

# **ANNOTATED MINUTES**

Tuesday, April 28, 1998 - 9:30 AM  
Multnomah County Courthouse, Boardroom 602  
1021 SW Fourth Avenue, Portland

## **BUDGET WORK SESSION**

*Chair Beverly Stein convened the meeting at 9:30 a.m., with Vice-Chair Sharron Kelley and Commissioner Gary Hansen present, and Commission Districts 1 and 3 positions vacant.*

- WS-1 Central Citizen Budget Advisory Committee 1998-99 Budget Report and Transmittal of the Citizen Budget Advisory Committee Budget Recommendations and Dedicated Fund Review. Presented by Central CBAC Chair Jack Pessia.

### ***JACK PESSIA PRESENTATION AND RESPONSE TO BOARD DISCUSSION AND COMMENTS IN APPRECIATION.***

- WS-2 The Multnomah County Department of Juvenile and Adult Community Justice 1998-99 Budget Overview and Highlights. DJACJ Citizen Budget Advisory Committee Presentation. Issues and Opportunities. Board Questions and Answers.

### ***ELYSE CLAWSON, JANN BROWN, JOANNE FULLER, BILL MORRIS, BOB GRINDSTAFF, MIKE KING AND GINGER MARTIN PRESENTATIONS AND RESPONSE TO BOARD QUESTIONS, COMMENTS AND DISCUSSION.***

*There being no further business, the meeting was adjourned at 11:34 a.m.*

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Wednesday, April 29, 1998 - 9:30 AM  
Multnomah County Courthouse, Boardroom 602  
1021 SW Fourth Avenue, Portland

## **BUDGET WORK SESSION**

*Chair Beverly Stein convened the meeting at 9:38 a.m., with Vice-Chair Sharron Kelley and Commissioner Gary Hansen present, and Commission Districts 1 and 3 positions vacant.*

WS-3      The Multnomah County Sheriff's Office Department 1998-99 Budget Overview and Highlights. MCSO Citizen Budget Advisory Committee Presentation. Issues and Opportunities. Board Questions and Answers.

**SHERIFF DAN NOELLE, LARRY AAB AND LORETTA GARNER PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION.**

*There being no further business, the meeting was adjourned at 10:40 a.m.*

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Wednesday, April 29, 1998 - 6:00 PM  
Gresham Library Meeting Room  
385 NW Miller Street, Gresham

## **BUDGET HEARING**

*Chair Beverly Stein convened the meeting at 6:05 p.m., with Vice-Chair Sharron Kelley and Commissioner Gary Hansen present, and Commission Districts 1 and 3 positions vacant.*

PH-1      1998-99 Multnomah County Budget Overview and Opportunity for Public Testimony on the 1998-99 Multnomah County Budget with Testimony Limited to Three Minutes Per Person.

**DAVE WARREN PRESENTATION. JEFF REARDON TESTIMONY IN SUPPORT OF EQUITABLE SCHOOL FUNDING AND RESPONSE TO BOARD EXPLANATION OF THE DISTRIBUTION FORMULA AGREED UPON BY THE COUNTY AND SCHOOL SUPERINTENDENTS. CHAIR STEIN ADVISED SHE WOULD BE ATTENDING THE MAY 15, 1998 SUPERINTENDENTS MEETING AND WAS ASKING THE BOARD TO APPROVE AN ADDITIONAL \$.4 MILLION FOR EAST COUNTY SCHOOLS. JIM BUCK TESTIMONY IN SUPPORT OF ONE TIME ONLY FUNDS TO SCHOOLS AND**

**RESPONSE TO CHAIR STEIN ADVISING SHE WILL DISCUSS WITH SUPERINTENDENTS ON MAY 15. KATHY MINDEN TESTIMONY IN SUPPORT OF FUNDING FOR LITERACY PROGRAM AND ROCKWOOD COMMUNITY SENIOR SERVICES FACILITY. JIM WORTHINGTON TESTIMONY IN SUPPORT OF ADDITIONAL FUNDING FOR EAST COUNTY SCHOOLS. COMMISSIONERS HANSEN AND KELLEY COMMENTS IN RESPONSE. LIBRARY DIRECTOR GINNIE COOPER ANNOUNCED THAT ALL BRANCH LIBRARIES WILL BE OPEN SEVEN DAYS A WEEK AS OF JULY 1ST, AND DISCUSSED UPCOMING BRANCH REPAIRS AND UPGRADES MADE POSSIBLE DUE TO PASSAGE OF THE LIBRARY LEVY.**

*There being no further business, the meeting was adjourned at 6:50 p.m.*

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Thursday, April 30, 1998 - 9:30 AM  
Multnomah County Courthouse, Boardroom 602  
1021 SW Fourth Avenue, Portland

## **REGULAR MEETING**

*Chair Beverly Stein convened the meeting at 9:34 a.m., with Vice-Chair Sharron Kelley and Commissioner Gary Hansen present, and Commission Districts 1 and 3 positions vacant.*

### **CONSENT CALENDAR**

**UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-15) WAS UNANIMOUSLY APPROVED.**

### **NON-DEPARTMENTAL**

C-1 ORDER Re-appointing G. Warren Heathman as a Commissioner to the RAMSEY-WALMAR SPECIAL ROAD DISTRICT

**ORDER 98-49.**

## **DISTRICT ATTORNEY'S OFFICE**

- C-2      Amendment 2 to Intergovernmental Revenue Agreement 500167 with Tri-Met for Continued Funding of 1 FTE Deputy District Attorney to the Tri-Met Neighborhood Based Prosecution Office
- C-3      Intergovernmental Agreement 500727 with the City of Portland Police Bureau for Use of Seized Motor Vehicles by the District Attorney's Office Neighborhood Based DA Program

## **DEPARTMENT OF ENVIRONMENTAL SERVICES**

- C-4      CU 1-98, SEC 6-98, HV 2-98    Report the Hearings Officer Decision Regarding Approval of a Conditional Use Permit, a Significant Environmental Concern Permit and Major Variance to Reduce the 200' Side Yard Setback from the West Property Line to 90' for a Single Family Template Dwelling on Lands Designated Commercial Forest Use for Property Located at 11401 NW SKYLINE BOULEVARD, PORTLAND

## **DEPARTMENT OF COMMUNITY AND FAMILY SERVICES**

- C-5      ORDER Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

### ***ORDER 98-50.***

- C-6      Intergovernmental Revenue Agreement 103578 with the U.S. Department of Housing and Urban Development Providing Funding for Transitional Housing for Single Low Income and Homeless Adults
- C-7      Intergovernmental Revenue Agreement 103588 with the U.S. Department of Housing and Urban Development Providing Funding for Supportive Services to Assist Homeless Families to Engage in Vocation Rehabilitation Services
- C-8      Intergovernmental Revenue Agreement 103598 with the U.S. Department of Housing and Urban Development Providing Funding to Purchase Mental Health Services for Homeless Youth Unable to Obtain Mental Health Services through Other Means

- C-9 Intergovernmental Agreement 103638 with Oregon Health Sciences University, University Hospital for In-Patient Psychiatric Hospital Emergency Hold Services for Adults
- C-10 Amendment 1 to Intergovernmental Revenue Agreement 104776 with the Housing Authority of Portland to Assist in the Development and Construction of 36 Units of Very Low Income Farm-worker Rental Housing

### **DEPARTMENT OF HEALTH**

- C-11 Budget Modification HD 16 Approving an Increase of .98 FTE and \$158,408 in the Lead Hazard Reduction Program Funded with Grant Funds Received from the City of Portland

### **DEPARTMENT OF JUVENILE AND ADULT COMMUNITY JUSTICE**

- C-12 Budget Modification DCJ 2 Adding \$24,000 State of Oregon Children and Family Commission Revenue to the Department's Federal/State Program to Fund Gender Studies and Cultural Diversity Projects
- C-13 Budget Modification DCJ 11 Authorizing Department to Reprogram Screening and Referral Dollars for Early Intervention Staffing and Contracted Services
- C-14 Budget Modification DCJ 13 Adding \$150,320 State Flex Funds to the Department's Federal/State Program Budget for Services to Adjudicated Youth in Danger of Further Behavioral Issues
- C-15 Budget Modification DCJ 16 Adding \$35,000 in State Funds Department's Federal/State Program Budget for Turnaround School Contracted Services

### **REGULAR AGENDA**

### **PUBLIC COMMENT**

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

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

### **NON-DEPARTMENTAL**

- R-2 Request for Approval of Mt. Hood Cable Regulatory Commission Proposed Budget for Fiscal Year 1998-1999. Presented by Royal Harshman, David Olson and Mary Beth Henry.

**COMMISSIONER KELLEY MOVED AND  
COMMISSIONER HANSEN SECONDED,  
APPROVAL OF R-2. ROYAL HARSHMAN  
EXPLANATION. RESOLUTION 98-51  
UNANIMOUSLY APPROVED.**

#### **AGING AND DISABILITY SERVICES DEPARTMENT**

- R-3 PROCLAMATION Designating the Month of May, 1998 as OLDER AMERICANS MONTH IN MULTNOMAH COUNTY

**COMMISSIONER KELLEY MOVED AND  
COMMISSIONER HANSEN SECONDED,  
APPROVAL OF R-3. JUNE SCHUMANN READ  
PROCLAMATION. PROCLAMATION 98-52  
UNANIMOUSLY APPROVED.**

#### **DEPARTMENT OF ENVIRONMENTAL SERVICES**

- R-4 PROCLAMATION Designating the Week of May 3 through 9, 1998 BE KIND TO ANIMALS WEEK IN MULTNOMAH COUNTY

**COMMISSIONER KELLEY MOVED AND  
COMMISSIONER HANSEN SECONDED,  
APPROVAL OF R-4. PROCLAMATION READ.  
PROCLAMATION 98-53 UNANIMOUSLY  
APPROVED.**

#### **HEALTH DEPARTMENT**

- R-5 NOTICE OF INTENT to Respond to a Request for Proposals from the 1997-98 Metro Neighborhood Cleanup Grant Program to Fund Cleanup of a Recurrent Illegal Dump Site Located Off Warrendale Road in the Columbia River Gorge Area of Multnomah County

**COMMISSIONER KELLEY MOVED AND  
COMMISSIONER HANSEN SECONDED,  
APPROVAL OF R-5. HILDA ADAMS AND  
JENNIFER CHACON EXPLANATION. BOARD**

**COMMENTS IN SUPPORT. NOTICE OF INTENT  
UNANIMOUSLY APPROVED.**

**DEPARTMENT OF SUPPORT SERVICES**

- R-6      Second Reading and Adoption of an ORDINANCE Amending Ordinance No. 880, in Order to Add and Delete Exempt Pay Ranges and Titles and to Make Special Adjustments

**ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF SECOND READING AND ADOPTION. COUNTY COUNSEL TOM SPONSER EXPLAINED THAT AFTER COMPLETION OF HIS CODE CONSOLIDATION PROJECT, FUTURE EXEMPT PAY RANGE ADJUSTMENTS WOULD BE DONE BY RESOLUTION IN ORDER TO SIMPLIFY THE PROCESS. BOARD COMMENTS IN SUPPORT. NO ONE WISHED TO TESTIFY. ORDINANCE 906 UNANIMOUSLY APPROVED.**

**NON-DEPARTMENTAL**

- R-7      Budget Modification MCCF 9801 Adding Two FTE Staff Association Positions within the Office of the Multnomah Commission on Children and Families, Using Currently Available State Funds, Allowing for Increased Levels of Accountability and Public Involvement in the Commission's Initiatives

**COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-7. CHRIS TEBBEN EXPLANATION. BUDGET MODIFICATION UNANIMOUSLY APPROVED.**

- R-8      First Reading of an ORDINANCE Amending the Public Contract Review Board Rules to Add a Provision Barring Employment Discrimination by Contractors Providing Goods and Services to the County

**ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED,**

**APPROVAL OF FIRST READING. CHAIR STEIN  
EXPLANATION. NO ONE WISHED TO TESTIFY.  
BOARD COMMENTS IN SUPPORT. FIRST  
READING UNANIMOUSLY APPROVED. SECOND  
READING MAY 7, 1998.**

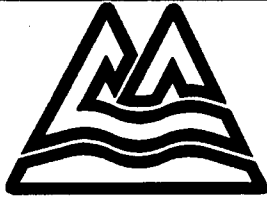
*There being no further business, the meeting was adjourned at 9:46 a.m.*

OFFICE OF THE BOARD CLERK  
FOR MULTNOMAH COUNTY, OREGON

*Deborah L. Bogstad*

Deborah L. Bogstad





## MULTNOMAH COUNTY, OREGON

### BOARD OF COMMISSIONERS

#### Beverly Stein, Chair

1120 SW Fifth Avenue, Suite 1515  
Portland, Or 97204-1914  
Phone: (503) 248-3308 FAX (503) 248-3093  
Email: Mult.Chair@co.multnomah.or.us

#### Vacant, Commission District 1

1120 SW Fifth Avenue, Suite 1500  
Portland, Or 97204-1914  
Phone: (503) 248-5220 FAX (503) 248-5440  
Email:

#### Gary Hansen, Commission Dist. 2

1120 SW Fifth Avenue, Suite 1500  
Portland, Or 97204-1914  
Phone: (503) 248-5219 FAX (503) 248-5440  
Email: Gary.D.Hansen@co.multnomah.or.us

#### Vacant, Commission District 3

1120 SW Fifth Avenue, Suite 1500  
Portland, Or 97204-1914  
Phone: (503) 248-5217 FAX (503) 248-5262  
Email:

#### Sharron Kelley, Commission Dist. 4

1120 SW Fifth Avenue, Suite 1500  
Portland, Or 97204-1914  
Phone: (503) 248-5213 FAX (503) 248-5262  
Email:  
Sharron.E.Kelley@co.multnomah.or.us

**Any Questions? Call Board Clerk  
Deb Bogstad @ 248-3277**

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

### APRIL 28-30, 1998 BOARD MEETINGS

#### FASTLOOK AGENDA ITEMS OF INTEREST

2	Central Citizen Budget Advisory Committee Report
2	Juvenile & Adult Community Justice Budget Work Session
2	Sheriff's Office Budget Work Session
2	Public Budget Hearing at Gresham Library
3	Consent Calendar of Routine County Business
5	Opportunity for Public Comment & May Proclamations
6	Opportunity for Public Testimony on Proposed Ordinances
7	Multnomah County Budget Work Session and Hearing Schedule

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

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

Friday, 10:00 PM, Channel 30

Sunday, 1:00 PM, Channel 30

Produced through Multnomah Community  
Television

Tuesday, April 28, 1998 - 9:30 AM  
Multnomah County Courthouse, Boardroom 602  
1021 SW Fourth Avenue, Portland

## **BUDGET WORK SESSION**

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- 

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## **BUDGET HEARING**

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Thursday, April 30, 1998 - 9:30 AM  
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## **REGULAR MEETING**

### **CONSENT CALENDAR**

#### **NON-DEPARTMENTAL**

- C-1 ORDER Re-appointing G. Warren Heathman as a Commissioner to the RAMSEY-WALMAR SPECIAL ROAD DISTRICT

#### **DISTRICT ATTORNEY'S OFFICE**

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#### **DEPARTMENT OF ENVIRONMENTAL SERVICES**

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### **REGULAR AGENDA**

### **PUBLIC COMMENT**

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### **AGING AND DISABILITY SERVICES DEPARTMENT**

- R-3      PROCLAMATION Designating the Month of May, 1998 as OLDER AMERICANS MONTH IN MULTNOMAH COUNTY

### **DEPARTMENT OF ENVIRONMENTAL SERVICES**

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### **HEALTH DEPARTMENT**

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### **DEPARTMENT OF SUPPORT SERVICES**

- R-6            Second Reading and Adoption of an ORDINANCE Amending Ordinance No. 880, in Order to Add and Delete Exempt Pay Ranges and Titles and to Make Special Adjustments

**NON-DEPARTMENTAL**

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- R-8            First Reading of an ORDINANCE Amending the Public Contract Review Board Rules to Add a Provision Barring Employment Discrimination by Contractors Providing Goods and Services to the County

# 1998-99 MULTNOMAH COUNTY BUDGET WORK SESSIONS AND PUBLIC HEARINGS

23-Apr	Thursday	9:30 am	PUBLIC HEARING, Executive Budget Presentation and Approval
28-Apr	Tuesday	9:30 am	Central Citizen Budget Advisory Committee Report
		9:45 am	Juvenile & Adult Community Justice
29-Apr	Wednesday	9:30 am	Sheriff
		6:00 pm	PUBLIC HEARING @Gresham Library 385 NW Miller
5-May	Tuesday	9:30 am	District Attorney
		10:30 am	Non-Departmental
6-May	Wednesday	1:30 pm	Environmental Services
		3:00 pm	Support Services
12-May	Tuesday	9:30 am	Health
		1:30 pm	Community & Family Services
14-May	Thursday	10:30 am	Library (after regular Board meeting)
19-May	Tuesday	9:30 am	Aging and Disability Services
		10:30 am	General Work Session (potential)
		1:30 pm	General Work Session (potential)
20-May	Wednesday	9:30 am	Alcohol and Drug Treatment Work Session (potential)
		1:30 pm	General Work Session (potential)
		6:00 pm	PUBLIC HEARING in Board Room
26-May	Tuesday	9:30 am	PUBLIC HEARING TSCC Hearing
		10:30 am	General Work Session (potential)
		1:30 pm	General Work Session (potential)
28-May	Thursday	9:30 am	PUBLIC HEARING, Adopt Budget

Unless otherwise indicated, all budget sessions will be held in the Multnomah County Courthouse, Boardroom 602, 1021 SW Fourth Avenue, Portland.

MEETING DATE: April 30, 1998  
AGENDA #: C-1  
ESTIMATED START TIME: 9:30 AM

(Above Space for Board Clerk's use only)

### AGENDA PLACEMENT FORM

SUBJECT: Re-appointment to the Ramsey-Walmer Special Road District

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

REGULAR MEETING: DATE REQUESTED: Thursday, April 30, 1998  
AMOUNT OF TIME NEEDED: N/A

DEPARTMENT: Non-Departmental DIVISION: Chair Beverly Stein

CONTACT: Deb Bogstad TELEPHONE #: 248-3277  
BLDG/ROOM #: 106/1515

PERSON(S) MAKING PRESENTATION: Consent Calendar

#### ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

#### SUGGESTED AGENDA TITLE:

ORDER Re-Appointing G. Warren Heathman  
As a Commissioner to the Ramsey-Walmar Special Road District

4/30/98 COPIES TO THE HEATHMAN & JOHN DORST

#### SIGNATURES REQUIRED:

ELECTED OFFICIAL: Beverly Stein

(OR)  
DEPARTMENT  
MANAGER: \_\_\_\_\_

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions? Call the Board Clerk @ 248-3277

BOARD OF  
COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
1998 APR 21 PM 4:15



BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDER NO. 98-49

Re-appointing G. Warren Heathman as a Commissioner to the Ramsey-Walmar Special Road District

The Multnomah County Board of Commissioners Finds:

- a. The Multnomah County Board of Commissioners formed the Ramsey-Walmar Special Road District by Order on September 19, 1985, in accordance with ORS 371.305 to 371.360 for the purpose of providing regular maintenance of roads within the District not maintained by Multnomah County because such roads do not meet County standards;
- b. ORS 372.338 provides the powers of the special road district vested in a board of three commissioners appointed by the Board of Commissioners;
- c. The term of G. Warren Heathman, who was appointed pursuant to Board Order 96-82 expired December 31, 1997, and Mr. Heathman has indicated he is willing and able to continue to serve as a commissioner;

The Multnomah County Board of Commissioners Orders:

1. That G. Warren Heathman be re-appointed a commissioner of the Ramsey-Walmar Special Road District, to serve a term beginning on April 30, 1998 and ending on December 31, 2000, consistent with ORS 371.338;
2. Pursuant to ORS 371.338(3), before entering upon the duties of office, Mr. Heathman shall take and subscribe an oath to support the Constitution and laws of the State of Oregon and of the United States, and to well and faithfully perform the duties of office to the best of the commissioner's knowledge and ability.

APPROVED this 30th day of April, 1998.



REVIEWED:

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Beverly Stein, Chair

THOMAS SPONSER, COUNTY COUNSEL  
FOR MULTNOMAH COUNTY, OREGON

By 

Matthew O. Ryan, Assistant County Counsel

MEETING DATE: APR 30 1998  
AGENDA NO: C-2  
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

**AGENDA PLACEMENT FORM**

**SUBJECT:** Intergovernmental Agreement between the District Attorney's Office and Tri-Met for continued funding of 1 FTE deputy district attorney to the Tri-Met neighborhood based prosecution office.

**BOARD BRIEFING:** **DATE REQUESTED:** \_\_\_\_\_  
**REQUESTED BY:** \_\_\_\_\_

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

**REGULAR MEETING:** **DATE REQUESTED:** 4/16/98  
**AMOUNT OF TIME NEEDED:** 1 minute

**DEPARTMENT:** District Attorney **DIVISION:** District Court

**CONTACT:** Tom Simpson **TELEPHONE #:** 248-3863  
**BLDG/ROOM #:** 101/600

**PERSON(S) MAKING PRESENTATION:** (consent calendar item)

**ACTION REQUESTED:**

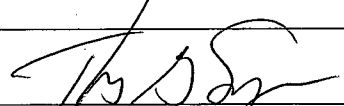
☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

**SUGGESTED AGENDA TITLE:**

Intergovernmental Agreement between the District Attorney's Office and Tri-Met for the continued funding of 1 FTE deputy district attorney to the Tri-Met neighborhood based prosecution office.

5/5/98 ORIGINALS TO KATHY GRAHAM

**SIGNATURES REQUIRED:**

**ELECTED OFFICIAL:** \_\_\_\_\_  
**(OR)**  
**DEPARTMENT MANAGER** 

**ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES**

**Any Questions: Call the Board Clerk @ 248-3277**

BOARD OF  
COUNTY COMMISSIONERS  
98 APR 21 PM 2:00  
MULTNOMAH COUNTY  
OREGON



**MICHAEL D. SCHRUNK, District Attorney for Multnomah County**

**600 County Courthouse •Portland, Oregon 97204•503) 248-3162•FAX (503) 248-3643**

**SUPPLEMENTAL STAFF REPORT**

**TO: Board of County Commissioners**

**FROM: Michael D. Schrunk**

**DATE: April 1, 1998**

**RE: Intergovernmental Agreement between the District Attorney's Office for continued funding of 1 FTE deputy district attorney to the Tri-Met neighborhood based prosecution office.**

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**1. Recommendation/Action Requested:**

**Approval**

**2. Background/Analysis:**

**The Tri-Met Deputy District Attorney promotes the County and Tri-Met's mutual interest in improving the public safety services for all transit riders in and around Multnomah County. The Tri-Met deputy assists in a variety of prosecutorial, training, legislative, and pro-active activities which are related to the Tri-Met counties' system.**

**3. Financial Impact:**

**This agreement provides \$66,538 revenue to Multnomah County, which is included in the District Attorney's 1998/99 adopted budget.**

**4. Legal Issues:**

**ORS 190 provides for intergovernmental agreements.**

**5. Controversial Issues:**

**None**

**6. Link to Current County Policies:**

**N/A**

**7. Citizen Participation:**

**N/A**

**8. Other Government Participation:**

**Tri-Met**

# MULTNOMAH COUNTY CONTRACT APPROVAL FORM

(See Administrative Procedure CON-1)

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

Contract #: 500167  
Amendment #: 2

CLASS I	CLASS II	CLASS III
<input type="checkbox"/> Professional Services not to exceed \$50,000 (and not awarded by RFP or Exemption) <input type="checkbox"/> Revenue not to exceed \$50,000 (and not awarded by RFP or Exemption) <input type="checkbox"/> Intergovernmental Agreement (IGA) not to exceed \$50,000 <input type="checkbox"/> Expenditure <input type="checkbox"/> Revenue <input type="checkbox"/> Architectural & Engineering not to exceed \$10,000 (for tracking purposes only)	<input type="checkbox"/> Professional Services that exceed \$50,000 or awarded by RFP or Exemption (regardless of amount) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue that exceeds \$50,000 or awarded by RFP or Exemption (regardless of amount)	<input checked="" type="checkbox"/> Intergovernmental Agreement (IGA) that exceeds \$50,000 <input type="checkbox"/> Expenditure <input checked="" type="checkbox"/> Revenue <div style="text-align: center;"> <b>APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</b>                      AGENDA # <u>C-2</u> DATE <u>4/30/98</u>  <u>DEB BOGSTAD</u>  <b>BOARD CLERK</b> </div>

Department: Nondepartmental Division: District Attorney Date: April 2, 1998  
 Originator: Tom Simpson Phone: 248-3863 Bldg/Rm: 101/600  
 Contact: Kathy Graham Phone: 248-5330 Bldg/Rm: 101/600

Description of Contract: This is a renewal of an Intergovernmental Agreement between the District Attorney Office and Tri-Met to continue funding 1 FTE deputy district attorney to the Tri-Met Neighborhood Based Prosecution Office.

RENEWAL ☒ PREVIOUS CONTRACT #(S): \_\_\_\_\_  
 RFP/BID: \_\_\_\_\_ RFP/BID DATE: \_\_\_\_\_  
 EXEMPTION #/DATE: \_\_\_\_\_ EXEMPTION EXPIRATION DATE: \_\_\_\_\_ ORS/AR #: \_\_\_\_\_  
 CONTRACTOR IS ☐ MBE ☐ WBE ☐ ESB ☐ QRF ☐ N/A ☐ NONE (Check all boxes that apply)

Contractor <u>Tri-Met</u> Address <u>4012 SE 17<sup>th</sup> Avenue</u> <u>Portland, OR 97202</u>  Phone <u>238-3805</u> Employer ID# or SS# _____ Effective Date <u>7/1/98</u> Termination Date <u>6/30/99</u> Original Contract Amount \$ <u>62,619</u> Total Amt of Previous Amendments \$ <u>65,867</u> Amount of Amendment \$ <u>66,538</u> Total Amount of Agreement \$ <u>195,024</u>	Remittance address _____ (If different) _____  Payment Schedule / Terms <input type="checkbox"/> Lump Sum \$ _____ <input type="checkbox"/> Due on Receipt <input type="checkbox"/> Monthly \$ _____ <input type="checkbox"/> Net 30 <input checked="" type="checkbox"/> Other \$ <u>16,634.50</u> <input checked="" type="checkbox"/> Other <input type="checkbox"/> Requirements Not to Exceed \$ _____ Encumber <input type="checkbox"/> Yes <input type="checkbox"/> No
---	---

**REQUIRED SIGNATURES:**

Department Manager <u>[Signature]</u>	DATE <u>4-2-98</u>
Purchasing Manager _____	DATE _____
(Class II Contracts Only) County Counsel <u>[Signature]</u>	DATE <u>4.21.98</u>
County Chair <u>[Signature]</u>	DATE <u>April 30, 1998</u>
Sheriff _____	DATE _____
Contract Administration _____	DATE _____
(Class I, Class II Contracts only)	

LGFS VENDOR CODE						DEPT REFERENCE					
LINE #	FUND	AGENCY	ORG	SUB ORG	ACTIVITY	OBJ/ REV	SUB OBJ	REP CAT	LGFS DESCRIPTION	AMOUNT	INC DEC
01	100	023	2452						Neighborhood DA	66,538	
02											
03											

**INTERGOVERNMENTAL AGREEMENT**

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

**WITNESSETH:**

**Recitals:**

- 1. Tri-Met and County have mutual interest in improving the public safety services for all transit riders in and round Multnomah County; and**
- 2. The Multnomah County District Attorney is prepared to continue a neighborhood-based prosecution project in the area served by Tri-Met; and**
- 3. Tri-Met and County have authority under ORS Chapter 190 to enter into this Agreement; and**
- 4. Sufficient funding is available for the project to operate for the fiscal year beginning July 1, 1998**

**I. Description of Project and Responsibilities**

- 1. The Multnomah County District Attorney shall be completely responsible for the management of the project.**
- 2. The project shall be substantially as outlined in the statement of duties, dated June 1, 1995, which is attached as Exhibit A and hereby incorporated by reference into this Agreement.**
- 3. Tri-Met's federal obligations are outlined in Exhibit B which is attached and incorporated by reference into this agreement.**

**II. Term**

**The term of this agreement shall be from July 1, 1998 to June 30, 1999.**

**III. Financing**

**Total compensation to County for services provided under this Agreement shall be the sum of \$66,538. Funds provided are to pay for salary, benefits and other expenses incurred by County for performance of the services described in Exhibit A. County shall submit for equal quarterly billings to Tri-Met's Finance Department for payment of the \$66,538 (September 30, 1998; December 31, 1998; March 31, 1999; and June 30, 1999.) Each billing shall contain a reference to Contract No. 95-\_\_\_\_\_, and shall be copied to Tri-Met's Project Manager. County shall be compensated within thirty (30) days after Tri-Met's receipt of an approved invoice.**

#### **IV. Miscellaneous**

##### **A. Laws of Oregon**

This agreement shall be governed by the laws of the State of Oregon. All provisions required by ORS Chapter 279 to be included in public contracts are hereby incorporated by reference and made a part of this Agreement as if fully set forth herein.

##### **B. Maintenance and Inspection of Records**

###### **1. Required records**

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

###### **2. Audit and Inspection of Records**

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

##### **C. Adherence to law**

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

##### **D. Mutual Indemnification**

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

##### **E. Project Managers**

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

##### **F. Workers Compensation**

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

**G. Assignment**

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

**H. Termination**

**(1) Termination for Convenience**

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

**(2) Termination for Default**

Either Tri-Met or County may terminate this agreement for default. Prior to terminating for default, the non-breaching party shall provide written notice of the default to the other party, specifying the manner in which the party is in default and allowing the party no less than fifteen (15) business days in which to remedy the default. If the default is not remedied within the time specified in the notice, the non-breaching party may terminate all or any part of this Agreement.

**I. No Waiver**

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

**J. Independent Contractor**

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

**K. Federal Funding**

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

**L. Authority**

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

**M. Integration**

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

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

**MULTNOMAH COUNTY, OREGON**

By   
**Beverly Stein, Chair**  
**Multnomah County Board of Commissioners**

Date: April 30, 1998

By   
**Tom Simpson, Management Assistant**  
**Multnomah County District Attorney Office**

Date: 4-2-98

**TRI-MET**

By \_\_\_\_\_

Date: \_\_\_\_\_

**REVIEWED:**

**THOMAS SPONSER, COUNTY COUNSEL  
FOR MULTNOMAH COUNTY, OREGON**

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

Date: 4-21-98

**APPROVED MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS**  
**AGENDA #** C-2 **DATE** 4/30/98  
DEB BOGSTAD  
**BOARD CLERK**



**ATTACHMENT A**  
**June 1, 1995**

**Duties of Tri-Met Deputy District Attorney**

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

## EXHIBIT B

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

### 1. Disadvantaged Business Enterprises

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

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

### 2. Civil Rights

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

#### B. Equal Employment Opportunity.

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

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

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

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

### 3. Debarred Bidders

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

### 4. Reporting, Record Retention and Access

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

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

5. Lobbying Prohibitions

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

6. No Federal Government Obligation to Third Parties

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

7. False or Fraudulent Statements and Claims

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

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

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

8. Exclusionary or Discriminatory Specifications

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

9. Energy Conservation

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

**END OF EXHIBIT B - FEDERAL REQUIREMENTS**

MEETING DATE: APR 30 1998  
AGENDA NO: C-3  
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

## AGENDA PLACEMENT FORM

SUBJECT: Intergovernmental Agreement between the District Attorney's Office and Portland Police Bureau for use of seized motor vehicles by the District Attorney's Office Neighborhood Based DA Program.

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

REGULAR MEETING: DATE REQUESTED: 4/16/98  
AMOUNT OF TIME NEEDED: 1 minute

DEPARTMENT: District Attorney DIVISION: Administration  
CONTACT: Tom Simpson TELEPHONE #: 248-3863  
BLDG/ROOM #: 101/600  
PERSON(S) MAKING PRESENTATION: (consent calendar item)

### ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

### SUGGESTED AGENDA TITLE:

Intergovernmental Agreement between the District Attorney's Office and Portland Police Bureau for use of seized motor vehicles by the District Attorney's Office Neighborhood Based DA Program.

5/5/98 ORIGINALS TO KATHY GRAHAM

### SIGNATURES REQUIRED:

ELECTED OFFICIAL: \_\_\_\_\_  
(OR)  
DEPARTMENT MANAGER: [Signature]

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277

BOARD OF  
COUNTY COMMISSIONERS  
MULTI-COUNTY  
OREGON  
98 APR 21 PM 2:00



**MICHAEL D. SCHRUNK**, District Attorney for Multnomah County

600 County Courthouse • Portland, Oregon 97204 • (503) 248-3162 • FAX (503) 248-3643

## **SUPPLEMENTAL STAFF REPORT**

**TO:** Board of County Commissioners  
**FROM:** Michael D. Schrunk  
**DATE:** April 1, 1998  
**Re:** Intergovernmental Agreement between the Portland Police Bureau and the District Attorney Office for use of seized motor vehicles by the District Attorney's Office Neighborhood Based DA Program.

- 
1. **Recommendation/Action Requested:**  
Approval
  2. **Background/Analysis:**  
The Portland Police Bureau provides seized vehicles for use by the District Attorney's Office. The vehicles are used by Deputy District Attorneys assigned to the Neighborhood Based District Attorney Program.
  3. **Financial Impact:**  
N/A
  4. **Legal Issues:**  
None
  5. **Controversial Issues:**  
N/A
  6. **Link to Current County Policies:**  
N/A
  7. **Citizen Participation:**  
N/A
  8. **Other Government Participation:**  
Portland Police Bureau

# MULTNOMAH COUNTY CONTRACT APPROVAL FORM

(See Administrative Procedure CON-1)

Pre-approved Contract Boilerplate (with County Counsel signature) ☒ Attached ☐ Not Attached

Contract #: 500727  
Amendment #:

CLASS I	CLASS II	CLASS III
<input type="checkbox"/> Professional Services not to exceed \$50,000 (and not awarded by RFP or Exemption) <input type="checkbox"/> Revenue not to exceed \$50,000 (and not awarded by RFP or Exemption) <input type="checkbox"/> Intergovernmental Agreement (IGA) not to exceed \$50,000 <input type="checkbox"/> Expenditure <input type="checkbox"/> Revenue <input type="checkbox"/> Architectural & Engineering not to exceed \$10,000 (for tracking purposes only)	<input type="checkbox"/> Professional Services that exceed \$50,000 or awarded by RFP or Exemption (regardless of amount) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue that exceeds \$50,000 or awarded by RFP or Exemption (regardless of amount)	<input type="checkbox"/> Intergovernmental Agreement (IGA) that exceeds \$50,000 <input type="checkbox"/> Expenditure <input checked="" type="checkbox"/> Revenue <div style="text-align: center; font-weight: bold;">APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</div> <div style="display: flex; justify-content: space-between;"> <span>AGENDA # C-3</span> <span>DATE 4/30/98</span> </div> <div style="text-align: center;">DEB BOGSTAD</div> <div style="text-align: center; font-weight: bold;">BOARD CLERK</div>

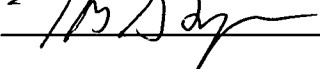
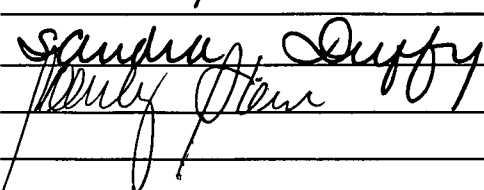
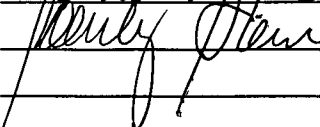
Department: Nondepartmental      Division: District Attorney Office      Date: April 2, 1998  
 Originator: Tom Simpson      Phone: 248-3863      Bldg/Rm: 101/600  
 Contact: Kathy Graham      Phone: 248-5330      Bldg/Rm: 101/600

Description of Contract: This is an intergovernmental agreement between the District Attorney's Office and Portland Police Bureau for use of seized motor vehicles by the District Attorney's Office Neighborhood Based DA Program.

RENEWAL ☐ PREVIOUS CONTRACT #(S): \_\_\_\_\_  
 RFP/BID: \_\_\_\_\_ RFP/BID DATE: \_\_\_\_\_  
 EXEMPTION #/DATE: \_\_\_\_\_ EXEMPTION EXPIRATION DATE: \_\_\_\_\_ ORS/AR #: \_\_\_\_\_  
 CONTRACTOR IS: ☐ MBE ☐ WBE ☐ ESB ☐ QRF ☐ N/A ☐ NONE (Check all boxes that apply)

Contractor: Portland Police Bureau Address: 1111 SW 2 <sup>nd</sup> Avenue Portland, OR 97204 Phone: 823-0362 Employer ID# or SS#: _____ Effective Date: 5/1/97 Termination Date: _____ Original Contract Amount \$ 0 Total Amt of Previous Amendments \$ _____ Amount of Amendment \$ _____ Total Amount of Agreement \$ _____	Remittance address: _____ (If different) Payment Schedule / Terms <input type="checkbox"/> Lump Sum \$ _____ <input type="checkbox"/> Due on Receipt <input type="checkbox"/> Monthly \$ _____ <input type="checkbox"/> Net 30 <input type="checkbox"/> Other \$ _____ <input type="checkbox"/> Other <input type="checkbox"/> Requirements Not to Exceed \$ _____ Encumber <input type="checkbox"/> Yes <input type="checkbox"/> No
---	---

**REQUIRED SIGNATURES:**

Department Manager 	DATE 4-2-98
Purchasing Manager	DATE
County Counsel 	DATE 4-21-98
County Chair 	DATE April 30, 1998
Sheriff	DATE
Contract Administration (Class I, Class II Contracts only)	DATE

LGFS VENDOR CODE						DEPT REFERENCE					
LINE #	FUND	AGENCY	ORG	SUB ORG	ACTIVITY	OBJ/ REV	SUB OBJ	REP CAT	LGFS DESCRIPTION	AMOUNT	INC DEC
01											
02											
03											

**Multnomah County/City of Portland**  
**INTERGOVERNMENTAL AGREEMENT FOR USE OF SEIZED VEHICLES**

THIS AGREEMENT is between Multnomah County (County), by and through the Multnomah County District Attorney's Office and the City of Portland Police Bureau (City). The Portland Police Bureau provides seized vehicles for use by the Multnomah County District Attorney's Office. The vehicles are used by Deputy District Attorneys assigned to the Neighborhood District Attorney Program. The City and MCDA agree as follows:

**A. GENERAL SCOPE**

1. The City shall have title for the vehicles provided for this program.
2. The City shall assure that the vehicles are in good working order.
3. The County shall provide fuel and maintenance for the vehicles. Maintenance will be performed by Multnomah County Fleet Management.
4. The County will be responsible for any claims.
5. The County shall assure that vehicles are used in accordance with County Administrative Procedures and rules of the District Attorney's Office.

**B. TERM**

This agreement shall begin when signed by all parties and be continuous until terminated.

**C. TERMINATION**

1. This agreement may be terminated upon 60 days mutual written consent of the party or upon 60 days written notice by one of the parties.
2. Termination under any provision of this paragraph shall not affect any rights, obligations, or liability of the City of County which accrues prior to such termination.

**D. MODIFICATION**

This agreement may be modified by mutual consent of the parties. Any modification to provisions of this agreement shall be in writing and signed by the parties.

**E. INTEGRATION**

This agreement contains the entire agreement between the parties and supersedes all prior written and oral agreements.

**F. NOTICES**

All notices pursuant to the terms of this agreement shall be addressed as follows:

Notices to the City:

Sgt. Steve Larson  
Portland Police Bureau

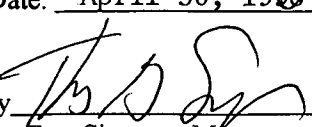
Notices to the County:

Michael D. Shrunk, District Attorney  
Multnomah County District Attorney Office

**MULTNOMAH COUNTY, OREGON**

By   
Beverly Stein, County Chair

Date: April 30, 1998

By   
Tom Simpson, Management Assistant  
District Attorney Office

Date: 4-2-98

**REVIEWED:**

THOMAS SPONSER, COUNTY COUNSEL  
FOR MULTNOMAH COUNTY, OREGON

By   
Sandra N. Duffy, Assistant County Counsel

Date: 4-21-98

**APPROVED MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS**  
**AGENDA #** C-3 **DATE** 4/30/98  
DEB BOGSTAD  
**BOARD CLERK**

**CITY OF PORTLAND, OREGON**

By \_\_\_\_\_  
City of Portland Police Bureau

Date: \_\_\_\_\_

JEFFREY L. ROGERS  
City Attorney

By: \_\_\_\_\_

Date: \_\_\_\_\_



Meeting Date: APR 30 1998  
Agenda No: C-4  
Est. Start Time: 9:30

(Above Space for Board Clerk's Use ONLY)

**AGENDA PLACEMENT FORM**

**SUBJECT:** Report to the Board the Hearings Officer's decision on **CU 1-98, SEC 6-98 & HV 2-98**

**BOARD BRIEFING** Date Requested:  
Amt. of Time Needed:  
Requested By:

**REGULAR MEETING** Date Requested: April 30, 1998  
Amt. of Time Needed: 5 minutes

**DEPARTMENT:** DES **DIVISION:** Transportation & Land Use Planning  
**CONTACT:** Chuck Beasley **TELEPHONE:** 248-3043  
**BLDG/ROOM:** 412 / 109

**PERSON(S) MAKING PRESENTATION:** Stuart Farmer

**ACTION REQUESTED**

☐ Informational Only ☐ Policy Direction ☒ Approval ☐ Other

**SUGGESTED AGENDA TITLE**

Report to the Board the Hearings Officer's decision regarding an approval of CU 1-98, SEC 6-98 & HV 2-98 with conditions for a template dwelling in the Commercial Forest Use zoning district.

**SIGNATURES REQUIRED**

**Elected Official:** \_\_\_\_\_

or

**Department Manager:** KB Stuart & Nicholas

98 APR 22 PM 2:25  
MULTNOMAH COUNTY  
OREGON  
CLERK OF  
COUNTY COMMISSIONERS



MULTNOMAH COUNTY

**BOARD HEARING OF April 30, 1998**

**TIME 9:30am**

**CASE NAME:** Fred Ball

**NUMBER:** CU 1-98, SEC 6-98, HV 2-98

**1. Applicant Name/Address**

Fred Ball  
653 NE Kelly Ct.  
Hillsboro, OR 97124

**2. Action Requested by Applicant**

New single family dwelling in the Commercial Forest  
Use district, Significant Environmental Concern Permit,  
Major Variance.

**3. Planning Staff Recommendation**

Approval with conditions.

**4. Hearings Officer Decision**

Approval with conditions.

**5. If recommendation and decision are different, why?**

They are the same.

**ISSUES**  
*(who raised them?)*

**6. The following issues were raised:**

There were no unresolved issues with this application.

**7. Do any of these issues have policy implications? Explain: No.**

**Action Requested of Board**

☒ Affirm Hearings Officer Dec.

☐ Hearing/Rehearing

**Scope of Review**

☐ On the record

☐ De Novo

☐ New information allowed

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

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

**April 3, 1998**

**Case File:** Conditional Use CU 1-98  
Significant Environmental Concern SEC 6-98  
Major Variance HV 2-98

**CU 1-98  
SEC 6-98  
HV 2-98:**

The applicant requests Conditional Use review and approval to allow a single family dwelling on a 1.98 acre parcel. The request also includes Significant Environmental Concern review for areas that contain wildlife habitat, and a Major Variance to reduce the 200' side yard setback from the west property line to 90 feet.

**Location:** 11401 NW Skyline Blvd.

**Property Description:** TL '33' of Section 6, T1N, R1W

**Zoning:** CFU, Commercial Forest Use  
SEC, Significant Environmental Concern

**Applicant:** Fred Ball  
653 NE Kelly Ct.  
Hillsboro, OR 97124

**Owners:** Marsha Buesgens  
Sandra K. Boero and Sheila F. Allan  
934 Shadowfax Rd.  
Henderson, NV 89015

RECEIVED  
MULTNOMAH COUNTY  
PLANNING & ZONING  
SECTION  
APR 7 1998  
10:05 AM

**Consultant:** Stacy Connery  
LDC Design Group, Inc.  
233 SE Washington St.  
Hillsboro, OR 97123

**Decision:** **Approve Conditional Use request CU 1-98**  
**Approve Significant Environmental Concern request SEC 6-98**  
**Approve Variance request HV 2-98**

**Conditions of Approval:**

1. The owner of the tract shall plant a sufficient number of trees on the tract to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules. The property owner shall submit a stocking survey report to the county assessor for verification that stocking requirements have been met. This condition is intended to implement the provisions of MCC 11.15.2052(A)(6).
2. The dwelling has not been issued a Building Permit, therefore compliance with the applicable portions of MCC .2074(B) (2), (4), and (5) has not been demonstrated. These features shall be indicated on the building plans prior to zoning approval of the Building Permit.
3. The applicant shall submit written verification from an Oregon Professional engineer that any culverts comply with the 52,000 lbs gross vehicle weight requirement of MCC 11.15.2074(D)(1). The applicant shall also submit evidence that the gross vehicle weight, the minimum curve radius, and all-weather surface requirements of the driveway will be met. Both shall be submitted before a building permit is issued.
4. The driveway as proposed may not meet County right-of-way access requirements. Before a Building Permit is issued, the applicant shall submit confirmation from the Tualatin Valley Fire and Rescue District that the design which meets County right-of-way access requirements is also approved by the District.
5. Before a Building Permit is issued, the applicant shall obtain a Grading and Erosion Control Permit pursuant to MCC 9.40.010 to demonstrate compliance with the SEC approval criteria of .6420(J), and Framework Plan Policy 37 F and G for stormwater management.
6. Before a Building Permit is issued the applicant shall provide a copy of the final well report. Notification of the well report and opportunity to appeal will be provided to the same parties entitled to notice of the hearing in this case.

7. A variance shall be void if the Planning Director finds that no substantial construction or substantial expenditure of funds has occurred on the affected property within 18 months after the variance is granted. The process for determination of substantial expenditure shall be initiated by the applicant/property owner by application made on appropriate forms and filed with the Director at least 30 days prior to the expiration date.
8. Approval of this Conditional Use shall expire two years from the date of the Board Order unless substantial construction has taken place in accordance with MCC 11.15.7110 (C). The process for determination of substantial expenditure shall be initiated by the applicant/property owner by application made on appropriate forms and filed with the Director at least 30 days prior to the expiration date.
9. Before a building permit is issued the applicant shall amend the site plan to include an evergreen vegetative buffer along un-forested portions of the west property line. Species used shall not include any of the Nuisance Plants listed in SEC ordinance section 11.15.6426(B)(7). The buffer shall be established within two years of the date this decision becomes final.
10. Before a building permit is issued the property owner shall dedicate five (5) feet of right-of-way along the site's frontage on NW Quarry Rad and dedicate a 25-foot radius return at the northeast corner of the site as shown on the site plan.

#### **Applicant's Proposal/Description of Site and Vicinity**

The subject property is a 1.98 acre parcel-fronting on the south side of NW Skyline Boulevard and the west side of NW Quarry Road. The site has moderate easterly and northeasterly slopes, with a steep bank along its road frontages. The southern half of the site is forested with a variety of deciduous trees. The northern half of the property is an open field with a small treed area in the northwest corner.

The applicant is requesting approval of a Conditional Use Permit to allow the construction of a single family dwelling with an attached garage on the subject property. Due to the small size of the parcel, the applicant is also requesting approval of a variance to the setback and fire break requirements of the CFU District. The subject property is located within an area of Significant Environmental Concern for wildlife habitat and within the Tualatin River Drainage Basin. The site does not contain any designated Slope Hazard areas. This application includes a request for approval of an SEC-h Permit. An application for a Grading and Erosion Control (GEC) Permit will be submitted later, subsequent to approval of this request.

The proposed dwelling and driveway are located within the northern cleared portion of the site. A site plan, grading plan and driveway profile depicting the proposed development are attached to this report as Exhibits 1 and 2, respectively. The proposed residence will be

served by an individual well and an onsite septic disposal system. The site will be accessed directly from NW Quarry Road.

### **Testimony and Evidence Presented**

- A. Chuck Beasley, County Planning gave a summary of the staff report. Mr. Beasley suggested an additional condition to require an evergreen vegetative buffer along un-forested portions of the west property line.
- B. Stacy Connery, the applicant's representative, submitted a tentatively approved proposed drainfield plan, Exhibit E1. She supported the staff report. Ms. Connery clarified that the applicant's intent is to provide a larger primary fire safety zone instead of a 30 foot primary fire safety zone and a secondary fire safety zone to the extent allowable within the dimensions of the parcel.
- C. Shelly Lorenzen, a neighbor the east, asked about the primary fire safety zone proposal. The Hearings Officer stated that the larger primary fire safety zone would be more protective of risks of fire than the Code requires.

### **Approval Criteria**

#### **1. Criteria for Approval of a Dwelling in the CFU Zone:**

**MCC 11.15.2052 (A):** A template dwelling may be sited on a *tract*, subject to the following:

**MCC 11.15.2052 (A)(1):** The lot or lots in the *tract* shall meet the lot of record standards of MCC .2062(A) and (B) and have been lawfully created prior to January 25, 1990;

**Finding:** The applicant is requesting approval of a template dwelling on a tract that consists of one (1) parcel (Tax Lot 33, Map 06-1N1W). County records indicate that the subject parcel was created on March 16, 1964 by a deed recorded on Page 734 of Book 2211 (Exhibit 5). The request area contains one parcel or lot and is therefore not a *tract*. The subject parcel was in the SR Suburban Residential District when created. The most restrictive parcel size at the time required 40,000 square feet for new parcels. The parcel satisfied all applicable laws when it was created. Therefore, the parcel was lawfully created prior to January 25, 1990. The standards of MCC .2062(A) and (B) are addressed within this decision below.

**MCC 11.15.2052 (A)(2):** The tract shall be of sufficient size to accommodate siting the dwelling in accordance with MCC.2074 with minimum yards of 60 feet to the centerline of any adjacent County Maintained road and 200 feet to all other property

lines. Variances to this standard shall be pursuant to MCC .8505 through .8525, as applicable;

**Finding:** Section MCC. 2074 is further addressed within this Decision, below. The subject property is adjacent to Quarry Road to the east and Skyline Boulevard to the north. The site plan (Exhibit 1) indicates that the proposed dwelling will be sited a minimum of 60 feet from the centerline of Quarry Road, a minimum of 112 feet from the centerline of Skyline Boulevard, and a minimum of 241 feet from the south property line in compliance with the CFU setback standards. Due to the small size of the property, the 200-foot setback to the west property line (rear property line) cannot be satisfied. The site plan indicates a minimum 90 foot setback from the west property line. The applicant is requesting a variance to the required setback from the west property line. The applicable standards of MCC .8505 through .8525 are addressed within this Decision, below.

**MCC 11.15.2052 (A)(3):** The *tract* shall meet the following standards:

- (c) The *tract* shall be composed primarily of soils which are capable of producing above 85 cf/ac/yr of Douglas Fir timber; and
  - (i) The lot upon which the dwelling is proposed to be sited and at least all or part of 11 other lawfully created lots existed on January 1, 1993 within a 160-acre square when centered on the center of the subject *tract* parallel and perpendicular to section lines; and
  - (ii) At least five dwellings lawfully existed on January 1, 1993 within the 160 acre square.
- (d) Lots and dwellings within urban growth boundaries shall not be counted to satisfy (a) through (c) above.

**Findings:** According to the Multnomah County SCS Soil Survey (Exhibit 6), three (3) soil types exist on the subject property, including Soil Type #7D (Cascade silt loam), Soil Type #17E (Goble silt loam) and Soil Type #43C (Saum silt loam). The table provided by Multnomah County for "Productivity Ratings and Classifications for Douglas Fir Yields" (Exhibit 6) indicates that Soil Type #7D is capable of producing a yield of 140 to 164 cubic feet per acre, Soil Type #17E is capable of producing a yield of 135 to 145 cubic feet per acre, and Soil Type #43C is capable of producing 120 to 130 cubic feet per acre. Therefore, the subject tract is composed of soils which are capable of producing above 85 cubic feet per acre per year of Douglas Fir timber.

Based on review of Multnomah County Assessment and Taxation Tax Rolls dated October 1992 (Exhibit 8) and July 1997 (Exhibit 9), as well as review of the 1994 Aerial Photograph (Exhibit 3) and visual observation of the area, there are 28 parcels (the subject tract plus 27 other parcels) either partially or entirely within a 160-acre square centered on the subject tract which existed on January 1, 1993 and seven (7) dwellings within the 160-acre square centered on the subject property which existed on January 1, 1993. Six

of the dwellings were established prior to building permit requirements, and the seventh received a final inspection on 2/24/92. Exhibit 7 contains a template map and a table describing the specific properties used to establish qualification under .2052(A)(3)(c). Exhibit 18 contains copies of the Multnomah County Assessment and Taxation tax lot cards, which indicate the creation date of all parcels within the subject 160-acre square. Exhibit 18 documents that at least 11 of the 28 parcels within the 160-acre square were lawfully created. The subject tract is not located near an urban growth boundary, so parcels or lots within an urban growth boundary are not used to satisfy the above eligibility requirements.

**MCC 11.15.2052 (A)(3)(e): There is no other dwelling on the *tract*;**

**Finding:** No other dwellings exist on the subject tract, as demonstrated by the aerial photograph (Exhibit 3) and the 1997 Tax Rolls (Exhibit 9).

**MCC 11.15.2052 (A)(3)(f): No other dwellings are allowed on other lots (or parcels) that make up the *tract*;**

**Finding:** The subject property does not contain more than one parcel.

**MCC 11.15.2052 (A)(3)(g): Except as provided for a replacement dwelling, all lots (or parcels) that are part of the *tract* shall be precluded from all future rights to site a dwelling; and**

**Finding:** The applicant is aware that no other dwellings, except for potentially a replacement dwelling, will be allowed on the tract.

**MCC 11.15.2052 (A)(3)(h): No lot (or parcel) that is part of the *tract* may be used to qualify another *tract* for the siting of a dwelling;**

**Finding:** The tract consists of only one (1) parcel.

**MCC 11.15.2052 (A)(4): The dwelling will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife, or that agency has certified that the impacts of the additional dwelling, considered with approvals of other dwellings in the area since acknowledgment of the Comprehensive plan in 1980, will be acceptable.**

**Finding:** According to the Multnomah County Comprehensive Plan Wildlife Habitat Map (Exhibit 4), the subject site is located outside of designated sensitive big game wintering habitat areas.

**MCC 11.15.2052 (A)(5): Proof of a long-term road access use permit or agreement shall be provided if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of forestry, the Bureau of Land**



Management or the United States Forest Service. The road use permit may require the applicant to agree to accept responsibility for road maintenance.

**Finding:** The site fronts on NW Skyline Boulevard and NW Quarry Road, both of which are County roads. The site will be accessed directly from NW Quarry Road. Therefore, a road access use permit or agreement is not required.

