment on Non-Agenda Matters
Thur @ 10:15 am TIME CERTAIN - PUBLIC HEARING to recommend Denial of OLCC License Applicants
Thur @ 10:30 am - Consider Approving Resolution Regarding "A Healthy Active Multnomah County: It Starts Here" Campaign

Meetings of the Multnomah County Board of Commissioners are held at 501 SE Hawthorne Blvd. most usually in the Commissioners Chamber off of the main lobby, on the first floor.

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Sunday, 11:00 AM Channel 30

(East County Only)

Saturday, 10:00 AM, Channel 29

Tuesday, 8:15 PM, Channel 29

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**MULTNOMAH COUNTY
OREGON**

BOARD OF COMMISSIONERS

Tuesday, January 18, 2011 - 10:00 am
Multnomah Building, Commissioners Board Room 100

BOARD BRIEFINGS

GOVERNMENT RELATIONS – 10:00 am – 11:00 am

- B-1 Informational Board Briefing on the 2011 State Legislative Agenda. Presenters:
Nancy Bennett and Claudia Black, Co-Directors, Government Relations (45-60 min)

NON-DEPARTMENTAL – 11:00 am – 12:00 pm

- B-2 Informational Board Briefing on Mental Health & Addictions Services System of
Care and Funding Sources. Presenters: Kathy Tinkle, DCHS Interim Director;
Karl Brimner, Mental Health Director; Lillian Shirley, Health Dept. Director; and
Scott Taylor, DCJ Director



BOARD OF COMMISSIONERS

REVISED

Thursday, January 20, 2011 - 9:30 am
Multnomah Building, Commissioners Board Room 100

REGULAR MEETING

CONSENT CALENDAR - 9:30 am

- C-1 BUDGET MODIFICATION # DCJ-10 Reclasses a 1.00 FTE Office Assistant Senior to a Records Technician in the Adult Services Division, as Determined by the Class/Comp Unit of Central Human Resources
- C-2 BUDGET MODIFICATION # NOND-11, Reclassifying One Position in Information Technology

REGULAR AGENDA

PUBLIC COMMENT - 9:30 am

Opportunity for Public Comment on non-agenda matters. Testimony limited to three minutes per person unless otherwise designated by the presiding officer. This is a time for the Board to hear public testimony, not for Board deliberation. Fill out a yellow speaker form available at the back of the Boardroom and give it to the Board Clerk. Unless otherwise recognized by the presiding officer, testimony is taken in the order the forms are submitted.

COMMUNITY SERVICES – 9:30 am

- R-1 Intergovernmental Agreement (IGA) with Oregon Department of Environmental Quality (DEQ) for Construction Activities Covered by NPDES 1200-C. Presenter: Chuck Beasley, Senior Planner - LUP (5 min)
- R-2 NOTICE OF INTENT to Apply for Grant Money Under the Help America Vote Act (HAVA) Through the Oregon Secretary of State for ADA Upgrades to the Multnomah County Elections Building. Presenter: Tim Scott, Director of Elections (5 min)

NON-DEPARTMENTAL – 9:40 am

- R-3 RESOLUTION Outlining Interim Designation for Commissioner Loretta J Smith. Presenter: Henry H. Lazenby, Jr., County Attorney (5 min)

GOVERNMENT RELATIONS – 9:45 am

- R-4 RESOLUTION Adopting the 2011 Legislative Agenda. Presenters: Nancy Bennett and Claudia Black, Co-Directors of Government Relations



BOARD OF COMMISSIONERS

REVISED

SHERIFF'S OFFICE – 10:15 am – TIME CERTAIN

- R-5 PUBLIC HEARING to recommend Denial of OLCC License Applicants (30 min)
- R-5.1 Big Bear's Crown Point Market – REVISED – Recommend Favorable
 - R-5.2 Bottoms Up Tavern – REVISED – Recommend Favorable
 - R-5.3 Corbett Country Market – REVISED – Recommend Favorable
 - R-5.4 Fred's Marina – REVISED – Recommend Favorable
 - R-5.5 Springdale Pub – REVISED – Recommend Favorable
 - R-5.6 Tenley Jackpot Foodmart – Continue Recommendation Unfavorable

BOARD COMMENTS

NON-DEPARTMENTAL – 10:30 am

- R-6 Consider Approving Resolution Regarding "A Healthy Active Multnomah County: It Starts Here" Campaign. Sponsor: Chair Cogen. Presenters: Sonia Manhas, Program Manager; David Hudson, Program Supervisor; Alejandro Queral, Program Supervisor; Emma Sirois, Program Director, Health Care Without Harm Program, Oregon Physicians for Social Responsibility; and Kelly Schweiger, KGW Media Group (30 min) (Refreshments to follow in Room 112)

ADJOURNMENT



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 08/02/10)

Board Clerk Use Only

Meeting Date: 1/18/11
Agenda Item #: B-1
Est. Start Time: 10:00 am
Date Submitted: 1/11/11

Agenda Title: **Informational Board Briefing on the 2011 State Legislative Agenda**

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

Requested Meeting Date: January 18, 2011 **Amount of Time Needed:** 45 minutes-1 hour
Department: Government Relations **Division:** _____
Contact(s): Nancy Bennett
Phone: (503) 988-5895 **Ext.** _____ **I/O Address:** _____
Presenter Name(s) & Title(s): Nancy Bennett, Co-Director of Government Relations
Claudia Black, Co-Director of Government Relations

General Information

- What action are you requesting from the Board?**
Informational Board briefing.
- Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.**
This briefing will include an overview of the 2011 State Legislature, expected budget issues, and our recommendations for the 2011 Multnomah County Legislative Agenda.
- Explain the fiscal impact (current year and ongoing).**
.None
- Explain any legal and/or policy issues involved.**
None
- Explain any citizen and/or other government participation that has or will take place.**
We have received input from county departments and commission offices key policy issues to include in the proposed legislative agenda.

Required Signature

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

Date: _____

Briefing Materials for BCC Meeting B-1 on 1-18-11



DRAFT

MULTNOMAH COUNTY STATE LEGISLATIVE AGENDA 2011

Counties across Oregon are facing an unprecedented challenge to provide core public services during this economic crisis and we recognize that this task will become even more difficult in the months ahead as the State grapples with a \$3.5 billion deficit for the 2011-13 biennium. This is a challenge we must address together. Our ability to provide services – everything from public safety to health care to roads and bridge maintenance – affects the economic vitality of our region and state. Our 2011 legislative agenda reflects our determination to work in partnership with state leaders to find new and more efficient ways to deliver services and seek opportunities and tools to solve problems at the local level.

LEGISLATIVE PRIORITIES 2011

Public Safety

Our Public Safety System includes the Sheriff's Office, District Attorney, and Department of Community Justice. We are responsible for the successful reentry of adult offenders, juvenile crime prevention, patrol, the county jail system, and prosecution. Nearly 50% of our county general fund budget is spent on public safety.

- **Corrections:** Support strategies for reducing the cost of corrections in Oregon. Promote, with adequate funding, effective supervision in local communities.
- **Gang Intervention:** Preserve and enhance funding for critical gang intervention programs, including the East Multnomah County Gang Enforcement Program. This program has a big impact on surrounding counties and those in the I-5 corridor.
- **Juvenile Services.** Preserve state funding for Multnomah County to safely manage juvenile offenders in the local community and increase access to residential placements.
- **Pre-trial Services:** Oppose legislation to reinstate the bail bonds industry in Oregon, which would weaken public safety and the pre-trial service system.

- **Human Trafficking.** Support efforts to prevent victimization of children and provide support services for children who have been victimized.
- **Court facilities.** Support the creation of a court facility construction account as part of legislation to reform civil filing fees. Courthouses throughout the state are in dire need of repair or replacement. Rather than depending upon State General Funds, those who use the facilities will help pay the costs.

Health and Human Services

We are the public health and mental health authority and are responsible for providing a broad range of safety net services for our community. This includes early childhood services, mental health, alcohol and drug treatment, disease prevention, and services to help seniors and the disabled to live independently. We operate seven health clinics and thirteen school based health centers. We are responsible for disease prevention and immunization services.

- **Seniors and People with Disabilities.** Support updated workload methodology to ensure adequate funding for case management. Currently, counties are only paid 90% of the state cost and are not funded for the full caseload. Support changes to the Senior/Medical Tax Deduction to help fund Aging and Disability Resource Centers.
- **Health Care Integration.** Work with state leaders on efforts to integrate and coordinate the delivery of physical and mental health care, oral care, long-term care and community “wrap-around” services. Coordinating these services will ultimately lower costs and improve the health of the community.
- **Affordable Housing.** Maintain document recording fee resources for affordable housing. Increase funding for the Emergency Housing Account to expand capacity to address homelessness. Support programs that increase opportunities for affordable housing.

Community Services

We provide essential services like road and bridge maintenance, land use and transportation planning, elections, and animal shelters.

- **Elections.**
 - Support the Government Efficiency Task Force recommendations to eliminate precinct committee person elections.
 - Monitor reform efforts that move the registration deadline to a date closer to the election.

- **Transportation.** Support appropriate updates to HB 2001 and ensure that revenues are maintained for the Sellwood Bridge project.

Revenue Stability

At a time when State General Fund dollars are limited, local governments needs more tools to solve problems at the local level.

- **Lift Preemptions.** Support legislation to lift preemptions and other restrictions on local government, including the preemption on local tobacco taxes. This will allow counties to address local problems at the local level without the use of State General Fund dollars.
- **Shared state revenue.** Preserve counties' share of state liquor, lottery and tobacco revenues, which help fund local public safety, health and other essential services.

Briefing Materials for
BCC Meeting
B-1 on 1-18-11

Briefing: 2011 State Legislative Agenda

Government Relations Office

Lay of the Land

- ▶ Democratic Governor
- ▶ House: evenly divided with a Co-Leadership Structure
- ▶ Senate: closely divided with a Democratic edge

Lay of the Land: Senate

- ▶ 16 Democrats/14 Republicans
- ▶ Peter Courtney, President
- ▶ Diane Rosenbaum, Majority Leader
- ▶ Ted Ferrioli, Republican Leader
- ▶ Even R and D membership of Senate Revenue Committee

Lay of the Land: House

- 30 Democrats/30 Republicans
- Arnie Roblan/Bruce Hanna – Co-Speakers
- Dave Hunt, Democratic Leader
- Kevin Cameron, Republican Leader
- Co-Leadership of all House Committees

State Budget



- ▶ Governor's Recommended Budget will be released on February 1, 2011
- ▶ \$3.5 billion anticipated shortfall—2011-13 Biennium
 - Save \$2.8 billion if Public Safety and Courts were completely eliminated
- ▶ No support for revenue bills

State Budget for 2011-13

- ▶ Budget for 2009-11 minus the stimulus \$ and other one-time funds along with a huge caseload increase
- ▶ Governor's priorities:
 - Set clear priorities
 - Overhaul state government to deliver on priorities
 - Stay the course, but focus on the future

House Bills: Committee Action

- ▶ Committee action on a bill requires:
 - Agreement of Co-Chairs or
 - Written request of at least two committee members of each party
- ▶ Each Co-Chair can schedule a public hearing on one bill without the consent of the other Co-Chair
- ▶ Withdrawing a bill from a committee (when the Co-Chairs or at least two committee members from each party are not in agreement) requires a petition signed by at least 31 House members

2011 Legislative Agenda

THEMES

- ▶ Reflect our core areas of responsibility
- ▶ Look for common themes with other counties
- ▶ Seek partnerships with state leaders
- ▶ Reflect fiscal realities of the state

Health and Human Services

- ▶ Seniors and People with Disabilities
 - Adequate funding for case management
 - Resources for seniors
- ▶ Health Care Integration
 - Opportunity/Challenge for major reform
- ▶ Affordable Housing

Public Safety

Nearly 50% of County General Fund budget is spent on public safety

- ▶ Corrections
- ▶ Gang Funding
- ▶ Juvenile Services
- ▶ Bail Bonds
- ▶ Human Trafficking
- ▶ Court Facilities

Community Services

► Elections

- Support Gov't Efficiency Task Force
- Monitor reform bills on voter registration

► Transportation

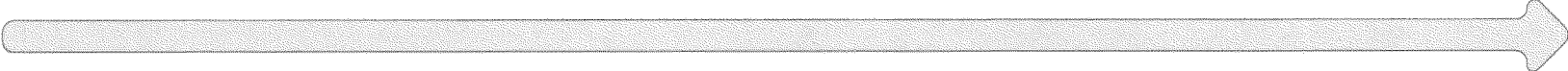
- Support necessary updates to HB 2001

Revenue Stability

- Lift Local Preemptions
- Protect Shared State Revenue
 - Tobacco
 - Liquor
 - Lottery



System of Care



Prevention & Early Intervention

Mental Health & Addiction:

- Early Childhood Intervention
- Bienestar Services
- Alcohol and Drug Prevention for Children and Families
- Oregon Partnership Community Media Campaign
- Early Assessment & Support Alliance
- Gambling Prevention

Community-Based Treatment

Mental Health

- Children and Families Outpatient Treatment
- School-Based Mental Health
- Youth Addiction Treatment
- Sexual Offense Abuse Prevention
- Adult Outpatient Treatment
- Supported Employment
- Adult Addiction Treatment
- Gambling Treatment
- Supportive Housing
- Post Detoxification Housing

Health Dept:

- Corrections Health
- Primary Care Clinics
- School Based Health Clinics

Intensive/Residential Treatment

- Mental Health Residential for Children
- Mental Health Residential & Transitional Housing for Adults
- Youth Addiction Treatment
- Adult Addictions Treatment

Safety Net/Crisis Services

Mental Health:

- Protective Services
- Diversion and Mental Health Court
- Protective Services
- Crisis Call Center
- Urgent Walk-in Clinic
- Mobile Crisis Outreach
- Involuntary Commitment Services
- Detoxification
- Sobering

Health Department:

- Forty-four percent of all the inmates in custody are taking medications to manage their mental illness.
- More than 500 inmates per month are receiving psychotherapeutic medications at a cost of more than \$73,000 per month.

DCHS MHASD

Level 1 Reductions

State General Fund/Non-OHP: Mental Health

Level of System of Care:	Child & Family Services:	Potential Impact:	
Prevention & Community-Based Treatment	Early Childhood 25067	10% reduction	\$125,000
	School-Based Services 25075		
	Wraparound 25068		
	Outpatient Treatment 25067		
Level of System of Care:	Adult Services:	Potential Impact:	
Community-Based Treatment	EASA 25064	13% reduction	\$875,000
	Coordinated Diversion 25088		
Intensive/Residential	MH Residential/Transitional Housing 25060		
	Commitment Services 25058		
Crisis/Safety Net	Call Center 25055	8% reduction	\$277,000
	Mobile Crisis 25055		
	Walk-in clinic 25055		
	Acute Psychiatric Care- Emergency Holds 25058	10% reduction	\$264,000

Level 1 Reductions

OHP: Verity

Level of System of Care: Intensive/Residential	Children's Mental Health Sub-Acute and Residential for Verity Children 25057	Potential Impact: Determined by cuts to OHP prioritized list, reductions in state hospital beds, changes in rates paid to mental health organizations (Verity).
Crisis Services	Inpatient for Verity Children 25057	

Level of System of Care: Community-Based Treatment	Adult Mental Health Adult Outpatient Treatment 25062	Potential Impact: Determined by cuts to OHP prioritized list, reductions in state hospital beds, changes in rates paid to mental health organizations (Verity).
Crisis/Intensive/Safety Net	Inpatient and Respite for Verity Adults 25062	
	Call Center 25055	
	Mobile Crisis 25055	
	Walk-in Clinic 25055	

Multnomah County Health Department

Level of System of Care:	Adult and Children's Mental Health	Potential Impact:	
Prevention & Community-Based Treatment	Primary Care Clinics 40019-40026 and 40029		
Prevention & Community-Based Treatment	School Based Health Clinics 40024	10% -50% reduction	\$50,000-250,000
Community Based Treatment	Corrections Health 40049, 40050, and 40051		

Level 2 Reductions

State General Fund/Non-OHP: Mental Health

Level of System of Care:	Child & Family Services:	Potential Impact:	
Prevention & Community-Based Treatment	Early Childhood 25067	Additional 3% (+10% reduction)= 13%	This reduction \$38,000
	School-Based Services 25075		Cumulative
	Wrap-Around 25068		\$163,000
	Outpatient Treatment 25067		

Level of System of Care:	Adult Services:	Potential Impact:	
Community-Based Treatment	EASA 25064	Additional 3.6% (+13% reduction)=16.6%	This reduction \$242,000
	Coordinated Diversion 25088		Cumulative \$1,117,000
Intensive/Residential	MH Residential/Transitional Housing 25060	Additional 2.3% (+8% reduction)=10.3%	
	Commitment Services 25058		
Crisis/Safety Net	Call Center 25055		This reduction \$80,000
	Mobile Crisis 25055	Additional 2.8% (+10% reduction)=10.8%	Cumulative \$344,000
	Walk-in clinic 25055		
	Acute Psychiatric Care- Emergency Holds 25058		This reduction \$74,000 Cumulative \$338,000

Level 2 Reductions

OHP: Verity

Level of System of Care:	Children's Mental Health	Potential Impact:
Residential	Residential for Children & Families	Determined by cuts to OHP prioritized list, reductions in state hospital beds, changes in rates paid to mental health organizations (Verity).
Crisis Services	Inpatient & Sub-Acute for Verity Children & Families	

Level of System of Care:	Adult Mental Health	Potential Impact:
Community-Based Treatment	Adult Outpatient Treatment	Determined by cuts to OHP prioritized list, reductions in state hospital beds, changes in rates paid to mental health organizations (Verity).
Crisis/Safety Net	Inpatient & Respite for Verity Adults	
	Call Center 25055	
	Mobile Crisis 25055	
	Walk-in Clinic 25055	

Level 3 Reductions

State General Fund/Non-OHP: Mental Health

Level of System of Care:	Adult Services:	Potential Impact:	
Community-Based Treatment	EASA 25064	Additional 42% (+ previous 16.6%)= 58.6% reduction	This reduction \$2,827,000 Cumulative \$3,945,000
	Coordinated Diversion 25088		
Intensive/Residential	MH Residential Transitional Housing 25060		
	Commitment Services 25058		

OHP: Verity Children & Family

Level of System of Care:	Potential Impact:
Community-Based Treatment	Oregon Health Plan prioritized list will be reduced. Verity would not be able to pay for treatment of some mental health diagnoses, including depression. All mental health services for children enrolled in Verity will be impacted.
Intensive/Residential	
Crisis Services	

OHP: Verity Adults

Level of System of Care:	Potential Impact:
Community-Based Treatment	Oregon Health Plan prioritized list will be reduced. Verity would not be able to pay for treatment of some mental health diagnoses, including depression. All mental health services for children enrolled in Verity will be impacted.
Intensive /Residential	
Crisis/Safety Net	

Level 4 Reductions

State General Fund/Non-OHP: Mental Health

Level of System of Care:	Child & Family Services:	Potential Impact:	
Prevention & Community-Based Treatment	Early Childhood 25067	Additional 34.23% (+13% reduction)=	This reduction \$428,000
	School-Based Services 25075	47.23% reduction	Cumulative \$591,000
	Wraparound 25068		
	Outpatient Treatment 25067		After reductions \$692,000

Level of System of Care:	Adult Services:	Potential Impact:	
Crisis/Safety Net	Acute Psychiatric Care- Emergency Holds 25058	Additional 32.6% (+ previous 10.8%)= 33.4% Despite reductions county would remain fiscally responsible as the payor of last resort	This reduction \$861,000 Cumulative \$1,199,000 After reductions \$1,504,000
	Call Center 25055	Additional 34% (+ previous 10.3%) = 44.3%	This reduction \$1,176,000
	Mobile Crisis 25055		Cumulative \$1,519,000
	Walk-in Clinic 25055		After reductions \$2,042,000

Level 4 Reductions

OHP: Verity Children & Family

Level of System of Care:	Potential Impact:
Community-Based Treatment	Outpatient mental health benefit for OHP enrollees is eliminated. Only inpatient hospitalization remains in the OHP benefit package
Intensive/Residential	
Crisis Services	

OHP: Verity Adults

Level of System of Care:	Potential Impact:
Community-Based Treatment	Outpatient mental health benefit for OHP enrollees is eliminated. Only inpatient hospitalization remains in the OHP benefit package.

DCHS Addiction Services

Level 1 Reductions

Reduction:		Potential Impact:
Eliminates Treatment Enhancement Dollars	Family & Youth Addictions Treatment Continuum 25094A	<div>\$139,000</div> 100% reduction of SE60 which supports and augments services in these 3 programs
	Family Involvement Team 25098	
	Adult Addictions Continuum 25080	
Reduces Continuum of Care	Family & Youth Addictions Treatment Continuum 25094	<div>\$467,000</div> 10% reduction of SE66 which supports these 4 programs
	Family Involvement Team 25098	
	Adult Addictions Continuum 25080	
	Addictions Detoxification & Post Detoxification Housing 25090A	

Level 2 Reductions

Reduction:		Potential Impact:
Alcohol and drug treatment services for non-OHP youth and adults	Family & Youth Addictions Treatment Continuum 25094	<div>\$2,629,000</div> 25% reduction
	Adult Addictions Continuum 25080	

DCHS Addiction Services

Level 3 Reductions

Reduction:		Potential Impact:
Intensive Treatment and Recovery Services dollars eliminated	Family Involvement Team 25098	<div>\$972,000</div> 100% reduction of ITRS dollars which augment FIT, resulting in about a 50% reduction in the program overall.

DCJ Juvenile Addiction Services

Reductions

Reduction:		Potential Impact:	
Due to flexibility of funding we can adjust the allocation of resources based on the # of clients and the needs of the community we serve.	DCJ Juvenile Services Management 50007	5%	\$ 8,346
	Juvenile Secure Residential A&D Treatment (RAD) 50020	15%	\$25,038
		25%	\$41,730
		(% of state funding only – based on current allocation of funds)	

DCJ Juvenile Mental Health Services

Reductions

Reduction:		Potential Impact:	
Due to flexibility of funding we can adjust the allocation of resources based on the # of clients and the needs of the community we serve.	Juvenile Probation Service for Young Women 50016	5%	\$52,083
	Juvenile Assessment & Treatment for Youth & Families (ATYF) 50022	15%	\$156,250
		25%	\$260,417
		(% of state funding only – based on current allocation of funds)	

DCJ Adult Addiction Services

Reductions

Reduction:		Potential Impact:	
Due to flexibility of funding we can adjust the allocation of resources based on the # of clients and the needs of the community we serve.	DCJ Employee, Community & Clinical Svcs 50002	5%	\$124,195
	Adult Re-Entry Enhancement Coordination Grant 50031	15%	\$372,585
	Addiction Services-Adult Offender Outpatient 50036	25%	\$620,976
	Addiction Services-Adult Offender Residential Treatment 50037	(% of state funding only – based on current allocation of funds)	
	Addiction Services-Adult Women's Residential Treatment 50038		
	Adult Property Crimes Programs 50045		
	Addiction Services-Adult Drug Court Program 50054		
	Adult Prostitution Alternatives Program 50055		
	Adult Chronic Offender Program-City Funding 50056		
	All DCJ drug testing (kits and lab svcs) various offers		

DCJ Adult Mental Health

Reductions

Reduction:		Potential Impact:	
Due to flexibility of funding we can adjust the allocation of resources based on the # of clients and the needs of the community we serve.	Adult Field Services-High Risk Generic Supervision 50032	5%	\$ 4,981
	Adult Offender Mental Health Services 50034	15%	\$14,943
	Adult Sex Offender Supervision & Treatment 50039	25%	\$24,906
	Adult Domestic Violence Supervision 50040	(% of state funding only – based on current allocation of funds)	



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 08/02/10)

Board Clerk Use Only

Meeting Date: 1/18/11
Agenda Item #: B-2
Est. Start Time: 11:00 am

Agenda Title: **Informational Board Briefing on Mental Health & Addictions Services System of Care and Funding Sources**

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

Requested Meeting Date: 1/18/11 Amount of Time Needed: 1 hour
Department: Non-Department Division: District 1
Contact(s): Beckie Lee
Phone: 988-6796 Ext. 86796 I/O Address: 503/6th
Presenter Name(s) & Title(s): Kathy Tinkle, Karl Brimner, Lillian Shirley, Scott Taylor

General Information

1. What action are you requesting from the Board?
Informational Board briefing.
2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The County has a variety of systems of care that are funded with a mix of state, general, and federal funds. In preparation for the 2011 Legislative Session and the FY11-12 Budget, the Board is requesting a set of worksessions that focus on the systems of care and their funding streams. The Board should be able to walk away from these worksessions with an understanding of systems of care including what programs are state funded and where and how county funding is used. In addition, the Board should have a good understanding of how and where these systems are vulnerable to state cuts.

3. Explain the fiscal impact (current year and ongoing).
None.
4. Explain any legal and/or policy issues involved.
None.

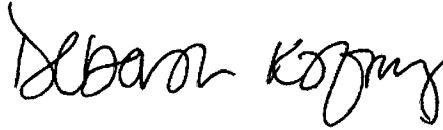
Agenda Placement Request
Submit to Board Clerk

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

None.

Required Signature

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



Date: 12/30/10

System of Care

Prevention & Early Intervention

Mental Health & Addiction:

- Early Childhood Intervention
- Bienestar Services
- Alcohol and Drug Prevention for Children and Families
- Oregon Partnership Community Media Campaign
- Early Assessment & Support Alliance
- Gambling Prevention

Community-Based Treatment

Mental Health

- Children and Families Outpatient Treatment
 - School-Based Mental Health
 - Youth Addiction Treatment
 - Sexual Offense Abuse Prevention
 - Adult Outpatient Treatment
 - Supported Employment
 - Adult Addiction Treatment
 - Gambling Treatment
 - Supportive Housing
 - Post Detoxification Housing
- Health Dept:
- Corrections Health
 - Primary Care Clinics
 - School Based Health Clinics

Intensive/Residential Treatment

- Mental Health Residential for Children
- Mental Health Residential & Transitional Housing for Adults
- Youth Addiction Treatment
- Adult Addictions Treatment

Safety Net/Crisis Services

Mental Health:

- Protective Services
- Diversion and Mental Health Court
- Protective Services
- Crisis Call Center
- Urgent Walk-in Clinic
- Mobile Crisis Outreach
- Involuntary Commitment Services
- Detoxification
- Sobering

Health Department:

- Forty-four percent of all the inmates in custody are taking medications to manage their mental illness.
- More than 500 inmates per month are receiving psychotherapeutic medications at a cost of more than \$73,000 per month.