**MCC 11.15.2052 (A)(6):** A condition of approval requires the owner of the *tract* to plant a sufficient number of trees on the *tract* to demonstrate that the *tract* is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules, provided however, that:

- (a) The planning department shall notify the county assessor of the above condition at the time the dwelling is approved.
- (b) The property owner shall submit a stocking survey report to the county assessor and the assessor shall verify that the minimum stocking requirements have been met by the time required by Department of Forestry Rules. The assessor shall inform the Department of Forestry in cases where the property owner has not submitted a stocking survey report or where the survey report indicates that minimum stocking requirements have not been met.
- (c) Upon notification by the assessor the Department of Forestry shall determine whether the *tract* meets minimum stocking requirements of the Forest Practices Act. If the department determines that the *tract* does not meet those requirements, the department shall notify the owner and the assessor that the land is not being managed as forest land. The assessor shall then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax pursuant to ORS 321.372;

**Findings:** No stocking survey report has been submitted with the application, however the ordinance allows implementation of this requirement with a condition of approval. The ordinance does not appear to waive the reporting and stocking requirement for land in a forest zone which is in farm use. A condition of approval has been imposed to require the applicant to plant trees on the subject property in order to comply with the Oregon Department of Forestry stocking requirements.

**MCC 11.15.2052 (A)(7):** The dwelling meets the applicable development standards of MCC.2074;

**Finding:** The applicable standards of MCC .2074 are addressed within this Decision, below.

**MCC 11.15.2052 (A)(8):** A statement has been recorded with the Division of Records that the owner and the successors in interest acknowledge the rights of owners of nearby property to conduct forest operations consistent with the Forest Practices Act and Rules, and to conduct accepted farming practices;

**Finding:** The above-described statement was recorded with the Division of Records as Document No. 97-122432 on August 13, 1997. A copy of this document is Exhibit 12.

**MCC 11.15.2058**     Dimensional Requirements

**MCC 11.15.2058(A)** Except as provided in MCC .2060, .2061, .2062, and .2064, the minimum lot size shall be 80 acres.

**Finding:** As noted above, the subject parcel is 1.98 acres in size, which is below the required 80-acre minimum lot size. MCC .2062 (LoT of Record) includes provisions for the subject parcel and is addressed within this report below.

**MCC 11.15.2058(C)** Minimum Yard Dimensions - Feet:

Frontage on County Maintained Road	Other Front	Side	Rear
60 from centerline	200	200	200

**Maximum Structure Height - 35 feet.**

**These yard dimension and height limits shall not be applied to the extent they would have the effect of prohibiting a use permitted outright. Variances to dimensional standards shall be pursuant to MCC .8505 through .8525, as applicable.**

**Finding:** The subject property is 1.98 acres in size with frontage on two (2) County maintained roads, NW Skyline Boulevard to the north and NW Quarry Road to the east. The subject parcel has a north-south dimension of 481.90 feet on its east boundary and a north-south dimension of 375.98 feet on its west boundary. The parcel has an east-west dimension of 229.06 feet on its south boundary and an east-west dimension of 243.07 feet on its north boundary, which follows the curve of Skyline Boulevard. The site plan (Exhibit 1) indicates that the proposed dwelling will be sited a minimum of 60 feet west of the centerline of Quarry Road, a minimum of 112 feet south of the centerline of Skyline Boulevard, a minimum of 90 feet east of the west property line and a minimum of 241 feet north of the south property line. The applicant is requesting a variance to the required setbacks from the west property line as a result of the small size and narrow width of the subject parcel. Due to the size and dimensions of the property, the required 200 foot setback cannot be met to the west side lot line. The setbacks to all other property lines can be met. The applicable standards of MCC .5808 through .8525 are addressed within this Decision below. The proposed dwelling will comply with the minimum 35-foot height limitation (Refer to the house plans - Exhibit 17).

**MCC 11.15.2058(D)** To allow for clustering of dwellings and potential sharing of access, a minimum yard requirement may be decreased to 30 feet if there is a dwelling on an adjacent lot within a distance of 100 feet of the new dwelling.

**Finding:** There are dwellings on adjacent parcels to the north across Skyline Blvd., and to the west. Both dwellings are over 100 feet from the proposed dwelling site.

**MCC 11.15.2058(E)** The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and additional yard requirements not otherwise established by ordinance.

**Finding:** The site plan (Exhibit 1) indicates dedication of an additional five (5) feet right-of-way along the site's frontage on NW Quarry Road and dedication of a 25-foot radius return at the northeast corner of the site, as requested by Multnomah County. The identified dedication will occur as a condition of approval, prior to issuance of building permits.

**MCC 11.15.2058(F)** Structures such as barns, silos, windmills, antennae, chimneys, or similar structures may exceed the height requirements.

**Finding:** The applicant is not proposing the establishment of a barn, silo or windmill. The applicant is requesting approval of a single-family dwelling, which may include an antenna or chimney. The house plan (Exhibit 17) indicates that the proposed dwelling will have a chimney. The proposed dwelling, itself, will comply with the maximum 35-foot height limitation. However, the above standard would allow an antenna or chimney to exceed the 35-foot height limitation. Building height will be confirmed when complete building plans are reviewed for zoning compliance.

**MCC 11.15.2062** Lot of Record

**MCC 11.15.2062(A)** For the purposes of this district, a Lot of Record is:

- (2) A parcel of land:
  - (a) For which a deed or other instrument creating the parcel was recorded with the Department of General Services, or was in recordable form prior to February 20, 1990;
  - (b) Which satisfied all applicable laws when the parcel was created;
  - (c) Does not meet the minimum lot size requirements of MCC .2058; and
  - (d) Which is not contiguous to another substandard parcel or parcels under the same ownership, or

**MCC 11.15.2062(B)** For the purposes of this subsection:

- (1) **Contiguous refers to parcels of land which have any common boundary, excepting a single point, and shall include, but not be limited to, parcels separated only by an alley, street or other right-of-way;**
- (2) **Substandard Parcel refers to a parcel which does not satisfy the minimum lot size requirements of MCC .2058; and**
- (3) **Same Ownership refers to parcels in which greater than possessory interests are held by the same person or persons, spouse, minor age child, single partnership or business entity, separately or in tenancy in common.**

**Finding:** As noted previously, the applicant is requesting approval of a template dwelling on a tract of land that consists of one (1) parcel (Tax Lot 33, Map 06-1N1W). According to County records, a deed recorded on March 16, 1964 on Page 734 of Book 2211 created the subject parcel. A copy of this deed is included in Exhibit 5. In 1964 when the parcel was created, the zoning was SR Suburban Residential (1962 Ord. 100). The most restrictive minimum parcel size for new partitions was 40,000 square feet. Multnomah County did not require zoning application and approval of partitions until 1979. The subject parcel satisfied all applicable laws when it was created. The subject parcel is currently 1.98 acres in size and was 1.98 acres in size when it was created in 1964. The minimum lot size requirement of MCC .2058 is 80 acres, which the subject parcel does not meet. Therefore, Multnomah County considers the subject parcel to be substandard.

The subject property is owned by Marsha Buesgens, Sheila Allen and Sandra K. Boero. The applicant, Fred Ball, plans to purchase the parcel subject to approval of this request. Neither the property owners nor the applicant own any contiguous properties, nor have they owned any contiguous properties in the past (at least since 1989). Ownerships of adjacent properties from 1989 to 1996 are documented by the copies of Multnomah County tax rolls, Exhibit 19. The tax rolls for contiguous properties in 1997 were provided as Exhibit 9. Exhibit 19 demonstrates that the subject property has been in ownership separate from the contiguous properties from at least February 20, 1990 to the present. The above findings demonstrate that the subject parcel qualifies as a Lot of Record under MCC .2062(A)(2).

**MCC 11.15.2068    Access**

**Any lot in this district shall abut a street, or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles.**

**Finding:** The subject parcel abuts two (2) County maintained roads (NW Skyline Boulevard and NW Quarry Road). Driveway access to the proposed dwelling will be obtained from NW Quarry Road at a point over 100 feet south of the intersection of Skyline Boulevard and Quarry Road.

**MCC 11.15.2074 - Development Standards for Dwellings and Structures: Except as provided for the alteration, replacement or restoration of dwellings under MCC**

**.2048 (E) and .2049 (B), all dwellings and structures located in the CFU district after January 7, 1993, shall comply with the following:**

**Finding:** The applicant is requesting approval of a new single-family residence in the CFU District. The following sections of this Decision document compliance with the required standards of MCC .2074.

**MCC 11.15.2074(A) The dwelling or structure shall be located such that:**

**MCC 11.15.2074(A)(1) It has the least impact on nearby or adjoining forest or agricultural lands and satisfies the minimum yard and setback requirements of .2058 (C) through (G);**

**Finding:** In order to determine potential impacts between the proposed dwelling and farm/forest activities on nearby or adjacent lands, an area of analysis was selected based on the types of uses occurring in the area. Activities associated with the proposed dwelling are reviewed. Properties in the selected area are inventoried to determine farm/forest uses and practices occurring on those lands. The following analysis identifies and discusses potential conflicts, if any, between the proposed dwelling and accepted farm and forest practices on nearby lands.

Surrounding properties consist of a wide variety of sizes and a mixture of farm, forest and residential uses. Properties within a 1/4 mile of the site have been inventoried to determine the specific types of uses occurring in the area. It was not necessary to extend the analysis area beyond 1/4 mile because impacts to farm and forest uses beyond this area would be considerably less than impacts, if any, to farm and forest uses within the selected area.

Property owners in the study area were surveyed by mailed questionnaire. Returned questionnaires were provided as Exhibit 11. The following information has been gathered from Multnomah County Assessment and Taxation records (Exhibit 9), review of an aerial photograph (Exhibit 3), and visual observation of the surrounding area.

**Summary of Farm/Forest Activities on Surrounding Properties**

<u>Tax Map</u>	<u>Tax Lot</u>	<u>Acreage</u>	<u>Ownership</u>	<u>Use</u>
5-1N1W	5	1.74	Mark Walkley	D
5-1N1W	6	55.66	Shelley Lorenzen	D/H/F
5-1N1W	7	4.80	Terrence/Sandra Hart	D
5-1N1W	14	7.70	Multnomah County	
5-1N1W	15	0.06	Multnomah County	
5-1N1W	16	1.10	Charles/Joyce Speight	D
5-1N1W	19	15.12	Ralph/Betty Ketchum	D
5-1N1W	21	3.82	Marvin/Claire Adams	
5-1N1W	22	0.20	Multnomah County	
6-1N1W	1	13.25	Donald/Shirley Motz	D/N/H

6-1N1W	2	9.53	Donald Motz	D/N
6-1N1W	3	25.36	Donald Motz	D/N
6-1N1W	5	34.10	William/June Lattin	D/FC
6-1N1W	17	0.23	Dennis/Barbara Roland	D
6-1N1W	18	9.85	Marie Weinstein	N
6-1N1W	23	1.00	The American Legion	
6-1N1W	25	13.22	Multnomah County	
6-1N1W	28	1.00	Donald/Shirley Motz	D
6-1N1W	29	2.45	Kent Gambee	F
6-1N1W	59	9.29	Paul/Bonnie Gill	
31-2N1W	5	152.27	Mid-Valley Resources, Inc.	F
31-2N1W	18	25.00	Kent Gambee	F
31-2N1W	19	2.50	Donald Motz	
31-2N1W	28	47.36	B.M./Helen Brooks	D
31-2N1W	30	7.50	Kent Gambee	F
32-2N1W	7	65.66	Mid-Valley Resources, Inc.	F
32-2N1W	16	1.12	Marvin/Clair Adams	

Key = D = Dwelling, F = Forest, FC = Field Crops, H = Hay, N = Nursery Stock

Of the 27 properties in the analysis area, 12 parcels contain residential uses, six (6) parcels are employed in farm use and six (6) parcels are employed in forest use. The existing residential uses are primarily situated along Skyline Boulevard within close proximity to the road. A few residences, on parcels that do not front on a County maintained road, are situated some distance back from Skyline Boulevard and other residences.

Farm uses in the analysis area are predominately located on the more level lands along Skyline Boulevard. Farm uses in the analysis area consist of field crops, hay and nursery stock production. One (1) parcel, Tax Lot 5 (6-1N1W), which is approximately 350 to 500 feet southwest of the site, appears to be employed in field crop production. Two (2) parcels, Tax Lot 6 (5-1N1W) and Tax Lot 1 (6-1N1W) are employed in hay production. Tax Lot 6 is located east of the subject site, across NW Quarry Road. Tax Lot 1 abuts the subject site to the west. Four (4) parcels are employed in the production of nursery stock, including Tax Lots 1, 2, 3 and 18 (6-1N1W). These parcels are situated to the west of the subject site. Tax Lot 1, which abuts the site to the west, contains both hay and nursery stock production. The portion of Tax Lot 1 in hay production is directly adjacent to the site. The portion of Tax Lot 1 in nursery stock production is situated approximately 330 feet west of the site, at the closest point.

Since specific information regarding the management practices of farm operations in the analysis area is not available, documentation of typical farm management practices from the Oregon State University Extension Service has been reviewed. The following is an abstraction of that information.

Practices associated with the cultivation of field crops such as hay, grains, clover, etc. include plowing, discing, harrowing, cultipacking, ground application of soil amendments (fertilizer, lime), herbicides and pesticides, seeding, harvesting, baling and gathering, and transport of the harvested material. These practices employ the use of various types of farm equipment, including tractors and towed appliances such as plows, rotovators, discs, harrows, cultipackers, spreaders, seed drills, sprayers and specialized mowers and balers. Trucks are employed for the transport of some of this equipment, as well as the seed, amendments, sprays and end products.

Practices associated with the cultivation of nursery stock such as native plants, tree seedlings, bulbs and ornamentals include cultivation, fertilizing, pruning and the application of herbicides and pesticides. Nursery stock may be either field grown or grown in containers. These practices employ the use of various types of farm equipment including tractors and towed appliances such as a plow, spreaders, seed drills, sprayers and specialized mowers and trailers. Some plants are machine harvested, utilizing specialized equipment, and other plants are hand collected. Trucks are employed for the transport of some of this equipment and employees, as well as the transport of harvested products, seeds, containers, bulbs, amendments, sprays and end products.

Forest uses in the analysis area are predominately north of the site. Six (6) parcels in the analysis area are employed in forest production, including Tax Lot 6 (5-1N1W), Tax Lot 29 (6-1N1W), Tax Lots 5, 18 and 30 (31-2N1W) and Tax Lot 7 (32-2N1W). The area of Tax Lot 6 in forest production is approximately 300 feet southeast of the site. Tax Lot 29 is 60 feet north of the site, across Skyline Boulevard. Tax Lots 5, 18, 30 and 7 are all situated over 500 feet north of the site beyond Tax Lot 29.

Since specific information regarding the management practices of forest operations in the analysis area is not available, documentation of typical management practices from the Oregon Department of forestry has been reviewed. The following is an abstraction of that information.

Forest practices include road building prior to harvest; timber harvest stock piling and burning of slash subsequent to harvest; replanting; spraying of herbicides and pesticides and periodic thinning and trimming as the timber grows. Road building, harvesting, slash burning and thinning require the use of heavy equipment such as bulldozers, skidders, yarders (on steep sites) loaders and trucks. Chain saws are also used in harvesting and thinning operations. Replanting is accomplished using hand labor, as is trimming and some early thinning of the stand. Spraying in areas with moderate residential density on nearby lands is normally accomplished from the ground. However, spraying may also be accomplished from the air using low-flying fixed-wing aircraft or helicopters in order to limit drift of stray material to nearby properties. Effects from these activities include noise from heavy equipment and chain saws during harvest and thinning operations, smoke from slash fires, limited spray drift from herbicide and pesticide applications subsequent to harvest and replanting and periodic appearances by persons involved in ongoing stand management.

The proposed development is a single-family, detached dwelling. Water supply for the dwelling will be provided through an on-site well. An on-site septic system will be established in compliance with City of Portland regulations. A driveway will be constructed to Multnomah County and Tualatin Valley Fire & Rescue standards. It is anticipated that the proposed dwelling will not exceed an additional 10 vehicle trips per day along Quarry Road. Since the proposed dwelling does not yet exist and is hypothetical at this time, no concrete evidence as to the actual activities of the future occupants can be provided with this analysis. However, it can be concluded from observation and prior knowledge of other existing rural residential uses that activities associated with single-family dwellings will likely be those customarily carried on, such as eating, sleeping, gardening, outdoor recreation, raising a family and occasional entertainment of guests.

The subject property, where the proposed dwelling would be located, is approximately 1.98 acres in size and fronts on Skyline Boulevard to the north and Quarry Road to the east. The southern half of the site is forested with a mixture of deciduous trees. The northern half of the site is an open field, that has apparently been managed as part of the hay field on the adjacent Tax Lot 1 to the west. A small cluster of trees is located in the northwest corner of the site. Exhibit 1 illustrates the location of the proposed development. The proposed development includes the construction of a single-family dwelling with an attached garage and a driveway from Quarry Road. The dwelling is proposed to be sited 60 feet west of the centerline of Quarry Road, 241 feet north of the south property line, 90 feet east of the west property line and 112 feet south of the centerline of Skyline Boulevard.

As noted above, the surrounding area contains six (6) parcels in farm use (hay, field crop, and nursery stock production) and six (6) parcels in forest use. Most parcels in farm or forest use are situated some distance from the site, so that impacts between the proposed dwelling and most farm and forest uses on surrounding lands are expected to be nullified due to intervening residential uses and vegetation, as well as distances and changes in elevation (aerial photograph - Exhibit 3). Therefore, the review of impacts that follows focuses on adjacent properties in farm or forest uses.

Tax Lot 6, adjacent to the east, contains areas employed in hay production and areas in forest production. Forest related activities on Tax Lot 6 are situated approximately 300 feet southeast of the site. Farm activities are approximately 60 feet east of the site. The subject dwelling is buffered from these uses by an existing row of trees along the eastern edge of Quarry Road, the 45-foot wide right-of-way of Quarry Road, and a 35-foot setback from the western edge of the Quarry Road right-of-way. Additionally, the location of the proposed dwelling is at a higher elevation than the resource uses occurring on Tax Lot 6. Impacts between the proposed dwelling and resource uses on Tax Lot 6 should be insubstantial as a result of the distances between the uses, intervening vegetation, and different elevations.

Tax Lot 29, adjacent to the north, contains forest uses. The subject dwelling is buffered from these uses by the 60-foot wide right-of-way of Skyline Boulevard and an 83-foot setback from the southern edge of the Skyline Boulevard right-of-way, for a total distance



of 143 feet. Additionally, the location of the proposed dwelling is at a higher elevation than the forest uses occurring on Tax Lot 29. Also of note, dwellings exist on Tax Lots 17 and 16, which are both situated closer to the forest uses on Tax Lot 29 than the proposed dwelling. Any potential impacts to the proposed dwelling to or from the forest activities on Tax Lot 29 are nullified by the impacts of these existing dwellings. Therefore, impacts between the proposed dwelling and forest activities on Tax Lot 29 should be insubstantial as a result of the intervening distances, existing residential uses, and changes in elevation.

Tax Lot 1, adjacent to the west, contains farm uses including hay and nursery stock production. The areas of Tax Lot 1 in nursery stock production are situated 420 feet west of the proposed dwelling (330 feet + 90 foot setback). Due to this distance, impacts between the proposed dwelling and the nursery operation are likely to be insubstantial. However, the portion of Tax Lot 1 employed in hay production is directly adjacent to the site. The proposed dwelling will be sited 90 feet east of the hay field on Tax Lot 1. An impact analysis questionnaire was not returned by the owners of Tax Lot 1, so the applicant is not aware of any concerns that these owners may have. Currently, there is no intervening vegetation between the proposed dwelling and the hay operation. Impacts to the proposed dwelling from the hay operation could include dust and noise from tilling and harvest operations, and possible spray drift and smoke. Dust from tilling operations does not normally extend beyond 100 feet, nor does drift from spray operations. Tilling, planting, spraying and harvesting operations for field crops, such as hay, are likely to occur on only an eight (8) to ten day spread in any given year. Farm tractors are generally equipped with mufflers. Observed ground spraying of herbicides and pesticides produces no significant spray drift or over spray beyond the ground area being sprayed, if it is done using an accepted practice.

The applicant is fully aware that the proposed dwelling is located in an area where farm and forest activities will occur. The restrictive covenant required by Multnomah County, which acknowledges the occurrence of accepted farm and forest practices, has been executed by the property owner, Exhibit 12. The proposed 90-foot separation between the proposed dwelling and the nearby hay field minimizes potential impacts, which will likely occur for only a few days a year because as larger setbacks cannot be provided given the size of the parcel and other setback requirements. The subject 90 foot setback cannot be further increased as the proposed dwelling is currently at the minimum setback to Quarry Road. Additionally, the proposed dwelling could not be moved any further south or the construction and grading activities associated with the dwelling would cause the removal of trees within the forested portion of the site, which would be in direct conflict with the standards of the SEC-h Subdistrict.

The main potential impact of the dwelling location on farm or forest management on adjacent parcels is to the parcel west of the proposed dwelling site, Tax Lot 1, which is managed for nursery and hay crops. The resource management areas on the other adjoining parcels are separated from the proposed dwelling site by County rights-of-way (north and east), and by a non-resource parcel to the south. The potential impacts which should be considered are not limited only to the current use of the adjacent area of the farm parcel for hay production. More intensive management activities for nursery stock

production could occur along the west property line of the subject parcel. The applicant states that establishment of a vegetative buffer would result in the proposed dwelling location having the least impact on farm management of the adjacent parcel. Implicit in this argument is that given the narrow width of the parcel and the setback requirement from Quarry Road, all potential locations would have the same impacts on farm management of the parcel to the west. Therefore, the approach taken is to minimize potential impacts by creation of a buffer/barrier. These impacts could be substantially mitigated by planting a vegetative buffer along the site's west property line, subject to the fire break requirements. A condition of approval has been imposed requiring a vegetative buffer.

As discussed above, the proposed dwelling location will have minimal, if any, effect on surrounding farm and forest lands. If any effects occur, they would most likely involve the adjacent hay operation to the west. However, these effects would not force a significant change in any farming practices and any effects can be minimized, as noted above, by the establishment of a vegetative buffer to reduce potential dust, noise or spray drift from the hay operation. The proposed dwelling location will have the least impact on surrounding forest and agricultural lands.

The setback requirements of MCC .2058(C) through (G) are addressed within the preceding sections of this Decision. The proposed development satisfies the requirements of MCC .2058(C) through (G) as demonstrated by this Decision. The proposed development does involve a variance to the setback requirements of MCC .2058(C). MCC .2058(C) allows variances "pursuant to MCC .8505 through .8525, as applicable." The applicable standards for a variance are addressed under Section III.A.3 of this Decision, below.

**MCC 11.15.2074(2) Adverse impacts on forest operations and accepted farming practices on the tract will be minimized;**

**Finding:** There are no forest operations or management on the tract. The low level of farm management (hay production) which has occurred on the property in the past is connected to the adjacent farm to the west. No farm management of the tract itself occurs.

The siting of the proposed dwelling and driveway on the subject property must occur in consideration of the following factors: 1) minimization of adverse impacts on forest operations; 2) minimization of adverse impacts on accepted farming practices; and 3) minimization of adverse impacts on wildlife habitat. The following analysis demonstrates how the proposed house and driveway siting finds a balance among these siting considerations.

The southern half of the subject property is forested with a mixture of deciduous trees. This forested area is less than an acre in size and does not appear to contain commercially valuable trees. This site is not being managed for commercial timber production. As discussed above (MCC .2074 (A)(1)), the forested area on the site is not situated directly adjacent to any areas in commercial forest production. The closest areas in forest production are located over 150 feet to the north across Skyline Boulevard and over 300

feet to the southeast across Quarry Road. Impacts to surrounding forest operations are discussed in the section above, and were found to be insubstantial. Therefore, the subject property has limited value for forest production. Siting of a dwelling anywhere on the property will not adversely affect forest operations on the site or on surrounding properties.

The northern half of the site is an open field less than one acre in size. The field portion of the site has been harvested for hay in conjunction with the adjacent hay operation on Tax Lot 1 (this is apparent on the 1994 aerial photograph - Exhibit 3). A letter from the farm operator who has harvested hay from the subject property, Donald Motz of Motz & Son Nursery, was provided, Exhibit 20. Mr. Motz indicates that "approximately 30 bales at a rate of \$3.00 per bale with the gross value coming to \$90.00 per year" have been harvested from the subject property. The farm income generated from the subject property is minimal. Mr. Motz has not expressed any opposition to the construction of a house on the subject property and the removal of this property from hay production. The proposed house construction impacts the adjacent hay operation by removing land from production, however the income generated by this land is so minimal that its loss will not adversely impact the adjacent farm operation (Also see comments under MCC .2074 (A)(1) above).

The applicant hired an environmental consultant, Maurita Smyth, to evaluate the habitat value of the subject property. Ms. Smyth has prepared a "Preliminary Significant Natural Resources Reconnaissance Report" letter, Exhibit 21. Ms. Smyth indicates that: Overall habitat value on site is low. Disturbance of native vegetation has occurred within both the agricultural field and the forested habitat. Species and structural diversity is limited, no water source is present on site, and the site is bounded by two paved roads. Connection to other open space or meadow like habitat exists to the west. The site provides foraging and nesting habitat for some birds and small mammals. No wildlife or their sign were observed during the field survey. However, the site is likely used by foraging birds, such as swallows, in the field area and by passerines, such as warblers and chickadees, in the forested habitat. Meadow mice, coyote, and raccoon also likely use the site for foraging and travel to other habitats.

The site plan calls for a single family dwelling with access from Quarry Road. A drainfield is proposed for the agricultural field. No construction is scheduled to take place within the forested habitat. Placement of development within the field avoids impacts to the forest, which, although it has limitations, is the higher valued habitat on site due to its diversity. Landscaping and lawn that may replace the hay meadow will provide similar foraging for birds and small mammals.

The "Preliminary Significant Natural Resources Reconnaissance Report" letter demonstrates that the proposed house and driveway siting minimizes impacts to habitat on the site by locating development outside the more valuable habitat (the forested area), maintaining the diversity of habitat on the site, and replacing the hay meadow with lawn and landscaping areas that provide similar habitat functions. Therefore, the proposed development will not adversely impact wildlife habitat on the site.

The site is only 1.98 acres in size. The small size of the property, neighborhood characteristics, the limited value of onsite resources and the fact that the site qualifies for a residence under the applicable CFU standards, combine to make it highly unlikely that the subject property will be put to use as a farm or forest operation. In fact, since the parcel qualifies for a dwelling, its use has become residential in nature.

The above findings demonstrate that no forest operations exist on the site or directly adjacent to it; accepted farming practices have occurred on the site in the past, but will not continue to occur as the use of the property is changing; accepted farming practices occur on adjacent properties, but the proposed use will not adversely impact those practices; and, while habitat values on the property are low, the proposed use reduces impacts to the diversity of habitat that does exist on the property. For these reasons, the proposed siting of the house and driveway find a balance among the impacts to resources present on the site. The proposed use will not adversely impact forest operations on the tract, as none exist. The proposed use will impact accepted farming practices on the tract, however these impacts will not be adverse due to the limited value of the farm product harvested from the site and the change in use of the subject parcel. Therefore, the proposed use complies with MCC .2074(A)(2).

**MCC 11.15.2074(3)** The amount of land used to site the dwelling or other structures, access roads, and service corridor is minimized.

**Findings:** The site is forested with a mixture of deciduous trees in the southern half and the northwest corner. The site is not managed as a forest operation. The proposed dwelling will be located 60 feet west of the centerline of Quarry Road, 241 feet north of the south property line, 90 feet east of the west property line, and 112 feet south of the centerline of Skyline Boulevard. The driveway will be from Quarry Road. The driveway is 15 feet wide and 117 feet long. The dwelling and driveway are sited in the portion of the property that is not forested. This area is currently an open field. No tree removal is necessary to establish the dwelling and driveway. The only vegetation removal necessary is the removal of field grasses and small plants, as well as that necessary to establish the required fire breaks.

The grading and erosion control plan (Exhibit 2) indicates the land areas affected by grading related to the proposed development. The subject property has an approximate 13% slope with a steep bank along its road frontages. A slope analysis map (Exhibit 22) indicates similar slope conditions throughout the field portion of the property. As noted previously, the proposed development is sited to minimize impacts to the southern forested portion of the parcel, which provides some habitat value. The amount of grading depicted is the minimum necessary.

The proposed dwelling is 2,744 square feet in size, including the attached garage, (House Plan - Exhibit 17) in addition to a 540 square foot deck. The proposed driveway involves approximately 1,756 square feet of travel surface. An estimated 0.12 acres (5,040 square feet) will be covered by structures and paved driveway improvements. The total area on the site impacted by the proposed development, including grading activities, consists of

approximately 0.25 acres. The proposed development is located at the minimum front yard setback and is designed to minimize the driveway length and the amount of grading to the extent possible, given the site characteristics. The subject property is not managed as forest land. However, the amount of land used to site the dwelling, access road and service corridor is still minimized, and forested areas will not be impacted by this development in compliance with the above standard.

**MCC 11.15.2074(4)** Any access road or service corridor in excess of 500 feet in length is demonstrated by the applicant to be necessary due to physical limitations unique to the property and is the minimum length required; and

**Finding:** The site plan (Exhibit 1) indicates that the proposed access road is 117.05 feet in length.

**MCC 11.15.2074(5)** The risks associated with wildfire are minimized. Provisions for reducing such risk shall include:

- (a) The proposed dwelling will be located on a *tract* within a rural fire protection district, or the dwelling shall be provided with residential fire protection by contract;

**Finding:** The subject property is situated within the jurisdiction of the Tualatin Valley Fire & Rescue District.

- (b) Access for a pumping fire truck to within 15 feet of any perennial water source on the lot. The access shall meet driveway standards of MCC .2074 (D) with permanent signs posted along the access route to indicate the location of the emergency water source;

**Finding:** No perennial water source is located on the site.

- (c) Maintenance of a primary and a secondary fire safety zone on the subject *tract*.

- (i) A primary safety zone is a fire break extending a minimum of 30 feet in all directions around a dwelling or structure ....

- (ii) On lands with 10 percent or greater slope the primary fire safety zone shall be extended down the slope from a dwelling or structure as follows:

Percent Slope	Distance in Feet
Less than 10	Not Required
Less than 20	50
Less than 30	75

- (iii) A secondary fire safety zone is a fire break extending a minimum of 100 feet in all directions around the primary safety zone...
- (iv) No requirement in (i), (ii) , or (iii) above may restrict or contradict a forest management plan approved by the state of Oregon Department of Forestry pursuant to the state Forest Practices Rules; and
- (v) Maintenance of a primary and a secondary fire safety zone is required only to the extent possible within the area of an approved yard (setback to property line).

**Findings:** The primary fire break is required to extend a minimum of 30 feet around the proposed structure. The proposed homesite is situated in an area consisting of 13% slopes that fall northeast toward Quarry Road and Skyline Boulevard. The primary fire break, according to MCC .2074 (A)(5)(c)(ii), is required to be 30 feet. Around the primary fire break, a 100-foot secondary fire break is required by MCC .2074 (A)(5)(c)(iii).

As noted in MCC .2074 (A)(5)(c)(v) above, the "maintenance of a primary and a secondary fire safety zone is required only to the extent possible within the area of an approved yard (setback to property line)." As discussed in this Decision under MCC .2058(C), the applicant is requesting a variance to the setback requirements to the west property line due to the size and dimensions of the subject parcel.

Given the size and configuration of the subject parcel, it is possible to establish the required primary fire break on all sides of the proposed structure. The full 100-foot secondary fire break could only be established on the south side of the proposed structure.

Due to the inability to establish the full secondary fire break on the north, east and west sides of the structures, the applicant proposes to extend the primary fire break to the north, east and west property lines. The primary fire break, around the subject dwelling and garage, would extend 60 feet to the east property line, which is the centerline of Quarry Road, 112 feet to the north property line, which is the centerline of Skyline Boulevard, and 90 feet to the west property line, which abuts an open field. The primary fire break would extend 30 feet south of the subject structure. As noted above, the 100-foot secondary fire break would only be established on the south side of the dwelling, south of the primary fire break. The proposed fire breaks are depicted on the site plan (Exhibit 1).

In summary, the required primary fire break can be established in full around the homesite, but due to the size and dimensions of the parcel, the required secondary fire break cannot be established in full to the east, west and north of the homesite. Therefore, the applicant is proposing extended primary fire breaks to the north, east and west property lines, and elimination of secondary fire breaks in these directions. The variance criteria (MCC .8500)

are addressed within this report, below. The Tualatin Valley Fire & Rescue fire marshal has approved the proposed fire breaks in writing, Exhibit 16.

Maintenance of the secondary fire break is not required if it does not fit within an approved yard pursuant to MCC .2074(A)(5)(c)(iv). Approval of the variance to the 200' side and front yard setback would allow this requirement to be met.

(d) The building site must have a slope less than 40 percent.

**Finding:** The proposed homesite has an average slope of 13% (Refer to Exhibit 2).

**MCC 11.15.2074 (B)** The dwelling shall:

**MCC 11.15.2074 (B)(1)** Comply with the standards of the Uniform Building Code or as prescribed in ORS 446.002 through 446.200 relating to mobile homes;

**Finding:** The proposed dwelling will be designed and constructed in compliance with the Uniform Building Code.

**MCC 11.15.2074 (B)(2)** Be attached to a foundation for which a building permit has been obtained; and

**Finding:** The proposed dwelling will be attached to a foundation, for which a building permit will be required. Compliance with this standard can be assured when a building permit is issued as required by a condition of approval.

**MCC 11.15.2074 (B)(3)** Have a minimum floor area of 600 square feet.

**Finding:** The proposed dwelling will have a floor area of approximately 2,744 square feet, according to the plan, (Exhibit 17). This is well in excess of the minimum 600 square foot floor area.

**MCC 11.15.2074(B)(4)** Have a fire retardant roof.

**Finding:** The proposed dwelling will have a fire retardant roof. Compliance with this standard can be assured when a building permit is issued as required by a condition of approval.

**MCC 11.15.2074(B)(5)** Have a spark arrester on each chimney.

**Finding:** The house plan (Exhibit 17) indicates that the proposed dwelling will have a chimney. Compliance with this standard can be assured when a building permit is issued as required by a condition of approval.

**MCC 11.15.2074 (C)** The applicant shall provide evidence that the domestic water supply is from a source authorized in accordance with the Department of Water

Resources Oregon Administrative Rules for the appropriation of groundwater (OAR 690, Division 10) or surface water (OAR 690, Division 20) and not from a class II stream as defined in the Forest Practices Rules. If the water supply is unavailable from a public source, or sources located entirely on the property, the applicant shall provide evidence that a legal easement has been obtained permitting domestic water lines to cross the properties of affected owners.

**Finding:** The domestic water supply for the proposed dwelling will be from an on-site well. Copies of well logs in the vicinity of this site, Exhibit 15, demonstrate the availability of groundwater in the area. A letter from the Oregon Water Resources Department, Exhibit 23, verifies that a water use permit is not required for the proposed use. A condition of approval requires the applicant to submit the well constructor's report to Multnomah County upon completion of the subject well. The findings under Framework Plan Policy 37, Utilities are related to this standard.

**MCC 11.15.2074(D)** A private road (including all easements) accessing two or more dwellings, or a driveway accessing a single dwelling, shall be designed, built, and maintained to:

**MCC 11.15.2074(D)(1)** Support a minimum gross vehicle weight (GVW) of 52,000 lbs. Written verification of compliance with the 52,000 lb. GVW standard from an Oregon Professional Engineer shall be provided for all bridges or culverts;

**Findings:** The proposed driveway will be designed, constructed and maintained to support a minimum GVW of 52,000 lbs. No bridges are proposed. Any culverts associated with the driveway will also be designed, built and maintained to support 52,000 lbs. GVW. Written verification from an Oregon Professional Engineer of compliance with this standard will be submitted subsequent to culvert construction, as required by a condition of approval.

**MCC 11.15.2074(D)(2)** Provide an all-weather surface of at least 20 feet in width for a private road and 12 feet in width for a driveway;

**Finding:** The proposed driveway will be constructed with an all-weather surface at least 15 feet in width (Exhibit 1).

**MCC 11.15.2074(D)(3)** Provide minimum curve radii of 48 feet or greater;

**Findings:** The curve radius of the proposed driveway is at least 48 feet, as illustrated on the attached plan (Exhibit 1).

**MCC 11.15.2074(D)(4)** Provide an unobstructed vertical clearance of at least 13 feet 6 inches;

**Finding:** An unobstructed vertical clearance of 13 feet 6 inches will be maintained along the proposed driveway.



**MCC 11.15.2074(D)(5)** Provide grades not exceeding 8 percent, with a maximum of 12 percent on short segments, except as provided below;

- (a) Rural Fire Protection District No. 14 requires approval from the Fire Chief for grades exceeding 6 percent;
- (b) The maximum grade may be exceeded upon written approval from the fire protection service provider having responsibility;

**Finding:** The driveway will have an overall grade of 11.46%, with a short segment, approximately 70 feet long, with 17.91% grade (Exhibit 2). The plans have been approved by the fire marshal (Exhibit 16). The plans appear to indicate that the driveway grade is higher than the existing Quarry Road grade at the right-of-way line. This condition does not meet County right-of-way access requirements, and this circumstance could require changes to the driveway design. A final driveway plan which can be approved for access should also be approved by the fire district. A condition of approval has been imposed to require the fire marshal to approve the access plans.

**MCC 11.15.2074(D)(6)** Provide a turnaround with a radius of 48 feet or greater at the end of any access exceeding 150 feet in length;

**Finding:** A turnaround is not required since the proposed driveway is only 117 feet long (Exhibit 1).

**MCC 11.15.2074(D)(7)** Provide for the safe and convenient passage of vehicles by the placement of:

- (a) Additional turnarounds at a maximum spacing of 500 feet along a private road; or
- (b) Turnouts measuring 20 feet by 40 feet along a driveway in excess of 200 feet in length at a maximum spacing of  $\frac{1}{2}$  the driveway length or 400 feet whichever is less.

**Finding:** Since the proposed driveway is only 117 feet in length, additional turnarounds and turnouts are not required.

#### **TEMPLATE DWELLING CONCLUSIONS:**

1. The parcel meets the Template Dwelling requirements for the number of houses and dwellings within the template area. Compliance with the Department of Forestry stocking requirements appears to be required. This code provision can be satisfied by a condition of approval that the property owner submit a stocking survey report which demonstrates that the property will meet forestry stocking requirements, and by notification of the Assessor by the planning department as provided for in MCC .2052 (A)(6)(a).

2. The dimensional and development location requirements are met with the structure as proposed, or will be reviewed for compliance during final Building Permit processing, with the exception of the setback standards. The setback provisions of the ordinance are not met due to the proposed reduction of the 200' side yard setback to 90'. Approval of the variance request HV 2-98 will effect compliance with this standard.
3. The Lot of Record requirement is met based on the deed history provided by the applicant which demonstrates that the parcel was created in 1964, at a time when zoning allowed parcels of lesser size to be created by recordation of a deed.
4. All of the development standards of section .2074 are met with the information presented by the applicant, subject to these conclusions and conditions of approval. The least impact standard of .2074(1) can be met by a condition of approval which requires establishment of a vegetative buffer along the open field portion of the west property line. This conclusion is based on the lack of evidence that any location on the parcel would impact farm management to a different degree given the narrow width of the parcel and the required setback from Quarry Road.

The adverse impacts standard in .2074(2) is met by information provided by the applicant that there are no forest operations or management on the tract. The low level of farm management (hay production) which has occurred on the property in the past is connected to the adjacent farm to the west. No farm management of the tract itself occurs.

The driveway maximum grade standard in .2074(D)(5) is exceeded with the driveway as proposed, however the written approval of the Tualatin Valley Fire District allows a conclusion that this standard is met. However, the driveway as proposed may not meet County right-of-way access requirements, therefore a condition of approval requiring fire district approval of a design which meets right-of-way access requirements is recommended.

5. All of the development standards of MCC .2074(B) are not shown to have been met, but can be met the elements in .2074(B)(1), (2), (4), and (5) are indicated on the final building plans.

## **2. Criteria for approval of SEC Permit:**

### **MCC 11.15.6404 Uses-SEC Permit Required**

**MCC 11.15.6404(A) All uses permitted under the provisions of the underlying district are permitted on lands designated SEC; provided, however, that the location and design of any use or change or alteration of a use, except as provided in MCC. 6406, shall be subject to an SEC permit.**

**Findings:** As stated above, the applicant is proposing the establishment of a single-family dwelling in the CFU District. This application includes a request for Conditional Use approval of the proposed dwelling. The subject property is also designated SEC-h. The following findings indicate that the location and design of the proposed dwelling are in compliance with the applicable standards for an SEC-h Permit. Approval of the CU request qualifies the dwelling as a permitted use.

**MCC 11.15.6408 Application for SEC Permit**

**An application for an SEC permit for a use or for the change or alteration of an existing use on land designated SEC, shall address the applicable criteria for approval, under MCC .6420 through .6428, and shall be filed as follows:**

**MCC 11.15.6408(C) An application for an SEC permit shall include the following:**

- (1) A written description of the proposed development and how it complies with the applicable approval criteria of MCC .6420 through .6428.**
- (2) A map of the property showing:**

**Findings:** The applicable approval criteria are addressed within this report, below. This report serves as the required written description. A map of the property, indicating all of the applicable information, was provided as Exhibit 1.

**MCC 11.15.6420: Criteria for Approval of SEC Permit (General Provisions):**

**The SEC designation shall apply to those significant natural resources, natural areas, wilderness areas, cultural areas, and wild and scenic waterways that are designated SEC on the Multnomah County sectional maps. Any proposed activity or use requiring an SEC permit shall be subject to the following:**

**MCC 11.15.6420 (A): The maximum possible landscaped area, scenic and aesthetic enhancement, open space or vegetation shall be provided between any use and a river, stream, lake, or floodwater storage area.**

**Findings:** There are no rivers, streams, lakes, or flood water storage areas on or near the subject property. However, the applicant intends to retain existing vegetation on the site to the maximum extent possible. The southern portion of the site is forested with a mixture of deciduous trees. The northern portion of the site is an open field with a small cluster of trees in the northwest corner. Proposed development areas are within the existing cleared area. Vegetation removal is limited to the removal of field grasses and plants, as well as that necessary to comply with the fire break requirements.

**MCC 11.15.6420 (B): Agricultural land and forest land shall be preserved and maintained for farm and forest use.**

**Finding:** The subject property is zoned CFU. Surrounding lands contain farm and forest uses. As noted above, the southern half of the site is forested and the northern half is an open field. The proposed dwelling is situated within the field area in the northern half of the site. All of the parcel could be suitable for farm or forest uses, although the size of the parcel precludes resource management at a commercial scale. The north portion has been in farm use as part of the hay crop area on the adjacent parcel to the west. The south portion is not currently managed for commercial forest use, however it is suitable by definition and by inclusion in the CFU zone. The purpose of this criterion is not to preclude development, but to minimize impact on resource lands.

The proposed development is designed to help preserve and maintain farm and forest uses to the extent possible, given the change in use. Specific findings addressing impacts to farm and forest uses on the site and on surrounding lands are found under Section .2074 (A)(1) and (2), within this Decision above. As discussed in the following sections of this Decision, the proposed development is sited and designed to minimize impacts to adjacent lands through minimizing vegetation removal and implementing appropriate grading, drainage and erosion control methods, thereby preserving and maintaining surrounding farm and forestry uses.

**MCC11.15.6420 (C):** A building, structure, or use shall be located on a lot in a manner which will balance functional considerations and costs with the need to preserve and protect areas of environmental significance.

**Finding:** As demonstrated by the findings within this Decision, specifically MCC .2074 (A)(1) & (2), and the attached development plans, the proposed development is located in a manner that balances the functional considerations and costs with the need to preserve and protect areas of environmental significance, thereby conserving the wildlife habitat on the subject site and adjacent properties. A "Preliminary Significant Natural Resource Reconnaissance Report," Exhibit 21, indicates that the proposed development will preserve the forested habitat on the site, which is the more valuable habitat area due to its diversity.

**MCC 11.15.6420 (D):** Recreational needs shall be satisfied by public and private means in a manner consistent with the carrying capacity of the land and with minimum conflict with areas of environmental significance.

**Finding:** The subject property is approximately 1.98 acres in size and is in private ownership. The proposed development is a single-family residence. As discussed throughout this Decision, the proposed development is sited and designed to minimize impacts to wildlife habitat through minimizing vegetation removal and implementing appropriate grading, drainage and erosion control methods. No recreational uses are proposed, aside from those associated with a typical single-family residence. As demonstrated by this Decision, the proposed development is consistent with the carrying capacity of the site and is designed to minimize conflicts with wildlife habitat on the site and on adjoining properties.

**MCC 11.15.6420 (E): The protection of the public safety and of public and private property, especially from vandalism and trespass, shall be provided to the maximum extent practicable.**

**Finding:** Vandalism and trespass on the subject property, and adjacent properties, is and will be deterred by the presence of the onsite dwelling and other dwellings within the surrounding area.

**MCC 11.15.6420 (F): Significant fish and wildlife habitats shall be protected.**

**Finding:** The subject property is designated as containing significant wildlife habitat (SEC-h). No areas of fish habitat are located on or near the site. The proposed development includes the construction of a single-family dwelling with an attached garage and a driveway. The proposed development is situated within an existing cleared area. Existing vegetation on the site will be retained, aside from vegetation removal resulting from the construction of the proposed homesite. Vegetation removal for the proposed development is limited to the removal of field grasses and small plants, and that necessary to establish the required fire breaks. The existing forest canopy will not be altered since no large diameter trees will be removed as a result of the proposed construction. The proposed development is sited and designed to minimize impacts to wildlife habitat through minimizing vegetation removal and implementing appropriate grading, drainage and erosion control methods. A "Preliminary Significant Natural Resources Reconnaissance Report," Exhibit 21, indicates that the proposed development will serve the forested habitat on the site which is the more valuable habitat area due to its diversity. Therefore, significant fish and wildlife habitats will be protected.

**MCC 11.15.6420 (G): The natural vegetation along rivers, lakes, wetlands and streams shall be protected and enhanced to the maximum extent practicable to assure scenic quality and protection from erosion, and continuous riparian corridors.**

**Finding:** There are no rivers, lakes, wetlands, or streams present on or near the subject site. This criterion does not apply.

**MCC 11.15.6420 (H): Archaeological areas shall be preserved for their historic, scientific, and cultural value and protected from vandalism or unauthorized entry.**

**Finding:** There are no known archaeological areas on, or near the subject site.

**MCC 11.15.6420 (I): Areas of annual flooding, floodplains, water areas, and wetlands shall be retained in their natural state to the maximum possible extent to preserve water quality and protect water retention, overflow, and natural functions.**

**Finding:** There are no areas of annual flooding, floodplains, water areas, or wetlands on or near the site.

**MCC 11.15.6420 (J):** Areas of erosion or potential erosion shall be protected from loss by appropriate means. Appropriate means shall be based on current Best Management Practices and may include restrictions on timing of soil disturbing activities.

**Findings:** The subject property is located within the Tualatin River Drainage Basin. The applicant submitted a preliminary grading and erosion control plan, Exhibit 2. A condition of approval requires the applicant to submit an application for review of a GEC Permit. Compliance with the GEC Permit criteria will ensure that areas of potential erosion are protected. The proposed detention pond is unacceptable to the County due to the potential of slope failure into the right-of-way. A Grading and Erosion Control Permit pursuant to MCC 9.40.010 will be required for the development of this property, and should include an alternate detention design.

**MCC 11.15.6420 (K):** The quality of the air, water, and land resources and ambient noise levels in areas classified SEC shall be preserved in the development and use of such areas.

**Findings:** The resources that could be impacted by the project are water quality (on-site sanitation) and soil erosion. Soil erosion/stormwater control issues will be addressed through the Grading and Erosion Control Permit. The on-site sanitation will be permitted under DEQ rules as discussed in the findings under Framework Plan Policy 37 Utilities. This criterion can be met by compliance with the conditions of approval.

**MCC 11.15.6420 (L):** The design, bulk, construction materials, color and lighting of buildings, structures and signs shall be compatible with the character and visual quality of areas of significant environmental concern.

**Findings:** Elevations and floor plans of the proposed house and attached garage are shown on Exhibit 17. The proposed house will be gray with white trim. The proposed dwelling and garage are of a design and bulk, and consist of construction materials, colors and lighting, similar to existing dwellings and accessory structures on adjacent properties and within the surrounding area. The proposed structures are compatible with the character and visual quality of the surrounding area.

**MCC 11.15.6420 (M):** An area generally recognized as fragile or endangered plant habitat or which is valued for specific vegetative features, or which has an identified need for protection of natural vegetation, shall be retained in a natural state to the maximum extent possible.

**Finding:** No identified fragile or endangered plant habitats are on the site. The proposed development will be located within an existing cleared area. The existing vegetation on the site will be retained, aside from vegetation removal associated with the driveway and house construction. Vegetation removal for the proposed development is limited to the removal of field grasses and small plants and any vegetation removal associated with the

establishment of fire breaks. Therefore, natural vegetation will be retained in a natural state to the maximum extent possible. The application complies with this criterion.

**MCC 11.15.6420 (N):** The applicable Policies of the Comprehensive Plan shall be satisfied.

**Finding:** The Multnomah County Zoning Ordinance implements the goals and policies of the Multnomah County Comprehensive Plan. Therefore, by designing the proposed development in compliance with applicable standards of the Multnomah County Zoning Ordinance, it is designed in accordance with the Multnomah County Comprehensive Plan. However, MCC .6420(N) specifically requires a finding of compliance with applicable plan policies. The County requires a finding prior to approval of a Legislative or Quasi-Judicial Action that Plan Policies 13, 22, 37, 38, and 40, are met. In addition, Policy 14, Development Limitations applies as indicated in the findings under Multnomah County Comprehensive Plan Policies, of this report. Policies 11, Commercial Forest Land, and 16 Natural Resources are either directive of the County to zone land in a certain manner, or are implemented through ordinance provisions which are applied here, and therefore do not apply.

**MCC 11.15.6426(A)** In addition to the information required by MCC .6408(C.), an application for development in an area designated SEC-h shall include an area map showing all properties which are adjacent to or entirely or partially within 200 feet of the proposed development, with the following information, when such information can be gathered without trespass:

- (1) Location of all existing forested areas (including areas cleared pursuant to an approved forest management plan) and non-forested "cleared" areas;
- (2) Location of existing and proposed structures;
- (3) Location and width of existing and proposed public roads, private access roads, driveways, and service corridors on the subject parcel and within 200 feet of the subject parcel's boundaries on all adjacent parcels;
- (4) Existing and proposed type and location of all fencing on the subject property and on adjacent properties and on properties entirely or partially within 200 feet of the subject property.

**Finding:** A vicinity map (Exhibit 3), indicating all of the applicable information, was submitted. No fencing is proposed or existing.

**MCC 11.15.6426 (B):** Development Standards:

- (1) Where a parcel contains any non-forested "cleared" areas, development shall only occur in these areas, except as necessary to provide access and to meet minimum clearance standards for fire safety.

**Finding:** The site plan (Exhibit 1) and aerial photograph (Exhibit 3) indicate the forested and non-forested areas on the property. The wildlife consultant's report in Exhibit 21 characterizes the entire site as a "cleared area" pursuant to the ordinance definition in 6426(A)(1). The proposed development is located within a non-forested "cleared" area. The only vegetation removal necessary for the proposed construction is the removal of field grasses and small plants, as well as any vegetation removal necessary through establishment of fire breaks.

- (2) **Development shall occur within 200 feet of a public road capable of providing reasonable practical access to the developable portion of the site.**

**Finding:** The proposed homesite is approximately 60 feet from the centerline of Quarry Road, in compliance with this standard.

- (3) **The access road/driveway and service corridor serving the development shall not exceed 500 feet in length.**

**Finding:** The access road/driveway is approximately 117 feet in length (from Quarry Road to the homesite), in compliance with this standard.

- (4) **The access road/driveway shall be located within 100 feet of the property boundary if adjacent property has an access road or driveway within 200 feet of the property boundary.**

**Finding:** The subject parcel abuts Skyline Boulevard to the north and Quarry Road to the east. Adjacency for purposes of the SEC development standards includes parcels on the same side of the road. The adjacent property to the west does not have a driveway/access road that is within 200 feet of the site. The adjacent property to the south has a driveway/access road approximately 190 feet south of the site's southern property line. Therefore, compliance with this standard requires the driveway to be within 200 feet of the south property line. The proposed driveway is approximately 325 feet from the south property line, and therefore does not meet this standard.

The proposed driveway off of Quarry Road is approximately 107 feet south of Skyline Boulevard and within 100 feet of an existing driveway on Tax Lot 15, which is east of the site across Quarry Road.

Section .6426(C) is addressed below because the Hearings Officer determines that the access to the homesite does not meet this standard.

- (5) **The development shall be within 300 feet of the property boundary if adjacent property has structures and developed areas within 200 feet of the property boundary.**

**Finding:** Adjacent parcels for purposes of the SEC ordinance are those on the same side of a road which share a property line. Development on the adjacent property to the south



is within 65' of the common property line, therefore development on the subject parcel must occur within 300' of the south property line. A variance has been requested.

- (6) Fencing within a required setback from a public road shall meet the following criteria:
- (a) Fences shall have a maximum height of 42 inches and a minimum 17 inch gap between the ground and the bottom of the fence.
  - (b) Wood and wire fences are permitted. The bottom strand of a wire fence shall be barbless. Fences may be electrified, except as prohibited by County Code.
  - (c) Cyclone, woven wire, and chain link fences are prohibited.
  - (d) Fences with a ratio of solids to voids greater than 2:1 are prohibited.
  - (e) Fencing standards do not apply in an area on the property bounded by a line along the public road serving the development, two lines each drawn perpendicular to the principal structure from a point 100 feet from the end of the structure on a line perpendicular to and meeting with the public road serving the development, and the front yard setback line parallel to the public road serving the development.

**Finding:** No fencing is proposed.

- (7) The following nuisance plants shall not be planted on the subject property and shall be removed and kept removed from cleared areas of the subject property:

**Finding:** Based on the Wildlife Reconnaissance Report, the property contains one or more nuisance plants. Future landscaping will not include any plants from the nuisance plant list. Nuisance plants that occur on the property will be removed and kept clear from the areas on the site that remain cleared.

**MCC 11.15.6426 (C):** Wildlife Conservation Plan. An applicant shall propose a wildlife conservation plan if one of two situations exist.

- (1) The applicant cannot meet the development standards of Section (B) because of physical characteristics unique to the property. The applicant must show that the wildlife conservation plan results in the minimum departure from the standards required in order to allow the use; or
- (2) The applicant can meet the development standards of Section (B), but demonstrates that the alternative conservation measures exceed the standards of Section B and will result in the proposed development having less detrimental impact on forested wildlife habitat than the standards in Section B.

**Findings:** As previously noted, the subject parcel abuts Skyline Boulevard to the north and Quarry Road to the east. The adjacent property to the west does not currently have a driveway/access road that is within 200 feet of the site. The adjacent property to the south has a driveway/access road approximately 190 feet south of the site's southern property line. Locating the proposed driveway within 100 feet of the southern boundary of the site would require the removal of a significant amount of vegetation, including some large diameter trees. The proposed driveway location would not require the removal of any forest vegetation, and, thereby, will minimize impacts to wildlife habitat. The proposed driveway location off of Quarry Road is approximately 107 feet south of Skyline Boulevard and within 100 feet of an existing driveway on Tax Lot 15, which is east of the site across Quarry Road.