DCHS MHASD

Level 1 Reductions

State General Fund/Non-OHP: Mental Health

Level of System of Care:	Child & Family Services:	Potential Impact:	
Prevention & Community-Based Treatment	Early Childhood 25067	10% reduction	\$125,000
	School-Based Services 25075		
	Wraparound 25068		
	Outpatient Treatment 25067		
Level of System of Care:	Adult Services:	Potential Impact:	
Community-Based Treatment	EASA 25064	13% reduction	\$875,000
	Coordinated Diversion 25088		
Intensive/Residential	MH Residential/Transitional Housing 25060		
	Commitment Services 25058		
Crisis/Safety Net	Call Center 25055	8% reduction	\$277,000
	Mobile Crisis 25055		
	Walk-in clinic 25055		
	Acute Psychiatric Care- Emergency Holds 25058	10% reduction	\$264,000

Level 1 Reductions

OHP: Verity

Level of System of Care:	Children's Mental Health	Potential Impact:
Intensive/Residential	Sub-Acute and Residential for Verity Children 25057	Determined by cuts to OHP prioritized list, reductions in state hospital beds, changes in rates paid to mental health organizations (Verity).
Crisis Services	Inpatient for Verity Children 25057	

Level of System of Care:	Adult Mental Health	Potential Impact:
Community-Based Treatment	Adult Outpatient Treatment 25062	Determined by cuts to OHP prioritized list, reductions in state hospital beds, changes in rates paid to mental health organizations (Verity).
Crisis/Intensive/Safety Net	Inpatient and Respite for Verity Adults 25062	
	Call Center 25055	
	Mobile Crisis 25055	
	Walk-in Clinic 25055	

Multnomah County Health Department

Level of System of Care:	Adult and Children's Mental Health	Potential Impact:	
Prevention & Community-Based Treatment	Primary Care Clinics 40019-40026 and 40029		
Prevention & Community-Based Treatment	School Based Health Clinics 40024	10% -50% reduction	\$50,000-250,000
Community Based Treatment	Corrections Health 40049, 40050, and 40051		

Level 2 Reductions

State General Fund/Non-OHP: Mental Health

Level of System of Care:	Child & Family Services:	Potential Impact:	
Prevention & Community-Based Treatment	Early Childhood 25067	Additional 3% (+10% reduction)= 13%	This reduction \$38,000
	School-Based Services 25075		Cumulative
	Wrap-Around 25068		\$163,000
	Outpatient Treatment 25067		

Level of System of Care:	Adult Services:	Potential Impact:	
Community-Based Treatment	EASA 25064	Additional 3.6% (+13% reduction)=16.6%	This reduction \$242,000
	Coordinated Diversion 25088		Cumulative \$1,117,000
Intensive/Residential	MH Residential/Transitional Housing 25060		
	Commitment Services 25058		
Crisis/Safety Net	Call Center 25055	Additional 2.3% (+8% reduction)=10.3%	This reduction \$80,000
	Mobile Crisis 25055		Cumulative
	Walk-in clinic 25055		\$344,000
	Acute Psychiatric Care- Emergency Holds 25058	Additional 2.8% (+10% reduction)=10.8%	This reduction \$74,000 Cumulative \$338,000

Level 2 Reductions

OHP: Verity

Level of System of Care:	Children's Mental Health	Potential Impact:
Residential	Residential for Children & Families	Determined by cuts to OHP prioritized list, reductions in state hospital beds, changes in rates paid to mental health organizations (Verity).
Crisis Services	Inpatient & Sub-Acute for Verity Children & Families	

Level of System of Care:	Adult Mental Health	Potential Impact:
Community-Based Treatment	Adult Outpatient Treatment	Determined by cuts to OHP prioritized list, reductions in state hospital beds, changes in rates paid to mental health organizations (Verity).
Crisis/Safety Net	Inpatient & Respite for Verity Adults	
	Call Center 25055	
	Mobile Crisis 25055	
	Walk-in Clinic 25055	

Level 3 Reductions

State General Fund/Non-OHP: Mental Health

Level of System of Care:	Adult Services:	Potential Impact:	
Community-Based Treatment	EASA 25064	Additional 42% (+ previous 16.6%)= 58.6% reduction	This reduction \$2,827,000 Cumulative \$3,945,000
	Coordinated Diversion 25088		
Intensive/Residential	MH Residential Transitional Housing 25060		
	Commitment Services 25058		

OHP: Verity Children & Family

Level of System of Care:	Potential Impact:
Community-Based Treatment	Oregon Health Plan prioritized list will be reduced. Verity would not be able to pay for treatment of some mental health diagnoses, including depression. All mental health services for children enrolled in Verity will be impacted.
Intensive/Residential	
Crisis Services	

OHP: Verity Adults

Level of System of Care:	Potential Impact:
Community-Based Treatment	Oregon Health Plan prioritized list will be reduced. Verity would not be able to pay for treatment of some mental health diagnoses, including depression. All mental health services for children enrolled in Verity will be impacted.
Intensive /Residential	
Crisis/Safety Net	

Level 4 Reductions

State General Fund/Non-OHP: Mental Health

Level of System of Care:	Child & Family Services:	Potential Impact:	
Prevention & Community-Based Treatment	Early Childhood 25067	Additional 34.23% (+13% reduction)=	This reduction \$428,000
	School-Based Services 25075	47.23% reduction	Cumulative \$591,000
	Wraparound 25068		
	Outpatient Treatment 25067		After reductions \$692,000

Level of System of Care:	Adult Services:	Potential Impact:	
Crisis/Safety Net	Acute Psychiatric Care- Emergency Holds 25058	Additional 32.6% (+ previous 10.8%)= 33.4% Despite reductions county would remain fiscally responsible as the payor of last resort	This reduction \$861,000 Cumulative \$1,199,000 After reductions \$1,504,000
	Call Center 25055	Additional 34% (+ previous 10.3%) = 44.3%	This reduction \$1,176,000
	Mobile Crisis 25055		Cumulative \$1,519,000
	Walk-in Clinic 25055		After reductions \$2,042,000

Level 4 Reductions

OHP: Verity Children & Family

Level of System of Care:	Potential Impact:
Community-Based Treatment	Outpatient mental health benefit for OHP enrollees is eliminated. Only inpatient hospitalization remains in the OHP benefit package
Intensive/Residential	
Crisis Services	

OHP: Verity Adults

Level of System of Care:	Potential Impact:
Community-Based Treatment	Outpatient mental health benefit for OHP enrollees is eliminated. Only inpatient hospitalization remains in the OHP benefit package.

DCHS Addiction Services

Level 1 Reductions

Reduction:		Potential Impact:
Eliminates Treatment Enhancement Dollars	Family & Youth Addictions Treatment Continuum 25094A	100% reduction of SE60 which supports and augments services in these 3 programs
	Family Involvement Team 25098	
	Adult Addictions Continuum 25080	
Reduces Continuum of Care	Family & Youth Addictions Treatment Continuum 25094	10% reduction of SE66 which supports these 4 programs
	Family Involvement Team 25098	
	Adult Addictions Continuum 25080	
	Addictions Detoxification & Post Detoxification Housing 25090A	

Level 2 Reductions

Reduction:		Potential Impact:
Alcohol and drug treatment services for non-OHP youth and adults	Family & Youth Addictions Treatment Continuum 25094	25% reduction
	Adult Addictions Continuum 25080	

Level 3 Reductions

Reduction:		Potential Impact:
Intensive Treatment and Recovery Services dollars eliminated	Family Involvement Team 25098	<div>\$972,000</div> 100% reduction of ITRS dollars which augment FIT, resulting in about a 50% reduction in the program overall.

Mental Health Board Briefing
FY11 Program Offers - Summary

							Program Revenue Source Revenue resources for Community Justice differ from DCHS and DOH (Listed amounts are portions of the offers related to MH and Addictions)							
PO Number	Program Offer Name	Prevention & Early Intervention	Community Based Treatment	Intensive/Residential Treatment	Safety Net/Crisis Services	Program Description	Total Expenditures	CGF	CGF Match	State & Fed	Other Intergov	Fund 1516	Total	Most at Risk of State General Fund Reduction
DEPARTMENT OF COMMUNITY JUSTICE														
50002	DCJ Employee, Community & Clinical Svcs		x	x		One grant funded position acts as a clearinghouse for referrals to residential treatment. This assures that DCJ is providing treatment services for the highest risk adult offenders. The position also is a liaison between the treatment community and corrections.	113,001			113,001			113,001	DCJ has some flexibility in the allocation of state funding.
50007	DCJ Juvenile Services Management		x	x		One position assists all Juvenile Counselors with securing appropriate alcohol and drug treatment and reduce barriers that may exist getting high risk delinquent youth into appropriate community based treatment. In addition, this position coordinates re-entry services for youth returning to the community from residential secure treatment. This requires community networking and creativity to assure youth get the assistance they need to address their addiction issues.	79,279	79,279					79,279	
50016	Juvenile Probation Service for Young Women		x			One position within this program offer works closely with County Human Services to coordinate wrap-around resources for high risk delinquent youth receiving mental health services.	99,098	99,098					99,098	
50020	Juvenile Secure Residential A&D Treatment (RAD)				x	The Residential Alcohol and Drug (RAD) Program is an 18 bed secure treatment program for high risk probation youth with serious drug and alcohol abuse, chronic offending behaviors, and mental health issues. RAD is a "last chance" resource for youth who have been unsuccessful in community-based treatment and are facing commitment to a youth correctional facility. The average length of stay is 110 days and approximately 85 youth are served each year.	564,840	29,139		166,921	368,780		564,840	DCJ has some flexibility in the allocation of state funding.
50022	Juvenile Assessment & Treatment for Youth & Families (ATYF)				x	Assessment and Treatment for Youth and Families (ATYF) is a unique public safety program serving medium and high risk probation youth with substance abuse, mental health and/or behavioral problems who cannot be effectively treated in community-based programs because of severe delinquency. ATYF provides clinical assessments and outpatient treatment to 200 probationers per year. In conjunction with these services, this program also provides mental health care coordination and intervention to over 300 detained youth each year.	1,442,354	235,687		1,041,667	165,000		1,442,354	DCJ has some flexibility in the allocation of state funding.
50031	Adult Re-Entry Enhancement Coordination Grant		x	x		The period immediately following release from prison is a particularly high risk time for offenders. This grant funded program was designed to provide reach-in services to individuals in residential prison based alcohol and drug and mental health treatment. Once a person is out of prison, a multi-disciplinary team works together with the client to assist with ongoing recovery. Annual services include: 40 evidence-based outpatient substance abuse and co-occurring treatment slots; 16 alcohol and drug free transitional housing rooms; 3 recovery mentors; and a 1 employment and job development specialist. DCJ staff work closely with community based programs to make this service successful.	934,979			934,979			934,979	DCJ has some flexibility in the allocation of state funding.
50032	Adult Field Services-High Risk Generic Supervision		x			One clinical coordinator supports the Adult Division by providing assessments and consultation to help identify and consult on the most high risk and violent offenders.	156,559	112,903		43,656			156,559	DCJ has some flexibility in the allocation of state funding.

**Revised Materials
for B-2 - 1-18-11
BCC Meeting**

Mental Health Board Briefing
FY11 Program Offers - Summary

PO Number	Program Offer Name	Prevention & Early Intervention	Community Based Treatment	Intensive/Residential Treatment	Safety Net/Crisis Services	Program Description	Total Expenditures	Program Revenue Source Revenue resources for Community Justice differ from DCHS and DOH (Listed amounts are portions of the offers related to MH and Addictions)						Most at Risk of State General Fund Reduction
								CGF	CGF Match	State & Fed	Other Intergov	Fund 1516	Total	
50034	Adult Offender Mental Health Services				x	These services have been developed to assist the PPO's: 1) one contracted staff to conduct mental health evaluations to determine the best way to achieve offender compliance with court orders; 2) three contracted staff to work with 60 offenders, preparing them for community based treatment; 3) one psychiatric nurse practitioner to provide prescribing services for a few clients supervised by PPO's in a specialized mental health unit; 4) fifteen residential beds of treatment for offenders who are severely mentally ill and not been successful in alternate treatment modalities.	1,123,637	1,123,637					1,123,637	
50036	Addiction Services-Adult Offender Outpatient		x			Outpatient treatment is an essential part of the alcohol and drug treatment continuum that impacts public safety. At any time, approximately 180 offenders who are classified as high risk to commit a new crime attend these community-based, outpatient treatment programs 1 to 3 times a week. An additional 60 parolees are also enrolled in outpatient treatment as a part of their previous treatment received in prison.	485,932	344,294		60,138		81,500	485,932	DCJ has some flexibility in the allocation of state funding.
50037	Addiction Services-Adult Offender Residential Treatment			x		Residential drug treatment is reserved for the individuals who are the most seriously addicted to drugs and alcohol and who are very high risk to re-offend. This offer provides 90 beds of residential drug/alcohol treatment for high risk adult offenders and allows courts and Probation and Parole Officers (PPO) an alternative option to jail use. Four beds are reserved for Spanish speaking individuals. Ten beds are reserved for sex offenders and fifty-two beds for either local control offenders or those who are at risk of revocation from supervision. The remaining 24 beds are available for all other high risk offenders to access.	3,560,176	3,560,176					3,560,176	
50038	Addiction Services-Adult Women's Residential Treatment			x		This program offer is for 40 residential alcohol and drug treatment beds for high risk female offenders in two facilities. This offer also funds 9 beds for dependent children. The current community treatment providers have been in existence for over 15 years and work collaboratively with the Department of Community Justice (DCJ) to treat women with addictions and criminality. During the month of December 2010, 94% of women in these treatment beds also have a mental health diagnosis and the vast majority are receiving medications.	1,686,546	1,686,546					1,686,546	
50039	Adult Sex Offender Supervision & Treatment		x			One position within this program offer is reserved for a clinical coordinator. The clinical coordinator and contracted providers provide comprehensive evaluation and sexual offense specific treatment and polygraph examinations. These contracted dollars are for any of the 850 sex offenders with no means to pay for their own treatment. It is often only partial payment or for a short amount of their lengthy treatment.	578,170	448,799		7,094		122,277	578,170	DCJ has some flexibility in the allocation of state funding.
50040	Adult Domestic Violence Supervision		x			The Domestic Violence (DV) unit collaborates with police, courts and treatment agencies to hold offenders accountable and promote offender change. This program supervises close to 1,000 offenders convicted of misdemeanor and felony level offenses. Included in this program offer is money to partially or fully pay for sixty-eight individuals to receive treatment for both their violent behavior and/or their addiction issues.	194,683	138,574		48,873		7,236	194,683	DCJ has some flexibility in the allocation of state funding.

Mental Health Board Briefing
FY11 Program Offers - Summary

PO Number	Program Offer Name	Prevention & Early Intervention	Community Based Treatment	Intensive/Residential Treatment	Safety Net/Crisis Services	Program Description	Total Expenditures	Program Revenue Source Revenue resources for Community Justice differ from DCHS and DOH (Listed amounts are portions of the offers related to MH and Addictions)						Most at Risk of State General Fund Reduction
								CGF	CGF Match	State & Fed	Other Intergov	Fund 1516	Total	
50045	Adult Property Crimes Programs		x			In 2008 Oregon voters passed Measure 57 (M-57), a state statute that increased the terms of imprisonment for people convicted of specified drug and property crimes under certain circumstances. These offenders are individuals who possess a significant substance abuse problem with a high propensity to commit property crimes, primarily in an effort to fuel their addiction. The measure created a law which requires courts to impose a minimum sentence for these offenders and requires the Department of Corrections to provide treatment. There are two components to the property crimes offer, the Recidivism Addiction Intervention Network (RAIN) and the Success through Accountability, Restitution, and Treatment Court (START Drug Court). Together there is capacity for over 200 individuals to receive outpatient treatment and wrap-around services. The goal of both components is to reduce addiction issues and recidivism so offenders will have a better chance at sustaining a healthier and more productive crime-free lifestyle. Both programs are partially paid for through grant funds.	1,003,255			1,003,255			1,003,255	DCJ has some flexibility in the allocation of state funding.
50054	Addiction Services-Adult Drug Court Program		x			Drug Diversion Drug Court (STOP) contributes to public safety by providing outpatient treatment and supervision to over 600 adult offenders each year, with a daily capacity of 275 individuals. STOP holds adults charged with drug offenses accountable while providing them an opportunity for treatment. Those who successfully complete treatment and court requirements have their charges dismissed.	1,152,620	856,575		291,045		5,000	1,152,620	DCJ has some flexibility in the allocation of state funding.
50055	Adult Prostitution Alternatives Program		x			As a response to community concerns about the increase in criminal activity, Multnomah County has collaborated with the City of Portland, the District Attorney's Office and Lifeworks Northwest to address the specific issues related to prostitution. Over 60 women each year can receive mentoring, mental health and addictions treatment to assist with "leaving the life" of prostitution.	250,000				250,000		250,000	
50056	Adult Chronic Offender Program-City Funding		x	x		The City of Portland has collaborated with Multnomah County and others to address specific issues of chronic offenders within the Portland area. The goal of the coordination team is to reduce offender risk and promote long-term behavioral and attitudinal change. The Services Coordination Team (SCT) is a system-wide response to chronic and repeat offenders, most of whom are homeless, primarily in the downtown core area of the City. The county's Department of Community Justice (DCJ) acts as a pass-through for the treatment component of SCT (currently at the Volunteers of America) and employs one Probation and Parole Officer (PPO) and one District Attorney specifically assigned to SCT clients.	844,507				844,507		844,507	
various	All DCJ drug testing (kits and lab svcs)				x	This offer pays for the supplies and testing of urine to determine ongoing use of illegal drugs or alcohol. The purpose is to aid Adult or Juvenile offenders in their recovery and help keep the community safe. This is done through regular or random observed testing. The staffing for this service is included in other program offers because in most cases the staff are doing other tasks to support Officers and not only urinalysis testing.	201,903	118,575		81,484		1,844	201,903	DCJ has some flexibility in the allocation of state funding.



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST BUDGET MODIFICATION

(revised 08/02/10)

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-1 DATE 1-20-11
BOA GROW, BOARD CLERK

Board Clerk Use Only

Meeting Date: 1/20/11
Agenda Item #: C-1
Est. Start Time: 9:30 am

BUDGET MODIFICATION: DCJ-10

**BUDGET MODIFICATION # DCJ-10 Reclasses a 1.00 FTE Office Assistant
Agenda Senior to a Records Technician in the Adult Services Division, as Determined by
Title: the Class/Comp Unit of Central Human Resources.**

Note: For all other submissions (i.e. Notices of Intent, Ordinances, Resolutions, Orders or Proclamations) please use the APR short form.

Requested Meeting Date: January 20, 2011 Amount of Time Needed: N/A
Department: Dept. of Community Justice Division: Adult Services Division
Contact(s): Joyce Resare
Phone: 503-988-3701 Ext. 24913 I/O Address: 503 / 250
Presenter Name(s) & Title(s): Consent Calendar

General Information

1. What action are you requesting from the Board?

The Department of Community Justice (DCJ) requests approval of a budget modification to reclassify a 1.00 FTE Office Assistant Senior position which has been reviewed by the Class/Comp Unit of Central Human Resources.

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

Reclassification of a 1.00 FTE Office Assistant Senior [6002] position to a records Technician [6157] was approved for recommendation to the Board of County Commissioners by the Class/Comp Unit of Central Human Resources on December 30, 2010, to be retro-active to June 23, 2010.

This position is assigned to the Domestic Violence Unit (DV) in the Adult Services Division. This position is responsible for records maintenance support for 13 Parole/Probation Officers, 3

**Budget Modification APR
Submit to Board Clerk**

Correction Technicians, and 1 Community Justice Manager. This involves research, documentation and monitoring of data utilized by DCJ staff to facilitate supervision of community corrections clients. The work involves ongoing research and verification of information in Webleds, OJIN and SPIN, and adding and modifying information as needed. The majority of duties and responsibilities of this position best fit within the Records Technician [6157] classification

This position is part of FY 2011 Program Offer 50040 – DCJ Adult Domestic Violence Supervision.

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

There is no fiscal impact for current year FY 2011 because the pay scale ranges for these two job classifications is the same. This position is ongoing and is expected to be included in the FY 2012 budget submittal.

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

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

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

N/A

ATTACHMENT A

Budget Modification

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

- **What revenue is being changed and why? If the revenue is from a federal source, please list the Catalog of Federal Assistance Number (CFDA).**

N/A

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

N/A

- **What do the changes accomplish?**

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

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

Yes, the current employee in this position will be reclassified to a Records Technician [6157] retroactive to June 23, 2010.

- **If a grant, is 100% of the central and department indirect recovered? If not, please explain why.**

N/A, position is funded 100% by county general fund

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

N/A

**Budget Modification APR
Submit to Board Clerk**

- **If a grant, what period does the grant cover? When the grant expires, what are funding plans? Are there any particular stipulations required by the grant (i.e. cash match, in kind match, reporting requirements etc)?**

N/A

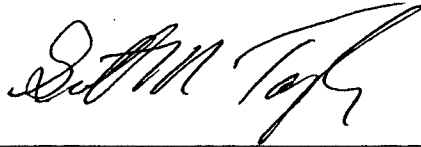
NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense & Revenues Worksheet and/or a Budget Modification Personnel Worksheet.

ATTACHMENT B

BUDGET MODIFICATION: DCJ - 10

Required Signatures

Elected Official or
Department/
Agency Director:



Date:

1/6/11

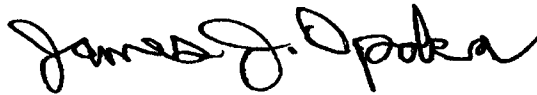
Joyce Resare for Scott Taylor, Dept. Dir.

Budget Analyst:



Date:

Department HR:



Date:

Countywide HR:



Date:

Budget Modification APR
Submit to Board Clerk



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST BUDGET MODIFICATION

(revised 08/02/10)

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # C-2 DATE 1-20-11
LYNDA GROW, BOARD CLERK

Board Clerk Use Only

Meeting Date: 1/20/11
Agenda Item #: C-2
Est. Start Time: 9:30 am

BUDGET MODIFICATION: NOND - 11

Agenda BUDGET MODIFICATION # NOND-11, reclassifying one position in
Title: Information Technology

Note: For all other submissions (i.e. Notices of Intent, Ordinances, Resolutions, Orders or Proclamations) please use the APR short form.

Requested
Meeting Date: January 13, 2011 **Amount of**
Department: Nondepartmental **Time Needed:** N/A (Consent)
Contact(s): Tony Dornbusch **Division:** Information Technology
Phone: (503) 988-4873 **Ext.** 84873 **I/O Address:** 503/4
Presenter
Name(s) &
Title(s): N/A

General Information

1. What action are you requesting from the Board?

Information Technology is requesting Board approval of a budget modification authorizing the reclassification of one position.

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

Information Technology (IT) requests Board approval of a reclassification request for the following position.

Position Title (Old)	Position Title (New)	Position Number	FTE
Development Analyst Sr	HR Manager 2	706626	No FTE Change

Information Technology requested the Central Class Compensation Unit to examine the duties of this position. The Central Class Compensation Unit approved the classification changes noted

**Budget Modification APR
Submit to Board Clerk**

above. Position 706626 is budgeted for FY 2011 in cost center 709100 IT-HR.

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

The reclassification request is being accomplished within current resources for FY 2011. Ongoing expenses for this position will be recovered via standard service rates.

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

The reclassifications, for which approval is sought in this request, have been reviewed by the Human Resources Division.

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

N/A

ATTACHMENT A

Budget Modification

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

- **What revenue is being changed and why? If the revenue is from a federal source, please list the Catalog of Federal Assistance Number (CFDA).**

N/A

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

N/A

- **What do the changes accomplish?**

Reclassification of one position.