The above findings demonstrate that the proposed development siting will have a less detrimental impact on forested wildlife habitat than development siting in compliance with the standards of Section B (Exhibit 21). The proposed development exceeds the standards of Section B as it is clustered near existing streets and structures and will minimize impacts to the forested wildlife habitat on the site. Additionally, the standards of Section B are exceeded through the application of and compliance with Section C(3).

The applicant appears to argue that the driveway location standard in .6426(B)(4) can be met, but that the siting of the dwelling as proposed will have a less detrimental impact than compliance with the development standards in B. Impacts to the forested wildlife habitat are minimized by not removing trees for the driveway.

**(3) The wildlife conservation plan must demonstrate the following:**

- (a) That measures are included in order to reduce impacts to forested areas to the minimum necessary to serve the proposed development by restricting the amount of clearance and length/width of cleared areas and disturbing the least amount of forest canopy cover.**

**Finding:** The proposed development plan includes measures to reduce impacts to forested areas by siting the development within an existing cleared area. The only vegetation removal that will be required is the removal of field grasses and small plants. Disturbance of the existing forest canopy cover will be minimized, as no large diameter trees will be removed.

- (b) That any newly cleared area associated with the development is not greater than one acre, excluding from this total the area of the minimum necessary accessway required for fire safety purposes.**

**Finding:** The proposed development is situated within an existing cleared area, so vegetation removal will be minimized. As noted previously, the proposed development area is approximately 0.25 acres in size.

- (c) That no fencing will be built and existing fencing will be removed outside of areas cleared for the site development except for existing areas used for agricultural purposes.

**Finding:** No fencing exists or is proposed on the subject site.

- (d) That revegetation of existing cleared areas on the property at a 2:1 ration with newly cleared areas occurs if such cleared areas exist on the property.

**Finding:** As required by a condition of approval, revegetation of existing cleared areas will occur on the subject property at a 2:1 ratio.

- (e) That revegetation and enhancement of disturbed stream riparian areas occurs along drainage's and streams located on the property occurs.

**Finding:** No drainages or streams are located on or adjacent to the subject property. Therefore, no disturbance of riparian areas will occur. The standards (a) through (e) above are met with the proposal. The dwelling is being located within an existing "cleared" area, therefore no re-vegetation is required.

## **Multnomah County Comprehensive Plan Policies:**

Policies in the Comprehensive Plan which are applicable to this Quasi-judicial Decision are addressed as follows:

**Policy No. 13, Air, Water and Noise Quality:** Multnomah County, ... Supports efforts to improve air and water quality and to reduce noise levels. ... Furthermore, it is the County's policy to require, prior to approval of a legislative or quasi-judicial action, a statement from the appropriate agency that all standards can be met with respect to Air Quality, Water Quality, and Noise Levels.

**Finding:** The primary issue under this policy is water quality related to septic system placement and construction, and stormwater runoff. This policy will be satisfied when the necessary septic system construction permit and grading and erosion control permit are obtained and the property developed in compliance with the permits. The subject dwelling will generally have no impact on air quality. A well and on-site disposal system will be established on the site to serve the proposed dwelling, in compliance with all applicable standards. The dwelling location is not within a known noise impacted area and the dwelling is not a noise generator.

**Policy No. 14, Development Limitations:** The County's Policy is to direct development and land form alterations away from areas with development limitations except upon a showing that design and construction techniques can

mitigate any public harm or associated public cost, and mitigate any adverse effects to surrounding persons or properties. Development limitations areas are those which have any of the following characteristics:

- D. Slopes exceeding 20%;
- E. Severe soil erosion potential;
- F. Land within the 100-year flood plain;
- G. A high seasonal water table within 0-24 inches of the surface for more than 3 or more weeks of the year;
- H. A fragipan less than 30 inches from the surface; and
- I. Lands subject to slumping, earth slides or movement.

**Finding:** The subject property contains three (3) soil types: #7D Cascade silt loam, #17E Goble silt loam, and #43C Saum silt loam (See Exhibit 6). Soil Type #7D is subject to a high seasonal water table within 0-24 inches of the surface for more than three (3) weeks a year and a fragipan less than 30 inches from the surface.

A site evaluation report (LFS 86-97) was provided by the applicant as Exhibit 24. Septic construction plans have been prepared by the septic installer and have been reviewed by DEQ (Exhibit 25). The proposed septic system is also illustrated on the grading and erosion control plan (Exhibit 2). This information demonstrates that a septic system can be constructed on the subject property in compliance with DEQ standards.

The grading and erosion control plan (Exhibit 2) illustrates that the proposed house and driveway can be constructed on the subject property with the appropriate measures for preventing erosion and protecting water quality. An onsite storm water system and erosion control measures are depicted on the grading and erosion control plan. Grading related to construction is minimized to the extent possible, given the slopes on the property, the need to maintain a maximum setback from the west property line (so that the variance requested is the minimum necessary), and the need to preserve the forested portion of the property to protect existing habitat values and reduce site preparation costs by eliminating the need for tree removal. Compliance with this policy will be assured through the permitting processes for a septic construction permit and a GEC permit, both of which will be obtained prior to issuance of a building permit. The development can comply with this policy by meeting the requirements of the DEQ and GEC permitting requirements.

**Policy No. 22, Energy Conservation:** The County's policy is to promote the conservation of energy and to use energy resources in a more efficient manner. ... The County shall require a finding prior to approval of a legislative or quasi-judicial action that the following factors have been considered:

- A. The development of energy-efficient land uses and practices;
- B. Increased density and intensity of development in urban areas, especially in proximity to transit corridors and employment, commercial and recreation centers;
- C. An energy-efficient transportation system linked with increased mass transit, pedestrian and bicycle facilities;
- D. Street layouts, lotting patterns and designs that utilize natural environmental and climactic conditions to advantage.
- E. Finally, the County will allow greater flexibility in the development and use of renewable energy resources.

**Finding:** This request satisfies subpart "A" of Policy No. 22 as the subject dwelling will meet current energy conservation standards of the Uniform Building Code. Subparts "B," "C" and "D" are not applicable since the site is not in an urban area. Approval of this request will not adversely impact the ability of the owner of the property to take advantage of subpart "E." This request satisfies Policy No. 22.

**Policy No. 37, Utilities:** The County's policy is to require a finding prior to approval of a legislative hearing or quasi-judicial action that:

**WATER DISPOSAL SYSTEM:**

- A. The proposed use can be connected to a public sewer and water system, both of which have adequate capacity; or
- B. The proposed use can be connected to a public water system, and the Oregon Department of Environmental Quality (DEQ) will approve a subsurface sewage disposal system on the site; or
- C. There is an adequate private water system, and the Oregon Department of Environmental Quality (DEQ) will approve a subsurface sewage disposal system; or
- D. There is an adequate private water system, and a public sewer with adequate capacity.

**Finding:** New dwellings are subject to building code requirements and inspection. The proposed dwelling will be served by an individual onsite well and an onsite disposal system. Septic construction plans have been prepared by the septic installer and have been reviewed by DEQ (See Exhibit 25) and the proposed drainfield plan was tentatively approved by the City of Portland (Exhibit E1). The City of Portland issues permits in

accordance with DEQ requirements. A condition of approval requires the applicant to provide evidence of an adequate private water system.

Due to the proposal to locate the dwelling and septic system drainfield in a limited area on the lower (northern) portion of the site, and due to the need to maintain adequate setbacks from drainfield areas and rights-of-way, staff asked the applicant to provide a preliminary septic system plan approval. That approval has been granted (Exhibit E1).

**DRAINAGE:**

- A. There is adequate capacity in the storm water system to handle the increased run-off; or
- B. The water run-off can be handled on the site or adequate provisions can be made; and
- C. The run-off from the site will not adversely affect the water quality in adjacent streams, ponds, lakes or alter the drainage on adjacent lands.

**Finding:** The proposed onsite storm water system is depicted on the grading and erosion control plan (Exhibit 2) and storm water calculations have been prepared by a registered professional engineer (Exhibit 13). The Drainage Policy listed above will be met through application of the Grading and Erosion Control (GEC) Permit requirements and compliance with conditions placed on approval of the GEC Permit. A condition of approval requires an application for a GEC Permit to be submitted subsequent to approval of this request.

**ENERGY AND COMMUNICATIONS:**

- H. There is an adequate energy supply to handle levels projected by the plan; and
- I. Communications facilities are available.

**Finding:** This proposal is for a single-family residence. The subject parcel is located in an area serviced by appropriate power and phone services. The Water and Disposal System alternative "C." and the Drainage elements of F. and G. apply to this request. The evidence provided to address "C" by the applicant is incomplete at this writing because the well has not been constructed. The adequate on-site sanitation and water system provisions of this policy can be met by a condition of approval which requires demonstrated compliance prior to Building Permit approval.

The Drainage elements of "F" and "G" are not met because the County does not approve of the detention pond due to its proximity to the right-of-way, and a perceived potential for slope failure into the right-of-way. A final system can be considered under a Grading and Erosion Control Permit.

**Policy No. 38, Facilities:** The County's Policy is to require a finding prior to approval of a legislative or quasi-judicial action that:

- A. The appropriate School District has had an opportunity to review and comment on the proposal.
- B. There is adequate water pressure and flow for fire fighting purposes; and
- C. The appropriate fire district has had an opportunity to review and comment on the proposal.
- D. The proposal can receive adequate local police protection with the standards of the jurisdiction providing police protection.

**Finding:** The applicant has provided a letter from the fire marshal from Tualatin Valley Fire & Rescue, Exhibit 16. The appropriate school district will receive notification of this decision. The Tualatin Valley Fire District has approved the proposed plan. Police protection is assumed to be adequate because no limitations to service have been reported in the recent past.

**Policy No. 40, Development Requirements:** The County's policy is to encourage a connected park and recreation system and to provide for small private recreation areas by requiring a finding prior to approval of legislative or quasi-judicial action that:

- A. Pedestrian and bicycle path connections to parks, recreation areas and community facilities will be dedicated where appropriate and where designated in the bicycle corridor capital improvements program and map.
- B. Landscaped areas with benches will be provided in commercial, industrial and multiple family developments, where appropriate.
- C. Areas for bicycle parking facilities will be required in development proposals, where appropriate.

**Finding:** There are no pedestrian or bicycle path connections to parks, recreation areas or community facilities plans for the site or in the vicinity of the site designated in the bicycle corridor capital Improvements Program and Map. This development is for single family use. No bicycle parking facility requirement is appropriate.

#### **SIGNIFICANT ENVIRONMENTAL CONCERN CONCLUSIONS:**

1. Compliance with the approval criteria of .6420(J) and Framework Plan Policy 14, relies on approval and compliance with a Grading and Erosion Control Permit

pursuant to MCC 9.40.010. A condition of approval requires compliance with a grading and erosion control permit before a building permit is issued.

2. The demonstration of adequate utilities findings required in Policy 37 has not been met for the on-site well and storm-water disposal/drainage elements. Conditions of approval have been imposed to ensure compliance with these policies. The conditions require submission of a well report and completion of a Grading and Erosion Control Permit.
3. The applicant has demonstrated compliance with the other general standards of .6420, and with the habitat standards of .6426 with the proposal as submitted.

### **3. Criteria for approval of a Major Variance:**

#### **MCC 11.15.8505    Variance Approval Criteria**

- (A)    **The Approval Authority may permit and authorize a variance from the requirements of this Chapter only when there are practical difficulties in the application of the Chapter. A Major Variance shall be granted only when all of the following criteria are met.**

**Finding:** The applicant is requesting a major variance to the setback and fire break requirements of the CFU District. The requested variance would allow the proposed dwelling to be located a minimum of 90 feet east of the west property line, as opposed to the required 200 foot setback. Additionally, the requested variance would allow the 100-foot secondary fire break to be established on only one (1) side of the homesite (the south side), as opposed to the requirement of a secondary fire break around all sides of the homesite. The criteria for a major variance are addressed below.

- (1)    **A circumstance or condition applies to the property or to the intended use that does not apply generally to other property in the same vicinity or district. The circumstance or condition may relate to the size, shape, natural features and topography of the property or the location or size of physical improvements on the site or the nature of the use compared to surrounding uses.**

**Finding:** The circumstance which gives rise to the need for the variance is that the east-west dimension of 229' does not allow for the combined street side yard and side yard setback total distance of 260'. The subject property is a 1.98 acre rectangular-shaped parcel. The subject parcel has a north-south dimension of 481.90 feet on its east boundary and a north-south dimension of 375.98 feet on its west boundary. The parcel has an east-west dimension of 229.06 feet on its south boundary and an east-west dimension of 243.07 feet on its north boundary, which follows the curve of Skyline Boulevard. The east/west setback requirements require 260 feet plus the foot print of the proposed building. Surrounding properties in the vicinity, identified as an area within 1/4



mile of the subject site and in the CFU District consist of a wide range of sizes and shapes (See Exhibit 3). Most properties in the surrounding area and in the CFU District are at least partially forested (See Exhibit 3). The size and shape of the subject parcel, which limit its ability to comply with the setback and fire break requirements of the CFU District, do not apply generally to other property in the vicinity of the site or in the CFU District.

- (2) **The zoning requirement would restrict the use of the subject property to a greater degree than it restricts other properties in the vicinity or district.**

**Finding:** MCC .2058 (C) requires a 60-foot setback to the centerline of Quarry Road and the centerline of Skyline Boulevard, and a 200-foot setback to all other property lines. MCC .2074 (A)(5)(c) requires the establishment of a 30-foot primary fire break on the west and south sides of the dwelling, an 80-foot primary fire break on the north and east sides of the dwelling, and a 100-foot secondary fire break around the primary fire break. Due to the small size and narrow width of the parcel, imposition of the setback and fire break requirements of the CFU District would restrict the use of the subject property to a greater degree than it restricts other property in the vicinity or in the CFU District, as it would then be impossible to locate a dwelling on the subject site. Dwellings could potentially be located on other properties in the vicinity or in the CFU District in spite of the setback and fire break requirements.

- (3) **The authorization of the variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located, or adversely affects the appropriate development of adjoining properties.**

**Finding:** The intent of the 200-foot setback requirement in the CFU District is to minimize impacts to farm and forest uses on the subject site and surrounding lands, as well as to minimize the amount of forest land that is used for residential development. Findings within this report under MCC .2074 (A)(1) demonstrate that the proposed use is designed and located so that it will have the least impact on nearby or adjoining forest and agricultural lands. Findings under MCC .2074 (A)(2) demonstrate that the proposed dwelling is designed and sited to minimize adverse impacts on farm and forest activities on the site. Additionally, findings under MCC .2074 (A)(3) demonstrate that the proposed use is designed to minimize the amount of forest land used to site the dwelling and driveway. Therefore, since the proposed use will still comply with the intent of the 200-foot setback requirement, authorization of the requested variance will not be materially detrimental to the public welfare, nor injurious to property in the vicinity or CFU District, nor will it adversely affect the appropriate development of adjoining properties.

The intent of the fire break requirements in the CFU District is to minimize the risks associated with wildfire in forested areas. Fire breaks are intended to slow the path of wildfire and, thereby, minimize the risk of fire for the subject structure which the fire breaks surround. As noted previously within this decision, the secondary fire break can only be established on the south side of the dwelling. The applicant proposes to extend the primary fire break to the north, east and west property lines. The subject property

abuts two (2) County maintained roads, Quarry Road to the east and Skyline Boulevard to the north. Therefore, on the east and north sides of the house the primary fire breaks will be bordered by paved streets, which serve as a fire break. Additionally, the fire marshal has reviewed and approved the proposed development plans, Exhibit 16. The proposed development meets the intent of the fire break requirements as fire hazards are minimized to the extent possible. Therefore, authorization of the requested variance will not be materially detrimental to the public welfare, nor injurious to property in the vicinity or district, nor will it adversely affect the appropriate development of adjacent property since fire hazards are minimized.

- (4) **The granting of the variance will not adversely affect the realization of the Comprehensive Plan nor will it establish a use which is not listed in the underlying zone.**

**Finding:** As demonstrated by the findings contained under Section III.B. of this Decision, the proposed development complies with the applicable policies of the Comprehensive Plan and, thereby, will not adversely affect the realization of the Comprehensive Plan.

The proposed use is a single-family dwelling in the CFU District. The CFU District allows dwellings as a conditional use pursuant to the provisions of MCC .2052 and .2074, which are addressed under Section III.A.1 of this Decision. Findings throughout this Decision demonstrate that the proposed dwelling will be established in conformance with the intent of the CFU District standards, as well as other applicable standards and the Comprehensive Plan.

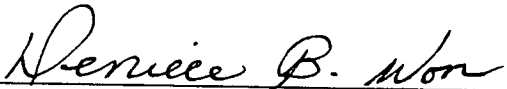
#### **VARIANCE CONCLUSION:**

1. The applicant has demonstrated that all of the Major Variance approval criteria have been met. Overall, the need for the variance is driven by the small size of the parcel and the large yard areas required in the CFU zone.

#### **CONCLUSION**

Based on the findings and the substantial evidence cited or referenced herein, I conclude that the application satisfies all applicable approval criteria provided that the Conditions of Approval are complied with. Accordingly, the conditional use permit for a template dwelling, the significant environmental concern permit and major variance request are hereby granted, subject to the Conditions of Approval contained herein.

IT IS SO ORDERED, this 3<sup>rd</sup> day of April, 1998.



Deniece Birdseye Won, Hearings Officer

MEETING DATE: APR 30 1998  
AGENDA NO: C-5  
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

### AGENDA PLACEMENT FORM

SUBJECT: Director Custody Holds per ORS 426.215

BOARD BRIEFING:

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

REGULAR MEETING:

DATE REQUESTED: \_\_\_\_\_  
AMOUNT OF TIME NEEDED: N/A

DEPARTMENT: Community & Family Services DIVISION: Behavioral Health

CONTACT: Cathy Horey

TELEPHONE #: 248-5464 Ext 24447  
BLDG/ROOM #: 166/6

PERSON(S) MAKING PRESENTATION: Consent Calendar

#### ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

#### SUGGESTED AGENDA TITLE:

Order Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to take an Allegedly Mentally Ill person into custody.

5/4/98 copies to Cathy Horey

#### SIGNATURES REQUIRED:

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

(OR)

DEPARTMENT

MANAGER: \_\_\_\_\_

*Lorenzo Pae*

BOARD OF  
COUNTY COMMISSIONERS  
98 APR 21 PM 12:00  
MULTNOMAH COUNTY  
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

Authorizing Designees of the Mental )  
Health Program Director to Direct a ) ORDER  
Peace Officer to Take an Allegedly ) 98-50  
Mentally Ill Person into Custody )

WHEREAS, if authorized by a county governing body, a designee of a mental health program director may direct a peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody, and treatment for mental illness; and

WHEREAS, there is a current need for specified designees of the Multnomah County Mental Health Program Director to have the authority to direct a peace officer to take an allegedly mentally ill person into custody; and

WHEREAS, all the designees listed below have been specifically recommended by the Mental Health Program Director and meet the standards established by the Mental Health Division; now therefore

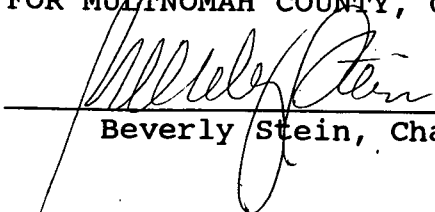
IT IS HEREBY ORDERED that the individuals listed below are authorized as designees of the Mental Health Program Director for Multnomah County to direct any peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody or treatment for mental illness:

Added to the list of designees are:

Morgan Bellany	Dave Helgeson
Rita Gincas	Miriam Schnepf
Ann Murakarin	Jennifer South
Susan Adams	Holly Peres
Diana Rector	Catherine Saunders
Rachel Jessen	Gail Albers
Ronald Carl	Jearale Treplett
Monica Vanek	Teri Nyssen
Robert Nickerson	Eric Williams
Brad Pharo	Joan Scott
Maudie Cheney	

DATE OF THIS 30th of April, 1998

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Beverly Stein, Chair,

THOMAS SPONSLER, COUNTY COUNSEL  
FOR MULTNOMAH COUNTY, OREGON

By   
Katie Gaetjens, Assistant County Counsel



MEETING DATE: APR 30 1998  
AGENDA NO: C-6  
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

## AGENDA PLACEMENT FORM

SUBJECT: HUD Revenue Agreement for Transitional Housing for Single Adults

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

REGULAR MEETING: DATE REQUESTED: \_\_\_\_\_  
AMOUNT OF TIME NEEDED: Consent agenda

DEPARTMENT: Dept. of Community & Family Services DIVISION: CPP

CONTACT: Lorenzo Poe/Mary Li TELEPHONE #: 248 3691  
BLDG/ROOM #: 166/5

PERSON(S) MAKING PRESENTATION: N/A

### ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

### SUGGESTED AGENDA TITLE:

HUD Funding for Transtional Housing for Singles

*5/5/98 originals to Lou Olson & Contracts Admin*

### SIGNATURES REQUIRED:

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

(OR)

DEPARTMENT

MANAGER: \_\_\_\_\_

*Lorenzo Poe ms*

98 APR 21 PM 12:00  
CLERK OF  
COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277



# MULTNOMAH COUNTY OREGON

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES  
421 SW SIXTH AVENUE, SUITE 700  
PORTLAND, OREGON 97204  
PHONE (503) 248-3691  
FAX (503) 248-3379  
TDD (503) 248-3598

BOARD OF COUNTY COMMISSIONERS  
BEVERLY STEIN • CHAIR OF THE BOARD  
DAN SALTZMAN • DISTRICT 1 COMMISSIONER  
GARY HANSEN • DISTRICT 2 COMMISSIONER  
TANYA COLLIER • DISTRICT 3 COMMISSIONER  
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

TO: Board of County Commissioners

FROM: Lorenzo Poe, Director *Lorenzo Poe*  
Department of Community and Family Services

DATE: March 24, 1998

SUBJECT: Intergovernmental Revenue Agreement with United States Department of Housing & Urban Development

**I. Retroactive Status:** The Department of Community and Family Services is recommending that services begin March 18, 1998.

**II. Recommendation/Action Requested:** The Department of Community and Family Services recommends Board of County Commissioner approval of this intergovernmental revenue agreement with the United States Department of Housing and Urban Development for the period of March 18, 1998 through June 30, 2001.

**III. Background/Analysis:** The Department of Community and Family Services has received a three year revenue contract from the United States Department of Housing and Urban Development which funds supportive housing and housing related services for low income and homeless people. This contract specifically funds the leasing of transitional housing for homeless adults.

**IV. Financial Impact:** This revenue contract is for \$333,720 for leasing expenses of transitional housing and \$16,686 to cover administrative costs. The contract totals \$350,406.

**V. Legal Issues:** None.

**VI. Controversial Issues:** None.

**VII. Link to Current County Policies:** The supportive housing for homeless adults supports County policies to make housing affordable to low income people and to promote healthy, stable communities by assisting to move people out of homelessness. This grant continues steps in the "Singles Reconfiguration Plan" by providing funding for transitional housing for homeless single adults. The grant was applied for in cooperation with the City of Portland.

**VIII. Citizen Participation:** The planning process for HUD applications includes open meetings focused on specific populations of homeless person n Multnomah county. Citizen input was also included ~~it he~~ in the development of the "Singles Reconfiguration Plan".

**IX. Other Government Participation:** The City of Portland was an active partner in planning for this grant application and prioritization of grant projects. Although the City of Portland has responsibility for services for the homeless single population, the funds come to Multnomah County for distribution through the Division of Community Programs in Partnership's Clearinghouse.

\\cfsd-fs3\vol2\admin\ccu\contract.98\usdHUD.bmm



**U.S. Department of Housing and Urban Development**  
Oregon State Office  
Community Planning & Development Division  
400 Southwest Sixth Avenue, Suite 700  
Portland, OR 97204-1596

March 18, 1998

Beverly Stein, Chair  
Board of County Commissioners  
Attn: Barbara Hershey, Program Development Specialist  
Community Action Program Office  
421 SW Sixth Avenue, Suite 500  
Portland, OR 97204

Dear Chair Stein:

SUBJECT: Transmittal of Grant Agreements  
Supportive Housing Program  
Project Number: OR16B97-0508

I join Assistant Secretary Saul Ramirez in congratulating you on the final selection of the Pathways: Clearinghouse/Singles Transitional Project under the Supportive Housing Program. All conditions attached to your award for this project have been met.

HUD's total fund obligation for this project is \$ 350,406, allocated as follows:

- |                                    |            |
|------------------------------------|------------|
| 1. Grant amount for Leasing        | \$ 333,720 |
| 2. Grant amount for Administration | 16,686     |

Enclosed are three copies of the Grant Agreement that constitutes the agreement between you and HUD. Please sign all three and return them to this office immediately. When the Grant Agreements are received, they will be executed by HUD, and one will be returned to you.

Also enclosed are Grantee Financial Instructions in which you will find information on completing the Direct Deposit Form, the Voice Response Access Authorization form, and the Special Needs Assistance Programs Voucher for Grant Payment, all of which are necessary to receive payments from HUD.

You are advised that your grant cannot begin and no funds can be disbursed to you for this project until the Grant Agreement is fully executed.

Thank you for your commitment to assisting homeless persons. We look forward to working with you to eliminate homelessness. If you have any questions, please contact Joy Hirl, CPD Representative, on (503) 326-7016.

Sincerely,

  
Douglas Carlson, Director  
Community Planning & Development

Enclosures

(See Administrative Procedures CON-1)

Amendment # 0



## 1997 Supportive Housing Grant Agreement

This Grant Agreement is made by and between the United States Department of Housing and Urban Development (HUD) and Multnomah County, Department of Community and Family Services, 421 SW 6<sup>th</sup> Avenue, Portland, OR 97204, the Recipient, whose Tax ID number is 93-6002309 for Project Number OR16B97-0508, as described in Exhibit 2 on pages 1 through 17 of the Application, and as identified below:

Project Name: Pathways: Clearinghouse/Singles Transitional Project

Project Sponsor: Multnomah County Department of Community and Family Services,  
Community Action Program Office

Project Location: scattered SRO unit sites within Multnomah County, Oregon

The assistance which is the subject of this Grant Agreement is authorized by Subtitle C of Title IV of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11381 et seq., (the Act). The term grant or grant funds means the assistance provided under this Agreement. This grant agreement will be governed by the Act, the Supportive Housing rule codified at 24 CFR 583, a copy of which is attached hereto as Attachment A and made a part hereof, and the Notice of Fund Availability (NOFA), published at 62 FR 17024 on April 8, 1997 and amended on May 5 at 62 FR 24501, June 5 at 62 FR 30873, and September 23 at 62 FR 49700. The term "Application" means the application submissions on the basis of which a grant was approved by HUD, including the certifications and assurances and any information or documentation required to meet any grant award conditions. The Application is incorporated herein as part of this Agreement, however, in the event of a conflict between any part of the Application and any part of the Grant Agreement, the latter shall control. The Secretary agrees, subject to the terms of the Grant Agreement, to provide the grant funds in the amount specified below for the approved project described in the application.

HUD's total fund obligation for this project is \$ 350,406.

The Recipient agrees to comply with all requirements of this Grant Agreement and to accept responsibility for such compliance by any entities to which it makes grant funds available.

If the Recipient is a State or other governmental entity required to assume environmental responsibility, it agrees that no costs to be paid or reimbursed with grant funds will be incurred before the completion of such responsibilities and HUD approval of any required Request for Release of Funds.

If, in the application, the Recipient indicated that activities in any project will be carried out in an Empowerment Zone, an Enterprise Community, a Supplemental Empowerment Zone or an Enhanced Enterprise Community, as designated by HUD or the Department of Agriculture, the recipient agrees to give priority placement in that project to eligible persons whose last

known address was within the designated EZ/EC area or who are homeless persons living on the streets or in shelters within the designated areas.

HUD notifications to the Recipient shall be to the address of the Recipient as stated in the Application, unless HUD is otherwise advised in writing. Recipient notifications to HUD shall be to the HUD Field Office executing the Grant Agreement. No change may be made to the project nor any right, benefit, or advantage of the Recipient hereunder be assigned without prior written approval of HUD.

For any project funded by this grant which is also financed through the use of the Low Income Housing Tax Credit, this provision applies:

HUD recognizes that Grantee or the project sponsor will finance this project through the use of the Low-Income Housing Tax Credit. Grantee or the project sponsor will be the general partner of a limited partnership formed for that purpose. If grant funds are used for acquisition, rehabilitation or construction, then, throughout a period of twenty years from the date of initial occupancy or the initial service provision, the grantee or project sponsor shall continue as general partner and shall ensure that the project is operated in accordance with the requirements of this Grant Agreement, the applicable regulations and statutes. Further, the said limited partnership shall own the project site throughout that twenty year period. If grant funds are not used for acquisition, rehabilitation or new construction, then the period shall not be twenty years, but shall be for the term of the grant agreement and any renewal thereof. Failure to comply with the terms of this paragraph shall constitute a default under the Grant Agreement.

A default shall consist of any use of grant funds for a purpose other than as authorized by this Grant Agreement, failure in the Recipient's duty to provide the supportive housing for the minimum term in accordance with the requirements of the Attachment A provisions, noncompliance with the Act or Attachment A provisions, any other material breach of the Grant Agreement, or misrepresentations in the application submissions which, if known by HUD, would have resulted in this grant not being provided. Upon due notice to the Recipient of the occurrence of any such default and the provision of a reasonable opportunity to respond, HUD may take one or more of the following actions:

- (a) direct the Recipient to submit progress schedules for completing approved activities; or
- (b) issue a letter of warning advising the Recipient of the default, establishing a date by which corrective actions must be completed and putting the Recipient on notice that more serious actions will be taken if the default is not corrected or is repeated; or
- (c) direct the Recipient to establish and maintain a management plan that assigns responsibilities for carrying out remedial actions; or

- (d) direct the Recipient to suspend, discontinue or not incur costs for the affected activity; or
- (e) reduce or recapture the grant; or
- (f) direct the Recipient to reimburse the program accounts for costs inappropriately charged to the program; or
- (g) continue the grant with a substitute Recipient of HUD's choosing; or
- (h) other appropriate action including, but not limited to, any remedial action legally available, such as affirmative litigation seeking declaratory judgment, specific performance, damages, temporary or permanent injunctions and any other available remedies.

No delay or omission by HUD in exercising any right or remedy available to it under this Grant Agreement shall impair any such right or remedy or constitute a waiver or acquiescence in any Recipient default.


Recipients of assistance for acquisition, rehabilitation, or new construction shall file a certification of continued use for supportive housing for each year of the 20 year period from the date of initial occupancy.

This Grant Agreement constitutes the entire agreement between the parties hereto, and may be amended only in writing executed by HUD and the Recipient. The effective date of this Grant Agreement shall be the date of execution by HUD, except with prior written approval by HUD.

## SIGNATURES

This Grant Agreement is hereby executed as follows:

UNITED STATES OF AMERICA  
Secretary of Housing and Urban Development

By:   
Signature and Date

Douglas Carlson  
Typed name of signatory

Director, Community Planning & Development  
Title

## RECIPIENT

Multnomah County  
Name of Organization

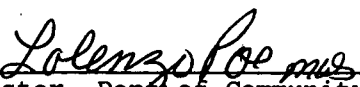
By:  April 30, 1998  
Authorized Signature and Date


Beverly Stein  
Typed name of signatory

Chair, Multnomah County  
Title

**APPROVED MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS**  
**AGENDA #** C-6 **DATE** 4/30/98  
DEB BOGSTAD  
**BOARD CLERK**

Barbara Hershey 248-3999 ext. 26323 FAX 306-5840  
Official Contact Person and Telephone No. and Fax No.

 4/13/98  
Director, Dept of Community and Family Services

 4/20/98  
Thomas Sponsor County Counsel for Multnomah County, Oregon

MEETING DATE: APR 30 1998  
AGENDA NO: C-7  
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

## AGENDA PLACEMENT FORM

SUBJECT: Hud Revenue Agreement for Supportive Services for Homeless Families

BOARD BRIEFING:

DATE REQUESTED: \_\_\_\_\_

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

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

REGULAR MEETING:

DATE REQUESTED: \_\_\_\_\_

AMOUNT OF TIME NEEDED: Consent Agenda

DEPARTMENT: Dept. of Community & Family Services DIVISION: CPP

CONTACT: Lorenzo Poe/Mary Li

TELEPHONE #: 248-3691

BLDG/ROOM #: 166/5

PERSON(S) MAKING PRESENTATION: N/A

### ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

### SUGGESTED AGENDA TITLE:

HUD Funding for Supportive Services for Homeless Families

*5/5/98 ORIGINALS to Lou Olson & Contracts Admin*

### SIGNATURES REQUIRED:

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

(OR)

DEPARTMENT

MANAGER: \_\_\_\_\_

*Lorenzo Poe me*

CLERK OF  
COUNTY COMMISSIONERS  
98 APR 21 PM 12:01  
MULTNOMAH COUNTY  
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277



# MULTNOMAH COUNTY OREGON

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES  
421 SW SIXTH AVENUE, SUITE 700  
PORTLAND, OREGON 97204  
PHONE (503) 248-3691  
FAX (503) 248-3379  
TDD (503) 248-3598

BOARD OF COUNTY COMMISSIONERS  
BEVERLY STEIN • CHAIR OF THE BOARD  
DAN SALTZMAN • DISTRICT 1 COMMISSIONER  
GARY HANSEN • DISTRICT 2 COMMISSIONER  
TANYA COLLIER • DISTRICT 3 COMMISSIONER  
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

TO: Board of County Commissioners

FROM: Lorenzo Poe, Director *Lorenzo Poe mas*  
Department of Community and Family Services

DATE: March 24, 1998

SUBJECT: Intergovernmental Revenue Agreement with United States Department of Housing & Urban Development

**I. Retroactive Status:** The Department of Community and Family Services is recommending that services begin March 18, 1998.

**II. Recommendation/Action Requested:** The Department of Community and Family Services recommends Board of County Commissioner approval of this intergovernmental revenue agreement with the United States Department of Housing and Urban Development for the period of March 18, 1998 through June 30, 2001.

**III. Background/Analysis:** The Department of Community and Family Services has received a three year revenue contract from the United States Department of Housing and Urban Development which funds supportive services to assist homeless families to engage in vocational rehabilitation services provided by the state. The services include education, transportation, client financial assistance and child care. Although other initiatives for homeless families have been successful in leading to stabilization in housing, there has been no measurable increase in employment and wages. This partnership with the State Division of Vocational Rehabilitation will partner families with workers who have the expertise to help them overcome barriers with obtaining living wages.

**IV. Financial Impact:** This revenue contract is for \$618,000 for supportive services and \$30,900 to cover administrative costs. The contract totals \$648,900.

**V. Legal Issues:** None.

**VI. Controversial Issues:** None.

**VII. Link to Current County Policies:** This project supports a County benchmark of decreasing the number of children living in poverty.

**VIII. Citizen Participation:** The planning process leading to the application for these funds included open meetings specific to each population of homeless persons.

**IX. Other Government Participation:** The City of Portland was an active partner in planning for this grant application and prioritization of grant projects. The State of Oregon Division of Vocational Rehabilitation is an active partner in this project. They are providing outreach to homeless families in County funded programs. These families who are eligible will receive the full array of vocational rehabilitation services from the State.



**U.S. Department of Housing and Urban Development**  
Oregon State Office  
Community Planning & Development Division  
400 Southwest Sixth Avenue, Suite 700  
Portland, OR 97204-1596

March 18, 1998

Beverly Stein, Chair  
Board of County Commissioners  
Attn: Barbara Hershey, Program Development Specialist  
Community Action Program Office  
421 SW Sixth Avenue, Suite 500  
Portland, OR 97204

Dear Chair Stein:

SUBJECT: Transmittal of Grant Agreements  
Supportive Housing Program  
Project Number: OR16B97-0507

I join Assistant Secretary Saul Ramirez in congratulating you on the final selection of Pathways: Family Wages Project under the Supportive Housing Program. All conditions attached to your award for this project have been met.

Please note and use the new grant number on all submissions and correspondence related to this project.

HUD's total fund obligation for this project is \$ 648,900, allocated as follows:

- |   |            |
|---|------------|
| 1. Grant amount for Supportive Services | \$ 618,000 |
| 2. Grant amount for Administration      | 30,900     |

Enclosed are three copies of the Grant Agreement that constitutes the agreement between you and HUD. Please sign all three and return them to this office immediately. When the Grant Agreements are received, they will be executed by HUD, and one will be returned to you.

Also enclosed are Grantee Financial Instructions in which you will find information on completing the Direct Deposit Form, the Voice Response Access Authorization form, and the Special Needs Assistance Programs Voucher for Grant Payment, all of which are necessary to receive payments from HUD.

You are advised that your grant cannot begin and no funds can be disbursed to you for this project until the Grant Agreement is fully executed.

Thank you for your commitment to assisting homeless persons. We look forward to working with you to eliminate homelessness. If you have any questions, please contact Joy Hirl, CPD Representative, on (503) 326-7016.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas Carlson", is written over a horizontal line.

Douglas Carlson, Director  
Community Planning & Development

Enclosures

# MULTNOMAH COUNTY CONTRACT APPROVAL FORM

(See Administrative Procedures CON-1)

Renewal ☐

Prior-Approved Contract Boilerplate: XX Attached; Not Attached

Contract # 103588

Amendment # 0

<p style="text-align: center;"><b>CLASS I</b></p> <p><input checked="" type="checkbox"/> Professional Services under \$50,000</p>	<p style="text-align: center;"><b>CLASS II</b></p> <p><input type="checkbox"/> Professional Services over \$50,000 (RFP, Exemption)</p> <p><input type="checkbox"/> PCRB Contract</p> <p><input type="checkbox"/> Maintenance Agreement</p> <p><input type="checkbox"/> Licensing Agreement</p> <p><input type="checkbox"/> Construction</p> <p><input type="checkbox"/> Grant</p> <p><input type="checkbox"/> Revenue</p>	<p style="text-align: center;"><b>CLASS III</b></p> <p><input type="checkbox"/> Intergovernmental Agreement</p> <p><input checked="" type="checkbox"/> Intergovernmental Revenue Agreement</p> <p style="text-align: center;"><b>APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</b></p> <p><b>AGENDA #</b> <u>C-7</u> <b>DATE</b> <u>4/30/98</u></p> <p style="text-align: center;"><u>DEB BOGSTAD</u> <b>BOARD CLERK</b></p>
---	--	---

Department: Community & Family Services

Division: \_\_\_\_\_

Date: April 13, 1998

Administrative Contact Patty Doyle

Phone: 248-3691 ext 24418

Bldg/Room 166/7th

Description of Contract **This contract allows for the purchase of supportive services for homeless families.**

RFP/BID #: \_\_\_\_\_ Date of RFP/BID: \_\_\_\_\_ Exemption Expiration Date: \_\_\_\_\_

ORS/AR # \_\_\_\_\_ Contractor is ☐ MBE ☐ WBE ☐ QRF

Original Contract No. \_\_\_\_\_ (Only for Original Renewals)

<p>Contractor Name : <u>U. S. Depart. of Housing &amp; Urban Development</u></p> <p>Mailing Address: <u>Oregon State Office</u>  <u>Community Planning &amp; Development</u>  <u>400 SW 6<sup>th</sup>, Suite 700</u>  <u>Portland, OR 97204-1596</u></p> <p>Phone: <u>(503) 326-7016</u></p> <p>Employer ID# or SS#: _____</p> <p>Effective Date: <u>March 18, 1998</u></p> <p>Termination Date: <u>June 30, 2001</u></p> <p>Original Contract Amount \$ _____</p> <p>Total Amt of Previous Amendments \$ _____</p> <p>Amount of Amendment \$ _____</p> <p>Total Amount of Agreement <u>\$648,900</u></p>	<p>Remittance Address (if different) _____</p> <table style="width:100%;"> <tr> <td style="width:50%;">Payment Schedule</td> <td style="width:50%;">Terms</td> </tr> <tr> <td><input type="checkbox"/> Lump Sum \$ _____</td> <td><input type="checkbox"/> Due on Receipt</td> </tr> <tr> <td><input type="checkbox"/> Monthly \$ _____</td> <td><input type="checkbox"/> Net 30</td> </tr> <tr> <td><input checked="" type="checkbox"/> Other \$ <u>Per Invoice</u></td> <td><input type="checkbox"/> Other</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Requirements contract - Requisition Required</td> </tr> <tr> <td colspan="2">Purchase Order No. _____</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Requirements Not to Exceed \$ _____</td> </tr> <tr> <td colspan="2">Encumber: Yes <input type="checkbox"/> No <input type="checkbox"/></td> </tr> </table>	Payment Schedule	Terms	<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on Receipt	<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30	<input checked="" type="checkbox"/> Other \$ <u>Per Invoice</u>	<input type="checkbox"/> Other	<input type="checkbox"/> Requirements contract - Requisition Required		Purchase Order No. _____		<input type="checkbox"/> Requirements Not to Exceed \$ _____		Encumber: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Payment Schedule	Terms																
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<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30																
<input checked="" type="checkbox"/> Other \$ <u>Per Invoice</u>	<input type="checkbox"/> Other																
<input type="checkbox"/> Requirements contract - Requisition Required																	
Purchase Order No. _____																	
<input type="checkbox"/> Requirements Not to Exceed \$ _____																	
Encumber: Yes <input type="checkbox"/> No <input type="checkbox"/>																	

**REQUIRED SIGNATURES:**

Department Manager: Lorenzo Pae me Date: 4/13/98

Purchasing Director: \_\_\_\_\_ Date: \_\_\_\_\_

(Class II Contracts Only) County Counsel: Katie Daulton Date: 4/20/98

County Chair/Sheriff: Willie C. Ginn Date: 4/30/98

Contract Administration: \_\_\_\_\_ Date: \_\_\_\_\_

(Class I, Class II Contracts Only)

VENDOR CODE REV209				VENDOR NAME U.S. Dept. of Housing & Urban Devel.				TOTAL AMOUNT: \$648,900			
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT/ REV SRC	SUB OBJ	REPT CATEG	LGFS DESCRIP	AMOUNT	Inc/Dec Ind.
	156	010	1260			2197					

If additional space is needed, attach separate page. Write contract # on top of page.



## 1997 Supportive Housing Grant Agreement

This Grant Agreement is made by and between the United States Department of Housing and Urban Development (HUD) and Multnomah County, Department of Community and Family Services, 421 SW 6<sup>th</sup> Avenue, Portland, OR 97204, the Recipient, whose Tax ID number is 93-6002309 for Project Number OR16B97-0507, as described in Exhibit 2 on pages 1 through 17 of the Application, and as identified below:

Project Name: Family Wages

Project Sponsor: Multnomah County Department of Community and Family Services,  
Community Action Program Office

Project Location: scattered sites within Multnomah County, Oregon

The assistance which is the subject of this Grant Agreement is authorized by Subtitle C of Title IV of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11381 et seq., (the Act). The term grant or grant funds means the assistance provided under this Agreement. This grant agreement will be governed by the Act, the Supportive Housing rule codified at 24 CFR 583, a copy of which is attached hereto as Attachment A and made a part hereof, and the Notice of Fund Availability (NOFA), published at 62 FR 17024 on April 8, 1997 and amended on May 5 at 62 FR 24501, June 5 at 62 FR 30873, and September 23 at 62 FR 49700. The term "Application" means the application submissions on the basis of which a grant was approved by HUD, including the certifications and assurances and any information or documentation required to meet any grant award conditions. The Application is incorporated herein as part of this Agreement, however, in the event of a conflict between any part of the Application and any part of the Grant Agreement, the latter shall control. The Secretary agrees, subject to the terms of the Grant Agreement, to provide the grant funds in the amount specified below for the approved project described in the application.

HUD's total fund obligation for this project is \$ 648,900.

The Recipient agrees to comply with all requirements of this Grant Agreement and to accept responsibility for such compliance by any entities to which it makes grant funds available.

If the Recipient is a State or other governmental entity required to assume environmental responsibility, it agrees that no costs to be paid or reimbursed with grant funds will be incurred before the completion of such responsibilities and HUD approval of any required Request for Release of Funds.

If, in the application, the Recipient indicated that activities in any project will be carried out in an Empowerment Zone, an Enterprise Community, a Supplemental Empowerment Zone or an Enhanced Enterprise Community, as designated by HUD or the Department of Agriculture, the recipient agrees to give priority placement in that project to eligible persons whose last

known address was within the designated EZ/EC area or who are homeless persons living on the streets or in shelters within the designated areas.

HUD notifications to the Recipient shall be to the address of the Recipient as stated in the Application, unless HUD is otherwise advised in writing. Recipient notifications to HUD shall be to the HUD Field Office executing the Grant Agreement. No change may be made to the project nor any right, benefit, or advantage of the Recipient hereunder be assigned without prior written approval of HUD.

For any project funded by this grant which is also financed through the use of the Low Income Housing Tax Credit, this provision applies:

HUD recognizes that Grantee or the project sponsor will finance this project through the use of the Low-Income Housing Tax Credit. Grantee or the project sponsor will be the general partner of a limited partnership formed for that purpose. If grant funds are used for acquisition, rehabilitation or construction, then, throughout a period of twenty years from the date of initial occupancy or the initial service provision, the grantee or project sponsor shall continue as general partner and shall ensure that the project is operated in accordance with the requirements of this Grant Agreement, the applicable regulations and statutes. Further, the said limited partnership shall own the project site throughout that twenty year period. If grant funds are not used for acquisition, rehabilitation or new construction, then the period shall not be twenty years, but shall be for the term of the grant agreement and any renewal thereof. Failure to comply with the terms of this paragraph shall constitute a default under the Grant Agreement.

A default shall consist of any use of grant funds for a purpose other than as authorized by this Grant Agreement, failure in the Recipient's duty to provide the supportive housing for the minimum term in accordance with the requirements of the Attachment A provisions, noncompliance with the Act or Attachment A provisions, any other material breach of the Grant Agreement, or misrepresentations in the application submissions which, if known by HUD, would have resulted in this grant not being provided. Upon due notice to the Recipient of the occurrence of any such default and the provision of a reasonable opportunity to respond, HUD may take one or more of the following actions:

- (a) direct the Recipient to submit progress schedules for completing approved activities; or
- (b) issue a letter of warning advising the Recipient of the default, establishing a date by which corrective actions must be completed and putting the Recipient on notice that more serious actions will be taken if the default is not corrected or is repeated; or
- (c) direct the Recipient to establish and maintain a management plan that assigns responsibilities for carrying out remedial actions; or

- (d) direct the Recipient to suspend, discontinue or not incur costs for the affected activity; or
- (e) reduce or recapture the grant; or
- (f) direct the Recipient to reimburse the program accounts for costs inappropriately charged to the program; or
- (g) continue the grant with a substitute Recipient of HUD's choosing; or
- (h) other appropriate action including, but not limited to, any remedial action legally available, such as affirmative litigation seeking declaratory judgment, specific performance, damages, temporary or permanent injunctions and any other available remedies.

No delay or omission by HUD in exercising any right or remedy available to it under this Grant Agreement shall impair any such right or remedy or constitute a waiver or acquiescence in any Recipient default.

Recipients of assistance for acquisition, rehabilitation, or new construction shall file a certification of continued use for supportive housing for each year of the 20 year period from the date of initial occupancy.

This Grant Agreement constitutes the entire agreement between the parties hereto, and may be amended only in writing executed by HUD and the Recipient. The effective date of this Grant Agreement shall be the date of execution by HUD, except with prior written approval by HUD.

## SIGNATURES

This Grant Agreement is hereby executed as follows:

UNITED STATES OF AMERICA  
Secretary of Housing and Urban Development

By:   
Signature and Date

Douglas Carlson  
Typed name of signatory

Director, Community Planning & Development  
Title

## RECIPIENT

Multnomah County  
Name of Organization

By:  April 30, 1998  
Authorized Signature and Date

Beverly Stein

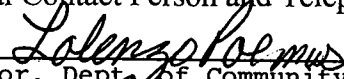
Typed name of signatory

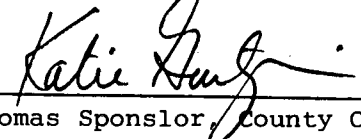
**APPROVED MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS**

**AGENDA # C-7 DATE 4/30/98**  
**DEB BOGSTAD**  
**BOARD CLERK**

Chair, Multnomah County  
Title

Barbara Hershey 248-3999 ext.26323 FAX306-5840  
Official Contact Person and Telephone No. and Fax No.

 4/13/98  
Director, Dept. of Community & Family Services

 4/20/98  
Thomas Sponslor, County Counsel for Multnomah County, Oregon

MEETING DATE: APR 30 1998  
AGENDA NO: C-8  
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

## AGENDA PLACEMENT FORM

SUBJECT: HUD Revenue Agreement for Mental Health Services for Homeless Youth

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

REGULAR MEETING: DATE REQUESTED: \_\_\_\_\_  
AMOUNT OF TIME NEEDED: Consent Agenda

DEPARTMENT: Dept. of Community and Family Services DIVISION: CPP

CONTACT: Lorenzo Poe/Mary Li TELEPHONE #: 248-3691  
BLDG/ROOM #: 166/5

PERSON(S) MAKING PRESENTATION: N/A

### ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

### SUGGESTED AGENDA TITLE:

HUD Funds for Homeless Youth

5/5/98 originals to Lou Olson @ Contracts Admin

### SIGNATURES REQUIRED:

ELECTED OFFICIAL: \_\_\_\_\_  
(OR)  
DEPARTMENT  
MANAGER: Lorenzo Poe mo

BOARD OF  
COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
98 APR 23 PM 12:46

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277



# MULTNOMAH COUNTY OREGON

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES  
421 SW SIXTH AVENUE, SUITE 700  
PORTLAND, OREGON 97204  
PHONE (503) 248-3691  
FAX (503) 248-3379  
TDD (503) 248-3598

BOARD OF COUNTY COMMISSIONERS  
BEVERLY STEIN • CHAIR OF THE BOARD  
DAN SALTZMAN • DISTRICT 1 COMMISSIONER  
GARY HANSEN • DISTRICT 2 COMMISSIONER  
TANYA COLLIER • DISTRICT 3 COMMISSIONER  
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

TO: Beverly Stein, Chair  
Board of County Commissioners

FROM: Lorenzo Poe, Director *Lorenzo Poe mcs*  
Department of Community and Family Services

DATE: April 3, 1998

SUBJECT: Intergovernmental Revenue Agreement with United States Department of Housing & Urban Development

**I. Retroactive Status:** The Department of Community and Family Services is recommending that services begin March 18, 1998.

**II. Recommendation/Action Requested:** The Department of Community and Family Services recommends Board of County Commissioner approval of this intergovernmental revenue agreement with the United States Department of Housing and Urban Development for the period of March 18, 1998 through June 30, 2001.

**III. Background/Analysis:** The Department of Community and Family Services has received a three year revenue contract from the United States Department of Housing and Urban Development which funds mental health services for homeless youth who are unable to obtain mental health services through other means. These services are intended to assist homeless youth to become stabilized in permanent housing.

**IV. Financial Impact:** This revenue contract is for \$130,859 for supportive services for homeless youth and \$6,542 to cover administrative costs. The contract totals \$137,401 over a three year grant period.

**V. Legal Issues:** None.

**VI. Controversial Issues:** None.

**VII. Link to Current County Policies:** This project is aligned with the County's Urgent Benchmarks of reducing crime and increasing school completion.

**VIII. Citizen Participation:** The planning process for HUD applications includes open meetings focused on specific populations of homeless persons Multnomah County. These meetings resulted in a prioritized list of activities for which the application to HUD is written.

**IX. Other Government Participation:** The City of Portland was an active partner in planning for this grant application and prioritization of grant projects.



**U.S. Department of Housing and Urban Development**  
Oregon State Office  
Community Planning & Development Division  
400 Southwest Sixth Avenue, Suite 700  
Portland, OR 97204-1596

March 16, 1998

Beverly Stein, Chair  
Board of County Commissioners  
Attn: Barbara Hershey, Program Development Specialist  
Community Action Program Office  
421 SW Sixth Avenue, Suite 500  
Portland, OR 97204

Dear Chair Stein:

SUBJECT: Transmittal of Grant Agreements  
Supportive Housing Program  
Project Number: OR16B97-0509

I join Assistant Secretary Saul Ramirez in congratulating you on the final selection of the Pathways: Homeless Youth Mental Health Project under the Supportive Housing Program. All conditions attached to your award for this project have been met.

Please note and use the new grant number for any submissions or correspondence related to this project.

HUD's total fund obligation for this project is \$ 137,401, allocated as follows:

1. Grant amount for Supportive Services \$ 130,859
2. Grant amount for Administration 6,542

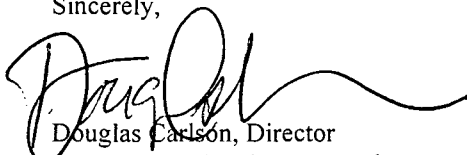
Enclosed are three copies of the Grant Agreement that constitutes the agreement between you and HUD. Please sign all three and return them to this office immediately. When the Grant Agreements are received, they will be executed by HUD, and one will be returned to you.

Also enclosed are Grantee Financial Instructions in which you will find information on completing the Direct Deposit Form, the Voice Response Access Authorization form, and the Special Needs Assistance Programs Voucher for Grant Payment, all of which are necessary to receive payments from HUD.

You are advised that your grant cannot begin and no funds can be disbursed to you for this project until the Grant Agreement is fully executed.

Thank you for your commitment to assisting homeless persons. We look forward to working with you to eliminate homelessness. If you have any questions, please contact Joy Hirl, CPD Representative, on (503) 326-7016.

Sincerely,

  
Douglas Carlson, Director  
Community Planning & Development

Enclosures

# **COUNTYWIDE STRATEGIC INVESTMENT PROGRAM (SIP)**

## **FUNDING**

## **APPLICATION**

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*Welcome. Multnomah County is pleased to make funds available for the creation of affordable housing through the Strategic Investment Program (SIP). The funds the County is making available through the SIP are generated from property tax abatement agreements and contributions from Fujitsu and LSI Logic.*

*This introduction intends to highlight some of the underlying values of the SIP Housing Program. This is a demonstration year for the Housing Program. The process and application will be reviewed in the fall of this year for effectiveness. If you have comments or suggestions regarding the program we encourage you to send them to the program office. Your assistance is appreciated.*

*The SIP Housing Program was established to increase the inventory of affordable housing serving low income persons - at or below 50% of the area median income - throughout Multnomah County. The total SIP funds available through this request for proposals is up to \$950,000.00. As the designated funding is clearly inadequate to meet the actual countywide need for low income housing, the SIP Housing Program includes a strong commitment to leveraging these limited resources. An aggregate leveraged funding goal for this program has been set requiring 5 non-SIP dollars be expended for every SIP dollar awarded. Further, Multnomah County is committed to the linkage between workforce development initiatives and social services to stabilize families in affordable housing. The SIP Housing Program is soliciting housing projects which provide thoughtful linkages to available and developing workforce related services and support services for families.*

*Three public bodies were represented on the committee which made the recommendations upon which this application is based. They are the City of Gresham, the Multnomah County Housing and Community Development Commission and the Gresham Community Development and Housing Committee. Other local housing agencies, non-profit housing developers and interested individuals contributed to the SIP funding guidelines.*

*SIP funded projects are intended to remain affordable to eligible low income families for the useful life of the unit, defined for the purposes of this application as at least 60 years. The County will encumber the subject property with a non-amortizing, deferred payment loan trust deed and note in the amount of the approved SIP award. The County will consider other structures for encumbering property should other loan types or security be more appropriate for specific project financing.*

*We hope the enclosed application is clear and understandable. Good Luck.*

On the following pages is information to guide participants through the application process. Included are summaries of funding priorities, evaluation criteria, and eligible funding uses. This application is designed to be "user-friendly" and simple. Except for the nonprofit information form and the financial exhibits, there is no required format. The only requirement is that the questions should be answered clearly, thoroughly, and succinctly. Please number the application pages.

Please review this information and call H.C. Tupper at 248-3114 with any questions.

Application Submission:

Submit one original and two copies of the completed application to:

H.C. Tupper  
Multnomah County  
Community Development Program  
421 SW Sixth Avenue, Suite 500  
Portland, Oregon 97204

Applications must be received at the above captioned address by 5:00 p.m., Monday, September 15, 1997. Late or faxed applications will not be accepted.

Evaluation of applications will be completed during the month of October 1997. Notifications of funding will be mailed by November 15, 1997 and the disbursement of funds will be individually negotiated with each recipient.

The HCDC SIP Subcommittee reviewed affordable housing needs throughout the county and created guidelines upon which this application was developed. The primary assumptions of need guiding the purpose of this SIP application are as follows:

1. There is a severe and growing housing affordability crisis throughout Multnomah County. This crisis exists for low to moderate income people, but it is particularly devastating to low-income people living at or below 50% of area median income (AMI).
2. Both the cost of land and the cost of housing in East Multnomah county are increasing. This adversely affects low and moderate wage employees of new and expanded businesses, other people earning low and moderate wages, and people on low fixed incomes.
3. Wages in the region have not risen as quickly as have housing costs . . . a trend that is expected to continue. The most severely affected are those earning less than 50% of AMI (\$8.53/hour for a single wage earner with a family of two, \$9.61/hour for a single earner with a family of three).
4. The location of appropriate housing near jobs and services is crucial to resolving transportation, child care, and other family-job related issues and to creating a more livable environment for low and moderate income residents. Additionally, the provision of affordable housing near emerging businesses will help prevent displacement of long-term, low and moderate income residents as housing costs rise, partially as economic development occurs.
5. Developing the connection between housing and workforce initiatives is crucial for building personal and family stability.

## STATEMENT OF PURPOSE

The following is a listing of principles which has guided the creation of the application and evaluation criteria:

1. It is anticipated that the contributions made by Fujitsu and LSI Logic to the SIP will not be sufficient alone to significantly impact the need. It is therefore crucial that SIP funds be used in conjunction with other housing subsidies to more effectively and efficiently create a greater number of affordable housing units for the target population.
2. By requiring the use of SIP monies in collaboratively-supported and funded projects, jurisdictions throughout the County will be encouraged to play stronger roles in affecting affordable housing solutions.
3. The Region 2040 growth concept calls for higher density development, a jobs-housing balance, and mixed-use development in commercial centers and near transit stations. All efforts to address affordable housing in the region, including projects supported by the SIP funding application, should reflect these mandates.
4. Public subsidy dollars should be invested in ways that provide long term benefit to the community as a whole, rather than in ways that provide eventual windfalls for individuals. Therefore, housing funded by public subsidies should be permanently affordable to the income range targeted.
5. Local jurisdictions benefit by taking responsibility to ensure that decent and affordable housing is available for everyone who lives and/or works in their area. It is thus appropriate that local jurisdictions participate in this process either through direct funding or assistance in the removal of barriers to the creation of affordable housing.
6. Providing low income families access to support services including job training/readiness/jobs programs and social services pertinent to personal and family stability are integral to a genuine affordable housing solution.

The following sections provide an outline of funding priorities and evaluation criteria.

**Eligible Development Activities**

- Projects in Multnomah County meeting threshold criteria established below;
- Projects that create additional affordable housing units either through new construction or conversion of existing, market-rate or otherwise unaffordable housing units;
- Projects renovating existing substandard or uninhabitable units;
- Land Banking efforts accompanied by a description of timeline and plans for land preserved;
- Low-income housing preservation efforts where it can be illustrated that current owner occupied or rental housing units will become unaffordable to families living at or below 50% AMI without SIP funding;

**Eligible Funding Uses**

The allowable uses of SIP funds includes, but is not limited to, the following:

- Land Acquisition
- Predevelopment Funds
- Development Financing
- Credit Enhancement
- Equity Participation

**Qualifying or "Threshold" Criteria**

The following are "threshold" criteria. Projects which do not meet all of the applicable "threshold" criteria will not be considered for funding:

- Projects meet the affordable housing needs of families in Multnomah County living at or below 50% AMI;
- Projects must maximize leveraging. The County has set an aggregate goal of 5:1 ratio of non-SIP to SIP funds expended for the program projects;
- Projects must be affordable to the target population for the useful life of the unit, or a minimum of sixty (60) years;
- SIP funds may only be used to fund SIP eligible units
- Projects incorporating workforce development initiatives must demonstrate linkage to appropriate job training/readiness/jobs programs.

A technical review committee has been formed to review applications and make recommendations to the Board of County Commissioners. The review shall be a non-binding recommendation evaluating project merit for the Board of County Commissioners according to adopted criteria. The review committee will advise the Board on program policy and effectiveness. Applications will be evaluated in five areas with a total of 140 points available.

- **Threshold Criteria** – Projects must meet the threshold criteria to be considered for funding. Categorical weightings are as follows:
- **Affordable Housing Solution** – 35 Total Points:
  - How the solution is appropriate for the population to be served (amenities, unit sizes, special features, diffusion of concentrated poverty, cost to consumer, etc.) – 10 points;
  - The extent to which housing costs are as low as possible (e.g., serving 30% AMI rather than 50% AMI) – 5 points
  - The extent to which the residents of the project will be provided access to social services and job training/readiness/jobs programs pertinent to personal and family stability. What is the expected effect of the linkage to such services – 10 points;
  - The extent to which the project adheres to priorities set forth in the Countywide Consolidated Plan – 5 points;
  - Number of households to be served by project – 5 points.
- **Community/Neighborhood Support** – 15 Total Points:
  - Community awareness of project (e.g., demonstrated through support letters or minutes from public meetings, etc.) – 5 points;
  - Identification of and plans to meet community concerns – 5 points;
  - Description of how project plan fits within the community – 5 points;
- **Organizational Capacity** – 25 Total Points:
  - Capacity of applicant/development team to complete project (consider scale and complexity of project) – 10 points
  - Prior project experience of the applicant – 5 points
  - Readiness to proceed – 10 points
- **Financial Feasibility** – 25 Total Points: Based on evaluator's review of information provided by applicant; this includes consideration of funds committed, cost estimates, and operational budgets. Please note that these forms give space for the applicant to provide justification that the amounts listed in the budget line items are appropriately estimated. Letters of verification by third parties of estimates, estimates provided by qualified staff/consultants, budgets from similar projects completed within the last year, and acceptance of figures/estimates as valid by lenders all can be used to verify validity of estimates.

Up to 40 Bonus Points are available based on the following point system:

**Geographic/Transit-Oriented Targeting of SIP Funds** – Bonus of 15 points possible;

- Projects requesting SIP-Generated Funds will be eligible for up to 10 bonus points determined on proximity to LSI and Fujitsu plants. Attached is a map indicating the location of these sites. Projects located within a ½ mile radius of the site will receive 10 points; within a 1 mile radius, 7 points; within a 2 mile radius, 5 points; and east of I-205 in Multnomah County, 2 points.
- Projects located in transit corridors and near transit lines (within 1/8 mile of major public transit corridor) and encourage the use of mass transit will receive an additional 5 points.

**Support from Local Jurisdiction** – Bonus of 10 points possible;

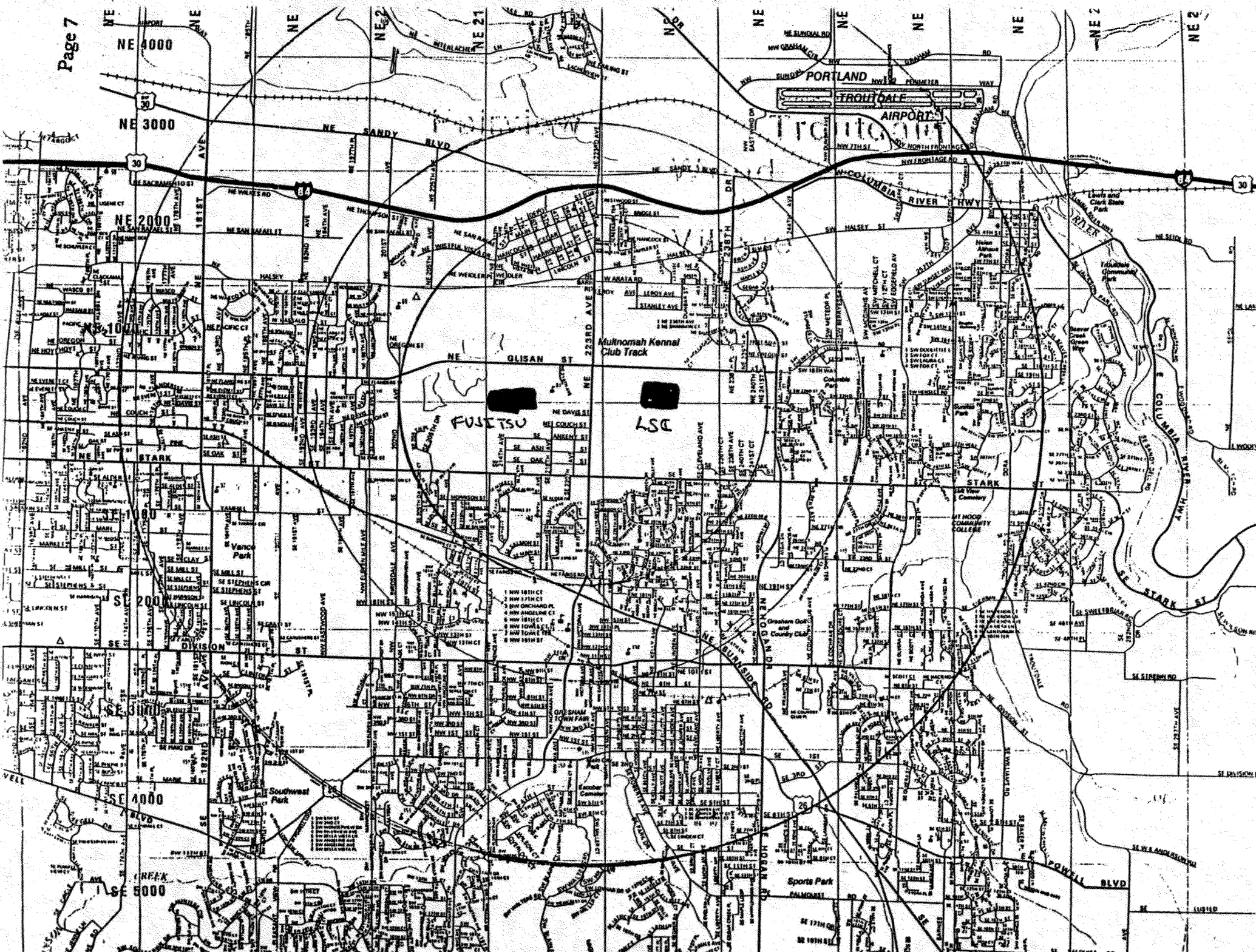
- Projects with financial support from local jurisdiction (either through waived fees, property tax abatements, or direct subsidy provisions) will receive an additional 5 points. Financial support should be verified in writing before SIP funds will be disbursed;
- Projects in jurisdictions which remove regulatory barriers or provide other assistance other than (or in addition to) financial support will receive an additional 5 points.

**Production of Family-Sized Housing** – Bonus of 10 points possible;

- Projects with a majority of the units designed as 2 bedroom units will receive an additional 5 points; *or*
- Projects with a majority of the units designs as 3+ bedroom units will receive an additional 10 points.

**Leverage of non-SIP funding** - Bonus of 5 points possible;

- Projects which meet or exceed the program goal of investing 5 non-SIP dollars for every SIP dollar awarded will receive an additional 5 points.



## APPLICATION QUESTIONS

Answer the following questions clearly and concisely noting the maximum pages allowed for each question. Please use a standard 12 point word processing format.

### THRESHOLD CRITERIA:

Outline how project adheres to threshold criteria. Include description of site location, how the project meets the affordable housing needs of families living at or below 50% of AMI, how affordability will be preserved, what the resources for project's matching ratio of non-SIP funds are and what the ratio is, how the project's affordability will be maintained for the life of the unit. If mixed income project, outline the housing income and unit mix. Describe the workforce component of project and the overall support services design. (2 pages maximum)

### AFFORDABLE HOUSING SOLUTION

Describe the housing project in terms of number and size of units, amenities, appropriateness, rent levels and incomes to be served, adherence to Countywide Consolidated Plan, project design appropriate for the population to be served as described in Question #1. (2-3 pages maximum)  
Provide location map.

Provide a narrative description of the linkage to support services which will be available to project residents. Describe the desired outcomes of the services including job training/readiness/jobs programs provided and the effect upon personal and family stability.

Describe the location of the project in relationship to the proximity of commercial and social services: (For your convenience and use, a form for this purpose is attached as the succeeding page.)

### COMMUNITY/NEIGHBORHOOD SUPPORT

Describe the steps that your organization/corporation has taken to include the community in or inform the community of your project. Include any demonstrated community support for your organization and/or project. Explain how the project is appropriate for the community. State whether there are any community concerns or issues that have arisen and how the organization plans to address them. (2 pages maximum).

### ORGANIZATIONAL CAPACITY

Describe the capacity of applicant/development team to complete project (consider scale and complexity of project). This should include descriptions of professional skills and expertise, past project experience, and readiness to proceed. Include resumes where appropriate. (2 pages maximum)



	Type	Distance from Project	Other Information
Example: Commercial Service	Convenience Store Grocery Store	.4 miles 1.3 miles	7 - 11 with gas station Safeway
Commercial Services			
Employment Centers/ Workforce Programs			
Transportation Services			
Schools			
Parks and Recreation			
Social Services			
Emergency Services (i.e., police, fire, medical)			
Other			

## FINANCIAL FEASIBILITY

Please complete the attached Financial Exhibits. The use of standardized financial information forms will assist evaluators in their analysis. Please also note that there are additional exhibits for budget notes. Applicants should use this format to explain how they arrived at costs estimates and provide backup documentation.

## SITE INFORMATION

Please submit a completed Site Information Form. Indicate where information is not applicable, but please do not eliminate the form from your application packet.

## BONUS POINT CATEGORIES

Please respond to the Geographic/Transit Oriented Targeting of SIP funds categories:

Show the location of your proposed project site and state the exact proximity to the Fujitsu and LSI and bonus points you are claiming. (1 page maximum)

If your project is located in the greater Portland Metropolitan area and is within Tri-Met's service district, please indicate whether your project is within 1/8 mile of mass transit service. Include the line number and location of the nearest bus stop/train station. A map of the East County Tri-Met routes has been included for rough project site/transit line locating purposes. Please include a narrative outlining the measures taken by your project to encourage the use of mass transit. (2 pages maximum)

Please respond to the Local Jurisdiction Support category:

Please demonstrate project financial support from the appropriate local jurisdiction. Please provide letters of commitment, fee waivers, abatements or other demonstrable evidence of support. (1 page maximum)

Demonstrate regulatory relief provided by local jurisdiction in narrative form corroborated by government planning and zoning body. (1 page maximum)

Please respond to the Family Sized Housing category:

Please provide the total number of project units, the number of two-bedroom units and the number of three bedroom units. Please provide a written commitment to unit structure and simple site plan and proposed unit configuration. (2 pages maximum)

Please respond to the Leverage of Non-SIP Funding category:

Please provide written commitment to a leveraged funding ratio meeting or exceeding 5:1 program goal described in your threshold criteria response. Attach documentation of financing commitments. (1 page maximum)

## NONPROFIT INFORMATION

Nonprofit organizations should complete this section of the application. All nonprofit organizations other than governmental entities should also attach photocopies of their articles of incorporation and IRS documentation of their tax-exempt status to this application, unless submitted documents are already on file with the Multnomah Community Development Office.

Source of your exemption:   ☐ IRC Section 501(a)      ☐ IRC Section 501(c)(3)      ☐ IRC Section 501(c)(4)

Date incorporated: \_\_\_\_\_

Date IRS 501(c)(3) received: \_\_\_\_\_

Date Articles of Incorporation & By-Laws filed: \_\_\_\_\_

Date Articles or By-Laws amended: \_\_\_\_\_

Service Area Map and description of area

Purpose/Mission:

Date Purpose/Mission amended: \_\_\_\_\_

Current Board Roster (identifying areas of expertise  
and association)

Enclosed: \_\_\_\_\_

Enclosed: \_\_\_\_\_

Enclosed: \_\_\_\_\_

Enclosed: \_\_\_\_\_

Enclosed: \_\_\_\_\_

Enclosed: \_\_\_\_\_

Enclosed: \_\_\_\_\_

On File at MCCD: \_\_\_\_\_

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On File at MCCD: \_\_\_\_\_

On File at MCCD: \_\_\_\_\_

On File at MCCD: \_\_\_\_\_

Do your By-Laws set forth the development of low-income housing as one of your purposes?

☐ yes   ☐ no

## SITE INFORMATION

Is the project site currently under applicant's control? ☐ Yes ☐ no

If yes, control is in the form of: ☐ Deed ☐ Option ☐ Purchase Contract ☐ Other \_\_\_\_\_

Expiration date of contract or option: \_\_\_\_\_ mo./yr.

Total cost of land: \$

Exact size of site: \_\_\_\_\_ Acres or Sq.ft. (circle one)

Is site properly zoned for the development? ☐ yes ☐ no

If no, what actions are required before development?

When will the land use issues be resolved? \_\_\_\_\_ mo./yr.

Are all utilities presently available to the site? ☐ yes ☐ no

If no, which utilities need to be brought to the site? \_\_\_\_\_

Is any building in the development with 4 or fewer units occupied or to be occupied by:

The owner? ☐ yes ☐ no A person related to the owner? ☐ yes ☐ no

The following information must be included with the application: **Site control document and documentation of proper zoning.**

## TITLE COMPANY INFORMATION

*(if applicable)*

Contact: \_\_\_\_\_

Escrow #: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

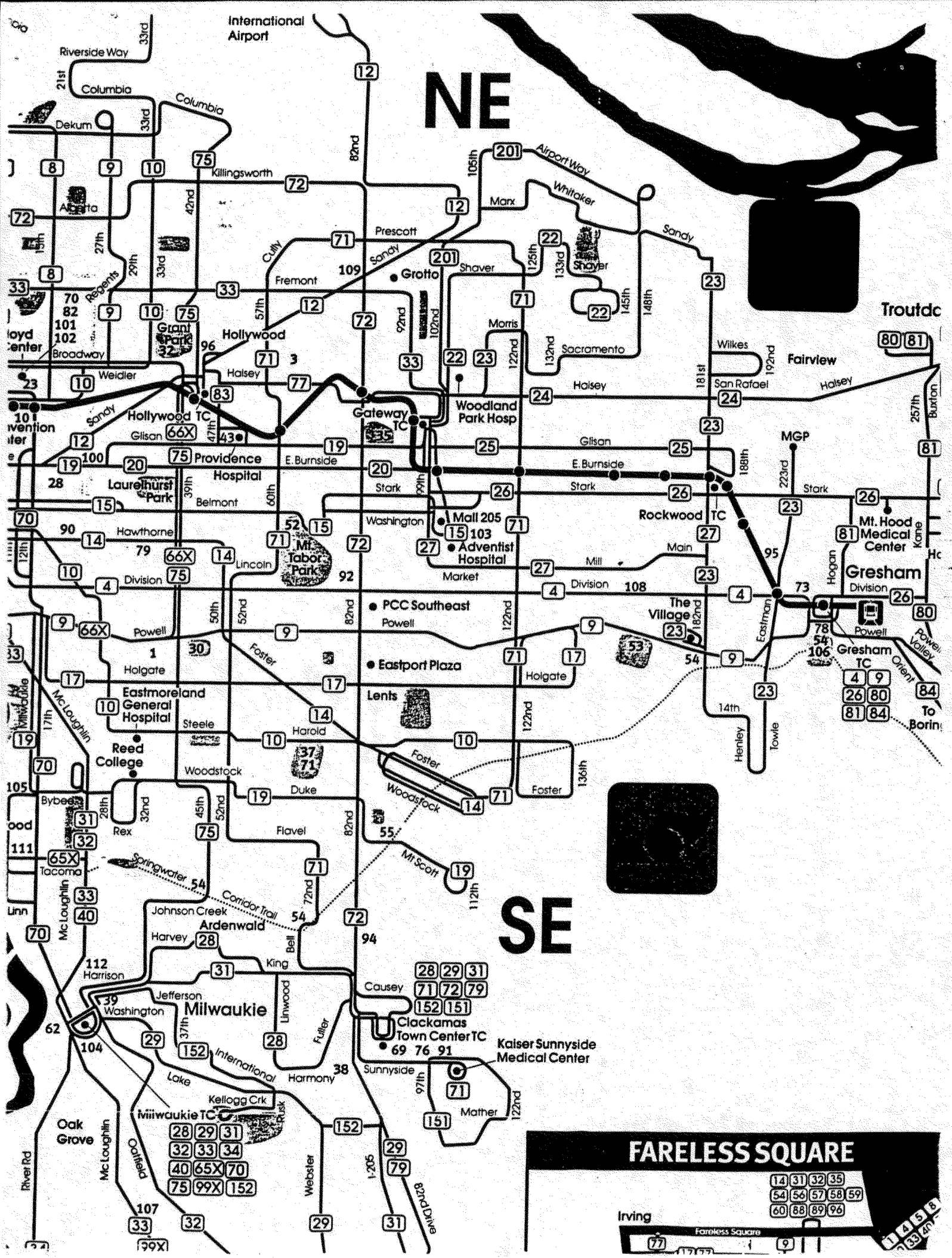
State: \_\_\_\_\_

Zip Code: \_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_\_

Fax (\_\_\_\_) \_\_\_\_\_

**If a current preliminary title report is available, please attach a copy.**



**SIP Funding Application  
Financial Exhibit A**

**Sources of Funding**

**Project Name:**

<b>SOURCE (including loan/grant)</b>	<b>Committed</b>	<b>Conditional</b>	<b>Tentative</b>
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$

**SUBTOTALS** \$ \$ \$

**TOTAL FUNDING SOURCES** \$

**SIP Funding Application**  
**Financial Exhibit B.1.**  
**Uses of Financing**  
**Project Name:**

	<b>COST</b>	<b>SUBTOTAL</b>
<b><u>Acquisition Costs</u></b>		
Purchase Price	\$	
Liens and Other Taxes	\$	
Closing/Recording Costs	\$	
Off-site Costs/Improvements	\$	
Other	\$	
* Subtotal		\$
<b><u>Development Costs</u></b>		
Land Use Approvals	\$	
Building Permits/Fees	\$	
System Development Charges	\$	
Environmental Report (typically a Level 1)	\$	
Soils/Survey Report (Geotechnical)	\$	
Architectural/Engineering Fees	\$	
Legal/Accounting Fees	\$	
Cost Certification Fee	\$	
Appraisals	\$	
Lender Inspections	\$	
Lender Title Insurance	\$	
Construction Loan Fee	\$	
Permanent Loan Fee	\$	
Construction Period Interest/Taxes	\$	
Construction Period Insurance	\$	
Tax Credit Fees	\$	
Bridge Loan Interest	\$	
Closing Fees	\$	
Marketing	\$	
Lease Up/Operating Reserves	\$	
Developer Fee	\$	
Consultant Fee	\$	
Development Contingency	\$	
Tenant Relocation	\$	
Other	\$	
* Subtotal		\$
<b><u>Construction Costs</u></b>		
On-site Work	\$	
Hazardous Materials Abatement	\$	
Residential Building Construction	\$	
Commercial Building Construction	\$	
Common Use Facilities	\$	
Laundry Facilities	\$	
Storage/Garages	\$	
Landscaping	\$	
Construction Contingency	\$	
Other	\$	
* Subtotal		\$
<b><u>TOTAL PROJECT COST</u></b>		<b>\$</b>

**SIP Funding Application**

**Financial Exhibit B.2.**

**Uses of Financing**

**Project Name:**

**Please identify how you arrived at the cost estimates itemized in Financial Exhibit B.1. Verification documents may be included.**



**Housing Operating Budget - INCOME**  
Project Name:

**Project Name:**

## Annual Inflation Rate Factor: \_\_\_\_\_ %

[illegible]

	2019	2018
Sub-totals	\$	\$

Laundry	\$ _____	\$ _____
Garage/Parking	\$ _____	\$ _____
Double Occupancy	\$ _____	\$ _____
Deposits on Turnover	\$ _____	\$ _____
Services	\$ _____	\$ _____

<b>SUB-TOTAL OTHER REVENUE</b>		\$	\$
--------------------------------	--	----	----

**Effective Gross Income:** \_\_\_\_\_ \$ \_\_\_\_\_ \$

Less Vacancy Rate (\_\_\_\_%) (\_\_\_\_) (\_\_\_\_)

**Net Effective Gross Income:** \_\_\_\_\_ \$ \_\_\_\_\_ \$

**SIP Funding Application  
Financial Exhibit D**

**Utility Allowance information**

**Project Name:**

<b>TYPE OF UTILITY (Gas, Elec, Oil, etc.)</b>	<b>OWNER UTILITIES</b>	<b>TENANT PAYS</b>	<b>1 BDRM</b>	<b>2 BDRM</b>	<b>3 BDRM</b>	<b>4 BDRM</b>
Heating			\$	\$	\$	\$
Lighting			\$	\$	\$	\$
Air Conditioning			\$	\$	\$	\$
Cooking			\$	\$	\$	\$
Hot Water			\$	\$	\$	\$
Water			\$	\$	\$	\$
Sewer			\$	\$	\$	\$
Trash Removal			\$	\$	\$	\$
<b>TOTAL UTILITY ALLOWANCE</b>			\$	\$	\$	\$

If allowances are calculated by other methods, attach the appropriate schedule and include unit rents, number of bedrooms, and allowances.

**Source of Utility Allowance Calculation:**

**Name:**

- ☐ Local Housing Authority
- ☐ Utility Company
- ☐ Other

**SIP Funding Application  
Financial Exhibit E.1.**

**Housing Operating Budget - EXPENSES**

**Project Name:** \_\_\_\_\_

**Annual Inflation Rate Factor:** \_\_\_\_\_ %

<b><u>Annual Operating Expenses</u></b>	<b><u>Annual per Unit</u></b>	<b><u>1st full Year</u></b>	<b><u>Project Year 5</u></b>
Insurance	\$ _____	\$ _____	\$ _____
Utilities:(common areas)			
Gas/Oil	\$ _____	\$ _____	\$ _____
Electric	\$ _____	\$ _____	\$ _____
Water & Sewer	\$ _____	\$ _____	\$ _____
Garbage Removal	\$ _____	\$ _____	\$ _____
Other _____	\$ _____	\$ _____	\$ _____
Repairs	\$ _____	\$ _____	\$ _____
General Maintenance	\$ _____	\$ _____	\$ _____
Landscape Maintenance	\$ _____	\$ _____	\$ _____
Replacement Reserve	\$ _____	\$ _____	\$ _____
Property Management:			
On-site	\$ _____	\$ _____	\$ _____
Contracted (Off-Site)	\$ _____	\$ _____	\$ _____
Professional Services:			
Resident Services	\$ _____	\$ _____	\$ _____
Case Management	\$ _____	\$ _____	\$ _____
Legal	\$ _____	\$ _____	\$ _____
Accounting	\$ _____	\$ _____	\$ _____
Other _____	\$ _____	\$ _____	\$ _____
Office & Administration	\$ _____	\$ _____	\$ _____
Advertising/Marketing & Promotion	\$ _____	\$ _____	\$ _____
Unit Turnover	\$ _____	\$ _____	\$ _____
Taxes(non-real estate)	\$ _____	\$ _____	\$ _____
Real Estate Taxes	\$ _____	\$ _____	\$ _____
Other _____	\$ _____	\$ _____	\$ _____
<b><u>Total Annual Operating Expenses</u></b>	<b>\$ _____</b>	<b>\$ _____</b>	<b>\$ _____</b>
<b>Net Operating Income</b>	<b>\$ _____</b>	<b>\$ _____</b>	<b>\$ _____</b>
<b>Less Debt Service:</b>			
_____ % on \$ _____ for _____ years	\$ _____	\$ _____	\$ _____
_____ % on \$ _____ for _____ years	\$ _____	\$ _____	\$ _____
_____ % on \$ _____ for _____ years	\$ _____	\$ _____	\$ _____
<b>Total Debt Service</b>	<b>\$ _____</b>	<b>\$ _____</b>	<b>\$ _____</b>
<b>Cash Flow Per Year</b>	<b>\$ _____</b>	<b>\$ _____</b>	<b>\$ _____</b>

**SIP Funding Application  
Financial Exhibit E.2.**

**Housing Operating Budget - EXPENSES**

**Project Name:**

**Please identify how you arrived at the cost estimates itemized in Financial Exhibit E.1. Verification documents may be included.**

**SIP Funding Application  
Financial Exhibit F**

**Project Schedule**

**Project Name:**

<b>ACTIVITY</b>	<b>PROPOSED DATE (month/year)</b>
<b>SITE</b>	
Option/Contract	
Site Acquisition	
Zoning Approval	
Site Analysis	
Building Permits & Fees	
Off-Site Improvements	
<b>PRE-DEVELOPMENT</b>	
Plans Completed	
Final Bids	
Contractor Selected	
<b>FINANCING</b>	
Construction Loan:	
Proposal	
Firm Commitment	
Permanent Loan:	
Proposal	
Firm Commitment	
<b>SYNDICATION AGREEMENT (LIHTC)</b>	
<b>CONSTRUCTION BEGINS</b>	
<b>CONSTRUCTION COMPLETED</b>	
<b>CERTIFICATE OF OCCUPANCY</b>	
<b>LEASE UP</b>	

**Multnomah County Affordable Housing Development Program  
Technical Review Committee for SIP Housing Funds  
Membership Roster - 7/1/97**

Philanthropic Organization	Angela Allen-Mpyisi Neighborhood Partnership Fund 227-6846	631 SW Morrison, #725 Portland, OR 97205
Banking Industry	James Taylor Albina Community Bank 288-7292	2002 NE MLK Blvd. Portland, OR 97212
County Citizen Involvement Committee	Derry Jackson 735-6979 - Work 283-4388 - Home	9540 N Edison Street Portland, OR 97203
City of Portland	Robert Bole Portland BHCD 823-2353	808 SW 3rd Avenue, #600 Portland, OR 97204 B157/600
City of Gresham	Pete Von Christierson Gresham Community Development 618-2643	1333 NW Eastman Pkwy. Gresham, OR 97030
Commissioner Saltzman	Andrea Jilovec-Jason Dimen 248-5220	1120 SW 5th Ave., #1500 Portland, OR 97204 B106/1500
Commissioner Collier	Don Carlson 248-5126	1120 SW 5th Ave., #1500 Portland, OR 97204 B106/1500
Commissioner Hansen	Pam Arden 289-9475	1120 SW 5th Ave., #1500 Portland, OR 97204 B106/1500
Commissioner Kelley	Carolyn Marks-Bax 248-2738	1120 SW 5th Ave., #1500 Portland, OR 97204 B106/1500
City of Gresham Appointee	Terry McCall Finance Director 618-2372	1333 NW Eastman Pkwy. Gresham, OR 97030
Chair Appointee	John Rakowitz SIP Coordinator 306-5797	1120 SW 5th Ave., 1400 Portland, OR 97204 B106/1400
Portland Appointee	Ramsey Weit 284-0489	2606 NE 16th Avenue Portland, OR 97212
Staff	HC Tupper - 248-3114 Cecile Pitts - 248-3044	421 SW 6th Ave., #500 Portland, OR 97204 B166/500

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

Funding Award for County Sponsored	)	
Strategic Investment Program to: Housing	)	
Authority of Portland, ROSE Community	)	<b>O R D E R</b>
Development Corporation, Franciscan	)	<b>97-221</b>
Enterprise of Oregon, Inc., Central City	)	
Concern, Housing Our Families, Portland	)	
Habilitation Center, Hacienda Community	)	
Development Corporation, Sabin	)	
Community Development Corporation,	)	
Mt. Hood Community Mental Health	)	
Center for Low Income Housing Purposes	)	

WHEREAS, applications for funding low income housing projects were received pursuant to procedures approved by the Board of County Commissioners in a public meeting on July 3, 1997 and met the conditions set forth set forth in the Multnomah County Strategic Investment Program contract; and

WHEREAS, a public hearing was held before the Board of County Commissioners on December 30, 1997, in which the duly constituted review committee for the Strategic Investment Program presented its recommendation for project funding awards; and

WHEREAS, the Board of County Commissioners, in consultation with the City of Portland, City of Gresham and the Countywide Housing and Community Development Commission, reviewed the proposals and committee funding award recommendations and being fully informed in the matter; now therefore

IT IS HEREBY ORDERED that the funding awards, (recipients and award amounts are listed and attached as Exhibit A), for low income housing purposes under the auspices of the County Strategic Investment Program, be and hereby are approved; and

IT IS FURTHER ORDERED that if the funding awards are not committed for the approved projects by January 1, 1999, the Board of County Commissioners will consider reallocating the uncommitted amounts to other programs, including home ownership; and

IT IS FURTHER ORDERED that the Chair be and hereby is authorized to execute all agreements and other documentation required to fund and secure the performance of the Strategic Investment Program recipients.

DATED this 30th day of December, 1997.



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Beverly Stein, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY COUNSEL  
MULTNOMAH COUNTY, OREGON

By

  
Matthew O. Ryan, Assistant County Counsel



EXHIBIT A  
MULTNOMAH COUNTY  
1997 STRATEGIC INVESTMENT PROGRAM RECIPIENTS

	<u>Sponsor Name</u>	<u>Project Name</u>	<u>SIP Funds award</u>
1.	Housing Authority of Portland	Rockwood Landing SE 190 <sup>th</sup> Ave. & SE Yamhill	\$150,000.00
2.	ROSE CDC	Woodstock House	45,000.00
3.	Franciscan Enterprise	7110 SE Woodstock St. Francis Place	32,000.00
4.	Central City Concern	Rose Wood Apartments NE 48 <sup>th</sup> Ave. & Sandy	185,000.00
5.	Housing Our Families	Alberta Simmons Plaza NE MLK Jr. Blvd. & NE Dekum	114,000.00
6.	Portland Habilitation Center	5 Property Purchase 1009 SE 162 <sup>nd</sup> Ave. 4333 SE 104 <sup>th</sup> Ave. 7200 SE Woodstock Blvd. 6633-34 N. Oberlin 13223 SE Powell Blvd.	114,000.00
7.	Hacienda CDC	Villa de Clara Vista addition 6500 NE Killingsworth	150,000.00
8.	Sabin CDC	NE 27 <sup>th</sup> & Killingsworth Project	110,000.00
9.	Mt. Hood Community Mental Health	Ava House II 97 NW Ava, Gresham	50,000.00
		Total SIP funds awarded	\$ 950,000.00

(See Administrative Procedures CON-1)

Amendment # 0\\CFSD-FS3\VOL2\ADMIN\CEU\CONTRACT.98\USDHUDHY.CAF

## 1997 Supportive Housing Grant Agreement

This Grant Agreement is made by and between the United States Department of Housing and Urban Development (HUD) and Multnomah County, Department of Community and Family Services, 421 SW 6<sup>th</sup> Avenue, Portland, OR 97204, the Recipient, whose Tax ID number is 93-6002309 for Project Number OR16B97-0509, as described in Exhibit 2 on pages 1 through 15 of the Application, and as identified below:

Project Name: Pathways: Homeless Youth Mental Health Project

Project Sponsor: Multnomah County Department of Community and Family Services,  
Community Action Program Office

Project Location: scattered sites within Multnomah County, Oregon

The assistance which is the subject of this Grant Agreement is authorized by Subtitle C of Title IV of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11381 et seq., (the Act). The term grant or grant funds means the assistance provided under this Agreement. This grant agreement will be governed by the Act, the Supportive Housing rule codified at 24 CFR 583, a copy of which is attached hereto as Attachment A and made a part hereof, and the Notice of Fund Availability (NOFA), published at 62 FR 17024 on April 8, 1997 and amended on May 5 at 62 FR 24501, June 5 at 62 FR 30873, and September 23 at 62 FR 49700. The term "Application" means the application submissions on the basis of which a grant was approved by HUD, including the certifications and assurances and any information or documentation required to meet any grant award conditions. The Application is incorporated herein as part of this Agreement, however, in the event of a conflict between any part of the Application and any part of the Grant Agreement, the latter shall control. The Secretary agrees, subject to the terms of the Grant Agreement, to provide the grant funds in the amount specified below for the approved project described in the application.

HUD's total fund obligation for this project is \$ 137,401.

The Recipient agrees to comply with all requirements of this Grant Agreement and to accept responsibility for such compliance by any entities to which it makes grant funds available.

If the Recipient is a State or other governmental entity required to assume environmental responsibility, it agrees that no costs to be paid or reimbursed with grant funds will be incurred before the completion of such responsibilities and HUD approval of any required Request for Release of Funds.

If, in the application, the Recipient indicated that activities in any project will be carried out in an Empowerment Zone, an Enterprise Community, a Supplemental Empowerment Zone or an Enhanced Enterprise Community, as designated by HUD or the Department of Agriculture, the recipient agrees to give priority placement in that project to eligible persons whose last

known address was within the designated EZ/EC area or who are homeless persons living on the streets or in shelters within the designated areas.

HUD notifications to the Recipient shall be to the address of the Recipient as stated in the Application, unless HUD is otherwise advised in writing. Recipient notifications to HUD shall be to the HUD Field Office executing the Grant Agreement. No change may be made to the project nor any right, benefit, or advantage of the Recipient hereunder be assigned without prior written approval of HUD.

For any project funded by this grant which is also financed through the use of the Low Income Housing Tax Credit, this provision applies:

HUD recognizes that Grantee or the project sponsor will finance this project through the use of the Low-Income Housing Tax Credit. Grantee or the project sponsor will be the general partner of a limited partnership formed for that purpose. If grant funds are used for acquisition, rehabilitation or construction, then, throughout a period of twenty years from the date of initial occupancy or the initial service provision, the grantee or project sponsor shall continue as general partner and shall ensure that the project is operated in accordance with the requirements of this Grant Agreement, the applicable regulations and statutes. Further, the said limited partnership shall own the project site throughout that twenty year period. If grant funds are not used for acquisition, rehabilitation or new construction, then the period shall not be twenty years, but shall be for the term of the grant agreement and any renewal thereof. Failure to comply with the terms of this paragraph shall constitute a default under the Grant Agreement.

A default shall consist of any use of grant funds for a purpose other than as authorized by this Grant Agreement, failure in the Recipient's duty to provide the supportive housing for the minimum term in accordance with the requirements of the Attachment A provisions, noncompliance with the Act or Attachment A provisions, any other material breach of the Grant Agreement, or misrepresentations in the application submissions which, if known by HUD, would have resulted in this grant not being provided. Upon due notice to the Recipient of the occurrence of any such default and the provision of a reasonable opportunity to respond, HUD may take one or more of the following actions:

- (a) direct the Recipient to submit progress schedules for completing approved activities; or
- (b) issue a letter of warning advising the Recipient of the default, establishing a date by which corrective actions must be completed and putting the Recipient on notice that more serious actions will be taken if the default is not corrected or is repeated; or
- (c) direct the Recipient to establish and maintain a management plan that assigns responsibilities for carrying out remedial actions; or

- (d) direct the Recipient to suspend, discontinue or not incur costs for the affected activity; or
- (e) reduce or recapture the grant; or
- (f) direct the Recipient to reimburse the program accounts for costs inappropriately charged to the program; or
- (g) continue the grant with a substitute Recipient of HUD's choosing; or
- (h) other appropriate action including, but not limited to, any remedial action legally available, such as affirmative litigation seeking declaratory judgment, specific performance, damages, temporary or permanent injunctions and any other available remedies.

No delay or omission by HUD in exercising any right or remedy available to it under this Grant Agreement shall impair any such right or remedy or constitute a waiver or acquiescence in any Recipient default.

Recipients of assistance for acquisition, rehabilitation, or new construction shall file a certification of continued use for supportive housing for each year of the 20 year period from the date of initial occupancy.

This Grant Agreement constitutes the entire agreement between the parties hereto, and may be amended only in writing executed by HUD and the Recipient. The effective date of this Grant Agreement shall be the date of execution by HUD, except with prior written approval by HUD.

SIGNATURES

This Grant Agreement is hereby executed as follows:

UNITED STATES OF AMERICA  
Secretary of Housing and Urban Development

By:   
Signature and Date

Douglas Carlson  
Typed name of signatory

Director, Community Planning & Development  
Title

RECIPIENT

MULTNOMAH COUNTY  
Name of Organization

By:  April 30, 1998  
Authorized Signature and Date

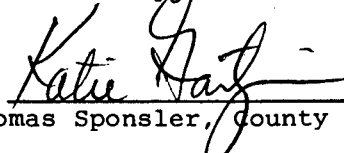
Beverly Stein  
Typed name of signatory

Chair Multnomah County  
Title

**APPROVED MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS**  
AGENDA # C-8 DATE 4/30/98  
DEB BOGSTAD  
**BOARD CLERK**

Barbar Hershey 248-3999 ext. 26323 FAX 306-5840  
Official Contact Person and Telephone No. and Fax No.

 4/20/98  
Director, Dept. of Community and Family Services

 4/23/98  
Thomas Sponsler, County Counsel for Multnomah County, Oregon

MEETING DATE: APR 30 1998  
AGENDA NO: C-9  
ESTIMATED START TIME: 9:30

(Above space for Board Clerk's Use Only)

**AGENDA PLACEMENT FORM**

**SUBJECT:** Ratification of Oregon Health Sciences University Contract for Emergency Hold In-patient Psychiatric services.

**BOARD BRIEFING**

Date Requested: \_\_\_\_\_  
Requested By: \_\_\_\_\_  
Amount of Time Needed: \_\_\_\_\_

**REGULAR MEETING**

Date Requested: \_\_\_\_\_  
Amount of Time Needed: N/A

DEPARTMENT: Community and Family Services  
CONTACT: Lorenzo Poe/ Bill Twomey

DIVISION: \_\_\_\_\_  
TELEPHONE: 248-3691  
BLDG/ROOM: B166/7th

PERSON(S) MAKING PRESENTATION: Consent

**ACTION REQUESTED:**

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

**SUGGESTED AGENDA TITLE**

**Retroactive Interagency Agreement with OHSU-University Hospital for Psychiatric Emergency Hold services for Adults.**

5/5/98 ORIGINALS to Lou Olson Re DEFS Contracts Admin

**SIGNATURES REQUIRED:**

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

OR

DEPARTMENT MANAGER: \_\_\_\_\_

Lorenzo Poe mls

**ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES**

Any Questions: Call the Board Clerk @ 248-3277

BOARD OF  
COUNTY COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON  
98 APR 20 PM 12:39



# MULTNOMAH COUNTY OREGON

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES  
421 SW SIXTH AVENUE, SUITE 700  
PORTLAND, OREGON 97204  
PHONE (503) 248-3691  
FAX (503) 248-3379  
TDD (503) 248-3598

BOARD OF COUNTY COMMISSIONERS  
BEVERLY STEIN • CHAIR OF THE BOARD  
DAN SALTZMAN • DISTRICT 1 COMMISSIONER  
GARY HANSEN • DISTRICT 2 COMMISSIONER  
TANYA COLLIER • DISTRICT 3 COMMISSIONER  
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

TO: Beverly Stein, Multnomah County Chair

FROM: Lorenzo Poe, Director *Lorenzo Poe ms*  
Department of Community and Family Services

DATE: April 8, 1998

SUBJECT: FY 1997-98 Intergovernmental Agreement with University Hospital at OHSU

- I. **Recommendation/Retroactive Action Requested:** The Department of Community and Family Services recommends County Chair approval of the attached contract with University Hospital for the period January 1, 1998 through June 30, 1999.
- II. **Background/Analysis:** The Department of Community and Family Services is contracting with Oregon Health Sciences University-University Hospital for emergency psychiatric holds for people served with a notice of mental illness. This is part of the commitment services program operated by the Department's Adult Mental Health Program. The program intent is to move people to less restrictive settings as soon as appropriate.
- III. **Financial Impact:** Funds for this contract are included in the Department budget. University Hospital is covered under an RFP exemption through June 30, 2000.
- IV. **Legal Issues:** The County is required to provide for emergency hospital holds. It does so through contracts with hospitals equipped with State-approved psychiatric hospital hold services.
- V. **Controversial Issues:** None.
- VI. **Link to Current County Policies:** This contract is linked to the Benchmark concerning access to mental health services and public safety.
- VII. **Citizen Participation:** Not applicable.
- VIII. **Other Government Participation:** This contract is with OHSU, another public agency and formerly a branch of the State of Oregon.

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# MULTNOMAH COUNTY OREGON

BEVERLY STEIN  
COUNTY CHAIR

EMPLOYEE SERVICES  
FINANCE  
LABOR RELATIONS  
PLANNING & BUDGET  
RISK MANAGEMENT

(503) 248-5015  
(503) 248-3312  
(503) 248-5135  
(503) 248-3883  
(503) 248-3797

(503) 248-5170 TDD

PORTLAND BUILDING  
1120 S.W. FIFTH, 14TH FLOOR  
P.O. BOX 14700  
PORTLAND, OREGON 97214


PURCHASING, CONTRACTS  
& CENTRAL STORES

(503) 248-5111

2505 S.E. 11TH, 1ST FLOOR  
PORTLAND, OREGON 97202

## MEMORANDUM

TO: Beverly Stein, County Chair

FROM:  Franna Hathaway, Manager  
Purchasing Section

DATE: April 26, 1995

SUBJECT: REQUEST FOR EXEMPTION FROM THE COMPETITIVE REQUEST FOR  
PROPOSAL PROCESS TO CONTRACT WITH MENTAL HEALTH HOSPITAL  
EMERGENCY HOLDS

Attached is a memorandum from the Community and Family Services Division (CFSD), Administrative Offices, requesting a five (5) year exemption from the competitive Request for Proposal (RFP) process to contract with the following hospitals and non-hospital psychiatric units providing psychiatric beds for mental health emergency holds:

- Legacy Hospitals (Emanuel, Good Samaritan Mt. Hood Medical Center)
- Mental Health Partners (Ryles Center)
- Oregon Health Sciences University
- Pacific Gateway Hospital
- Portland Adventist Hospital
- University Hospital
- Providence Hospital (no contract)
- St. Vincent Hospital (no contract)
- Woodland Park Hospital (no contract)

The term of the exemption is requested for a five (5) year period beginning July 1, 1995 through June 30, 2000. The Division uses a requirements contract to allow for payments as needed. The exemption is requested for any hospital or non-hospital psychiatric unit that is licensed by the State to provide psychiatric services and has a State-certified holding room. The Hospitals noted above currently meet these requirements and have the capacity to provide emergency holds.

Background: This exemption is based on the fact that hospitals and non-hospital psychiatric units are licensed by the State for psychiatric services and the Division is willing to contract with any provider that will accept emergency holds of people being committed for mental health reasons. The number of qualified, licensed providers is more limited than the need.

Request for Exemption

Page 2

Generally, the Division has no control over where involuntary commitments occur, although the County is responsible for last-dollar payment, once insurance and other third party payment options are exhausted. Due to limited facilities willing and able to provide the emergency holds, the Division has been able to contract or otherwise arrange payment with all known providers. This exemption would allow that process to continue without disruption.

**Finding of Fact/Recommendation:** The Purchasing staff recommends approval of the request for exemption from the competitive RFP process for the requested five year period. This request is supported by Administrative Procedure #PUR-1, Section X.A.1.b, Blanket Exemptions.

**APPROVED:** *- With the understanding that any new providers entering the market would also be exempted.*

Beverly Stein/mns  
Beverly Stein, County Chair

Date: 6/3/95

**DENIED:**

Beverly Stein, County Chair

Date: \_\_\_\_\_

Attachments

c: Cilla Murray  
Jeff Baer



# MULTNOMAH COUNTY OREGON

COMMUNITY AND FAMILY SERVICES DIVISION  
ADMINISTRATIVE OFFICES  
421 S.W. FIFTH AVENUE, 2ND FLOOR  
PORTLAND, OREGON 97204  
(503) 248-3691 / FAX (503) 248-3379  
TDD (503) 248-3598

BOARD OF COUNTY COMMISSIONERS  
BEVERLY STEIN • CHAIR OF THE BOARD  
DAN SALTZMAN • DISTRICT 1 COMMISSIONER  
GARY HANSEN • DISTRICT 2 COMMISSIONER  
TANYA COLLIER • DISTRICT 3 COMMISSIONER  
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

TO: Franna Hathaway, Purchasing Manager  
FROM: Lorenzo Poe, Director *Lorenzo Poe mds*  
Community and Family Services Division

DATE: April 17, 1995

SUBJECT: RFP Exemption Request: Mental Health Hospital Emergency Holds

**Request for Exemption:** This is to request a five year exemption to the RFP process for hospitals and non-hospital psychiatric units providing psychiatric beds for mental health emergency holds, for the period July 1, 1995 through June 30, 2000. The Division uses a requirements contract to allow for payments as needed. The exemption is requested for any hospital or non-hospital psychiatric unit that is licensed by the State to provide psychiatric services and has a State-certified holding room. The following currently meet these requirements and have the capacity to provide emergency holds:

- Legacy Hospitals (Emanuel, Good Samaritan, Mt. Hood Medical Center)
- Mental Health Partners (Ryles Center)
- Oregon Health Sciences University
- Pacific Gateway Hospital
- Portland Adventist Hospital
- University Hospital
- Providence Hospital (no contract)
- St. Vincent Hospital (no contract)
- Woodland Park Hospital (no contract)

**Basis for Exemption:** The basis for this RFP exemption is that hospitals and non-hospital psychiatric units are licensed by the State for psychiatric services and the Division is willing to contract with any provider that will accept emergency holds of people being committed for mental health reasons. This is not a competitive process; the number of qualified providers is more limited than the need.

**Background:** People served with a Notice of Mental Illness by police, physicians, or significant others are frequently hospitalized temporarily for safety and assessment purposes. The Division pays for these pre-commitment hospitalizations ("E-Holds") on a last-dollar basis. The intent is to relocate a person on a hold to a secure facility and bed within two hours of the Notice of Mental Illness being served on the person.

Generally, the Division has no control over where involuntary commitments occur, although the County is responsible for last-dollar payment, once insurance and other third party payment options are exhausted. Because there are limited facilities willing and able to provide the emergency holds, the Division has been able to contract or otherwise arrange payment with all known providers. This RFP exemption would allow that process to continue without disruption.

Thank you for your assistance in this matter. If you have questions, please call Cilla Murray, 248-3691, extension 6296.

# MULTNOMAH COUNTY CONTRACT APPROVAL FORM

(See Administrative Procedures CON-1)

Renewal ☒ [X]

Prior-Approved Contract Boilerplate: Attached; X Not Attached

Contract # **103638**

Amendment # **0**

CLASS I	CLASS II	CLASS III
<input type="checkbox"/> Professional Services under \$50,000 <input type="checkbox"/> Architectural & Engineering under \$50,000 <input type="checkbox"/> Intergovernmental Agreement Under \$50,000  <input type="checkbox"/> Expenditure  <input type="checkbox"/> Revenue	<input type="checkbox"/> Professional Services over \$50,000 (RFP, Exemption) <input type="checkbox"/> Architectural & Engineering over \$50,000 <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue	<input checked="" type="checkbox"/> Intergovernmental Agreement over \$50,000  <div style="text-align: center;"> <input checked="" type="checkbox"/> Expenditure  <b>APPROVED MULTNOMAH COUNTY</b>  <input type="checkbox"/> Revenue  <b>BOARD OF COMMISSIONERS</b>  <b>AGENDA # C-9 DATE 4/30/98</b>  <b>DEB BOGSTAD</b>  <b>BOARD CLERK</b> </div>

Department: Community & Family Services

Originator: Gloria Wang

Administrative Contact: Irene Finley

Description of Contract:

Division: Behav. Health

Phone: 248-5464 ext 24561

Phone: 248-3691 ext 26296

Date: April 8, 1998

Bldg/Room 166/6th

Bldg/Room 166/7th

## In-patient psychiatric hospital emergency hold services

RFP/BID #: N/A (State Licensed with State Certified holding room)

Date of RFP/BID: N/A

Date of RFP/BID Expiration: N/A

Exemption #: Blanket Exemption PUR-1 XII.A.1.b.

Exemption Expiration Date: 4/26/95

Date of Exemption Expiration: 6/30/00

ORS/AR # \_\_\_\_\_ Contractor is ☐ JMBE ☐ WBE ☐ QRF ☐ N/A ☐ None check all that apply

Original Contract No. #100297 (6-12/97) (Only for Original Renewals)

<p>Contractor Name: <b>University Hospital E Holds</b>                  Mailing Address: <b>3181 SW Sam Jackson Park Road</b>  <b>Portland, OR 97201</b>                  Phone: <b>(503)</b>                  Employer ID# or SS#: <b>93-1176109</b>                  Effective Date: <b>January 1, 1998</b>                  Termination Date: <b>June 30, 1999</b>                  Original Contract Amount: <b>\$Requirements</b>                  Total Amt of Previous Amendments: <b>\$-0-</b>                  Amount of Amendment: <b>\$-0-</b>                  Total Amount of Agreement: <b>\$Requirements</b></p>	<p>Remittance Address (if different) _____</p> <table style="width:100%;"> <tr> <th style="text-align: left;">Payment Schedule</th> <th style="text-align: left;">Terms</th> </tr> <tr> <td><input type="checkbox"/> Lump Sum \$ _____</td> <td><input type="checkbox"/> Due on Receipt</td> </tr> <tr> <td><input type="checkbox"/> Monthly \$ _____</td> <td><input type="checkbox"/> Net 30</td> </tr> <tr> <td><input checked="" type="checkbox"/> Other \$ <u>fee for service</u></td> <td><input type="checkbox"/> Other</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Requirements contract - Requisition Required</td> </tr> <tr> <td colspan="2">Purchase Order No. _____</td> </tr> <tr> <td colspan="2"><input checked="" type="checkbox"/> Requirements Not to Exceed \$ <u>see attached</u></td> </tr> <tr> <td colspan="2">Encumber: Yes <input type="checkbox"/> No <input type="checkbox"/></td> </tr> </table>	Payment Schedule	Terms	<input type="checkbox"/> Lump Sum \$ _____	<input type="checkbox"/> Due on Receipt	<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30	<input checked="" type="checkbox"/> Other \$ <u>fee for service</u>	<input type="checkbox"/> Other	<input type="checkbox"/> Requirements contract - Requisition Required		Purchase Order No. _____		<input checked="" type="checkbox"/> Requirements Not to Exceed \$ <u>see attached</u>		Encumber: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Payment Schedule	Terms																
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<input type="checkbox"/> Requirements contract - Requisition Required																	
Purchase Order No. _____																	
<input checked="" type="checkbox"/> Requirements Not to Exceed \$ <u>see attached</u>																	
Encumber: Yes <input type="checkbox"/> No <input type="checkbox"/>																	

### REQUIRED SIGNATURES:

Department Manager: *Lorenz*

Date: 4/9/98

Purchasing Director: \_\_\_\_\_

Date: \_\_\_\_\_

(Class II Contracts Only)

County Counsel: *Katri*

Date: 4/18/98

County Chair/Sheriff: *Finley*

Date: 4/30/98

Contract Administration: \_\_\_\_\_

Date: \_\_\_\_\_

(Class I, Class II Contracts Only)

VENDOR CODE <b>00391</b>				VENDOR NAME <b>University Hospital E Holds</b>				TOTAL AMOUNT: <b>\$Requirements</b>			
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT/ REV SRC	SUB OBJ	REPT CATEG	LGFS DESCRIPT	AMOUNT	Inc/Dec Ind.
									see attached		

If additional space is needed, attach separate page. Write contract # on top of page.