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

- **If a grant, is 100% of the central and department indirect recovered? If not, please explain why.**

N/A

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

N/A

- **If a grant, what period does the grant cover? When the grant expires, what are funding plans? Are there any particular stipulations required by the grant (i.e. cash match, in kind match, reporting requirements etc)?**

N/A

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

**Budget Modification APR
Submit to Board Clerk**

ATTACHMENT B

BUDGET MODIFICATION: NOND - 11

Required Signatures

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


Sherry Swackhamer

Date: 1-10-11

Budget Analyst:


Julie Neburka

Date: 1-10-11

Department HR:

Date:

Countywide HR:

Date:

**Budget Modification APR
Submit to Board Clerk**

Budget Modification ID:

EXPENDITURES & REVENUES

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

Line No.	Fund Center	Fund Code	Program #	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal
						Cost Center	WBS Element					
1	10-10	3503		0020		709100		60000	176,537	176,537	0	
2	10-10	3503		0020		709100		60130	57,358	57,358	0	
3	10-10	3503		0020		709100		60140	39,161	39,161	0	
4										0		
5										0		
6	72-10	3500		0020		705210		50316		0	0	
7	72-10	3500		0020		705210		60330		0	0	
8										0		
9										0		
10										0		
11										0		
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Mental Health Board Briefing

FY11 Program Offers - Summary

Page 1 of 5

PO Number	Program Offer Name	Prevention & Early Intervention	Community Based Treatment	Intensive/Residential Treatment	Safety Net/Crisis Services	Program Description	Total Expenditures	Program Revenue Source						Most at Risk of State General Fund Reduction
								CGF	CGF Match	State & Fed	OHP	ARRA	Total	
DCHS - MENTAL HEALTH AND ADDICTION SERVICES														
25055	Behavioral Health Crisis Services				X	Multnomah County Mental Health and Addiction Services Division operates a 24-hour, 365-day-a-year behavioral health emergency crisis response system. Services include a crisis hotline, mobile crisis outreach and an urgent walk-in clinic. Included in the management of the crisis system is the authorization of services for Verity enrolled members as well as indigent services. The total number of people served in this program offer is 61,586 per year.	6,897,871	1,073,345		4,089,275	1,735,251		6,897,871	Call Center, Walk-in Clinic, Mobile Crisis
25056B	Operations of the Crisis Assessment & Tx Center			X		The Mental Health and Addiction Services Division (MHASD) has identified crisis assessment and treatment, also known as sub-acute, as a missing service in the system of care. This facility offers 16 beds of short-term mental health treatment in a secure locked environment as a lower cost alternative to hospitalization for 600-800 clients per year. Facility staffing will include physical and mental health professionals and peer support specialists. This program offer supports ongoing operating costs that would be funded once the facility has been renovated with the build-out funds identified in program offer 25056A.	375,000	200,000		175,000			375,000	
25057	Inpatient, Sub-acute and Res MH Svcs for Children			X	X	The more intensive mental health needs of children and families enrolled in Oregon Health Plan are met through the following service types: psychiatric inpatient hospitalization services, psychiatric residential treatment services for children, and secure alternatives to psychiatric hospitalization for children. The three program elements combined provide a continuum of services for 668 children each year who need secure placement outside the home for mental health care.	2,847,600				2,847,600		2,847,600	
25058	MH Commitment Services			X		Commitment Services includes Emergency Psychiatric Holds (E-Holds), Involuntary Commitment Program (ICP), Commitment Monitors, and the State Hospital Waitlist Reduction Program (WLRP). The county is the payor of last resort for indigent E-Holds and ICP staff are required to investigate and determine whether individuals on an E-Hold present a risk of harm to themselves or others and if a court hearing should be recommended. Provision of commitment monitors is a requirement of the county as the Local Mental Health Authority (LMHA). In FY09 ICP, investigated 1,103 E-Holds for indigent residents and 4,491 total holds; commitment staff monitored 489 patients and 116 trial visits.	5,675,579	1,098,489		4,577,090			5,675,579	Emergency Holds, Involuntary Commitment, Commitment Monitors
25060	MH Residential Services			X		This program includes Mental Health Residential Services and Transitional Housing. Staff in Residential Services facilitates referral, screening and placement for individuals with a severe mental illness that requires care in a 24-hour-a-day setting. Transitional Housing focuses on individuals who require assistance obtaining permanent housing while addressing their mental health needs. The Bridgeview provides 48 units of single-room housing, support services and on-site mental health and dual diagnosis treatment. Royal Palm provides 20 dormitory shelter beds and 30 units of Single Room Occupancy housing.	8,951,466	1,113,979		7,837,487			8,951,466	Transitional Housing, Residential Services Staff
25062	Mental Health Services for Adults		X		X	Mental health services describe the existing continuum of mental health care for adults. Psychiatric hospitalization treats persons at immediate risk to themselves or others. Respite services provide intervention when an individual's symptoms have risen beyond the scope of outpatient treatment. Outpatient treatment services provide a range of care matched to diagnosis and acuity to over 6,800 adults annually. Primarily funded by the Oregon Health Plan, this continuum addresses the needs of adults at emergent (most acute), urgent and routine (least acute) levels of care.	21,526,586				21,526,586		21,526,586	

Mental Health Board Briefing

FY11 Program Offers - Summary

PO Number	Program Offer Name	Prevention & Early Intervention	Community Based Treatment	Intensive/Residential Treatment	Safety Net/Crisis Services	Program Description	Total Expenditures	Program Revenue Source						Most at Risk of State General Fund Reduction
								CGF	CGF Match	State & Fed	OHP	ARRA	Total	
25063A	MH Tx & Medications for the Uninsured - Base			X		The Multnomah Treatment Fund (MTF) prioritizes community-based services to severely mentally ill individuals who have been released from jail or psychiatric hospitals and/or are at risk of hospitalization or significant decompensation but are uninsured and ineligible for Oregon Health Plan (OHP). MTF addresses immediate health and safety concerns until insurance or OHP coverage is obtained. The program will provide mental health services to 500 adults (decrease due to reduction in funds to keep program in target).	1,437,976	1,177,976		260,000			1,437,976	
25064	Early Assessment & Support Alliance	X	X			The Early Assessment and Support Alliance (EASA) is an early psychosis intervention program addressing the needs of young persons age 15-25 who demonstrate initial symptoms of psychosis, with the goal of managing long-term problems and consequences. EASA offers formal psychiatric treatment services as well as vocational and educational support, and involves the young person's family in treatment. The program will provide services for approximately 80 clients.	1,048,280			997,430	50,850		1,048,280	Early Assessment and Support Alliance (EASA)
25067	Comm Based MH Svcs for Children and Families	X	X			This mental health service array serves children and youth up to age 21. Services range from prevention/early intervention in the Early Childhood and Head Start program that serves 4,511 children annually, to a comprehensive outpatient system that successfully maintains over 4,200 children in the community, to the Intensive Community Based Treatment program that has successfully reduced the average length of stay in psychiatric residential facilities over the last three years.	14,333,834	1,456,486		1,223,219	11,654,129		14,333,834	Early Childhood, CARES, Outpatient Mental Health Services
25068	Family Care Coordinators		X			Family Care Coordinators (FCC's) are Master's level clinicians serving children and adolescents up to age 18 years who have severe mental health disorders, and their families. These at risk children need the most intensive mental health services and have multiple service systems involvement. FCC's served 275 children and their families last fiscal year. FCC's provide clinical care coordination to identify, access and coordinate services for children and families that are clinically appropriate, evidence based, cost effective and in the least restrictive and most culturally appropriate environment. FCC's develop and facilitate Child and Family Teams that are family-guided, culturally competent, multidisciplinary and naturally supported to help children stay with family, in the community, in school and out of trouble.	1,067,423			104,000	963,423		1,067,423	Family Care Coordinators, now known as Wraparound
25070	Bienestar Mental Health & Addiction Services	X	X			Bienestar de La Familia (Wellbeing of the Family) is a multidisciplinary approach serving a large Latino community. Bienestar provides culturally specific, linguistically appropriate direct mental health and addiction treatment services to children, adolescents, adults and families at sites throughout Multnomah County. Qualified mental health professionals and an Addiction Specialist served 530 Hispanic children and families in their homes and in the community last year. Service sites include schools, Headstarts, CARES NW, and La Clinica Health Clinic. About 93% of individuals served are uninsured. Bienestar strives for health equity by providing services to traditionally underserved populations of Spanish speaking Latino families who experience significant barriers to service access.	319,547	319,547					319,547	
25075	School Based Mental Health Services		X			School Based Mental Health is an essential component of the mental health system of care for children and families. This program serves 924 children and teens with serious mental health disorders in over 88 school settings throughout the county. Mental health professionals provide culturally competent, family focused, evidence based treatment. Children and teens receive service that decreases the risk of hospitalization or other restrictive and costly services. Additional children with emotional and behavioral needs are helped through 12,381 preventative consultation contacts with school based health center staff and others that averted need for higher level of care. Sustainability efforts has been focused on improving the program's OHP billing reimbursement, which increased 30% in the last year.	1,515,354	531,914		983,440			1,515,354	

Mental Health Board Briefing

FY11 Program Offers - Summary

PO Number	Program Offer Name	Prevention & Early Intervention	Community Based Treatment	Intensive/Residential Treatment	Safety Net/Crisis Services	Program Description	Total Expenditures	Program Revenue Source						Most at Risk of State General Fund Reduction
								CGF	CGF Match	State & Fed	OHP	ARRA	Total	
25078	Culturally Specific Mental Health Services		X			Culturally specific outpatient mental health services provide treatment for five underserved communities in our county (Asian, African-American, Eastern European, Latino and Native-American). These communities have encountered difficulty finding mental health treatment that incorporates their culture, tradition and language. These services provide culturally and linguistically relevant care for these populations. Some communities of color are also overrepresented in the criminal justice system. Approximately 400 individuals receive services.	1,292,239	1,292,239					1,292,239	
25080	Adult Addictions Treatment Continuum		X	X		The adult treatment continuum consists of outpatient addictions treatment including various counseling options, medication management and relapse prevention; residential treatment (intensive addictions services in a 24 hour setting); community recovery (aftercare services for clients learning to live sober); and a specialized program for severely addicted and multi-diagnosed, homeless clients. The continuum will serve about 5,500 clients next year. Research has shown that Oregon taxpayers save \$5.60 for every dollar spent on treatment.	11,495,516	3,026,170		8,469,346			11,495,516	Addiction Treatment, Counseling, Relapse Prevention, Outpatient and Residential Treatment
25085	Addiction Services Gambling Tx and Prevention	X	X			Gambling addiction treatment uses evidence-based practices in an outpatient setting to provide treatment to persons diagnosed with problem or pathological gambling. The county's community-based providers treat approximately 513 gamblers and their family members annually. Countywide data shows that problem gamblers and family members seeking treatment can access services in less than five days 99% of the time.	816,001			816,001			816,001	
25086	Addiction Services Alcohol and Drug Prevention	X				The alcohol and drug prevention program provides an array of services for children and families at high risk for substance abuse, school failure and juvenile justice problems. Prevention services include structured after-school activities (homework assistance, tutoring and home visits), a parent-child readership program, and culturally-specific youth leadership activities. These programs promote school success, family bonding, improved parenting skills and youth life skills. The aim is to reduce youth substance abuse, school failure and juvenile crime. The program is projected to provide over 5,000 prevention service contacts to over 250 participants.	194,259			194,259			194,259	
25088	Coord Diversion for Persons with Mental Illness		X			Coordinated diversion includes three jail and/or hospital diversion programs for consumers with a serious mental illness. Three teams of mental health professionals work with the Community Court, Mental Health Court and Aid and Assist/Treat Until Fit programs. All three programs provide assertive, short term support for persons with serious mental illness, with the goal of connecting them with appropriate ongoing community treatment options. Staff working with the Community Court and Mental Health Court focus on jail diversion. Staff with the Aid and Assist/Treat Until Fit Program focus on avoiding or decreasing days of unnecessary psychiatric hospitalizations. In FY08-09 Community Court served 999 clients, Aid and Assist/Treat Until Fit served 195 clients, Mental Health Court opened 23 cases and served 19.	886,592	231,576		655,016			886,592	Mental Health Court, Treat Until Fit, Community Court
25090A	Detoxification and Post-Detox Hsg - Base			X	X	Detoxification and Supportive Housing are two vital steps to working towards long-term recovery and stability. Detoxification, a medically monitored inpatient service, is the primary entrance point into addiction services for many severely addicted and low-income persons. There are approximately 2,500 admissions to detoxification annually with an average successful completion rate of 75%. Supportive Housing is available for homeless addicts who have completed detoxification and are continuing treatment. The 50 Supportive Housing units can serve approximately 150 clients annually. Benefiting from both clinical and housing support, clients move from active addiction, through treatment and into the recovery work; and from homelessness, through supportive housing and into permanent housing.	2,915,525	1,037,166		1,878,359			2,915,525	Medically Monitored Alcohol and Drug Detoxification, Post-Detox Supportive Housing

Mental Health Board Briefing

FY11 Program Offers - Summary

PO Number	Program Offer Name	Prevention & Early Intervention	Community Based Treatment	Intensive/Residential Treatment	Safety Net/Crisis Services	Program Description	Total Expenditures	Program Revenue Source						Most at Risk of State General Fund Reduction
								CGF	CGF Match	State & Fed	OHP	ARRA	Total	
25091A	Sobering - Base				X	The Sobering program provides a safe, secure holding environment for persons publicly intoxicated due to alcohol or drug abuse. As these individuals regain their functionality, staff encourages them to seek further care. The Sobering program has more than 11,000 annual admissions.	477,722	477,722					477,722	
25091B	Sobering - Scale B				X	This scale-up reflects last year's County/City agreement to assist the Sobering program by helping to replace a \$300,000 annual contribution from local hospitals. The hospital contributions are ending in fiscal year 2009-2010. The \$150,000 represents the County's portion of that agreement.	150,000	150,000					150,000	
25094A	Family & Youth Addiction Tx Continuum - Base		X	X		This program provides a continuum of youth outpatient and residential addictions treatment as well as two culturally specific intensive outpatient service packages for high-risk Latino youth and African-American youth and their families; and Alcohol and Drug Free housing resources for families in which the adult parent(s) are in early addiction recovery. In 2010-11, 250 youth will be provided outpatient treatment services, about 40 youth will receive residential treatment, and a minimum of 100 families will receive housing supports in recovery-focused housing communities.	1,136,493	-	272,941	863,552			1,136,493	Outpatient and residential alcohol and drug treatment, Family Alcohol and Drug Free Network long-term supportive housing for those in recovery.
25096	Sexual Offense & Abuse Prevention		X			This program provides treatment services for children and youth who are exhibiting significant sexual reactivity and/or who are sexually predatory. There were 100 youth served by this program in FY09. 98% of youth served do not re-offend within six months after treatment in this program. Medically necessary services are funded through Multnomah County Verity Mental Health Outpatient Services for children while non-Medicaid reimbursable services are funded through county general fund contained in this offer. Empirical evidence shows that this model reduces recidivism and helps the youth acquire prosocial skills needed for successful transition to productive adult life style.	200,000	200,000					200,000	
25098	Enhanced Family Involvement Team		X	X		The Family Involvement Team (FIT) for Recovery program is a team effort among alcohol and drug treatment providers, social service agencies, and the Family Dependency Court to connect parents with an allegation of child abuse or neglect with drugs and/or alcohol involved to appropriate treatment. Last year, the FIT for Recovery program connected 887 clients entering Family Dependency Court with addictions treatment as expeditiously as possible and provided enhanced services to keep them in treatment.	1,724,171			1,724,171			1,724,171	Jail diversion program that offers treatment for parents involved with Family Dependency Court

Mental Health Board Briefing

FY11 Program Offers - Summary

								Program Revenue Source						
PO Number	Program Offer Name	Prevention & Early Intervention	Community Based Treatment	Intensive/Residential Treatment	Safety Net/Crisis Services	Program Description	Total Expenditures	CGF	CGF Match	State & Fed	OHP	ARRA	Total	Most at Risk of State General Fund Reduction
HEALTH DEPARTMENT														
40019-40026 and 40029	Health Department: Primary Care and School Based Health Clinics	X	X			The Health Department Primary Care clinics provide comprehensive, culturally appropriate primary care and enabling services to vulnerable citizens who are uninsured or underinsured and otherwise might not have access to healthcare. The School-Based Health Center program provides access to comprehensive preventive, primary, and mental healthcare for Multnomah County school-aged youth to keep them healthy and ready to learn. Without this safety net many school age youth would not receive necessary health care. <u>Of the more than 44,000 clients served by our clinics in 2010, 44 percent have a mental health diagnosis and 22 percent are receiving psychotherapeutic medications. Nearly one-third of these clients are uninsured.</u>	43,135,364	2,909,072		6,239,133	32,195,389	1,791,770	43,135,364	X
40049, 40050 & 40051	Health Department: Corrections Health		X			Corrections Health provides health care to detained youth and adults. Corrections Health personnel provide effective screening, illness identification, evaluation and treatment services. Over 60% having serious unstable and chronic health conditions, such as diabetes, kidney failure, infections, alcohol and drug withdrawal and major mental /behavioral illnesses.	12,394,883	12,394,883					12,394,883	



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 08/02/10)

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-1 DATE 1-20-11
LYNDA GROW, BOARD CLERK

Board Clerk Use Only

Meeting Date: 1/20/11
Agenda Item #: R-1
Est. Start Time: 9:30 am

Agenda Title: Intergovernmental Agreement with Oregon Department of Environmental Quality for Construction Activities Covered by NPDES 1200-C

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

Requested Meeting Date:	<u>January 20, 2011</u>	Amount of Time Needed:	<u>5 minutes</u>
Department:	<u>DCS</u>	Division:	<u>LUP</u>
Contact(s):	<u>Chuck Beasley</u>		
Phone:	<u>503-988-3043</u>	Ext.	<u>22610</u>
Presenter Name(s) & Title(s):	<u>Chuck Beasley, Senior Planner</u>		
I/O Address:	<u>455/116</u>		

General Information

1. What action are you requesting from the Board?

Board approval of an intergovernmental agreement with Oregon DEQ to allow certain development projects to be subject to the Multnomah County storm water management program.

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

This agreement is related to the proposed reissuance by DEQ of the 1200-C National Pollutant Discharge Elimination System (NPDES) general permit. This permit regulates stormwater runoff from construction activities that disturb one or more acres of land. In local jurisdictions with eligible stormwater programs, construction activities that disturb less than five acres will be automatically covered under the permit and will not be required to submit an application to DEQ. This will reduce dual permitting for the qualifying construction projects. The Multnomah County stormwater program is one of several programs in area jurisdictions that qualify for this "automatic coverage" procedure.

The IGA describes the scope of regulations that are covered by the procedure, and includes responsibilities the County agrees to perform. These responsibilities include annual

Agenda Placement Request
Submit to Board Clerk

reporting of permits processed, coordinating with DEQ when changes to related regulations are proposed, and notification and coordination regarding violations. Staff anticipates that based on the scale of past development projects, the number of permits that will be subject to the reporting requirements will be low.

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

No fiscal impact. The scope of the new responsibilities taken on by Multnomah County Land Use Planning can be managed with current staffing resources.

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

None. County Counsel office has reviewed the IGA

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

Staff has coordinated with DEQ on this agreement.

Required Signature

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



Date: 1/4/11

**Agenda Placement Request
Submit to Board Clerk**

MULTNOMAH COUNTY CONTRACT APPROVAL FORM

Check all that apply

☒ County Attorney email approval attached

☐ Retro Memo attached

☐ Proof of insurance attached

☐ EEO Exhibit 5 attached (contracts over \$75,000)

☐ Expenditure ☐ Revenue ☒ Non-Financial Agreement

Contract Number: 4710000385

Amendment Number: _____

Vendor Number: 11995

Date: 1/20/11

☐ Inter-Departmental

CAF Purpose

☒ New Contract ☐ Renewal ☐ Date Change ☐ Funding Change ☐ Service Change

Department: Community Services

Division/Program: Land Use Planning

Originator: Chuck Beasley

Phone: 988-3043 x22610

Mail Stop: 455/116

Contact: Chuck Beasley

Phone: 988-3043 x22610

Mail Stop: 455/116

Contract/Amendment Procurement Details

Procurement No.(s): _____

Effective Date: _____

End Date: _____

Exemption or Citation No.(s): _____

Effective Date: _____

End Date: _____

Check all that apply to contractor: ☐ MBE ☐ WBE ☐ ESB ☐ QRF State Cert No.: _____ ☐ Non-Profit ☒ N/A

Contractor: Oregon Dept. of Environmental Quality

Payment Schedule/Terms:

Address: 811 SW Sixth Avenue

☐ Lump Sum \$ _____

☐ Due on Receipt

City/State/Zip: Portland OR 97201-1390

☐ Monthly \$ _____

☐ Net 30

Telephone: (503) 229-5047

☐ Quarterly \$ _____

☒ Other - N/A

☐ Other \$ _____

Contract Effect Date: 1/20/2011

Term Date: 11/30/2015

Amend Effect Date: _____

New Term
Date: _____

☐ Price Agreement or Requirements Funding Information:

Original Contract Amount: \$ _____

Original PA/Requirements Amt: \$ _____

Total Amount Previous Amend: \$ _____

Total Amount Previous Amend: \$ _____

Amount of Amendment: \$ _____

Requirements Amount Amend: \$ _____

Total Amount of Agreement: \$ 0 (Non-Financial)

Total Amount of PA/Requirements: \$ _____

Required Signatures

Dept Director or Designee: _____

Date: _____

County Chair: _____

Date: _____

Vendor Contact Information

☐ Changed from Previous CAF

Name: Erich Brandstetter

Title: Permit Program Specialist

email: Brandstetter.erich@deq.state.or.us

Name: _____

Title: _____

email: _____

Name: _____

Title: _____

email: _____

Contract/Amendment Description Or Comments

Intergovernmental Agreement with Oregon DEQ to allow certain development projects to be subject to the Multnomah County storm water management program. This agreement is related to the proposed reissuance by DEQ of the 1200-C National Pollutant Discharge Elimination System (NPDES) general permit, which regulates stormwater runoff from construction activities that disturb one or more acres of land. In local jurisdictions with eligible stormwater programs, construction activities that disturb less than five acres will be automatically covered under the permit and will not be required to submit an application to DEQ. This will reduce dual permitting for the qualifying construction projects. The Multnomah County stormwater program is one of several programs in area jurisdictions that qualify for this "automatic coverage" procedure. (DEQ Agreement No. Mult110410)

**DEQ Agreement No. Mult110410
Multnomah County No. 4710000385**

**Intergovernmental Agreement
Between
The State of Oregon, Department of Environmental Quality
And
Multnomah County
For
Construction Activities Automatically Covered by NPDES 1200-C**

Effective Date: The most recent date in Section XI Signatures after all signatures are completed.
Expiration Date: November 30, 2015.

DEQ Contact:
Erich Brandstetter
brandstetter.erich@deq.state.or.us
Phone: 503-229-5047

Multnomah County Contact:
Chuck Beasley
charles.beasley@multco.us
Phone: 503-988-5050

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INTERGOVERNMENTAL AGREEMENT

Construction Activities Automatically Covered by NPDES 1200-C

I. PARTIES

The parties to this Intergovernmental Agreement (Agreement) are the State of Oregon, by and through its Department of Environmental Quality (DEQ), and Multnomah County (County), acting by and through its elected officials.

II. AUTHORITY

The parties are authorized to enter into this Agreement under ORS 190.110, 468.035, and 468B.020: ORS 468.035(1)(c) authorizes DEQ to cooperate with other agencies and political subdivisions of the state with respect to matters pertaining to the control of water pollution.

III. PURPOSE

- A. This Agreement sets forth minimum requirements to ensure eligibility of owners or operators of construction activities within unincorporated portions of the County for automatic coverage under NPDES Stormwater Discharge General Permit No. 1200-C issued by DEQ on December 1, 2010.
- B. DEQ and County recognize that:
 - 1. DEQ, pursuant to ORS Chapter 468B, is the state agency primarily responsible for preventing water pollution in the state from most sources. DEQ is authorized by the federal Clean Water Act to issue NPDES permits including the 1200-C permit for construction stormwater.
 - 2. Schedule A, Condition I of the 1200-C Permit, provides that registration for coverage under the 1200-C Permit is not required for certain types of construction activities in certain local jurisdictions, including unincorporated portions of the County, that already have construction stormwater programs that include plan review, ordinances, site inspections and enforcement, and may include issuance of a local permit and local fees in lieu of DEQ fees for the 1200-C Permit.
 - 3. County local ordinance properly establishes erosion and sediment control requirements designed to adequately implement stormwater pollution prevention practices.
 - 4. DEQ has reviewed County's erosion and sediment control inspection program, and its standard operating procedures, and determined that County's program meets the requirements EPA has placed on DEQ through the Performance Partnership Agreement between EPA and DEQ.

5. County and DEQ wish to ensure that construction activities otherwise eligible for automatic permit coverage under the 1200-C Permit will retain such eligibility for such construction activities that occur within unincorporated portions of the County.
6. ORS 468.035(1)(c) and ORS 468B.020 authorize DEQ to cooperate with other agencies and political subdivisions of the state with respect to matters pertaining to the control of water pollution.

IV. DEFINITIONS

The following definitions apply to the terms used in this Agreement:

- A. **General Permit** – as defined in OAR 340-045-0010(7) means a Permit that provides coverage to a category of qualifying sources pursuant to OAR 340-045-0033(5) in lieu of individual Permits being issued to each source.
- B. **National Pollutant Discharge Elimination System Permit (NPDES)** – as defined in OAR 340-045-0010(9) means a waste discharge Permit issued in accordance with requirements and procedures of the National Pollutant Discharge Elimination System authorized by Section 402 of the Federal Clean Water Act and by OAR 340-045.
- C. **NPDES 1200-C General Permit for Stormwater Discharges from Construction Activities (Permit)** – as adopted by reference in OAR 340-045-0033(10)(i) means the general Permit for stormwater runoff from construction activities including clearing, grading, excavation, and stockpiling activities that will result in the disturbance of one or more acres of land or one acre or more over a period of time whether in a single or in a multiphase project. Also included are activities that disturb less than one acre if part of a larger common plan of development.
- D. **Permit Registrant** – means the owner or operator of the construction activity regulated by this permit who has submitted an application and received notice of registration under this general permit by DEQ or Agent. Owners or operators of automatically covered construction activities are not permit registrants.
- E. **Owner or operator** – means the owner or operator of any “facility or activity” subject to regulation under the NPDES program. Owners or operators may be individuals or other legal entities. Owners or operators of automatically covered construction activities are not permit registrants. Operator for the purpose of this permit and in the context of stormwater associated with construction activity, means any party associated with a construction project that meets either of the following two criteria:
 1. The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or
 2. The party has day-to-day operational control of those activities at a project which are necessary to ensure compliance with an erosion and sediment control plan (ESCP) for the site or other permit conditions (for example, they are authorized to direct workers at a site to carry out activities required by the ESCP or comply with other permit conditions).

- F. ***Pollution or Water Pollution*** – as defined by ORS 468B.005(3) means such alteration of the physical, chemical or biological properties of any waters of the state, including change in temperature, taste, color, turbidity, silt or odor of the waters, or such discharge of any liquid, gaseous, solid, radioactive or other substance into any waters of the state, which will or tends to, either by itself or in connection with any other substance, create a public nuisance or which will or tends to render such waters harmful, detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational or other legitimate beneficial uses or to livestock, wildlife, fish or other aquatic life or the habitat thereof.
- G. ***Stormwater*** – as defined by 40 CFR §122.26(b)(13) means stormwater runoff, snowmelt runoff, and surface runoff and drainage.
- H. ***Waters of the State*** – as defined in ORS 468B.005(8) means lakes, bays, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Pacific Ocean within the territorial limits of the State of Oregon and all other bodies of surface or underground waters, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters which do not combine or effect a junction with natural surface or underground waters) which are wholly or partially within or bordering the state or within its jurisdiction.

The Parties agree as follows:

V. COUNTY RESPONSIBILITIES

County shall:

1. Implement the erosion and sediment control program as described in County local ordinance, and applicable local regulations or policies, if any. County will issue grading and erosion control permits for all unincorporated portions of the County which include areas outside the MS4 Phase I NPDES permit boundary. County will maintain this erosion and sediment control program, and notify DEQ in the event of any changes or elimination of the program.
2. Address erosion and sediment control ordinance and permit violations by enforcement consistent with County local ordinance, and applicable local regulations or policies, if any.
3. Refer to DEQ violations of the permit (sites over one acre but less than five acres or part of a common plan of development) that meet the following criteria:
 - a. Repeat or chronic violators;
 - b. Willful violators;
 - c. Recalcitrant violators;
 - d. Violations where there is significant environmental harm (for example, where there is a large discharge to sensitive habitat); or
 - e. Situations where there was a large economic benefit resulting from noncompliance.
4. Provide all relevant information when referring permit violations to DEQ.

5. Provide a copy of the applicable provisions of the 1200-C permit to those seeking automatic coverage (DEQ to provide this) so operators will know whether their sites meet the requirements for automatic coverage.
6. Report annually the locations (address) and the sizes of the sites covered under the local ordinance.
7. Provide information annually about how many inspections of sites covered under the local ordinance were conducted by County.
8. Notify DEQ if proposed changes in ordinances, standard operating procedures or guidance documents at the local level have the potential to cause a reduction in inspections or enforcement.
9. Notify DEQ of resolution of complaints DEQ forwarded to County.