DISTRIBUTION: Contracts Administration, Initiator, Finance

COMMUNITY AND FAMILY SERVICES DEPARTMENT  
CONTRACT APPROVAL FORM SUPPLEMENT  
Contractor : UNIVERSITY HOSPITAL E HOLDS OP331

Page 1 of 1  
3/30/98

Vendor Code : 00391

Fiscal Year : 97/98

Numeric Amendment : 00

Contract Number : 103638

LINE	FUND	AGEN	ORG CODE	ACTIVIY CODE	OBJECT CODE	REPORTING CATEGORY	LGFS DESCRIPTION	ORIGINAL AMOUNT	AMENDMENT AMOUNT	FINAL AMOUNT	REQT'S ESTIMATE
52	156	010	1662	M24E	6060	9001X <input type="text"/>	AMH SMHD AMH Emergency Holds	Requirements		Requirement	\$85,000.02
51	156	010	1662	M24E	6060	9999L <input type="text"/>	County General Fund AMH Emergency Holds	Requirements		Requirement	\$70,000.02
TOTAL								\$0.00	\$0.00	\$0.00	\$155,000.04

COMMUNITY AND FAMILY SERVICES DEPARTMENT  
 CONTRACT APPROVAL FORM SUPPLEMENT  
 Contractor : UNIVERSITY HOSPITAL E HOLDS OP331

Page 1 of 1  
 3/30/98

Vendor Code : 00391

Fiscal Year : 98/99

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LINE	FUND	AGEN	ORG CODE	ACTIVIY CODE	OBJECT CODE	REPORTING CATEGORY	LGFS DESCRIPTION	ORIGINAL AMOUNT	AMENDMENT AMOUNT	FINAL AMOUNT	REQT'S ESTIMATE
52	156	010	1662	M24E	6060	9001X <input type="text"/>	AMH SMHD AMH Emergency Holds	Requirements		Requirement	\$170,000.04
51	156	010	1662	M24E	6060	9999L <input type="text"/>	County General Fund AMH Emergency Holds	Requirements		Requirement	\$140,000.04
TOTAL								\$0.00	\$0.00	\$0.00	\$310,000.08

**INTERGOVERNMENTAL AGREEMENT  
MULTNOMAH COUNTY PSYCHIATRIC HOLDS**

THIS AGREEMENT is made and entered into by and between **MULTNOMAH COUNTY**, a home rule political subdivision of the State of Oregon (hereinafter referred as "**COUNTY**"), and **Oregon Health Sciences University, UNIVERSITY HOSPITAL**, (hereinafter referred to as "**HOSPITAL**").

Witnesseth:

WHEREAS, **COUNTY'S** Department of Community & Family Services (DCFS) requires service provided under ORS 426.228 through 255, and

WHEREAS, **HOSPITAL** is qualified and prepared to provide such services as **COUNTY** does hereinafter require, under ORS 426.228 through 255; now, therefore,

IN CONSIDERATION of those mutual promises and the terms and conditions set forth hereafter, the parties agree as follows:

- I. **TERM.** The term of this Agreement shall be from January 1, 1998, to and including June 30, 1999, unless sooner terminated under the provisions hereof.
- II. **SERVICES AND COMPENSATION.** Services under this Agreement shall consist of the following:
  - A. **Hospital Obligations.** The **HOSPITAL** agrees as follows:
    1. The **HOSPITAL** shall provide administrative and direct patient care services for patients meeting the admission criteria defined in ORS 426.231. The **HOSPITAL** will provide these services on a 24-hour-per-day, 7-day-per-week, continuous basis.
    2. **HOSPITAL** agrees to maintain a capacity of four (4) patient beds in secure setting for Multnomah County holds. **HOSPITAL** staff and physicians will move patients to less restrictive settings as soon as appropriate.
    3. **HOSPITAL** agrees to provide Community Hospital Services in compliance with applicable portions of administrative rules OAR 309-33-200 through -970, Standards for Civil Commitment.

4. **HOSPITAL** will maintain State certificate of compliance with the administrative rules cited above, as required by the State Office of Mental Health Services and as determined through the site review process. **HOSPITAL** will maintain certification by the Joint Commission on Accreditation of Health Care Organizations (JCAHO), licensure under ORS 441.015 by the Oregon State Health Division for the hospital services, a state certified holding room, and approval under OAR 309-32-620 through 309-32-690 (Standards for Regional Acute Care Facilities for Adults).

**HOSPITAL** will submit to **COUNTY** those portions of any reports of JCAHO or Health Division reviews which relate to the services under this Agreement. **COUNTY** agrees to treat any such reports confidentially in accordance with ORS 192.502(9) and not release them without prior notice to **HOSPITAL**.

5. (a) **HOSPITAL** shall provide and staff an area to hold consumers in custody presenting at the emergency room who are at risk of a hold.

(b) **HOSPITAL** medical staff shall assess consumers presenting at the emergency room who are at risk of a hold. When appropriate for purposes of diversion, medical staff will consult with the mental health professionals on contract with the **COUNTY**.

6. For all persons hospitalized under the terms of this Agreement, a physician shall have examined the patient and documented clear evidence on the Notice of Mental Illness that the patient is in need of emergency psychiatric care, custody, and treatment for mental illness AND is currently dangerous to self or others.

7. The examining physician shall be a permanent staff member, or be under the supervision of a member of the permanent staff of the Emergency Room. **HOSPITAL** shall maintain client information concerning admission sufficient to respond to inquiries by the examiner or investigator of the hold.

8. When the **HOSPITAL** withdraws a Notice of Mental Illness, **HOSPITAL** shall immediately notify Court and **COUNTY**.

9. **HOSPITAL** agrees to cooperate with the **COUNTY** and community mental health agencies who contract with the **COUNTY** to promote and utilize all alternatives to involuntary hospitalization.

10. **HOSPITAL** is not required to deliver nor shall **HOSPITAL** bill the **COUNTY** for services which do not meet the criteria for emergency psychiatric care, custody, and treatment related to or resulting from such psychiatric condition for those persons who are held pursuant to the requirements of ORS 426.



11. **HOSPITAL** agrees to maintain Medicare and Medicaid certification and eligibility to participate in the Medicare and Medicaid reimbursement program for psychiatric services in a general hospital.

12. **HOSPITAL** will participate in scheduled meetings of the **COUNTY** Psychiatric Emergency Operations Team and the Metro Advisory Council; and any additional meetings that are mutually agreed upon.

13. In addition, **HOSPITAL** will, through participation in the Metro Acute Care Advisory Council, assist in the development of regional acute care system evaluation measures, provide pertinent data for those measures as appropriate, and monitor the outcomes.

14. **HOSPITAL** shall designate a hospital representative with administrative expertise to oversee the patient care program and serve as liaison between the **HOSPITAL** and **COUNTY** mental health personnel.

15. **HOSPITAL** shall maintain a quality assurance and peer review process for hospital services provided herein, which conforms to all state and federal laws, regulations and guidelines. **HOSPITAL** shall administer this process internally.

**B. County Obligations.** The **COUNTY** agrees as follows:

1. Payment will be made for care provided during the time period when the person is lawfully detained in the hospital in precommitment status. **COUNTY** or designees will notify the **HOSPITAL** in person or by phone that an order of dismissal has been initiated by the court. **COUNTY** ceases payment at this point. Last day room charges shall not be paid unless duration of hospitalization is only one day.

2. **COUNTY** will pay for those services which constitute emergency psychiatric care, custody, and treatment related to or resulting from such psychiatric condition for those persons who are held pursuant to the requirements of ORS 426.

3. For eligible patients admitted from January 1, 1998, through June 30, 1999, **COUNTY** will pay **HOSPITAL**: (a) \$612 per day for hospital services; and (b) \$155 for the first day and \$52 per day for each additional day for Physician services; less the amount of payments received for the same hospital or physician services by first or third party payers; except that Medicaid payment will constitute full payment for Medicaid eligible patients.

4. Set-overs mandated by the Court will be billed to **COUNTY**, and **COUNTY** will pay at the rates listed in paragraph 3, above.

5. For patients diverted from pre-commitment hospitalization from January 1, 1998, through June 30, 1999: Patients who have been evaluated in the emergency room by a physician for "dangerousness" may be diverted in the emergency room, in consultation with a quadrant mental health worker, to the Special Care Facility, crisis respite, community treatment services/adults/acute care, or non-hospital crisis services, in lieu of pre-commitment hospitalization. In these cases, **COUNTY** will pay **HOSPITAL** \$139 per encounter per patient, less the amount of payments received for the same services by first or third party payers; except that Medicaid payment will constitute full payment for Medicaid eligible patients.

6. **COUNTY** and **CONTRACTOR** agree to meet mid-year to assess and discuss the per diem physician fee. If due to a reduction in the length of stay the per case reimbursement paid to physicians by **CONTRACTOR** has exceeded \$105 per day paid by the **COUNTY** to **CONTRACTOR**, **COUNTY** will explore with **CONTRACTOR** the feasibility of increasing the physician fee.

7. **COUNTY** will, through participation in the Metro Acute Care Advisory Council, assist in the development of regional acute care system evaluation measures, provide pertinent data for those measures as appropriate; and monitor the outcomes.

#### C. Billing Procedures

1. **COUNTY** agrees to pay **HOSPITAL** within 30 days of receipt of billings received on the UB 92 billing form, as required by the **COUNTY**.

2. Any appeals concerning denied claims shall be directed to the Division Director, Multnomah County (or designee) who shall resolve the dispute within 30 days.

3. **HOSPITAL** agrees to reimburse **COUNTY** in the amount of any payments received at **HOSPITAL** by or on behalf of patients for whose care **COUNTY** has paid.

4. **HOSPITAL** will provide such billing and service documentation as the **COUNTY** may reasonably require.

5. **HOSPITAL** will aggressively pursue all avenues to obtain Medicare, Medicaid, Veterans Administration, insurance and client payment for care provided to patients served under this contract, as it does for all other patients under its standard collection practices. **HOSPITAL** will bill the **COUNTY** when it has been determined that all other sources have been exhausted. **HOSPITAL** will maintain documentation of uncollectability for a minimum of three years.

### **III. LIABILITY.**

**HOSPITAL** and **COUNTY** recognize that each is a public body governed by the Oregon Tort Claims Act and subject to the limits and liabilities therein.

**A. HOSPITAL** is an independent contractor and is solely responsible for the conduct of its programs. **HOSPITAL**, its employees and agents shall not be deemed employees or agents of **COUNTY**. **COUNTY** is an independent contractor and is solely responsible for the conduct of its programs. Neither **COUNTY**, nor **COUNTY'S** employees or agents shall be deemed employees or agents of **HOSPITAL**.

**B. HOSPITAL** shall defend, indemnify, hold and save harmless the **COUNTY** its officers, agents and employees from damages arising out of the tortious acts of the **HOSPITAL** or its officers, agents, and employees acting within the scope of their employment and duties in performance of this contract subject to the limitations and conditions of the Oregon Tort Claims Act, ORS 30.260 through 30.300, and the Oregon Constitution, Article XI, Section 7.

**C. COUNTY** shall defend, indemnify, hold and save harmless **HOSPITAL**, its officers, agents, and employees from damages arising out of the tortious acts of **COUNTY**, or its officers, agents and employees acting within the scope of their employment and duties in performance of this contract subject to the limitations and conditions of the Oregon Tort Claims Act, ORS 30.260 through 30.300, and the Oregon Constitution, Article XI, Section 9.

**D. HOSPITAL** is a public entity, and as such is self-insured under the provisions of ORS 278.425 and 278.435 for tort liability, including personal injury and property damage. The limits of liability for this coverage are established by ORS 30.270.

### **IV. WORKERS' COMPENSATION INSURANCE.**

Each party shall maintain Workers' Compensation insurance coverage for all non-exempt workers, employees, and subcontractors either as a carrier insured employer or a self-insured employer and shall comply with ORS 656.017. A certificate evidencing current Workers' Compensation insurance shall be provided upon request to the other party.

### **V. ADHERENCE TO LAW.**

**A. HOSPITAL** shall adhere to all applicable laws governing its relationship with its employees, including but not limited to laws, rules, regulations and policies concerning workers' compensation, and minimum and prevailing wage requirements.

B. Unless exempted under the rules, regulations and relevant orders of the Secretary of Labor, 41 CFR, Ch. 60, **HOSPITAL** agrees to comply with all provisions of Executive Order No. 11246 as amended by Executive Order No. 11375 of the President of the United States dated September 24, 1965, Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 as implemented by 45 CFR 84.4, which states, "No qualified person shall, on the basis of handicap, be excluded from participation in, be denied benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal financial assistance." **HOSPITAL** will also comply with all applicable rules, regulations and orders of the Secretary of Labor concerning equal opportunity in employment and the provisions of ORS Chapter 659.

## **VI. MODIFICATION.**

Any modification of the provisions of this Agreement shall be reduced to writing and signed by the parties.

## **VII. INTEGRATION.**

This Agreement contains the entire agreement between the parties and supersedes all prior written or oral discussions or agreements as they relate to Psychiatric Holds.

## **VIII. EARLY TERMINATION.**

A. Violation of any of the terms of the Agreement shall, at the option of either party, be cause for termination of the Agreement and unless and until corrected, of funding support by the **COUNTY** and services by the **HOSPITAL** or be cause for placing conditions on said funding and/or services, which may include withholding of funds. Waiver by either party of any violation of this Agreement shall not prevent said party from invoking the remedies of this paragraph for any succeeding violations of the Agreement.

B. This Agreement may be terminated prior to the expiration of the agreed-upon term:

1. Immediately upon mutual written consent of the parties, or at such time as the parties agree; or
2. By either party upon 30 days' written notice to the other, delivered by certified mail or in person.

C. Termination under any provision of this paragraph shall not affect any right, obligation or liability of **HOSPITAL** or **COUNTY** which accrued prior to such termination.

## **IX. DISCRIMINATION.**

Neither **COUNTY** nor **HOSPITAL** shall unlawfully discriminate against any individual with respect to hiring, compensation, terms, conditions or privileges of employment, nor shall any person be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity because of such individual's race, color, religion, sex, national origin, age, or handicap. In that regard, each party must comply with all applicable provisions of Executive Order Number 11246 as amended by Executive Order Number 11375 of the President of the United States dated September 24, 1965, Title VI of the Civil Rights Act of 1964 {42 U.S.C. 2000(d)} and Section 504 of the Rehabilitation Act of 1973 as implemented by 45 C.F.R. 84.4. Each party will also comply with all applicable rules, regulations and orders of the Secretary of Labor concerning equal opportunity in employment and the provisions of ORS Chapter 659.

## **X. RECOVERY OF FUNDS.**

Expenditures of the **HOSPITAL** may be charged to this contract only if they are: 1) in payment for services performed under this contract; 2) performed in conformance with applicable state and federal regulations and statutes; 3) are in payment of an obligation incurred during the contract period; and 4) are not in excess of 100% of allowable program costs. Recovery of funds will be made in the event of unauthorized expenditures, non-performance of contract conditions, excess payments, payment withholding, or contract termination. Any refunds to the federal government resulting from federal audits of **HOSPITAL'S** program and due solely as a result of **HOSPITAL'S** actions shall be the sole responsibility of **HOSPITAL**. **HOSPITAL** agrees to make such payments within twenty (20) working days of formal notice of disallowance of contract expenditures.

Any **COUNTY** funds paid to **HOSPITAL** for purposes not authorized by this contract shall be deducted from future payments made by **COUNTY** to **HOSPITAL** or refunded to **COUNTY** by **HOSPITAL** no later than thirty (30) days after: 1) the contract's expiration; or 2) notification by **COUNTY**. **HOSPITAL** shall be responsible for prior contract period overpayments and unrecovered advances provided by **COUNTY**. Repayment of prior period obligations shall be made by **HOSPITAL** in a manner specified by **COUNTY**.

## **XI. AUDITS.**

A. The **HOSPITAL** agrees to permit authorized representatives of **COUNTY**, State Mental Health Division, State of Oregon Division of Audits and/or the applicable audit agency of the United States Department of Health and Human Services (DHHS) to make such review of the records of the **HOSPITAL** as **COUNTY**, State Mental Health Division or auditor or DHHS may deem necessary to satisfy audit and/or program evaluation purposes related to the services provided under the terms of this agreement. **HOSPITAL** shall permit authorized representatives of **COUNTY** Community and Family Services Division and State Mental Health Division to site

visit all programs covered by this contract. Contract costs disallowed as a result of such audits, review or site visits will be the sole responsibility of the **HOSPITAL**. If a contract cost is disallowed after reimbursement has occurred, the **HOSPITAL** will make prompt repayment of such costs.

**B. HOSPITAL** is a public entity and such audit will be performed in conformity with the Federal Single Audit Act of 1984. Public Law 98-502, Title 31, Section (2), V, Chapter 75, U.S.C.

**C.** Audit will be made available by **HOSPITAL** to the **COUNTY** Community and Family services Division upon written request.

## **XII. WITHHOLDING OF CONTRACT PAYMENTS.**

Notwithstanding any other payment provision of this contract, failure of the **HOSPITAL** to submit required reports when due, or failure to perform or document the performance of contracted services, may result in the withholding of payments under this contract. Such withholding shall begin thirty (30) days after written notice is given by **COUNTY** to the **HOSPITAL**. Such withholding of payment for cause, may continue until the **HOSPITAL** submits required reports, submits executed contract, amendment or change order, performs required services, or establishes, to **COUNTY'S** satisfaction, that such failure arose out of causes beyond the control, and without the fault or negligence of the **HOSPITAL**.

## **XIII. DISPUTES.**

In the event of a dispute, the parties agree to attempt resolution at the lowest level and to strive for mutual agreement prior to taking other action.

## **XIV. NON-VIOLATION OF TAX LAWS.**

Both parties hereby certify under penalty of perjury that to the best of their knowledge, they are not in violation of any Oregon tax laws described in ORS 305.380(4).

## **XV. NOTICES.**

All notices, certificates, or communications shall be delivered or mailed postage prepaid to the parties at their respective places of business as identified below, unless otherwise designated in writing.

**COUNTY**

Contract Manager, Multnomah County  
421 SW Sixth Avenue, 7th floor  
Portland, OR 97204

**HOSPITAL**

Contract Manager, Mail code FS  
University Hospital  
Oregon Health Sciences University  
3181 SW Sam Jackson Park Road  
Portland, OR 97201-3098

**XVI. MERGER.**

This contract constitutes the entire agreement between the parties for psychiatric holds. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this contract. No amendment, consent, or waiver of terms of this contract shall bind either party unless in writing and signed by all parties. Any such amendment, consent, or waiver shall be effective only in the specific instance and for the specific purpose given. The parties, by the signature hereto of their authorized representative, acknowledge having read and understood the contract and the parties agree to be bound by its terms and conditions.

**XVII. SIGNATURES.**

This Contract may be executed in several counterparts, each of which shall be an original, all of which shall constitute but one and the same instrument. In witness whereof, the parties hereto have caused this contract to be executed by their authorized officers.

MULTNOMAH COUNTY  
421 SW 6<sup>TH</sup> AVENUE  
PORTLAND, OR 97204

BY Lorenzo Poe Jr. 4/19/98  
Lorenzo Poe Jr., Director Date  
Dept. of Community & Family Services

BY Beverly Stein 4/30/98  
Beverly Stein, Date  
Multnomah County Chair

REVIEWED: Thomas Sponsler, County  
Counsel for Multnomah County, Oregon

BY Natie Galt 4/17/98  
Assistant County Counsel Date

APPROVED MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # C-9 DATE 4/30/98  
DEB BOGSTAD  
BOARD CLERK

UNIVERSITY HOSPITAL OF THE  
OREGON HEALTH SCIENCES UNIV.  
3181 SW Sam Jackson Park Road  
Portland, OR 97201-3098

BY \_\_\_\_\_  
Tim Goldfarb Date

(Type or Print Name of Signator)  
Director, Healthcare Systems  
Title

Representing  
BY \_\_\_\_\_  
Signature Date

(Type or Print Name of Signator)  
\_\_\_\_\_  
Title

Representing

CONTRACT FOR SERVICES  
MULTNOMAH COUNTY COMMUNITY AND FAMILY SERVICES DEPARTMENT

**Attachment A:**  
**Service Elements and Contract Amounts**

Contractor Name : UNIVERSITY HOSPITAL E HOLDS OP331	Vendor Code: 00391
Contractor Address : EMERGENCY HOLD SERVICES 3181 SW SAM JACKSON PARK RD PORTLAND OR 97201	
Telephone :	Fiscal Year : 97/98
Federal ID # : 93-1176109	

---

**Program Office Name : Mental Health Contracts A**

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*Service Element Name : AMH Emergency Holds (M24E)*

<u>Mod. #</u>	<u>Begin Date</u>	<u>End Date</u>	<u>Payment Method</u>	<u>Payment Basis</u>	<u># of Units</u>	<u>Unit Description</u>	<u>Unit Rate</u>	<u>Amount</u>
0	1/1/98	6/30/98	Per Invoice	Fee for Service	Reqt's	see agreement		Reqt's
0	1/1/98	6/30/98	Per Invoice	Fee for Service	Reqt's	see agreement		Reqt's
Total					Reqt's			Reqt's



CONTRACT FOR SERVICES  
MULTNOMAH COUNTY COMMUNITY AND FAMILY SERVICES DEPARTMENT

**Attachment A:**  
**Service Elements and Contract Amounts**

Contractor Name : UNIVERSITY HOSPITAL E HOLDS OP331	Vendor Code: 00391
Contractor Address : EMERGENCY HOLD SERVICES 3181 SW SAM JACKSON PARK RD PORTLAND OR 97201	
Telephone :	Fiscal Year : 98/99
Federal ID # : 93-1176109	

---

**Program Office Name : Mental Health Contracts A**

---

*Service Element Name : AMH Emergency Holds (M24E)*

<u>Mod. #</u>	<u>Begin Date</u>	<u>End Date</u>	<u>Payment Method</u>	<u>Payment Basis</u>	<u># of Units</u>	<u>Unit Description</u>	<u>Unit Rate</u>	<u>Amount</u>
0	7/1/98	6/30/99	Per Invoice	Fee for Service	Reqt's	See Agreement		Reqt's
0	7/1/98	6/30/99	Per Invoice	Fee for Service	Reqt's	See Agreement		Reqt's
Total					Reqt's			Reqt's

MEETING DATE: APR 30 1998  
AGENDA NO: C-10  
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

## AGENDA PLACEMENT FORM

**SUBJECT:** Funds to assist in the development and construction of 36 units of very low income farmworker rental housing. Funds go to the Housing Authority

**BOARD BRIEFING:**

**DATE REQUESTED:** \_\_\_\_\_

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

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

**REGULAR MEETING:**

**DATE REQUESTED:** \_\_\_\_\_

**AMOUNT OF TIME NEEDED:** Consent Agenda

**DEPARTMENT:** DCFS

**DIVISION:** CPP

**CONTACT:** Lorenzo Poe/Mary Li

**TELEPHONE #:** 248-3691

**BLDG/ROOM #:** 166/7

**PERSON(S) MAKING PRESENTATION:** \_\_\_\_\_

**ACTION REQUESTED:**

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

**SUGGESTED AGENDA TITLE:**

Funding increase to assist in the development and construction of housing for farmworkers.

5/5/98 ORIGINALS to Lou Olson & DCFS Contracts Admin

**SIGNATURES REQUIRED:**

**ELECTED OFFICIAL:** \_\_\_\_\_

(OR)

**DEPARTMENT**

**MANAGER:** \_\_\_\_\_

*Lorenzo Poe*

**ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES**

**Any Questions: Call the Board Clerk @ 248-3277**



# MULTNOMAH COUNTY OREGON

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES  
421 SW SIXTH AVENUE, SUITE 700  
PORTLAND, OREGON 97204  
PHONE (503) 248-3691  
FAX (503) 248-3379  
TDD (503) 248-3598

BOARD OF COUNTY COMMISSIONERS  
BEVERLY STEIN • CHAIR OF THE BOARD  
DAN SALTZMAN • DISTRICT 1 COMMISSIONER  
GARY HANSEN • DISTRICT 2 COMMISSIONER  
TANYA COLLIER • DISTRICT 3 COMMISSIONER  
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

TO: Beverly Stein, Multnomah County Chair

FROM: Lorenzo Poe, Director *Lorenzo Poe*  
Department of Community and Family Services

DATE: April 8, 1998

SUBJECT: Contract Amendment Housing Authority of Portland

- I. **Retroactive Status:** This amendment is retroactive to January 1, 1998. Funding availability was pending program planning.
- II. **Recommendation/Action Requested:** The Department of Community and Family Services recommends County Chair approval of the attached contract amendment with the Housing Authority of Portland for the period January 1, 1998 through June 30, 1998.
- III. **Analysis:** The amendment increases funding by \$150,000 to assist in the development and construction of 36 units of very low income farmworker rental housing. Funding is available through the Strategic Investment Program (SIP). Funding is contingent on the units remaining affordable to the target population for the useful life of the units, or a minimum of sixty (60) years. Funding applications were approved through an open competitive process, (Countywide Strategic Investment Program (SIP) Funding Application). Evaluation of applications was conducted by a group composed of representatives from: government, County Citizen Involvement Committee, private business, and a philanthropic organization.
- IV. **Background:** Funds for this amendment are included in the Department budget. Funding was awarded through the Countywide Strategic Investment Program (SIP) Funding Application. The award is approved by Multnomah County Order #97-221.

# **COUNTYWIDE STRATEGIC INVESTMENT PROGRAM (SIP)**

## **FUNDING**

## **APPLICATION**

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*Welcome. Multnomah County is pleased to make funds available for the creation of affordable housing through the Strategic Investment Program (SIP). The funds the County is making available through the SIP are generated from property tax abatement agreements and contributions from Fujitsu and LSI Logic.*

*This introduction intends to highlight some of the underlying values of the SIP Housing Program. This is a demonstration year for the Housing Program. The process and application will be reviewed in the fall of this year for effectiveness. If you have comments or suggestions regarding the program we encourage you to send them to the program office. Your assistance is appreciated.*

*The SIP Housing Program was established to increase the inventory of affordable housing serving low income persons - at or below 50% of the area median income - throughout Multnomah County. The total SIP funds available through this request for proposals is up to \$950,000.00. As the designated funding is clearly inadequate to meet the actual countywide need for low income housing, the SIP Housing Program includes a strong commitment to leveraging these limited resources. An aggregate leveraged funding goal for this program has been set requiring 5 non-SIP dollars be expended for every SIP dollar awarded. Further, Multnomah County is committed to the linkage between workforce development initiatives and social services to stabilize families in affordable housing. The SIP Housing Program is soliciting housing projects which provide thoughtful linkages to available and developing workforce related services and support services for families.*

*Three public bodies were represented on the committee which made the recommendations upon which this application is based. They are the City of Gresham, the Multnomah County Housing and Community Development Commission and the Gresham Community Development and Housing Committee. Other local housing agencies, non-profit housing developers and interested individuals contributed to the SIP funding guidelines.*

*SIP funded projects are intended to remain affordable to eligible low income families for the useful life of the unit, defined for the purposes of this application as at least 60 years. The County will encumber the subject property with a non-amortizing, deferred payment loan trust deed and note in the amount of the approved SIP award. The County will consider other structures for encumbering property should other loan types or security be more appropriate for specific project financing.*

*We hope the enclosed application is clear and understandable. Good Luck.*

On the following pages is information to guide participants through the application process. Included are summaries of funding priorities, evaluation criteria, and eligible funding uses. This application is designed to be "user-friendly" and simple. Except for the nonprofit information form and the financial exhibits, there is no required format. The only requirement is that the questions should be answered clearly, thoroughly, and succinctly. Please number the application pages.

Please review this information and call H.C. Tupper at 248-3114 with any questions.

Application Submission:

Submit one original and two copies of the completed application to:

H.C. Tupper  
Multnomah County  
Community Development Program  
421 SW Sixth Avenue, Suite 500  
Portland, Oregon 97204

Applications must be received at the above captioned address by 5:00 p.m., Monday, September 15, 1997. Late or faxed applications will not be accepted.

Evaluation of applications will be completed during the month of October 1997. Notifications of funding will be mailed by November 15, 1997 and the disbursement of funds will be individually negotiated with each recipient.

The HCDC SIP Subcommittee reviewed affordable housing needs throughout the county and created guidelines upon which this application was developed. The primary assumptions of need guiding the purpose of this SIP application are as follows:

1. There is a severe and growing housing affordability crisis throughout Multnomah County. This crisis exists for low to moderate income people, but it is particularly devastating to low-income people living at or below 50% of area median income (AMI).
2. Both the cost of land and the cost of housing in East Multnomah county are increasing. This adversely affects low and moderate wage employees of new and expanded businesses, other people earning low and moderate wages, and people on low fixed incomes.
3. Wages in the region have not risen as quickly as have housing costs . . . a trend that is expected to continue. The most severely affected are those earning less than 50% of AMI (\$8.53/hour for a single wage earner with a family of two, \$9.61/hour for a single earner with a family of three).
4. The location of appropriate housing near jobs and services is crucial to resolving transportation, child care, and other family-job related issues and to creating a more livable environment for low and moderate income residents. Additionally, the provision of affordable housing near emerging businesses will help prevent displacement of long-term, low and moderate income residents as housing costs rise, partially as economic development occurs.
5. Developing the connection between housing and workforce initiatives is crucial for building personal and family stability.

**STATEMENT OF PURPOSE**

The following is a listing of principles which has guided the creation of the application and evaluation criteria:

1. It is anticipated that the contributions made by Fujitsu and LSI Logic to the SIP will not be sufficient alone to significantly impact the need. It is therefore crucial that SIP funds be used in conjunction with other housing subsidies to more effectively and efficiently create a greater number of affordable housing units for the target population.
2. By requiring the use of SIP monies in collaboratively-supported and funded projects, jurisdictions throughout the County will be encouraged to play stronger roles in affecting affordable housing solutions.
3. The Region 2040 growth concept calls for higher density development, a jobs-housing balance, and mixed-use development in commercial centers and near transit stations. All efforts to address affordable housing in the region, including projects supported by the SIP funding application, should reflect these mandates.
4. Public subsidy dollars should be invested in ways that provide long term benefit to the community as a whole, rather than in ways that provide eventual windfalls for individuals. Therefore, housing funded by public subsidies should be permanently affordable to the income range targeted.
5. Local jurisdictions benefit by taking responsibility to ensure that decent and affordable housing is available for everyone who lives and/or works in their area. It is thus appropriate that local jurisdictions participate in this process either through direct funding or assistance in the removal of barriers to the creation of affordable housing.
6. Providing low income families access to support services including job training/readiness/jobs programs and social services pertinent to personal and family stability are integral to a genuine affordable housing solution.

The following sections provide an outline of funding priorities and evaluation criteria.

**Eligible Development Activities**

- Projects in Multnomah County meeting threshold criteria established below;
- Projects that create additional affordable housing units either through new construction or conversion of existing, market-rate or otherwise unaffordable housing units;
- Projects renovating existing substandard or uninhabitable units;
- Land Banking efforts accompanied by a description of timeline and plans for land preserved;
- Low-income housing preservation efforts where it can be illustrated that current owner occupied or rental housing units will become unaffordable to families living at or below 50% AMI without SIP funding;

**Eligible Funding Uses**

The allowable uses of SIP funds includes, but is not limited to, the following:

- Land Acquisition
- Predevelopment Funds
- Development Financing
- Credit Enhancement
- Equity Participation

**Qualifying or “Threshold” Criteria**

The following are “threshold” criteria. Projects which do not meet all of the applicable “threshold” criteria will not be considered for funding:

- Projects meet the affordable housing needs of families in Multnomah County living at or below 50% AMI;
- Projects must maximize leveraging. The County has set an aggregate goal of 5:1 ratio of non-SIP to SIP funds expended for the program projects;
- Projects must be affordable to the target population for the useful life of the unit, or a minimum of sixty (60) years;
- SIP funds may only be used to fund SIP eligible units
- Projects incorporating workforce development initiatives must demonstrate linkage to appropriate job training/readiness/jobs programs.



A technical review committee has been formed to review applications and make recommendations to the Board of County Commissioners. The review shall be a non-binding recommendation evaluating project merit for the Board of County Commissioners according to adopted criteria. The review committee will advise the Board on program policy and effectiveness. Applications will be evaluated in five areas with a total of 140 points available.

- **Threshold Criteria** – Projects must meet the threshold criteria to be considered for funding.  
Categorical weightings are as follows:
- **Affordable Housing Solution** – 35 Total Points:
  - How the solution is appropriate for the population to be served (amenities, unit sizes, special features, diffusion of concentrated poverty, cost to consumer, etc.) – 10 points;
  - The extent to which housing costs are as low as possible (e.g., serving 30% AMI rather than 50% AMI) – 5 points
  - The extent to which the residents of the project will be provided access to social services and job training/readiness/jobs programs pertinent to personal and family stability. What is the expected effect of the linkage to such services – 10 points;
  - The extent to which the project adheres to priorities set forth in the Countywide Consolidated Plan – 5 points;
  - Number of households to be served by project – 5 points.
- **Community/Neighborhood Support** – 15 Total Points:
  - Community awareness of project (e.g., demonstrated through support letters or minutes from public meetings, etc.) – 5 points;
  - Identification of and plans to meet community concerns – 5 points;
  - Description of how project plan fits within the community – 5 points;
- **Organizational Capacity** – 25 Total Points:
  - Capacity of applicant/development team to complete project (consider scale and complexity of project) – 10 points
  - Prior project experience of the applicant – 5 points
  - Readiness to proceed – 10 points
- **Financial Feasibility** – 25 Total Points: Based on evaluator's review of information provided by applicant; this includes consideration of funds committed, cost estimates, and operational budgets. Please note that these forms give space for the applicant to provide justification that the amounts listed in the budget line items are appropriately estimated. Letters of verification by third parties of estimates, estimates provided by qualified staff/consultants, budgets from similar projects completed within the last year, and acceptance of figures/estimates as valid by lenders all can be used to verify validity of estimates.

Up to 40 Bonus Points are available based on the following point system:

**Geographic/Transit-Oriented Targeting of SIP Funds** – Bonus of 15 points possible;

- Projects requesting SIP-Generated Funds will be eligible for up to 10 bonus points determined on proximity to LSI and Fujitsu plants. Attached is a map indicating the location of these sites. Projects located within a ½ mile radius of the site will receive 10 points; within a 1 mile radius, 7 points; within a 2 mile radius, 5 points; and east of I-205 in Multnomah County, 2 points.
- Projects located in transit corridors and near transit lines (within 1/8 mile of major public transit corridor) and encourage the use of mass transit will receive an additional 5 points.

**Support from Local Jurisdiction** – Bonus of 10 points possible;

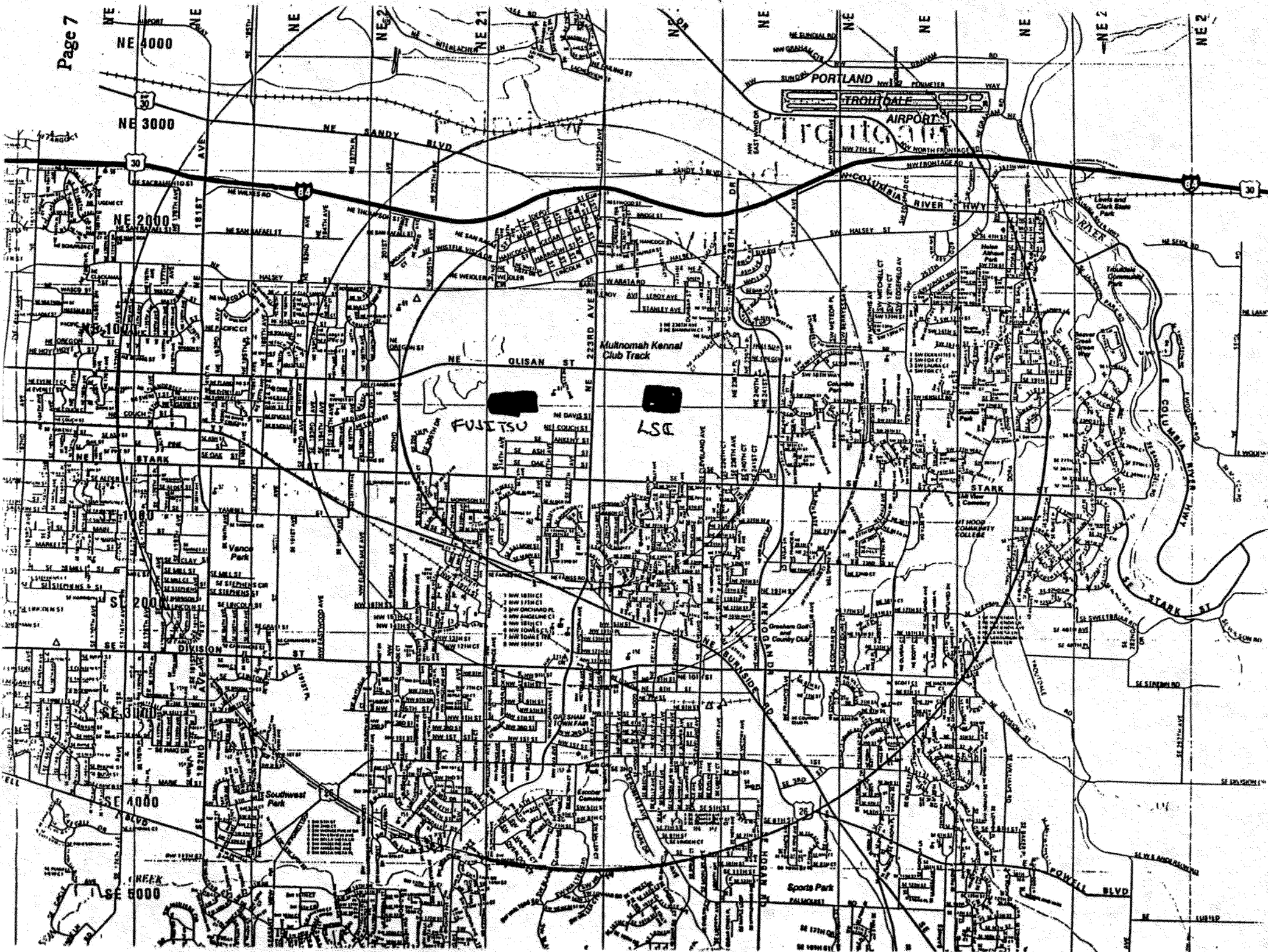
- Projects with financial support from local jurisdiction (either through waived fees, property tax abatements, or direct subsidy provisions) will receive an additional 5 points. Financial support should be verified in writing before SIP funds will be disbursed;
- Projects in jurisdictions which remove regulatory barriers or provide other assistance other than (or in addition to) financial support will receive an additional 5 points.

**Production of Family-Sized Housing** – Bonus of 10 points possible;

- Projects with a majority of the units designed as 2 bedroom units will receive an additional 5 points; *or*
- Projects with a majority of the units designs as 3+ bedroom units will receive an additional 10 points.

**Leverage of non-SIP funding** - Bonus of 5 points possible;

- Projects which meet or exceed the program goal of investing 5 non-SIP dollars for every SIP dollar awarded will receive an additional 5 points.



## APPLICATION QUESTIONS

Answer the following questions clearly and concisely noting the maximum pages allowed for each question. Please use a standard 12 point word processing format.

### THRESHOLD CRITERIA:

Outline how project adheres to threshold criteria. Include description of site location, how the project meets the affordable housing needs of families living at or below 50% of AMI, how affordability will be preserved, what the resources for project's matching ratio of non-SIP funds are and what the ratio is, how the project's affordability will be maintained for the life of the unit. If mixed income project, outline the housing income and unit mix. Describe the workforce component of project and the overall support services design. (2 pages maximum)

### AFFORDABLE HOUSING SOLUTION

Describe the housing project in terms of number and size of units, amenities, appropriateness, rent levels and incomes to be served, adherence to Countywide Consolidated Plan, project design appropriate for the population to be served as described in Question #1. (2-3 pages maximum)  
Provide location map.

Provide a narrative description of the linkage to support services which will be available to project residents. Describe the desired outcomes of the services including job training/readiness/jobs programs provided and the effect upon personal and family stability.

Describe the location of the project in relationship to the proximity of commercial and social services: (For your convenience and use, a form for this purpose is attached as the succeeding page.)

### COMMUNITY/NEIGHBORHOOD SUPPORT

Describe the steps that your organization/corporation has taken to include the community in or inform the community of your project. Include any demonstrated community support for your organization and/or project. Explain how the project is appropriate for the community. State whether there are any community concerns or issues that have arisen and how the organization plans to address them. (2 pages maximum).

### ORGANIZATIONAL CAPACITY

Describe the capacity of applicant/development team to complete project (consider scale and complexity of project). This should include descriptions of professional skills and expertise, past project experience, and readiness to proceed. Include resumes where appropriate. (2 pages maximum)

	Type	Distance from Project	Other Information
Example: Commercial Service	Convenience Store Grocery Store	.4 miles 1.3 miles	7 - 11 with gas station Safeway
Commercial Services			
Employment Centers/ Workforce Programs			
Transportation Services			
Schools			
Parks and Recreation			
Social Services			
Emergency Services (i.e., police, fire, medical)			
Other			

## **FINANCIAL FEASIBILITY**

Please complete the attached Financial Exhibits. The use of standardized financial information forms will assist evaluators in their analysis. Please also note that there are additional exhibits for budget notes. Applicants should use this format to explain how they arrived at costs estimates and provide backup documentation.

## **SITE INFORMATION**

Please submit a completed Site Information Form. Indicate where information is not applicable, but please do not eliminate the form from your application packet.

## **BONUS POINT CATEGORIES**

Please respond to the Geographic/Transit Oriented Targeting of SIP funds categories:

Show the location of your proposed project site and state the exact proximity to the Fujitsu and LSI and bonus points you are claiming. (1 page maximum)

If your project is located in the greater Portland Metropolitan area and is within Tri-Met's service district, please indicate whether your project is within 1/8 mile of mass transit service. Include the line number and location of the nearest bus stop/train station. A map of the East County Tri-Met routes has been included for rough project site/transit line locating purposes. Please include a narrative outlining the measures taken by your project to encourage the use of mass transit. (2 pages maximum)

Please respond to the Local Jurisdiction Support category:

Please demonstrate project financial support from the appropriate local jurisdiction. Please provide letters of commitment, fee waivers, abatements or other demonstrable evidence of support. (1 page maximum)

Demonstrate regulatory relief provided by local jurisdiction in narrative form corroborated by government planning and zoning body. (1 page maximum)

Please respond to the Family Sized Housing category:

Please provide the total number of project units, the number of two-bedroom units and the number of three bedroom units. Please provide a written commitment to unit structure and simple site plan and proposed unit configuration. (2 pages maximum)

Please respond to the Leverage of Non-SIP Funding category:

Please provide written commitment to a leveraged funding ratio meeting or exceeding 5:1 program goal described in your threshold criteria response. Attach documentation of financing commitments. (1 page maximum)

## NONPROFIT INFORMATION

Nonprofit organizations should complete this section of the application. All nonprofit organizations other than governmental entities should also attach photocopies of their articles of incorporation and IRS documentation of their tax-exempt status to this application, unless submitted documents are already on file with the Multnomah Community Development Office.

Source of your exemption: ☐ IRC Section 501(a) ☐ IRC Section 501(c)(3) ☐ IRC Section 501(c)(4)

Date incorporated: \_\_\_\_\_

Date IRS 501(c)(3) received: \_\_\_\_\_

Enclosed: \_\_\_\_\_

On File at MCCD: \_\_\_\_\_

Date Articles of Incorporation & By-Laws filed: \_\_\_\_\_

Enclosed: \_\_\_\_\_

On File at MCCD: \_\_\_\_\_

Date Articles or By-Laws amended: \_\_\_\_\_

Enclosed: \_\_\_\_\_

On File at MCCD: \_\_\_\_\_

Service Area Map and description of area

Enclosed: \_\_\_\_\_

On File at MCCD: \_\_\_\_\_

Purpose/Mission:

Enclosed: \_\_\_\_\_

On File at MCCD: \_\_\_\_\_

Date Purpose/Mission amended: \_\_\_\_\_

Enclosed: \_\_\_\_\_

On File at MCCD: \_\_\_\_\_

Current Board Roster (identifying areas of expertise  
and association)

Enclosed: \_\_\_\_\_

On File at MCCD: \_\_\_\_\_

Do your By-Laws set forth the development of low-income housing as one of your purposes?

☐ yes ☐ no

## SITE INFORMATION

Is the project site currently under applicant's control? ☐ Yes ☐ no

If yes, control is in the form of: ☐ Deed ☐ Option ☐ Purchase Contract ☐ Other \_\_\_\_\_

Expiration date of contract or option: \_\_\_\_\_ mo./yr.

Total cost of land: \$

Exact size of site: \_\_\_\_\_ Acres or Sq.ft. (circle one)

Is site properly zoned for the development? ☐ yes ☐ no

If no, what actions are required before development?

When will the land use issues be resolved? \_\_\_\_\_ mo./yr.

Are all utilities presently available to the site? ☐ yes ☐ no

If no, which utilities need to be brought to the site? \_\_\_\_\_

Is any building in the development with 4 or fewer units occupied or to be occupied by:

The owner? ☐ yes ☐ no A person related to the owner? ☐ yes ☐ no

The following information must be included with the application: **Site control document and documentation of proper zoning.**

## TITLE COMPANY INFORMATION

*(if applicable)*

Contact: \_\_\_\_\_

Escrow #: \_\_\_\_\_

Company: \_\_\_\_\_

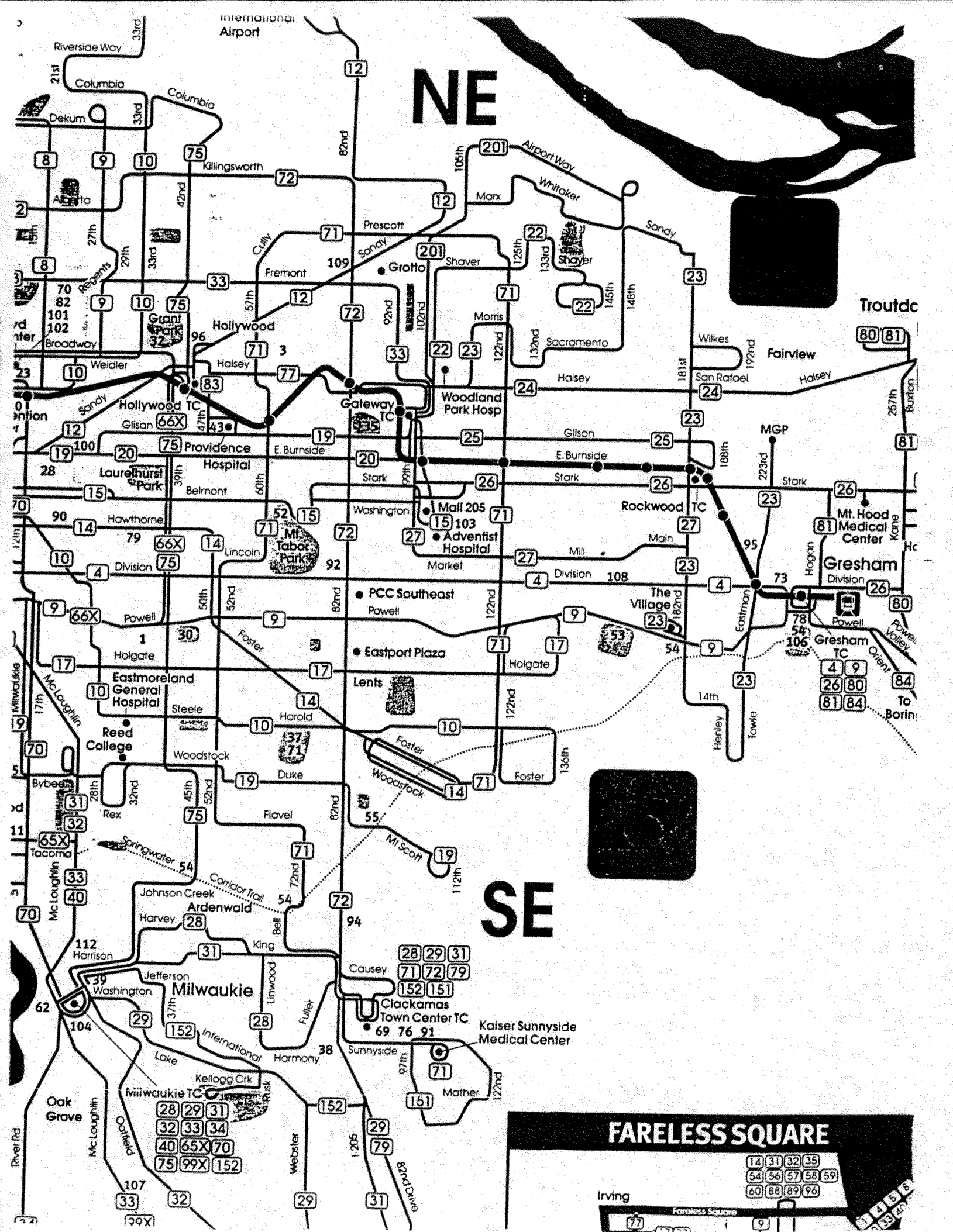
Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_) \_\_\_\_\_

**If a current preliminary title report is available, please attach a copy.**





**SIP Funding Application  
Financial Exhibit A**

**Sources of Funding**

**Project Name:**

<b>SOURCE (including loan/grant)</b>	<b>Committed</b>	<b>Conditional</b>	<b>Tentative</b>
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$

**SUBTOTALS** \$ \$ \$

**TOTAL FUNDING SOURCES** \$

**SIP Funding Application  
Financial Exhibit B.1.  
Uses of Financing  
Project Name:**

	<b>COST</b>	<b>SUBTOTAL</b>
<b><u>Acquisition Costs</u></b>		
Purchase Price	\$	
Liens and Other Taxes	\$	
Closing/Recording Costs	\$	
Off-site Costs/Improvements	\$	
Other	\$	
* Subtotal		\$

<b><u>Development Costs</u></b>		
Land Use Approvals	\$	
Building Permits/Fees	\$	
System Development Charges	\$	
Environmental Report (typically a Level 1)	\$	
Soils/Survey Report (Geotechnical)	\$	
Architectural/Engineering Fees	\$	
Legal/Accounting Fees	\$	
Cost Certification Fee	\$	
Appraisals	\$	
Lender Inspections	\$	
Lender Title Insurance	\$	
Construction Loan Fee	\$	
Permanent Loan Fee	\$	
Construction Period Interest/Taxes	\$	
Construction Period Insurance	\$	
Tax Credit Fees	\$	
Bridge Loan Interest	\$	
Closing Fees	\$	
Marketing	\$	
Lease Up/Operating Reserves	\$	
Developer Fee	\$	
Consultant Fee	\$	
Development Contingency	\$	
Tenant Relocation	\$	
Other	\$	
* Subtotal		\$

<b><u>Construction Costs</u></b>		
On-site Work	\$	
Hazardous Materials Abatement	\$	
Residential Building Construction	\$	
Commercial Building Construction	\$	
Common Use Facilities	\$	
Laundry Facilities	\$	
Storage/Garages	\$	
Landscaping	\$	
Construction Contingency	\$	
Other	\$	
* Subtotal		\$

**TOTAL PROJECT COST** \$

**SIP Funding Application**

**Financial Exhibit B.2.**

**Uses of Financing**

**Project Name:**

**Please identify how you arrived at the cost estimates itemized in Financial Exhibit B.1. Verification documents may be included.**

**SIP Funding Application  
Financial Exhibit C**

**Housing Operating Budget - INCOME**  
Project Name: \_\_\_\_\_

**EARLY Residential Income:**

Annual Inflation Rate Factor: \_\_\_\_\_ %

Unit Type	HOME	Median Income %	#/Units	Monthly Rent Per Per Unit		1st Full Project Year	Year 5
_____	_____	_____	_____ X	\$ _____	X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____	X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____	X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____	X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____	X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____	X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____	X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____	X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____	X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____	X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____	X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____	X 12 =	\$ _____	\$ _____
_____	_____	_____	_____ X	\$ _____	X 12 =	\$ _____	\$ _____
<b>SUB-TOTALS</b>						\$ _____	\$ _____

**Other Revenue:**

Laundry	\$ _____	\$ _____
Garage/Parking	\$ _____	\$ _____
Double Occupancy	\$ _____	\$ _____
Deposits on Turnover	\$ _____	\$ _____
Services	\$ _____	\$ _____
<b>SUB-TOTAL OTHER REVENUE</b>	\$ _____	\$ _____

**Effective Gross Income:** \_\_\_\_\_ \$ \_\_\_\_\_

Less Vacancy Rate (\_\_\_\_ %) (\_\_\_\_) (\_\_\_\_)

**Net Effective Gross Income:** \_\_\_\_\_ \$ \_\_\_\_\_

**SIP Funding Application  
Financial Exhibit D**

**Utility Allowance information**

**Project Name:**

<b>TYPE OF UTILITY (Gas, Elec, Oil, etc.)</b>	<b>OWNER UTILITIES</b>	<b>TENANT PAYS</b>	<b>1 BDRM</b>	<b>2 BDRM</b>	<b>3 BDRM</b>	<b>4 BDRM</b>
Heating			\$	\$	\$	\$
Lighting			\$	\$	\$	\$
Air Conditioning			\$	\$	\$	\$
Cooking			\$	\$	\$	\$
Hot Water			\$	\$	\$	\$
Water			\$	\$	\$	\$
Sewer			\$	\$	\$	\$
Trash Removal			\$	\$	\$	\$
<b>TOTAL UTILITY ALLOWANCE</b>			\$	\$	\$	\$

If allowances are calculated by other methods, attach the appropriate schedule and include unit rents, number of bedrooms, and allowances.

**Source of Utility Allowance Calculation:**

**Name:**

- ☐ Local Housing Authority
- ☐ Utility Company
- ☐ Other

**SIP Funding Application  
Financial Exhibit E.1.**

**Housing Operating Budget - EXPENSES**

**Project Name:** \_\_\_\_\_

**Annual Inflation Rate Factor:** \_\_\_\_\_ %

<b><u>Annual Operating Expenses</u></b>	<b><u>Annual per Unit</u></b>	<b><u>1st full Year</u></b>	<b><u>Project Year 5</u></b>
Insurance	\$ _____	\$ _____	\$ _____
Utilities:(common areas)			
Gas/Oil	\$ _____	\$ _____	\$ _____
Electric	\$ _____	\$ _____	\$ _____
Water & Sewer	\$ _____	\$ _____	\$ _____
Garbage Removal	\$ _____	\$ _____	\$ _____
Other _____	\$ _____	\$ _____	\$ _____
Repairs	\$ _____	\$ _____	\$ _____
General Maintenance	\$ _____	\$ _____	\$ _____
Landscape Maintenance	\$ _____	\$ _____	\$ _____
Replacement Reserve	\$ _____	\$ _____	\$ _____
Property Management:			
On-site	\$ _____	\$ _____	\$ _____
Contracted (Off-Site)	\$ _____	\$ _____	\$ _____
Professional Services:			
Resident Services	\$ _____	\$ _____	\$ _____
Case Management	\$ _____	\$ _____	\$ _____
Legal	\$ _____	\$ _____	\$ _____
Accounting	\$ _____	\$ _____	\$ _____
Other _____	\$ _____	\$ _____	\$ _____
Office & Administration	\$ _____	\$ _____	\$ _____
Advertising/Marketing & Promotion	\$ _____	\$ _____	\$ _____
Unit Turnover	\$ _____	\$ _____	\$ _____
Taxes(non-real estate)	\$ _____	\$ _____	\$ _____
Real Estate Taxes	\$ _____	\$ _____	\$ _____
Other _____	\$ _____	\$ _____	\$ _____
<b><u>Total Annual Operating Expenses</u></b>	<b>\$ _____</b>	<b>\$ _____</b>	<b>\$ _____</b>
<b>Net Operating Income</b>	<b>\$ _____</b>	<b>\$ _____</b>	<b>\$ _____</b>
<b>Less Debt Service:</b>			
_____ % on \$ _____ for _____ years	\$ _____	\$ _____	\$ _____
_____ % on \$ _____ for _____ years	\$ _____	\$ _____	\$ _____
_____ % on \$ _____ for _____ years	\$ _____	\$ _____	\$ _____
<b>Total Debt Service</b>	<b>\$ _____</b>	<b>\$ _____</b>	<b>\$ _____</b>
<b>Cash Flow Per Year</b>	<b>\$ _____</b>	<b>\$ _____</b>	<b>\$ _____</b>

**SIP Funding Application  
Financial Exhibit E.2.**

**Housing Operating Budget - EXPENSES**

**Project Name:**

**Please identify how you arrived at the cost estimates itemized in Financial Exhibit E.1. Verification documents may be included.**



**SIP Funding Application  
Financial Exhibit F**

**Project Schedule**

**Project Name:**

ACTIVITY	PROPOSED DATE (month/year)
<b>SITE</b>	
Option/Contract	
Site Acquisition	
Zoning Approval	
Site Analysis	
Building Permits & Fees	
Off-Site Improvements	
<b>PRE-DEVELOPMENT</b>	
Plans Completed	
Final Bids	
Contractor Selected	
<b>FINANCING</b>	
Construction Loan:	
Proposal	
Firm Commitment	
Permanent Loan:	
Proposal	
Firm Commitment	
<b>SYNDICATION AGREEMENT (LIHTC)</b>	
<b>CONSTRUCTION BEGINS</b>	
<b>CONSTRUCTION COMPLETED</b>	
<b>CERTIFICATE OF OCCUPANCY</b>	
<b>LEASE UP</b>	

**Multnomah County Affordable Housing Development Program  
Technical Review Committee for SIP Housing Funds  
Membership Roster - 7/1/97**

Philanthropic Organization	Angela Allen-Mpyisi Neighborhood Partnership Fund 227-6846	631 SW Morrison, #725 Portland, OR 97205
Banking Industry	James Taylor Albina Community Bank 288-7292	2002 NE MLK Blvd. Portland, OR 97212
County Citizen Involvement Committee	Derry Jackson 735-6979 - Work 283-4388 - Home	9540 N Edison Street Portland, OR 97203
City of Portland	Robert Bole Portland BHCD 823-2353	808 SW 3rd Avenue, #600 Portland, OR 97204 B157/600
City of Gresham	Pete Von Christierson Gresham Community Development 618-2643	1333 NW Eastman Pkwy. Gresham, OR 97030
Commissioner Saltzman	Andrea Jilovec-Jason Dimen 248-5220	1120 SW 5th Ave., #1500 Portland, OR 97204 B106/1500
Commissioner Collier	Don Carlson 248-5126	1120 SW 5th Ave., #1500 Portland, OR 97204 B106/1500
Commissioner Hansen	Pam Arden 289-9475	1120 SW 5th Ave., #1500 Portland, OR 97204 B106/1500
Commissioner Kelley	Carolyn Marks-Bax 248-2738	1120 SW 5th Ave., #1500 Portland, OR 97204 B106/1500
City of Gresham Appointee	Terry McCall Finance Director 618-2372	1333 NW Eastman Pkwy. Gresham, OR 97030
Chair Appointee	John Rakowitz SIP Coordinator 306-5797	1120 SW 5th Ave., 1400 Portland, OR 97204 B106/1400
Portland Appointee	Ramsey Weit 284-0489	2606 NE 16th Avenue Portland, OR 97212
Staff	HC Tupper - 248-3114 Cecile Pitts - 248-3044	421 SW 6th Ave., #500 Portland, OR 97204 B166/500

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

Funding Award for County Sponsored	)	
Strategic Investment Program to: Housing	)	
Authority of Portland, ROSE Community	)	<b>O R D E R</b>
Development Corporation, Franciscan	)	<b>97-221</b>
Enterprise of Oregon, Inc., Central City	)	
Concern, Housing Our Families, Portland	)	
Habilitation Center, Hacienda Community	)	
Development Corporation, Sabin	)	
Community Development Corporation,	)	
Mt. Hood Community Mental Health	)	
Center for Low Income Housing Purposes	)	

WHEREAS, applications for funding low income housing projects were received pursuant to procedures approved by the Board of County Commissioners in a public meeting on July 3, 1997 and met the conditions set forth set forth in the Multnomah County Strategic Investment Program contract; and

WHEREAS, a public hearing was held before the Board of County Commissioners on December 30, 1997, in which the duly constituted review committee for the Strategic Investment Program presented its recommendation for project funding awards; and

WHEREAS, the Board of County Commissioners, in consultation with the City of Portland, City of Gresham and the Countywide Housing and Community Development Commission, reviewed the proposals and committee funding award recommendations and being fully informed in the matter; now therefore

IT IS HEREBY ORDERED that the funding awards, (recipients and award amounts are listed and attached as Exhibit A), for low income housing purposes under the auspices of the County Strategic Investment Program, be and hereby are approved; and

IT IS FURTHER ORDERED that if the funding awards are not committed for the approved projects by January 1, 1999, the Board of County Commissioners will consider reallocating the uncommitted amounts to other programs, including home ownership; and

IT IS FURTHER ORDERED that the Chair be and hereby is authorized to execute all agreements and other documentation required to fund and secure the performance of the Strategic Investment Program recipients.

DATED this 30th day of December, 1997.



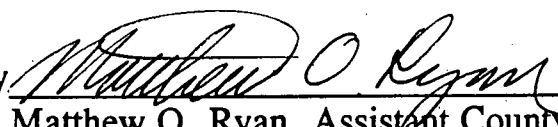
BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
\_\_\_\_\_  
Beverly Stein, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY COUNSEL  
MULTNOMAH COUNTY, OREGON

By

  
\_\_\_\_\_  
Matthew O. Ryan, Assistant County Counsel

**EXHIBIT A**  
**MULTNOMAH COUNTY**  
**1997 STRATEGIC INVESTMENT PROGRAM RECIPIENTS**

	<u>Sponsor Name</u>	<u>Project Name</u>	<u>SIP Funds award</u>
1.	Housing Authority of Portland	Rockwood Landing SE 190 <sup>th</sup> Ave. & SE Yamhill	\$150,000.00
2.	ROSE CDC	Woodstock House	45,000.00
3.	Franciscan Enterprise	7110 SE Woodstock St. Francis Place	32,000.00
4.	Central City Concern	Rose Wood Apartments NE 48 <sup>th</sup> Ave. & Sandy	185,000.00
5.	Housing Our Families	Alberta Simmons Plaza NE MLK Jr. Blvd. & NE Dekum	114,000.00
6.	Portland Habilitation Center	5 Property Purchase 1009 SE 162 <sup>nd</sup> Ave. 4333 SE 104 <sup>th</sup> Ave. 7200 SE Woodstock Blvd. 6633-34 N. Oberlin 13223 SE Powell Blvd.	114,000.00
7.	Hacienda CDC	Villa de Clara Vista addition 6500 NE Killingsworth	150,000.00
8.	Sabin CDC	NE 27 <sup>th</sup> & Killingsworth Project	110,000.00
9.	Mt. Hood Community Mental Health	Ava House II 97 NW Ava, Gresham	50,000.00
		Total SIP funds awarded	\$ 950,000.00

# MULTNOMAH COUNTY CONTRACT APPROVAL FORM

(See Administrative Procedures CON-1)

Renewal ☐

Prior-Approved Contract Boilerplate: ☐ Attached; ☒ Not Attached

Contract # **104776**

Amendment # **1**

CLASS I	CLASS II	CLASS III
<input type="checkbox"/> Professional Services under \$50,000 <input type="checkbox"/> Intergovernmental Agreement Under \$25,000	<input type="checkbox"/> Professional Services over \$50,000 (RFP, Exemption) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue	<input type="checkbox"/> Intergovernmental Agreement over \$25,000 <input checked="" type="checkbox"/> Intergovernmental Revenue Agreement  <div style="text-align: center;"> <b>APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</b>                      AGENDA # <u>C-10</u> DATE <u>4/30/98</u>  <u>DEB BOGSTAD</u>  <b>BOARD CLERK</b> </div>

Department: Community & Family Services

Contract Originator: H. H. Tupper

Administrative Contact: Patty Doyle

Description of Contract:

Division: \_\_\_\_\_

Phone: 248-3691 ext 83114

Phone: 248-3691 ext 24418

Date: April 8, 1998

Bldg/Room 166/5th

Bldg/Room 166/7th

**This amendment adds funds to assist in the development and construction of 36 units of very low income farmworker rental housing.**

RFP/BID #: County Wide Strategic Investment Program Application, Order #970221m 12/30/97

Date of RFP/BID: August 1997

ORS/AR # \_\_\_\_\_ Contractor is ☐ MBE ☐ WBE ☐ QRF ☐ N/A ☐ None

Original Contract No. \_\_\_\_\_ (Only for Original Renewals)

<p>Contractor Name: <b>Housing Authority of Portland</b></p> <p>Mailing Address: <b>135 S.W. Ash St. Portland, Or. 97204-3540</b></p> <p>Phone: <b>(503) 228-2178</b></p> <p>Employer ID# or SS#: <b>93-6001547</b></p> <p>Effective Date: <b>January 1, 1998</b></p> <p>Termination Date: <b>June 30, 1998</b></p> <p>Original Contract Amount: <b>\$32,876</b></p> <p>Total Amt of Previous Amendments: <b>\$ 0</b></p> <p>Amount of Amendment: <b>\$ 150,000</b></p> <p>Total Amount of Agreement: <b>\$ 182,876</b></p>	<p>Remittance Address (if different) _____</p> <table style="width:100%;"> <tr> <th style="text-align: center;">Payment Schedule</th> <th style="text-align: center;">Terms</th> </tr> <tr> <td><input checked="" type="checkbox"/> Lump Sum \$ <u>Invoice</u></td> <td><input type="checkbox"/> Due on Receipt</td> </tr> <tr> <td><input type="checkbox"/> Monthly \$ _____</td> <td><input type="checkbox"/> Net 30</td> </tr> <tr> <td><input type="checkbox"/> Other \$ _____</td> <td><input type="checkbox"/> Other</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Requirements contract - Requisition Required</td> </tr> <tr> <td colspan="2">Purchase Order No. _____</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Requirements Not to Exceed \$ _____</td> </tr> <tr> <td colspan="2">Encumber: Yes <input type="checkbox"/> No <input type="checkbox"/></td> </tr> </table>	Payment Schedule	Terms	<input checked="" type="checkbox"/> Lump Sum \$ <u>Invoice</u>	<input type="checkbox"/> Due on Receipt	<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30	<input type="checkbox"/> Other \$ _____	<input type="checkbox"/> Other	<input type="checkbox"/> Requirements contract - Requisition Required		Purchase Order No. _____		<input type="checkbox"/> Requirements Not to Exceed \$ _____		Encumber: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Payment Schedule	Terms																
<input checked="" type="checkbox"/> Lump Sum \$ <u>Invoice</u>	<input type="checkbox"/> Due on Receipt																
<input type="checkbox"/> Monthly \$ _____	<input type="checkbox"/> Net 30																
<input type="checkbox"/> Other \$ _____	<input type="checkbox"/> Other																
<input type="checkbox"/> Requirements contract - Requisition Required																	
Purchase Order No. _____																	
<input type="checkbox"/> Requirements Not to Exceed \$ _____																	
Encumber: Yes <input type="checkbox"/> No <input type="checkbox"/>																	

REQUIRED SIGNATURES:

Department Manager: *Lorenzo Poemas* Date: 4/9/98

Purchasing Director: \_\_\_\_\_ Date: \_\_\_\_\_

(Class II Contracts Only) County Counsel: *Katie Gunt* Date: 4/17/98

County Chair/Sheriff: *Wally Cleary* Date: 4/30/98

Contract Administration: \_\_\_\_\_ Date: \_\_\_\_\_

(Class I, Class II Contracts Only)

VENDOR CODE <b>GV8518B</b>				VENDOR NAME <b>Housing Authority of Portland</b>				TOTAL AMOUNT: <b>\$182,876</b>			
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT/ REV SRC	SUB OBJ	REPT CATEG	LGFS DESCRIP	AMOUNT	Inc/Dec Ind.
	156	010	1260			2794			HAP - Youth A&D	45,384	

If additional space is needed, attach separate page. Write contract # on top of page.

DISTRIBUTION: Contracts Administration, Initiator, Finance

\\cfsd-fs3\vol2\admin\ceu\contract.98\hapfwh.ca1

COMMUNITY AND FAMILY SERVICES DEPARTMENT  
CONTRACT APPROVAL FORM SUPPLEMENT

Contractor : HOUSING AUTHORITY OF PORTLAND-FARMWORKER HSG

Vendor Code : GV8518B

Fiscal Year : 97/98

Numeric Amendment : 00

Contract Number : 104776

Page 1 of 2  
3/20/98

LINE	FUND	AGEN	ORG CODE	ACTIVIY CODE	OBJECT CODE	REPORTING CATEGORY	LGFS DESCRIPTION	ORIGINAL AMOUNT	AMENDMENT AMOUNT	FINAL AMOUNT	REQT'S ESTIMATE
01	156	010	1205	H43B	6060	9418F 14.218	CD CDBG FFY 97 CD Housing Construction	\$32,876.00		\$32,876.00	
TOTAL								\$32,876.00	\$0.00	\$32,876.00	\$0.00

COMMUNITY AND FAMILY SERVICES DEPARTMENT

CONTRACT APPROVAL FORM SUPPLEMENT

Contractor : HOUSING AUTHORITY OF PORTLAND-FARMWORKER HSG

Vendor Code : GV8518B

Page 2 of 2

3/20/98

Fiscal Year : 97/98

Numeric Amendment : 01

Contract Number : 104776

LINE	FUND	AGEN	ORG CODE	ACTIVIY CODE	OBJECT CODE	REPORTING CATEGORY	LGFS DESCRIPTION	ORIGINAL AMOUNT	AMENDMENT AMOUNT	FINAL AMOUNT	REQT'S ESTIMATE
02	156	010	1205	H43B	6060	9261M	CAPO SIP Community Resource CD Housing Construction	\$0.00	\$150,000.00	\$150,000.00	
TOTAL								\$0.00	\$150,000.00	\$150,000.00	\$0.00



MULTNOMAH COUNTY DEPARTMENT OF COMMUNITY AND FAMILY SERVICES  
CONTRACT #104776, AMENDMENT #1

DURATION OF AMENDMENT: January 1, 1998 TO: June 30, 1998  
CONTRACTOR NAME: Housing Authority of Portland TELEPHONE: (503) 228-2178  
CONTRACTOR ADDRESS: 135 S.W. Ash St. NUMBER: 93-6001547  
Portland, OR 97209

This amendment is to that certain contract dated July 1, 1997, between the Multnomah County Department of Community and Family Services, referred to as the "COUNTY" and Housing Authority of Portland, referred to as the "CONTRACTOR." It is understood by the parties that all conditions and agreements in the original contract not superseded by the language of this amendment are still in force and apply to this amendment.

**PART I: CHANGES** Increases funding by \$150,000 to assist in the development and construction of 36 units of very low income farmworker rental housing.

Incorporated into this amendment by reference is the Loan Agreement which includes: Exhibit A. Property Legal Description, Exhibit B. Promissory Note, Exhibit C. Trust Deed Security Agreement and Fixture Filing, and Exhibit D. Regulatory Agreement.

**PART II: AMENDMENT NARRATIVE** Funding to assist with the development and building of 36 units of very low income farmworker rental housing is through the Strategic Investment Program (SIP). Funding stipulations include: a) project meets the affordable housing needs of families in Multnomah County living at or below 50% area median income (AMI); b) project maximizes leveraging. The COUNTY has set an aggregate goal of 5:1 ratio of non-SIP to SIP funds expended for the program project; and c) projects must be affordable to the target population for the useful life of the unit, or a minimum of sixty (60) years. SIP funds may only be used to fund SIP eligible units.

In witness whereof, the parties hereto have caused this contract to be executed by their authorized officers.

MULTNOMAH COUNTY

HOUSING AUTHORITY OF PORTLAND

BY Lolenz Boemus 4/9/98  
Director, Dept. of Community & Date  
Family Services

BY \_\_\_\_\_  
Agency Authorized Signer Date

BY Beverly Stein 4/30/98  
Beverly Stein Date  
Multnomah County Chair

REVIEWED:

THOMAS SPONSLER, County Counsel for  
Multnomah County, Oregon

By Kate Bartz 4/17/98  
Date

APPROVED MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # C-10 DATE 4/30/98  
DEB BOGSTAD  
BOARD CLERK

CONTRACT FOR SERVICES  
MULTNOMAH COUNTY COMMUNITY AND FAMILY SERVICES DEPARTMENT

**Attachment A:**  
**Service Elements and Contract Amounts**

Contractor Name : HOUSING AUTHORITY OF PORTLAND- FARMWORKER HSG		Vendor Code: GV8518B
Contractor Address : 135 SW ASH ST PORTLAND OR 97204		
Telephone : 273-4515	Fiscal Year : 97/98	Federal ID # : 93-6001547

**Program Office Name : DCAD Community & Neighborhood Improvements**

*Service Element Name : CD Housing Construction (H43B); WILLOW TREE II*

<u>Mod. #</u>	<u>Begin Date</u>	<u>End Date</u>	<u>Payment Method</u>	<u>Payment Basis</u>	<u># of Units</u>	<u>Unit Description</u>	<u>Unit Rate</u>	<u>Amount</u>
0	7/1/97	7/30/98	Per Invoice	Cost Reimbursement				\$32,876.00
1	1/1/98	6/30/97	Per Invoice	Lump Sum				\$150,000.00
Total								\$182,876.00

## BUDGET MODIFICATION NO.

HD16

(For Clerk's Use) Meeting Date APR 30 1998Agenda No. C-11

## 1. R PLACEMENT ON THE AGENDA FOR

(Date)

DEPARTMENT Health

DIVISION \_\_\_\_\_

CONTACT Kathy InnesTELEPHONE 248-3056 x27027

) OF PERSON MAKING PRESENTATION TO BOARD

Tom FronkSUGGESTEDAGENDA TITLE

(to assist in preparing a description for the printed agenda)

Approve an increase of .98 FTE and \$158,408 in the Lead Hazard Reduction Program funded with grant funds received from the City of Portland.

(Estimated Time Needed on the Agenda)

## 2. CRIPTION OF MODIFICATION

(Explain the changes this Bud Mod makes. What budget does it increase? What do changes

ome from? What budget is reduced? Attach additional information if you need more space.)

☒

Personnel changes are shown in detail on the attached sheet

This action adds .66 Health Services Manager and .75 sanitarian to the Lead Hazard Reduction Program and .4 Program Development technician to the Planning and Development unit for evaluation of the program. The increase in the budget includes \$123,851 in temporary help for ClearCorps workers.

## 3. REVENUE IMPACT

(Explain revenues being changed and reason for the change)

Adds \$2,670 in indirect to the General Fund.

98 APR 21 AM 9:41  
 CLATSOP COUNTY COMMISSIONERS  
 MULTNOMAH COUNTY  
 OREGON

## 4. CONTINGENCY STATUS

(to be completed by Budget &amp; Quality)

Fund Contingency before this modification \_\_\_\_\_

Date \_\_\_\_\_

After this modification \_\_\_\_\_

Originated By \_\_\_\_\_

Date \_\_\_\_\_

Department Director \_\_\_\_\_

Date \_\_\_\_\_

Plan/Budget Analyst \_\_\_\_\_

Date \_\_\_\_\_

Employee Services \_\_\_\_\_

Date \_\_\_\_\_

Board Approval \_\_\_\_\_

Date \_\_\_\_\_

Wendy C. Boasted4/30/98Susan Danneil4/20/98

**PERSONNEL DETAIL FOR BUDGET MODIFICATION NO.**
**HD16**
**5. ANNUALIZED PERSONNEL CHANGES**

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

Permanent Positions, Temporary, Overtime, or Premium	JCN	Org	Explanation of Change	ANNUALIZED			
				BASE PAY Increase (Decrease)	Increase/(Decrease)		TOTAL Increase (Decrease)
					Fringe	Ins.	
1.00	9693	0313	Health Serv Admin	60,662	10,621	6,251	77,534
-0.50	6001	0313	Office Asst 2	(13,566)	(2,436)	(1,359)	(17,361)
-0.50	6018	0313	Health Info Spec 2	(17,149)	(3,080)	(1,528)	(21,757)
1.25	6356	0313	Sanitarian	62,604	10,962	5,135	78,701
0.01	9696	0313	Health Serv Manager	945	143	60	1,148
0.60	6020	0054	Prog Dev Tech	17,802	3,186	2,935	23,923
							0
1.86	TOTAL CHANGE (ANNUALIZED)			\$111,298	\$19,396	\$11,494	\$142,188

**6. FISCAL YEAR PERSONNEL DOLLAR CHANGES**

(Calculate costs/savings that will take place this FY; these should explain the actual dollar amounts changed by this BudMod.)

				CURRENT FY			
Permanent Positions, Temporary, Overtime, or Premium	JCN	Org	Explanation of Change	BASE PAY Increase (Decrease)	Increase/(Decrease)		TOTAL Increase (Decrease)
					Fringe	Ins.	
0.66	9693	0313	Health Serv Admin	40,462	7,084	3,706	51,252
-0.50	6001	0313	Office Asst 2	(13,566)	(2,436)	(1,359)	(17,361)
-0.34	6018	0313	Health Info Spec 2	(11,438)	(2,054)	(1,019)	(14,512)
0.75	6356	0313	Sanitarian	37,563	6,483	3,093	47,139
0.01	9696	0313	Health Serv Manager	945	143	60	1,148
0.40	6020	0054	Prog Dev Tech	11,868	2,131	1,956	15,955
0.98							
TOTAL CURRENT FISCAL YEAR CHANGES				\$65,833	\$11,351	\$6,436	\$83,620

EXPENDITURE						HD16							
TRANSACTION EB GM [ ]		TRANSACTION DATE						ACCOUNTING PERIOD				BUDGET FY	
Document				Organi-		Reporting		Current	Revised	Increase			
Number	Action	Fund	Agency	zation	Activity	Category	Object	Amount	Amount	(Decrease)	Subtotal	Description	
		156	015	0313			5100			53,965			
		156	015	0313			5200			123,851			
		156	015	0313			5500			22,982			
		156	015	0313			5550			4,480			
		156	015	0313			6110			(157,648)			
		156	015	0313			6120			(10,000)			
		156	015	0313			6230			26,647			
		156	015	0313			6310			(4,745)			
		156	015	0313			6330			7,942			
		156	015	0313			7100			8,684			
		156	015	0313			8400			4,500	80,658		
		156	015	0054			5100			11,868			
		156	015	0054			5500			2,131			
		156	015	0054			5550			1,956			
		156	015	0054			6060			28,408			
		156	015	0054			6110			12,625			
		156	015	0054			6230			1,177			
		156	015	0054			6330			2,849			
		156	015	0054			7100			4,026	65,040		
		100	075	9120			7700			2,670			
		100	015	0905			6110			10,040	12,710		
									0				
TOTAL EXPENDITURE CHANGE										158,408	158,408		
REVENUE													
TRANSACTION RB GM [ ]		TRANSACTION DATE						ACCOUNTING PERIOD				BUDGET FY	
Document				Organi-		Reporting		Current	Revised	Increase			
Number	Action	Fund	Agency	zation	Activity	Category	Object	Amount	Amount	(Decrease)	Subtotal	Description	
		156	015	0313			2773			80,658			
		156	015	0054			2773			65,040			
									0				
		100	075	6602			6602			12,710			
									0				
									0				
TOTAL REVENUE CHANGE										158,408	0		



# MULTNOMAH COUNTY, OREGON

BOARD OF COUNTY COMMISSIONERS  
BEVERLY STEIN  
DAN SALTZMAN  
GARY HANSEN  
TANYA COLLIER  
SHARRON KELLEY

HEALTH DEPARTMENT  
BUSINESS SERVICES  
McCOY BUILDING  
426 SW STARK  
PORTLAND, OR 97204  
PHONE (503) 248-3056

TO: Board of County Commissioners

FROM:  Bill Odgaard

TODAY'S DATE: April 13, 1998

REQUESTED PLACEMENT DATE: April 23, 1998

SUBJECT: Health Budget Modification Number 16

---

## **I. Recommendation / Action Requested:**

Approve an increase of .98 FTE and \$158,408 in the Lead Hazard Reduction Program funded with grant funds received from the City of Portland.

## **II. Background / Analysis:**

The CLEARCorps program works to reduce the risk of exposure to lead hazards from dust and deteriorating lead-based paint in low income housing where children under six years of age and pregnant women live. The program achieves this through in-home education, minor home repairs, repainting, and a thorough home cleaning. Clients are also contacted on a monthly basis for six months after work on their home is completed.

CLEARCorps is a part of the Portland Water Bureau's Lead Hazard Reduction Program. CLEARCorps is managed and staffed by Health Department personnel. Funding for the program comes through an Intergovernmental Agreement with the City of Portland signed in December 1997 and through a grant from the Shriver Center at the University of Maryland at Baltimore County (UMBC). The Water Bureau's share of the program is funded through rate payer fees. UMBC money is from a grant from the Corporation for National Service's AmeriCorps program. The grant is awarded to the Shriver Center and Multnomah County is a subcontractor of the Shriver Center.

**III. Financial Impact: NA**

**IV. Legal Issues: NA**

**V. Controversial Issues: NA**

**VI. Link to Current County Policies: NA**

**VII. Citizen Participation: NA**

**VIII. Other Government Participation: NA**

[For Clerk's Use] Meeting Date \_\_\_\_\_

APR 30 1998

Agenda # \_\_\_\_\_

C-12

## 1. REQUEST FOR PLACEMENT ON THE AGENDA FOR:

DEPARTMENT: Community Justice  
CONTACT: Meganne SteeleDIVISION: Director's Office  
Telephone: 248-3961

\*NAME[S] OF PERSON MAKING PRESENTATION TO BOARD: Consent Calendar

SUGGESTED AGENDA TITLE [To assist in preparing a description for the printed agenda]

The Department of Community Justice Budget Modification # DCJ 2 Adds \$24,000 State of Oregon Children &amp; Family Commission Funds For Gender Studies and Cultural Diversity

ESTIMATED TIME NEEDED ON THE AGENDA: N/A

2. DESCRIPTION OF MODIFICATION [Explain the changes this Bud Mod makes. What budget does it increase? What do the changes accomplish? Where does the money come from? What budget is increased or reduced? Attach additional information if you need more space].  
Personnel changes are shown in detail on the attached. No

This budget modification increases the Department Director's Office's Federal/State program contracted services by \$23,833 and Indirect Cost by \$167.

## 3. REVENUE IMPACT [Explain revenues being changed and the reason for the change]

- Increases Rev Code 2312 by \$24,000.
  - ~~Increases~~ general fund Contingency by \$167 in Indirect Cost support.
- ~~DECREASES~~  
INCREASES

## 4. CONTINGENCY STATUS [to be completed by Finance/Budget]

Contingency before this modification [as of \_\_\_\_\_ \$ \_\_\_\_\_]  
[Specify Fund] [Date]

After this modification \$ \_\_\_\_\_

<u>Sam H. Eggen</u>	<u>3-26-98</u>	<u>M. Steele</u>	<u>3-26-98</u>
[Originated By]	[Date]	[Department Manager]	[Date]
<u>Deborah C. Bagstad</u>	<u>4-16-98</u>		
[Finance/Budget]	[Date]	[Employee Relations]	[Date]
<u>Deborah C. Bagstad</u>	<u>4/30/98</u>		
[Board Approval]	[Date]		

98 APR 16 PM 2:03  
MULTNOMAH COUNTY  
OREGON  
BOARD OF  
COUNTY COMMISSIONERS

## Page 2

				REPT	OBJ	CURR	REV			
FUND	AGCY	ORG	ACT	CATEG	CODE	AMT	AMT	CHANGE	TOTAL	DESCRIPTION
156	22	2100		JJCC	6060			2,979		Pass Thru Payments
156	22	2100		JFEM	6060			20,854		Pass Thru Payments
156	22	2100		JJCC	7100			21		Indirect Cost
156	22	2100		JFEM	7100			146		Indirect Cost
									24,000	TOTAL ORG 2100
400	75	9120			7700			167		Contingency
									167	TOTAL INTERNAL
								24,167	24,167	TOTAL EXPENSE

				REPT	REV	CURR	REV			
FUND	AGCY	ORG	ACT	CATEG	SO.	AMT	AMT	CHANGE	TOTAL	DESCRIPTION
156	22	2100		JJCC	2312			3,000		OR COMM CHILDREN & YO.
156	222	2100		JFEM	2312			21,000		OR COMM CHILDREN & YO.
									24,000	TOTAL ORG 2100
100	75	7410			6602			167		Indirect
									167	TOTAL INTERNAL
								24,167	24,167	TOTAL REVENUE





# MULTNOMAH COUNTY OREGON

DEPARTMENT OF JUVENILE AND ADULT COMMUNITY JUSTICE  
JUVENILE COMMUNITY JUSTICE  
1401 N.E. 68TH  
PORTLAND, OREGON 97213  
(503) 248-3460  
TDD 248-3561

BOARD OF COUNTY COMMISSIONERS  
BEVERLY STEIN • CHAIR OF THE BOARD  
DAN SALTZMAN • DISTRICT 1 COMMISSIONER  
GARY HANSEN • DISTRICT 2 COMMISSIONER  
TANYA COLLIER • DISTRICT 3 COMMISSIONER  
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

## MEMORANDUM

**TO:** BOARD OF COUNTY COMMISSIONERS

**FROM:** Meganne Steele *MS*  
Department of Community Justice

**DATE:** March 30, 1998

**RE:** REQUEST FOR DCJ #2 BUDGET MODIFICATION APPROVAL

- I. RECOMMENDATION/ACTION REQUESTED: Approve budget modification DCJ #2 for the Multnomah County Department of Community Justice to add \$24,000 State of Oregon Children & Family Commission revenue to the Department's Federal/State program.
- II. BACKGROUND/ANALYSIS: The Department has received two grants from the State's Children & Families Commission. The first, for \$21,000, funds a gender specific policy advisory committee project. The second, for \$3,000, funds a cultural competency project. Both grants consist of contracted services and coverage of Indirect Cost.
- III. FINANCIAL IMPACT: Both grants end June 30, 1998 and are not projected to be included in the Department's FY98-99 proposed budget.
- IV. LEGAL ISSUES: N/A
- V. CONTROVERSIAL ISSUES: N/A
- VI. LINK TO CURRENT COUNTY POLICIES: N/A
- VII. CITIZEN PARTICIPATION: N/A
- VIII. OTHER GOVERNMENT PARTICIPATION: This funding represents one-time-only state support for specific projects.

[For Clerk's Use] Meeting Date \_\_\_\_\_

APR 30 1998

## 1. REQUEST FOR PLACEMENT ON THE AGENDA FOR:

Agenda # \_\_\_\_\_

C-13

DEPARTMENT: Community Justice  
CONTACT: Meganne SteeleDIVISION: Counseling/Court Services  
& Custody Svcs  
Telephone: 248-3961

\*NAME[S] OF PERSON MAKING PRESENTATION TO BOARD: Consent Calendar

SUGGESTED AGENDA TITLE [To assist in preparing a description for the printed agenda]

The Department of Community Justice Budget Modification # DCJ 11 Reprograms Screening &amp; Referral Dollars For Early Intervention Staffing &amp; Contracted Services

ESTIMATED TIME NEEDED ON THE AGENDA: N/A

2. **DESCRIPTION OF MODIFICATION** [Explain the changes this Bud Mod makes. What budget does it increase? What do the changes accomplish? Where does the money come from? What budget is increased or reduced? Attach additional information if you need more space].  
Personnel changes are shown in detail on the attached. Yes

This budget modification deletes 2.75 FTE of the original 4 Counselors budgeted for Screening & Referral Services, moving the remaining 1.25 Counselor staff to Custody Services. In Counseling/Court Services, it reduces Professional Services and Supplies; adds an early intervention Juvenile Counseling Assistant; and increases early intervention contracted services by \$90,725.

3. **REVENUE IMPACT** [Explain revenues being changed and the reason for the change]

- Decreases service reimbursement to Insurance by (\$4,992).

4. **CONTINGENCY STATUS** [to be completed by Finance/Budget]

Contingency before this modification [as of \_\_\_\_\_ \$ \_\_\_\_\_]  
[Specify Fund] [Date]

After this modification \$ \_\_\_\_\_

<u>Cherie H. Eganey</u>	<u>3-24-98</u>	<u>M. H. H. H.</u>	<u>3-25-98</u>
[Originated By]	[Date]	[Department Manager]	[Date]
<u>A. Schuler</u>	<u>4-22-98</u>	<u>C. R. M. M. M.</u>	<u>4-22-98</u>
[Finance/Budget]	[Date]	[Employee Relations]	[Date]

Deborah C. Boaster 4/30/98  
[Board Approval] [Date]

BOARD OF  
 COUNTY COMMISSIONERS  
 MULTNOMAH COUNTY  
 OREGON  
 98 APR 22 AM 11:16

**DOCUMENT NUMBER:**      **ACTION:**

Page 2

FUND	AGCY	ORG	ACT	REPT CATEG	OBJ CODE	CURR AMT	REV AMT	CHANGE	TOTAL	DESCRIPTION
100	22	2732			5100			55,253		Permanent
100	22	2732			5400			3,178		Premium
100	22	2732			5500			10,231		Salary-Related
100	22	2732			5550			10,428		Insurance
									79,090	Subtotal Org 2732
100	22	2741			5100			(151,856)		Permanent
100	22	2741			5500			(27,268)		Salary-Related
100	22	2741			5550			(20,876)		Insurance
100	22	2741			6060			90,725		Pass Thru Pay
100	22	2741			6110			(5,000)		Prof Svcs
100	22	2741			6230			(7,000)		Supplies
									-121275	Subtotal Org 2741
100	22	2745			5100			31,257		Permanent
100	22	2745			5500			5,472		Salary-Related
100	22	2745			5550			5,456		Insurance
									42,185	Subtotal Org 2745
									0	TOTAL ORG 2700
400	70	7520			6520			-4,992		Insurance
									(4,992)	TOTAL INTERNAL
								(4,992)	(4,992)	TOTAL EXPENSE

				REPT	REV	CURR	REV			
FUND	AGCY	ORG	ACT	CATEG	SO.	AMT	AMT	CHANGE	TOTAL	DESCRIPTION
400	70	7520			6600			(4,992)		Insurance
									(4,992)	TOTAL INTERNAL
								(4,992)	(4,992)	TOTAL REVENUE

DEPARTMENT OF COMMUNITY JUSTICE SERVICES  
PERSONNEL DETAIL FOR BUD MOD NO. DCJ #11

Page 3

5. ANNUALIZED PERSONNEL CHANGES

FUND	AGCY	ORG	FTE	JCN	POSITION TITLE	BASE PAY	SAL REL	INSUR	TOTAL
100	22	2732	1.00	6272	Juv Counselor (Lead)	46,729	8,737	7,926	63,392
100	22	2732	0.25	6272	Juv Counselor	8,524	1,494	2,502	12,520
100	22	2741	(4.00)	6272	Juv Counselor	(151,856)	(27,268)	(20,876)	(200,000)
100	22	2745	1.00	6285	Juv Counselg Asst	31,257	5,472	5,456	42,185
			(1.75)		TOTAL	(65,346)	(11,565)	(4,992)	(81,903)

6. CURRENT YEAR PERSONNEL DOLLAR CHANGES

FUND	AGCY	ORG	FTE	JCN	POSITION TITLE	BASE PAY	SAL REL	INSUR	TOTAL
100	22	2732	1.00	6272	Juv Counselor (Lead)	46,729	8,737	7,926	63,392
100	22	2732	0.25	6272	Juv Counselor	8,524	1,494	2,502	12,520
100	22	2741	(4.00)	6272	Juv Counselor	(151,856)	(27,268)	(20,876)	(200,000)
100	22	2745	1.00	6285	Juv Counselg Asst	31,257	5,472	5,456	42,185
									0
									0
									0
									0
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									0
									0
			(1.75)		TOTAL	(65,346)	(11,565)	(4,992)	(81,903)



# MULTNOMAH COUNTY OREGON

DEPARTMENT OF JUVENILE AND ADULT COMMUNITY JUSTICE  
JUVENILE COMMUNITY JUSTICE  
1401 N.E. 68TH  
PORTLAND, OREGON 97213  
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TDD 248-3561

BOARD OF COUNTY COMMISSIONERS  
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GARY HANSEN • DISTRICT 2 COMMISSIONER  
TANYA COLLIER • DISTRICT 3 COMMISSIONER  
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

## MEMORANDUM

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: Meganne Steele** *MS*  
**Department of Community Justice**

**DATE: March 30, 1998**

**RE: REQUEST FOR DCJ #11 BUDGET MODIFICATION APPROVAL**

- I. RECOMMENDATION/ACTION REQUESTED: Approve budget modification DCJ #11 for the Multnomah County Department of Community Justice to reprogram general fund dollars to increase support for early intervention.
- II. BACKGROUND/ANALYSIS: In the current year budget, the Department received \$200,000 in general fund to add four Juvenile Counselor positions for screening and referral of juveniles. This budget modification retains 1.25 FTE of these positions for the screening/referral process. It reprograms the remaining personnel dollars and dollars from Professional Services and Supplies to add 1.0 FTE Juvenile Counseling Assistant and \$90,725 in contracted services for the early intervention program.
- III. FINANCIAL IMPACT: The modification decreases general fund service reimbursement to Insurance by (\$4,992). The 2.25 FTE and contracted services funds are continued in the FY98-99 budget.
- IV. LEGAL ISSUES: N/A
- V. CONTROVERSIAL ISSUES: N/A
- VI. LINK TO CURRENT COUNTY POLICIES: Strengthens early intervention efforts.
- VII. CITIZEN PARTICIPATION: N/A
- VIII. OTHER GOVERNMENT PARTICIPATION: N/A

[For Clerk's Use] Meeting Date

APR 30 1998

Agenda #

C-14

## 1. REQUEST FOR PLACEMENT ON THE AGENDA FOR:

DEPARTMENT: Community Justice  
CONTACT: Meganne Steele

DIVISION: Counseling/Court Services  
TELEPHONE: 248-3961

\*NAME[S] OF PERSON MAKING PRESENTATION TO BOARD: Not Applicable

SUGGESTED AGENDA TITLE [To assist in preparing a description for the printed agenda]

The Department of Community Justice Budget Modification # DCJ 13 Adds To The Budget \$150,320 In State Flex Funds Approved By The Board In September

ESTIMATED TIME NEEDED ON THE AGENDA: N/A

2. DESCRIPTION OF MODIFICATION [Explain the changes this Bud Mod makes. What budget does it increase? What do the changes accomplish? Where does the money come from? What budget is increased or reduced? Attach additional information if you need more space].  
Personnel changes are shown in detail on the attached. No

This budget modification increases Juvenile Counseling/Court Services' contracted payments by \$16,223; juvenile client Supplies by \$127,107; and Indirect Cost by \$6,990 for a total increase of \$150,320 in Federal/State flexible funds.

## 3. REVENUE IMPACT [Explain revenues being changed and the reason for the change]

- Increases Rev Code 2319 by \$150,320.
- Increases general fund Contingency by \$6,990 in Indirect Cost support.

## 4. CONTINGENCY STATUS [to be completed by Finance/Budget]

Contingency before this modification [as of \_\_\_\_\_ S \_\_\_\_\_  
[Specify Fund] [Date]

After this modification S \_\_\_\_\_

*Thane H. Eganey*  
[Originated/By]

4-27-98  
[Date]

*Utter*  
[Department Manager]

4-27-98  
[Date]

*[Signature]*  
[Finance/Budget]

4-28-98  
[Date]

[Employee Relations]

[Date]

*DEBORAH C. Boast*  
[Board Approval]

4/30/98  
[Date]

98 APR 29 PM 32  
JULIAN COUNTY COMMISSIONERS

## EXPENDITURE / REVENUE DETAIL FOR BUD MOD #: DCJ 13

**DOCUMENT NUMBER:**      **ACTION:**

Page 2

[illegible]

				REPT	REV	CURR	REV			
FUND	AGCY	ORG	ACT	CATEG	SO.	AMT	AMT	CHANGE	TOTAL	DESCRIPTION
156	22	2740		SFLX	2319			150,320		OYA Cap Mgmt
									150,320	TOTAL ORG 2740
100	75	7410			6602			6990		Indirect
									6990	TOTAL INTERNAL
								157,310	157,310	TOTAL REVENUE



# MULTNOMAH COUNTY OREGON

DEPARTMENT OF JUVENILE AND ADULT COMMUNITY JUSTICE  
JUVENILE COMMUNITY JUSTICE  
1401 N.E. 68TH  
PORTLAND, OREGON 97213  
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BOARD OF COUNTY COMMISSIONERS  
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TANYA COLLIER • DISTRICT 3 COMMISSIONER  
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

## MEMORANDUM

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: Meganne Steele** *MS*  
**Department of Community Justice**

**DATE: March 30, 1998**

**RE: REQUEST FOR DCJ #13 BUDGET MODIFICATION APPROVAL**

- I. RECOMMENDATION/ACTION REQUESTED: Approve budget modification DCJ #13 for the Multnomah County Department of Community Justice to add \$150,320 State Flex Funds to the Department's Federal/State program.
- II. BACKGROUND/ANALYSIS: On September 25, 1997, the Board of County Commissioners approved board agenda item UC-3, the biennial intergovernmental agreement between the Oregon Youth Authority and Multnomah County to increase the Federal/State fund by \$300,640. This budget modification budgets half of that revenue, \$150,320, in FY97-98's contracts, juvenile client supplies and Indirect Cost budget line items.
- III. FINANCIAL IMPACT: The remainder of the biennial state flex fund dollars, estimated to be no less than \$150,320, is contained in the Department's FY98-99 proposed budget.
- IV. LEGAL ISSUES: N/A
- V. CONTROVERSIAL ISSUES: N/A
- VI. LINK TO CURRENT COUNTY POLICIES: N/A
- VII. CITIZEN PARTICIPATION: N/A
- VIII. OTHER GOVERNMENT PARTICIPATION: This funding represents state support to individual services needed by adjudicated youth who are in danger of further behavioral issues.



[For Clerk's Use] Meeting Date \_\_\_\_\_

APR 30 1998

Agenda # \_\_\_\_\_

C-14

## 1. REQUEST FOR PLACEMENT ON THE AGENDA FOR:

DEPARTMENT: Community Justice  
CONTACT: Meganne SteeleDIVISION: Counseling/Court Services  
Telephone: 248-3961

\*NAME[S] OF PERSON MAKING PRESENTATION TO BOARD: Not Applicable

SUGGESTED AGENDA TITLE [To assist in preparing a description for the printed agenda]

The Department of Community Justice Budget Modification # DCJ 13 Adds To The Budget \$150,320 In State Flex Funds Approved By The Board In September

ESTIMATED TIME NEEDED ON THE AGENDA: N/A

2. DESCRIPTION OF MODIFICATION [Explain the changes this Bud Mod makes. What budget does it increase? What do the changes accomplish? Where does the money come from? What budget is increased or reduced? Attach additional information if you need more space].  
Personnel changes are shown in detail on the attached. No

This budget modification increases Juvenile Counseling/Court Services' contracted payments by \$16,223; juvenile client Supplies by \$127,107; and Indirect Cost by \$6,990 for a total increase of \$150,230 in Federal/State flexible funds.

3. REVENUE IMPACT [Explain revenues being changed and the reason for the change]

- Increases Rev Code 2319 by \$150,320.
- Increases general fund Contingency by \$6,990 in Indirect Cost support.

4. CONTINGENCY STATUS [to be completed by Finance/Budget]

\_\_\_\_\_ Contingency before this modification [as of \_\_\_\_\_ S \_\_\_\_\_]  
[Specify Fund] [Date]

After this modification S \_\_\_\_\_

Kevin H. Eggen 3-24-98 M. Steele 3-26-98  
[Originated By] [Date] [Department Manager] [Date]  
Deborah 4-16-98 \_\_\_\_\_  
[Finance/Budget] [Date] [Employee Relations] [Date]

\_\_\_\_\_  
[Board Approval] [Date]

98 APR 16 PM 2:08  
CLERK OF  
JUVENILE COMMISSIONERS  
MULTNOMAH COUNTY  
OREGON

[For Clerk's Use] Meeting Date \_\_\_\_\_

APR 30 1998

Agenda # \_\_\_\_\_

C-15

## 1. REQUEST FOR PLACEMENT ON THE AGENDA FOR:

DEPARTMENT: Community Justice  
 CONTACT: Meganne Steele

DIVISION: Counseling/Court Services  
 Telephone: 248-3961

\*NAME[S] OF PERSON MAKING PRESENTATION TO BOARD: Bill Morris

SUGGESTED AGENDA TITLE [To assist in preparing a description for the printed agenda]

The Department of Community Justice Budget Modification # DCJ 16 Adds \$35,000 In State Funds For Turnaround School Contracted Services

ESTIMATED TIME NEEDED ON THE AGENDA: N/A

2. DESCRIPTION OF MODIFICATION [Explain the changes this Bud Mod makes. What budget does it increase? What do the changes accomplish? Where does the money come from? What budget is increased or reduced? Attach additional information if you need more space].  
 Personnel changes are shown in detail on the attached. No

This budget modification increases Juvenile Counseling/Court Services' contracted services by \$34,757 and Indirect Cost by \$234 for a total increase of \$35,000 in Federal/State funds.

3. REVENUE IMPACT [Explain revenues being changed and the reason for the change]

- Increases Rev Code 2319 by \$35,000.
- Increases general fund Contingency by \$234 in Indirect Cost support.

4. CONTINGENCY STATUS [to be completed by Finance/Budget]

Contingency before this modification [as of \_\_\_\_\_ S \_\_\_\_\_]  
 [Specify Fund] [Date]

After this modification S \_\_\_\_\_

<i>James H. Eggen</i>	4-10-98	<i>M. Steele</i>	4-16-98
[Originated By]	[Date]	[Department Manager]	[Date]
<i>[Signature]</i>	4-16-98		
[Finance/Budget]	[Date]	[Employee Relations]	[Date]
<i>Wendy L. Boquist</i> 4/30/98			
[Board Approval]	[Date]		

98 APR 16 PM 2:08  
 CLERK OF  
 COUNTY COMMISSIONERS  
 MULTNOMAH COUNTY  
 OREGON

## Page 2

[illegible]

				REPT	REV	CURR	REV			
FUND	AGCY	ORG	ACT	CATEG	SO.	AMT	AMT	CHANGE	TOTAL	DESCRIPTION
156	22	2740		TFLX	2319			35,000		OYA Cap Mgmt
									35,000	TOTAL ORG 2740
100	75	7410			6602			243		Indirect
									243	TOTAL INTERNAL
								35,243	35,243	TOTAL REVENUE



# MULTNOMAH COUNTY OREGON

DEPARTMENT OF JUVENILE AND ADULT COMMUNITY JUSTICE  
JUVENILE COMMUNITY JUSTICE  
1401 N.E. 68TH  
PORTLAND, OREGON 97213  
(503) 248-3460  
TDD 248-3561

BOARD OF COUNTY COMMISSIONERS  
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GARY HANSEN • DISTRICT 2 COMMISSIONER  
TANYA COLLIER • DISTRICT 3 COMMISSIONER  
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

## MEMORANDUM

**TO: BOARD OF COUNTY COMMISSIONERS**

**FROM: Meganne Steele** *MS*  
**Department of Community Justice**

**DATE: April 30, 1998**

**RE: REQUEST FOR DCJ #16 BUDGET MODIFICATION APPROVAL**

- I. RECOMMENDATION/ACTION REQUESTED: Approve budget modification DCJ #16 for the Multnomah County Department of Community Justice to add \$35,000 State Funds to the Department's Federal/State program.
- II. BACKGROUND/ANALYSIS: In December 1997 the Department received \$35,000 from the State towards contracted services for the Turnaround School. Preparation of the budget modification was delayed by the workload required to prepare new-year budget materials for the Department. These funds, combined with general fund and Department of Community & Family Services dollars, are contracted with the Multnomah Education Service District to provide an alternative school for 6<sup>th</sup> through 12<sup>th</sup> grade students who have demonstrated persistent truancy or other serious behavioral problems.
- III. FINANCIAL IMPACT: State support for the Turnaround School is included in the new-year budget to maintain the same level of commitment to these contracted services.
- IV. LEGAL ISSUES: N/A
- V. CONTROVERSIAL ISSUES: N/A
- VI. LINK TO CURRENT COUNTY POLICIES: N/A
- VII. CITIZEN PARTICIPATION: N/A
- VIII. OTHER GOVERNMENT PARTICIPATION: This funding represents State support of the Turnaround School efforts.

MEETING DATE: APR 30 1998  
AGENDA NO: R-2  
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

### AGENDA PLACEMENT FORM

SUBJECT: Resolution to approve the FY 1998-99 Budget of the Mt. Hood Cable Regulatory Commission

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

REGULAR MEETING: DATE REQUESTED: April 30, 1998  
AMOUNT OF TIME NEEDED: 10 minutes

DEPARTMENT: Nondepartmental DIVISION: Commissioner Sharron Kelley

CONTACT: Mary Beth Henry TELEPHONE #: 823-5414  
BLDG/ROOM #: 105/1160

PERSON(S) MAKING PRESENTATION: Royal Harshman, MHCRC County Representative

#### ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

#### SUGGESTED AGENDA TITLE:

Resolution to approve the MHCRC FY 1998-99 Budget  
5/4/98 copies to Mary Beth Henry

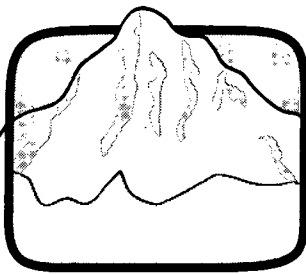
#### SIGNATURES REQUIRED:

ELECTED OFFICIAL:   
(OR)  
DEPARTMENT  
MANAGER: \_\_\_\_\_

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277

BOARD OF  
COUNTY COMMISSIONERS  
98 APR 17 11:56  
MULTNOMAH COUNTY  
OREGON



## MT. HOOD CABLE REGULATORY COMMISSION

1211 SW Fifth Avenue, Room 1160 • Portland, OR 97204-3711

Phone: (503) 823- 5385 • Fax: (503) 823-5370

Serving Multnomah County and the Cities of Fairview, Gresham, Portland, Troutdale and Wood Village

TO: Board of County Commissioners

FROM: Mt. Hood Cable Regulatory Commission

THROUGH: Sharron Kelley, County Commissioner

TODAY'S DATE: April 2, 1998

REQUESTED PLACEMENT: April 30, 1998

RE: Resolution

I. Recommendation/Action Requested:

Resolution to approve the Mt. Hood Cable Regulatory Commission's FY 1998-99 Budget.

II. Background/Analysis:

**The purpose of the MHCRC is to:**

- \*Advocate for and protect the public interest in the regulation and development of cable communications systems; and
- \*Monitor and help resolve cable subscriber's concerns.

**Accomplishments this year:**

- \*Completed the Paragon Franchise renewal for East Multnomah County, Fairview, Troutdale, Wood Village and Gresham.
- \*Developed a multi-jurisdictional grant process for allocating grant funds totaling over one million dollars.
- \*Local Control of ROW - Advocated at the Legislature for local control of ROW
- \*Oversaw the initial design and planning of Paragon's upgraded cable system.
- \*Assisted in resolving 1,160 complaints
- \*Reached an accord with TCI to provide a \$9 refund to cable subscribers.
- \*Rate Regulation - Held down cable rate increases

Budget Highlights FY 1998-99 - Cable Regulatory Office Budget represents a 9.8% increase (Note: Current year budget represents a 19% decrease over previous year due to Measure 50) Increase due to:

- \*Consulting monies to defend local government franchise revenue from expected attacks by private industry at the Oregon Legislature;
- \*Personnel increases for cost of living and benefits;
- \*Commission strategic planning and financial analysis;
- \*Overhead; and Computer equipment.

**Major new efforts next year will include:**

Conduct the multi-jurisdictional grant process;  
 Defend cities' right to receive fair compensation for and manage its right of way;  
 Conduct the expected Paragon/TCI transfer of ownership process;  
 Oversee a major upgrade of Paragon's cable system; and  
 Complete the TCI Technology Ascertainment process.

**MCTV** - In the proposed budget, MCTV will lose approximately 50% of its operating revenue. This is due to the fact that we can no longer require Paragon to pay for a portion of MCTV's operating costs. To give you some background, the Settlement Fund, which was created when Rogers Cable sold its franchise to Paragon, was intended to be spent to zero in May of this year, at the end of the franchise. The funds that MCTV received from the Settlement Fund have provided operating moneys to MCTV and were used to create East Metro Edition.