VI. DEQ RESPONSIBILITIES

DEQ shall:

1. Allow construction activities that will disturb less than five acres within unincorporated portions of the County to be automatically covered under the 1200-C Permit without applying to register under the permit, as long as applicable 1200-C Permit conditions (Schedule A, Part 1, Paragraphs 3 through 6) are met.
2. Retain the right to require application and registration of specific construction activities at DEQ's discretion.
3. Retain the right to take enforcement action regarding stormwater-related violations involving the following:
 - a. Repeat or chronic violators
 - b. Willful violators
 - c. Recalcitrant violators
 - d. Violations where there was significant environmental harm (for example, a large discharge to sensitive habitat)
 - e. Situations where there was a large economic benefit for noncompliance
4. Notify existing 1200-C permit holders if they become automatically covered.

VII. LIMITATIONS

- A. Nothing in this Agreement shall be construed to limit or modify the authority of the County or DEQ or to bind either party to perform beyond their respective authorities or in excess of available budget appropriations. Each and every provision of this Agreement is subject to the statutes of the State of Oregon and the rules and regulations adopted thereunder.

- B. Nothing in this Agreement shall prevent County from implementing and administering stormwater management plans and best management practices as required for compliance with County ordinances.
- C. Nothing in this Agreement shall restrict DEQ's inspection or enforcement authority.
- D. Nothing in this Agreement shall constitute or create a valid defense to regulated parties operating in violation of environmental regulations, statutes, or permits.

VIII. AMENDMENTS AND TERMINATION

- A. This Agreement may be modified at any time by mutual written agreement of the parties.
- B. Upon 30 calendar days of written notice, either party may terminate this Agreement.
- C. This Agreement shall be in effect upon signature by all parties and shall remain in effect unless terminated earlier, extended, or modified by written agreement.
- D. This Agreement is not intended for the benefit of any third parties.

IX. NOTIFICATIONS

- A. County will provide up-to-date changes in contact information (names, titles, email and mailing addresses, fax and telephone numbers, etc.) of County staff responsible for implementation of this Agreement to the appropriate DEQ regional office.
- B. DEQ will provide up-to-date changes in contact information lists (names, titles, email and mailing addresses, fax and telephone numbers, etc.) of DEQ staff responsible for implementation of this agreement to the appropriate County staff.

X. INDEMNITY

- A. DEQ will indemnify and hold County harmless for legal expenses related to a challenge to the Permit, the registration or refusal to register an applicant under the Permit, or the revocation of coverage for a registrant under the Permit.
- B. To the extent Permitted by Article XI, sections 9 and 10 of the Oregon Constitution, and within the limits of liability established in the Oregon Torts Claims Act, DEQ shall defend, indemnify, and save County, its officers, and employees harmless from any and all claims, actions, costs or damages caused by DEQ.
- C. Except as provided in paragraph A above, to the extent Permitted by Article XI, Sections 9 and 10 of the Oregon Constitution, and within the limits of liability established in the Oregon Torts Claims Act, County shall defend, indemnify, and save DEQ, its officers, and employees harmless from any and all claims, actions, costs or damages caused by County.

XI. SIGNATURES

IN WITNESS WHEREOF, County and DEQ have caused this Agreement to be executed by its duly authorized representatives as signatories below.

FOR MULTNOMAH COUNTY, OREGON
Acting by and through its elected officials:

By _____
Jeff Cogen, Chair
Board of County Commissioners

Date: _____

REVIEWED:

HENRY H. LAZENBY, JR.,
COUNTY ATTORNEY FOR
MULTNOMAH COUNTY, OREGON

By /s/ Jed Tomkins
Jed Tomkins
Assistant County Attorney

Date: November 30, 2010

FOR OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY

Nina DeConcini
Regional Division Administrator
Northwest Region

Date: _____

Approved as to form:

By _____
Neil J. Mullane, Administrator
DEQ Water Quality Division

Date: _____



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST NOTICE OF INTENT

(revised 08/02/10)

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-2 DATE 1/20/11
LYNDA GROW, BOARD CLERK

Board Clerk Use Only

Meeting Date: 1/20/11
Agenda Item #: R-2
Est. Start Time: 9:35am

NOTICE OF INTENT to Apply for Grant Money Under the Help America Vote Act (HAVA) Through the Oregon Secretary of State for ADA Upgrades to the Multnomah County Elections Building.

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

Requested Meeting Date:	<u>1/20/11</u>	Amount of Time Needed:	<u>5 minutes</u>
Department:	<u>DCS</u>	Division:	<u>Elections</u>
Contact(s):	<u>Tim Scott</u>		
Phone:	<u>503.988.6858</u>	Ext.	<u>86858</u>
Presenter Name(s) & Title(s):	<u>Tim Scott, Director of Elections</u>		
I/O Address:	<u>414/1/Elections</u>		

General Information

1. What action are you requesting from the Board?

Retroactive approval to apply for HAVA funds through the Oregon Secretary of State for ADA upgrades to the County Elections Building.

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

Under HAVA, federal money is allocated to states for improvements to voting systems and access for people with disabilities. Section 261 of HAVA identifies 4 categories of improvements for which HAVA grants can be used. Category 1 is provided to make polling places accessible, including the path of travel, entrances, exits, and voting areas, to voters with all ranges of disabilities. With Vote by Mail there is only one polling place in Multnomah County and that is the County Elections office so the office is eligible for category 1 funds. A 2007 accessibility study conducted by Environmental Access Inc. for the Elections office identified several "path of travel" issues: the door at the corner of SE Morrison and SE 11th does not meet ADA requirements for accessibility; the ramps inside the elections office are too steep and therefore do not meet ADA requirements; there are no ADA accessible height customer service counters. An SEL 981 (County Request for HAVA Funds) was

Notice of Intent APR
Submit to Board Clerk

filed with the Secretary of State in September requesting \$41,300 for the following: Removal of 11th and Morrison door to be glassed in to match existing façade; removal of non-ADA compliant ramps; replace single 11th Ave. door with a double power assist door; replace existing customer service counters with accessible height counters.

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

The estimated cost of this remodel was developed through an approved County contractor and a County Facilities project manager. If approved, the grant would cover 100% of costs with no County matching required. There would be no ongoing costs as this is a one-time project. Therefore there would be no fiscal impact to the current year or future fiscal years.

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

This grant will remove existing impediments for people with disabilities and improve their opportunity to vote.

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

HAVA is a federal program administered by the State.

ATTACHMENT A

Grant Application/Notice of Intent

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

- **Who is the granting agency?**
Oregon Secretary of State
- **Specify grant (matching, reporting and other) requirements and goals.**
There is no matching required. Multnomah County is required to present receipts and work orders for reimbursement.
- **Explain grant funding detail – is this a one time only or long term commitment?**
This is a one time only grant to help Elections improve accessibility.
- **What are the estimated filing timelines?**
9/1/10 – 10/1/10 (the grant application has been filed)
- **If a grant, what period does the grant cover?**
Multnomah County may request funds on multiple occasions until the funds are depleted.
- **When the grant expires, what are funding plans?**
This is a one time only improvement
- **Is 100% of the central and departmental indirect recovered? If not, please explain why.**
Yes.

ATTACHMENT B

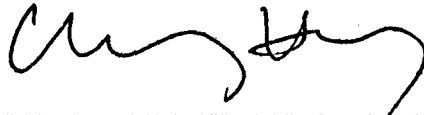
Required Signatures

Elected Official or
Department/
Agency Director:



Date: 1/12/11

Budget Analyst:



Date: 1/12/11



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 12/31/09)

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-3 DATE 1-20-11
LYNDA GROW, BOARD CLERK

Board Clerk Use Only

Meeting Date: 1/20/11
Agenda Item #: R-3
Est. Start Time: 9:40 am
Date Submitted: 1/12/11

Agenda Title: **RESOLUTION Confirming the Interim Designation for Multnomah County Commissioner District 2, in the Event of a Vacancy**

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

Requested Meeting Date: January 20, 2010 Amount of Time Needed: 5 mins
Department: Non-Departmental Division: County Attorney
Contact(s): Lynda Grow, Board Clerk
Phone: 503-988-3138 Ext. 83138 I/O Address: 503/500
Presenter(s): Henry H. Lazenby, Jr., County Attorney

General Information

1. What action are you requesting from the Board?

Adopt Resolution confirming Commissioner Smith's designation of Christopher Warner as her Interim Designee for District 2 in the event of a vacancy.

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

Multnomah County Charter Section 4.50(3) and Multnomah County Code 5.005 require elected officials to designate a Charter qualified interim occupant to serve until a vacancy is filled by election or appointment. This resolution confirms the new District 2 Commissioner Interim Designation as submitted and stated in the attached letter.

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

Not applicable

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

Complies with requirements of the Multnomah County Charter and Multnomah County Code.

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

Not applicable

Required Signature

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



Date: 1/13/11

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Confirming the Interim Designation for Multnomah County Commissioner District 2 in
the Event of a Vacancy

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County Charter Section 4.50(3) and Multnomah County Code 5.005 require elected officials to designate an interim occupant to serve until a vacancy is filled by election or appointment. The designee must meet the Charter qualification for an appointee of such an office.
- b. In compliance with MCC 5.005(B) (1) and (4) Multnomah County District 2 Commissioner Loretta Smith designates Christopher Warner as interim occupant of that office in the event of a vacancy.

The Multnomah County Board of Commissioners Resolves:

1. The Board confirms Christopher Warner to serve as interim occupant for Multnomah County District 2 in the event of a vacancy in that office.

ADOPTED this 20th day of January, 2011

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

REVIEWED:
HENRY H. LAZENBY, JR., COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

SUBMITTED BY:
Jenny M. Morf, Acting County Attorney



Commissioner Loretta Smith, District 2

MULTNOMAH COUNTY

501 SE Hawthorne Blvd., Suite 600
Portland, OR 97214
(503) 988-5219 phone
(503) 988-5440 fax
www.web.multco.us/ds2
district2@co.multco.us

MEMORANDUM

TO: Jeff Cogen, Chair
Deborah Kafoury, Vice-Chair
Judy Shiprack, Commissioner, D-3
Diane McKeel, Commissioner, D-4
Lynda Grow, Board Clerk
Henry H. Lazenby, Jr., County Attorney

FROM: Commissioner Loretta Smith

DATE: 1/12/2011

RE: Interim Designee

In accordance with Charter Section 4.50(3) and MCC 5.005, I am designating Christopher Warner as Interim Multnomah County Commissioner for District 2 should I leave my office for any reason after January 1, 2011.

Mr. Warner is a resident of Multnomah County's District 2 and has the skills and talent needed to be a Multnomah County Commissioner alternate. Chris is an asset to our community and I am pleased to name him as my alternate.

His resume is attached. Your consideration and approval is appreciated.



Commissioner Loretta Smith, District 2

MULTNOMAH COUNTY

501 SE Hawthorne Blvd., Suite 600
Portland, OR 97214
(503) 988-5219 phone
(503) 988-5440 fax
www.web.multco.us/ds2
district2@co.multco.us

January 12, 2011

Lynda Grow, Board Clerk
Board of Commissioners
Multnomah County
501 SE Hawthorne Blvd, Suite 600
Portland, OR 97214

RE: County Commissioner Interim Designee for District 2

In accordance with the County Charter Section 4.50(3) and Multnomah County Code 53.005, I have designated Christopher Warner as Interim Multnomah County Commissioner for District 2 should I leave office for any reason.

As authorized by the County Charter and Code sections noted above, Mr. Warner would take over my position on an interim basis until a new Commissioner is appointed or elected. Mr. Warner lives in Multnomah County and is more than capable of assuming all responsibilities of Commissioner, and therefore meets all of the Charter qualifications required of the elected County Commissioner.

Mr. Warner resides in my district and has the skills and talent needed to be a Multnomah County Commissioner alternate. Mr. Warner is an asset to our community and I am pleased to name him as my alternate.

Sincerely,

Loretta Smith
Commissioner, District 2

Christopher Carl Warner
2471 NE 51st Avenue, Portland, OR 97213
503-287-3177 / cwpdx@yahoo.com

Experience

Office of Governor Ted Kulongoski, Salem, OR:

Senior Transportation Liaison, 9/07 – 12/10

Serve as Governor's transportation advisor and Executive Team member of Oregon Department of Transportation. Advise the Governor and the department on legislative, policy and administrative issues. Drive integration and implementation of State transportation policy. Identify and manage projects through multiple stakeholder groups including Oregon legislature, public and private interest groups, small and large business groups, national and international corporations. Instrumental in successful passage of 2009 Jobs and Transportation Act, the largest transportation package in Oregon history resulting in major economic stimulus. Instrumental in development and implementation of Oregon electric vehicle strategy designed to result in the largest deployment of electric vehicles and infrastructure in the world.

Senior Policy Advisor, 11/05 – 8/07

Served as Governor's liaison with organized labor to develop and maintain positive relationships with organized labor through election and budget cycles. Developed contract negotiation strategy. Managed appointments to WC, SAIF, ERB and PERS. Continued as Governor's Transportation Policy Advisor.

Legislative Director and Transportation Policy Advisor, 1/04 – 10/05

Served as Governor's chief lobbyist to the Oregon Legislature. Developed and coordinated legislative agendas with state agencies. Led successful enactment of ConnectOregon, a 100 million dollar multi-modal transportation investment package.

Director, Governor's Economic Revitalization Team, 1/03 – 1/04

Managed state program designed to develop and identify certified industrial land programs at local levels across the State. Led economic development work group of seven state agency directors. Managed \$1.6 million budget. Governor's policy advisor for industrial lands.

Office of U.S. Senator Ron Wyden, Portland, OR:

Political Director, Wyden for Senate, 9/01 – 12/02

Managed all political activity, including coordinated campaign and ballot initiatives.



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 08/02/10)

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-4 DATE 1-20-11
LYNDA GROW, BOARD CLERK

Board Clerk Use Only

Meeting Date: 1/20/11
Agenda Item #: R-4
Est. Start Time: 9:45 am
Date Submitted: 1/11/11

Agenda Title: Resolution Adopting the 2011 Multnomah County State Legislative Agenda

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

Requested Meeting Date: January 20, 2011 Amount of Time Needed: 30 minutes
Department: Government Relations Division: _____
Contact(s): Nancy Bennett
Phone: (503) 988-5895 Ext. _____ I/O Address: _____
Presenter Name(s) & Title(s): Nancy Bennett, Co-Director of Government Relations
Claudia Black, Co-Director of Government Relations

General Information

1. What action are you requesting from the Board?

Adoption of the 2011 Multnomah County State Legislative Agenda

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

Adoption of our legislative agenda provides necessary guidance to the county government relations staff in representing Multnomah County before the Oregon Legislature.

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

n/a

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

n/a

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

n/a

Required Signature

Elected Official or
Department/
Agency Director:

Nancy Bennett

Date: 1/12/11

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Adopting the Multnomah County 2011 State Legislative Agenda

The Multnomah County Board of Commissioners Finds:

- a. County officials are elected to protect the health and welfare of their constituents.
- b. Multnomah County has a vested interest in advancing state legislative initiatives on behalf of its residents, especially vulnerable populations.
- c. It is necessary to have a 2011 legislative agenda that harnesses county resources efficiently to promote priorities set by the Board.
- d. The Board has developed a legislative agenda that identifies key initiatives to pursue in the state legislature in 2011.
- e. The Multnomah County 2011 legislative agenda promotes the physical and mental well-being of its residents through robust public services, good government, environmental stewardship, and the public's safety.
- f. Multnomah County 2011 legislative agenda provides specific policy guidance to county officials and its lobbyists acting on its behalf in the state legislature.

The Multnomah County Board of Commissioner Resolves:

1. To undertake all activities and use the necessary resources wisely to promote the success of the attached 2011 State Legislative Agenda.
2. To reserve the right to modify any policy position in the 2011 State Legislative Agenda.

ADOPTED this 20th day of January, 2011.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

REVIEWED:
HENRY H. LAZENBY, JR., COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Henry H. Lazenby, Jr., County Attorney

01/20/11 Board Packet
R-4 - Resolution &
Final State Legislative Agenda

SUBMITTED BY: Jeff Cogen, Chair, Board of County Commissioners



MULTNOMAH COUNTY STATE LEGISLATIVE AGENDA 2011

Jan. 20, 2011

Counties across Oregon are facing an unprecedented challenge to provide core public services during this economic crisis and we recognize that this task will become even more difficult in the months ahead as the State grapples with a \$3.5 billion deficit for the 2011-13 biennium. This is a challenge we must address together. Our ability to provide services – everything from public safety to health care to roads and bridge maintenance – affects the economic vitality of our region and state. Our 2011 legislative agenda reflects our determination to work in partnership with state leaders to find new and more efficient ways to deliver services and to seek opportunities and tools to solve problems at the local level.

LEGISLATIVE PRIORITIES 2011

Public Safety

Our Public Safety System includes the Sheriff's Office, District Attorney, and Department of Community Justice. We are responsible for the successful reentry of adult offenders, juvenile crime prevention, patrol, the county jail system, and prosecution. Nearly 50% of our county general fund budget is spent on public safety.

- **Corrections:** Support strategies for reducing the cost of corrections in Oregon. Promote, with adequate funding, effective supervision in local communities.
- **Gang Intervention:** Preserve and enhance funding for critical gang intervention programs, including the East Multnomah County Gang Enforcement Program.
- **Juvenile Services.** Preserve state funding for Multnomah County to safely manage juvenile offenders in the local community and increase access to residential placements.
- **Pre-trial Services:** Oppose legislation to reinstate the bail bonds industry in Oregon, which would weaken public safety and the pre-trial service system.
- **Human Trafficking.** Support efforts to prevent victimization of children and provide support services for children who have been victimized.

- **Court facilities.** Support the creation of a court facility construction account as part of legislation to reform court filing fees. Courthouses throughout the state are in dire need of repair or replacement. Rather than depending upon State General Funds, those who use the facilities will help pay the costs.

Health and Human Services

We are the public health and mental health authority and are responsible for providing a broad range of safety net services for our community. This includes early childhood services, mental health, alcohol and drug treatment, disease prevention, and services to help seniors and the disabled to live independently. We operate seven health clinics and thirteen school based health centers. We are responsible for disease prevention and immunization services.

- **Seniors and People with Disabilities.** Support updated workload methodology to ensure adequate funding for case management. Currently, counties are only paid 90% of the state cost and are not funded for the full caseload. Support changes to the Senior/Medical Tax Deduction to help fund Aging and Disability Resource Centers.
- **Health Care Integration.** Work with state leaders on efforts to integrate and coordinate the delivery of physical and mental health care, oral care, long-term care and community “wrap-around” services. Coordinating these services will ultimately lower costs and improve the health of the community.
- **Affordable Housing.** Maintain document recording fee resources for affordable housing. Increase funding for the Emergency Housing Account to expand our capacity to address homelessness. Support programs that increase opportunities for affordable housing.

Community Services

We provide essential services like road and bridge maintenance, land use and transportation planning, elections, and animal shelters.

- **Elections.**
 - Support the Government Efficiency Task Force recommendations to eliminate precinct committee person elections.
 - Monitor reform efforts that move the registration deadline to a date closer to the election.

- **Transportation.** Support appropriate updates to HB 2001 and ensure that revenues are maintained for the Sellwood Bridge project.

Revenue Stability

At a time when State General Fund dollars are limited, local governments needs more tools to solve problems at the local level.

- **Lift Preemptions.** Support legislation to lift preemptions and other restrictions on local government, including the preemption on local tobacco taxes. This will allow counties to address local problems at the local level without the use of State General Fund dollars.
- **Shared state revenue.** Preserve counties' share of state liquor, lottery and tobacco revenues, which help fund local public safety, health and other essential services.

Submitted by Nancy Bennett and Claudia Black, Co-Directors, Government Relations
1-20-11



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 08/02/10)

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-6 DATE 1/20/11
IDA GROW, BOARD CLERK

Board Clerk Use Only

Meeting Date: 1/20/11
Agenda Item #: R-6
Est. Start Time: 10:45 am
Date Submitted: 1/12/11

Agenda Title: Consider Approving Resolution Regarding "A Healthy Active Multnomah County: It Starts Here" Campaign

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

Requested Meeting Date: January 20, 2011 **Amount of Time Needed:** 30 minutes
Department: Non-Departmental—Chair's Office **Division:** Chair Jeff Cogen
Contact(s): Sonia Manhas
Phone: **Ext.** 26221 **I/O Address:**
Presenter Name(s) & Title(s):

- Sonia Manhas, Program Manager
- David Hudson, Program Supervisor
- Alejandro Queral, Program Supervisor
- Emma Sirois, Program Director, Health Care Without Harm Program, Oregon Physicians for Social Responsibility
- Kelly Schweiger, KGW Media Group

General Information

1. What action are you requesting from the Board?

Asking the board to consider a resolution (attached) directing the Health Department to launch and promote the "A Healthy Active Multnomah County: It Starts Here" campaign and establish worksite wellness recommendations for Multnomah County employees. Resolution is part of the Communities Putting Prevention to Work (CPPW) Initiative.

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

The CPPW Initiative is focused on preventing chronic disease by combining effective policy with community engagement. Fighting obesity and chronic diseases must involve a comprehensive approach addressing not only individuals and individual behaviors but the environments and settings where children and adults spend a significant part of their days – in schools, in health care settings, worksites, and the built environment of neighborhoods. The "A Healthy Active Multnomah County: It Starts Here" campaign is our way of walking our talk, and demonstrating that large organizations are capable of taking steps to create better outcomes.

• Agenda Placement Request
Submit to Board Clerk

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

None. Grant funded.

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

Communities Putting Prevention to Work works to advance policy, system, and environment changes that promote healthy eating and physical activity, such as school wellness policies that set standards for required minutes of physical education and transportation policies that encourage active forms of transportation. This resolution directs the Health Department to develop recommendations for actions the Board could adopt to promote worksite wellness among county employees.

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

A wide network of community partners, including public health agencies, governmental entities, culturally-specific organizations, and schools, have informed the Health Department's comprehensive approach to obesity prevention, including the action plan adopted as a part of Communities Putting Prevention to Work. Over 30 community partners are funded by the CPPW initiative who are actively engaged in and shaping the work activities.

Required Signature

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



Date: 1/12/11

**Agenda Placement Request
Submit to Board Clerk**

RESOLUTION NO. ____

**DIRECTING THE HEALTH DEPARTMENT TO LAUNCH AND PROMOTE THE
"A HEALTHY ACTIVE MULTNOMAH COUNTY: IT STARTS HERE" CAMPAIGN AND
ESTABLISH WORKSITE WELLNESS RECOMMENDATIONS FOR MULTNOMAH COUNTY
EMPLOYEES**

The Multnomah County Board of Commissioners Finds:

- a. More than half of Multnomah County's adults are overweight or obese and therefore at risk for chronic conditions including diabetes, heart disease, cancer, arthritis, stroke, and, hypertension.
- b. The health care costs associated with obesity in Oregon for overweight, obesity, and physical inactivity exceeds \$781 million, and the costs of lost productivity caused by obesity are estimated to be nearly as large.
- c. Obesity and overweight rates are increasing among all population groups and are highest among certain ethnic groups, such as African Americans, Latinos, and American Indians/Alaska Natives.
- d. More children are being diagnosed with diseases linked to overweight and obesity previously seen only in adults, such as Type 2 diabetes and heart disease.
- e. The current generation of children are expected to have shorter lives than their parents due to the consequences of obesity.
- f. Multnomah County strives to improve the health of its residents and local workforce in order to decrease chronic disease and health care costs, and increase productivity. As an employer, Multnomah County is committed to creating worksites that promote healthy eating and physical activity.
- g. While individual lifestyle changes are necessary, individual effort alone is insufficient to combat obesity's rising tide. Significant societal and environmental changes in our schools, worksites, and neighborhoods are needed to support individual efforts to make healthier choices.
- h. Research over the past 15 years shows that in coordination with policy efforts and local public health initiatives to create supportive environments, community-wide health promotion campaigns can positively influence health behaviors, which can translate into major public health impact given the wide reach of mass media.

Multnomah County Board of Commissioners Resolves:

1. The Multnomah County Health Department is directed to implement the "A Healthy Active Multnomah County: It Starts Here" community education campaign and provide regular reports to the Board regarding the reach and community response to the campaign.
2. As a part of the Board's commitment to promoting a healthy workforce, the Multnomah County Health Department is directed to prepare worksite wellness recommendations for the Board's consideration, including but not limited to healthy eating guidelines for food and beverages offered at county events and strategies to substitute physical activity for sedentary practices during the workday. These recommendations should be brought to the Board by June 2011.

ADOPTED this 20th day of January, 2011.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

REVIEWED BY:
HENRY H. LAZENBY, JR., COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 08/02/10)

Board Clerk Use Only

Meeting Date: _____

Agenda Item #: _____

Est. Start Time: _____

Date Submitted: _____

*Consider
approve*

Agenda Title: ~~Vote on~~ Resolution Regarding "A Healthy Active Multnomah County: It Starts Here" Campaign

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

Requested Meeting Date: January 20, 2011 **Amount of Time Needed:** 30 minutes
Department: Non-Departmental—Chair's Office **Division:** Chair Jeff Cogen
Contact(s): Sonia Manhas (20221) Emerald Bogue (85772)
Phone: _____ **Ext.** 26221 **I/O Address:** _____
Presenter Name(s) & Title(s):

- Sonia Manhas, Program Manager
- David Hudson, Program Supervisor
- Alejandro Queral, Program Supervisor
- Emma Sirois, Program Director, Health Care Without Harm Program, Oregon Physicians for Social Responsibility
- Kelly Schweiger, KGW Media Group

General Information

1. What action are you requesting from the Board?

Asking the board to consider a resolution (attached) directing the Health Department to launch and promote the "A Healthy Active Multnomah County: It Starts Here" campaign and establish worksite wellness recommendations for Multnomah County employees. Resolution is part of the Communities Putting Prevention to Work (CPPW) Initiative.

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

The CPPW Initiative is focused on preventing chronic disease by combining effective policy with community engagement. Fighting obesity and chronic diseases must involve a comprehensive approach addressing not only individuals and individual behaviors but the environments and settings where children and adults spend a significant part of their days – in schools, in health care settings, worksites, and the built environment of neighborhoods. The "A Healthy Active Multnomah County: It Starts Here" campaign is our way of walking our talk, and demonstrating that large organizations are capable of taking steps to create better outcomes.