Because of changes in federal law, these funds are not available in the new franchise. The loss of these operating funds means that MCTV's operating revenues will go from \$1.3 million in the current year to \$591,356 in FY 1998-99. In response to these revenue cuts, 25% of MCTV's public, education and government access staff have been laid off and East Metro Edition will end in May of this year. To some degree, the franchise mitigates these losses with a substantial capital fund that will benefit MCTV (over \$225,000) and public and educational institutions, in East County.

Both the MHCRC and the MCTV Board have long recognized that funding at current levels would not be possible in the new franchise and so the MCTV Board has saved and invested a substantial portion of each year's revenues. These savings will be used over the life of the new franchise to further mitigate MCTV's revenue losses. While these losses are painful, we are confident that MCTV will remain a vital force in our community.

**Process** - The budget was carefully developed, reviewed and unanimously recommended by both the Budget and Finance Committee and the full MHCRC.

**Major revenues in this budget are:** Franchise fee revenue and the Public, Education and Government Access Capital Funds. Franchise fee revenue is projected to increase by 4.2%.

**Major expenditures in this budget are:** Franchise fee payments to the jurisdictions and Multnomah Community Television (MCTV), grant funds for public, educational and

government access and institutional use of the cable system, and Cable Regulatory Office expenses (3 staff positions). Franchise fee revenues generated for County's general purpose use are:

Multnomah County \$35,932

Jurisdiction Financial Contribution - All participating jurisdictions contribute to the operation of the MHCRC based on an equitable methodology.

Multnomah County \$ 15,158

III. Financial Impact: This program generates revenues for the County's general fund.

IV. Legal Issues: None

V. Controversial Issues: None

VI. Link to Current County Policy:

The proposed budget is consistent with County policy.

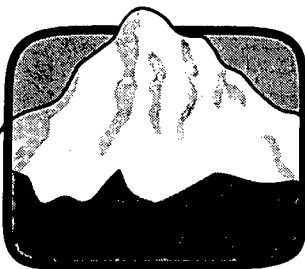
VII. Citizen Participation:

The proposed MHCRC budget was developed and approved by the MHCRC with input from community access providers. The budget was recommended for approval at a public meeting of the Commission. A draft budget was forwarded to County staff for review in January.

VIII. Other Government Participation:

The MHCRC is made up of Fairview, Gresham, Multnomah County, Portland Troutdale, Wood Village.





## MT. HOOD CABLE REGULATORY COMMISSION

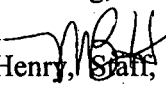
1211 SW Fifth Avenue, Room 1160 • Portland, OR 97204-3711

Phone: (503) 823- 5385 • Fax: (503) 823-5370

Serving Multnomah County and the Cities of Fairview, Gresham, Portland, Troutdale and Wood Village

# MEMO

**To:** Marilyn Holstrom, City of Fairview  
Bonnie Kraft, City of Gresham  
Eric Kvarsten, City of Troutdale  
Sheila Ritz, City of Wood Village  
Robert Trachtenberg, Commissioner Kelly's Office, Multnomah County

**From:** Mary Beth Henry,  Staff, Mt. Hood Cable Regulatory Commission

**Subject:** Mt. Hood Cable Regulatory Commission FY 1998-99 Proposed Budget

**Date:** March 10, 1998

Attached please find copies of the Mt. Hood Cable Regulatory Commission's (MHCRC) FY 1998-99 Proposed Budget. The MHCRC has unanimously recommended approval of the budget. There have been no substantive changes to the enclosed budget as compared to the draft that you received in January.

The MHCRC carefully reviewed each line item and programmatic aspect of the budget and recommends approval. We request approximately 10 minutes of your Council/Commission time and will respond to any questions you or your council/commissioners may have. Thank you.

**Please review the schedule below and call me with any corrections. Thanks. I can be reached at 823-5414 if you have questions.**

Jurisdiction	Date/Time
Fairview (1 copy )	Wed. April 15 @ 7:30pm
Gresham (11 copies )	Tues. April 7 @ 7:00pm
Multnomah County (1 copy)	Thurs. April 30 @ 9:30am
Portland (10 copies)	Wed. April ? @ 9:30
Troutdale (11 copies )	Tues. April 14 @ 7:00pm
Wood Village (1 copy )	Wed. April 8 @ 7:30pm

cc Olson, Lisa Selman/Gresham, Hay/Multco, MHCRC packet

c:budget:jurschbud

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 98-51

Approval of the Fiscal Year 1998-99 Mt. Hood Cable Regulatory Commission Budget

The Multnomah County Board of Commissioners Finds:

- a. The Mt. Hood Cable Regulatory Commission (MHCRC) was formed by Multnomah County and the cities of Fairview, Gresham, Portland, Troutdale and Wood Village to advocate for and protect the public interest in the regulation and development of cable communications systems.
- b. Each year the MHCRC seeks approval of the following year's budget from each of the participating jurisdictions.
- c. The Fiscal Year 1998-99 Mt. Hood Cable Regulatory Budget was approved and forwarded by the MHCRC to the jurisdictions for approval.

The Multnomah County Board of Commissioners Resolves:

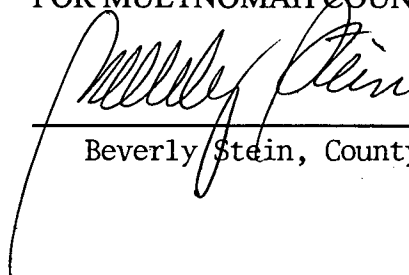
The attached Fiscal Year 1998-99 MHCRC Budget is approved.

Adopted this 30th day of April, 1998.

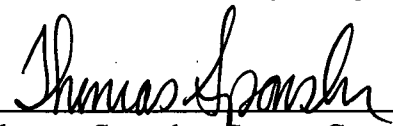


REVIEWED:

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Beverly Stein, County Chair

Thomas Sponsler, County Counsel  
For Multnomah County, Oregon

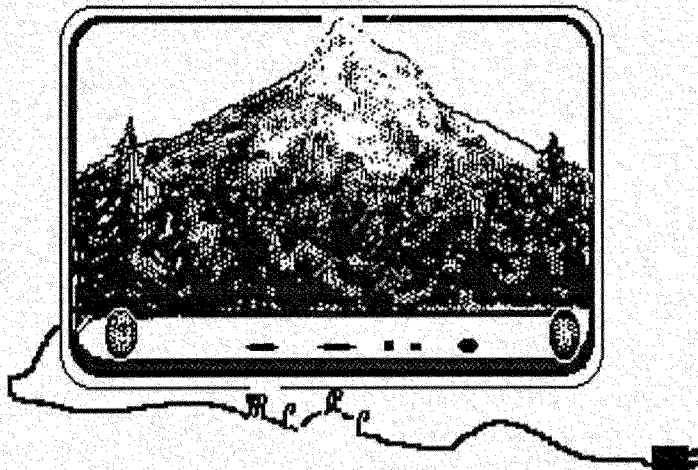
  
Thomas Sponsler, County Counsel

# MT. HOOD CABLE REGULATORY COMMISSION

City of Fairview  
City of Portland

City of Gresham  
City of Troutdale

Multnomah County  
City of Wood Village



**PROPOSED BUDGET  
FISCAL YEAR 1998-99**

**JANUARY 1998**

## **COMMISSIONERS:**

Alan Alexander III  
Barbara Rutherford Crest  
Rich Goheen  
Royal Harshman  
Ruth Miles  
Stan Saunders  
Norman Thomas  
Sue Dicile Wedding

David C. Olson, Director

**MT. HOOD CABLE REGULATORY COMMISSION**

**FY 1998-99 PROPOSED BUDGET**

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# **MT. HOOD CABLE REGULATORY COMMISSION**

## **OVERVIEW**

The Mt. Hood Cable Regulatory Commission (MHCRC) was formed by Multnomah County and the cities of Fairview, Gresham, Portland, Troutdale and Wood Village for the purposes of:

- **advocating for and protecting the public interest in the regulation and development of cable communications systems;**
- **monitoring and helping resolve cable subscribers' concerns; and,**
- **participating in the planning and implementation of community uses of communications technologies which make use of the public right of way.**

Each of the Commission member jurisdictions appoints citizen representatives to the Commission. Over the past year, these citizen appointees have committed **hundreds of volunteer hours** to fulfill the Commission's mission. They have attended over 20 Commission and standing committee meetings, kept abreast of issues of concern to their jurisdictions, presented information at city council and county commission meetings, and served as liaisons to Portland Cable Access and Multnomah Community Television.

The City of Portland provides staff and support services to the Commission through a services agreement. The Commission funds an equivalent **staff of three full-time people**, plus related materials and services, overhead and capital. Each of the member jurisdictions provides a portion of their franchise fees from cable television providers to annually fund the Commission.

## **1998-99 BUDGET HIGHLIGHTS**

In FY1998-99, the Commission continues the many efficiencies to provide services with fewer resources as a result of Measures 47 and 50, including **utilizing interest on the grant funds** to administer the Access Capital Grants program. Other efficiencies implemented include: using our **World-Wide Web Page** to distribute information and receive complaints; relying more on Commissioners for liaison with access organizations; utilizing more internal/Jurisdictional "in house" employees for technical expertise (which has **reduced the use of consultants**); and receiving **on-line publications** instead of costly print subscriptions. Projected franchise fee revenues have increased 4.2% over the current year and proposed expenditures are up 9.8%.

## **ACCOMPLISHMENTS DURING 1997**

### **Provide Consumer Protection**

- Assisted in the resolution of 1,160 complaints from cable subscribers.
- Reached an accord with TCI to provide a \$9 refund to cable subscribers.
- Regulated the basic rates of local cable companies which resulted in lower basic rates or minimal increases to subscribers.

### **Conduct Franchise Renewals**

- Completed the Paragon franchise renewal for East Multnomah County, Gresham, Troutdale, Fairview and Wood Village which includes public benefits such as a cable system upgrade, substantial capital

support for public, education and government access, and a high capacity infrastructure (the I-Net) which will link community institutions throughout Multnomah County.

- Completed the TCI West Multnomah County franchise renewal which will provide grant funds for public, education and government access.

#### Ensure State-of-the-Art Technology of the Cable Systems

- Oversaw the initial design and planning of Paragon's upgraded cable system which is anticipated to be completed by 2000, including the I-Net.
- Began a technical ascertainment of the TCI Cable system which may result in a rebuild of the cable system.

#### Maximize Revenues

- Among the first in the nation to secure payment of franchise fee arrearages by TCI following participation in a successful federal lawsuit.
- Successfully defeated significant threats to local government's right-of-way authority and revenues contained in various industry-sponsored bills introduced at the 1997 Oregon Legislature.

#### Administer Grant Funds for Community Use

- Developed a multi-jurisdictional grant process for allocating grant funds totaling over \$1 million.

### **GOALS AND OBJECTIVES FOR 1998-99**

Since its inception, the MHCRC has engaged in a planning process in order to set goals and objectives, evaluate its structure and operations, and anticipate future circumstances which might impact the Commission and its member jurisdictions. The Commission established the following goals and objectives for FY 1998-99.

**Goal I:** *Effectively administer cable television franchise agreements to serve our member jurisdictions.*

#### Objectives:

1. Conduct effective cable rate regulation which meets the spirit and intent of federal legislation and FCC rules.
2. Identify and address franchise compliance issues in response to and, when possible, prior to cable company actions.
3. Provide consumer protection for citizens and subscribers in cable television matters by helping to resolve complaints, enforcing customer service standards and addressing other consumer-related franchise compliance issues.
4. Complete a Technology Ascertainment process in order to make a recommendation to the Portland City Council regarding a possible upgrade or re-build of TCI's cable system serving the westside of Portland.
5. Complete the Paragon/TCI transfer of ownership process, in accordance with federal law and the franchise agreements, in order to advocate for the interests of the jurisdictions and their citizens.

6. Develop, and recommend to the jurisdictions, updated customer service standards.

***Goal II: Ensure access to and use of current and new services available through the cable system technology by citizens, local government and community institutions.***

**Objectives**

1. Conduct grant-making process to allocate capital funds under the Paragon and TCI franchise agreements dedicated for the development of public, educational and governmental uses of the cable system technology in a way which ensures that the funds are wisely distributed to meet community needs.
2. Oversee Paragon cable system upgrade in a way which ensures that the upgraded Institutional Network serves local governments, schools, libraries, Oregon Ed-Net and designated access providers.
3. Manage access provider contracts with Portland Cable Access and Multnomah Community Television.
4. Collaborate with organizations, at the federal, state and local levels, to advocate for the community's access to cable system technology.
5. Negotiate contracts with Portland Public Schools and Portland Community College for use of educational access channels.

***Goal III: Communicate, educate and respond in a timely and accurate manner to our jurisdictions, cable subscribers and the general public regarding communications technology policy and regulatory issues.***

**Objectives**

1. Communicate in a way which supports the following priority criteria: A) jurisdiction officials and key jurisdiction staff are informed about communications technology policy and regulatory issues and understand what is at stake; and B) interested stakeholders view the Commission as an important source of information.
2. Support our member jurisdictions in implementing cable-related portions of the 1996 Telecommunications Act.

***GOAL IV: Advocate for continued local authority regarding cable franchises and use of the public rights of way by communication providers.***

**Objectives**

1. Partner with other area regulatory commissions on issues of common concern regarding cable providers which serve multiple jurisdictions.
2. Develop cross-jurisdictional collaborations for information-sharing and coordinated strategies to prepare for anticipated 1999 legislative activity.
3. Participate in the 1999 Legislative session to protect local jurisdictional authority over communication providers use of the public right of way.

***Goal V: Operate the Cable Regulatory Office and the Commission efficiently and effectively.***

## Objectives

1. Fulfill Intergovernmental Agreement and Rules of Procedure administrative responsibilities.
2. Conduct Commission meetings in a way which respects the volunteer nature of Commission positions and keeps Commissioners informed about telecommunications issues.
3. Continue ongoing strategic planning and annual evaluation process.

## **REVENUE AND EXPENDITURE HIGHLIGHTS**

### ● **Revenue sources include:**

First, the Commission collects all cable television franchise fee revenue for Gresham, Troutdale, Fairview, Wood Village and Multnomah County. The total projected revenues are \$710,341 in FY 1998-99 or a 4.2% increase over the current year.

Second, all participating jurisdictions contribute a total of \$328,448 to the operation of the MHCRC as follows:

Fairview	\$ 4,221	Portland	\$217,761
Gresham	\$76,088	Troutdale	\$ 12,628
Multnomah County	\$15,158	Wood Village	\$ 2,592

The methodology for funding the operation of the Commission is based on the FY 1997-98 contribution from all jurisdictions plus an average of 9.8%. Greater detail is available on the cost allocation worksheet which appears in Appendix One.

Third, the Commission will administer two new programs funded by a percentage of gross revenues of Paragon Cable and TCI Cablevision of Oregon totaling over \$1.4 million: Access Corporation Capital Fund and the Community Access Capital Grant.

Fourth, the Commission receives interest on its funds and beginning fund balance.

### ● **Expenditures**

The Cable Regulatory Office administrative expenditures have increased by 9.8% (excluding reimbursements) from the current year operating budget. A line item detail of all expenditures is attached in Appendix One.

Major expenditures include: franchise fee payments to the jurisdictions; franchise fee payments to Multnomah Community Television (MCTV) for access programming; payments for the Access Corporation Capital Fund and the Community Access Capital Grant, and cable regulatory administrative expenses.

The franchise fee payments to the jurisdictions are the total amount of fees collected for Gresham, Troutdale, Fairview, Wood Village and Multnomah County less the amount each jurisdiction contributes to MCTV and the Commission administrative support expenses.



**MT. HOOD CABLE REGULATORY COMMISSION**

**Fiscal Year 1998-99**

**Financial Summary**

<b>RESOURCES</b>	<b>1995-96 Actual</b>	<b>1996-97 Actual</b>	<b>1997-98 Adopted</b>	<b>1998-99 Proposed</b>
Beginning Balance	2,602,399	2,257,876	1,536,610	663,239
E.County Cable Franch. Fees	561,991	628,853	681,913	710,341
Access Revenue-Annexed PDX	200,765	219,126	163,233	180,557
Portland Share of Admin. Bud.	228,818	224,441	199,049	215,772
Reimbursements from Cable Companies:				
Paragon Time Warner Transfer	14,167			
Paragon Renewal Revenue	1,000	1,000	0	0
Customer Survey (From Paragon & TCI)			15,000	
TCI Multnomah West	19,047	21,206	22,244	20,270
Interest	146,366	99,523	36,000	32,000
Miscellaneous Revenues		315		
PEG Fund - TCI	302,497	318,390	345,261	327,600
PEG Fund - Paragon Capital Grant			311,466	556,168
PEG Fund - Pargagon Access Corporation		230,416	322,466	556,168
<b>Total Resources</b>	<b>\$4,077,050</b>	<b>\$4,001,146</b>	<b>\$3,633,243</b>	<b>\$3,262,115</b>
<b>REQUIREMENTS</b>	<b>1995-96 Actual</b>	<b>1996-97 Adopted</b>	<b>1997-98 Proposed</b>	<b>1998-99 Proposed</b>
<b>EXPENDITURES</b>				
Franchise Fee Balance to Jurisdictions	129,433	129,507	140,198	207,020
Community Access Payments, E. County	339,941	386,312	343,175	413,354
Community Access Payments, Annexed Portland	147,535	214,425	163,233	180,557
Settlement Fund - Mt. Hood Comm. College	130,800	150,000	168,000	Paid Off
Settlement Fund - MCTV Special Access	135,600	148,800	156,000	Paid Off
Settlement Fund - MCTV Local Origination	496,320	561,000	636,000	Paid Off
MHCRC Administrative Budget	341,755	315,974	299,199	328,448
PEG Grants Admin, Personal			44,896	46,602
PEG Grants Admin, M & S			41,000	23,200
PCA, 40% TCI Multnomah	7,823	6,582	8,108	8,567
Reimbursable Expenditures:				
Cable Subscriber Survey			15,000	0
Paragon Renewal	17,484	23,010	6,000	0
PEG Grant Appropriation, TCI	72,483	528,926	319,261	305,759
PEG Grant Appropriation, Paragon Capital Fund			307,467	508,207
PEG Grant Appropriation, Paragon Access Corp.			322,467	556,168
<b>Total Admin Budg. &amp; Pass Through Pmts.</b>	<b>\$1,819,174</b>	<b>\$2,464,536</b>	<b>\$2,970,004</b>	<b>\$2,577,882</b>
Unappropriated Balance	2,257,876	1,536,610	663,239	684,233
<b>Total Requirements</b>	<b>\$4,077,050</b>	<b>\$4,001,146</b>	<b>\$3,633,243</b>	<b>\$3,262,115</b>

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27-Jan-98

# MT. HOOD CABLE REGULATORY COMMISSION

FISCAL YEAR 1998-99 PROPOSED BUDGET

## LINE ITEM SUMMARY

Expenditure Classification	Actual FY 95-96	Actual FY 96-97	Adopted FY 97-98	Proposed FY 98-99
511000 Full-Time Employees	158,926	165,224	166,780	173,116
521000 Part-Time Employees	3,350	0	0	0
514000 Overtime	738	600	800	900
517000 Benefits	51,617	61,897	63,583	66,033
<b>Total Personal Services</b>	<b>\$214,631</b>	<b>\$227,721</b>	<b>\$231,163</b>	<b>\$240,049</b>
521000 Professional Services *	101,564	581,500	1,033,195	1,426,534
524000 Repair & Maintenance	904	2,252	2,200	2,200
529000 Miscellaneous Services **	1,403,770	1,487,898	1,617,334	813,098
531000 Office Supplies	803	1,231	1,250	1,600
532000 Operating Supplies	1,265	1,579	1,800	3,300
541000 Education	2,289	1,250	1,550	1,650
542000 Local Travel	119	900	900	1,000
543000 Out-of-Town Travel	3,574	3,650	1,400	3,000
549000 Miscellaneous	4,372	3,640	3,971	3,838
<b>Total External Materials &amp; Svcs</b>	<b>\$1,518,660</b>	<b>\$2,083,900</b>	<b>\$2,663,600</b>	<b>\$2,256,220</b>
551000 Fleet Services	78	700	350	311
552000 Printing/Distribution	8,839	12,000	10,544	12,376
553000 Facilities Services	14,131	14,618	14,971	15,515
554000 Communications	4,057	4,450	8,315	8,023
555000 Data Processing	347	2,869	2,348	3,202
556000 Insurance	5,368	5,518	4,953	4,852
Treasury Services	0	0	1,363	1,188
558312 Rate Regulation Legal Advice		4,000	4,000	1,336
<b>Total Internal Materials &amp; Svcs</b>	<b>\$32,820</b>	<b>\$44,155</b>	<b>\$46,844</b>	<b>\$46,803</b>
<b>Total Materials &amp; Services</b>	<b>\$1,551,480</b>	<b>\$2,128,055</b>	<b>\$2,710,444</b>	<b>\$2,303,023</b>
556000 Capital Replacement Fund				\$3,000
572101 General Fund Overhead	58,000	29,107	9,900	13,756
Contingency	99	8,346	18,497	18,054
<b>Total</b>	<b>\$1,824,210</b>	<b>\$2,393,229</b>	<b>\$2,970,004</b>	<b>\$2,577,882</b>
<i>Less PEG Grant and Pass Through Jurisdictional Share</i>			<b>2,670,805</b>	<b>\$2,249,434</b>
			<b>\$299,199</b>	<b>\$328,448</b>

Professional Services *		Miscellaneous Services **	
	<b>FY 98-99</b>		<b>FY 98-99</b>
Professional Svcs. Admin.	36,400	Misc. Svcs, Admin.	3,600
Plus Grants		Access Payment, Annexed Portland	180,557
Grant Tech. Assistance	5,000	Access Payment, E. County	413,354
Paragon Rebuild	15,000	Franchise fee to Jurisdictions	207,020
Grant Appropriation	1,370,134	PCA, 40% of Mult. West	8,567
		<b>TOTAL</b>	<b>\$813,098</b>
<b>Total</b>	<b>\$1,426,534</b>		
<b>Grant Fund Budget</b>	<b>\$1,390,134</b>	<b>Pass Through Payments</b>	<b>\$809,498</b>
<b>TOTAL , Grants and Pass Through Payments 521000 + 529000</b>		<b>\$2,199,632</b>	

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27-Jan-98

**APPENDIX ONE**  
**CABLE REGULATORY OFFICE**  
**FY 98-99 BUDGET**

## **CABLE REGULATORY ADMINISTRATIVE BUDGET**

**FY 1998-1999**

### **Budget Narrative**

Cable Regulatory Office administrative expenditures have increased by 9.8% from the current year's operating budget. A line item detail of all expenditures is attached. A three year history of expenditures and revenues for cable regulation is included for your information.

#### **Budget Development Process**

The detailed budget was developed and evaluated by the Budget and Finance Committee of the Mount Hood Cable Regulatory Commission (MHCRC) and approved by the MHCRC at its February 2, 1998 meeting.

#### **Expenditures**

The Proposed Budget provides for three full-time equivalent positions, associated materials and services, and overhead. The Proposed budget maintains the core business of the Commission as outlined in the Overview. Staff continues the efficiencies implemented in FY 1997-98.

Changes (non-reimbursable) from FY 1997-98 include: consulting monies to defend local government franchise revenue from expected attacks by private industry at the Oregon Legislature (\$10,000); personnel increases for cost of living and benefits (\$7,000); a modest increase in staff training to help staff keep abreast of the rapidly changing telecommunications environment (\$1,700); an increase in the overhead (\$3,800); modest increases for software upgrade, Commission strategic planning and financial analysis (\$4,000); and establishment of a equipment replacement fund of \$3,000 annually.

The Office of Cable Communications and Franchise Management manages two programs: Cable Regulation and Utility Franchise Management. There are five staff positions within the Office. The equivalent of three full-time positions focus on cable on behalf of the Commission and the other two full-time equivalent positions focus on Utility Franchise Management (the Utility Franchise Management Program is funded by the City of Portland). The detail of the positions appears later in this Appendix.

#### **Funding Allocation**

All participating jurisdictions contribute to the operation of the Mt. Hood Cable Regulatory Commission which is staffed by Portland's Office of Cable Communications and Franchise Management. The Commission uses a funding methodology based on the FY 1997-98 cost allocation. A summary of the cost allocation is attached.

#### **Revenues**

The Cable Regulatory Office has four revenue sources: beginning balance, jurisdictional contributions based on the cost allocation methodology, Access Corporation Capital Funds, and interest on cable fund balance.

# MT. HOOD CABLE REGULATORY COMMISSION

<i>City of Portland</i>	<i>City of Gresham</i>	<i>City of Troutdale</i>
<i>Multnomah County</i>	<i>City of Fairview</i>	<i>City of Wood Village</i>

## ADMINISTRATIVE BUDGET F7 98-99

Acct.	Title	FY 95-96 Actual	FY 96-97 Actual	FY 97-98 Adopted	FY 98-99 Proposed
	5110 Full-Time Employees	158,926	163,033	166,780	173,116
	5120 Part-Time Employees	3,350			
	5140 Overtime	738	569	800	900
	5170 Benefits	51,617	60,986	63,583	66,033
	<b>Personal Services</b>	<b>\$214,631</b>	<b>\$224,588</b>	<b>\$231,163</b>	<b>\$240,049</b>
	5210 Professional Services	36,163	30,907	22,000	36,400
	5240 Repair & Maintenance	904	1,089	2,200	2,200
	5290 Miscellaneous Services	2,152	1,643	2,620	3,600
	5310 Office Supplies	803	653	1,250	1,600
	5320 Operating Supplies	1,265	6,108	1,800	3,100
	5410 Education	2,289	1,757	1,550	1,650
	5420 Local Travel	119	81	900	1,000
	5430 Out-of-Town Travel	3,574	5,676	1,400	3,000
	5490 Miscellaneous	4,023	4,122	3,971	3,838
	<b>External Materials and Services</b>	<b>\$51,291</b>	<b>\$52,036</b>	<b>\$37,691</b>	<b>\$56,388</b>
	5510 Fleet Services	78	315	350	311
	5520 Print/Distribution	7,424	7,861	10,544	9,376
	5530 Facilities Services	22,792	14,626	14,971	15,515
	5540 Communications Services	4,057	5,860	8,315	8,023
	5550 Data Processing Services	347	3,833	2,348	3,202
	5560 Insurance	5,368	5,518	4,953	4,852
	Treasury Services			1,363	1,188
	558312 Rate Regulation Legal Advice		1,337	4,000	1,336
	<b>Internal Services</b>	<b>\$40,066</b>	<b>\$39,350</b>	<b>\$46,844</b>	<b>\$43,803</b>
	5640 Capital Outlay	\$0	\$0	\$0	\$3,000
	<b>TOTAL</b>	<b>\$305,987</b>	<b>\$315,974</b>	<b>\$315,698</b>	<b>\$343,240</b>
	Contingency			18,497	18,054
	Overhead	58,000	0	9,900	13,756
	<b>Tot. Budget Plus OH/Indirect Cos</b>	<b>\$363,987</b>	<b>\$315,974</b>	<b>\$344,095</b>	<b>\$375,050</b>
	Less Grant Administration		0	44,896	46,602
	<b>Total Jurisdictions' Share</b>	<b>\$363,988</b>	<b>\$315,974</b>	<b>\$299,199</b>	<b>\$328,448</b>
	<b>Percentage Increase/ -Decrease</b>		<b>-13.2%</b>	<b>-5.3%</b>	<b>9.8%</b>

**MT. HOOD CABLE REGULATORY COMMISSION**

**BUDGET REQUEST, LINE ITEM DETAIL**

**FY 98-99**

**FY 97-98**

Line Item No.	Description	Proposed	Grants and Reimbursmt	Proposed W/ Grant	Adopted	Grants and Reimbursables	Adopted with Grant
<b>5110 Full-Time Employees :</b>							
Director	0.50	34,286	5,292	39,578	33,029	5,098	38,127
Dep. Director	0.50	27,829	4,410	32,239	26,810	4,249	31,059
Financial Analyst	0.50	15,245	11,001	26,246	14,688	10,598	25,286
Hearings Clerk	0.50	16,899	2,864	19,763	16,284	2,759	19,043
Program Coordinator	1.00	32,255	23,035	55,290	31,073	22,192	53,265
<b>Total</b>	<b>3.00</b>	<b>\$126,514</b>	<b>\$46,602</b>	<b>\$173,116</b>	<b>\$121,884</b>	<b>\$44,896</b>	<b>\$166,780</b>
<b>5140 Overtime- Hearings Clerk</b>		<b>900</b>		<b>900</b>	<b>800</b>		<b>800</b>
<b>5170 Benefits:</b>							
Director	0.5	13,383		13,383	12,855		12,855
Dep. Director	0.5	11,875		11,875	11,431		11,431
Financial Analyst	0.5	10,418		10,418	10,042		10,042
Hearings Clerk	0.5	8,871		8,871	8,546		8,546
Program Coordinator	1.0	21,486		21,486	20,709		20,709
<b>Total</b>		<b>\$66,033</b>		<b>66,033</b>	<b>\$63,583</b>		<b>\$63,583</b>
<b>Personal Services, Total</b>		<b>\$193,447</b>	<b>\$46,602</b>	<b>\$240,049</b>	<b>\$186,267</b>	<b>\$44,896</b>	<b>\$231,163</b>
<b>5210 Professional Services:</b>							
Eng. Tech. Assist.(Paragon Rebuild)			15,000	15,000		10,000	10,000
TCI Technical Ascertainment						26,000	26,000
Grant Technical Assistance			5,000	5,000		5,000	5,000
Financial Service(All Cable Franchises)		24,000		24,000	20,790		20,790
Legislative Defense		10,000		10,000			
Customer Survey						15,000	15,000
Annual Planning Retreat Facilitator		2,400		2,400	1,210		1,210
<b>Total</b>		<b>\$36,400</b>	<b>\$20,000</b>	<b>\$56,400</b>	<b>\$22,000</b>	<b>\$56,000</b>	<b>\$78,000</b>
<b>5240 Repair &amp; Maintenance:</b>							
Computer Hardware Maint.		2,200		2,200	2,200		2,200
<b>Total</b>		<b>\$2,200</b>		<b>\$2,200</b>	<b>\$2,200</b>	<b>\$0</b>	<b>\$2,200</b>
<b>5290 Miscellaneous Services :</b>							
Temp. Clerical Suppt		2,200		2,200	1,970		1,970
Mail Delivery Service		1,400		1,400	650		650
<b>Total</b>		<b>\$3,600</b>	<b>\$0</b>	<b>\$3,600</b>	<b>\$2,620</b>	<b>\$0</b>	<b>\$2,620</b>
<b>5310 Office Supplies</b>		<b>\$1,600</b>		<b>\$1,600</b>	<b>\$1,250</b>		<b>\$1,250</b>
<b>5320 Operating Supplies:</b>							
Printer, Fax, & other supplies		1,600		1,600	1,200		1,200
Software Upgrade		1,500	200	1,700	600		600
<b>Total</b>		<b>\$3,100</b>	<b>\$200</b>	<b>\$3,300</b>	<b>\$1,800</b>	<b>\$0</b>	<b>\$1,800</b>
<b>5410 Education:</b>							
Computer Training		700		700	650		650
NATO, Regional & National		600		600	600		600
ACM		350		350	300		300
<b>Total</b>		<b>\$1,650</b>	<b>\$0</b>	<b>\$1,650</b>	<b>\$1,550</b>	<b>\$0</b>	<b>\$1,550</b>

MT. HOOD CABLE REGULATORY COMMISSION

BUDGET REQUEST, LINE ITEM DETAIL

..... FY 98-99 .....

..... FY 97-98 .....

Line Item No.	Description	Proposed	Grants and Reimbursmt	Proposed W/ Grant	Adopted	Grants and Reimbursables	Adopted with Grant
5420	Local Travel	1,000		1,000	900		900
5430	Out-of-Town Travel :						
	NATO Regional	1,000		1,000			
	NATO National Conference	1,000		1,000	1,400		1,400
	Alliance for Community Media	1,000		1,000			
	Total	\$3,000	\$0	\$3,000	\$1,400	\$0	\$1,400
5490	Miscellaneous:						
	NATO - Membership	575		575	550		550
	ACM - Membership	400		400	375		375
	Subscriptions:						
	Multichannel News	575		575	150		150
	Oregonian	75		75	75		75
	Gresham Outlook	38		38	38		38
	Cable Television Law	675		675	675		675
	Cable TV Fact Book				650		650
	Cable Monitor	350		350	325		325
	Community Media Review	100		100	100		100
	Parking; MHCRC & Customers	800		800	800		800
	WEB Page				120		120
	Refreshments for MHCRC meetings	250		250	113		113
	Total	\$3,838	\$0	\$3,838	\$3,971	\$0	\$3,971
	Total, External M & S	\$56,388	\$20,200	\$76,588	\$37,791	\$56,000	\$93,791
	Internal Service:						
5510	Fleet Services	311		311	350		350
5520	Print/Distribution	9,376	3,000	12,376	10,544		10,544
5530	Facilities Services(Rent)(added 60% of \$7,10	15,515		15,515	14,971		14,971
5540	Communications Services:						
	Assigned Equipment	2,089		2,089	2,073		2,073
	Long Distance	1,000		1,000	1,200		1,200
	Cellular Phone	1,300		1,300	1,300		1,300
	Telecomm., FCC Technical Compliance	3,400		3,400	3,500		3,500
	Gen. Svc. Overhead	234		234	242		242
5550	Data Processing Services:						
	Customer Service PC & LAN Support	2,224		2,224	1,122		1,122
	Tech. Suppt. Email / Internet	978		978	1,226		1,226
5560	Insurance/Worker's Comp.	4,852		4,852	4,953		4,953
	Treasury Services	1,188		1,188	1,363		1,363
558312	Rate Regulation Legal Advice	1,336		1,336	4,000		4,000
	Total, Internal Svcs	\$43,803	\$3,000	\$46,803	\$46,844	\$0	\$46,844
5640	Capital Replacement Fund	3,000	0	3,000	0	0	0
572101	Overhead	13,756		13,756	9,900		9,900
571100	Contingency	18,054		18,054	18,497		18,497
	Total Other	\$31,810	\$0	\$31,810	\$28,397	\$0	\$28,397
	Jurisdictions' Appropriation	\$328,448			\$299,299		
	Grant and Reimbursables		\$69,802			100,896	
	Total MHCRC Budget			\$398,250			400,195

# **COST ALLOCATION BY JURISDICTION**

<b>FISCAL YEAR 1998-99</b>			<b>\$299,299</b>		<b>\$328,448</b>	
<b>JURISDICTION</b>	<b>No. of Subs *</b>		<b>FY 97-98 Budget</b>	<b>FY 97-98 %%</b>	<b>FY 98-99 Proposed</b>	<b>FY 98-99 %%</b>
<b>Portland</b>	<b>119,262</b>		<b>\$198,450</b>	<b>66.3%</b>	<b>\$217,761</b>	<b>66.3%</b>
<b>E. County</b>	<b>No. Of Subs</b>	<b>Perc. Distr.</b>				
Gresham	22,282	68.7%	\$71,009	23.7%	\$76,088	23.2%
Multnomah Co.	4,439	13.7%	\$13,474	4.5%	\$15,158	4.6%
Troutdale	3,698	11.4%	\$10,378	3.5%	\$12,628	3.8%
Fairview	1,236	3.8%	\$3,355	1.1%	\$4,221	1.3%
Wood Village	759	2.3%	\$2,533	0.8%	\$2,592	0.8%
<b>E. County Total</b>	<b>32,414</b>	<b>100.0%</b>	<b>\$100,749</b>	<b>33.7%</b>	<b>110,687</b>	<b>33.7%</b>
<b>TOTAL</b>	<b>151,676</b>		<b>\$299,199</b>	<b>100.0%</b>	<b>\$328,448</b>	<b>100.0%</b>
<b>Grant Fund and Reimbursables</b>			<b>\$44,896</b>		<b>\$69,802</b>	
<b>Total Budget</b>			<b>\$344,095</b>		<b>\$398,250</b>	

27-Jan-98

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**MT. HOOD CABLE REGULATORY COMMISSION**  
**Resources and Disbursements**  
**FY 1998-99**

Jurisdictions	Franchise Fees	Credit Balance FY 96-97 Budg.	Contribut. to Oper. Bud.	MCTV Payments	PCA	Balance to Jurisdictions
PORTLAND			217,761	180,557		N/A
<i>E. County Jurisdictions:</i>						
GRESHAM	495,841	15,863	76,088	297,505		138,111
MULTNOMAH CO.	73,048	9,020	15,158	43,829		23,081
MULTNOMAH CO, TCI WEST	21,418				8,567	12,851
TROUTDALE	77,924	2,008	12,628	46,754		20,550
FAIRVIEW	22,609	735	4,221	13,566		5,558
WOOD VILLAGE	19,500	650	2,592	11,700		5,858
<b>Sub Total, East County</b>	<b>\$710,341</b>	<b>\$28,277</b>	<b>\$110,687</b>	<b>\$413,354</b>	<b>\$8,567</b>	<b>\$206,009</b>
<b>Total</b>	<b>\$710,341</b>	<b>\$28,277</b>	<b>\$328,448</b>	<b>\$593,911</b>	<b>\$8,567</b>	<b>\$206,009</b>

\* MCTV payment from Portland is subject to final approval by the Portland City Council

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19-Mar-98

**APPENDIX TWO**  
**MULTNOMAH COMMUNITY TELEVISION**  
**FY 1998-99**

26 January 1998

To: Mt. Hood Cable Regulatory Commission  
From: Rob Brading  
Re: Proposed MCTV FY 1998-99 Budget

MCTV's proposed FY 98-99 budget is attached. This budget has been approved by the MCTV finance committee on January 5 and by the MCTV Board at its January 21 meeting. FY 98-99 brings substantial changes in both the MCTV budget and in the accounting for some items. Line item explanations follow the proposed budget but some items are either new or have changed significantly.

Endowment withdrawal (4162) is funding derived from the MCTV endowment.

The dedicated capital fund (4172) in the new franchise creates a substantial increase in MCTV capital funding. None of the Capital line can be moved to Materials and Services or Personal Services because capital funds must be spent on items that last at least a year. Some Materials and Services lines (e.g., books, video tape) have been moved to Capital as have portions of some others (e.g., operating supplies, maintenance supplies). Since MCTV has not previously tracked expenditures in this way, the portion of these line items that has been put in the capital budget is quite conservative. It's also likely that some of the salary line will be capitalized but no personnel expenses have been put into the capital budget.

The change in MCTV funding will have its biggest impact on personnel. The proposed FY 98-99 budget has \$540,198 in the Personal Services line. That compares with \$672,171 budgeted for the current fiscal year and the \$639,077 spent in FY 96-97.

Many of the costs incurred in the Materials and Services category are driven by external factors that will not change substantially despite MCTV's loss of funding and decreased personnel costs. For example, insurance costs may increase as MCTV adds to its equipment and capital base and MCTV's audit will continue to be relatively complex so its cost will continue to increase moderately over the next few years.

If you have questions that I can answer before that meeting, please call 667-7636, ext. 318.

## MCTV PROPOSED FY 1998-99 BUDGET

		ACTUAL	ACTUAL	ACTUAL	BUDGET	ACTUAL	PROPOSED
		1994-95	1995-96	1996-97	1997-98	1997-98	BUDGET
						(to 1/1/98)	1998-99
	INCOME:						
	Carry-Over						
4152	Access Support	\$451,200	\$ 496,320	\$ 561,000	\$ 636,000	\$ 318,000	
4130	Franchise Fees, Multnomah	318,306	339,941	386,312	343,175	203,576	\$ 413,354
4140	Franchise Fees, Portland	160,245	191,335	214,425	163,233	106,739	180,557
4090	Interest	25,366	12,203	11,014	5,000	4,961	5,000
4270	Activity Fees/Fees for Service			9,474	11,000	4,069	5,305
4200	Other	10,527	68,482	28,558	29,000	1,867	25,000
4120	Administration-LO	20,000	20,000	20,000	20,000	10,000	
4172	Capital Funds						225,000
4162	Endowment Withdrawal						111,732
4280	Building	158,548					
	TOTAL OPERATING INCOME	\$ 1,144,192	\$ 1,128,281	\$ 1,230,784	\$ 1,207,408	\$ 649,212	\$ 965,948
	Funds:						
	Equipment Replacement Fund	\$ 172,072	\$ 172,072				
	TOTAL INCOME	\$ 1,316,264	\$ 1,300,353				
		ACTUAL	ACTUAL	ACTUAL	BUDGET	ACTUAL	PROPOSED
		1994-95	1995-96	1996-97	1997-98	1997-98	BUDGET
							1998-99
	EXPENSES:						
7020	Full-Time Salaries	\$ 398,825	\$ 447,512	\$ 480,728	\$ 524,231	\$ 243,012	\$ 404,908
7030	Part-Time Salaries	67,808	53,645	34,747	17,842	21,729	27,250
7050	Taxes & Fringe Benefits	111,602	109,528	123,602	130,098	65,962	108,040
	Total Personal Services	\$ 578,235	\$ 610,685	\$ 639,077	\$ 672,171	\$ 330,702	\$ 540,198
6020	Accounting	\$ 5,391	\$ 7,735	\$ 10,734	\$ 11,500	\$ 10,208	\$ 12,000
6030	Books	184	485	483	500		
6041	Consulting	32,477	13,168	16,424	12,121	3,420	14,000
6051	Dues & Subscriptions	7,428	8,688	10,606	9,400	5,400	9,400
6060	Educational Program Acquisition	475	1,406	860	1,500	294	1,500
6061	Education & Training	10,304	15,642	10,453	11,000	5,989	8,000
6062	Business Meals/Related	1,986	2,397	1,900	1,000	1,370	1,000
6063	Ed. Tuition Reimbursement	0	542	0	400	0	400
6064	Events	365	250	0	1,000	0	1,000
6070	Food	6,173	4,459	5,357	4,500	1,735	4,500
6080	Graphics	0	0	33	0	0	0
6100	Insurance	31,807	26,215	29,779	28,837	15,094	31,000
6110	Janitorial	7,315	8,645	7,315	6,699	3,990	6,000
6130	Legal	2,354	8,830	1,131	10,000	624	7,500
6131	Local Travel & Mileage	3,676	4,304	5,821	4,800	1,566	4,800
6140	Maintenance Supplies	8,610	5,297	8,490	10,000	4,929	8,250
6160	Office Supplies	6,235	8,236	5,870	8,500	3,931	6,000
6161	Operation Supplies	9,269	8,825	8,366	9,000	3,513	7,200
6170	Personnel Recruitment	2,485	1,251	848	1,000	51	1,000
6171	Phones	5,571	6,314	10,434	7,800	3,889	11,000
6172	Postage	8,764	8,176	7,655	10,500	5,547	8,500
6173	Printing	10,172	14,380	17,653	16,000	6,559	17,000
6174	Marketing/Promotion	7,851	6,530	7,155	7,500	1,214	7,000
6190	Repairs & Maintenance	5,202	4,167	3,854	6,500	1,756	3,200
6200	Rent, Utilities, Maintenance	21,216	21,734	20,700	24,362	9,360	23,000
6211	Travel	6,552	2,794	7,725	2,500	1,756	6,500
6230	Vehicle Maintenance	1,050	1,914	135	2,000	296	1,000
6231	Videotape	4,993	7,994	5,876	8,500	3,931	
	Total Materials & Services	\$ 207,905	\$ 200,378	\$ 205,657	\$ 217,419	\$ 96,422	\$ 200,750

## MCTV PROPOSED FY 1998-99 BUDGET

		ACTUAL	ACTUAL	ACTUAL	BUDGET	ACTUAL	PROPOSED
		1994-95	1995-96	1996-97	1997-98	1997-98	BUDGET
							1998-99
8002	Books						\$ 500
8003	Maintenance Supplies						1,650
8004	Office Supplies						1,500
8005	Operation Supplies						1,800
8006	Repairs & Maintenance						800
8007	Videotape						7,000
8020	Building	220,290					
8030	Leasehold Improvements	0	0	0	250		
8040	Office Equipment	1,413	8,282	6,393	250	680	36,200
8050	Office Furnishings	7,748	1,259	1,772	250		1,650
8060	Production & Maintenance Equip.	10,950	24,693	3,590	1,000		173,900
	Total Capital	\$ 240,401	\$ 34,234	\$ 11,755	\$ 1,750	\$ 680	\$ 225,000
9000	Savings to Endowment		\$ 192,855	\$ 374,295	\$ 316,069	\$ 150,000	
	TOTAL OPERATING EXPENSES	\$ 1,026,541	\$ 1,038,152	\$ 1,230,784	\$ 1,207,408	\$ 577,805	\$ 965,948
	Unexpended Balance:						
	Equipment Replacement Fund	172,072	172,072				
	TOTAL EXPENSES	\$ 1,198,613	\$ 1,210,224				
	Operating Expenses	\$ 806,251	\$ 845,297	\$ 856,489	\$ 891,339	\$ 427,805	\$ 965,948

# **MULTNOMAH COMMUNITY TELEVISION**

**FY 1998 - 99 PEG BUDGET**

## **LINE ITEM EXPLANATION**

### **INCOME:**

**4152 Special Access Funding**

Portion of Settlement Funds from the sale of Rogers Cable to Paragon.

**4130 Franchise Fees, Multnomah**

5% of gross revenue of Paragon Cable for East Multnomah County system, of which MCTV receives 60%.

**4140 Franchise Fees, Portland**

MCTV serves a portion of the east Portland Paragon Cable system regulated by the MHCRC. MCTV receives up to a portion of franchise fees from this area.

**4090 Interest**

Income projected on current interest rates.

**4120 Administration - LO**

Pass-through payment made from LO programming to MCTV for administrative, engineering and marketing and promotional services.

**4200 Other**

Tape duplication, refunds, special events, underwriting.

**4270 Activity/Fees for Service**

Moneys from activity fees and charging for MCTV services.

**4172 Capital Funds**

Moneys from franchise capital revenues dedicated to PEG access providers.

**4162 Endowment Withdrawal**

Taken from MCTV endowment fund.

**4280 Building**

Used for MCTV facility expansion.

### **FUNDS:**

**Equipment Replacement Fund**

Funds set aside to replace equipment as it wears out.

## **EXPENSES:**

**7020 Full-time Salaries.**  
Salaries for full-time employees.

**7030 Part-time Salaries**  
Salaries for part-time employees.

**7050 Taxes & Benefits**  
Figured as 25% of full-time salaries. Includes pension plan contribution, insurances, FICA, Tri-Met and state unemployment tax.

**6020 Accounting**  
Cost of annual audit and accounting support services.

**6030 Books**  
Training books, videos, and other books.

**6041 Consulting**  
Outside professional services except for accounting, legal, graphics, janitorial and equipment repair.

**6051 Dues and Subscriptions**  
Cable, magazine and newspaper subscriptions, professional memberships.

**6060 Educational Program Acquisition**  
Purchase, rental, or licensing fee for any acquired programming.

**6061 Education and Training**  
Training and education for nine Board members and twenty-four employees.

**6062 Business Meals/Related**  
Meals purchased for business-related purposes.

**6063 Education Tuition Reimbursement**  
Costs for tuition reimbursement.

**6064 Events**  
Speakers fees, facility rental and other costs associated with special events.

**6070 Food**  
Food for volunteer crews working on MCTV productions and for events.

**6080 Graphics**  
Video and print services used in connection with promotional items.

**6100 Insurance**

Workers' Compensation, Volunteer, Liability (including property and auto), Excess Liability, Media Special Perils, Officers and Directors, Pension Board.

**6110 Janitorial**

Janitorial services.

**6130 Legal**

Attorney's fees for consultation and advice.

**6131 Local Travel and Mileage**

Employee reimbursement for business-related mileage and parking.

**6140 Maintenance Supplies**

Supplies used to repair and maintain equipment that last less than one year.

**6160 Office Supplies**

Items that are less than \$100 and that last less than one year.

**6161 Operating Supplies**

Production-related items that are less than \$100 and last less than one year.

**6170 Personnel Recruitment**

Advertising for position openings.

**6171 Phones**

Includes regular and cellular service.

**6172 Postage:**

All outgoing postage, express services, parcel shipping and other shipping.

**6173 Printing**

Printing done outside including newsletter, invitations, handbook, forms.

**6174 Marketing and Promotion**

Advertising (except job openings), promotional items, marketing surveys and services.

**6190 Repairs and Maintenance**

Routine and emergency maintenance.

**6200 Rent, Utilities and Maintenance**

Payments made to Mt. Hood Community College for building (includes utilities and College services.)



**6211 Travel**

Transportation to regional and national conferences and seminars.

**6230 Vehicle Maintenance**

Maintenance and repairs for two vehicles.

**6231 Videotape**

Blank videotape (VHS, SVHS, 3/4", 3/4" SP).

**8002 Books**

Training books, videos, and other books.

**8003 Maintenance Supplies**

Supplies used to repair and maintain equipment that last less than one year.

**8004 Office Supplies**

Items that are less than \$100 and that last less than one year.

**8005 Operating Supplies**

Production-related items that are less than \$100 and last less than one year.

**8006 Repairs & Maintenance**

Routine and emergency maintenance.

**8007 Videotape**

Blank videotape (VHS, SVHS, 3/4", 3/4" SP).

**8020 Building**

MCTV facility expansion.

**8030 Leasehold Improvements**

Improvements to MCTV building.

**8040 Office Equipment**

Office equipment in excess of \$100 such as computers, copiers, fax machines.

**8050 Office Furnishings**

Items in excess of \$100 such as desks, chairs, cabinets, bookcases, file cabinets.

**8060 Production and Maintenance Equipment:**

Items in excess of \$100 for production, playback and engineering. Includes funds for emergency purchases. See attached for detail.

**9000 Endowment Fund**

Funds set aside for use after end of the current franchise in 1998. As of December 31, 1997 the fund was \$1,847,793.

## FY MCTV 1998-99 PEG EQUIPMENT LIST

### Public Access

DV Camcorder packages. (8) @ \$4500 ea.	\$36,000
Tripods. (6) @ \$600 ea.	3,600
DVcam source players for edit rooms. (4) @ \$5500 ea.	22,000
DVcam source players for dub station. (2) @ \$4000 ea.	8,000
DV recorders for field use. (3) @ \$4500 ea.	13,500
Shotgun microphones. (4) @ \$400 ea.	1,600
Studio lights (5) @ \$800 ea.	4,000
24 channel audio mixer for studio. (1) @ \$3000	3,000
Master sync generator for studio. (1) @ \$4500	4,500
Character generators. (4) @ \$3000 ea.	<u>12,000</u>
	\$108,200

### Engineering

Digital test signal generator. (1) @ \$6000	\$6,000
Misc. jigs and alignment tapes for DV format.	<u>3,650</u>
	\$9,650

### Master Control

Master clock system. (1) @ \$3000	\$3,000
Audio compressor/limiters. (3) @ \$1000 ea.	3,000
Character generators. (5) @ \$3000 ea.	15,000
Monitor/Receivers. (8) @ \$400 ea.	3,200
VTR 3/4 inch players. (7) @ \$3500 ea.	24,500
VTR 3/4 inch recorders. (2) @ \$4500 ea.	<u>9,000</u>
	\$57,700

Production and Maintenance Equipment Subtotal **\$175,550**

Mac computers with 604e processors. (4) @ \$2500 ea.	\$10,000
Computer monitors. (3) @ \$400 ea.	1,200
Relational data base for MCTV (estimate)	<u>25,000</u>
	\$36,200

Misc. Capital **\$13,250**  
(see budget)

**TOTAL: \$225,000**

**APPENDIX THREE**  
**PORTLAND CABLE ACCESS**  
**FY 1998-99 BUDGET**



# PORTLAND CABLE ACCESS TELEVISION

January 8, 1998

**RECEIVED**  
JAN 8 1997

**OFFICE DE CABLE COMMUNICATIONS  
CITY OF PORTLAND**

Ms. Mary Beth Henry  
Ms. Julie Omelchuck  
The City of Portland  
Office of Cable Communications and Franchise Management  
1211 SW Fifth Avenue, #1160  
Portland, OR. 97204-3711

## PCA CHANNELS

**11**  
Community Access Network  
Serving the metro area

**27**  
Public Access  
Serving the east metro area

**30**  
CityNet 30  
Serving the City of Portland

**33**  
Public Access  
Serving Multnomah County

Re: FY 98-99 Draft Budget

The enclosed document(s) represents the PCA draft annual budget for FY 1998-99.

The enclosed FY 98-99 budget has been approved by the Portland Cable Access Board of Directors.

## FY 1998-99 Budget

### Overview

#### Key points:

- Overall budget from City franchise increases by \$87,548.00
- Staffing levels remain at current levels

#### Increased levels of funding:

1. Staff training- for computerization
2. Board training & information- for annual projects
3. Printing and duplication- for Annual Report printing
4. Advertising-for program marketing
5. Hospitality-Alliance for Community Media to PDX
6. Insurance- more equipment to insure with larger capital budgets

#### Decreased levels of funding:

1. Accounting- for new Controller and elimination of consultant
2. Janitorial- large industrial firm replaced by sole prop.
3. Repairs and Maint.-Equipment on site maintenance increased
4. Dues & Subscriptions- Alliance in PDX and many will attend via volunteerism.
5. Interest Exp. Self-financed Endowment loans reduced by paybacks to fund

I welcome you comments.

Thank you

Rob Skelton

#### **BOARD**

1. Ernie Bonner, President
2. Lew Frederick, V. President
3. Sara Siegler Miller, Secretary
4. Jay Smith, Treasurer
4. Celeste Corey
- Sharon Genasci
- Stuart Kaplan
- Bob Phillips
5. Rod Pitman
- Alberto Ráfols
- Jackie Van Nice
- Joella Werlin

**EXECUTIVE DIRECTOR**  
Robert Skelton

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2766 NE MARTIN LUTHER KING JR BLVD. PORTLAND, OR 97212  
PHONE (503) 288-1515 FAX (503) 288-8173 Email: pegaccess@msn.com



# PORTLAND CABLE ACCESS TELEVISION

## PORTLAND CABLE ACCESS BOARD MEETING MINUTES

January 6, 1998

**NOTE:** Documents referenced in these minutes are on file with the official minutes in the administrative office.

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**CALL TO ORDER:** The meeting was called to order at 7:00p.m. and was chaired by Ernie Bonner.

**DIRECTORS PRESENT:** Joella Werlin, Bob Phillips, Sara Siegler Miller, Stuart Kaplan, Ernie Bonner, Sharon Genasci, Celeste Carey, Lew Frederick, Rod Pitman, Alberto Ráfols, Jay Smith, Jackie Van Nice.

**OTHERS PRESENT:** Barbara Rutherford Crest, Robert Skelton, Dawn Wilson, Ray Larson, Linda Hawkins, Tom Riley, Steve Dehner, Gregory Franklyn.

*(Excerpt from minutes regarding budget)*

### PCA OPERATIONAL FY 98/99 BUDGET:

Bonner moved to accept this budget and to forward it to the MHCRC.

*The motion passed unanimously.*

Skelton explained that we will be asking the city for an add package of \$60,000 to restore some of the community services and productions lost in Measure 47/50.

### PCA FY 98-99 CAPITAL BUDGET:

Bonner moved that the board accepts the \$250,000 capital allotment for FY 98-99 (and that the amount may increase when the allocation formula is completed). Bonner recommends that these funds be included into our annual budget submission to the City of Portland. Siegler-Miller seconded.

Phillips offered a friendly amendment that expresses our concerns about the proportions of the capital budget amounts allocated to MCTV and PCA. He hoped that the percentage of the allotments be more representative of the numbers that PCA serves. Rutherford-Crest stated that the allocation formula is still at a staff level.

*The motion passed unanimously with the friendly amendment.*

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# PORTLAND CABLE ACCESS TELEVISION

## PCA Proposed Operating Budget July 1, 1998 - June 30, 1999

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### REVENUE

City Franchise Fee  
Special Projects  
Tape/Disk Sales  
Dubbing  
Misc. Income  
Contract Interest (Delauney)  
Checking Acct. Interest  
Interest from Endowment  
Carry forward

**Budget**  
**97/98**  
**Total**

**Budget**  
**98/99**  
**Total**

624,161	711,709
27,563	35,000
7,818	7,818
1,597	1,597
7,319	7,319
10,390	10,390
973	973
50,000	
80,000	
<b>809,821</b>	<b>774,806</b>

### EXPENSES

Salaries  
Payroll Taxes  
Pension Contributions  
Ment/Dent/Life/Dis Insurance  
Employee Recruitment  
Temporary Outside Help  
Training & Education - Staff  
Training & Education - Board  
Local Travel  
Out of Town Travel  
Accounting  
Legal  
Computer Programming  
Other Professional Services  
Janitorial Service  
Security Service  
Photographic Services  
Other Outside Services  
Electricity  
Telephone  
Other Utilities  
Equipment Rental  
Repair & Maint. - Vehicles  
Repair & Maint. - Bldgs. & Grnds.

460,536	460,536
47,706	47,706
33,159	33,159
48,050	48,050
471	471
2,714	2,714
7,370	9,000
3,000	5,000
1,085	1,085
2,000	2,000
17,955	9,000
6,040	4,040
1,415	1,415
3,504	2,504
5,825	5,000
1,111	1,111
236	236
707	707
10,241	10,241
10,089	10,089
2,287	2,287
1,621	1,621
1,179	1,179
3,351	3,351

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# PORTLAND CABLE ACCESS TELEVISION

## PCA Proposed Operating Budget July 1, 1998 - June 30, 1999

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Repair & Maint. - Equipment  
Other Repairs & Maintenance  
Office Supplies  
Video Tapes  
Replacement Bulbs  
Batteries  
Small Tools & Equipment  
Printing & Duplication  
Postage & Shipping  
Vehicle Expense  
Computer Software  
Dues & Subscriptions  
Fees  
Insurance  
Advertising  
Hospitality  
Board of Directors  
Miscellaneous Expenses  
Bad Debt Expense

Interest Exp. Self-financed

**TOTALS EXPENSES**  
**EXCESS OF REVENUES OVER**  
**EXPENSES, BEFORE DEPRECIATION**

Building signs  
endowment loan repayment

**NET OPERATION + CAPITAL SPENT**

	<i>Budget 97/98 Total</i>	<i>Budget 98/99 Total</i>
Repair & Maint. - Equipment	32,031	21,031
Other Repairs & Maintenance	1,552	1,552
Office Supplies	5,430	5,430
Video Tapes	6,829	6,829
Replacement Bulbs	4,714	4,714
Batteries	345	345
Small Tools & Equipment	3,032	3,032
Printing & Duplication	9,427	12,000
Postage & Shipping	3,770	3,770
Vehicle Expense	471	471
Computer Software	1,416	1,416
Dues & Subscriptions	6,363	4,000
Fees	2,592	2,592
Insurance	21,177	29,300
Advertising	471	2,471
Hospitality	3,414	5,000
Board of Directors	471	471
Miscellaneous Expenses	471	471
Bad Debt Expense	-	-
Interest Exp. Self-financed	21,657	7,000
<b>TOTALS EXPENSES</b>	<b>797,285</b>	<b>774,397</b>
<b>EXCESS OF REVENUES OVER</b> <b>EXPENSES, BEFORE DEPRECIATION</b>	<b>12,536</b>	<b>409</b>
Building signs	2,500	0
endowment loan repayment	10,036	0
<b>NET OPERATION + CAPITAL SPENT</b>	<b>0</b>	<b>409</b>

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# PORTLAND CABLE ACCESS TELEVISION

## Draft FY 98-99 PCA Community ADD PACKAGE

PCA's recent budget reductions substantially diminished our financial capacity to round out our programming with special targeted programs. We have attempted to balance our productions between our "must do" government obligations and programs of special interest and concern to our community.

For 1996-97 PCA produced programs such as Beyond Beijing: Movin' Forward on the Local Front, The Volunteer Center's Human Race, Metropolitan Youth Symphony, Urban League of Portland events, Albina Head Start, Cathedral Park Summer Concert series, The St. Johns Parade, and the Homowo Festival. We were able to support these community interest programs because our budget allowed discretionary spending for under-funded or limited fund projects. It is our profound hope to renew this type of coverage with a modest infusion of additional funds. We estimate the amount lost to these projects at approximately \$60,000.00.

An example of the community benefits obtained by such programming capacity is the Cathedral Park permanent cable drop. PCA, the Homowo Foundation for African Culture and Arts, and the Friends of Cathedral Park jointly applied for a METRO North Portland Enhancement Grant for the installation of a permanent cable drop in Cathedral Park. We were able to provide 20 hours of live programming showcasing local talent and events with the splendor of Cathedral Park as the back drop, in often ignored and under valued North Portland. We believe this is a significant success for the North Portland neighborhood.

It would be our hope to continue this kind of community presence in other neighborhoods. PCA's participation in the Volunteer Center's Human Race helped open the doors of opportunity to local non-profits participation with PCA. We were able to donate significant coverage to this event where non-profit organizations received contribution pledges. Both a walk and a run allowed participation by many segments of the community, young and old, runners and non-runners were allowed to participate and share their generosity and enthusiasm with a larger community. PCA was able to cablecast the entire event live from Waterfront Park. This required the purchase of KATU's microwave link capacity without the discretionary budget to utilize such specialized professional services; PCA would not be able to bring these live events to the community.

Beyond government meetings there is a sea of knowledge ready to be explored with organizations such as the Urban League of Portland, the Regional Water Consortium Board Meeting, and Albina Head Start. People telling their stories and disseminating information through community groups and associations binds our community together. We are able to see and hear points of views of

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# PORTLAND CABLE ACCESS TELEVISION

various communities to whom we might not otherwise be exposed. Minority communities have never received broad-based media coverage, an important component in feeling truly a part rather than apart from the community. PCA is proud to bring to the City of Portland points of view and opinion which commercial media often shuns in favor of sensationalized coverage. It is much easier to do a two-minute news piece on something bad in North Portland than spend an hour and a half working through the difficulties of negotiating a community development project.

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Additional program references possible here.

PCA's doors are open to not only the general public and government productions but can and should be open to non-profits and under served community groups. Part of the promise of community television is to provide coverage to non-commercial events and groups. The irony in this budget has been that at the time PCA finally came into its own and was able to produce important programs, cover significant issues, and make our presence known in the community severe budget cuts occurred. For many years PCA rebuilt our operations after severe budget constraints suffered early in the franchise. We would hope that the continued support for community television would find moneys available not just for capital expenditures, but also for those operational expenses that makes PCA greater than its promise.

Finance/98-99 add package

## BOARD

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# PORTLAND CABLE ACCESS TELEVISION

## PCA Capital Budget Considerations

### PCA CHANNELS

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There are numerous forces at play in the consideration of capital purchase policies. PCA has established a substantial investment in operational technologies. We are also required to maintain equipment as well as a substantial on air presence. Additionally, vehicles and property must be managed.

### Our purchase priorities are based on the following criteria:

Maintenance of existing physical plant: including building and infrastructure.

Maintenance of existing production equipment: including vehicles.

Replacement of equipment when no longer repairable.

Purchase equipment designed to maintain current operations.

Purchase equipment to reflect user driven technological change.

Purchase equipment to modernize our technology to more closely resemble current industrial production capacities.

Analyze current and future technologies appropriate to our position as a PEG access provider.

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My Documents\Capital Budget Considerations.doc  
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# PORTLAND CABLE ACCESS TELEVISION

## Portland Cable Access 1998-99 Capital Budget Project Proposal

### PCA CHANNELS

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### Project A

#### Replace Studio A Cameras

Purchase equipment to modernize our production capacity. This would allow us greater image quality and replace eight-year-old equipment. The current cameras, while functional, are three generations old. Substantial quality and control progress has been made. They have been in constant service for eight years and are near the end of their operational life.

Cameras-3 Cameras and CCUs \$45,000

### Project B

#### Replace Truck Cameras

Purchase equipment to modernize our production capacity. This would allow us greater image quality and replace eight-year-old equipment. The current cameras, while functional, are well used. They have been in constant service for eight years. The life span of these cameras is near to the end. Technologically, they are below current field requirements.

Cameras-3 Cameras and CCUs \$72,000.00

### Project B-2

#### Truck Reconstruction

The suspension system needs replacement along with the power plant for the truck. External equipment boxes to be added. Cellular telephone installation included.

\$19,450.00

### Project C

#### Replace Source Monitors

Purchase equipment to modernize our production capacity. This would allow us greater image quality and replace nine-year-old equipment.

Video monitors-5x5 x \$1000 \$25,000.00

### Project D

#### Engineering Equipment

Additional test equipment is needed for our edit rooms to control the signal paths. Basic test equipment is now available. A minimum starting component is a signal scope available in each edit suite.

#### 3- Magni Digital Television Test Scope

\$11,550.00

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# PORTLAND CABLE ACCESS TELEVISION

**PROJECTS E AND F** are specifically oriented toward digital signal migration. They are a part of PCA's long-term digital signal applications projects.

## Project E – Non linear editing

This would facilitate the production of governmental and special programming. This would substantially enhance the capacity for governmental, educational and teleconferencing production editing.

**Non-linear systems**

**\$35,000.00**

## Project F-Production Camera

The production department needs a camera capable of higher performance than we are currently using. A Beta-cam or Digital technology camera is the current acceptable source required for high quality productions.

**\$15,000.00**

## Organizational CAPITAL ITEMS for FY 1998-1999

### Administrative

An integrated Xerox system printer/copier/FAX and scanner.

This will dramatically increase productivity in the office/administrative areas.

**\$15,000.00**

### Office Work Station Computers

We will continue to bring the full computer system into operation. Two additional workstations are anticipated this year. This will gain substantial completion for our office system.

**\$7,000.00**

### Building Maintenance/Improvements

We anticipate several ongoing capital repairs for the building during this time frame. PCA may attempt to achieve city lighting efficiency compliance during 1998-99 as part of our capital maintenance.

**\$5,000.00**

## TOTAL CAPITAL BUDGET REQUEST

**\$250,000.00**

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# PORTLAND CABLE ACCESS BOARD OF DIRECTORS ROSTER

## COMMISSIONER APPOINTMENTS

### KATZ

Alberto Ráfols (12/97)  
2358 NW Lovejoy #2  
Portland, OR 97210  
(H) 248-9773  
(W) 823-5417  
(FAX) 823-5432  
arafols@racc.org  
*Expiration 11/99, 1<sup>st</sup> Full Term*

### FRANCESCONI

Jay Smith, Treasurer (11/95)  
2828 NE Stanton  
Portland, OR 97212-3539  
(H) 287-7273  
(FAX) 287-7323  
beaucoup@trix.com  
*Expiration 11/99, 2<sup>nd</sup> Full Term*

### KAFOURY

Sara Siegler Miller, Secretary (11/95)  
2000 NE 42nd, Suite 154  
Portland, OR 97213-1357  
(H/FAX) 249-5060  
(W) 249-8000  
sarasm@teleport.com  
*Expiration 11/99, 2<sup>nd</sup> Term*

### HALES

Lew Frederick, V.P. (3/96)  
Portland Public Schools  
501 N. Dixon  
Portland, OR 97227-1804  
(H) 249-0433  
(W) 916-3560  
(FAX) 916-3157  
(PGR) 299-8039  
lfred@pps.k12.or.us  
*Expiration 11/98, 1<sup>st</sup> Term*

### STEN

Celeste Carey (2/97)  
12414 NE Holladay Pl.  
Portland, OR 97230  
(H) 256-4695  
(FAX) 231-7145  
msadeva@aol.com  
*Expiration 11/98, 1<sup>st</sup> Term*

## AT-LARGE APPOINTMENTS

Joella Werlin (11/96)  
705 NW Winchester  
Portland, OR 97210-2738  
(H) 224-7973  
(FAX) 224-7809  
werlinj@teleport.com  
*Expiration 11/98, 1<sup>st</sup> Full At-Large Term*

Stuart Kaplan (11/96)  
9615 SW Viewpoint Terr.  
Portland, OR 97219-6549  
(H) 246-3498  
(W) 768-7618  
(FAX) 768-7620  
skaplan@lclark.edu  
*Expiration 11/98, 1<sup>st</sup> Full At-large Term*

One vacant seat

### **AT LARGE (continued)**

Sharon Genasci (11/95)  
2217 NW Johnson  
Portland, OR 97210-3229  
(H/W) 229-0525  
(H/FAX) 229-0665  
[dgenasci@netcom.com](mailto:dgenasci@netcom.com)  
*Expiration 11/99, 2<sup>nd</sup> Term*

Bob Phillips (6/95)  
2009 NE Brazee  
Portland, OR 97212-4656  
(W/FAX) 281-9676 (call first)  
[rawdirt@teleport.com](mailto:rawdirt@teleport.com)  
*Expiration 11/98, 1<sup>st</sup> Full At-large Term*

Ernie Bonner, President (11/96)  
2924 NE 27th  
Portland, OR 97212-3549  
(W/FAX) 284-2816 - call first when  
faxing  
[erbonner@aol.com](mailto:erbonner@aol.com)  
*Expiration 11/98*

Jackie Van Nice (12/97)  
PO Box 15192  
Portland, OR 97293-5192  
(H) 335-3785  
(W) 231-8032  
(FAX) 231-7145  
[jakichen@spiritone.com](mailto:jakichen@spiritone.com)  
*Expiration 11/99*

Rod Pitman (12/97)  
141 N. State St., Ste. 15  
Lake Oswego, OR 97034  
(W) 920-8881  
[chocktaw@teleport.com](mailto:chocktaw@teleport.com)  
*Expiration 11/99*

### **NON-VOTING MEMBERS**

Robert Skelton, Executive Director  
Portland Cable Access  
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Portland, OR 97212-3036  
(W) 288-1515x18  
(H) 236-8252  
(FAX) 288-8173  
[pegaccess@msn.com](mailto:pegaccess@msn.com)

### **OFFICE OF CABLE COMMUNICATIONS AND FRANCHISE MANAGEMENT**

Julie Omelchuck  
PacWest Center  
1211 SW 5th Ave. #1160  
Portland, OR 97204-3711  
(W) 823-4188  
(FAX) 823-5370  
[julie@ci.portland.or.us](mailto:julie@ci.portland.or.us)

### **MHCRC REPRESENTATIVE**

Barbara Rutherford Crest  
3925 NE 37<sup>th</sup> Ave.  
Portland, OR 97212  
(H/W) 281-0475  
(FAX) 284-9731  
[bcrest@mail.teleport.com](mailto:bcrest@mail.teleport.com)

### **STAFF LIAISON**

Dawn Wilson, Admin. Assistant  
Portland Cable Access  
2766 NE MLK Jr. Blvd.  
Portland, OR 97212  
(W) 288-1515x19  
(Pgr) 940-5553  
(FAX) 288-8173  
[dawnw@pub.multnomah.lib.or.us](mailto:dawnw@pub.multnomah.lib.or.us)

MEETING DATE: APR 30 1998  
AGENDA NO: R-3  
ESTIMATED START TIME: 9:40

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Proclamation : Older Americans Month

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

REGULAR MEETING: DATE REQUESTED: April 30, 1998  
AMOUNT OF TIME NEEDED: 5 minutes

DEPARTMENT: ADS DIVISION: \_\_\_\_\_

CONTACT: Alice MORTON TELEPHONE #: 248 - 3620  
BLDG/ROOM #: MEAD Bldg. 3rd Floor

PERSON(S) MAKING PRESENTATION: June Schumann

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☐ APPROVAL ☒ OTHER

SUGGESTED AGENDA TITLE:

Proclamation: Older Americans Month  
4/30/98 ORIGINAL TO JUNE SCHUMANN

SIGNATURES REQUIRED:

ELECTED OFFICIAL: \_\_\_\_\_  
(OR)  
DEPARTMENT MANAGER: Jennifer Connell

BOARD OF  
COUNTY COMMISSIONERS  
98 APR 23 PM 2:02  
MULTNOMAH COUNTY  
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. \_\_\_\_\_

In accordance with the National Proclamation designating May 1998 as  
**OLDER AMERICANS MONTH**

The Multnomah County Board of Commissioners finds:

- a. For more than thirty years the month of May has been set aside as a special time to acknowledge the contributions and achievements of America's 34 million older citizens;
- b. The 1998 theme of Older Americans Month is "Living Longer, Growing Stronger in America" which highlights that many of us are living longer, more satisfying lives; that aging can and should be a positive experience, and that we can take charge as we prepare for our own longevity, regardless of our age today;
- c. The older residents of Multnomah County, as valuable resources of experience, knowledge and skills, are past, present, and continuing contributors to our community: committed volunteers in our schools, churches, and hospitals; participants in civic activities; advocates who influence public policy; and vital caregivers to spouses and children;
- d. While some older people are frail and need our help, many other older members of Multnomah County who remain active and productive serve as role models and inspiration to others;
- e. Multnomah County's Department of Aging and Disability Services, along with its partners, honor the over 100,000 older residents of Multnomah County and thank them for their contributions to our community and its citizens.

The Multnomah County Board of Commissioners proclaims:

The Month of May 1998 is **OLDER AMERICANS MONTH IN MULTNOMAH COUNTY, OREGON.**

ADOPTED this 30th day of April, 1998.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

---

Beverly Stein, Chair



BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**PROCLAMATION NO. 98-52**

In accordance with the National Proclamation designating May 1998 as  
**OLDER AMERICANS MONTH**

The Multnomah County Board of Commissioners finds:

- a. For more than thirty years the month of May has been set aside as a special time to acknowledge the contributions and achievements of America's 34 million older citizens;
- b. The 1998 theme of Older Americans Month is "Living Longer, Growing Stronger in America" which highlights that many of us are living longer, more satisfying lives; that aging can and should be a positive experience, and that we can take charge as we prepare for our own longevity, regardless of our age today;
- c. The older residents of Multnomah County, as valuable resources of experience, knowledge and skills, are past, present, and continuing contributors to our community: committed volunteers in our schools, churches, and hospitals; participants in civic activities; advocates who influence public policy; and vital caregivers to spouses and children;
- d. While some older people are frail and need our help, many other older members of Multnomah County who remain active and productive serve as role models and inspiration to others;
- e. Multnomah County's Department of Aging and Disability Services, along with its partners, honor the over 100,000 older residents of Multnomah County and thank them for their contributions to our community and its citizens.

The Multnomah County Board of Commissioners proclaims:

The Month of May 1998 is **OLDER AMERICANS MONTH IN MULTNOMAH COUNTY, OREGON.**

ADOPTED this 30th day of April, 1998.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Beverly Stein, Chair



MEETING DATE: APR 30 1998  
AGENDA NO: R-4  
ESTIMATED START TIME: 9:45

(Above Space for Board Clerk's Use ONLY)

### AGENDA PLACEMENT FORM

SUBJECT: Be Kind to Animals Week

BOARD BRIEFING:

DATE REQUESTED: \_\_\_\_\_

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

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

REGULAR MEETING:

DATE REQUESTED: April 30, 1998

AMOUNT OF TIME NEEDED: 3 minutes

DEPARTMENT: DES

DIVISION: Animal Control

CONTACT: Jelene Miggins

TELEPHONE #: 248-3790 x 234

BLDG/ROOM #: 324

PERSON(S) MAKING PRESENTATION: MIGGINS/ROWTON

#### ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

#### SUGGESTED AGENDA TITLE:

Be Kind to Animals Week Proclamation  
5/4/98 ORIGINAL TO HANK TRIGGINS

#### SIGNATURES REQUIRED:

ELECTED OFFICIAL:

(OR)

DEPARTMENT  
MANAGER:

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277

BOARD OF  
COUNTY COMMISSIONERS  
98 APR 21 AM 9:32  
MULTNOMAH COUNTY  
OREGON

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. \_\_\_\_\_

Proclaiming the Week of May 3 through 9, 1998 **BE KIND TO ANIMALS WEEK**

The Multnomah County Board of Commissioners finds:

- a. We have been endowed, not only with the benefits of our animal friends who give us companionship and great pleasure in our daily lives, but also with a firm responsibility to protect these fellow creatures with whom we share the earth, from need, pain, fear, and suffering
- b. We recognize that instilling attitudes of kindness, consideration, and respect for all living things through humane education in the schools and the community helps to provide the basic values on which a humane and civilized society is built
- c. The people in this community are deeply indebted to their animal care and control agencies for their invaluable contribution in caring for lost and unwanted animals, promoting a true working spirit of kindness and consideration for animals in the minds and hearts of all people
- d. The first full week of May has been set as the annual celebration of the national week of observing the philosophy of kindness to animals for the 83rd year

The Multnomah County Board of Commissioners proclaims:

May 3 through 9, 1998 is **BE KIND TO ANIMALS WEEK IN MULTNOMAH COUNTY, OREGON.**

Adopted this 30th day of April, 1998.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

---

Beverly Stein, Chair

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**PROCLAMATION NO. 98-53**

Proclaiming the Week of May 3 through 9, 1998 **BE KIND TO ANIMALS WEEK**

The Multnomah County Board of Commissioners finds:

- a. We have been endowed, not only with the benefits of our animal friends who give us companionship and great pleasure in our daily lives, but also with a firm responsibility to protect these fellow creatures with whom we share the earth, from need, pain, fear, and suffering
- b. We recognize that instilling attitudes of kindness, consideration, and respect for all living things through humane education in the schools and the community helps to provide the basic values on which a humane and civilized society is built
- c. The people in this community are deeply indebted to their animal care and control agencies for their invaluable contribution in caring for lost and unwanted animals, promoting a true working spirit of kindness and consideration for animals in the minds and hearts of all people
- d. The first full week of May has been set as the annual celebration of the national week of observing the philosophy of kindness to animals for the 83rd year

The Multnomah County Board of Commissioners proclaims:

May 3 through 9, 1998 is **BE KIND TO ANIMALS WEEK IN MULTNOMAH COUNTY, OREGON.**

Adopted this 30th day of April, 1998.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Beverly Stein, Chair



MEETING DATE: APR 30 1998  
AGENDA NO: R-5  
ESTIMATED START TIME: 9:40

(Above Space for Board Clerk's Use ONLY)

**AGENDA PLACEMENT FORM**

SUBJECT: NOI - METRO CLEANUP GRANT

BOARD BRIEFING:

DATE REQUESTED: \_\_\_\_\_

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

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

REGULAR MEETING:

DATE REQUESTED: 4-30-98

AMOUNT OF TIME NEEDED: 5 MINUTES

DEPARTMENT: HEALTH

DIVISION: REGULATORY HEALTH

CONTACT: JENNIFER CHACON

TELEPHONE #: 248-3464 THUR, FRI

BLDG/ROOM #: 312

248-3043  
MON - WED.

PERSON(S) MAKING PRESENTATION: JENNIFER CHACON

**ACTION REQUESTED:**

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

**SUGGESTED AGENDA TITLE:**

NOTICE OF INTENT TO RESPOND TO A REQUEST  
FOR PROPOSALS FROM METRO TO CLEANUP  
A NUISANCE AREA WITH IN THE COUNTY.

**SIGNATURES REQUIRED:**

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

(OR)

DEPARTMENT  
MANAGER: Billi Odgaard

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277

---

## **SUPPLEMENTAL STAFF REPORT**

---

To: Board of County Commissioners

From: Multnomah County Health Department, Vector Control

Date: 4/20/98

Re: Notice of Intent to Respond to a Request for Cleanup Proposals

---

1. Request approval of NOI to respond to Metro Neighborhood Cleanup Grant.
2. This is an annual grant available to Multnomah County and has been used to perform illegal dump site cleanups in East Multnomah County in the past.
3. This is a matching grant . Multnomah County Health Department provides the personnel and planning costs through regular employee wages, the Metro grant money is used to pay for waste disposal costs and equipment.
4. The cleanup is planned in a community in East Multnomah County and citizen volunteers are solicited by advertisement and by contact with volunteer groups such as SOLV and Friends of the Gorge. This year's cleanup will be at a recurrent illegal dump site located off Warrendale Road in Warrendale in the Columbia River Gorge on May 16, 1998 as part of the Health Department's vision of Healthy People in Healthy Communities.



METRO

January 5, 1998

Ms. Jennifer Chacon  
Envir. Health/Vector Control  
Multnomah County  
5235 N. Columbia Blvd.  
Portland, OR 97203

Dear Ms. Chacon:

Many of you have already begun to plan your 1998 clean-up events. Attached is information regarding the new Fiscal Year 1997-98 Metro Neighborhood Cleanup Grant program, including the funding allocation chart. Please note the additional funding available for waste prevention activities. The amount of funding you receive may be greater than listed on the attached chart, depending on the number and types of events held during the year.

If you are planning to hold a clean-up event and would like to receive grant funds, you must inform Metro **no later Monday, March 30, 1998 of the date, location and provide a brief description of the event.** This information may be conveyed through a letter of intent, or by calling me at 797-1672 and providing the requested information. If you've made prior arrangements for special services such as free paint for beautification, on-site collection of waste paint, and/or requests for Household Hazardous Waste Facility coupons, please include this information in the letter of intent or phone call. More information about how to request these special services is attached.

**Illegal dumping** has been and continues to be a chronic problem that we face more often than we'd like. Metro has several resources available to cities and neighborhood groups. If you need information or referral regarding an illegal dumping problem, call Metro's Recycling Information Center at 234-3000.

If you have any questions about the program, please feel free to call. I look forward to hearing from you regarding your cleanup event.

Sincerely,

Pat Varley  
Associate Solid Waste Planner

PV:gbc

cc: Doug Anderson, Waste Reduction and Planning Services Manager  
Meg Lynch, Waste Reduction and Planning Services Supervisor  
Terry Petersen, Environmental Services Manager  
Vicki Kolberg, Outreach Supervisor  
S:\SHARE\VARL\CLEANUP\97\_98\INTROLTR.127

1997-98 Cleanup Grant Program  
Allocation Table

	#2	#3	#4	#5	#6
LOCAL GOVERNMENT	1996 POPULATION	% OF METRO	Clean up Allocations	Waste Prevention	Total
Banks			\$70	\$35	\$105
Beaverton	63,145	4.81%	\$2,387	\$1,193	\$3,580
Clackamas Unincorp	169,147	12.89%	\$6,393	\$3,196	\$9,589
Cornelius	7,475	0.57%	\$283	\$141	\$424
Durham			\$70	\$35	\$105
Estacada	2,065	0.16%	\$78	\$39	\$117
Fairview	4,670	0.36%	\$177	\$88	\$265
Forest Grove	15,370	1.17%	\$581	\$290	\$871
Gladstone	11,605	0.88%	\$439	\$219	\$658
Gresham	79,350	6.05%	\$2,999	\$1,500	\$4,499
Happy Valley	2,825	0.22%	\$107	\$53	\$160
Hillsboro	52,105	3.97%	\$1,969	\$985	\$2,954
Johnson Creek			\$70	\$35	\$105
King City	2,155	0.16%	\$81	\$41	\$122
Lake Oswego	34,005	2.59%	\$1,285	\$643	\$1,928
Maywood Park			\$70	\$35	\$105
Milwaukie	20,065	1.53%	\$758	\$379	\$1,138
Molalla	4,505	0.34%	\$170	\$85	\$255
Multnomah Unincorp	32,097	2.45%	\$1,213	\$607	\$1,820
North Plains			\$70	\$35	\$105
Oregon City	20,410	1.56%	\$771	\$386	\$1,157
Portland	503,000	38.34%	\$19,011	\$9,506	\$28,517
Rivergrove			\$70	\$35	\$105
Sandy	4,895	0.37%	\$185	\$93	\$278
Sherwood	6,600	0.50%	\$249	\$125	\$374
Tigard	35,925	2.74%	\$1,358	\$679	\$2,037
Troutdale	12,750	0.97%	\$482	\$241	\$723
Tualatin	20,040	1.53%	\$757	\$379	\$1,136
Washington Unincorp	174,046	13.27%	\$6,578	\$3,289	\$9,867
West Linn	19,960	1.52%	\$754	\$377	\$1,132
Wilsonville	10,600	0.81%	\$401	\$200	\$601
Wood Village	2,995	0.23%	\$113	\$57	\$170
<b>TOTAL</b>	<b>1,311,805</b>	<b>100.00%</b>	<b>\$50,000</b>	<b>\$25,000</b>	<b>\$75,000</b>
(1) Derived from July 1996 Population Estimates, Center for Population Research, PSU.					
				cleanup/9798/drtallw2.exe	



Meeting Date: APR 09 1998  
Agenda No: R-6  
Estimated Start time: 10:30am  
APR 16 1998  
APR 23 1998  
APR 30 1998  
R-6  
9:53

(Above Space for Board Clerk's Use ONLY)

**AGENDA PLACEMENT FORM**

SUBJECT: Exempt Employee Job Title and Salary Range Revisions

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

Requested by: \_\_\_\_\_

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

REGULAR MEETING: Date Requested: April 9

Amount of Time Needed: 10 minutes

DEPARTMENT: Support Services DIVISION: Employee Services

CONTACT: Rudy Williams TELEPHONE #: x83113

BLDG/ROOM #: 106/1430

PERSON(S) MAKING PRESENTATION: Rudy Williams

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL ☐ OTHER

SUGGESTED AGENDA TITLE:

An ordinance amending Ordinance No. 880, in order to add and delete exempt pay ranges and titles and to make special adjustments.

5/4/98 copies to Rudy Williams  
5/2/98 copies to ordinance distribution  
list

SIGNATURES REQUIRED:

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

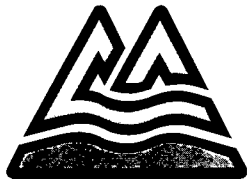
OR

DEPARTMENT MANAGER: Dickie S. [Signature]

**ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES**

Any Questions: Call the Board Clerk 248-3277

BOARD OF  
COUNTY COMMISSIONERS  
98 MAR 25 AM 9:12  
MULTNOMAH COUNTY  
OREGON



# MULTNOMAH COUNTY OREGON

BEVERLY STEIN  
COUNTY CHAIR

EMPLOYEE SERVICES  
FINANCE  
LABOR RELATIONS  
PLANNING & BUDGET  
RISK MANAGEMENT

(503) 248-5015  
(503) 248-3312  
(503) 248-5135  
(503) 248-3883  
(503) 248-3797

(503) 248-5170 TDD

PORTLAND BUILDING  
1120 S.W. FIFTH, 14TH FLOOR  
P.O. BOX 14700  
PORTLAND, OREGON 97293

PURCHASING, CONTRACTS  
& CENTRAL STORES

(503) 248-5111

2505 S.E. 11TH, 1ST FLOOR  
PORTLAND, OREGON 97202

TO: BOARD OF COUNTY COMMISSIONERS

FROM: Vickie Gates, Director  
Department of Support Services

DATE: March 25, 1998

REQUESTED PLACEMENT DATE: April 9, 1998

RE: An ordinance amending Ordinance No. 880, in order to add and delete exempt pay ranges and titles and to make a special adjustment.

I. Recommendation/Action Requested: Adoption of Ordinance.

II. Background/Analysis: The Board adopted a new exempt employee compensation system, effective July 1, 1991. Since that time, the Personnel Section has kept the system up to date by bringing periodic changes to the Board. This is the most recent update.

Section II of the ordinance deletes four (4) titles that are no longer needed, due to departmental reorganization of responsibilities.

Section III adds two (2) titles that are necessary due to departmental reorganization of responsibilities. As each new position is created, the Board has or will consider a budget modification that adds the position and specifies the funding source for the position.

Section IV awards a special adjustment to one of the Employee Services Specialist 2's in the Training and Organizational Development unit of the Employee Services Division. This special adjustment is needed to bring into alignment the salaries of the three Specialists that have been appointed within the last year and a half in this section. The employee in question transferred from the Health Department and no salary review was done at that time. Since two additional employees have been hired at higher salary rates, it is necessary to review this salary to maintain equity among the staff in this unit.

III. Financial Impact: The special adjustment will cost about \$10,000 during the current fiscal year; the additional cost will be absorbed within current budgeted funds for this unit.

IV. Legal Issues: None.

V. Controversial Issues: None.

VI. Link to Current County Policies: Ordinance No. 855 requires that the exempt compensation plan be kept current..

VII. Citizen Participation: None.

VIII. Other Government Participation: None

c: Rudy Williams  
Shery Stump

1                   BEFORE THE BOARD OF COUNTY COMMISSIONERS  
2                   FOR MULTNOMAH COUNTY OREGON

3                   ORDINANCE No. 906

4           An ordinance amending Ordinance No. 880, in order to add and delete exempt  
5 pay ranges and titles and to make special adjustments.

6           MULTNOMAH COUNTY ORDAINS AS FOLLOWS:

7   Section I. Findings.

8           A) Multnomah County, Oregon employs a variety of individuals excluded from  
9 any collective bargaining agreement referred to as "exempt" employees.

10          B) It is the County's policy to establish an exempt compensation plan that  
11 provides such pay as necessary for the County to recruit, select, and retain qualified  
12 management, supervisory, administrative, and professional employees; that recognizes  
13 employee performance, growth, and development; that maintains an appropriate  
14 internal relationship among classifications and employees based on job responsibilities,  
15 qualifications, and authority; and that maintains parity between equivalent exempt and  
16 non-exempt positions.

17          C) The Personnel Officer is responsible for developing and recommending  
18 compensation plan adjustments to the Multnomah County Board of Commissioners.

19   Section II. Deletion of Job Titles.

20          The following job titles established in Exhibit A of Ordinance No. 880 are deleted,  
21 effective January 1, 1998:

1                   Assessment & Taxation Manager/Senior

2                   Equipment Unit Administrator

3                   Library Administrator/Central

4                   Property/Commissary/Laundry Administrator

5    Section III. Addition of Job Titles and Ranges.

6           The following job titles and pay ranges are added to Exhibit A of Ordinance No.  
7    880, effective January 1, 1998:

<u>Job Title</u>	<u>Min</u>	<u>Mid</u>	<u>Max</u>
Auxiliary Services Admin	\$46,721	\$56,065	\$65,409
Clinical Program Pharmacist	\$56,065	\$60,737	\$65,409

11 Section IV. Special Adjustment.

12           The following employee will receive a one-time salary adjustment, effective July  
13    1, 1997, to the following annual salary rate. This adjustment is necessary to maintain  
14    appropriate internal and external relationships among exempt employees.

<u>Employee</u>	<u>Job Title</u>	<u>Annual Salary</u>
April Lewis	Employee Services Spec 2	\$46,152

ADOPTED the 30th day of April,

1998, being the date of its second reading before the Board of County Commissioners  
of Multnomah County, Oregon.



By

Beverly Stein, Chair

MULTNOMAH COUNTY, OREGON

REVIEWED:

TOM SPONSLER, COUNTY COUNSEL FOR

MULTNOMAH COUNTY, OREGON

Tom Sponsler

Tom Sponsler, County Counsel

APR 30 1998

R-7

## 1. REQUEST FOR PLACEMENT ON THE AGENDA FOR:

4/23/98

(Date)

DEPARTMENT: Non-departmental/Chair's Office/MCCFDIVISION: N/ACONTACT: Jim Clay, MCCF DirectorPHONE: X 83527

\* NAME(S) OF PERSON MAKING PRESENTATION TO BOARD:

Jim Clay, MCCF DirectorSUGGESTED AGENDA TITLE (to assist in preparing a description for the printed agenda)

Budget modification adding 2.0 new FTE Staff Associate positions within the Office of the Multnomah Commission on Children and Families, using currently available State funds, allowing for increased levels of accountability and public involvement in the Commission's initiatives.

## 2. DESCRIPTION OF MODIFICATION: [Explain the changes being made: What budget does it increase / decrease? What do the changes accomplish? Where does the money come from?

**[ X ] PERSONNEL CHANGES ARE SHOWN IN DETAIL ON THE ATTACHED SHEET**

Increases the budget of the Multnomah Commission on Children and Families (156-050-9035) by \$32,998. Adds 2 FTE to the Commission staff, and provides one-time-only set up costs for furniture, computers and supplies. The funds come from previously unallocated State funds through the Oregon Commission on Children and Families. Also makes technical correction of fund source code for Youth Investment funds.

BOARD OF  
 COUNTY COMMISSIONERS  
 MULTNOMAH COUNTY  
 OREGON  
 98 APR 22 AM 11:43

## 3. REVENUE IMPACT

(Explain revenues being changed and reason for the change)

Increases Multnomah Commission on Children and Families (MCCF) revenue by adding \$32,998 from the Oregon Commission on Children and Families (OCCF). OCCF funds had been available, but had not been allocated to this purpose until recently when the MCCF approved this allocation upon accepting a staffing capacity analysis.

**TOTAL \$32,998**

## 4. CONTINGENCY STATUS [to be completed by Budget &amp; Planning]

(Specify Fund)

Fund Contingency BEFORE THIS MODIFICATION (as of \_\_\_\_\_): \$ \_\_\_\_\_

AFTER THIS MODIFICATION: \$ \_\_\_\_\_

Originated By:

Date:

4/8/98

Jim Clay, Director, MCCF

Department Director:

Date:

4/8/98

Jim Clay, Director, MCCF

Plan / Budget Analyst:

Date:

4-22-98

Employee Services:

Date:

4/22/98

Board Approval:

Date:

4/30/98

**BUDGET MODIFICATI # MCCF9801**

## EXPENDITURES

**TRANS EB GM**

**TRANS DATE:**

ACCTING PERIOD:

**Budget Fiscal Year: 97/98**

[illegible]



**BUDGET MODIFICATI # MCCF9801**

## REVENUES

**TRANS EB GM**

TRANS DATE:

ACCTING PERIOD:

**Budget Fiscal Year: 97/98**

[illegible]

## BUDGET MODIFICATION NO.

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


			ANNUALIZED			
FTE	POSITION TITLE		BASE PAY	FRINGE	INSUR	TOTAL
1.00	Staff Associate		48,000	8,403	6,050	62,453
1.00	Staff Associate		48,000	8,403	6,050	62,453
						0
						0
						0
						0
						0
						0
						0
						0
						0
						0
						0
2.00	TOTAL ANNUALIZED CHANGES		96,000	16,806	12,100	124,906

6. CURRENT YEAR PERSONNEL DOLLAR CHANGE (Calculate costs/savings that will take place in this FY; these should explain the actual dollar amounts being changed by this Bud Mod.

			CURRENT YEAR			
FTE	POSITION TITLE	EXPLANATION	BASE PAY	FRINGE	INSUR	TOTAL
						0
						0
						0
0.17	Staff Associate	two months FY97/98	8,160	1,429	1,029	10,617
0.17	Staff Associate	two months FY97/98	8,160	1,429	1,029	10,617
						0
						0
						0
						0
						0
						0
						0
0.34	TOTAL CURRENT FISCAL YEAR CHANGES		16,320	2,857	2,057	21,234

# memorandum

TO: Multnomah County Board of Commissioners

FROM:  Multnomah Commission on Children and Families,  
Jim Clay, Director

DATE: April 14, 1998

SUBJECT: Budget modification adding 2.0 new FTE Staff Associate positions within the Office of the Multnomah Commission on Children and Families, using currently available State funds.

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**1. RECOMMENDATION/ACTION REQUESTED:**  
Approve

**2. BACKGROUND ANALYSIS:**

The Multnomah Commission on Children and Families eliminated two FTE staff during the uncertainty of Ballot Measures 47/50. A substantial expansion of work on the MCCF's community initiatives coupled with this reduction in staffing, has made it difficult for the MCCF to be accountable for its financial and programmatic outcomes, and hampered its ability to further involve citizens in its work. The Commission leadership called for a staffing analysis which resulted in the recommendation to restore these two positions.

**3. FINANCIAL IMPACT**

Increases the budget of the Multnomah Commission on Children and Families (156-050-9035) for FY 97/98 by \$32,998. Adds 2 FTE to the Commission staff, and provides one-time-only set up costs for furniture, computers and supplies. The funds come from State funds through the Oregon Commission on Children and Families. Annualized ongoing costs are \$124,906/FY, supported by State funds.

**4. LEGAL ISSUES:**  
None

**5. CONTROVERSIAL ISSUES**  
None

**6. LINK TO CURRENT COUNTY POLICIES:**

Approving this budget modification will help the MCCF advance two important County policy directions: providing accountability and involving citizens in meaningful ways.

**7. CITIZEN PARTICIPATION:**

The Multnomah Commission on Children and Families is an all volunteer citizen group which called for the study that has recommended this budget modification, and has approved it in open public meeting.

**8. OTHER GOVERNMENT PARTICIPATION:**

Representatives of the Oregon Commission on Children and Families participated and supported the development of this effort.

**Multnomah  
Commission on  
Children  
& Families**  
Creating a Chosen Future

**Commission Members**

Mark Rosenbaum,  
Chair

Pauline Anderson

Mike Balter

Alcena Boozer

Maureen Casterline

Lee Coleman

Jacki Cottingim

Ruth Ann Dodson

Paul Drews

Barbara Friesen

Steve Fulmer

Muriel Goldman

Leslie Haines

Samuel Henry

Janet Kretzmeier

John Lim

Kay Lowe

Sharon McCluskey

Larry Norvell

Eric Parsons

Lorenzo Poe

Tom Potter

Cornetta Smith

Luther Sturtevant

Nan Waller

Duncan Wyse

**Staff**

Jim Clay,  
Director

Dianne Iverson

Bonnie Rosatti

Jana Rowley

Chris Tebben

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Portland, OR 97204-1620  
Ph: (503) 248-3897  
Fx: (503) 306-5538  
mccf.org@co.multnomah.or.us  
inter-office: 166/1075

MEETING DATE: APR 30 1998  
AGENDA NO: R-8  
ESTIMATED START TIME: 10:05

(Above Space for Board Clerk's Use ONLY)

## AGENDA PLACEMENT FORM

SUBJECT: An Ordinance Amending The Public Contract Review Board Rules To Add A Provision Barring Employment Discrimination By Contractors Providing Goods And Services To The County.

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

REGULAR MEETING: DATE REQUESTED: April 30, 1998  
AMOUNT OF TIME NEEDED: 10 mins

DEPARTMENT: Non-Departmental DIVISION: Office of the Chair

CONTACT: Carol M. Ford TELEPHONE #: 248-3956  
BLDG/ROOM #: 106/1515

PERSON(S) MAKING PRESENTATION: Chair Stein, John Thomas

### ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☐ APPROVAL ☐ OTHER

### SUGGESTED AGENDA TITLE:

**An Ordinance Amending the Public Contract Review Board Rules  
To Add A Provision Barring Employment Discrimination  
By Contractors Providing Goods and Services to the County.**

### SIGNATURES REQUIRED:

ELECTED OFFICIAL: Beverly Stein

(OR)  
DEPARTMENT  
MANAGER: \_\_\_\_\_

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277

CLERK OF  
COUNTY COMMISSIONERS  
98  
APR - 9 PM 29  
MULTNOMAH COUNTY  
OREGON

## SUPPLEMENTAL STAFF MEMORANDUM

TO : Board of County Commissioners

FROM : Carol M. Ford, Chair's Office *Carol Ford*  
John Thomas, County Counsel's Office

DATE : April 9, 1998

RE : Amending The Public Contract Review Board Rules To Add A  
Provision Barring Employment Discrimination By Contractors  
Providing Goods And Services To The County.

### I. Recommendation/Action Requested:

Approve first reading of an ordinance to amend the Public Contract Review Board rules to add a provision barring employment discrimination by contractors providing goods and services to the county.

### II. Background/Analysis:

The purpose of this ordinance is to adopt a comprehensive policy barring employment discrimination by contractors who provide goods and services to the County as a supplement to our existing anti-discrimination policy.

Each year the County spends tens of millions of dollars with vendors who operate within Multnomah County. Amending the Public Contract Review Board (PCRB) rules will ensure that the County does not do business with contractors who are unwilling to make a clear commitment to provide equal employment opportunities to all.

This amendment addresses Multnomah County's compelling governmental interest in prohibiting discrimination in programs, activities, services, benefits and employment whether carried out by the County itself or through a contractor. This amendment adds a provision to every county contract that prohibits discrimination by the contractor based on race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, source of income, or political affiliation in programs, activities, services, benefits and employment.

County contractors who provide goods or services in excess of \$50,000 per year are currently required to be certified as Equal Employment Opportunity

Employers. The County currently contracts with the City of Portland to administer the certification program. Adoption of the ordinance will facilitate monitoring of the employment practices of County contractors by the City.

The PRCB rules already include policies covering:

- A requirement that county contracts prohibit discrimination against minority, women and small business enterprises.
- Good Faith Effort Program to provide equitable opportunities for MBEs, WBEs, and ESBs to participate in subcontract opportunities created through Multnomah County contracts.
- Requirement for certification as Equal Employment Opportunity Employer
- Workforce Requirements in Construction Contracts
- Sheltered Market Program for MBE, WBE and ESB contractors performing public works contracts for Multnomah County.
- Bid and RFP boilerplate language include the requirement of non-discrimination in employment, however, this requirement has not been formalized as part of the PRCB Rules.

**III. Financial Impact:**

There is no anticipated increase in the County's contract with the City of Portland to continue administration of the certification program.

**IV. Legal Issues:**

None.

**V. Controversial Issues:**

None.

**VI. Link to Current County Policies:**

Directly links to the County's Affirmative Action and Equal Opportunity policies for employment and service provision. Links to the County's vision statements and good government benchmarks.

**VII. Citizen Participation:**

Public comment will be taken during the Board's public meeting.

**VII. Other Government Participation:**

The City of Portland also recently adopted an anti-discrimination policy substantially similar to this ordinance.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. \_\_\_\_

An ordinance amending the Public Contract Review Board Rules to add a provision barring employment discrimination by contractors providing goods and services to the County.

Multnomah County ordains as follows:

Section 1. Purpose

The purpose of this ordinance is to amend the Public Contract Review Board Rules to adopt a comprehensive policy barring employment discrimination by contractors who provide goods and services to the County supplementing existing anti-discrimination policy.

Section 2. Findings:

The Multnomah County Board of Commissioners finds:

a. Each year the County spends tens of millions of dollars with vendors who operate within Multnomah County.

b. Multnomah County has a compelling governmental interest in prohibiting discrimination in programs, activities, services, benefits and employment whether carried out by the County itself or through a contractor.

c. Amending the Public Contract Review Board Rules will ensure that the County does not do business with contractors who are unwilling to make a clear commitment to provide equal employment opportunities to all.

d. County contractors who provide goods or services in excess of \$50,000 per year are currently required to be certified as Equal Employment Opportunity Employers under a program administered by agreement with the City of Portland. Adoption of the policy described in Exhibit

A will facilitate monitoring of the employment practices of County contractors by the City. The City of Portland recently adopted an anti-discrimination policy substantially similar to the policy described in Exhibit A.

Section 3. Amendment: Adoption of Rule

MCC 2.20.250 (B) is amended to read:

The Multnomah County Public Contract Review Board Administrative Rules dated January 8, 1998 and amended in accordance with Exhibit A to Ordinance No. \_\_\_\_\_ dated \_\_\_\_\_, are hereby adopted and replace those rules previously promulgated by the Board.


Dated this \_\_\_\_ day of \_\_\_\_\_, 1998, being the date of its second reading before the Multnomah County Board of Commissioners.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Beverly Stein, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY COUNSEL  
FOR MULTNOMAH COUNTY, OREGON

By  \_\_\_\_\_  
John S. Thomas, Assistant County Counsel



## **EXHIBIT A**

NOTE: Amendments appear in Division 10 and Division 60 only. New material is highlighted, deleted material is in italics and brackets.

### **Division 60 is amended as follows:**

#### **60.000 AFFIRMATIVE ACTION IN PUBLIC CONTRACTS**

##### **60.010 Purpose**

- (1) The purpose of this Chapter is to establish procedures to assure that Multnomah County contractors and vendors provide adequate opportunities for minority individuals, women, and MBE, WBE and ESB contractors and subcontractors to participate and compete for business and employment opportunities provided through contracts with Multnomah County, State of Oregon.

##### **60.015 Affirmative Action Contracts**

- (1) Public contracts may be awarded pursuant to a specific Affirmative Action plan. This rule sets forth the Multnomah County Affirmative Action Plan.

##### **60.030 Policy**

- (1) It is the intent of Multnomah County to provide opportunities for all segments of the business population to participate in the Multnomah County Purchasing Program. In order to assure opportunity, every County contract and/or subcontract for construction, maintenance, or services shall include provisions barring discrimination against or differential treatment of MBE's, WBE's and ESB's.
- (2) Multnomah County has a compelling governmental interest in prohibiting discrimination in programs, activities, services, benefits and employment whether carried out by the County itself or through a contractor with whom the County arranges to carry out its programs and activities. Every County contract shall contain a provision prohibiting discrimination by the contractor based on race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, source of income, or political affiliation in programs, activities, services, benefits and employment.

- (2)(3) For all contracts designated by the Purchasing Manager, bid specifications shall require compliance with a "good faith effort" program.

##### **60.031 Good Faith Effort Program**

- (1) The activities described in ORS 200.045 are standards for good faith efforts to provide equitable opportunities for MBEs, WBEs, and ESBs to participate in subcontract opportunities created through Multnomah County contracts.

- (2) The Purchasing Manager shall implement a good faith effort program utilizing the standards described in ORS 200.045 that are determined to be effective to achieve the purpose of this section together with such other standards as are appropriate to such a program. Bid or proposal specifications for contracts requiring good faith effort shall state the requirements necessary to show that a good faith effort has been made and shall require documentation of such effort. The Purchasing Manager shall cooperate with other municipal and state agencies to design, to the maximum extent possible, a program that is uniform between agencies.

#### **60.032 Evaluation of Good Faith Effort**

- (1) The Purchasing Manager or his/her designee shall determine if the bid complies with bid specifications for good faith effort.
- (2) Failure of bidder to submit good faith effort documentation required by the bid specifications shall be determined "non-responsive" to the bid specifications. Non-responsive bids will be rejected by the Multnomah County Purchasing Manager.

#### **60.040 Requirement for Certification as Equal Employment Opportunity Employer**

- (1) No vendor shall furnish goods or services to the County in any year, whether by single contract or multiple contracts, for an amount in excess of the limit set for formal bids in AR 10.010 unless such vendor is certified as an Equal Employment Opportunity Employer. No County agency shall enter into a contract by which a vendor shall exceed such limitation unless the vendor is, at the time of such contract, certified by the Purchasing Manager as an EEO Employer.

#### **60.041 Certification Procedure/Appeal**

- (1) Vendors furnishing goods and services to the County in excess of the limits set forth in AR 60.040 shall apply for and obtain EEO certification from the City of Portland as an EEO employer. The Purchasing Manager shall maintain a list of certified vendors based upon City of Portland certification. A vendor may appeal from a decision to deny certification or revoke certification in accordance with the procedure prescribed in AR 40.090 for denial or revocation of prequalification.

#### **60.050 Workforce Requirements in Construction Contracts**

- (1) For all contracts designated by the Purchasing Manager as being appropriate for such a program, the Purchasing Manager shall establish specifications to be included in the bid specifications which require for such contracts that contractors make reasonable efforts to increase apprenticeship training and work opportunities for women and minority individuals, and, to ensure that their workforce reflects the diversity of Multnomah County and is reasonably consistent with the availability of qualified women and minority individuals. The specifications shall state the requirements necessary to show that a reasonable effort has been made, shall require documentation of such effort, and shall provide for remedies to the County for failure to comply with any of the specified requirements.

#### **60.060 Sheltered Market Program**

- (1) There is hereby established a Sheltered Market Program for MBE, WBE and ESB contractors performing public works contracts for Multnomah County. The purpose of the program is to provide prime contracting experience for small contractors in order to increase the number of contractors available to bid on Multnomah County public works projects, and to increase participation of MBE, WBE, and ESB contractors acting as prime contractors on county public works projects to ensure uniform access to public contracting dollars and to improve opportunities for minorities and women acting as business owners in the regional construction industry.
- (2) Contractors shall be selected for participation in the Sheltered Market Program based on an application developed by the Purchasing Manager. Criteria for selection shall include the following:
  - (a) Contractor shall be a state certified MBE, WBE or ESB.
  - (b) Contractor shall have prior experience performing construction work and shall be currently in business doing construction work.
  - (c) Contractor shall have gross receipts for the calendar year prior to the application of less than \$1,000,000 or if gross receipts for that year are greater than \$1,000,000, then the average gross receipts for the three calendar years prior to the application shall be less than \$1,000,000. The Purchasing Manager shall have the discretion to waive this requirement if waiver will advance the purposes of the program and if all other criteria are met.
  - (d) Contractor shall have reported that contractor has experienced barriers in the conduct of contractor's business based on race, gender or size of the business.

The Purchasing Manager may develop additional criteria for selection of contractors for participation in the program which further the purpose of the program.

- (3) A contractor may appeal from a decision to deny participation in the program to the Public Contract Review Board in accordance with the procedure prescribed in AR 40.090.
- (4) Contracts to be included in the Sheltered Market Program shall be selected by the Purchasing Manager from projects estimated at the time of bidding to result in a contract in excess of \$50,000 and less than \$200,000. The Purchasing Manager may include in the program additional contracts up to \$250,000 if inclusion will further the purposes of the program. In the selection of contracts to be included in the program, the Purchasing Manager shall consider the number of contractors in the program which have the qualifications and the capacity to perform the work. If necessary to assure that all Sheltered Market contractors have an opportunity to participate, contracts may be offered for bid to only selected contractors within the Sheltered Market Program.

- (5) Contracts selected for inclusion in the Sheltered Market Program shall be offered for bid only to contractors admitted to the Sheltered Market Program. Except as provided in subsection (6) below, the contract shall be awarded to the lowest responsive responsible bidder among those bidding.
- (6) For each project selected for the Sheltered Market Program, the project manager for the program shall forward to the Purchasing Manager a cost estimate for the project. If the lowest responsive responsible bid is more than the cost estimate, the Purchasing Manager shall have the option to re-bid the project within the Sheltered Market Program or open the bidding on the project to all bidders. If bidding is opened to all bidders, the contract shall then be awarded to the lowest responsive bid from among all bids received.
- (7) The Purchasing Manager shall promulgate rules setting forth conditions for continued participation in the program, and for graduation from the program. Participation in the Program shall be limited to three years absent extraordinary circumstances.
- (8) The Purchasing Manager shall prepare a report to the Board of County Commissioners on an annual basis which provides an evaluation of the program, including information on the subjects set forth in Section 4 of HB 2910. The annual report shall include a recommendation whether the program should be continued. If the Purchasing Manager recommends that the Program be continued, the recommendation shall include any proposed improvements to the Program.