Agenda Placement Request
Submit to Board Clerk

Lynda -
This was
left in
Jeff's Box -
I think this
should go to you?
BARB

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

None. Grant funded.

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

Communities Putting Prevention to Work works to advance policy, system, and environment changes that promote healthy eating and physical activity, such as school wellness policies that set standards for required minutes of physical education and transportation policies that encourage active forms of transportation. This resolution directs the Health Department to develop recommendations for actions the Board could adopt to promote worksite wellness among county employees.

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

A wide network of community partners, including public health agencies, governmental entities, culturally-specific organizations, and schools, have informed the Health Department's comprehensive approach to obesity prevention, including the action plan adopted as a part of Communities Putting Prevention to Work. Over 30 community partners are funded by the CPPW initiative who are actively engaged in and shaping the work activities.

Required Signature

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

Date: _____

**RESOLUTION NO. __ DIRECTING THE HEALTH DEPARTMENT TO LAUNCH AND PROMOTE THE
"A HEALTHY ACTIVE MULTNOMAH COUNTY: IT STARTS HERE" CAMPAIGN AND ESTABLISH WORKSITE
WELLNESS RECOMMENDATIONS FOR MULTNOMAH COUNTY EMPLOYEES**

The Multnomah County Board of Commissioners Finds:

- a. More than half of Multnomah County's adults are overweight or obese and therefore at risk for chronic conditions including diabetes, heart disease, cancer, arthritis, stroke, and, hypertension.
- b. The health care costs associated with obesity in Oregon for overweight, obesity, and physical inactivity exceeds \$781 million, and the costs of lost productivity caused by obesity are estimated to be nearly as large.
- c. Obesity and overweight rates are increasing among all population groups and are highest among certain ethnic groups, such as African Americans, Latinos, and American Indians/Alaska Natives.
- d. More children are being diagnosed with diseases linked to overweight and obesity previously seen only in adults, such as Type 2 diabetes and heart disease.
- e. The current generation of children are expected to have shorter lives than their parents due to the consequences of obesity.
- f. Multnomah County strives to improve the health of its residents and local workforce in order to decrease chronic disease and health care costs, and increase productivity. As an employer, Multnomah County is committed to creating worksites that promote healthy eating and physical activity.
- g. While individual lifestyle changes are necessary, individual effort alone is insufficient to combat obesity's rising tide. Significant societal and environmental changes in our schools, worksites, and neighborhoods are needed to support individual efforts to make healthier choices.
- h. Research over the past 15 years shows that in coordination with policy efforts and local public health initiatives to create supportive environments, community-wide health promotion campaigns can positively influence health behaviors, which can translate into major public health impact given the wide reach of mass media.

Multnomah County Board of Commissioners Resolves:

1. The Multnomah County Health Department is directed to implement the "A Healthy Active Multnomah County: It Starts Here" community education campaign and provide regular reports to the Board regarding the reach and community response to the campaign.
-

2. As a part of the Board's commitment to promoting a healthy workforce, the Multnomah County Health Department is directed to prepare worksite wellness recommendations for the Board's consideration, including but not limited to healthy eating guidelines for food and beverages offered at county events and strategies to substitute physical activity for sedentary practices during the workday. These recommendations should be brought to the Board by June 2011.
-



Multnomah County Sheriff's Office

12240 NE Glisan St., • Portland, OR 97230

Exemplary service for a safe, livable community

DANIEL STATON
SHERIFF

503 255-3600 PHONE
503 251-2484 TTY
www.mcso.us

January 19, 2011

Board of County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, OR 97214-3587

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-5.4 DATE 1/20/11
LYNDA GROW, BOARD CLERK

Oregon Liquor Control Commission
9079 SE McLoughlin Boulevard
Portland, OR 97222-7355

Regarding: Fred's Marina
12800 NW Marina Way
Portland, OR 97231

Subject: Liquor License Applicant
Off Premises Sales

Owner: Cherie Sprando
05/09/50
12800 NW Marine Way
Portland, OR 97231

The establishment Springdale Pub and Eatery has now come into compliance with Multnomah County Sheriff's Office for the purposes of renewing their annual Oregon Liquor Control Commission for on and off premises license.

- Sheriff's Office background is completed and satisfactory
 - Recommendation for Renewal
- Taxation records are now current with filings
 - Recommendation for Renewal
- Land Use Management
 - Recommendation for Renewal
- Alarms
 - Recommendation for Renewal

With the updated compilation of data, the Multnomah County Sheriff's Office forwards a revised **FAVORABLE RECOMMENDATION** for the Liquor License 2011 Renewal.

Sincerely,

A handwritten signature in cursive script, appearing to read "Daniel Staton".

Sheriff



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

1/20 UPDATE
RECOMMENDATION CHANGED
AFTER COMING INTO
COMPLIANCE ON ALL ISSUES.
LYNDA BROW
BOARD CLERK

Board Clerk Use Only

Meeting Date: 1/20/11
Agenda Item #: R-5.4
Est. Start Time: 10:15 am
TIME CERTAIN

Agenda Title: Off Premises Sales Liquor License Renewal for Fred's Marina, 12800 NW Marina Way, Portland, OR 97231

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

Date Requested:	<u>January 20, 2011</u>	Time Requested:	<u></u>
Department:	<u>Sheriff's Office</u>	Division:	<u>Enforcement</u>
Contact(s):	<u>Kimberly Walker-Norton</u>		
Phone:	<u>(503) 251-2520</u>	Ext.:	<u>I/O Address: 313/122</u>
Presenter(s):	<u>County Attorney and Kimberly Walker-Norton</u>		

General Information

1. What action are you requesting from the Board?
Recommend Board denial of of liquor license renewal request.
2. Please provide sufficient background information for the Board and the public to understand this issue.

The establishment Fred's Marina has failed to comply with the annual background and fee payment to Multnomah County Sheriff's Office for the purposes of renewing their annual OLCC on and off premises license.

The Multnomah County Assessment and Taxation reported compliance with the address listed 12800 NW Marine Way, Portland, OR, and has no objection to the renewal of the liquor license.

The Land Use Planning Division has reported that they have no objection to the renewal of the liquor license.

Multnomah County False Alarm Reduction Program reports current permits, fees and

compliance with all MC ordinances for Fred's Marina. With these findings, the Alarms Program has no objections to the renewal of the annual OLCC license.

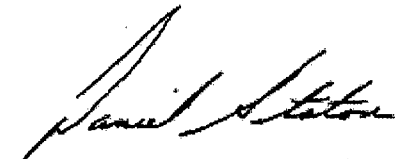
With the current compilation of data, the Multnomah County Sheriff's Office forwards an **UNFAVORABLE RECOMMENDATION** for the Liquor License Renewal until the compliance for the background is completed.

3. Explain the fiscal impact (current year and ongoing).
4. Explain any legal and/or policy issues involved.
5. Explain any citizen and/or other government participation that has or will take place.

Required Signatures

Elected
Official:

Date: 1/11/11



Daniel Staton, Sheriff



Lynda Grow, Board Clerk

MULTNOMAH COUNTY OREGON

501 SE Hawthorne, Suite 600
Portland, Oregon 97214-3587
(503) 988-5274 (Phone) (503) 988-3013 (Fax)
<http://www.co.multnomah.or.us/cc/>
lynda.grow@multco.us

CERTIFIED MAIL

January 11, 2011

Cherie Sprando
Fred's Marina
12800 NW Marina Way
Portland, OR 97231

Re: Notice of Scheduled Hearing - Liquor License Application

Dear Ms. Sprando:

The Multnomah County Sheriff's Office has completed the investigation of the above liquor license renewal application and has made a recommendation for denial to the Multnomah County Board of Commissioners. This matter is scheduled for hearing before the Board of County Commissioners to forward a recommendation to the Oregon Liquor Control Commission.

Date: January 20, 2011

Time: 10:15 am

501 SE Hawthorne Blvd. Portland, OR 97214-3587
First Floor, Room 100, off Lobby

You shall be given a reasonable opportunity to be heard by the Board of County Commissioners at the hearing specified above to address the concerns raised by the Sheriff, the Board, and any persons or groups appearing in opposition to your application. The Board's recommendation of approval or denial of your application shall be final.

A copy of the Sheriff's recommendation is enclosed for your reference. Please notify us if you will attend this Hearing.

Sincerely,

Lynda J. Grow
Board Clerk
Multnomah County

cc: Sheriff Daniel Staton
Oregon Liquor Control Commission



Multnomah County Sheriff's Office

12240 NE Glisan St., • Portland, OR 97230

Exemplary service for a safe, livable community

DANIEL STATON
SHERIFF

503 255-3600 PHONE
503 251-2484 TTY
www.mcso.us

January 11, 2011

Board of County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, OR 97214-3587

Regarding: Fred's Marina
12800 NW Marina Way
Portland, OR 97231

Subject: Liquor License Applicant
Off Premises Sales

Owner: Cherie Sprando
05/09/50
12800 NW Marine Way
Portland, OR 97231

The establishment Fred's Marina has failed to comply with the annual background and fee payment to Multnomah County Sheriff's Office for the purposes of renewing their annual OLCC on and off premises license.

The Multnomah County Assessment and Taxation reported compliance with the address listed 12800 NW Marine Way, Portland, OR, and has no objection to the renewal of the liquor license.

The Land Use Planning Division has reported that they have no objection to the renewal of the liquor license.

Multnomah County False Alarm Reduction Program reports current permits, fees and compliance with all MC ordinances for Fred's Marina. With these findings, the Alarms Program has no objections to the renewal of the annual OLCC license.

With the current compilation of data, the Multnomah County Sheriff's Office forwards an UNFAVORABLE RECOMMENDATION for the Liquor License Renewal until the compliance for the background is completed.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Staton".

Sheriff Daniel Staton

COPY: Oregon Liquor Control Commission
9079 SE McLoughlin Boulevard
Portland, OR 97222-7355

§ 15.355 DISTRIBUTION OF PROCEEDS.

After the forfeiture counsel distributes property under the provisions of state law, the forfeiture counsel shall disperse of and distribute property in the following manner:

(A) If the seizing agency has an intergovernmental agreement pursuant to state law, the terms of the intergovernmental agreement shall control the distribution of the property.

(B) If the seizing agency does not have an intergovernmental agreement pursuant to state law, the seizing agency shall recover 50% of the property, the county district attorney's office shall recover 35% of the property and the remaining 15% shall be credited to the county general fund for criminal justice services.

(C) If more than one law enforcement agency has participated in the investigation leading to forfeiture, the participating agencies shall share the 50% of the proceeds ordinarily remitted to the seizing agency equitably between the participating agencies.

(D) Except as otherwise provided by intergovernmental agreement, the forfeiting agency may:

(1) Sell, lease, lend or transfer the property or proceeds to any federal, state or local law enforcement agency or district attorney;

(2) Sell the forfeited property by public or other commercially reasonable sale and pay from the proceeds the expenses of keeping and selling the property;

(3) Retain the property; or

(4) With written authorization from the district attorney for the forfeiting agency's jurisdiction, destroy any firearm or contraband.

(E) The forfeiting agency, and any agency which receives forfeited property or proceeds from the sale of forfeited property, shall maintain written documentation of each sale, decision to return, transfer or other disposition.

(* 90 Code, § 7.85.036; 07/01/1998; Ord 633, passed, 12/14/1989)

LIQUOR LICENSES

§ 15.400- PURPOSE.

The purposes of this subchapter are to establish the principal criteria which shall be considered by the Board and the Sheriff, in making recommendations to the state Liquor Control Commission concerning the granting, denying, modifying or renewing of all liquor licenses for premises within unincorporated the county and to establish a process, to be utilized for the investigation of such license applicants for the purpose of making such recommendations, that is fair, effective and efficient. This subchapter is necessary to ensure that all premises licensed to sell or dispense liquor in any form meet the high expectations of this community, and that all businesses are conducted in a lawful manner that does not unreasonably disturb the peace and tranquility of this county and its neighborhoods.

(* 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.401 APPLICATION PROCEDURE.

(A) Any applicant for any license who is required by the state Liquor Control Commission to have a recommendation from the county concerning the suitability of such application shall present the license application forms prescribed by the Liquor Control Commission to the Sheriff for the purpose of obtaining the recommendation of the county concerning such a license.

(B) For the purpose of conducting the investigation to ascertain pertinent information bearing upon such county recommendations, the Sheriff may require such other information in addition to that provided upon the Liquor Control Commission application forms as it deems appropriate.

(C) The Sheriff shall accept liquor license applications only when the following conditions are met:

(1) All required forms are properly completed and in order; and

(S-1 2002)

(2) The processing fees, in amounts established by Board resolution, and as allowed by ORS, have been paid.

('90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.402 INVESTIGATION.

(A) The Sheriff shall coordinate and conduct an investigation of each application for the purpose of determining what recommendation shall be made to the Board, using the procedures set forth in division (B) of this section.

(B) (1) All applicants shall be checked for any and all prior arrest records or violations of Liquor Control Commission regulations.

(2) All applicants shall be checked for prior community relations problems under another license.

(3) The business locations shall be examined and must be in the best interests of the community.

(4) All renewal applications shall be reviewed and checked for prior negative impact on the community.

(5) All new outlets, or change of location/privilege shall be referred to the zoning section for verification of the proposed use under the county zoning code.

(6) All new and renewal applications shall be checked to determine whether there are delinquent personal or real property taxes due and owing for the premises.

('90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.403 RECOMMENDATIONS TO THE BOARD.

Upon completion of the investigation procedures, the Sheriff shall forward to the Board a rec-

(S-1 2002)

ommendation of approval or denial. The clerk of the Board then places the matter on the Board's agenda, in order that the Board may then make a recommendation of approval or denial to the state Liquor Control Commission.

('90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.404 DENIAL OF LICENSE.

The Sheriff may make a recommendation of denial to the Board regarding any application if:

(A) The applicant's record reflects a pattern of violation of the alcoholic liquor laws of this state;

(B) The applicant has a history of use of controlled substances or use of alcoholic beverages to excess;

(C) The record of the applicant shows violation(s) of criminal law(s) or ordinance(s) connected in time, place or manner with a liquor establishment or which demonstrate a disregard for law;

(D) The applicant has maintained, or allowed to exist, an establishment which creates or is a public nuisance under the ordinances of the county or laws of the state or in which any violation of the provisions of the code, or federal or state law relating to minors, gambling, obscenity, controlled substances, prostitution or alcoholic beverages, or ORS Chapters 163, 164, 165 and 166 have occurred, or which creates an increase in disorderly or violent acts, litter, noise, vandalism, vehicular or pedestrian traffic congestion, or other location problems, in the reasonable proximity of such premises;

(E) The applicant's premises are not maintained in reasonable repair, both interior and exterior, and kept clean and free of litter, rubbish, and dirt;

(F) The applicant's premises are found to be a nuisance under the terms of this chapter;

(G) In the case of an application for a new license or for an increase in liquor selling or dispensing privilege, there are sufficient licensed premises in the locality set out in the application and the li-

cense is not demanded by public interest or convenience;

(H) The licensing of the premises would not be in the best interests of the community because of a history of illegal activities, altercations, noisy conduct, or other disturbances in or around the premises;

(I) The applicant has demonstrated an unwillingness or inability to cooperate with county agencies or neighbors in resolving community disputes related to a licensed establishment;

(J) If the zoning section finds that the proposed new outlet, or change of location/privilege is found to be in violation of the zoning code. However, the applicant may file an application for change of zone, conditional use which would permit such use;

(K) If there are delinquent real or personal property taxes due and owing for the premises at the time of application or renewal, a recommendation of denial is mandatory; and

(L) If there is any other specific reason consistent with the purposes of this subchapter which may, in the opinion of the Sheriff, warrant an adverse report to the Board based upon public health, safety, welfare, convenience or necessity.

(* 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.405 HEARINGS; NOTIFICATION.

(A) When the Sheriff makes a recommendation for denial of any application, the clerk of the Board shall notify, by certified mail, the applicant, the Liquor Control Commission, and the Sheriff of the hearing date, place and time at least one week before such hearing takes place. The presiding officer of the Board may also contact the neighborhood associations concerned.

(B) When the Sheriff makes a recommendation for approval of an application for which the Sheriff or the Board has received complaints or concerns from citizens or other business establishments, or for which there may be other controversy, the clerk of the Board shall notify those concerned citizens or

business establishments and the applicant of the hearing date, place and time.

(* 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.406 HEARING PROCEDURES.

When the Board has scheduled a hearing on any liquor license application, such applicant shall be given a reasonable opportunity to be heard and address concerns raised by the Sheriff, the Board, and persons or groups appearing in opposition to such an application. The Board's recommendation of approval or denial of such application, based upon a determination of what course of action best serves the interest of the citizens of the county, shall be final.

(* 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.407 RECONSIDERATION OF APPLICATIONS.

After having made a recommendation of denial on any liquor license application, the Sheriff and the Board shall not consider any new application for the same location by the same or substantially the same applicant for a period of at least six months or while such applicant has pending an appeal in court or in a state administrative agency related to such a license. Notwithstanding, the Sheriff may reconsider or re-submit such an application to the Board in less than six months if it is reasonably believed that a recommendation of denial has substantially changed, and no court or administrative appeal of such license is pending.

(* 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.408 TEMPORARY LICENSES.

On any application for a temporary liquor license which will be in effect for five days or less, review by the Board shall not be automatically required. The Sheriff has authority to make a recommendation of approval to the Liquor Control Commission on such applications. If the Sheriff recom-

mends denial of any application for a temporary license, the application shall be reviewed by the Board as outlined in §§ 15.405 and 15.406.

(' 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

POLICE IMPERSONATION

§ 15.450- UNAUTHORIZED VEHICLES DISPLAYING POLICE INSIGNIA.

No person shall own or operate a private motor vehicle in the county outside of incorporated cities marked or identified by the word "police" or any other marking or insignia identifying the vehicle as a police vehicle.

Penalty, see § 15.999

(' 90 Code, § 7.90.100, 07/01/1998; Ord. 35, passed, 07/09/1970)

NEIGHBORHOOD WATCH SIGNS

§ 15.500- FINDINGS.

The Board finds:

(A) The Sheriff, in cooperation with the community, has instituted an observation and reporting program by which the residents of blocks can organize to better protect themselves against neighborhood intruders who are there for unlawful purposes.

(B) It has been proposed that when residents of a block have met certain requirements that they be allowed to place signs within the right-of-way which indicate that the block is protected by neighborhood watch.

(C) The granting of this request will not be detrimental to the public interest under certain conditions.

(' 90 Code, § 2.70.305, 07/01/1998; Ord. 399, passed, 09/23/1983)

§ 15.501 PERMIT; STANDARDS.

(A) A revocable permit is granted to the Sheriff to have the signs referred to in § 15.500 placed in

the public rights-of-way subject to the conditions set forth in division (B) of this section.

(B) (1) Signs and signposts shall be furnished and installed by the requesting neighborhood.

(2) All signs and locations shall be approved by the traffic engineer.

(3) The signs, when installed, shall conform to the county engineer's standard plan.

(4) The Sheriff shall maintain a record of installed sign locations.

(5) The county shall remove signs not in conformance with the county engineer's standard plan and the traffic engineer's approved location.

(' 90 Code, § 2.70.320, 07/01/1998; Ord. 399, passed, 09/23/1983)

CRIMINAL JUSTICE INFORMATION

§ 15.550- PURPOSE.

It is the purpose of this subchapter to assure that criminal history record information, wherever it appears, is stored, collected, and disseminated in a manner to insure the completeness, integrity, accuracy, and security of such information, and to protect individual privacy.

(' 90 Code, § 7.80.010, 07/01/1998; Ord. 201, passed, 05/10/1979)

§ 15.551 DEFINITIONS.

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

ACCESS. The authority to review or receive information from files, records, or an information system, whether manual or automated.

ATTORNEY. An attorney at law authorized by a person to assert the confidentiality of right of access to criminal history record information under this subchapter.

AUTHORIZED REPRESENTATIVE. A parent, or a guardian, or conservator, other than an attorney, appointed to act on behalf of a person and



Lynda Grow, Board Clerk

MULTNOMAH COUNTY OREGON

501 SE Hawthorne, Suite 600

Portland, Oregon 97214-3587

Phone: (503) 988-3277 Fax: (503) 988-3013

<http://www.co.multnomah.or.us/cc/>

lynda.grow@co.multco.us

FAX COVER SHEET

Date: January 12, 2011

To: Oregon Liquor Control Commission
Annual Renewal Department
Milwaukie, Oregon 97269

From: Lynda Grow, Board Clerk

PHONE: (503) 988-5274 -or- (503) 988-3277

FAX TO: 503-872-5266 FAX FROM: (503) 988-3013

RE: NOTICE OF PUBLIC HEARING FOR DENIAL OF OLCC LICENSES

The Sheriff's Office has completed their investigation of liquor license renewal applications and has made a recommendation for denial to the Multnomah County Board of Commissioners.

This matter is scheduled for hearing before the Board of County Commissioners to forward this recommendation to the Oregon Liquor Control Commission.

That Hearing is set for January 20, 2011 at 10:15 am at 501 SE Hawthorne Blvd., First Floor, Room 100, off Lobby – Portland, Oregon 97214. Notices were sent to the Applicants within the appropriate time frame by certified USPS mail. A copy was mailed to you through regular postal mail, but I thought it best to fax copies to you. They are attached.

Those Applicants that are recommended for denial are:

Big Bear's Crown Point Market, 31815 E Columbia River Hwy, Troutdale, OR
Bottoms Up Tavern 16900 NW St Helens Rd., Portland, OR
Corbett Country Market – 36801 E Columbia River Hwy, Corbett, OR
Fred's Marina – 12800 NW Marina Way, Portland, OR
Springdale Pub – 32302 E Columbia River Hwy, Corbett, OR
Tenley's Jackpot Foodmart – 28210 SE Orient Dr., Gresham, OR

cc: Henry H. Lazenby, Jr., County Attorney



Multnomah County Sheriff's Office

12240 NE Glisan St., • Portland, OR 97230

Exemplary service for a safe, livable community

DANIEL STATON
SHERIFF

503 255-3600 PHONE
503 251-2484 TTY
www.mcso.us

January 19, 2011

Board of County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, OR 97214-3587

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-5.3 DATE 1/20/11
LYNDA GROW, BOARD CLERK

Oregon Liquor Control Commission
9079 SE McLoughlin Boulevard
Portland, OR 97222-7355

Regarding: Corbett Country Market
36801 E Historic Columbia River Hwy
Corbett, OR 97019

Subject: Liquor License Applicant
Off Premises Sales

Owner: Susan Larsen-Leigh
03/19/53
1805 NE Brower Road
Corbett, OR 97019

The establishment Corbett Country Market has now come into compliance with Multnomah County Sheriff's Office for the purposes of renewing their annual Oregon Liquor Control Commission for on and off premises license.

- Sheriff's Office background is completed and satisfactory
 - Recommendation for Renewal
- Taxation records are current with filings
 - Recommendation for Renewal
- Land Use Management
 - Recommendation for Renewal
- Alarms
 - Recommendation for Renewal

With the updated compilation of data, the Multnomah County Sheriff's Office forwards a revised **FAVORABLE RECOMMENDATION** for the Liquor License 2011 Renewal.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Staton", written in a cursive style.

Sheriff



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

1/20 UPDATE

RECOMMENDATION CHANGED
AFTER COMING INTO
COMPLIANCE ON ALL ISSUES.
-LYNDA GROW
BOARD CLERK

Board Clerk Use Only

Meeting Date: 1/20/11
Agenda Item #: R-5.3
Est. Start Time: 10:15 am
Date Submitted: TIME CERTAIN

Agenda Title: Off Premises Sales Liquor License Renewal for Corbett Country Market, 36801 E. Historic Columbia River Highway, Corbett, OR 97019

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

Date Requested: January 20, 2011 Time Requested: 5 min
Department: Sheriff's Office Division: Enforcement
Contact(s): Kimberly Walker-Norton
Phone: (503) 251-2520 Ext. I/O Address: 313/122
Presenter(s): County Attorney and Kimberly Walker- Norton, Law Enforcement Support Units Manager

General Information

1. What action are you requesting from the Board?

Recommend Board denial for the above liquor license renewal request

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

The Multnomah County Sheriff's Office has completed its investigation for the above liquor license renewal.

Assessment and Taxation reported that the address of 36801 East Historic Columbia River Highway, Corbett is in compliance with the Assessment and Taxation Office.

The Land Use Planning Division reported that they have no objection to renewal of the liquor license.

Multnomah County False Alarm Reduction Program has notified us of non compliance in payment for false alarm response and has revoked their permit. Location is currently blocked via BOEC for any police response caused by burglary alarm until arrears are made current.

Nothing in the background check of owner/s raised any questions or concerns.

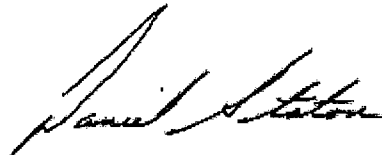
With the investigation completed the Multnomah County Sheriff's Office forwards a **NON FAVORABLE RECOMMENDATION** for the Liquor License Renewal.

3. Explain the fiscal impact (current year and ongoing).
4. Explain any legal and/or policy issues involved.
5. Explain any citizen and/or other government participation that has or will take place.

Required Signatures

Elected Official or
Department
Agency/Director:

Date: 1/11/2011



Daniel Staton, Sheriff



Lynda Grow, Board Clerk

MULTNOMAH COUNTY OREGON

501 SE Hawthorne, Suite 600
Portland, Oregon 97214-3587
(503) 988-5274 (Phone) (503) 988-3013 (Fax)
<http://www.co.multnomah.or.us/cc/>
lynda.grow@multco.us

CERTIFIED MAIL

January 11, 2011

Susan Larsen-Leigh
Corbett Country Market
36801 E Historic Columbia River Hwy
Corbett, OR 97019

Re: Notice of Scheduled Hearing - Liquor License Application

Dear Ms. Larsen-Leigh:

The Multnomah County Sheriff's Office has completed the investigation of the above liquor license renewal application and has made a recommendation for denial to the Multnomah County Board of Commissioners. This matter is scheduled for hearing before the Board of County Commissioners to forward a recommendation to the Oregon Liquor Control Commission.

Date: January 20, 2011

Time: 10:15 am

501 SE Hawthorne Blvd. Portland, OR 97214-3587
First Floor, Room 100, off Lobby

You shall be given a reasonable opportunity to be heard by the Board of County Commissioners at the hearing specified above to address the concerns raised by the Sheriff, the Board, and any persons or groups appearing in opposition to your application. The Board's recommendation of approval or denial of your application shall be final.

A copy of the Sheriff's recommendation is enclosed for your reference. Please notify us if you will attend this Hearing.

Sincerely,

Lynda J. Grow
Board Clerk
Multnomah County

cc: Sheriff Daniel Staton
Oregon Liquor Control Commission



Multnomah County Sheriff's Office

12240 NE Glisan St., • Portland, OR 97230

Exemplary service for a safe, livable community

DANIEL STATON
SHERIFF

503 255-3600 PHONE
503 251-2484 TTY
www.mcso.us

January 11, 2011

Board of County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, OR 97214-3587

Regarding: Corbett Country Market
36801 E Historic Columbia River Hwy
Corbett, OR 97019

Subject: Liquor License Applicant
Off Premises Sales

Owner: Susan Larsen-Leigh
03/19/53
1805 NE Brower Road
Corbett, OR 97019

The Multnomah County Sheriff's Office has completed its investigation for the above liquor license renewal.

Assessment and Taxation reported that the address listed 36801 E Historical Columbia River Highway is in compliance with the Assessment and Taxation Office.

The Land Use Planning Division has reported that they have no objection to the renewal of the liquor license.

Multnomah County False Alarm Reduction Program has notified us of non compliance in payment for false alarm response and has revoked their permit. Location is currently blocked via BOEC for any police response caused by burglary alarm until arrears are made current due to none payment. Nothing in the background check of owner/s raised any questions or concerns.

With the investigation completed, the Multnomah County Sheriff's Office forwards an UNFAVORABLE RECOMMENDATION for the Liquor License Renewal.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Staton", written over a horizontal line.

Sheriff Daniel Staton

Copy: Oregon Liquor Control Commission
9079 SE McLoughlin Boulevard
Portland, OR 97222-7355

§ 15.355 DISTRIBUTION OF PROCEEDS.

After the forfeiture counsel distributes property under the provisions of state law, the forfeiture counsel shall disperse of and distribute property in the following manner:

(A) If the seizing agency has an intergovernmental agreement pursuant to state law, the terms of the intergovernmental agreement shall control the distribution of the property.

(B) If the seizing agency does not have an intergovernmental agreement pursuant to state law, the seizing agency shall recover 50% of the property, the county district attorney's office shall recover 35% of the property and the remaining 15% shall be credited to the county general fund for criminal justice services.

(C) If more than one law enforcement agency has participated in the investigation leading to forfeiture, the participating agencies shall share the 50% of the proceeds ordinarily remitted to the seizing agency equitably between the participating agencies.

(D) Except as otherwise provided by intergovernmental agreement, the forfeiting agency may:

(1) Sell, lease, lend or transfer the property or proceeds to any federal, state or local law enforcement agency or district attorney;

(2) Sell the forfeited property by public or other commercially reasonable sale and pay from the proceeds the expenses of keeping and selling the property;

(3) Retain the property; or

(4) With written authorization from the district attorney for the forfeiting agency's jurisdiction, destroy any firearm or contraband.

(E) The forfeiting agency, and any agency which receives forfeited property or proceeds from the sale of forfeited property, shall maintain written documentation of each sale, decision to return, transfer or other disposition.

(* 90 Code, § 7.85.036, 07/01/1998; Ord 633, passed, 12/14/1989)

LIQUOR LICENSES

§ 15.400- PURPOSE.

The purposes of this subchapter are to establish the principal criteria which shall be considered by the Board and the Sheriff, in making recommendations to the state Liquor Control Commission concerning the granting, denying, modifying or renewing of all liquor licenses for premises within unincorporated the county and to establish a process, to be utilized for the investigation of such license applicants for the purpose of making such recommendations, that is fair, effective and efficient. This subchapter is necessary to ensure that all premises licensed to sell or dispense liquor in any form meet the high expectations of this community, and that all businesses are conducted in a lawful manner that does not unreasonably disturb the peace and tranquility of this county and its neighborhoods.

(* 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.401 APPLICATION PROCEDURE.

(A) Any applicant for any license who is required by the state Liquor Control Commission to have a recommendation from the county concerning the suitability of such application shall present the license application forms prescribed by the Liquor Control Commission to the Sheriff for the purpose of obtaining the recommendation of the county concerning such a license.

(B) For the purpose of conducting the investigation to ascertain pertinent information bearing upon such county recommendations, the Sheriff may require such other information in addition to that provided upon the Liquor Control Commission application forms as it deems appropriate.

(C) The Sheriff shall accept liquor license applications only when the following conditions are met:

(1) All required forms are properly completed and in order; and

(S-1 2002)

(2) The processing fees, in amounts established by Board resolution, and as allowed by ORS, have been paid.

('90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.402 INVESTIGATION.

(A) The Sheriff shall coordinate and conduct an investigation of each application for the purpose of determining what recommendation shall be made to the Board, using the procedures set forth in division (B) of this section.

(B) (1) All applicants shall be checked for any and all prior arrest records or violations of Liquor Control Commission regulations.

(2) All applicants shall be checked for prior community relations problems under another license.

(3) The business locations shall be examined and must be in the best interests of the community.

(4) All renewal applications shall be reviewed and checked for prior negative impact on the community.

(5) All new outlets, or change of location/privilege shall be referred to the zoning section for verification of the proposed use under the county zoning code.

(6) All new and renewal applications shall be checked to determine whether there are delinquent personal or real property taxes due and owing for the premises.

('90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.403 RECOMMENDATIONS TO THE BOARD.

Upon completion of the investigation procedures, the Sheriff shall forward to the Board a rec-

ommendation of approval or denial. The clerk of the Board then places the matter on the Board's agenda, in order that the Board may then make a recommendation of approval or denial to the state Liquor Control Commission.

('90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.404 DENIAL OF LICENSE.

The Sheriff may make a recommendation of denial to the Board regarding any application if:

(A) The applicant's record reflects a pattern of violation of the alcoholic liquor laws of this state;

(B) The applicant has a history of use of controlled substances or use of alcoholic beverages to excess;

(C) The record of the applicant shows violation(s) of criminal law(s) or ordinance(s) connected in time, place or manner with a liquor establishment or which demonstrate a disregard for law;

(D) The applicant has maintained, or allowed to exist, an establishment which creates or is a public nuisance under the ordinances of the county or laws of the state or in which any violation of the provisions of the code, or federal or state law relating to minors, gambling, obscenity, controlled substances, prostitution or alcoholic beverages, or ORS Chapters 163, 164, 165 and 166 have occurred, or which creates an increase in disorderly or violent acts, litter, noise, vandalism, vehicular or pedestrian traffic congestion, or other location problems, in the reasonable proximity of such premises;

(E) The applicant's premises are not maintained in reasonable repair, both interior and exterior, and kept clean and free of litter, rubbish, and dirt;

(F) The applicant's premises are found to be a nuisance under the terms of this chapter;

(G) In the case of an application for a new license or for an increase in liquor selling or dispensing privilege, there are sufficient licensed premises in the locality set out in the application and the li-

cense is not demanded by public interest or convenience;

(H) The licensing of the premises would not be in the best interests of the community because of a history of illegal activities, altercations, noisy conduct, or other disturbances in or around the premises;

(I) The applicant has demonstrated an unwillingness or inability to cooperate with county agencies or neighbors in resolving community disputes related to a licensed establishment;

(J) If the zoning section finds that the proposed new outlet, or change of location/privilege is found to be in violation of the zoning code. However, the applicant may file an application for change of zone, conditional use which would permit such use;

(K) If there are delinquent real or personal property taxes due and owing for the premises at the time of application or renewal, a recommendation of denial is mandatory; and

(L) If there is any other specific reason consistent with the purposes of this subchapter which may, in the opinion of the Sheriff, warrant an adverse report to the Board based upon public health, safety, welfare, convenience or necessity.

(' 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.405 HEARINGS; NOTIFICATION.

(A) When the Sheriff makes a recommendation for denial of any application, the clerk of the Board shall notify, by certified mail, the applicant, the Liquor Control Commission, and the Sheriff of the hearing date, place and time at least one week before such hearing takes place. The presiding officer of the Board may also contact the neighborhood associations concerned.

(B) When the Sheriff makes a recommendation for approval of an application for which the Sheriff or the Board has received complaints or concerns from citizens or other business establishments, or for which there may be other controversy, the clerk of the Board shall notify those concerned citizens or

business establishments and the applicant of the hearing date, place and time.

(' 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.406 HEARING PROCEDURES.

When the Board has scheduled a hearing on any liquor license application, such applicant shall be given a reasonable opportunity to be heard and address concerns raised by the Sheriff, the Board, and persons or groups appearing in opposition to such an application. The Board's recommendation of approval or denial of such application, based upon a determination of what course of action best serves the interest of the citizens of the county, shall be final.

(' 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.407 RECONSIDERATION OF APPLICATIONS.

After having made a recommendation of denial on any liquor license application, the Sheriff and the Board shall not consider any new application for the same location by the same or substantially the same applicant for a period of at least six months or while such applicant has pending an appeal in court or in a state administrative agency related to such a license. Notwithstanding, the Sheriff may reconsider or re-submit such an application to the Board in less than six months if it is reasonably believed that a recommendation of denial has substantially changed, and no court or administrative appeal of such license is pending.

(' 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.408 TEMPORARY LICENSES.

On any application for a temporary liquor license which will be in effect for five days or less, review by the Board shall not be automatically required. The Sheriff has authority to make a recommendation of approval to the Liquor Control Commission on such applications. If the Sheriff recom-

mends denial of any application for a temporary license, the application shall be reviewed by the Board as outlined in §§ 15.405 and 15.406.

(' 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

POLICE IMPERSONATION

§ 15.450- UNAUTHORIZED VEHICLES DISPLAYING POLICE INSIGNIA.

No person shall own or operate a private motor vehicle in the county outside of incorporated cities marked or identified by the word "police" or any other marking or insignia identifying the vehicle as a police vehicle.

Penalty, see § 15.999

(' 90 Code, § 7.90.100, 07/01/1998; Ord. 35, passed, 07/09/1970)

NEIGHBORHOOD WATCH SIGNS

§ 15.500- FINDINGS.

The Board finds:

(A) The Sheriff, in cooperation with the community, has instituted an observation and reporting program by which the residents of blocks can organize to better protect themselves against neighborhood intruders who are there for unlawful purposes.

(B) It has been proposed that when residents of a block have met certain requirements that they be allowed to place signs within the right-of-way which indicate that the block is protected by neighborhood watch.

(C) The granting of this request will not be detrimental to the public interest under certain conditions.

(' 90 Code, § 2.70.305, 07/01/1998; Ord. 399, passed, 09/23/1983)

§ 15.501 PERMIT; STANDARDS.

(A) A revocable permit is granted to the Sheriff to have the signs referred to in § 15.500 placed in

the public rights-of-way subject to the conditions set forth in division (B) of this section.

(B) (1) Signs and signposts shall be furnished and installed by the requesting neighborhood.

(2) All signs and locations shall be approved by the traffic engineer.

(3) The signs, when installed, shall conform to the county engineer's standard plan.

(4) The Sheriff shall maintain a record of installed sign locations.

(5) The county shall remove signs not in conformance with the county engineer's standard plan and the traffic engineer's approved location.

(' 90 Code, § 2.70.320, 07/01/1998; Ord. 399, passed, 09/23/1983)

CRIMINAL JUSTICE INFORMATION

§ 15.550- PURPOSE.

It is the purpose of this subchapter to assure that criminal history record information, wherever it appears, is stored, collected, and disseminated in a manner to insure the completeness, integrity, accuracy, and security of such information, and to protect individual privacy.

(' 90 Code, § 7.80.010, 07/01/1998; Ord. 201, passed, 05/10/1979)

§ 15.551 DEFINITIONS.

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

ACCESS. The authority to review or receive information from files, records, or an information system, whether manual or automated.

ATTORNEY. An attorney at law authorized by a person to assert the confidentiality of right of access to criminal history record information under this subchapter.

AUTHORIZED REPRESENTATIVE. A parent, or a guardian, or conservator, other than an attorney, appointed to act on behalf of a person and



Lynda Grow, Board Clerk

MULTNOMAH COUNTY OREGON

501 SE Hawthorne, Suite 600

Portland, Oregon 97214-3587

Phone: (503) 988-3277 Fax: (503) 988-3013

<http://www.co.multnomah.or.us/cc/>

lynda.grow@co.multco.us

FAX COVER SHEET

Date: January 12, 2011

To: Oregon Liquor Control Commission
Annual Renewal Department
Milwaukie, Oregon 97269

From: Lynda Grow, Board Clerk

PHONE: (503) 988-5274 -or- (503) 988-3277

FAX TO: 503-872-5266

FAX FROM: (503) 988-3013

RE: NOTICE OF PUBLIC HEARING FOR DENIAL OF OLCC LICENSES

The Sheriff's Office has completed their investigation of liquor license renewal applications and has made a recommendation for denial to the Multnomah County Board of Commissioners.

This matter is scheduled for hearing before the Board of County Commissioners to forward this recommendation to the Oregon Liquor Control Commission.

That Hearing is set for January 20, 2011 at 10:15 am at 501 SE Hawthorne Blvd., First Floor, Room 100, off Lobby – Portland, Oregon 97214. Notices were sent to the Applicants within the appropriate time frame by certified USPS mail. A copy was mailed to you through regular postal mail, but I thought it best to fax copies to you. They are attached.

Those Applicants that are recommended for denial are:

Big Bear's Crown Point Market, 31815 E Columbia River Hwy, Troutdale, OR
Bottoms Up Tavern 16900 NW St Helens Rd., Portland, OR
Corbett Country Market – 36801 E Columbia River Hwy, Corbett, OR
Fred's Marina – 12800 NW Marina Way, Portland, OR
Springdale Pub – 32302 E Columbia River Hwy, Corbett, OR
Tenley's Jackpot Foodmart – 28210 SE Orient Dr., Gresham, OR

cc: Henry H. Lazenby, Jr., County Attorney



Multnomah County Sheriff's Office

12240 NE Glisan St., • Portland, OR 97230

Exemplary service for a safe, livable community

DANIEL STATON
SHERIFF

503 255-3600 PHONE
503 251-2484 TTY
www.mcso.us

January 19, 2011

Board of County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, OR 97214-3587

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # P-5.5 DATE 1/20/11
LYNDA GROW, BOARD CLERK

Oregon Liquor Control Commission
9079 SE McLoughlin Boulevard
Portland, OR 97222-7355

Regarding: Historic Springdale Pub and Eatery to
32302 E Historic Columbia River Hwy.
Corbett, OR 97019

Subject: Liquor License Applicant
Full On Premises Sales & Off Premise Sales
Limited On-Premises Sales

Christin M. Dillard
07/05/1974
44144 E Larch Mt Road
Corbett, OR 97019

The establishment Springdale Pub and Eatery has now come into compliance with Multnomah County Sheriff's Office for the purposes of renewing their annual Oregon Liquor Control Commission for on and off premises license.

- Sheriff's Office background is completed and satisfactory
 - Recommendation for Renewal
- Taxation records are now current with filings
 - Recommendation for Renewal
- Land Use Management
 - Recommendation for Renewal
- Alarms
 - Recommendation for Renewal

With the updated compilation of data, the Multnomah County Sheriff's Office forwards a revised **FAVORABLE RECOMMENDATION** for the Liquor License 2011 Renewal.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Staton".

Sheriff



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

1/20 UPDATE
RECOMMENDATION CHANGED
AFTER COMING INTO
COMPLIANCE ON ALL
ISSUES.

LYNDA GROW
BOARD CLERK

Board Clerk Use Only

Meeting Date: 1/20/11
Agenda Item #: R-5.5
Est. Start Time: 10:15 am
TIME CERTAIN

Agenda Title: Full On- Premises Sales, Off- Premises Sales, Limited On-Premises Sales
Liquor License for Springdale Pub 32302 E Historic Columbia River Hwy,
Corbett, OR 97019

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

Requested Meeting: January 20, 2011
Amount of Time Needed: 5 min
Department: Sheriff's Office
Division: Enforcement
Contact(s): Kimberly Walker- Norton
Phone: (503) 251-2520 Ext. I/O Address: 313/122
Presenter(s): County Attorney and Kimberly Walker- Norton, Law Enforcement Support Units Manager

General Information

1. What action are you requesting from the Board?

Recommend Board denial for the above liquor license renewal request.

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

The establishment Springdale Pub and Eatery has failed to comply with the annual background and fee payment to Multnomah County Sheriff's Office for the purposes of renewing their annual OLCC on and off premises license.

In addition to the non-compliance with the Sheriff's Office, Multnomah County Assessment and Taxation reported that the address listed 32302 E Historic Columbia River Hwy., Corbett, OR is currently non-compliance with the Assessment and Taxation Office, reporting outstanding taxes owed, and no payment arrangements.

The Land Use Planning Division has reported that they have no objection to the renewal of the liquor license.

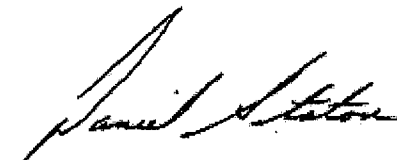
Multnomah County False Alarm Reduction Program reports no record of a permit for the establishment, but also no BOEC reports of alarm activity. With these findings, the Alarms Program has no objections to the renewal of the annual OLCC license.

With the current compilation of data, the Multnomah County Sheriff's Office forwards an UNFAVORABLE RECOMMENDATION for the Liquor License Renewal.

3. Explain the fiscal impact (current year and ongoing).
4. Explain any legal and/or policy issues involved.
5. Explain any citizen and/or other government participation that has or will take place.

Required Signatures

Elected Official or
Department/
Agency Director:



Daniel Staton, Sheriff

Date: 1/11/11



Lynda Grow, Board Clerk

MULTNOMAH COUNTY OREGON

501 SE Hawthorne, Suite 600
Portland, Oregon 97214-3587
(503) 988-5274 (Phone) (503) 988-3013 (Fax)
<http://www.co.multnomah.or.us/cc/>
lynda.grow@multco.us

CERTIFIED MAIL

January 11, 2011

Ms. Christin Dillard
Historic Springdale Pub and Eatery
32302 E Historic Columbia River Hwy.
Corbett, OR 97019

Re: Notice of Scheduled Hearing - Liquor License Application

Dear Ms. Dillard:

The Multnomah County Sheriff's Office has completed the investigation of the above liquor license renewal application and has made a recommendation for denial to the Multnomah County Board of Commissioners. This matter is scheduled for hearing before the Board of County Commissioners to forward a recommendation to the Oregon Liquor Control Commission.

Date: January 20, 2011

Time: 10:15 am

501 SE Hawthorne Blvd. Portland, OR 97214-3587
First Floor, Room 100, off Lobby

You shall be given a reasonable opportunity to be heard by the Board of County Commissioners at the hearing specified above to address the concerns raised by the Sheriff, the Board, and any persons or groups appearing in opposition to your application. The Board's recommendation of approval or denial of your application shall be final.

A copy of the Sheriff's recommendation is enclosed for your reference. Please notify us if you will attend this Hearing.

Sincerely,

Lynda J. Grow
Board Clerk
Multnomah County

cc: Sheriff Daniel Staton
Oregon Liquor Control Commission



Multnomah County Sheriff's Office

12240 NE Glisan St., • Portland, OR 97230

Exemplary service for a safe, livable community

DANIEL STATON
SHERIFF

503 255-3600 PHONE
503 251-2484 TTY
www.mcso.us

January 11, 2011

To:

Board of County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, OR 97214-3587

Regarding: Historic Springdale Pub and Eatery
32302 E Historic Columbia River Hwy.
Corbett, OR 97019

Subject: Liquor License Applicant
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Daniel Staton, Sheriff
Multnomah County

Copy:
Oregon Liquor Control Commission
9079 SE McLoughlin Boulevard
Portland, OR 97222-7355

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(C) If more than one law enforcement agency has participated in the investigation leading to forfeiture, the participating agencies shall share the 50% of the proceeds ordinarily remitted to the seizing agency equitably between the participating agencies.

(D) Except as otherwise provided by intergovernmental agreement, the forfeiting agency may:

(1) Sell, lease, lend or transfer the property or proceeds to any federal, state or local law enforcement agency or district attorney;

(2) Sell the forfeited property by public or other commercially reasonable sale and pay from the proceeds the expenses of keeping and selling the property;

(3) Retain the property; or

(4) With written authorization from the district attorney for the forfeiting agency's jurisdiction, destroy any firearm or contraband.

(E) The forfeiting agency, and any agency which receives forfeited property or proceeds from the sale of forfeited property, shall maintain written documentation of each sale, decision to return, transfer or other disposition.

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LIQUOR LICENSES

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(S-1 2002)

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(2) All applicants shall be checked for prior community relations problems under another license.

(3) The business locations shall be examined and must be in the best interests of the community.

(4) All renewal applications shall be reviewed and checked for prior negative impact on the community.

(5) All new outlets, or change of location/privilege shall be referred to the zoning section for verification of the proposed use under the county zoning code.

(6) All new and renewal applications shall be checked to determine whether there are delinquent personal or real property taxes due and owing for the premises.

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§ 15.403 RECOMMENDATIONS TO THE BOARD.

Upon completion of the investigation procedures, the Sheriff shall forward to the Board a rec-

ommendation of approval or denial. The clerk of the Board then places the matter on the Board's agenda, in order that the Board may then make a recommendation of approval or denial to the state Liquor Control Commission.

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§ 15.404 DENIAL OF LICENSE.

The Sheriff may make a recommendation of denial to the Board regarding any application if:

(A) The applicant's record reflects a pattern of violation of the alcoholic liquor laws of this state;

(B) The applicant has a history of use of controlled substances or use of alcoholic beverages to excess;

(C) The record of the applicant shows violation(s) of criminal law(s) or ordinance(s) connected in time, place or manner with a liquor establishment or which demonstrate a disregard for law;

(D) The applicant has maintained, or allowed to exist, an establishment which creates or is a public nuisance under the ordinances of the county or laws of the state or in which any violation of the provisions of the code, or federal or state law relating to minors, gambling, obscenity, controlled substances, prostitution or alcoholic beverages, or ORS Chapters 163, 164, 165 and 166 have occurred, or which creates an increase in disorderly or violent acts, litter, noise, vandalism, vehicular or pedestrian traffic congestion, or other location problems, in the reasonable proximity of such premises;

(E) The applicant's premises are not maintained in reasonable repair, both interior and exterior, and kept clean and free of litter, rubbish, and dirt;

(F) The applicant's premises are found to be a nuisance under the terms of this chapter;

(G) In the case of an application for a new license or for an increase in liquor selling or dispensing privilege, there are sufficient licensed premises in the locality set out in the application and the li-

cense is not demanded by public interest or convenience;

(H) The licensing of the premises would not be in the best interests of the community because of a history of illegal activities, altercations, noisy conduct, or other disturbances in or around the premises;

(I) The applicant has demonstrated an unwillingness or inability to cooperate with county agencies or neighbors in resolving community disputes related to a licensed establishment;

(J) If the zoning section finds that the proposed new outlet, or change of location/privilege is found to be in violation of the zoning code. However, the applicant may file an application for change of zone, conditional use which would permit such use;

(K) If there are delinquent real or personal property taxes due and owing for the premises at the time of application or renewal, a recommendation of denial is mandatory; and

(L) If there is any other specific reason consistent with the purposes of this subchapter which may, in the opinion of the Sheriff, warrant an adverse report to the Board based upon public health, safety, welfare, convenience or necessity.

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§ 15.405 HEARINGS; NOTIFICATION.

(A) When the Sheriff makes a recommendation for denial of any application, the clerk of the Board shall notify, by certified mail, the applicant, the Liquor Control Commission, and the Sheriff of the hearing date, place and time at least one week before such hearing takes place. The presiding officer of the Board may also contact the neighborhood associations concerned.

(B) When the Sheriff makes a recommendation for approval of an application for which the Sheriff or the Board has received complaints or concerns from citizens or other business establishments, or for which there may be other controversy, the clerk of the Board shall notify those concerned citizens or

business establishments and the applicant of the hearing date, place and time.

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When the Board has scheduled a hearing on any liquor license application, such applicant shall be given a reasonable opportunity to be heard and address concerns raised by the Sheriff, the Board, and persons or groups appearing in opposition to such an application. The Board's recommendation of approval or denial of such application, based upon a determination of what course of action best serves the interest of the citizens of the county, shall be final.

(* 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.407 RECONSIDERATION OF APPLICATIONS.

After having made a recommendation of denial on any liquor license application, the Sheriff and the Board shall not consider any new application for the same location by the same or substantially the same applicant for a period of at least six months or while such applicant has pending an appeal in court or in a state administrative agency related to such a license. Notwithstanding, the Sheriff may reconsider or re-submit such an application to the Board in less than six months if it is reasonably believed that a recommendation of denial has substantially changed, and no court or administrative appeal of such license is pending.

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On any application for a temporary liquor license which will be in effect for five days or less, review by the Board shall not be automatically required. The Sheriff has authority to make a recommendation of approval to the Liquor Control Commission on such applications. If the Sheriff recom-

mends denial of any application for a temporary license, the application shall be reviewed by the Board as outlined in §§ 15.405 and 15.406.

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POLICE IMPERSONATION

§ 15.450- UNAUTHORIZED VEHICLES DISPLAYING POLICE INSIGNIA.

No person shall own or operate a private motor vehicle in the county outside of incorporated cities marked or identified by the word "police" or any other marking or insignia identifying the vehicle as a police vehicle.

Penalty, see § 15.999

(' 90 Code, § 7.90.100, 07/01/1998; Ord. 35, passed, 07/09/1970)

NEIGHBORHOOD WATCH SIGNS

§ 15.500- FINDINGS.

The Board finds:

(A) The Sheriff, in cooperation with the community, has instituted an observation and reporting program by which the residents of blocks can organize to better protect themselves against neighborhood intruders who are there for unlawful purposes.

(B) It has been proposed that when residents of a block have met certain requirements that they be allowed to place signs within the right-of-way which indicate that the block is protected by neighborhood watch.

(C) The granting of this request will not be detrimental to the public interest under certain conditions.

(' 90 Code, § 2.70.305, 07/01/1998; Ord. 399, passed, 09/23/1983)

§ 15.501 PERMIT; STANDARDS.

(A) A revocable permit is granted to the Sheriff to have the signs referred to in § 15.500 placed in

the public rights-of-way subject to the conditions set forth in division (B) of this section.

(B) (1) Signs and signposts shall be furnished and installed by the requesting neighborhood.

(2) All signs and locations shall be approved by the traffic engineer.

(3) The signs, when installed, shall conform to the county engineer's standard plan.

(4) The Sheriff shall maintain a record of installed sign locations.

(5) The county shall remove signs not in conformance with the county engineer's standard plan and the traffic engineer's approved location.

(' 90 Code, § 2.70.320, 07/01/1998; Ord. 399, passed, 09/23/1983)

CRIMINAL JUSTICE INFORMATION

§ 15.550- PURPOSE.

It is the purpose of this subchapter to assure that criminal history record information, wherever it appears, is stored, collected, and disseminated in a manner to insure the completeness, integrity, accuracy, and security of such information, and to protect individual privacy.

(' 90 Code, § 7.80.010, 07/01/1998; Ord. 201, passed, 05/10/1979)

§ 15.551 DEFINITIONS.

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

ACCESS. The authority to review or receive information from files, records, or an information system, whether manual or automated.

ATTORNEY. An attorney at law authorized by a person to assert the confidentiality of right of access to criminal history record information under this subchapter.

AUTHORIZED REPRESENTATIVE. A parent, or a guardian, or conservator, other than an attorney, appointed to act on behalf of a person and



Lynda Grow, Board Clerk

MULTNOMAH COUNTY OREGON

501 SE Hawthorne, Suite 600

Portland, Oregon 97214-3587

Phone: (503) 988-3277 Fax: (503) 988-3013

<http://www.co.multnomah.or.us/cc/>

lynda.grow@co.multco.us

FAX COVER SHEET

Date: January 12, 2011

To: Oregon Liquor Control Commission
Annual Renewal Department
Milwaukie, Oregon 97269

From: Lynda Grow, Board Clerk

PHONE: (503) 988-5274 -or- (503) 988-3277

FAX TO: 503-872-5266

FAX FROM: (503) 988-3013

RE: NOTICE OF PUBLIC HEARING FOR DENIAL OF OLCC LICENSES

The Sheriff's Office has completed their investigation of liquor license renewal applications and has made a recommendation for denial to the Multnomah County Board of Commissioners.

This matter is scheduled for hearing before the Board of County Commissioners to forward this recommendation to the Oregon Liquor Control Commission.

That Hearing is set for January 20, 2011 at 10:15 am at 501 SE Hawthorne Blvd., First Floor, Room 100, off Lobby – Portland, Oregon 97214. Notices were sent to the Applicants within the appropriate time frame by certified USPS mail. A copy was mailed to you through regular postal mail, but I thought it best to fax copies to you. They are attached.

Those Applicants that are recommended for denial are:

Big Bear's Crown Point Market, 31815 E Columbia River Hwy, Troutdale, OR
Bottoms Up Tavern 16900 NW St Helens Rd., Portland, OR
Corbett Country Market – 36801 E Columbia River Hwy, Corbett, OR
Fred's Marina – 12800 NW Marina Way, Portland, OR
Springdale Pub – 32302 E Columbia River Hwy, Corbett, OR
Tenley's Jackpot Foodmart – 28210 SE Orient Dr., Gresham, OR

cc: Henry H. Lazenby, Jr., County Attorney



MULTNOMAH COUNTY SHERIFF'S OFFICE

12240 NE GLISAN ST., • PORTLAND, OR 97230

Exemplary service for a safe, livable community

BERNIE GIUSTO
SHERIFF

503 255-3600 PHONE
503 251-2484 TTY
www.sheriff-mcso.org

January 19, 2011

Board of County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, OR 97214-7355

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-5.2 DATE 1/20/11
LYNDA GROW, BOARD CLERK

Oregon Liquor Control Commission
9079 SE McLoughlin Boulevard
Portland, OR 97222-7355

Regarding: Bottoms Up Tavern
16900 NW St. Helens Rd
Portland, OR 97231

Subject: Liquor License Application
Full On-Premises

Owner: Bassam Moussa
12/06/72
16900 NW St. Helens Rd
Portland, OR

The establishment Bottoms Up Tavern has now come into compliance with Multnomah County Sheriff's Office for the purposes of renewing their annual Oregon Liquor Control Commission for on and off premises license.

- Sheriff's Office background is completed and satisfactory
 - Recommendation for Renewal
- Taxation records are now current with filings
 - Recommendation for Renewal
- Land Use Management
 - Recommendation for Renewal
- Alarms
 - Recommendation for Renewal

With the updated compilation of data, the Multnomah County Sheriff's Office forwards a revised **FAVORABLE RECOMMENDATION** for the Liquor License 2011 Renewal.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Stutton".

Sheriff



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

¹/20 UPDATE
RECOMMENDATION CHANGED
AFTER COMING INTO
COMPLIANCE ON ALL ISSUES.
-LYNDA GROW
BOARD CLERK

Board Clerk Use Only

Meeting Date: 1/20/11
Agenda Item #: R-5.2
Est. Start Time: 10:15 am
TIME CERTAIN

Agenda Title: Full On Premises Sales Liquor License Renewal for Bottoms Up Tavern, 16900 NW St. Helens Rd., Portland, OR

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

Date Requested: January 20, 2011 Time Requested: _____
Department: Sheriff's Office Division: Enforcement
Contact(s): Kimberly Walker-Norton
Phone: (503) 251-2520 Ext. _____ I/O Address: 313/122
Presenter(s): County Attorney and Kimberly Walker-Norton

General Information

1. What action are you requesting from the Board?

~~Recommend Board denial of liquor license renewal request.~~

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

The establishment Bottoms Up has failed to comply with the annual background and fee payment to Multnomah County Sheriff's Office for the purposes of renewing their annual OLCC on and off premises license.

In addition to the non-compliance with the Sheriff's Office, Multnomah County Assessment and Taxation reported that the address listed Bottoms Up Tavern, 16900 NW St. Helens Rd., Portland, OR is currently non-compliance with the Assessment and Taxation Office, reporting outstanding taxes owed, and no payment arrangements.

The Land Use Planning Division has reported that they have no objection to the renewal of the liquor license.

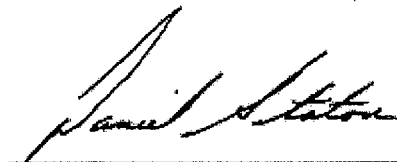
With the current compilation of data, the Multnomah County Sheriff's Office forwards a **UNFAVORABLE RECOMMENDATION** for the Liquor License Renewal.

3. Explain the fiscal impact (current year and ongoing).
4. Explain any legal and/or policy issues involved.
5. Explain any citizen and/or other government participation that has or will take place.

Required Signatures

**Department/
Agency Director:**

Date: 1/11/11





Lynda Grow, Board Clerk

MULTNOMAH COUNTY OREGON

501 SE Hawthorne, Suite 600
Portland, Oregon 97214-3587
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<http://www.co.multnomah.or.us/cc/>
lynda.grow@multco.us

CERTIFIED MAIL

January 11, 2011

Bassam Moussa
Bottoms Up Tavern
16900 NW St. Helens Rd.
Portland, OR 97231

Re: Notice of Scheduled Hearing - Liquor License Application

Dear Bassam Moussa:

The Multnomah County Sheriff's Office has completed the investigation of the above liquor license renewal application and has made a recommendation for denial to the Multnomah County Board of Commissioners. This matter is scheduled for hearing before the Board of County Commissioners to forward a recommendation to the Oregon Liquor Control Commission.

Date: January 20, 2011

Time: 10:15 am

501 SE Hawthorne Blvd. Portland, OR 97214-3587
First Floor, Room 100, off Lobby

You shall be given a reasonable opportunity to be heard by the Board of County Commissioners at the hearing specified above to address the concerns raised by the Sheriff, the Board, and any persons or groups appearing in opposition to your application. The Board's recommendation of approval or denial of your application shall be final.

A copy of the Sheriff's recommendation is enclosed for your reference. Please notify us if you will attend this Hearing.

Sincerely,

Lynda J. Grow
Board Clerk
Multnomah County

cc: Sheriff Daniel Staton
Oregon Liquor Control Commission



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January 11, 2011

Board of County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, OR 97214-7355

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Portland, OR 97231

Subject: Liquor License Application
Full On-Premises

Owner: Bassam Moussa
12/06/72
16900 NW St. Helens Rd
Portland, OR

The establishment Bottoms Up Tavern has failed to comply with the annual background and fee payment to Multnomah County Sheriff's Office for the purposes of renewing their annual OLCC on and off premises license.

In addition to the non-compliance with the Sheriff's Office, Multnomah County Assessment and Taxation reported that the address listed Bottoms Up Tavern 16900 NW St. Helens Rd, Portland, OR is currently non-compliance with the Assessment and Taxation Office, reporting outstanding taxes owed, and no payment arrangements.

The Land Use Planning Division has reported that they have no objection to the renewal of the liquor license.

Multnomah County False Alarm Reduction Program report compliance with county ordinances and permits, and has no objection to the renewal of Bottoms Up Tavern's renewal for their liquor license.

With the current compilation of data, the Multnomah County Sheriff's Office forwards a **UNFAVORABLE RECOMMENDATION** for the Liquor License Renewal.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Staton". The signature is fluid and cursive, with a long horizontal stroke at the end.

Sheriff Daniel Staton

COPY: Oregon Liquor Control Commission
9079 SE McLoughlin Boulevard
Portland, OR 97222-7355

§ 15.355 DISTRIBUTION OF PROCEEDS.

After the forfeiture counsel distributes property under the provisions of state law, the forfeiture counsel shall disperse of and distribute property in the following manner:

(A) If the seizing agency has an intergovernmental agreement pursuant to state law, the terms of the intergovernmental agreement shall control the distribution of the property.

(B) If the seizing agency does not have an intergovernmental agreement pursuant to state law, the seizing agency shall recover 50% of the property, the county district attorney's office shall recover 35% of the property and the remaining 15% shall be credited to the county general fund for criminal justice services.

(C) If more than one law enforcement agency has participated in the investigation leading to forfeiture, the participating agencies shall share the 50% of the proceeds ordinarily remitted to the seizing agency equitably between the participating agencies.

(D) Except as otherwise provided by intergovernmental agreement, the forfeiting agency may:

(1) Sell, lease, lend or transfer the property or proceeds to any federal, state or local law enforcement agency or district attorney;

(2) Sell the forfeited property by public or other commercially reasonable sale and pay from the proceeds the expenses of keeping and selling the property;

(3) Retain the property; or

(4) With written authorization from the district attorney for the forfeiting agency's jurisdiction, destroy any firearm or contraband.

(E) The forfeiting agency, and any agency which receives forfeited property or proceeds from the sale of forfeited property, shall maintain written documentation of each sale, decision to return, transfer or other disposition.

(* 90 Code, § 7.85.036, 07/01/1998; Ord 633, passed, 12/14/1989)

LIQUOR LICENSES

§ 15.400- PURPOSE.

The purposes of this subchapter are to establish the principal criteria which shall be considered by the Board and the Sheriff, in making recommendations to the state Liquor Control Commission concerning the granting, denying, modifying or renewing of all liquor licenses for premises within unincorporated the county and to establish a process, to be utilized for the investigation of such license applicants for the purpose of making such recommendations, that is fair, effective and efficient. This subchapter is necessary to ensure that all premises licensed to sell or dispense liquor in any form meet the high expectations of this community, and that all businesses are conducted in a lawful manner that does not unreasonably disturb the peace and tranquility of this county and its neighborhoods.

(* 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.401 APPLICATION PROCEDURE.

(A) Any applicant for any license who is required by the state Liquor Control Commission to have a recommendation from the county concerning the suitability of such application shall present the license application forms prescribed by the Liquor Control Commission to the Sheriff for the purpose of obtaining the recommendation of the county concerning such a license.

(B) For the purpose of conducting the investigation to ascertain pertinent information bearing upon such county recommendations, the Sheriff may require such other information in addition to that provided upon the Liquor Control Commission application forms as it deems appropriate.

(C) The Sheriff shall accept liquor license applications only when the following conditions are met:

(1) All required forms are properly completed and in order; and

(S-1 2002)

(2) The processing fees, in amounts established by Board resolution, and as allowed by ORS, have been paid.

('90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.402 INVESTIGATION.

(A) The Sheriff shall coordinate and conduct an investigation of each application for the purpose of determining what recommendation shall be made to the Board, using the procedures set forth in division (B) of this section.

(B) (1) All applicants shall be checked for any and all prior arrest records or violations of Liquor Control Commission regulations.

(2) All applicants shall be checked for prior community relations problems under another license.

(3) The business locations shall be examined and must be in the best interests of the community.

(4) All renewal applications shall be reviewed and checked for prior negative impact on the community.

(5) All new outlets, or change of location/privilege shall be referred to the zoning section for verification of the proposed use under the county zoning code.

(6) All new and renewal applications shall be checked to determine whether there are delinquent personal or real property taxes due and owing for the premises.

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(D) The applicant has maintained, or allowed to exist, an establishment which creates or is a public nuisance under the ordinances of the county or laws of the state or in which any violation of the provisions of the code, or federal or state law relating to minors, gambling, obscenity, controlled substances, prostitution or alcoholic beverages, or ORS Chapters 163, 164, 165 and 166 have occurred, or which creates an increase in disorderly or violent acts, litter, noise, vandalism, vehicular or pedestrian traffic congestion, or other location problems, in the reasonable proximity of such premises;

(E) The applicant's premises are not maintained in reasonable repair, both interior and exterior, and kept clean and free of litter, rubbish, and dirt;

(F) The applicant's premises are found to be a nuisance under the terms of this chapter;

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(J) If the zoning section finds that the proposed new outlet, or change of location/privilege is found to be in violation of the zoning code. However, the applicant may file an application for change of zone, conditional use which would permit such use;

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(L) If there is any other specific reason consistent with the purposes of this subchapter which may, in the opinion of the Sheriff, warrant an adverse report to the Board based upon public health, safety, welfare, convenience or necessity.

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(B) When the Sheriff makes a recommendation for approval of an application for which the Sheriff or the Board has received complaints or concerns from citizens or other business establishments, or for which there may be other controversy, the clerk of the Board shall notify those concerned citizens or

business establishments and the applicant of the hearing date, place and time.

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Penalty, see § 15.999

(' 90 Code, § 7.90.100, 07/01/1998; Ord. 35, passed, 07/09/1970)

NEIGHBORHOOD WATCH SIGNS

§ 15.500- FINDINGS.

The Board finds:

(A) The Sheriff, in cooperation with the community, has instituted an observation and reporting program by which the residents of blocks can organize to better protect themselves against neighborhood intruders who are there for unlawful purposes.

(B) It has been proposed that when residents of a block have met certain requirements that they be allowed to place signs within the right-of-way which indicate that the block is protected by neighborhood watch.

(C) The granting of this request will not be detrimental to the public interest under certain conditions.

(' 90 Code, § 2.70.305, 07/01/1998; Ord. 399, passed, 09/23/1983)

§ 15.501 PERMIT; STANDARDS.

(A) A revocable permit is granted to the Sheriff to have the signs referred to in § 15.500 placed in

the public rights-of-way subject to the conditions set forth in division (B) of this section.

(B) (1) Signs and signposts shall be furnished and installed by the requesting neighborhood.

(2) All signs and locations shall be approved by the traffic engineer.

(3) The signs, when installed, shall conform to the county engineer's standard plan.

(4) The Sheriff shall maintain a record of installed sign locations.

(5) The county shall remove signs not in conformance with the county engineer's standard plan and the traffic engineer's approved location.

(' 90 Code, § 2.70.320, 07/01/1998; Ord. 399, passed, 09/23/1983)

CRIMINAL JUSTICE INFORMATION

§ 15.550- PURPOSE.

It is the purpose of this subchapter to assure that criminal history record information, wherever it appears, is stored, collected, and disseminated in a manner to insure the completeness, integrity, accuracy, and security of such information, and to protect individual privacy.

(' 90 Code, § 7.80.010, 07/01/1998; Ord. 201, passed, 05/10/1979)

§ 15.551 DEFINITIONS.

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

ACCESS. The authority to review or receive information from files, records, or an information system, whether manual or automated.

ATTORNEY. An attorney at law authorized by a person to assert the confidentiality of right of access to criminal history record information under this subchapter.

AUTHORIZED REPRESENTATIVE. A parent, or a guardian, or conservator, other than an attorney, appointed to act on behalf of a person and



Lynda Grow, Board Clerk

MULTNOMAH COUNTY OREGON

501 SE Hawthorne, Suite 600

Portland, Oregon 97214-3587

Phone: (503) 988-3277 Fax: (503) 988-3013

<http://www.co.multnomah.or.us/cc/>

lynda.grow@co.multco.us

FAX COVER SHEET

Date: January 12, 2011

To: Oregon Liquor Control Commission
Annual Renewal Department
Milwaukie, Oregon 97269

From: Lynda Grow, Board Clerk

PHONE: (503) 988-5274 -or- (503) 988-3277

FAX TO: 503-872-5266 FAX FROM: (503) 988-3013

RE: NOTICE OF PUBLIC HEARING FOR DENIAL OF OLCC LICENSES

The Sheriff's Office has completed their investigation of liquor license renewal applications and has made a recommendation for denial to the Multnomah County Board of Commissioners.

This matter is scheduled for hearing before the Board of County Commissioners to forward this recommendation to the Oregon Liquor Control Commission.

That Hearing is set for January 20, 2011 at 10:15 am at 501 SE Hawthorne Blvd., First Floor, Room 100, off Lobby – Portland, Oregon 97214. Notices were sent to the Applicants within the appropriate time frame by certified USPS mail. A copy was mailed to you through regular postal mail, but I thought it best to fax copies to you. They are attached.

Those Applicants that are recommended for denial are:

Big Bear's Crown Point Market, 31815 E Columbia River Hwy, Troutdale, OR
Bottoms Up Tavern 16900 NW St Helens Rd., Portland, OR
Corbett Country Market – 36801 E Columbia River Hwy, Corbett, OR
Fred's Marina – 12800 NW Marina Way, Portland, OR
Springdale Pub – 32302 E Columbia River Hwy, Corbett, OR
Tenley's Jackpot Foodmart – 28210 SE Orient Dr., Gresham, OR

cc: Henry H. Lazenby, Jr., County Attorney



Multnomah County Sheriff's Office

12240 NE Glisan St., • Portland, OR 97230

Exemplary service for a safe, livable community

DANIEL STATON
SHERIFF

503 255-3600 PHONE
503 251-2484 TTY
www.mcso.us

January 19, 2011

Board of County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, OR 97214-3587

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-5.1 DATE 1-20-11
LYNDA GROW, BOARD CLERK

Oregon Liquor Control Commission
9079 SE McLoughlin Boulevard
Portland, OR 97222-7355

Regarding: Big Bear's Crown Point Market
31815 E Columbia River Hwy
Troutdale, OR 97060

Subject: Liquor License Applicant
On and Off Premises Sales

Owner: Balwant Bhullar
12/18/65
21775 Palisade Place
Fairview, OR 97024

The establishment Big Bear Crown Point Country Market and Deli has now come into compliance with Multnomah County Sheriff's Office for the purposes of renewing their annual Oregon Liquor Control Commission for on and off premises license.

- Sheriff's Office background is completed and satisfactory
 - Recommendation for Renewal
- Assessment and Taxation records are now current with filings
 - Recommendation for Renewal
- Land Use Management
 - Recommendation for Renewal
- Alarms
 - Recommendation for Renewal

With the updated compilation of data, the Multnomah County Sheriff's Office forwards a revised **FAVORABLE RECOMMENDATION** for the Liquor License 2011 Renewal.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Staton", written over a horizontal line.

Sheriff



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

UPDATE
RECOMMENDATION CHANGED 1/20
AFTER BOARING INTO
COMPLIANCE. ON ALL ISSUES.
-LYNDA GROW
BOARD CLERK

Board Clerk Use Only

Meeting Date: 1/20/11
Agenda Item #: R-5.1
Est. Start Time: 10:15 am
TIME CERTAIN

Agenda Title: Off Premises and Limited On Premises Sales Liquor License Renewal for Big Bear's Crown Point Market, 31815 E. Columbia River Highway, Troutdale, OR

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

Date Requested:	January 20, 2011	Time Requested:	
Department:	Sheriff's Office	Division:	Enforcement
Contact(s):	Kimberly Walker-Norton		
Phone:	(503) 251-2520	Ext.:	
Presenter(s):	County Attorney and Kimberly Walker-Norton		
I/O Address:	313/122		

General Information

1. What action are you requesting from the Board?

Recommend Board denial of liquor license renewal request.

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

The establishment Big Bear Crown Point Country Market and Deli has failed to comply with the annual background and fee payment to Multnomah County Sheriff's Office for the purposes of renewing their annual OLCC on and off premises license.

In addition to the non-compliance with the Sheriff's Office, Multnomah County Assessment and Taxation reported that the address listed 31815 E Columbia River Hwy is currently non-compliance with the Assessment and Taxation Office, reporting outstanding taxes owed, and no payment arrangements.

The Land Use Planning Division has reported that they have no objection to the renewal of the liquor license.

Multnomah County False Alarm Reduction Program notified us that their account has been cancelled and police response has been revoked due to none payment.

With the current compilation of data, the Multnomah County Sheriff's Office forwards a **UNFAVORABLE RECOMMENDATION** for the Liquor License Renewal.

3. Explain the fiscal impact (current year and ongoing).
4. Explain any legal and/or policy issues involved.
5. Explain any citizen and/or other government participation that has or will take place.

Required Signatures

Elected
Official:

Date: 12/14/2010

A handwritten signature in cursive script, appearing to read "Daniel Staton", is written over a horizontal line.

Daniel Staton, Sheriff



Lynda Grow, Board Clerk

MULTNOMAH COUNTY OREGON

501 SE Hawthorne, Suite 600
Portland, Oregon 97214-3587
(503) 988-5274 (Phone) (503) 988-3013 (Fax)
<http://www.co.multnomah.or.us/cc/>
lynda.grow@multco.us

CERTIFIED MAIL

January 11, 2011

Balwant Bhullar
Big Bear's Crown Point Market
31815 E Columbia River Hwy
Troutdale, OR 97060

Re: Notice of Scheduled Hearing - Liquor License Application

Dear Mr. Bhullar:

The Multnomah County Sheriff's Office has completed the investigation of the above liquor license renewal application and has made a recommendation for denial to the Multnomah County Board of Commissioners. This matter is scheduled for hearing before the Board of County Commissioners to forward a recommendation to the Oregon Liquor Control Commission.

Date: January 20, 2011

Time: 10:15 am

501 SE Hawthorne Blvd. Portland, OR 97214-3587
First Floor, Room 100, off Lobby

You shall be given a reasonable opportunity to be heard by the Board of County Commissioners at the hearing specified above to address the concerns raised by the Sheriff, the Board, and any persons or groups appearing in opposition to your application. The Board's recommendation of approval or denial of your application shall be final.

A copy of the Sheriff's recommendation is enclosed for your reference. Please notify us if you will attend this Hearing.

Sincerely,

Lynda J. Grow
Board Clerk
Multnomah County

cc: Sheriff Daniel Staton
Oregon Liquor Control Commission



Multnomah County Sheriff's Office

12240 NE Glisan St., • Portland, OR 97230

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DANIEL STATON
SHERIFF

503 255-3600 PHONE
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January 11, 2011

Board of County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, OR 97214-3587

Regarding: Big Bear's Crown Point Market
31815 E Columbia River Hwy
Troutdale, OR 97060

Subject: Liquor License Applicant - On and Off Premises Sales

Owner: Balwant Bhullar
12/18/65
21775 Palisade Place
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The establishment Big Bear Crown Point Country Market and Deli has failed to comply with the annual background and fee payment to Multnomah County Sheriff's Office for the purposes of renewing their annual OLCC on and off premises license.

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The Land Use Planning Division has reported that they have no objection to the renewal of the liquor license.

Multnomah County False Alarm Reduction Program notified us that their account has been cancelled and police response has been revoked due to none payment.

With the current compilation of data, the Multnomah County Sheriff's Office forwards a UNFAVORABLE RECOMMENDATION for the Liquor License Renewal.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Staton".

Sheriff Daniel Staton

Copy: Oregon Liquor Control Commission
9079 SE McLoughlin Boulevard
Portland, OR 97222-7355

§ 15.355 DISTRIBUTION OF PROCEEDS.

After the forfeiture counsel distributes property under the provisions of state law, the forfeiture counsel shall disperse of and distribute property in the following manner:

(A) If the seizing agency has an intergovernmental agreement pursuant to state law, the terms of the intergovernmental agreement shall control the distribution of the property.

(B) If the seizing agency does not have an intergovernmental agreement pursuant to state law, the seizing agency shall recover 50% of the property, the county district attorney's office shall recover 35% of the property and the remaining 15% shall be credited to the county general fund for criminal justice services.

(C) If more than one law enforcement agency has participated in the investigation leading to forfeiture, the participating agencies shall share the 50% of the proceeds ordinarily remitted to the seizing agency equitably between the participating agencies.

(D) Except as otherwise provided by intergovernmental agreement, the forfeiting agency may:

(1) Sell, lease, lend or transfer the property or proceeds to any federal, state or local law enforcement agency or district attorney;

(2) Sell the forfeited property by public or other commercially reasonable sale and pay from the proceeds the expenses of keeping and selling the property;

(3) Retain the property; or

(4) With written authorization from the district attorney for the forfeiting agency's jurisdiction, destroy any firearm or contraband.

(E) The forfeiting agency, and any agency which receives forfeited property or proceeds from the sale of forfeited property, shall maintain written documentation of each sale, decision to return, transfer or other disposition.

(* 90 Code, § 7.85.036, 07/01/1998; Ord 633, passed, 12/14/1989)

LIQUOR LICENSES

§ 15.400- PURPOSE.

The purposes of this subchapter are to establish the principal criteria which shall be considered by the Board and the Sheriff, in making recommendations to the state Liquor Control Commission concerning the granting, denying, modifying or renewing of all liquor licenses for premises within unincorporated the county and to establish a process, to be utilized for the investigation of such license applicants for the purpose of making such recommendations, that is fair, effective and efficient. This subchapter is necessary to ensure that all premises licensed to sell or dispense liquor in any form meet the high expectations of this community, and that all businesses are conducted in a lawful manner that does not unreasonably disturb the peace and tranquility of this county and its neighborhoods.

(* 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.401 APPLICATION PROCEDURE.

(A) Any applicant for any license who is required by the state Liquor Control Commission to have a recommendation from the county concerning the suitability of such application shall present the license application forms prescribed by the Liquor Control Commission to the Sheriff for the purpose of obtaining the recommendation of the county concerning such a license.

(B) For the purpose of conducting the investigation to ascertain pertinent information bearing upon such county recommendations, the Sheriff may require such other information in addition to that provided upon the Liquor Control Commission application forms as it deems appropriate.

(C) The Sheriff shall accept liquor license applications only when the following conditions are met:

(1) All required forms are properly completed and in order; and

(S-1 2002)

(2) The processing fees, in amounts established by Board resolution, and as allowed by ORS, have been paid.

('90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.402 INVESTIGATION.

(A) The Sheriff shall coordinate and conduct an investigation of each application for the purpose of determining what recommendation shall be made to the Board, using the procedures set forth in division (B) of this section.

(B) (1) All applicants shall be checked for any and all prior arrest records or violations of Liquor Control Commission regulations.

(2) All applicants shall be checked for prior community relations problems under another license.

(3) The business locations shall be examined and must be in the best interests of the community.

(4) All renewal applications shall be reviewed and checked for prior negative impact on the community.

(5) All new outlets, or change of location/privilege shall be referred to the zoning section for verification of the proposed use under the county zoning code.

(6) All new and renewal applications shall be checked to determine whether there are delinquent personal or real property taxes due and owing for the premises.

('90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.403 RECOMMENDATIONS TO THE BOARD.

Upon completion of the investigation procedures, the Sheriff shall forward to the Board a rec-

(S-1 2002)

ommendation of approval or denial. The clerk of the Board then places the matter on the Board's agenda, in order that the Board may then make a recommendation of approval or denial to the state Liquor Control Commission.

('90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.404 DENIAL OF LICENSE.

The Sheriff may make a recommendation of denial to the Board regarding any application if:

(A) The applicant's record reflects a pattern of violation of the alcoholic liquor laws of this state;

(B) The applicant has a history of use of controlled substances or use of alcoholic beverages to excess;

(C) The record of the applicant shows violation(s) of criminal law(s) or ordinance(s) connected in time, place or manner with a liquor establishment or which demonstrate a disregard for law;

(D) The applicant has maintained, or allowed to exist, an establishment which creates or is a public nuisance under the ordinances of the county or laws of the state or in which any violation of the provisions of the code, or federal or state law relating to minors, gambling, obscenity, controlled substances, prostitution or alcoholic beverages, or ORS Chapters 163, 164, 165 and 166 have occurred, or which creates an increase in disorderly or violent acts, litter, noise, vandalism, vehicular or pedestrian traffic congestion, or other location problems, in the reasonable proximity of such premises;

(E) The applicant's premises are not maintained in reasonable repair, both interior and exterior, and kept clean and free of litter, rubbish, and dirt;

(F) The applicant's premises are found to be a nuisance under the terms of this chapter;

(G) In the case of an application for a new license or for an increase in liquor selling or dispensing privilege, there are sufficient licensed premises in the locality set out in the application and the li-

cense is not demanded by public interest or convenience;

(H) The licensing of the premises would not be in the best interests of the community because of a history of illegal activities, altercations, noisy conduct, or other disturbances in or around the premises;

(I) The applicant has demonstrated an unwillingness or inability to cooperate with county agencies or neighbors in resolving community disputes related to a licensed establishment;

(J) If the zoning section finds that the proposed new outlet, or change of location/privilege is found to be in violation of the zoning code. However, the applicant may file an application for change of zone, conditional use which would permit such use;

(K) If there are delinquent real or personal property taxes due and owing for the premises at the time of application or renewal, a recommendation of denial is mandatory; and

(L) If there is any other specific reason consistent with the purposes of this subchapter which may, in the opinion of the Sheriff, warrant an adverse report to the Board based upon public health, safety, welfare, convenience or necessity.

(' 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.405 HEARINGS; NOTIFICATION.

(A) When the Sheriff makes a recommendation for denial of any application, the clerk of the Board shall notify, by certified mail, the applicant, the Liquor Control Commission, and the Sheriff of the hearing date, place and time at least one week before such hearing takes place. The presiding officer of the Board may also contact the neighborhood associations concerned.

(B) When the Sheriff makes a recommendation for approval of an application for which the Sheriff or the Board has received complaints or concerns from citizens or other business establishments, or for which there may be other controversy, the clerk of the Board shall notify those concerned citizens or

business establishments and the applicant of the hearing date, place and time.

(' 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.406 HEARING PROCEDURES.

When the Board has scheduled a hearing on any liquor license application, such applicant shall be given a reasonable opportunity to be heard and address concerns raised by the Sheriff, the Board, and persons or groups appearing in opposition to such an application. The Board's recommendation of approval or denial of such application, based upon a determination of what course of action best serves the interest of the citizens of the county, shall be final.

(' 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.407 RECONSIDERATION OF APPLICATIONS.

After having made a recommendation of denial on any liquor license application, the Sheriff and the Board shall not consider any new application for the same location by the same or substantially the same applicant for a period of at least six months or while such applicant has pending an appeal in court or in a state administrative agency related to such a license. Notwithstanding, the Sheriff may reconsider or re-submit such an application to the Board in less than six months if it is reasonably believed that a recommendation of denial has substantially changed, and no court or administrative appeal of such license is pending.

(' 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.408 TEMPORARY LICENSES.

On any application for a temporary liquor license which will be in effect for five days or less, review by the Board shall not be automatically required. The Sheriff has authority to make a recommendation of approval to the Liquor Control Commission on such applications. If the Sheriff recom-

mends denial of any application for a temporary license, the application shall be reviewed by the Board as outlined in §§ 15.405 and 15.406.

(' 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

POLICE IMPERSONATION

§ 15.450- UNAUTHORIZED VEHICLES DISPLAYING POLICE INSIGNIA.

No person shall own or operate a private motor vehicle in the county outside of incorporated cities marked or identified by the word "police" or any other marking or insignia identifying the vehicle as a police vehicle.

Penalty, see § 15.999

(' 90 Code, § 7.90.100, 07/01/1998; Ord. 35, passed, 07/09/1970)

NEIGHBORHOOD WATCH SIGNS

§ 15.500- FINDINGS.

The Board finds:

(A) The Sheriff, in cooperation with the community, has instituted an observation and reporting program by which the residents of blocks can organize to better protect themselves against neighborhood intruders who are there for unlawful purposes.

(B) It has been proposed that when residents of a block have met certain requirements that they be allowed to place signs within the right-of-way which indicate that the block is protected by neighborhood watch.

(C) The granting of this request will not be detrimental to the public interest under certain conditions.

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§ 15.501 PERMIT; STANDARDS.

(A) A revocable permit is granted to the Sheriff to have the signs referred to in § 15.500 placed in

the public rights-of-way subject to the conditions set forth in division (B) of this section.

(B) (1) Signs and signposts shall be furnished and installed by the requesting neighborhood.

(2) All signs and locations shall be approved by the traffic engineer.

(3) The signs, when installed, shall conform to the county engineer's standard plan.

(4) The Sheriff shall maintain a record of installed sign locations.

(5) The county shall remove signs not in conformance with the county engineer's standard plan and the traffic engineer's approved location.

(' 90 Code, § 2.70.320, 07/01/1998; Ord. 399, passed, 09/23/1983)

CRIMINAL JUSTICE INFORMATION

§ 15.550- PURPOSE.

It is the purpose of this subchapter to assure that criminal history record information, wherever it appears, is stored, collected, and disseminated in a manner to insure the completeness, integrity, accuracy, and security of such information, and to protect individual privacy.

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ATTORNEY. An attorney at law authorized by a person to assert the confidentiality of right of access to criminal history record information under this subchapter.

AUTHORIZED REPRESENTATIVE. A parent, or a guardian, or conservator, other than an attorney, appointed to act on behalf of a person and



Lynda Grow, Board Clerk

MULTNOMAH COUNTY OREGON

501 SE Hawthorne, Suite 600

Portland, Oregon 97214-3587

Phone: (503) 988-3277 Fax: (503) 988-3013

<http://www.co.multnomah.or.us/cc/>

lynda.grow@co.multco.us

FAX COVER SHEET

Date: January 12, 2011

To: Oregon Liquor Control Commission
Annual Renewal Department
Milwaukie, Oregon 97269

From: Lynda Grow, Board Clerk

PHONE: (503) 988-5274 -or- (503) 988-3277

FAX TO: 503-872-5266 FAX FROM: (503) 988-3013

RE: NOTICE OF PUBLIC HEARING FOR DENIAL OF OLCC LICENSES

The Sheriff's Office has completed their investigation of liquor license renewal applications and has made a recommendation for denial to the Multnomah County Board of Commissioners.

This matter is scheduled for hearing before the Board of County Commissioners to forward this recommendation to the Oregon Liquor Control Commission.

That Hearing is set for January 20, 2011 at 10:15 am at 501 SE Hawthorne Blvd., First Floor, Room 100, off Lobby – Portland, Oregon 97214. Notices were sent to the Applicants within the appropriate time frame by certified USPS mail. A copy was mailed to you through regular postal mail, but I thought it best to fax copies to you. They are attached.

Those Applicants that are recommended for denial are:

Big Bear's Crown Point Market, 31815 E Columbia River Hwy, Troutdale, OR
Bottoms Up Tavern 16900 NW St Helens Rd., Portland, OR
Corbett Country Market – 36801 E Columbia River Hwy, Corbett, OR
Fred's Marina – 12800 NW Marina Way, Portland, OR
Springdale Pub – 32302 E Columbia River Hwy, Corbett, OR
Tenley's Jackpot Foodmart – 28210 SE Orient Dr., Gresham, OR

cc: Henry H. Lazenby, Jr., County Attorney



Multnomah County Sheriff's Office

12240 NE Glisan St., • Portland, OR 97230

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DANIEL STATON
SHERIFF

503 255-3600 PHONE
503 251-2484 TTY
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January 19, 2011

Board of County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, OR 97214-3587

Oregon Liquor Control Commission
9079 SE McLoughlin Boulevard
Portland, OR 97222-7355

Regarding: Tenley's Jackpot Foodmart
28210 SE Orient Drive
Gresham, OR 97080

Subject: Liquor License Applicant
Off-Premises Sales

Owner: Le Thien Ly
01/19/62
28210 SE Orient Dr
Gresham, OR

POSTPONED - GRANTED
30 DAYS TO COME INTO
COMPLIANCE.
RETURN TO BOARD
NO LATER THAN MAR. 3/3/11.
-LYNDA GLOW
BOARD CLERK
1-20-11

The Multnomah County Sheriff's Office has completed its investigation for the above liquor license renewal.

- Sheriff's Office background is completed, nothing in the background check of owner's raised any questions or concerns.
 - Recommendation for Renewal
- Assessment and Taxation
 - Recommendation for Renewal
- Alarms
 - Recommendation for Renewal
- Land Use Management
 - The Land Use Planning Division continues to have reported an unresolved land use violation complaint case on file for the property, Under Review (UR) 08-054. They are **not** in compliance with the Land Use Planning Division and they do have objections to the renewal of the liquor license.
 - Mr. Ly contacted the Sheriff's Office for clarification, Mr. Ly was instructed to contact the Land Management Office and make compliance arrangements to have the favorable recommendation. As of 01/19/2011 per Land Management, no contact with their office has been made.
 - Unfavorable Recommendation from Land Use Management due to outstanding violations for 28210 SE Orient Dr, Gresham, OR

With the follow-up investigation completed, the Multnomah County Sheriff's Office continues to maintain the position of an **UNFAVORABLE RECOMMENDATION** for the Liquor License 2011 Renewal until compliance is met.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Steton". The signature is written in a cursive, flowing style with a large initial "D".

Sheriff



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

Board Clerk Use Only

Meeting Date: 1/20/11
Agenda Item #: R-5.6
Est. Start Time: 10:15 am
TIME CERTAIN

Agenda Title: **Off Premises Sales Liquor License Renewal for Tenley's Jackpot Foodmart,
28210 SE Orient Drive, Gresham, OR**

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

Date Requested:	<u>January 20, 2011</u>	Time Requested:	<u></u>
Department:	<u>Sheriff's Office</u>	Division:	<u>Enforcement</u>
Contact(s):	<u>Kimberly Walker-Norton</u>		
Phone:	<u>(503) 251-2520</u>	Ext.	<u>I/O Address: 313/122</u>
Presenter(s):	<u>County Attorney and Kimberly Walker Norton</u>		

General Information

1. What action are you requesting from the Board?

Board approval of liquor license application

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

The Multnomah County Sheriff's Office has completed its investigation for the above liquor license renewal.

Assessment and Taxation reported that the address of 28210 SE Orient Drive, Gresham, Oregon, is in compliance with the Assessment and Taxation Office.

The Land Use Planning Division has reported an unresolved land use violation complaint case on file for the property. The violations have **not** been resolved and the property owner has **not** entered into a Voluntary Compliance Agreement with the County. Until the violation has been resolved their recommendation is that a liquor license **should not** be issued for the property.

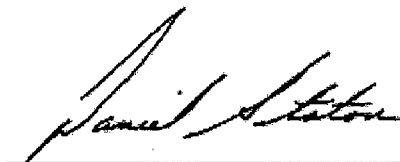
Nothing in the background check of owner/s raised any questions or concerns.

With the investigation completed the Multnomah County Sheriff's Office forwards an **UNFAVORABLE RECOMMENDATION** for the Liquor License Renewal.

3. Explain the fiscal impact (current year and ongoing).
4. Explain any legal and/or policy issues involved.
5. Explain any citizen and/or other government participation that has or will take place.

Required Signatures

**Department/
Agency Director:**



Date: 1/11/11



Lynda Grow, Board Clerk

MULTNOMAH COUNTY OREGON

501 SE Hawthorne, Suite 600
Portland, Oregon 97214-3587
(503) 988-5274 (Phone) (503) 988-3013 (Fax)
<http://www.co.multnomah.or.us/cc/>
lynda.grow@multco.us

CERTIFIED MAIL

January 11, 2011

Tenleys Jackpot Foodmart
28210 SE Orient Drive
Gresham, OR 97080

Re: Notice of Scheduled Hearing - Liquor License Application

Dear Le Thien Ly:

The Multnomah County Sheriff's Office has completed the investigation of the above liquor license renewal application and has made a recommendation for denial to the Multnomah County Board of Commissioners. This matter is scheduled for hearing before the Board of County Commissioners to forward a recommendation to the Oregon Liquor Control Commission.

Date: January 20, 2011

Time: 10:15 am

501 SE Hawthorne Blvd. Portland, OR 97214-3587
First Floor, Room 100, off Lobby

You shall be given a reasonable opportunity to be heard by the Board of County Commissioners at the hearing specified above to address the concerns raised by the Sheriff, the Board, and any persons or groups appearing in opposition to your application. The Board's recommendation of approval or denial of your application shall be final.

A copy of the Sheriff's recommendation is enclosed for your reference. Please notify us if you will attend this Hearing.

Sincerely,

Lynda J. Grow
Board Clerk
Multnomah County

cc: Sheriff Daniel Staton
Oregon Liquor Control Commission



Multnomah County Sheriff's Office

12240 NE Glisan St., • Portland, OR 97230

Exemplary service for a safe, livable community

DANIEL STATON
SHERIFF

503 255-3600 PHONE
503 251-2484 TTY
www.mcso.us

January 11, 2011

Board of County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, OR 97214-3587

Regarding: Tenleys Jackpot Foodmart
28210 SE Orient Drive
Gresham, OR 97080

Subject: Liquor License Applicant - Off- Premises Sales

Owner: Le Thien Ly
01/19/62
28210 SE Orient Dr
Gresham, OR

The Multnomah County Sheriff's Office has completed its investigation for the above liquor license renewal.

Assessment and Taxation reported that the address listed 28210 SE Orient Drive is in compliance with the Assessment and Taxation Office.

The Land Use Planning Division has reported an unresolved land use violation complaint case on file for the property, Under Review (UR) 08-054. They are **not** in compliance with the Land Use Planning Division and they do have objections to the renewal of the liquor license.

Nothing in the background check of owner/s raised any questions or concerns.

With the investigation completed, the Multnomah County Sheriff's Office forwards an UNFAVORABLE RECOMMENDATION for the Liquor License Renewal.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Staton".

Sheriff Daniel Staton

COPY: Oregon Liquor Control Commission
9079 SE McLoughlin Boulevard
Portland, OR 97222-7355

§ 15.355 DISTRIBUTION OF PROCEEDS.

After the forfeiture counsel distributes property under the provisions of state law, the forfeiture counsel shall disperse of and distribute property in the following manner:

(A) If the seizing agency has an intergovernmental agreement pursuant to state law, the terms of the intergovernmental agreement shall control the distribution of the property.

(B) If the seizing agency does not have an intergovernmental agreement pursuant to state law, the seizing agency shall recover 50% of the property, the county district attorney's office shall recover 35% of the property and the remaining 15% shall be credited to the county general fund for criminal justice services.

(C) If more than one law enforcement agency has participated in the investigation leading to forfeiture, the participating agencies shall share the 50% of the proceeds ordinarily remitted to the seizing agency equitably between the participating agencies.

(D) Except as otherwise provided by intergovernmental agreement, the forfeiting agency may:

(1) Sell, lease, lend or transfer the property or proceeds to any federal, state or local law enforcement agency or district attorney;

(2) Sell the forfeited property by public or other commercially reasonable sale and pay from the proceeds the expenses of keeping and selling the property;

(3) Retain the property; or

(4) With written authorization from the district attorney for the forfeiting agency's jurisdiction, destroy any firearm or contraband.

(E) The forfeiting agency, and any agency which receives forfeited property or proceeds from the sale of forfeited property, shall maintain written documentation of each sale, decision to return, transfer or other disposition.

(* 90 Code, § 7.85.036, 07/01/1998; Ord 633, passed, 12/14/1989)

LIQUOR LICENSES

§ 15.400- PURPOSE.

The purposes of this subchapter are to establish the principal criteria which shall be considered by the Board and the Sheriff, in making recommendations to the state Liquor Control Commission concerning the granting, denying, modifying or renewing of all liquor licenses for premises within unincorporated the county and to establish a process, to be utilized for the investigation of such license applicants for the purpose of making such recommendations, that is fair, effective and efficient. This subchapter is necessary to ensure that all premises licensed to sell or dispense liquor in any form meet the high expectations of this community, and that all businesses are conducted in a lawful manner that does not unreasonably disturb the peace and tranquility of this county and its neighborhoods.

(* 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.401 APPLICATION PROCEDURE.

(A) Any applicant for any license who is required by the state Liquor Control Commission to have a recommendation from the county concerning the suitability of such application shall present the license application forms prescribed by the Liquor Control Commission to the Sheriff for the purpose of obtaining the recommendation of the county concerning such a license.

(B) For the purpose of conducting the investigation to ascertain pertinent information bearing upon such county recommendations, the Sheriff may require such other information in addition to that provided upon the Liquor Control Commission application forms as it deems appropriate.

(C) The Sheriff shall accept liquor license applications only when the following conditions are met:

(1) All required forms are properly completed and in order; and

(S-1 2002)

(2) The processing fees, in amounts established by Board resolution, and as allowed by ORS, have been paid.

('90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.402 INVESTIGATION.

(A) The Sheriff shall coordinate and conduct an investigation of each application for the purpose of determining what recommendation shall be made to the Board, using the procedures set forth in division (B) of this section.

(B) (1) All applicants shall be checked for any and all prior arrest records or violations of Liquor Control Commission regulations.

(2) All applicants shall be checked for prior community relations problems under another license.

(3) The business locations shall be examined and must be in the best interests of the community.

(4) All renewal applications shall be reviewed and checked for prior negative impact on the community.

(5) All new outlets, or change of location/privilege shall be referred to the zoning section for verification of the proposed use under the county zoning code.

(6) All new and renewal applications shall be checked to determine whether there are delinquent personal or real property taxes due and owing for the premises.

('90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.403 RECOMMENDATIONS TO THE BOARD.

Upon completion of the investigation procedures, the Sheriff shall forward to the Board a rec-

ommendation of approval or denial. The clerk of the Board then places the matter on the Board's agenda, in order that the Board may then make a recommendation of approval or denial to the state Liquor Control Commission.

('90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.404 DENIAL OF LICENSE.

The Sheriff may make a recommendation of denial to the Board regarding any application if:

(A) The applicant's record reflects a pattern of violation of the alcoholic liquor laws of this state;

(B) The applicant has a history of use of controlled substances or use of alcoholic beverages to excess;

(C) The record of the applicant shows violation(s) of criminal law(s) or ordinance(s) connected in time, place or manner with a liquor establishment or which demonstrate a disregard for law;

(D) The applicant has maintained, or allowed to exist, an establishment which creates or is a public nuisance under the ordinances of the county or laws of the state or in which any violation of the provisions of the code, or federal or state law relating to minors, gambling, obscenity, controlled substances, prostitution or alcoholic beverages, or ORS Chapters 163, 164, 165 and 166 have occurred, or which creates an increase in disorderly or violent acts, litter, noise, vandalism, vehicular or pedestrian traffic congestion, or other location problems, in the reasonable proximity of such premises;

(E) The applicant's premises are not maintained in reasonable repair, both interior and exterior, and kept clean and free of litter, rubbish, and dirt;

(F) The applicant's premises are found to be a nuisance under the terms of this chapter;

(G) In the case of an application for a new license or for an increase in liquor selling or dispensing privilege, there are sufficient licensed premises in the locality set out in the application and the li-

cense is not demanded by public interest or convenience;

(H) The licensing of the premises would not be in the best interests of the community because of a history of illegal activities, altercations, noisy conduct, or other disturbances in or around the premises;

(I) The applicant has demonstrated an unwillingness or inability to cooperate with county agencies or neighbors in resolving community disputes related to a licensed establishment;

(J) If the zoning section finds that the proposed new outlet, or change of location/privilege is found to be in violation of the zoning code. However, the applicant may file an application for change of zone, conditional use which would permit such use;

(K) If there are delinquent real or personal property taxes due and owing for the premises at the time of application or renewal, a recommendation of denial is mandatory; and

(L) If there is any other specific reason consistent with the purposes of this subchapter which may, in the opinion of the Sheriff, warrant an adverse report to the Board based upon public health, safety, welfare, convenience or necessity.

(* 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.405 HEARINGS; NOTIFICATION.

(A) When the Sheriff makes a recommendation for denial of any application, the clerk of the Board shall notify, by certified mail, the applicant, the Liquor Control Commission, and the Sheriff of the hearing date, place and time at least one week before such hearing takes place. The presiding officer of the Board may also contact the neighborhood associations concerned.

(B) When the Sheriff makes a recommendation for approval of an application for which the Sheriff or the Board has received complaints or concerns from citizens or other business establishments, or for which there may be other controversy, the clerk of the Board shall notify those concerned citizens or

business establishments and the applicant of the hearing date, place and time.

(* 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.406 HEARING PROCEDURES.

When the Board has scheduled a hearing on any liquor license application, such applicant shall be given a reasonable opportunity to be heard and address concerns raised by the Sheriff, the Board, and persons or groups appearing in opposition to such an application. The Board's recommendation of approval or denial of such application, based upon a determination of what course of action best serves the interest of the citizens of the county, shall be final.

(* 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.407 RECONSIDERATION OF APPLICATIONS.

After having made a recommendation of denial on any liquor license application, the Sheriff and the Board shall not consider any new application for the same location by the same or substantially the same applicant for a period of at least six months or while such applicant has pending an appeal in court or in a state administrative agency related to such a license. Notwithstanding, the Sheriff may reconsider or resubmit such an application to the Board in less than six months if it is reasonably believed that a recommendation of denial has substantially changed, and no court or administrative appeal of such license is pending.

(* 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

§ 15.408 TEMPORARY LICENSES.

On any application for a temporary liquor license which will be in effect for five days or less, review by the Board shall not be automatically required. The Sheriff has authority to make a recommendation of approval to the Liquor Control Commission on such applications. If the Sheriff recom-

mends denial of any application for a temporary license, the application shall be reviewed by the Board as outlined in §§ 15.405 and 15.406.

(' 90 Code, § 5.10.020, 07/01/1998; Ord. 799, passed, 10/06/1994; Ord. 724, passed, 06/11/1992; Ord. 420, passed, 06/14/1984; Ord. 412, passed, 03/15/1984; Ord. 195, passed, 04/26/1979; Ord. 157, passed, 12/29/1977)

POLICE IMPERSONATION

§ 15.450- UNAUTHORIZED VEHICLES DISPLAYING POLICE INSIGNIA.

No person shall own or operate a private motor vehicle in the county outside of incorporated cities marked or identified by the word "police" or any other marking or insignia identifying the vehicle as a police vehicle.

Penalty, see § 15.999

(' 90 Code, § 7.90.100, 07/01/1998; Ord. 35, passed, 07/09/1970)

NEIGHBORHOOD WATCH SIGNS

§ 15.500- FINDINGS.

The Board finds:

(A) The Sheriff, in cooperation with the community, has instituted an observation and reporting program by which the residents of blocks can organize to better protect themselves against neighborhood intruders who are there for unlawful purposes.

(B) It has been proposed that when residents of a block have met certain requirements that they be allowed to place signs within the right-of-way which indicate that the block is protected by neighborhood watch.

(C) The granting of this request will not be detrimental to the public interest under certain conditions.

(' 90 Code, § 2.70.305, 07/01/1998; Ord. 399, passed, 09/23/1983)

§ 15.501 PERMIT; STANDARDS.

(A) A revocable permit is granted to the Sheriff to have the signs referred to in § 15.500 placed in

the public rights-of-way subject to the conditions set forth in division (B) of this section.

(B) (1) Signs and signposts shall be furnished and installed by the requesting neighborhood.

(2) All signs and locations shall be approved by the traffic engineer.

(3) The signs, when installed, shall conform to the county engineer's standard plan.

(4) The Sheriff shall maintain a record of installed sign locations.

(5) The county shall remove signs not in conformance with the county engineer's standard plan and the traffic engineer's approved location.

(' 90 Code, § 2.70.320, 07/01/1998; Ord. 399, passed, 09/23/1983)

CRIMINAL JUSTICE INFORMATION

§ 15.550- PURPOSE.

It is the purpose of this subchapter to assure that criminal history record information, wherever it appears, is stored, collected, and disseminated in a manner to insure the completeness, integrity, accuracy, and security of such information, and to protect individual privacy.

(' 90 Code, § 7.80.010, 07/01/1998; Ord. 201, passed, 05/10/1979)

§ 15.551 DEFINITIONS.

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

ACCESS. The authority to review or receive information from files, records, or an information system, whether manual or automated.

ATTORNEY. An attorney at law authorized by a person to assert the confidentiality of right of access to criminal history record information under this subchapter.

AUTHORIZED REPRESENTATIVE. A parent, or a guardian, or conservator, other than an attorney, appointed to act on behalf of a person and